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Gazprom antitrust investigation: catching a straw

Key words European Commission; market sharing; dominant position on market; Gazprom; gas contracts; pro-competition commitments

The antitrust investigation instituted by the European Commission against Gazprom 5 years ago has moved on: Gazprom took a step towards settling the dispute and offered to make commitments to satisfy the claims of the European Commission. The author of the article analyzes the offer of commitments by Gazprom, their implications and prospects of the future settlement.

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Individualization and differentiation in legal regulation of employment relations: similarities and differences

Key words Individualization; differentiation; specificity of labor regulation; special norms

Some scholars do not distinguish between individualization and differentiation in legal regulation of employment relations where the former is regarded as the highest degree of differentiation. However, this opinion is questionable. Despite the seeming commonality these two phenomena have more differences than similarities.

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Protection of designated natural sites (zakazniki) and protected areas: main problems of law enforcement

Key words Designated natural sites; zakazniki; natural sites; protected area
Russian legislation has quite a developed system of legal acts of different levels aimed at protecting designated natural sites. How effective is this system of acts? The article unambiguously states that enforcement of such laws encounters many problems, this is particularly the case with protected areas (zakazniki) and natural sites. Some of these problems are in the focus of the present article.

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Trafficking of precious metals and precious gemstones: property and its characteristics

Key words Precious metals; precious gemstones; restricted transactions; jewelry; state platemark; property of crime

Based on the analysis of court practice the author discusses the controversial issues related to determining and identifying the element of property with regard to illicit trafficking of precious metals and precious gemstones.

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Register of immovable property: principle of legality

Key words Legality; limits of expert review; principle of review of legality of registration

The author has conducted a complex review of enforcement of the principle of legality established in the laws on registration and court practice. The article outlines the main problems arising during the review of transactions, administrative acts, and court decisions which serve as legal grounds for the registration of rights. The author suggests his view on the further improvement of the registration regime.

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Right to business reputation as element of legal status of business entity

Key words Business reputation; business entity; legal status of entrepreneur; media image; means of individualization; right to business reputation; subjective right

The article examines the notion of business reputation and considers the right to business reputation as an element of legal status of a business entity. Being a part of the right to do business it is also regarded as transferable subjective right.

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Market concept of intellectual property: critical view

Key words Intellectual property; proprietary concept; theory of exclusive rights; theory of IP rights; exclusive rights; property right; intellectual property works; objectives; civil law protection of IP works; market concept of intellectual property

The business nature of relations emerging out of intellectual property has led to a situation where exclusive rights are exercised against their primary institutional objective. The article analyzes the most influential philosophical and legal approaches to the understanding of the intellectual property adopted by European and Anglo—American doctrine and law practice. The author argues that the market concept of intellectual property and non-protection of private non-property interests of the author serve neither the interests of the author nor the interests of the public.

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Principle of open justice as guarantee of authenticity of court transcripts of criminal proceedings

Key words Open justice; transcript of trial; audio record

The article analyzes theoretical and practical problems related to the enforcement of principle of open justice when it concerns the exercise of the right to keep the audio recording of court proceedings. In particular, the article focuses on the cases where the audio records produced by defense as evidence are dismissed by the court. The author concludes by stating that the fact of parties keeping audio records of trials has to be reflected in the respective laws.

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Fuel and Energy Complex protection under criminal law

Key words Fuel and Energy Complex; criminal offense against FEC; main pipeline; history of FEC; FEC legislation; FEC as property subject to criminal law

The article examines the evolution of FEC as protected property subject to criminal law provisions. The author looks into different articles dealing with legal protection of different property parts of FEC. The author points out that the legislator does not regard FEC as a single complex or system where criminal offense against one part of this complex may undermine the work of the whole complex. The author suggests his view on reforming the RF Criminal Code.

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

Key words USSR; Soviet law science; A.Ya. Vyshinsky

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.