

Terms of Legality of Comparative Advertising and Sanctions for Violating it with Comparative Study in Iranian Law and EU Directives

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Abstract

One of the significant legislative functions is offering a clear definition of the limits and limits governing social behavior and relationships. This need is also felt in the field of advertising and comparative advertising. In the present article, after reviewing the European Union's directives, all domestic laws that have referred to this category have been examined. However, in domestic law, the adoption of comprehensive regulations that are symmetrical to the needs of the community in the field of advertising in general and the comparative advertising domain in peculiar inevitable, But until then, it is necessary to use general and specific rules to derive the essential principles. In the meanwhile, it can be believed that in domestic law, the most critical ban on comparative advertising is the unrealistic nature of the advertisements. The rest of the essential points in this area will be secured, by observing other general rules of law, such as good faith, compensation, legitimate competition, Rape of the rights of others. In the scope of the sanctions, different sanctions that may be have been ordered have been investigated. Unfortunately, in setting some of the materials, we see the disparity in this field.

Keywords: Comparative Advertising; Comparative Advertising Terms; Illegal Advertising; Legal Liability.

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