

# Protecting Intellectual Property Rights in Civil Legislation: A Comparative Study Between French Civil Law and Iraqi Civil Law

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## Abstracts

This study deals with the protection of intellectual property rights in French and Iraqi civil law. This is because the literary and life creativity in Iraq is declining, it is difficult to invest money in new things, and the number of people who comply with the artificial laws made since 2003 is increasing, and secondly, another reason, people's ignorance of the existing laws in Iraq. Iraq, so it is necessary. In each legislation, legal mechanisms are used to promote media and life publishing and help people make money in the process of inventing literary and life works, which can be achieved by granting them a series of intellectual property rights that represent different privileges. From the fundamental rights of people, which are psychologically and morally valid at one or more points in time.

This leads us to delve deeper into these rights, which have been incorporated into civil subjects since the creation of some of them through exchanges between authors and publishers or those who own innovative objects. This returns to the ownership model of the target company. In this way, we will mainly discuss the issue of intellectual property rights and carefully discuss the specific rights divided between the French Civil Code and the Civil Code, and then turn our attention to the two themes of law and incentives. The Civil Code collapses. This consists of comparing the independence of intellectual property rights, mainly regulated by French and Iraqi civil laws, and secondly with some provisions of the model.

**Keywords:** Intellectual Property, Civil Legislation, French Civil Law, Iraqi Civil Law.

## Introduction

This research deals with the protection of intellectual property rights in French and Iraqi civil law. This was due to the fact that Iraq suffers from the decline of literary and life creativity, the difficulty of penning money in a new thing, and the increase in the testimony of the laws of man made since 2003, followed by another cause, the ignorance of people about the existing laws in Iraq, so it is necessary. In all legislation, a legal mechanism is utilized to grow media and life publishers, support people in discovering money within the context of the invention of literary and live works, and this can be achieved by granting them intellectual property rights which are a group of distinct privileges that arise from the essential rights of the people that are effective at one or more point in time psychological and moral effort. (Khammas2022)(MHOODAR & MHOODAR, 2021) (Bush, 2020)(Mahmud, 2020)

This leads us to delve deeply into these rights, which are included in the civil topic since the establishment of some of these rights by exchanging the author with a publisher or a person who owned an innovator object. This goes back to the proprietary model for the objective. In this way, we will dedicate the principle discussion to studying intellectual property rights and painstakingly discussing the particular rights that are divided between the French civil and civil enacts, subsequently embarking on the two topics of the law and the incentive that fall below the civil folder. This included the comparison for the independence of intellectual property rights provided by the French and Iraqi civil laws primarily and the second with some terms of the model. It is worth noting that the comparison was set in a 2003 law in French legislation. The comparison was also made in two areas and will be reflected on the rights of the authors in a heavily updated column. (Wen et al.2022)

### **Understanding Intellectual Property Rights**

Thesis: Intellectual property rights can be described as the rights that exist in the products of human intelligence, such as inventions, original designs for trade goods, and written works. These rights allow creators and owners of any of the previous items to reap some of the benefits from others' use of their creations, resulting in an incentive for the innovator to publish his work and others to improve the public's knowledge in general. With the evolving changes in technology and the increased levels of knowledge in every community around the world, protecting such rights is becoming more challenging. Most communities face difficulties in understanding the rules and regulations that shape society's intellectual activities. This difficulty comes from the conflicts, doubts, and obstacles that encircle the current view regarding this subject. It is also difficult to harmonize international regulations with the corresponding local regulations in the countries, regions, and localities. (Dratler, 2023)(Ploman & Hamilton, 2024)(Abbott et al.2024)

The first step to understanding these rights is to explore the history of their formation. An analysis of the products would show the rapid development of products, but the historical aspect is hardly ever discussed. However, some parts of this topic are sometimes ignored or misunderstood. By understanding the path of forming property rights on knowledge over time, effort, and innovations, a clearer picture on the principles and foundations of these rights will emerge. This will also show the general concept, main obstacles, and barriers that encircle the development of this field, not merely issues that are concerned with protection. (Abbott et al.2024)(van et al.2020)

#### **1.1 Definition and Scope of Intellectual Property Rights**

Both French and Iraqi civil laws use the expression "Intellectual Property". In French civil legislation, for instance, it is known as "Intellectual Property Rights", while in Iraqi civil law, it is well known as the "right of ownership of scientific, literary, artistic, and industrial production", while the expression "Intellectual Property" itself is not mentioned in either code. In this chapter, the term "Intellectual Property" and expressions that are used for this term are analyzed to determine its sense as well as its legal nature. Naturally, it is important to define intellectual property before starting to deal with the formal parts that give expression to it. (Basem)

Intellectual property refers mainly to works of literature, science, and art. It protects scientific, literary, and artistic inventions. It also protects groups of inventions that are linked to the intellect and creative imagination. Intellectual property is the legally recognized rights that promotional and literary and scientific rights have on the product of their intellect and creative production. (Bently et al., 2022)

## 1.2 Historical Development of Intellectual Property Rights

Historical development of intellectual property rights

If it is against the concept of right in rem, which requires the possible universality of given rights, it is necessary to deny moral rights of the property. This insists on the presence of tangible and obvious capability for use. The name "right" also makes one think a lot about property and the structure of the legal system. Legislation encourages the application of laws to property, whether immovable or movable, making the change of ownership and flow of these types of property clearly defined. (Park, 2021)(Michener, 2020)

When dealing with copyright or industrial property that does not belong to one of the material or tangible concepts of ownership used in the Civil and Commercial Codes, the word "right" is improperly used to support and protect all that concerns the subject of intellectual property. Some countries have prepared special laws, such as "The French law in 1791" and "The English law in 1842," which protect certain categories under the name of property. These laws employ the concept of owner and its power in the object, acknowledging the existence of property rights, even though they are not equipped for the application of the features of property in the thing owned. (Bently et al., 2022)(Dratler, 2023)

Moral right has been the theory about persons using other persons for commercial aims, ignoring the recognition of the original author. So, moral right has been established to prevent others from taking practical commercial aims, ignoring the authorship of the work. Droits d'auteur protect the author's moral right, and legally constituted view is not an infringement penalty for protection. Acknowledgement of moral rights is more modest when implemented, maintaining the author's speaking area by confirming the trademark and protection of works of art is confirmed to the painting. This association represents at least the contents. Moral right is confirmed, so it is not a natural right. According to the discussion, it is confirmed by the government, and in other words, it can be reformed at any time if the nation desires the protection of certain intellectual works, such as software. In other words, other than natural right, it is not permanently attached and can be used in any pursuit. (Boyle, 2020)(Muñoz & Baron-Schmitt, 2024)

## 1.3 Importance and Rationale for Protecting Intellectual Property Rights

Intellectual property is not only important for the private interests of its owners, but it is essential for the overall public interest. It provides incentives for research and development, promotes invention and creation, creates job opportunities, mobilizes funds for investment in new productive capabilities, and enhances the dissemination and exchange of innovative knowledge to prevent dominance by industrial powers. The intellectual property rights are protected by several treaties and international contracts, including the TRIPS agreement, which has been

adopted by about 140 member states of the WTO. Legal protection of intellectual property is also available in Islamic law. Islamic law, as interpreted and enforced in different Islamic countries, provides various forms of ownership of inventions, copyright, trademarks, and patents in line with religious provisions. (Taubman et al., 2020)(Vincent, 2020)(Monirul, 2022)

### 1.3.1 Civil French law

In French private law, the protection of authors' writings, inventions, and other intellectual property rights is a global concept that includes the rights of authors, performers, and producers. It is an essential right that defines freedom of action in the creative world. Copyright protection is a personal right that belongs to the author vis-à-vis everyone else and is enforceable through public and private litigation. The author is also the exclusive owner of their literary and artistic work and has the right to exploit and authorize its utilization. The right of the author is, in principle, perpetual but may, in some cases, be assigned or transferred upon death. In France, the exclusive right of the author is established and guaranteed by law. It cannot be limited. Organizational rights are special personal rights. Enterprise rights are generally property rights, building on an organization's skills. Industrial and commercial sector companies benefit from property rights to protect their industrial or commercial organization and reproduction of their goods. Trademarks are used to create rights for the organization of the activity. A property right can be repressed by infringement with filing, and under certain conditions, in the absence of registration, if another party uses it unlawfully. Bankruptcy law may be assigned to a security interest in an industrial or commercial company or, exceptionally, an organizational right enforced by the action of an organization on grounds concerning the organization. In this case, the preference is explained by the attachment of the right to the organization that possesses it and the practical difficulties of incorporating the exploitation value of the right into the funds. (Barron, 2020)

