

Economic and legal analysis of unfair competition structures

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Abstract

© Medwell Journals, 2015. In this report, a comprehensive analysis of the structure and the concept of such a complex and controversial phenomenon as unfair competition, its legal and economic entity was performed. This was conditioned by the fact that there is no general concept of unfair competition today. It cannot be produced due to a striking difference between the legal regulation of this institution in different countries, depending on the socio-economic and historical situation. Thus, a comprehensive definition of unfair competition on the legislative level is not enough, the definition specified in the Federal Law "On competition protection" is not enough because it defines the concept only fragmentary. And for a more complete analysis of the acts qualified as the acts of unfair competition, the provisions of the Paris Convention for the Protection of Industrial Property should be considered in addition to federal legislation. Legally stated acts of unfair competition are very broad and abstract and therefore, it was suggested in addition to general formulae (general delicts) to apply a detailed list of unfair competition specific acts to prevent this during operations. The study also pays attention to the fact that unfair competition includes the actions in the form of abuse of rights and the breach of the objective right standards.

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Keywords

The acts of unfair competition, The concept of unfair competition, The nature of unfair competition, The Paris Convention for the Protection of Industrial Property issued on 1883, Unfair competition