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“les titres (le Monde et le Monde diplomatique) révèlent une originalité qui les rend protégeables en eux mêmes, par application de l'article 5 - 2/1 de la loi du 11 Mars 1954 au même titre que l'oeuvre collective qu'ils annoncent. En effet, l'utilisation de ce titre par d'autres œuvres constituant un concurrence déloyale incombant l'indemnisation“(35).

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## Legal Protection of the Literary Work Title According to the Unfair Competition Rules "A Comparative Study"

*Samer M. Al-Dalal'a\**

### ABSTRACT

The efforts to find the legal root for any idea which had been mentioned in a certain case by working to put it in its particular milieu and scrutinize the legislator position toward it, and the ability of the varies legislations to absorb its contents become one of the literary background of the scientific methodology, this fact affects the attitude toward this study specially when the crux resulting from the unjustified legislative gap which relates to root the reliance on the unfair competition rules in order to protect the title of the literary work appear for us, this approach will particularly transfer us from literary rights milieu to the environment in which the rights upon these works will become of materialistic nature that give its owner the right of protection as the circumstances might require to invoke to its rules.

This study will not remote from determining the value of the unfair competition provisions in the enrichment of the innovated literary works, particularly the literary works titles, consequently to determine the ability of the unfair competition principles to motivate the innovation and promote the unrivalled in one side, and to protect the rights over these works according to its materialistic value on the other side. In other words, this study aims to explore the mechanism in which such principles can accommodate literary works titles and the consequences that result from these works.

**Keywords:** Literary Work Title, Legal Protection.

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