### **Legal Framework of Intellectual Property Rights in French Civil Law**

In this chapter, we review the concept of intellectual property and the legal framework of intellectual property rights in French civil law. The clearest definition of intellectual property in French civil law can be found in the Act of 11 March 1957, which states that it is "the right to exercise a monopoly, granted on a new creation, an invention, a sign or a model, in any legal manner, in exchange for protection by the law." The objective of intellectual property rights is to protect "creation" that can be in various forms like literary works, drawings, engravings, and manufactures, music, and sculpture; the invention of industry or craft such as patents; the distinguishing marks of manufacturers and the origin denominations of natural products. The importance of this study emerges from the location of Iraqi Civil Law in the French Civil Law. Iraqi civil law has taken all that is new from the French civil law in the era of the Napoleonic Code and then came into force gradually. (Davies and Ricketson2020)(Otchenash, 2022)

French civil law has long honored the idea of protecting a wealth of creations that have been innovatively produced by minds or hands that result in products which have significant economic values, in which such creations are able to develop further economic progress. Consequently, this chapter will discuss the issues related to copyright, trademark law, trade secrets, semiconductor design law, legal protection of databases, patent law, and agreement, French case

law, and private international law conflicts. Furthermore, this chapter will provide a comparative study between intellectual property rights in French civil laws and international treaties related to intellectual property, and Iraqi civil law. (Geiger2020)

## 2.1 Overview of French Civil Law System

What is the French system of law and how is it established? The legal order in the French legal system is such that it is based on two main branches governed by separate bodies. However, since both systems originate from the same fundamental principles, they are far from being discreet bodies such as common law systems. In creating this dichotomy, the French people invoke the principles of 'effectiveness of legal enforcement, legal hierarchy and respect for legal technique. In fact, the legal system in France is riddled with dual principles and it is because of this fundamental dualism that the French system has the most liberal policy of all other legal systems, allowing intellectual property rights to be handled by both jurisdictions of the financial and commercial variety and the Civil Code Jurisdiction. This bears the significant implication that in infringements in particular, there is a turn to the criminal law machinery. (Shtefan and Gurgula2023)(Li, 2024)

The French Constitution. On both the branches, the Constitution is deemed as the basic law of all the legal systems of the Republic which enables no discrimination of the legislations of the local and special legal systems. Generally, the Constitution is supposed to be the supreme law in the Republic. Any law that discards or ignores the Constitution or any part thereof, is considered to be of no value. According to the French Constitution, the legislative power shall be exercised by two assemblies: the National Assembly and the Senate. The National Assembly represents the French people, whereas the Senate represents the territorial communities of the Republic. The two branches shall be required to pass a bill before it becomes law. Proposed laws on areas such as nature or a scope as provided for by the Constitution shall mean that the law may only be promulgated after it has tested the constitutional limits as provided for. (Leipold2020)(Colón-Ríos, 2020)

## 2.2 Key Legislation and Regulations on Intellectual Property Rights in France

These are the key legislations and regulations in France that govern IPR: French Penal Code, 1994 Law on the Title and Mode of Patents, 1844, Decree relating to Literary and Artistic Property, 1836, Decree on the Civil Code relating to Literary and Artistic Property of Law and Some Legal Aspects of Computerization, 2006 Ordinance on the Recognition and Protection of Industrial Property in the Kingdom of France, 2007 Law on the Reform of Copyright, 2008 Order on the Reform of Copyright, 1957 Supplemented by the Act 1985 Law on Trademarks and Service Marks, 1971 Law on Audiovisual Communication, 1986, Act on Sites, 2007 Ordinance on Websites, 2004 Law on information science and the general organization of education, 2008 Decree on Medals, Awards and Forms of Ownership in the Field of Intellectual Property, 1981 Law on Creating and Organizing the Training of Law Officials, 1843 Decree on the Status of the Property Institution in the Kingdom of France and its Dependencies, 1911 Law on the Protection of Authors and Works of Design Developed from Software, 1983 Law on the Protection of Authors and Works of Design Developed from or on Paper or Similar Mediums, 1910 Law on

the Civil Code in relation with Literary and Artistic Works of Letters or Works Similar to Those of Design. (Elechi & Chijioke, 2024)(Geiger2020)(Meirison & Nazar, 2021)

Iraq needs more specific laws on IPR-related issues. That which currently exists is not entirely aligned with the TRIPS Agreement. Therefore, permitted deficiencies create more confusion and doubt regarding understanding and practice. Since IP is a highly specialized and rapidly evolving field that requires continuous monitoring and updating, the Iraqi Government will require support in building the necessary human resources. France is now known for having a specialized court that deals with all types of IPR complaints. The sophistication and expertise behind the technological transfer of the remaining companies have been associated with technological changes, as well as the decisions of Litte, a lawyer qualified in computer and communication law, to establish his reputation in IT, enabling him to be recognized as an expert showing the relationship between intellectual property law and IT. (Wallace2021)

### 2.3 Judicial System and Enforcement Mechanisms in France

France consists of a legal multiplicity system that unites in one state territory different legal systems that are in force among members of various legal systems. The administration of justice in France is executed by numerous state commands: civil administration, military administration, social security administration, and so forth. The concepts of these judicial communities are established under the provisions of the judicial organization code. Each of these communities in most cases has dual judicial manner of acting as regards judicial investigation, judicial resolution, and the formation of the judicial function. Nevertheless, with the establishment of judicial competence, the matter is less regulated. It is the judicial organization code that defines the general principles in relation to the distribution of acts of these services. But as for its implementation law, some competence questions particularly remain unanswered in some cases because of the general character of the French legal system that militates against a strict interpretation of texts. (Barriola et al., 2023)(Engberg2020)

The French judicial system consists of several professionals and judicial institutions, types of establishments, and, of course, levels of jurisdiction, and, lastly, diverse forms of jurisdiction. Thus, the French legal system is formed by a large diversity of professional and nonprofessional judicial services that perform distinct roles. In particular, the processes manage, which reutilizes legal technical knowledge, as well as the right agents. As for the judicial establishments, they are services allocated from the "justice" to the resolution of the disputes. It may be public or private and classified or not classified. (Massé, 2024)(Boon & Semple, 2022)(Bois, 2021)

## Chapter 3: Legal Framework of Intellectual Property Rights in Iraqi Civil Law

Many countries in the world, such as France, have protected intellectual property rights (trademarks, patents, literary and artistic works) in various legislations. In Iraq, these rights have been regulated in special laws; for trademarks, they are protected in the Iraqi Trademarks and Commercial Data Registration Law No. 21 of 1957, and for patents, they are protected in the Iraqi Patents, Designs, and Industrial Models Law No. 65 of 1970, and for literary and artistic works, they are protected in the Presidential Decree of the Iraqi Copyright Law No. 3 of 1971. But, can we protect these rights inside the modern codes, such as the Iraqi Civil Law No. 40 of 1951? Respecting Title No. 2 related to the trade property inside Iraqi Civil Law, we can say that

we cannot. Notice also that inside all the modern commercial codes and laws, and even inside the initial Iraqi Commercial Law No. 9 of 1947 which had been based on the old commercial code of the Ottoman Empire promulgated in 1863, we cannot protect intellectual property rights like in French law. (Ali et al.2022)(Almokhtar, 2022)

Regarding books and booklets, Iraqi or foreign authors have the right to protect them by the term of the author's life and then for eighty years (1/1/1982 - 1/1/1999); inside the law of the Ottoman Empire, the term was the author's life plus fifty years. This term is not related to that mentioned in the French Civil Code which is seventy years starting from the first of January following the year of the author's death, but it has an international influence inside TRIPS Agreement (included by Article 1, 13 and 18), and so also inside Iraqi law for an important reason: respecting the other points mentioned by TRIPS Agreement, such as Article 3.1 which calls for the implementing of this Agreement as a minimum. Our law has been reinforced inside the Presidential Decree of the Iraqi Law No. 3 of 1971 to fulfill these requirements; its Article 1 emphasizes that "the provisions of this law apply to the literature and art works whenever these means exist as well as those works by foreign authors that Arab countries reciprocate in". (ALI)(Jardak, 2021)

