# PERFORMANCE STATISTICS FOR RUSSIAN ARBITRAZH

(COMMERCIAL) COURTS

First six months of 2012 – First six months of 2013

Most common disputes heard in the courts

# Title Compensation for harm

Budgetary legal relations Business reputation Challenging regulatory documents
Challenging arbitral decisions

Recognition Facts having of foreign decisions legal implications Failure to fulfill obligations
Unjustified enrichment Bankruptcy Acts by state authorities Invalidity **Securities** Taxes and fees

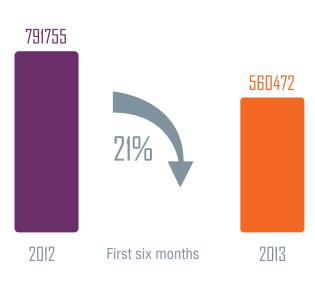
of legal transactions State regulation Administrative offenses

Execution writ on arbitral awards

#### **Contracts most commonly challenged**

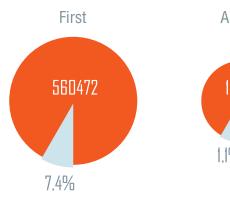


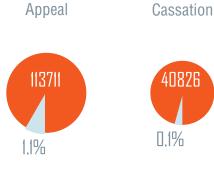
#### Total number of cases considered



#### Number of cases considered out of time

Transportation | 7\mu |

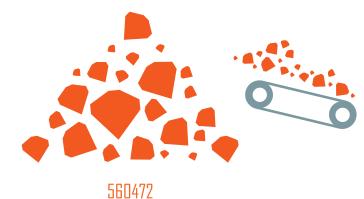




#### Number of judicial acts reversed on appeal under cassation procedures



#### The Supreme Commercial Court. First six months of 2013



Total number of cases considered by courts of the 1<sup>st</sup> instance



Number of supervisory appeals considered

9614



Number of cases considered by the Presidium

249



Number of judicial acts reversed

213

# Number of cases considered by courts of the first instance

# **Intellectual property**



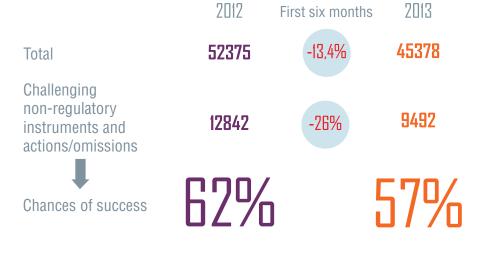
2012

3365 2013

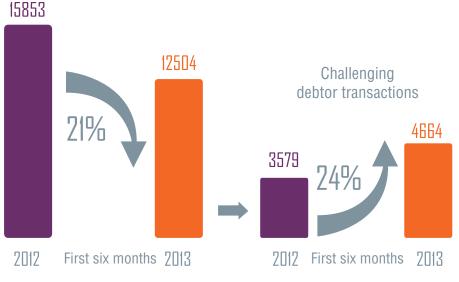
# **Competition law**



# **Taxes**



**Bankruptcy** 



The number of cases arising out of administrative legal relations has decreased more than twofold

Disputes involving the assistance of commercial court assessors are almost zero

Arbitration cases involving IP (Intellectual Property) issues have grown by a total of more than 60%

The number of small disputes about arrears in payment by the Pension Fund has continued to decrease

The number of cases considered under summary proceedings has increased almost tenfold

# TOP 10 trends\*

The percentage of reversals for cases submitted for consideration by the Presidium of the Supreme Commercial Court remains unchanged at about 85%

The number of claims upheld concerning the return of unduly collected/overpaid taxes from the budget remains at about fifty percent The number of transactions contested by court-appointed receivers in bankruptcy processes

The number of cases involving a foreign element remains consistently low,

A maximum of 3% of all supervisory appeals are submitted for consideration

has increased by more than no more than 0.2% of the total by the Presidium of the Supreme Commercial Court one-third number of cases

Bonus from KIAP – The number of cases where the parties have used their right to collect legal expenses is growing exponentially\*\*

 $<sup>^</sup>st$  based on the results of the first six months of 2013 versus the first six months of 2012, data rounded off \*\* according to KIAP statistics. Accurate data expected next year as part of the Supreme Commercial Court statistics