

Legal regulation of commercial concessions (franchising) in accordance with Russian and foreign law

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Abstract

The purpose of this work is to define the legal systems on commercial concession (franchising) regulation in the world practice, and also identification of the specifics of commercial concession contractual regulation in Russia, and analysis of all changes in civil legislation regulating the institution of commercial concession and the identification of trends in its development within the framework of the ongoing legal reform. The general scientific basis was formed by the general scientific (dialectical) method of obtaining knowledge, and also comparative legal and logical methods, which allowed us to consider the problems of the civil legislation development in the field of commercial concession. The analysis of civil legislation reveals the directions of its development and improvement in the field of commercial concession. Using the example of a comparative analysis of foreign experience in regulating commercial concessions, trends in the development of Russian civil legislation are shown. Particular attention is paid to changes in Chapter 54 of the Civil Code of the Russian Federation as part of the civil legislation reform. A scientific study of the legal regulation system for commercial concession (franchising) abroad was carried out, as well as trends of changes in the norms of Russian civil legislation in the field of commercial concession were analyzed. The theoretical provisions formulated in the article can be useful for determining the effectiveness of civil legislation that enshrines the contractual regulation of commercial concession, and they can be used in law enforcement practice, as well as in the course of "Civil Law" study.

Keywords

Commercial concession, Contract law, Franchising, Intellectual property, License agreement, The Civil Code of the Russian Federation

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