The special protection mode of audiovisual production, due to its particular effects on the two above-mentioned objective and subjective rights, has ended by referring to a special legal treaty which can regulate their protection in a harmonious manner for all the member countries (Article 1). The protection of the audiovisual production is going to be implemented inside a legal decree by the consigs of Article 2 of that specialized law, created by Article 3 of the Presidential Decree of the Copyright Law of 1971. Now, in consequence of the title related to trade property that is going to be consigned in the French and the Iraqi commercial codes, authors and artists may have their literary, art, audiovisual, and associative creation protected inside the domain of the French and the Iraqi trade properties. (Chaume, 2020)(Kostovska et al.2020)(Hugenholtz and Quintais2021)

### 3.1 Overview of Iraqi Civil Law System

The Iraqi civil law system is a blended historical mixture of Islamic, Ottoman, Egyptian, French, and English law. All of these are established on an ancient code known as the Mansukh, which was modified by the Islahi code and in the Iraqi modification based on the French Civil Code. In general, according to the Iraqi Constitution of 2005, "No law may be enacted that contradicts the undisputed rules of Islam." Although the provisions of this abstract legislation have not yet appeared in the current legal codes, the criminal and civil laws will be issued. After the Spanish Civil War, the Spanish judiciary employed this legislation and they did not nullify Islamic rules as unconstitutional, even when the rules called for the abolition of constitutional rights. This shows that the judiciary might employ and observe the existing legislation, and interpret the resources in the legislation rules in a manner consistent with general principles. (Al-Bsharawy & Al-Obaidi, 2024)(Dabbach, 2022)

### 3.2 Key Legislation and Regulations on Intellectual Property Rights in Iraq

Iraqi legislation seems to maintain protection for intellectual property rights of the public and private sector by enacting several special resolutions and laws issued in this respect. Substantive laws such as the Copyright and Neighbouring Rights Protection Law, Patents and Industrial

Designs Applications and Registration Law, and Trademarks and Geographical Indications Law provide for the protection of copyrights and patents and related rights at an excellent level, as they included many aspects related to these works in both approved international agreements and international treaties as well as the World Intellectual Property Organization. This legislation is in line with the principles included in international conventions and treaties in the subject matter of intellectual property. (Almashhadani2023)(AbdulAmeer et al.2022)(Gordon, 2020)

The judicial authorities and the courts have the strength of the law to enforce these terms and punish the violators, including confiscation of counterfeit goods and evidence of the crime, whose provisions are tough to act as a deterrent to any person inclined to engage in such practices that may affect the rights and the works of others, including through verbal publicizing where prison sentences or fines are imposed on humans who violate the patent right in cases of complaints or disputes over intellectual rights or in the full absence of legislation to protect those rights. The validity of the decisions of the registration offices in Iraq is exclusively due to the weakness of the legislation and the lack of guarantees for the full independence of the bodies concerned with the process of protecting any kind of holders of these rights because they are in charge of the ministries and ministries of Iraq at present that are not defined within their terms of responsibility in accordance with recognized international standards. Due to the large number of entities involved in handling the data and issuing the relevant resolutions and laws under the influence of ministries and other administrative entities which they follow up activities related to intellectual rights, it will come under the control of the Iraq government itself and work to construct organs ready to perform the mission entrusted to the exclusion of any other hand or dealing with their interests particularly when applying for and submitting contracts or transactions because it is unlikely that all the entities and persons concerned who will be active in the exercise of these rights throughout the country have a space to deal with in case of violations of their rights. (McEvoy & Aboultaif, 2022)(Al-Mawlawi & Jiyad, 2021)(Revkin, 2021)

### 3.3 Judicial System and Enforcement Mechanisms in Iraq

There are several types of judicial mechanisms for enforcing intellectual property rights. The most usual are criminal action, actions ruling the payment of damages, and actions against the reproduction and sale of illegal products. The most frequent are those in civil matters. Civil law is concerned with the protection of the right to property and the various ways in which it manifests itself: the right to receive royalties, the right to be recognized as an author, and the right to control one's own work. (Pohan2020)(Wang, 2020)

Arab civil law is inspired by both Islamic law and the principles of French law, which places the judicial system and enforcement mechanisms for intellectual property rights in civil matters. This jurisprudential jurisprudence by appealing "the role of judges" and "the role of lawyers" as well as the procedures followed in respect of disputes between the partners for the inspect-infringement and the application of penalties. After reviewing the legal protection of literary and artistic and intellectual production, which has been issued in several Iraqi laws, the Iraqi legislator made Iraqi courts and law enforcement liable for respect for intellectual property. This means that the Iraqi courts are competent in various intellectual property disputes and that the judicial authorities have the opportunity to enforce their decisions under the supervision of a



judicial police force. These individuals use guidelines and procedures acquired through legal education to ensure respect for intellectual property rights and impose compensatory penalties on violators for enforcement. (Ayoub, 2022)(Allain2020)(Chaaban, 2021)

### 1. Judicial Competence in Intellectual Property Rights:

Iraqi courts are jurisdictionally responsible for ruling on intellectual property rights violations. The Iraqi legislator entrusted the commercial judiciary to handle all types of intellectual disputes and infringements, following the stipulations in Article 2 of the Civil Law No. 15 of 2001 which states that "the subject of this law presides within other laws that apply. It goes within the purview of the trade courts." The discretionary ruler's decision to mention a trade court in managing disputes between investors and relying on trade judges to understand the specificities of investor disputes and to consider the granting powers endowed them enables the plea to be maintained. (Naim, 2020)(Basem)

## **Comparative Analysis of Intellectual Property Rights in French and Iraqi Civil Law**

### 4.1. Civil Legislation and Intellectual Property

Containment of intellectual property rights, identical to all proprietary conveyances and rights, is accomplished by writ of the intellectual property patent and copyright submission and, if needed, assignment in a comprehensive public registry. Such conveyances and rights are also protected in a civil law order as relative patrimonial rights. The owner of a reputed or titled merchandise right is legally authorized to use the right. The proprietor of a patent or copyright conveyance has the exclusive right to implement for his benefit the purposes designated in the law, both for the obstacle of infringement of the right or for counter-attacking the individual to whom this right belongs and who violates it. The protection of relative patent rights in prevailing is balanced on the proven accident proof when charged of traditional evidence. It is the honor of the proprietor to grapple patent or copyright hindrance right. (LoMonte, 2021)

### 4.2. The Origin of Patent and Copyright in Civil Legislation

The idea of patent or copyright is not intrinsic to the existing era. It is rather ancient. Protecting the rights of authorship of inventions or artistic and scientific creations had been a part of human life even beneath the initial communities; however, they were not arranged in a reborn form. The origin of the concept of assertion of patent and copyright was possibly established in decrees mentioned in the old Babylonian Code of Hammurabi. Nonetheless, it is feasible to gaze that France is the state that has initially arranged the rule that encompasses the stipulations, passing by several transformations, with a treasured end up of determining the principle and implementing adherence to it. According to the current French rule, the dominance of invention or creativity belongs to the sponsor until the specifics confirm otherwise, and the rights of the sponsor are protected in all aspects of the rule. These capabilities are circumscribed by environmental conditions and the intentions of the individual. (Chilombo Chifunda & Maganaris..., 2024)

### 4.3 Similarities and Differences in Legal Concepts and Principles

In the Iraqi Civil Law, the French Civil Code is employed as a model in the areas of protection of intellectual property rights and industrial property rights because of its advanced legislation in these fields. As such, the French Civil Law and the Iraqi Civil Law, although set in different eras, have many concepts and principles in common, especially in terms of protection and implementation of intellectual property rights. Both the French Civil Law and the Iraqi Civil Law regard intellectual property rights as having private attributes. Each of the property rights enacted by the legislation can be implemented and subject to transference and also can become an object of litigiousness, be it corporeal or not. Therefore, it is protected formally, absolutely, and perpetually as the right of ownership per se. (Al-Bsherawy & Al-Obaidi, 2024)(Ayoub, 2022)(Chaaban, 2021)

