

entiation of the notion of the ceasing of agents of economical activity of general investing from the other adjacent ones. Due to this one of the most questionable matters in the sphere of economical right as well as in practical application of economical legislation is the correlation of the notion «the ceasing of economical activity of general investing» and «the ceasing of agents of economical activity of general investing». The analyses of the legislation and the generalization of the scientific results allows to point out that the notions «the ceasing of economical activity of general investing» and «the ceasing of agents of economical activity of general investing» cannot be identical.

Since the 1st of January 2014 will have come into force the new law of Ukraine «On the institutions of general investing», due to which the agents of economical activity of general investing will be deprived of the possibility to accumulate the assets of general investing institutions by means of reorganization of corporative or share funds through the union and joining, as a result their opportunities to take part in large projects will be limited. Referring to this, it would be appropriate to move some amendments to the new law of Ukraine «On the institutions of general investing», in accordance with which, the possibilities of the reorganization of ICI in the way of merging and joining should be foreseen.

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CONSIDERATION OF CREDITORS' REQUIREMENTS IN THE REORGANIZATION AND LIQUIDATION OF LEGAL ENTITIES

Protection of the rights and ensure the consideration of creditors of a business partnership that is terminated, is one of the most important tasks of regulation and guarantee the stability of the economic public order.

Important guarantee of keeping right for human contractors have a duty to disclose the termination of the legal entity that relies on a commission to terminate the legal entity or court. Thus, it was after the publication of notice of the decision to terminate the legal entity begins to run for a period of declaration

of creditors' claims, which cannot be less than two or more than six months (Part 5 Art. 105 CC). The consequences of omitted creditors of the installed period for declaration requirements established only for liquidation proceedings, so that the creditor's claim, filed after the expiry of the time limit fixed by the liquidation committee for their production, are satisfied from the assets of the legal entity liquidate remaining after satisfaction of creditors claimed time (Part 4 Art. 112 CC). Claims of creditors made under specified procedures

and recognized by the liquidation commission or tribunal to be satisfied in the order specified by law. In the event of termination effective company claims its creditors are satisfied in the order of priority established by the Civil Code of Ukraine, and if found bankrupt compa-

ny – in order of priority established by the Law of Ukraine «On restoring the debtor's solvency or bankruptcy». The schedule of payments with creditors in the event of termination of business companies directly related to the form of such termination.

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EXPERTISE ISSUE: DISTINCTIVE TRADEMARK

The presented article covers the matter of descriptive trademarks, particularly we emphasize on the means of its recognition, in what way does it acquire secondary meaning, which involves long-term usage and gain of reputation of well-known mark; the role of public opinion concerning the distinctive features of the sign. Furthermore, it is stated that in order to make a complete expertise on the subject, it is important to take into account two main aspects, such as the definition of each word that comprises a mark and perception of public ei-

ther a sign itself or a source of its origin.

On the basis of the Judgment given by the Court of European Union illustrated in the article, we revealed the way to examine and compare intrinsic features of the product and the sign, obtained for it. Finally, the conclusion we came to is that the legislator has no intent to give exclusive right to the holder of the trademark to use a word or a combination of words that are a common characteristic for this product. In this rate competitors are suppressed in use this word or combination in advertising of own products.