

THE REVIEW OF RUSSIA'S ECONOMIC LEGISLATION IN FEBRUARY 2015¹

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In February, the following main amendments were introduced into the legislation: a procedure for notification by the employer of conclusion of a contract with an individual who filled in certain public and municipal service positions was updated; holders of the right to outputs of intellectual activities registered in the Russian Federation who had a change in their name registered with the Federal Tax Service have to notify the Rospatent to that effect.

I. Resolutions of the Government of the Russian Federation

Resolution No.29 of 21 January 2015 on APPROVAL OF THE RULES OF NOTIFICATION BY THE EMPLOYER OF THE CONCLUSION OF A LABOR OR CIVIL LAW CONTRACTS ON FULFILLMENT OF JOBS (RENDERING OF SERVICES) WITH AN INDIVIDUAL WHO FILLED IN PUBLIC AND MUNICIPAL SERVICE POSITIONS THE LIST OF WHICH IS SET BY STATUTORY ACTS OF THE RUSSIAN FEDERATION

In accordance with Article 12 of the Federal Law of the Russian Federation on Prevention of Corruption, new rules setting a procedure for notification by the employer of the conclusion of a labor and civil law contracts on fulfillment within a month of jobs (rendering of services) worth Rb 100,000 with an individual who filled in public and municipal service positions the list of which is determined by statutory acts of the Russian Federation to the employer of a public or municipal employee at the last place of his/her employment were approved.

In conclusion of labor or civil law contracts, within 2 years from the date of lay-off of an individual from the public or municipal service the employer has to inform the employer of the public or municipal employee at the last place of that employee's work of conclusion of such an agreement; the above notification is to be made in writing on a letterhead of the entity and signed by the manager who signed the labor contract on behalf of the employer or the person who signed the civil law contract. The signature is to be certified by a seal of the entity or a seal of the personnel department.

Notification is to be sent to the representative of the employer of the individual at the place of that individual's last work within 10 days from the day of conclusion of labor or civil law contracts.

Also, the list of the data which is to be included in the notification has been determined in the above Resolution. In particular, it includes:

- full name (if any) of the individual (while in case of a change in the name, the former one is to be specified, as well);
- date, month, year and the place of birth of the individual;
- position at the public or municipal service which was held by the individual before a lay-off from the public or municipal service (on the basis of the data specified in the record of service);
- name of the entity (full and a shorter one if available).

In case of conclusion of a labor contract with an individual, in addition to the above listed data the following is to be provided:

- the date and number of the order in accordance with which the individual was employed;
- the date of conclusion of a labor contract (in case of a fixed-term contract, the period of validity is to be specified);
- position held by the individual under a labor contract as per the table of organization and department (if any);
- functions as per the job position.

In case of conclusion of a civil law contract with an individual, along with provision of the main data (stated above) it is necessary to supply the following: the date and the number, the period of validity and the subject and cost of jobs (services) under the civil law contract.

II. Instructions, Letters and Orders

The Rospatent's Information Letter of 2 February 2015 on INTRODUCTION OF AMENDMENTS RELATED TO A CHANGE IN THE NAME OF A LEGAL ENTITTY AS REGARDS SPECIFICATION OF ITS FORM OF INCORPORATION INTO APPLICATION MATERIALS AND REGISTERS OF REGISTERED ITEMS OF INTELLECTUAL PROPERTY DUE TO AMENDMENTS IN PART 1 OF THE CIVIL CODE OF THE RUSSIAN FEDERATION.

On 1 September 2014, amendments to Chapter 4 of Part 1 of the Civil Code of the Russian Federation providing for a change in the name of the form of incorporation of legal entities came into effect.

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According to Article 1232 of the Civil Code of the Russian Federation, legal entities which are holders of rights to outputs of intellectual property and intellectual property designations registered in the Russian Federation and had a change in their name registered with the Federal Tax Service of the Russian Federation are obligated to notify the Federal Intellectual Property Service to that effect.

To introduce relevant amendments to state registers of registered items of intellectual property, it is necessary to submit an application to the Federal Intellectual Property Service. The application should include identifiers of a legal entity (OGRN (Primary State Identification Number) and INN (Individual Taxpayer Number)) required for receipt of acknowledgment via the unified system of interdepartmental electronic networking. In support of the requested changes, a copy of the document on registration of the change in the name of the legal entity in the Single State Register of Legal Entities can be enclosed.

For amendment of the name of the right holder in the state registers of inventions, useful models, industrial samples, trademarks and service marks, names of places of origin of goods, software programs for computers, data bases, layouts of integrated circuits of the Russian Federation, as well as the list of well-known trademarks, a fee of Rb 2,050 is charged.

For amendment of the name of the applicant on the basis of applications for registration of trademarks and service marks or applications for registration of the name of the origin of goods, a fee of Rb 4,900 is charged.

For amendment of the name of the applicant on the basis of applications for state registration of software for computers, data bases and layouts of integrated circuits, a state fee of Rb 1200 is charged.

No state fee is required for amendment of the name of the applicant on the basis of applications for registration of an invention, useful model or industrial sample. ●