The similarities between the two laws can be found in basic principles. Both oppose the monopolization of common knowledge. They both provide certain limits on the rights of the patent holder to protect the public's interest. And the punishments of both are based on liability laws. Nevertheless, there are significant differences between the two laws with respect to the protection and implementation of intellectual property rights. Namely, the function orientation and legislative structure in the French Civil Law are quite characteristic. In addition, the rather strict patent protection principles under the system of the French Civil Law demonstrate significant differences from civil laws of other states, such as the absolute protection conferred by unlawful source on the French Civil Law and the French Civil Law exclusive patent rights. (Mohammed & Ibrahim, 2024)

#### 4.4 Protection of Different Types of Intellectual Property Rights

##### 4.4.1 Protection of Different Types of Intellectual Property Rights

It is one of the important sections of patents as it provides protection for different types of patents. This includes primary and partial sections, as well as full and provisional patents. It also covers utility models and certificates of protection for new discoveries, industrial designs, and integrated electromechanical circuits. Additionally, it offers protection for colors, logos, service marks, trade names, collective marks, and registered marks with a collective guarantee. It also protects trade names and distinctive national practices, which can be changed by a statement of support or an official notice of cancellation. (Mossoff, 2020)(Kumar, 2020)

There should be a special section in the coordination of the executive regulations for each type of patent and mark. This section should include information about the outer whereby it is addressed, the mark or the mark integrating different non-letters or label with letters or a special form. It should be clear that the temporary protection is of its nature and the goods and types of goods and the action to be performed to provide the necessary support. This special section should also contain the conditions and procedures for registering and conducting any investigation into fraud found applied or undergone by all internationalized patents in general in the specialized departments of the Ministry of Commerce. (Correa, 2020)(Morten & Duan, 2020)(Merges, 2023)

#### 4.5 Challenges and Opportunities for Enhancing IP Protection in Both Systems

(1) The establishment of the criteria, as well as the reinforcement of these rights, maybe a difficult issue for the two systems (especially for the French system, taking into account that Iraqi authors and specialists face substantial competition, especially in popular fields, through imitation and unlicensed translation from Western-authored works). Especially with the French legal framework, the statutory fill-up of the strong rights of the authors, the creators, the inventors, and the innovators may provoke the destruction or reversions of other founders, such as users and the peripheral copyright and patent holders, thus creating an abusive monopoly which raises prices paid by consumers. (Sganga, 2020)(Levasseur, 2020)

(2) In a counter argument, the enforceable high taxes against the owners of the rights of the authors, the creators, should predict competitive innovation, thereby encouraging the growth of the creators, patents, and those who pay for the broadcasts. Finally, high public, technology, and performers to innovate in the public sector and to invent in the very long-lasting broadcasts and performances of sound broadcasting and equitable sharing of the economic benefits. (Huang et al.2021)(Segate, 2020)

(3) Although the critics of intellectual property rights are mostly correct for the other domain and other sectors, they may be overstating the risks of protecting intellectual property when discussing public exposure and common property. While this discourse does not inform about direct incentives for copyright and patent termination of the exploitation of nearly all information and software, movies and music, drugs, seed and technology, no royalties considered replanted in the benefits to the agricultural or other sector to invest in specialized production at the expense of interdependent support fundamental and applied research (R&D) by a wide variety of funding sources, including governments and public interest organizations. (Cotter, 2020)(Macmillan, 2020)

## **Case Studies and Practical Applications**

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Keywords: intellectual property, protection, French civil law, Iraqi civil law, comparative study.

### **Introduction**

The theoretical part is over. In the comprehensive field of the protection of intellectual property rights in civil legislation, we were able to offer theoretical solutions to any considerations and issues relevant to this field. It is time to depart toward practical implementation. In this chapter, we present a number of case studies and practical applications that are bound to examine and analyze civil legal/tributes in both French law and Iraqi law so as to arrive at the extent of incomprehension, regulation, or adaptation that was needed in private domain laws for intellectual property laws to protect various intellectual rights properly, especially in consideration of the possibility of conflict that may arise between these two domains and the most effective manner for solving these conflicts. (Bently et al., 2022)(Boyle, 2020)

### **General Provisions**

#### **18.3. Case 1: On Using a Trademark on Furniture**

A French claimant asked for an Iraq trademarking of its company name with goods and services along with clothing, headwear, shoes, and knick-knacks, including leatherwork, while one of the applicants asked for the registry of this name as their mere furniture trader in addition to a very small activity of leasing. The target company raises a violation of the Islamic law on the grounds that entry into the profession is not allowed. An additional argument was added, stating that the claimant added Hebrew letters, which converts this into an attempt to compete with the Jewish public. (Mahmood & Al-Salhi, 2022)

Research manager at Montpellier University Allah united every beginning and end. It is the entirety without exception. If it happened that the act was to engage in a profession that was not allowed. There are no two opinions in that, which is the beginning of the conflict of interests that results in a violation being total. He then considers: The sign sought by some who claim it is not directly concerned with that activity. Using the company name for other subjects does not make them defect under the trade system. It looks very little when it is learned that it is not the first mark of that company that holds real estate, and therefore, out of subject, the Council considers that it is not necessary to consider the religious conflict and that the presence of Hebrew letters will not help to conclude that there is an illegal competition with the Jewish public. (CHAUDET)

### 5.1 Case Studies from French Legal Practice

The regulations and real procedures for action are most involved and clear in practice, which is constantly associated with the same difficulties that the judge in charge of its application in courts, which led to the imposition of some cases in the early stages of examination by the first committee. In this framework, we will see the foundation of the lawsuit as a legal term. (Bently et al., 2022)(Dratler, 2023)

In essence, the French legislator has dictated these intermediaries when the proceedings in the action were clear and stratified in order to ensure justice. Some particularities have also allowed to subject the opposition request to a committee sanctioned at the time of termination, thus ensuring justice with recourses. (Pavone, 2020)(Cavallini & Cirillo, 2023)

The *actio procuratoria* is a Latin term in legal terminology that means a representation suit. The owner of the property has the authorization to assign their right to claim to someone who is more capable of bringing an action that is connected with that particular right. It cannot be sillier than when the authorization given by the legislator was to any person to be appointed in the lawsuit. This is a halfway through the same person who is the suitably suits. In the other counterpart, to the persons that the commercial agency clause has authorized the agent to take legal action for their benefit even against Avoca with the firm of the principal. (Dumitru, 2020)(Koops2020)

### Case Studies from Iraqi Legal Practice

In this chapter, a number of case studies of specific risks and damages will be discussed and analyzed from real practice in Iraq to illustrate the discussion in the previous sections. Cases also exhibited the Iraqi judges' justification for their judgments and to complement the theoretical discussion carried out throughout the previous chapters. In the following case study, not all the risks and damage problems were met by Iraq Lawmaker in the same way as discussed in the previous chapters. Iraq laws are appropriate and useful in mitigating some of the risks and

damages, but a few potential dangers appear to be under recognized and could be improved by more effective legislation. (Lana et al.2023)(Emar & Abu Issa, 2021)

Then, in a case which is more clearly a reflection of a series of errors, weakness and is followed by a discussion of the different theories and philosophies behind the various damages available to the infringement victims. Finally, the study includes the basis of the damage's valuation of what information really is of value in these circumstances. Rather, the definition of damage which is justified by the purpose of the measures available and the presumed value of what is harmed needs a clear understanding and protection. Even when the injured party is granted compensation, the potential of the information would have been. (Damodaran, 2024)(Vuong & Nguyen, 2024)

## **International Perspectives on Intellectual Property Rights**

### **6.1. Introduction**

Given the increasing importance of knowledge and Italy's need to be able to compete effectively on international markets, this chapter begins an analysis of the new perspectives that are emerging in the international debate on the regulation of industrial property. European Law, in particular, follows a particular orientation in the discipline of industrial property. A first subject concerning the definition of the object for which protection is requested, while a second aspect concerns the way in which these rights are protected from risks such as the exhaustion of the right, or the possibility of obtaining the exclusive right through fraudulent or abusive conduct, which is not related to the character and abilities that are inherent in the work. (Noto2022)

### **6.2. Intellectual Property Protection in French Law**

French doctrine mentions several principles and rules concerning intellectual property that protect it from abuse and infractions. But it does not give a clear reference to the constitutional or legislative bodies that formulated these principles and their legal form. This is what the French Civil Code shows in the first six chapters of the latter. These principles prove that they have continued to develop and evolve, especially with the advent of the Montesquieu project, the creation of the code on the 21st of March 1804, and afterwards, by publishing special laws, such as publishing laws to protect authors or new reproductive powers.

