

Comparative Study of Imitation of another Personality In the Legal Systems of the United States, Britain, Germany, France and Iran

*Abbas Mirshekari**

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Abstract

Is it possible to imitate other personality features? The answer to this question, in the hypothesis that the personality features are distinct and well-known to the public, is positive in the legal systems studied. With the difference that in the American legal system, a special right is known in the name of LIKENESS, so that the person himself decides about imitation of his qualities. In the British legal system, according to the PASSING OFF Foundation, imitation is prohibited when it deceives consumers. In German and French systems, the imitation of a person's personality features is also prohibited by reference to the rights of the person. In the legal system of Iran, it seems that according to the general rules of civil liability, and the rule of Unjust enrichment, prohibition of the imitation of a person's personality features is inferred. In the case of imitation without permission, the damages (Both material and mental) must be compensated.

Keywords: Reputation; Damage; Personality; Civil Responsibility.

* Assistant Professor, Department of Private Law, University of Tehran, Tehran, Iran.
Email: Mirshekariabbas1@ut.ac.ir



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