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### BOGOMOLOVA, Victoria Igorevna

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#### IP law and anti-trust law: points of convergence (USA practice)

**Keywords:** Anti-trust laws; intellectual property; first sale doctrine; misuse; tying; licensing

The author analyzes the intersections between anti-trust law and IP law in the USA. Particularly, the author reviews the work of judges and law-makers who have been trying to achieve the balance between promoting and promoting innovations and maintaining fair competition.

### KITSAI, Juliana Anatolievna

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#### Non-profit organizations as executors of socially oriented services: problems of performance monitoring

**Keywords:** Non-profit organizations; socially-oriented organizations; socially oriented services; control over non-profit organizations; supervisory committee

The main issue of the article concerns the role and participation of non-profit organizations in the functioning of socially vital markets in which such organizations mainly work as executors of social services. The author calls for stricter control of non-profit organizations. Specifically, it is suggested that the work of non-profit organizations should be monitored by supervisory committees.

### LEONOVA, Galina Borisovna

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#### Compulsory certification of goods

**Keywords:** Quality of goods; conformity assessment; certificate of conformity; certification body; proof of conformity scheme; accreditation; register; complete list; goods turnover; suspension (termination) of conformity certificate; Customs Union; Eurasian Economic Union

The legal regulation of compulsory certification of goods still seems dispersed, scholarly research cannot provide sound analysis of the issue either. A small number of research papers which do analyze the question of compulsory certification of goods were published before the adoption of pertinent international regulations and their analysis was based on the norms of the Federal Law 'On technical regulation' in some cases without due account of the rules laid down by the regulatory acts of the Customs Union and Eurasian Economic Union. In addition, the existing research of the issue in question lacks legal analysis of the applicable norms. Meanwhile correct interpretation and application of the norms on compulsory certification depend on fulfillment of compulsory requirements on quality and turnover of specific goods as well as government oversight of compliance with those requirements.

### MUKHЛИSOV, Timur Tagirovich

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#### Security deposit as type of contract security in construction contracts

**Keywords:** Construction contract; contractor's security obligation; termination of contract; recovery of security deposit; freedom of contract

The author endeavors to give a brief analysis of security deposit, which as a type of security is quite common for construction contracts. It is pointed out that Russian civil law does not regulate security deposits per se, however, under certain circumstances security deposit can be classified as earnest money deposit as provided by Article 381.1 of the RF Civil Code. Also the author describes the approach of commercial courts with regard to recovery of security deposit upon termination of a construction contract.

### OVCHAROVA, Elena Vladimirovna

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#### Responsibility of public authorities for tax violations: premises and problems

**Keywords:** Administrative norms; administrative responsibility; norms on tax offences; responsibility for tax offence; administrative penalty; administrative offence; tax penalty; principle of administrative responsibility; RF Code of administrative offences; RF Tax Code; responsibility of state; responsibility With due regard to the main objective of legal regulation of administrative offences in the sphere of tax legislation the author of the article discusses the system of

elements of administrative offences in the sphere of tax legislation. The author provides a critical analysis of the problems in the legal regulation including a big number of gaps, its unsystematic and casuistic nature. The author suggests a different approach to the classification and attribution of elements of administrative offences in tax sphere, which, according to the author, will enable the codification of laws on administrative responsibility, it will also allow to tackle the pertinent problems and gaps effectively.

### SKOBLIKOV, Petr Alexandrovich

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#### Right to petition RF High Commissioner for Human Rights: cases of 'silent' treatment from administrative bodies and courts and problems of effective exercise of rights

**Keywords:** High Commissioner for Human Rights in the Russian Federation; order of petitioning; protection of human rights and liberties; non-action as violation of rights and liberties; gaps in Federal constitutional law; criminal procedure; prosecutorial oversight

Many citizens confront a problem of 'silent' or ineffective processing of their claims. Petitioners are routinely referred to opposing parties, they are given unspecified replies or they get no replies at all. That is why petitioning the High Commissioner for Human Rights in the Russian Federation, vested with necessary authorities and independent status, seems to be the last resort. However, the law stipulating the procedure of petitioning has some inconsistencies which in some cases will get the petitioned dismissed. Based on the analysis of the pertinent court practice and regulatory norms the author suggests possible solutions to the problem.

### TARASOVA, Yulia Evgenievna

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#### Unified algorithm for classification of multiple counts

**Keywords:** Multiple counts; concurrence of crimes; classification of crimes; criminal law

The author discusses the controversies inherent to the concept of multiple counts and analyzes the possibility of overcoming those controversies by developing a unified algorithm of classification.

### TOMSINOV, Vladimir Alekseevich

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#### Andrey Yanuarievich Vyshinsky (1883—1954), statesman and legal scholar. Article thirteen

**Keywords:** A.Ya. Vyshinsky; I.V. Stalin; case of Trotsky-Zinoviev terrorist group  
The article is devoted A.Ya. Vyshinsky, his professional career, and contribution to the development of jurisprudence. The article dispels political myths about this figure and provides an unbiased analysis of his political career and scholarly works.

### YANINA, Irina Yurievna

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#### Minor act: issues of legislative construction

**Keywords:** Public danger; minor act; guilt; perpetration by indirect agent

The definition of minor act could hardly be called sound. Evaluative terminological expressions which are used to define this concept give rise to many questions in practice and research. The author suggests that par. 2 Article 14 of the Russian Federation Criminal Code should be changed.

### YURLOV, Sergey Alexeevich

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#### Sportsmen's status in sport and their legal status under sports law

**Keywords:** Legal status; sport; rights; sports law

The Olympic charter, the regulatory documents of sports organizations, national sports law treat a sportsman as an independent party vested with rights and obligations. However, the analysis of enforcement practice proves quite the opposite, namely a modern sportsman turns out to be completely dependent on sports organizations. The author suggests that sports law as well as regulatory acts of sports organizations should be supplemented with norms which would allow sportsmen to actually exercise and enforce their rights.