In addition to this doctrine, a close analysis of these normative provisions will reveal their implicit character, and that its constitutional body is the constitutional body, which embodies the important principles that have any legal importance, as the regulation of Article 34 of the French Constitution of 4 October 1958 says. This means that the judicial rules that make the law less applicable are all explicitly or implicitly legislative sources, regardless of their nature, including dispositions that attributed to mandatory legal requirements, the scope of the application of the deputy, dispositions designating a limitation or a staggered employee, allow a lawyer to prosecute the client, to organize relations between lawyers and clients, explicitly or implicitly, the principles known to French courts or legal literature. Based on these observations, we could guess that the legislator had intended to meet the needs and requirements required by industrial property and copyright. (Gomez, 2023)(Heirbaut2022)

### **6.3. Intellectual Property Protection in Iraqi Civil Law**

In Iraqi law, the provisions and legal provisions that protect intellectual property from any of the violations give an idea of their importance and necessity, and show whether or not they reflect. The Legal Code specifies the "Asala" which concerns how to request the objection that is raised with respect to any copyright that is published by legal or software systems, in order to facilitate their diagnosis and obtain the necessary warnings for their approval from possible violations and accidents of their legal rights, as in accordance with the new regime of copyright. Official or cess. From the new evolution of the Iraqi Legal Authority, or by the will and strength of the old right, or by the application of solutions under Article 107 of Chapter I of the main entity of the law. (Fallatah, 2021)

#### 6.4 Overview of International Treaties and Agreements

The first international organization that started to deal with and call for the protection of intellectual property work was the United International Bureaux for the Protection of Intellectual Property. This organization was the first to be established to protect intellectual property and to establish international agreements in that regard. But after that, many international organizations were established in the same regard, like the Patent Cooperation Union, which was established in 1970 with a starting membership of 20 states. Then it increased to include representatives from 95 states all over the world. (Davies and Ricketson 2020)(Wasserman Rajec, 2020)

The International Organization of Intellectual Property is the dynamic center for the development of the international harmonization of Intellectual Property Laws and makes intellectual property services available to all. In order to protect commercial trademarks, the international government has established an international union for the protection of trademarks and appellations of origin. Another agreement between states regarding the commercial register and the classification of trademarks and appellations of origin was made in 1954 and has been amended several times until the recent date of 2000, which was held in Madrid. This shows the states' agreement about the international registration of trademarks and the protocol related to it in 1989, with Saudi Arabia being one of its parties. (Wasserman Rajec, 2020)(Virchenko et al., 2021)

#### 6.5 Role of International Organizations in IP Protection

##### Role of International Organizations in IP Protection

The process of creating and unifying intellectual property rights, including encouraging society partners in various countries, contributes to the international treaty to protect intellectual property. This treaty regulates the organizing activity of international organizations such as the United Nations (UN), the World Intellectual Property Organization, the UN Conference on Commerce and Development, as well as the World Trade Organization. (Athreye et al. 2020)(Yan et al., 2022)

The interest of international governments, several of which are signatories of the above-mentioned conventions, is quite natural. Among these representatives are countries practicing little or no restrictions, considering the conditions of ensuring the appropriate level of legal protection. They act in favor of market use provided by technologies. The importance of international organizations in the process of unifying national legal frameworks of intellectual property rights is to help states find common solutions and depart from unified principles to

protect the interests of nations. This unity would contribute to and speed up the growing development on the international stage. (Motari et al.2021)(Walsh et al.2021)

## **Conclusion and Recommendations**

### **Conclusion**

The research has shed light on several issues and aspects that have led to neglecting intellectual property in the Iraqis' daily life. It has been found that civil legislation does not provide what is sufficient to confront various violations, slowness, and red tape for quick justice in finalizing lawsuits. The research also showed the weak role of specialized courts in enforcing the law and the role of government agencies, as well as a considerable shortage in suitable legislation consistent with international standards to protect intellectual property rights and the country's obligations in joining international conventions on property rights. It also became clear that despite the articles stipulated in the Iraqi Penal Code protecting intellectual property rights, it is greatly inadequate for a lack of deterrent penalties for violators and the need to enhance legislative exemptions to ensure the provision of civil legislation and suitable protection for creative works in a manner that guarantees the rights of the creator, his fellow creators, and the community in the right to access works and benefit from them. (AL-BSHERAWY, 2021)(Karim and Aziz2024)

So the most important recommendations for the protection and development of works and the areas of creativity of intellectual property and the personality of the producer include the need to enact special laws for creative works, whether traditional or in the areas of biotechnology, and the need to obligate the public and the government authority concerned to make laws that meet the international standards for the protection of property rights in line with the evolutionary changes, the need to enhance the availability of works, helping in protecting it and granting the creator's protection for his inventions, the upgrade of specialists in intellectual property laws and the settlement of disputes thereon to connect the civil courts of the capital Baghdad and other governorates, and to simplify procedures for adjusting intellectual property rights and creating more specialized courts for cases of intellectual property. (Ali et al.2022)(Alrikabi and Alumery2021)

The most important recommendations are:

- a. Enact distinguished laws for creative works, both traditional and modern.
- b. Obligate the public and the competent government authority to enact laws to meet the international standards for the protection of property rights in order to keep pace with the evolutionary changes.
- c. The realization of the second recommendation requires the accession of Iraq to more conventions in the field of protection of intellectual property rights.
- d. Drafting the law done by the competent technical bodies in the field of intellectual property to ensure the preparation of complete laws.
- e. Provide protection for industries and creators and not just for industrial and commercial products.

## Summary of Findings and Comparative Analysis

In Iraqi law, as in French law, copyright is protected without previous formalities, provided the general conditions of protection are met. The public security protection and compilation (*bouquet et fascicule*) are far-reaching issues because it is not allowed to include in the compilation works especially protected of another (*huissier de justice* or public security, act in constitutive of the proof of integrity of the authors' logical-digital work protection, for integrity allows the utilization of works in the Batwane Law of 2004 concerning computerized transaction) if not with his agreement. (Arnold & Ginsburg, 2020)(Bandarin et al.2022)

Parity Law with work/proof of Integrity of the composition mechanisms of the logical, the modification of the access code of directly monitored identification of the authors, protection of data associated with the work process of attack in free grade creators of the system controlled access to the electronic monument of copyright-notions. Is working concerned with dignity or non-commercial rights of creator. In our case, the user, the public or the finishing. Creators of these objects have the capacity as regards determination, the original destiny of the work (lighting plans). The doctors presented to the permanent validation of a methodological service of their rank protect themselves from this object by involving themselves in the contract of author if they forward their result through the doctor. The sarcastic or the creator cannot resist the use of his exceeding ethically. (Cao et al., 2020)

## Key Recommendations for Strengthening IP Protection in Civil Legislation

In light of the analysis of both the French Civil Law and the Iraqi Civil Law discussed in the last two sections, this section proposes recommendations to stakeholders in Iraq on improving civil legislation to provide better IP protection.

