

FOUNDATION OF BUSINESS ENTITIES BY BUDGETARY ORGANIZATIONS

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Our economy had an obvious need of transition to the innovative way of its development even in the end of previous century. Our century shows that the work in this direction was put in Russia to practice.

In August 2009 there took place an event that can considerably change the properties of the Russian applied science development. There are referring to the adoption of the Federal Law №217-FL “About creation of business entities by budgetary scientific and education organizations”. The Law permits budgetary organizations to legally carry on a business at the foundation of which there lies the exercitation of rights for the results of intellectual activity established in there organizations. To put the Law into practice the administrators of the budgetary organizations need to understand what opportunities the Law endows them with and what problems are arise during its practical implementation.

The rights the Law endows the budgetary organizations with can be put into practice through established business entities. At that, the aims of established such business entities not always comply with those that the lawmakers had it mind.

Implementation of any innovation is connected with having to solve a string of problems. In case the innovation element consists in allowing the budgetary organizations taking up a conceptually new kind of activity, the number and complexity of the problems to be solved soar up.

The major way to cushion the risks is to involve he professional consultants to solve the problems simultaneously with the stuff of relevant departments of budgetary organizations carrying out most of technical tasks.

When any innovation is being put into practice, it is necessary to show what results the project implementation will bring about and to be able to organize the technical side of process. For this purpose it is essential for budgetary organizations to carry out a number of specialized seminars.

The Law imposes the minimal share that the budgetary organizations can obtain in the established business entity. It is necessary to prevent the investor solely making decision to increase the authorized capital, to abolish the entity and some other important decisions, thus excluding the opportunity to feel at the public property.

In its turn, it inevitably results in revealing the bypasses when establishing these entities or, in other case, the establishment of these entities will pursue other purposes than the lawmaker had counted on.

Anyway, the achieving of the main purpose – establishment of successful companies based on the rights of intellectual property use by the budgetary organizations – will be complicated enough. The table 1 shows analysis creation of business entities by budgetary scientific and education organizations according to the Federal Law №217-FL.

Table 1 – The distribution of business entities by Federal districts [1]

№	Name of Federal Districts	Number of Business Entities	According to the Federal Law №217-FL
1	Central	344	135
2	Siberian	274	115
3	Volga	209	83
4	Ural	95	30
5	Southern	126	65
6	North-Western	90	46
7	North-Caucasian	41	14
8	Far-Eastern	23	13
9	TOTAL	1202	493

All problems have a solution, the key question is the willingness of intellectual property administrators to put the Law into practice. Each budgetary organization will have its own speed of establishing the business entities, its own ways of involving side-consultants and its own level of training.

Keywords: economic societies, innovative activity, intellectual property

References

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