



Comparative Approach for Extradition and Termination of Claim

(Pages: 7-23)

Jalil maleki

Assistant Professor and Faculty Member of Islamic Azad University, Tehran Center

Abalfazl salimian*

Ph.D. student of Private law in Islamic Azad University, Tehran Center

Abstract

Judgment decline is conducted in different ways and various instruments, in which the claim or judgment extraditions are one of those acts, and the request made by the principal claimant or any tribunal claims in order to eliminate the effect of a dispute formally consent and adduce by the court and judicial authority and has almost the same effects that arranges in petition extradition, so that after the claim extradition at its juncture and legal section, not only will be taken out of court its proceedings and jurisdiction assignment, but also the defendant(s) is also exempt from the obligation to answer and defend against propounded claim, and the court will issue the abatement of action. In condition of the claim extradition, the issue of termination of claim has also been considered and if the plaintiff wants to completely dismiss her/his claim, in this case, the termination of claim order will be issued. According to this approach, the purpose of this research is a comparative extradition study and termination of claim in Iran, French and British laws.

Key words: Claim Extradition, Petition Extradition, Termination of Claim, Judgment Decline, Judgment Termination



**Trademark registration and exclusive use rights (With a comparative approach)
(Pages: 23-55)**

Javad Sasani*

M.A in Private Law, University lecturer, Department of Theology and Islamic Sciences, Payame Noor
University, Ardabil Center

Abstract

Article 31 of the Law on Patents, Industrial Designs and Trademarks stipulates: "The exclusive right to use a sign is reserved to someone who has registered that mark in accordance with the provisions of this law " The attention to this article indicates that, firstly, the registration of the mark creates a right for the applicant or the registrant, this right is the right to own a trademark. Secondly, the registration of a trademark in addition to the origin of the creation of the exclusive right to own it, but also the application of the sign can also benefit from the sign; in such a way as to transfer it under the contract or to allow it to be used by other persons. At also prevents others from using their mark. Thirdly, by considering the fact that the registrant is the owner of the trademark and that any rightful owner can deny his right or decline his ownership, then the right to property derives from the registration of a trademark capable of There are no complaints. Therefore, with this introduction, the purpose of the study is to reveal; these topics are presented in two broad sections; in the first part, the trademark registration and its process are discussed, and in the second part, the legal effects of registration of the mark are studied.

Keywords: trademark, registration of trademarks, exclusive use rights.



The place of public order in contracts with the approach to international conventions (Pages: 56-76)

Ayat Khaki*

Master of Private Law, Law Group, Islamic Azad University, Ardebil Branch

Employee of the Bank of Iran's Law Office.

Abstract

Public order is one of the most important legal entities that has a special status in the legal system of all countries. This institution has a very close relationship with the interests of the community, and even many lawyers have defined it in the public interest in defining public order. Since the benefits of relative concepts and the change of time and place change the concept. Therefore, the nature of public order is also variable and relative, and its territory is widespread and tight due to changes in social and economic conditions, and this relative nature of it causes a lot of discrepancies regarding the definition, the basis and the realm Public order has been made. It can be said that one of the most important and basic examples of public order is the establishment of order and security in society, or to prevent any chaos, violations, and crimes. Considering these issues, in this article the public order position in contracts is considered with an approach to international conventions.

Keywords: Public Order, Contracts, International Conventions.