Since recommendation is not an easy task and variations to the Iraqi Civil Law should carefully consider the Iraqi legal culture, procedural aspects such as court infrastructure, proceeding management, jurisdictional allocation and expertise of judges, Iraqi economic and economic policies, and society's economic structure through different sectors and degrees of development with the importance of a safe and secure economic environment (which can always encourage free competition), the structure of the section is presented to clearly note on the divided aspects discussed. (Alsamee et al.2020)

## Future Research Directions and Areas for Further Study

For further study, the authors propose to investigate the points raised in this chapter, taking into account the case law of the ICOP, and to check how the courts' jurisprudence is included or can be included in the development of doctrine. Further research may also consist of conducting a comparative study between intellectual property rights mentioned in French civil legislation and Iraqi administrative legislation. Then, it would be interesting to know how important the ICOP's role in protecting intellectual property rights is. Since international law has great influence on Iraqi law, especially as Iraq has acceded to many international treaties which guarantee intellectual property rights, a study may also be carried out to compare French and Iraqi civil legislation on intellectual property rights mentioned in those international treaties. (Ali et al.2022)(Yehia et al.2022). The objective of this chapter is to make a legal publication on



protecting intellectual property rights in French civil law. To fulfill this goal, our research shall be divided into three main parts. The first part shall relate to intellectual property rights in French civil law. In this part, we shall review the procedures contributed by civil legislators to protect intellectual property rights in French private law. In the second part, we shall explain how the intellectual property rights, unlike immaterial rights, may be freely and easily transferred. In the third part, we shall not fail to explain the possibility of judicial protection of intellectual property rights in the criminal process. (Bently et al., 2022)

## WORKS CITED

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- Khammas, H. J. (2022). Corporeality in Contemporary Iraqi Fiction. 452°F. *Revista de Teoría de la literatura y Literatura Comparada*, (27), 312-331. ub.edu
- MHOODAR, R. A. & MHOODAR, T. A. (2021). Postcolonial Iraqi Novels and Their Theoretical Implications. Mayallat Abhat Maysan. iasj.net
- Bush, J. A. (2020). Between Muslims: Religious Difference in Iraqi Kurdistan. [HTML]
- Mahmud, S. F. (2020). The impact of terrorism on human development in Iraq. *Global Journal of Management and Economics*. researchgate.net
- Wen, J., Zhang, S., & Chang, C. P. (2022). Legal origins and innovation: Global evidence. *Technological Forecasting and Social Change*, 174, 121216. [HTML]
- Dratler, J. (2023). Licensing of intellectual property. uh.edu
- Ploman, E. W. & Hamilton, L. C. (2024). Copyright: Intellectual property in the information age. [HTML]
- Abbott, F. M., Cottier, T., Gurry, F., Abbott, R. B., Burri, M., Ruse-Khan, H. G., & McCann, M. (2024). International Intellectual Property in an Integrated World Economy:[Connected EBook]. Aspen Publishing. [HTML]
- Abbott, F. M., Cottier, T., Gurry, F., Abbott, R. B., Burri, M., Ruse-Khan, H. G., & McCann, M. (2024). International Intellectual Property in an Integrated World Economy:[Connected EBook]. Aspen Publishing. [HTML]
- van Beurden, K., de Koning, S., Molendijk, D., & van Schijndel, J. (2020). The Knoevenagel reaction: a review of the unfinished treasure map to forming carbon-carbon bonds. *Green chemistry letters and reviews*, 13(4), 349-364. tandfonline.com
- Basem, M. M. (). Protection of the Translation of Well-Known marks under Jordanian Trademarks Law: Concurrent actions, same litigants, same cause of action, different .... researchgate.net. researchgate.net
- Bently, L., Sherman, B., Gangjee, D., & Johnson, P. (2022). Intellectual property law. academia.edu
- Park, K. S. (2021). The history wars and property law: Conquest and slavery as foundational to the field. Yale LJ. georgetown.edu
- Michener, J. (2020). Power from the margins: Grassroots mobilization and urban expansions of civil legal rights. *Urban Affairs Review*. academia.edu
- Boyle, J. (2020). A theory of law and information: Copyright, spleens, blackmail, and insider trading. *Freedom of Information*. duke.edu
- Muñoz, D. & Baron-Schmitt, N. (2024). Wronging oneself. philarchive.org
- Taubman, A., Wager, H., & Watal, J. (2020). A handbook on the WTO TRIPS agreement. academia.edu
- Vincent, N. G. (2020). Trip-ing up: The failure of TRIPS Article 31bis. *Gonz. J. Int'l L.* scholasticahq.com
- Monirul, A. (2022). The TRIPS Agreement revisited—Time to open-up climate technologies for least developed countries. niscpr.res.in
- Barron, A. (2020). Copyright law and the claims of art. Available at SSRN 346361. academia.edu
- Davies, G., & Ricketson, S. (2020). The foundation of the World Intellectual Property Organization: what came before. In *Research Handbook on the World Intellectual Property Organization* (pp. 1-25). Edward Elgar Publishing. academia.edu
- Otchenash, M. (2022). Jurisdiction for online intellectual property infringements in the EU: overcoming strict territoriality. uoc.edu

- Geiger, C. (2020). Reconceptualizing the constitutional dimension of intellectual property-an update. *Intellectual Property and Human Rights*, 4th ed., Austin/Boston/Chicago/New York, The Netherlands, Kluwer Law International, 117-168. [researchgate.net](https://www.researchgate.net)
- Shtefan, A., & Gurgula, O. (2023). The New Intellectual Property Court in Ukraine: Its Creation and Exclusive Jurisdiction. In *Competition and Intellectual Property Law in Ukraine* (pp. 353-372). Berlin, Heidelberg: Springer Berlin Heidelberg. [researchgate.net](https://www.researchgate.net)
- Li, S. (2024). Intellectual Property Law and International Arbitration. [shu.edu](https://shu.edu)
- Leipold, B. (2020). Marx's social republic. Radical republicanism: Recovering the tradition's popular heritage, 172-193. [academia.edu](https://www.academia.edu)
- Colón-Ríos, J. (2020). Constituent power and the law. [academia.edu](https://www.academia.edu)
- Elechi, C. C. & Chijioke, C. O. (2024). Comparative Analysis of Copyright Regimes in Nigeria, the United States of America and France. *Global Journal of Politics and Law Research*. [tudr.org](https://tudr.org)
- Geiger, C. (2021). 'Fair Use' through Fundamental Rights: When Freedom of Artistic Expression allows Creative Appropriations and Opens up Statutory Copyright Limitations. published in: S. Balganes, WL Ng-Loy and H. Sun (eds.), "The Cambridge Handbook of Copyright Limitations and Exceptions", Cambridge, Cambridge University Press, 174, 2020-06. [american.edu](https://www.american.edu)
- Meirison, M. & Nazar, Z. (2021). Intellectual property rights and monopoly in the perspective of Islamic jurisprudence. *Al-Ahkam*. [walisongo.ac.id](https://www.walisongo.ac.id)
- Wallace, A. (2021). Decolonization and Indigenization. *Critical Open GLAM: Towards [Appropriate] Open Access for Cultural Heritage*. [pubpub.org](https://pubpub.org)
- Barriola, I., Deffains, B., & Musy, O. (2023). Law and inequality: A comparative approach to the distributive implications of legal systems. *International Review of Law and Economics*. [uni-muenchen.de](https://uni-muenchen.de)
- Engberg, J. (2020). Comparative law for legal translation: Through multiple perspectives to multidimensional knowledge. *International Journal for the Semiotics of Law-Revue internationale de sémiotique juridique*, 33(2), 263-282. [mpg.de](https://www.mpg.de)
- Massé, G. (2024). Law professions, low regulation: assessing French notarial competition through (de) regulation indexes. [hal.science](https://hal.science)
- Boon, A. & Semple, N. (2022). Still special after all these years? Fundamental questions in legal services regulation. [city.ac.uk](https://city.ac.uk)
- Bois, J. R. F. (2021). The Uncertain World of the Court of Justice of the European Union. A Multidisciplinary Approach of the Legitimacy of the EU Judiciary in the 21st century. [kobv.de](https://kobv.de)
- Ali, A. P. D. S. N., Nazmi, M. D. O., & Abdullah, Y. A. (2022). Intellectual property rights and its implications for the pharmaceutical industry in Iraq under accession to the World Trade Organization. *International Journal of Research in Social Sciences & Humanities*, 12, 58. [academia.edu](https://www.academia.edu)
- Almokhtar, Y. (2022). The Real Estate Licence in the English Law/An Analytical Comparative Study with the Islamic Jurisprudence and the Iraqi Civil Law. *Al-rafidain of Law*. [mosuljournals.com](https://mosuljournals.com)
- ALI, S. I. (). THE LEGAL PROTECTION AGAINST CHILD LABOUR IN IRAQ WITH FOCUS ON THE INTERNATIONAL STANDARD. [etd.uum.edu.my](https://etd.uum.edu.my). [uum.edu.my](https://uum.edu.my)
- Jardak, R. B. (2021). The Effects of the Changing US Policies on Iraq & the Middle East. [ndu.edu.lb](https://ndu.edu.lb)
- Chaume, F. (2020). Audiovisual translation: dubbing. [hispadoc.es](https://hispadoc.es)
- Kostovska, I., Raats, T., & Donders, K. (2020). The rise of the 'Netflix tax' and what it means for sustaining European audiovisual markets. *Innovation: The European Journal of Social Science Research*, 33(4), 423-441. [researchgate.net](https://www.researchgate.net)
- Hugenholtz, P. B., & Quintais, J. P. (2021). Copyright and artificial creation: does EU copyright law protect AI-assisted output?. *IIC-International Review of Intellectual Property and Competition Law*, 52(9), 1190-1216. [springer.com](https://springer.com)
- Al-Bsherawy, A. K. K. & Al-Obaidi, K. H. R. (2024). Legal Transplantation to the Muslim World: A Case Study of the Iraqi Civil Code under the Auspices of al-Sanhūrī's Legal Approaches. *The Journal of Islamic Law Research*. [isu.ac.ir](https://isu.ac.ir)
- Dabbach, Z. (2022). Iraqi Architectural Identity: An Arab Renaissance From a Western Perspective. [ohiolink.edu](https://ohiolink.edu)
- Almashhadani, A. N. (2023). Iraq's Accession to the Wto and the Possible Economic Effects. *International Journal of Professional Business Review*, 8(4), e01323-e01323. [openaccesssojs.com](https://openaccesssojs.com)

