

Index

DEMIANOVA, Maria Vladislavovna

Postgraduate
Department of business law
Lomonosov Moscow State University Law School

Principle of good faith in corporate law: theoretical issues

Keywords: Principle of good faith; corporate law; corporate liability

This paper analyzes the principle of good faith and its effectuation in corporate law. The author distinguishes two types of good faith based on the status of the subjects of corporate legal relations.

KOZLOVA, Natalia Vladimirovna

Deputy dean for research and scholarship
Doctor of legal sciences
Professor

Department of civil law
Lomonosov Moscow State University Law School

VOROZHEVICH, Arina Sergeevna

Candidate of legal sciences
Teaching assistant

Department of civil law
Lomonosov Moscow State University Law School

Internet memes and copyright: protection and non-infringement

Keywords: Copyright; exclusive right; Internet memes; parody; fair use; infringement of copyright

The paper analyzes memes in terms of copyright protection. The authors tackle the question of whether the use of Internet memes based on someone else's copyrighted work (photographs, pictures) can be considered a copyright infringement. Another issue raised in the article concerns the ownership of such copyright.

MOISENKO, Yevgenia Olegovna

Prosecutor
Prosecutor's Office in Khabarovsk krai

Problems relating to evidence examination: preparing appeal forms

Keywords: Russian Federation Criminal Procedure Code; evidence; presentation of evidence; criminal case; criminal prosecution; court; public prosecutor; prosecutor; appeal form

The paper examines the problems related to challenging court decisions by prosecutors in court of appeal. The author analyzes the positions of different scholars with regard to the status of a prosecutor and a public prosecutor under criminal procedure rules on appeals. The author writes about possibilities of amending the Russian Federation Criminal Procedure Code provisions regarding the parties of appeals proceedings.

OVSYANNIKOV, Igor Vladimirovich

Doctor of legal sciences
Associate professor
Chief researcher
Research department of Scientific center
Academy of Federal Penal Service of Russia

Private prosecutor: withdrawal of charge or cessation of prosecution?

Keywords: Private prosecution criminal case; victim; private prosecutor; charge withdrawal; cessation of criminal prosecution; grounds for criminal case termination

The paper analyzes the problem of legal grounds for the termination of criminal proceedings where a private prosecutor withdraws a charge. Another issue raised in the paper deals with the right of a private prosecutor to cease criminal prosecution without dropping a charge. The author discusses possible amendments to the criminal procedure law.

PETROV, Alexey Yakovlevich

Doctor of legal sciences
Full Professor
Honored worker of higher education of the Russian Federation
Professor
National Research University Higher School of Economics

Self-protection of labour law rights

Keywords: Self-protection of labour rights; non-fulfillment of work; termination of employment contract; work stoppage; delays in salary payment

Various articles of the Russian Federation Labour Code provide for legal means of self-protection of labour rights. Based on the analysis of the relevant court practice the author discusses such means of self-protection as non-fulfillment of work functions; or such actions as work stoppage, resignation, and actions causing detriment to business reputation.

SINELNIKOVA Valentina Nikolaevna

Doctor of legal sciences
Professor
Department of private law
National Research University Higher School of Economics Faculty of Law

Science and its teaching methods

Keywords: Science; analytics; research methodology; science studies; applied analytics theory

The author presents a review of the second edition of textbook by I.V. Ponkina and A.I. Lapteva 'Research methodology and applied analytics methods' (Moscow, 2021).

SINITSYN, Sergey Andreevich

Doctor of legal sciences
Deputy director
Institute of Legislation and Comparative Law under the Government of the Russian Federation
Department of civil legislation and procedure
Leading research associate

Keywords: Corporate transactions and agreements; exercise of rights of members of corporation; corporate relations; corporate governance

Shareholder agreement: general and specific issues in modern legal systems

Problems of company law and shareholder agreement regulation are familiar to many jurisdictions. The Russian corporate law reform still has to live up to its objectives.

The legislator is faced with the task of establishing the relationship and consistency between the shareholder agreement and the rules of corporate and contract law, the subject matter of shareholder agreement, the criteria of validity and enforceability. The paper discusses the general and specific underlying issues and problems in the regulation of shareholder agreement in modern legal systems. The author discusses the possibilities for developing Russian legislation in this sphere.

SMUSHKIN, Alexander Borisovich

Candidate of legal sciences
Associate professor
Department of forensic science
Saratov State Law Academy
Associate professor
Department of criminal law studies
Povolzhskiy Institute of All-Russia State University of Justice
(RLA of Ministry of Justice of Russian Federation) Saratov

Forensic science on remote basis

Keywords: Remote forensics; remote investigative actions; electronic investigative actions

In the paper the author suggests that remote forensics represents a separate type of forensics. The author examines its organizational, psychological characteristics and argues that a new category of specialists — technical assistant to investigator — should be fixed in the relevant provisions of law.

TOMSINOV, Vladimir Alekseevich

Doctor of legal sciences
Professor
Lomonosov Moscow State University Law School

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

Article fifty-three

Keywords: USSR; mass repressions in 1937—1938; I.V. Stalin; N.I. Bukharin; A.Ya. Vyshinsky; G.G. Yagoda

The article continues the series of works devoted to the professional career and academic legacy of A.Ya. Vyshinsky. The paper examines the twists and turns in the proceedings in the case against N.I. Bukharin, A.I. Rykov, G.G. Yagoda and others.

TRETYAKOV, Sergey Vasilievich

Candidate of legal sciences
Associate professor
Department of civil law
Lomonosov Moscow State University Law School
Professor
Department of theory and history of private law and international private law
Russian School of Private Law

Critical analysis of subjective right as critical evaluation of autonomy:

Leon Duguit case

Keywords: Subjective (private) right; social function; solidarity

The paper examines Leon Duguit's work, his understanding and construction of the subjective right. The paper also provides a review of the philosophical and sociological premises of his theory and his main arguments against the traditional view of this category.

ZABRAMNAYA, Elena Yurievna

Candidate of legal sciences
Associate professor
Docent
Department of labour law
Lomonosov Moscow State University Law School

Liability in labour law

Keywords: Liability under labour law; legal conduct; wrongdoing; unlawful act; abuse of right

The paper examines the problem of legal liability in labour law against the background of theoretical notion of legal conduct. The author concludes that in the context of labour legislation and developing law enforcement practice liability arises not only in case of wrongdoing but also in case of unlawful acts and abuse of right.

ZHUK, Oleg Dmitrievich

Doctor of legal sciences
Full professor
Director of Research and study center for combating organized crime and corruption
Lomonosov Moscow State University Law School
Russian Academy of Natural Sciences
Academician
Higher Attestation Commission of Ministry of Education and Science
Member of expert board on law

Problems of qualification of crimes of terrorist nature. Part two

Keywords: Terrorist act; public calls for terrorist activity; public justification of terrorism; terrorist propaganda; organizing terrorist associations; participation in terrorist associations; failure to report a crime; criminal case; investigator; prosecutor; judge

The paper examines the problem of qualification of crimes of terrorist nature. In particular, the author analyzes the elements of crimes set out in Article 205—205.6 of the Russian Federation Criminal Code. The analysis also covers the court practice related to the application of these provisions of criminal legislation.