

Exploring the impacts of life quality on the offence of robbery

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Abstract

Background and objectives: This research has sought to relate the notion of life quality to an underlying notion called offence. Life quality includes an individual's feelings and perception of his/her situation in life in a context of value and cultural systems in which h/she lives and is related with his/her goals, expectations and concerns. The theoretical framework of this research has been drawn on the Theory of Social Disorganization, Theory of Merton's Deviance, Satisfaction Theory, Relative Deprivation Theory, Pressure Theory, and Poverty Culture such that any shortage in economic, social and cultural areas will be regarded as laying the ground for crimes and deviance. This article is aimed to examine the impacts of life quality on the commission of robbery.

Methodology: This present article is a survey research. This study used a researcher made questionnaire and was conducted on 432 robbers who were serving prison terms by the time the research was conducted in Tehran. The research sample was selected via classified sampling methods and proportional sampling.

Findings: Research findings showed that there was a significant relationship between independent variables including income, education, satisfaction with the existing life situation, and social anomalies and the dependent variable of the research (robbery). For this, all fort hypotheses were statistically confirmed.

Keywords: life quality, robbery, social anomalies, social pressure, relative deprivation.

Information and Communication Technology and Justice

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Abstract

The use of information and communication technology has great significance in improving judicial management and it is a factor in development of new opportunities. Nowadays, inefficiency of conventional and common methods of legal papers, archive documents, access to reliable sources of information, fear of missing papers and documents and even the possibility of remote follow-up case and write bills and so with Introducing prolongation of procedure and costly procedure, has become one of the most serious concerns of legal systems. This paper uses a descriptive-analytical method to answer the question of how new technologies can be used to achieve judicial justice and improve access to justice. However, measures have been taken in the field of e-commerce, in the fifth and sixth development programs, the law of the permanent regulations of development programs and ... e-government, including in the area of justice, is foreseen but its objective and operational fulfillment in the internal system requires requirements, pathology and elimination of its barriers in the form of independent research.

So in this paper we studied and examined the development of ICT infrastructure and the use of this technology in foreign and domestic relations courts to improve access to justice.

Keywords: Access to court, information and communication technology, electronic legal services, electronic filing, on-line hearing.

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Intellectual Property Protection for Player-Generated Content in Video Games

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Abstract

Nowadays video games are fast becoming one of the most popular media of choice. For more than thirty years now video games are amongst us. At the start being a new form of entertainment for the youth only, in no time it has grown into a medium enjoyed and used for various purposes by consumers of all ages. The global market for video games is still expected to grow substantially in the upcoming years and the legal framework for protection of video games becomes more and more significant.

Intellectual property rights protect video games from different aspects. Copyright safeguards the creative and artistic expression that goes into the software, music, story and characters of game. Patents protect the next generation hardware or technical solutions as well as the inventive game play or game design elements. Trademarks protect the name and logo, game title and subtitle. Trade secrets can be used to safeguard customer mailing lists, pricing information, publishers contacts, developers contacts and deal terms. However, due to an inherent characteristic of video game, it faces major challenges. In some video games, the player has a role to play in changing production. His participation in such a way that each game for each player can be different from the other players. Players often create their own unique content. This paper addresses a number of the intellectual property law aspects of the protection of video games and discusses is this player-generated content protectable and if so, who owns it?

Keywords: Video games, Copyright, Player-Generated, Derivative works.

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Specific performance in contractual obligations in Iranian law and modern private law documents

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Abstract

In Iran's law, it undertakes to refrain from implementing the same obligation (even if it wishes to terminate) firstly, it must request the obligation of the obligated party, and it is only compulsory that it can terminate the contract. While the new legal framework for private law, such as the European Principles on the Law of the Treaties and the Principles of the International Commercial Code, and the Common Frame of Reference, have placed the obligation between the obligation to specific performance and the right to terminate and obtain damages. Contrary to Iranian law, in these documents, the obligation is committed to the specific performance with many exceptions, which is most affected by the theory of respect for personal freedoms. This suggests that with regard to economic developments, the other provisions of the principle of the necessity of contracts are not the fulfillment of the same performance in any circumstances, but the performance of the reasonable and standard expectations of the contract is considered to be the performance of the covenant. On the other hand, while in Iran's law, fines and oversights are owed as tools for putting pressure on him and preventing his misuse, the documents referred to Gibbs to performance is an act contrary to human freedom and has not accepted.

Keywords: Breach of contract, Judicial Penalty, Specific Performance, Non-performance.

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Concept of tort and its role in structure of division of tort law

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Abstract

Concept of delict(Tort) in Roman Law on the base of Deontology as a ethical theory is recognized in the concept of breach of first Duty and structure of category in this legal system is formed on the base of Obligation and Responsibility as a secondary of breach of first Obligation.in contrast in Common Law and Jurisprudence, concept of Tort in accordance to ethical theory of teleology is difinited as breach of Right.in Jurisprodence, delict doesn't recognize as source of structure of tort law but Causes of Violence of right is source of structure of tort law . In law of Iran , because of iffecting of Roman law and Jurisprodence , Tort Law structure has antithetic mixture of Breach of Duty and Violence of Right . resolving this problem involves final choosing one of perspectives. It seems Jurisprodential perspective that is based violence of Right,is appropriate for Establishing of iran structure of tort law.

Keywords: Deontology, consequentialism, breach of duty, violence of right, tort.

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Trustee's claim acceptance in jurisprudence and civil procedural law

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Abstract

If a dispute arises between the owner and the trustee and in this case, trustee is the claimant and he does not have any reason to prove his claim, there are some controversy about acceptance or rejection of his claim. Civil Procedure Law has no specific provision in this respect. Shiite scholars in some cases like claim of waste and declaring lack of abuses and wastage accept trustee's word. Even some of Shiite scholars express a rule so-called "validation of trustee's word". However, it seems that the popularity of absoluteness of this opinion or exemption of trustee's word from bearing the burden of proof is due to prevalence of the cases which the dispute is about trustee's duty of protection and skill to do something, and the owner claims trustee's negligence about the duties. But in other cases that there are specific duties, like the time the trustee is a claimant or lawyer this rule is not useful and the trustee according to principle, should bring reason to prove his claim.

Keywords: Trust, Claimant, Defendant, Trustee's claim.

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A Comparative Approach to the Annulment of Regulations by the Plenary Session of Administrative Court of Justice

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Abstract

Conferring the annulment of governmental and municipal regulations to the Plenary Session of the Administrative Court of Justice by the parliament in 1982, which repeated in later legislations in 2006 and 2013, does not have a solid foundation. This design has some disadvantages: impossibility of deconcentration of Administrative Court of Justice, impossibility of appeal from Plenary Session's judgments, inutility of distinguishing between national and local regulations, and unfruitfulness of classifying between different types of regulations in terms of their importance or the status of the body who makes them. Comparative studies especially in French, Spanish and Italian administrative justice systems, however, show us that all regulations are divided in local and national and each class of regulations are reviewed by different body in local or national level. In addition, review of important regulations has been separated. This article signals the need for reforms in this respect through an analytic and comparative research method.

Keywords: Administrative Court of Justice, Plenary Session, Regulations, Comparative administrative law, Administrative Process.

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