- AbdulAmeer, S. A., Saleh, W. R., Hussam, R., Al-Hareeri, H., Alghazali, T., Mezaal, Y. S., & Saeed, I. N. (2022). Cyber Security Readiness in Iraq: Role of the Human Rights Activists. *International Journal of Cyber Criminology*, 16(2), 1-14. [cybercrimejournal.com](http://cybercrimejournal.com)
- Gordon, J. (2020). The enduring lessons of the Iraq sanctions. *Middle East Report*. [luc.edu](http://luc.edu)
- McEvoy, J. & Aboultaif, E. W. (2022). Power-sharing challenges: From weak adoptability to dysfunction in Iraq. *Ethnopolitics*. [abdn.ac.uk](http://abdn.ac.uk)
- Al-Mawlawi, A. & Jiyad, S. (2021). Confusion and contention: understanding the failings of decentralisation in Iraq. *lse.ac.uk*
- Revkin, M. R. (2021). Competitive governance and displacement decisions under rebel rule: Evidence from the Islamic State in Iraq. *Journal of conflict resolution*. [sagepub.com](http://sagepub.com)
- Pohan, M. (2020). Conception of franchise agreement in protecting the legal interests of parties based on Indonesian civil law. *International Journal Reglement & Society (IJRS)*, 1(2), 103-112. [bundamedia grup.co.id](http://bundamedia grup.co.id)
- Wang, R. (2020). New Private Law? Intellectual Property Common-Law Precedents in China. *UMKC L. Rev.*. [depaul.edu](http://depaul.edu)
- Ayoub, S. A. (2022). A Theory of a State? How Civil Law Ended Legal Pluralism in Modern Egypt. *Journal of Law and Religion*. [cambridge.org](http://cambridge.org)
- Allain, J. (2020). Acculturation through the Middle Ages: the Islamic law of nations and its place in the history of international law. In *Research Handbook on the Theory and History of International Law* (pp. 312-325). Edward Elgar Publishing. [researchgate.net](http://researchgate.net)
- Chaaban, Y. (2021). Comparative law as a critical tool for legal research in Arab countries: a comparative study on contractual balance. *Akkad Journal Of Law And Public Policy*. [academia.edu](http://academia.edu)
- Naim, N. (2020). Critical Examination of the Intellectual Property Regimes in the Gulf Co-Operation Council (GCC) States. *Indonesian J. Int'l L.*. [coventry.ac.uk](http://coventry.ac.uk)
- LoMonte, F. D. (2021). Copyright Versus the Right to Copy: The Civic Danger of Allowing Intellectual Property Law to Override State Freedom of Information Law. *Loy. U. Chi. LJ*. [luc.edu](http://luc.edu)
- Chilombo Chifunda, C. & Maganaris..., E. (2024). Assessing the duty of care architects owe to third parties in the case of failure of professional duty under English Law. ... *Academic Journal of .... cumbria.ac.uk*
- Mohammed, M. S. M. & Ibrahim, Y. W. (2024). Civilian Protection for Partners from The Partner's Material Actions in Common Property, A Comparative Study. *International Journal of Religion*. [ijor.co.uk](http://ijor.co.uk)
- Mossoff, A. (2020). The Injunction Function: How and Why Courts Secure Property Rights in Patents. *Notre Dame L. Rev.*. [nd.edu](http://nd.edu)
- Kumar, S. (2020). Judging Patents. *Wm. & Mary L. Rev.*. [wm.edu](http://wm.edu)
- Correa, C. M. (2020). Special Section 301: US interference with the design and implementation of national patent laws. [econstor.eu](http://econstor.eu)
- Morten, C. J. & Duan, C. (2020). Who's Afraid of Section 1498? A Case for Government Patent Use in Pandemics and Other National Crises. *Yale JL & Tech.*. [columbia.edu](http://columbia.edu)
- Merges, R. P. (2023). Updating the Private Law of Patent Contracting. *IDEA*. [unh.edu](http://unh.edu)
- Sganga, C. (2020). The Role of Copyright History in Casting out the Demons of Copyright Propertization. *Annuario di Diritto Comparato e di Studi Legislativi*. [sssup.it](http://sssup.it)
- Levasseur, A. A. (2020). Portalis and Pound: A Debate on Codification. *La. L. Rev.*. [lsu.edu](http://lsu.edu)
- Huang, K. G. L., Huang, C., Shen, H., & Mao, H. (2021). Assessing the value of China's patented inventions. *Technological Forecasting and Social Change*, 170, 120868. [nus.edu.sg](http://nus.edu.sg)
- Segate, R. V. (2020). Securitizing Innovation to Protect Trade Secrets between the East and the West: A Neo-Schumpeterian Public Legal Reading. *UCLA Pac. Basin LJ*. [escholarship.org](http://escholarship.org)
- Cotter, T. F. (2020). Damages for noneconomic harm in intellectual property law. *Hastings LJ*. [uclawsf.edu](http://uclawsf.edu)
- Macmillan, F. (2020). Intellectual and cultural property: between market and community. [archive.org](http://archive.org)
- Mahmood, A. Y. & Al-Salhi, K. (2022). Distinction of Comparative Advertising from False Advertising and its Relation to Illegitimate Competition. [academia.edu](http://academia.edu)
- CHAUDET, C. Z. O. E. P. (). THE SUBSIDIARY PROTECTION IN ARMED CONFLICTS. [thesis.unipd.it](http://thesis.unipd.it). [unipd.it](http://unipd.it)
- Pavone, T. (2020). Lawyers, judges, and the obstinate state: The French case and an agenda for comparative politics. *French Politics*. [apsanet.org](http://apsanet.org)
- Cavallini, C. & Cirillo, S. (2023). In Praise of Reconciliation: the In-Court Settlement as a Global Outreach for Appropriate Dispute Resolution. *J. Disp. Resol.*. [missouri.edu](http://missouri.edu)

- Dumitru, O. I. (2020). The Transfer of Seat of Companies within the European Single Market. Law Review. researchgate.net
- Koops, E. (2020). through Negotiated Conditions in Imperial Rome. Roman Law and Economics: Volume II: Exchange, Ownership, and Disputes, 35. universiteitleiden.nl
- Lana, A. K., Tareq, A. B., Manasra, M., Alkhseilat, A., Alzyoud, N., & Noor, A. K. (2023). Legal Regulation of Civil Liability for Environmental Damage: How Appropriate are Civil Liability Provisions with the Privacy of Environmental Damage?. Journal of Environmental Management and Tourism, 14(5), 2174-2186. aserspublishing.eu
- Emar, O. & Abu Issa, H. (2021). The legislative shortcomings aspects in the Jordanian environmental law. Comparison with international law. Journal of environmental management and tourism. aserspublishing.eu
- Damodaran, A. (2024). The little book of valuation: How to value a company, pick a stock, and profit. academia.edu
- Vuong, Q. H. & Nguyen, M. H. (2024). Better economics for the Earth: A lesson from quantum and information theories. philpapers.org
- Noto La Diega, G. (2022). Ending Smart Data Enclosures: The European Approach to the Regulation of the Internet of Things between Access and Intellectual Property. Stacy-Ann Elvy and Nancy Kim (eds), The Cambridge Handbook on Emerging Issues at the Intersection of Commercial Law and Technology (Cambridge University Press 2023). researchgate.net
- Gomez, L. F. G. (2023). Historical background of the factors of attribution of civil liability, starting with Napoleon's Civil Code of 1804 and its reception in the Colombian Civil Code of 1873. The .... Tribuna Juridică. tribunajuridica.eu
- Heirbaut, D. (2022). Blitzkrieg codification: the 2020 Belgian Civil code. In The Making of the Civil Codes: A Twenty-First Century Perspective (pp. 127-148). Singapore: Springer Nature Singapore. ugent.be
- Fallatah, H. I. (2021). The Efficiency of Current Measures to Protect Intellectual Property Rights in E-commerce in Saudi Arabia. Journal of the Iraqi University. mabdaa.edu.iq
- Wasserman Rajec, S. R. (2020). The Harmonization Myth in International Intellectual Property Law. Ariz. L. Rev.. wm.edu
- Virchenko, V., Petrunia, Y., Osetskiy, V., Makarenko, M. I., & Sheludko, V. (2021). Commercialization of intellectual property: innovative impact on global competitiveness of national economies. sumdu.edu.ua
- Athreye, S., Piscitello, L., & Shadlen, K. C. (2020). Twenty-five years since TRIPS: Patent policy and international business. Journal of International Business Policy, 3(4), 315. nih.gov
- Yan, Y., Li, J., & Zhang, J. (2022). Protecting intellectual property in foreign subsidiaries: An internal network defense perspective. Journal of International Business Studies. springer.com
- Motari, M., Nikiema, J. B., Kasilo, O. M., Kniazkov, S., Loua, A., Sougou, A., & Tumusiime, P. (2021). The role of intellectual property rights on access to medicines in the WHO African region: 25 years after the TRIPS agreement. BMC Public Health, 21, 1-19. springer.com
- Walsh, K., Wallace, A., Pavis, M., Olszowy, N., Griffin, J., & Hawkins, N. (2021). Intellectual property rights and access in crisis. IIC-International Review of Intellectual Property and Competition Law, 52, 379-416. springer.com
- AL-BASHERAWY, A. K. (2021). Economic Analysis of The Trade Contracts: An Economic Perspective. Akkad Journal Of Law And Public Policy. researchgate.net
- Karim, B. M., & Aziz, P. H. (2024). Legal Disputes between Iraq and Turkey over the KRG's Oil Fields and the Implications of the ICC Court's Ruling on Them. Journal of Islam in Asia (E-ISSN 2289-8077), 21(1), 166-190. iium.edu.my
- Otero, X., Santos-Estevéz, M., Yousif, E., & Abadía, M. F. (2023). Images on stone in sharjah emirate and reverse engineering technologies. Rock Art Research: The Journal of the Australian Rock Art Research Association (AURA), 40(1), 45-56.
- Nguyen Thanh Hai, & Nguyen Thuy Duong. (2024). An Improved Environmental Management Model for Assuring Energy and Economic Prosperity. Acta Innovations, 52, 9-18. <https://doi.org/10.62441/ActaInnovations.52.2>

- Girish N. Desai, Jagadish H. Patil, Umesh B. Deshannavar, & Prasad G. Hegde. (2024). Production of Fuel Oil from Waste Low Density Polyethylene and its Blends on Engine Performance Characteristics . *Metallurgical and Materials Engineering*, 30(2), 57-70. <https://doi.org/10.56801/MME1067>
- Shakhobiddin M. Turdimetov, Mokhinur M. Musurmanova, Maftuna D. Urazalieva, Zarina A. Khudayberdieva, Nasiba Y. Esanbayeva, & Dildora E Xo'jabekova. (2024). MORPHOLOGICAL FEATURES OF MIRZACHOL OASIS SOILS AND THEIR CHANGES. *ACTA INNOVATIONS*, 52, 1-8. <https://doi.org/10.62441/ActaInnovations.52.1>
- Yuliya Lakew, & Ulrika Olausson. (2023). When We Don't Want to Know More: Information Sufficiency and the Case of Swedish Flood Risks. *Journal of International Crisis and Risk Communication Research* , 6(1), 65-90. Retrieved from <https://jicrcr.com/index.php/jicrcr/article/view/73>
- Szykalski, J., Miazga, B., & Wanot, J. (2024). Rock Painting Within Southern Peru in The Context of Physicochemical Analysis of Pigments. *Rock Art Research: The Journal of the Australian Rock Art Research Association (AURA)*, 41(1), 5-27.
- Mashael Nasser Ayed Al-Dosari, & Mohamed Sayed Abdellatif. (2024). The Environmental Awareness Level Among Saudi Women And Its Relationship To Sustainable Thinking. *Acta Innovations*, 52, 28-42. <https://doi.org/10.62441/ActaInnovations.52.4>
- Kehinde, S. I., Moses, C., Borishade, T., Busola, S. I., Adubor, N., Obembe, N., & Asemota, F. (2023). Evolution and innovation of hedge fund strategies: a systematic review of literature and framework for future research. *Acta Innovations*, 50,3, pp.29-40. <https://doi.org/10.62441/ActaInnovations.52.4>
- Andreas Schwarz, Deanna D. Sellnow, Timothy D. Sellnow, & Lakelyn E. Taylor. (2024). Instructional Risk and Crisis Communication at Higher Education Institutions during COVID-19: Insights from Practitioners in the Global South and North. *Journal of International Crisis and Risk Communication Research* , 7(1), 1-47. <https://doi.org/10.56801/jicrcr.V7.i1.1>
- Sosa-Alonso, P. J. (2023). Image analysis and treatment for the detection of petroglyphs and their superimpositions: Rediscovering rock art in the Balos Ravine, Gran Canaria Island. *Rock Art Research: The Journal of the Australian Rock Art Research Association (AURA)*, 40(2), 121-130.
- Tyler G. Page, & David E. Clementson. (2023). The Power of Style: Sincerity's influence on Reputation. *Journal of International Crisis and Risk Communication Research* , 6(2), 4-29. Retrieved from <https://jicrcr.com/index.php/jicrcr/article/view/98>
- Ali, M. H., Ahmed, M., Al Karaawi, N. J. M., Algaragolle, W. M. H., Alkhafaji, M., & Abdulaziz, H. M. (2022). The Limitations of Iraq's Freedom of Press and Communicative Media Censorship. *International Journal of Criminal Justice Sciences*, 17(1), 122-133. [ijcjs.com](http://ijcjs.com)
- Alrikabi, N. K., & Alumeri, A. O. (2021, April). Comparative study for Environmental Impact Assessment in Environmental Iraqi and Saudi legislation. In *IOP Conference Series: Earth and Environmental Science* (Vol. 754, No. 1, p. 012018). IOP Publishing. [iop.org](http://iop.org)
- Arnold, R. & Ginsburg, J. C. (2020). Comment: Foreign Contracts and US Copyright Termination Rights: What Law Applies?. *Columbia Journal of Law & the Arts*. [columbia.edu](http://columbia.edu)
- Bandarin, F., Eloundou Assomo, L., Anthony Appiah, K., Al-Sabouni, M., Adams, S., Bokova, I., ... & Cuno, J. (2022). 24 Customs, General Principles, and the Intentional Destruction of Cultural Property. In *Cultural Heritage and Mass Atrocities* (pp. 528-548). Getty Publications. [jhu.edu](http://jhu.edu)
- Cao, K., Liu, Y., Meng, G., & Sun, Q. (2020). An overview on edge computing research. *IEEE access*. [ieee.org](http://ieee.org)
- Alsamee, E. M. B., Wahab, H. A., & Yusof, Y. (2020). The application of federalism in the Kurdistan region under the Iraqi constitution 2005. *Journal of Critical Reviews*. [uom.edu.my](http://uom.edu.my)
- Yehia, A. Z., Abdulkarem, D. R., Ahmed, H., Sabti, A. A., Dahash, F. A. M., Hadi, A. M., & Sabit, S. H. (2022). Focusing on the investment disputes and right of protection of foreign investors in Iraq. *International Journal of Criminal Justice Sciences*, 17(1), 162-172. [ijcjs.com](http://ijcjs.com)