Nature of Archly Competition

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Introduction

Consider the situation where a merchant (business competitors) are competing with each other. However, to attract more customers to merchant takes actions that cause harm to a competitor or business or act (action or omission) any adverse action that will lead to harm consumer interests. Also a businessman who comes to actions that result in the customer spreading of its commercial rivals, such as the person's business reputation is destroyed. In this case there will be a discussion of the competing archly.

Competition

The competition is contested in selling goods to the seller so that each is seeking to obtain the maximum net income. In other words, Situation where the vendors compete to attract and retain customers independently trying to increase the market share of the profits arising from the sale or promoted. Can compete on price and quality of service, or it is something that is considered valuable customers. The result is increased customer choice and range of the company's effort to innovate and survive in the market to upgrade the technical and technological artifacts.(Garner,1999,p278;Vakili Moghadam,2010,p45-46;Masumi Nia,2004,p58) Also define some features that have increased competition, unfavorable characteristics such as specific selfishness and indifference to the welfare of others.(Marshall,2010,p5) Competitiveness lies in the nature of trade There is no doubt that the competitiveness of business and trade and prosperity, there is a direct relationship, I always competitive and fair business competition, but businessmen and sometimes, their lives in the destruction or abuse of Fame as competitors.(Eslami,no date; Jafari Langerudi,2009,p2059) If competition is to be located in a space that people know their obligations and legal ethics and criminal matters, like the others in the transaction, the faint they refuse, then the competition would be a mechanism that people put in their true position.(Panahi Borujerdi,2002,p62) the description provided forms for the competition can be expected (Sotudeh Tehrani,2006,p179):
Legitimate Competition

The economic system that wants to achieve efficiency, we allow society to be able to act according to their own interests. But two things are undesirable: a) exceed the limit and to engage in activities that are contrary to the public interest. B) Doing things that are a direct supplier of personal interest, but need to realize goals. (Masumi Nia, 2007, p130) The competition is based on free trade and states have enacted various laws to protect legitimate competition. (Habiba, 2009, p105) Some very good competition and free trade is primarily essential accessories and when it is realized that the dealer market demand produced what the customer wants answered. This type of competition to legitimate competition or perfect competition or just learn to compete. Theoretical assumptions of perfect competition require that assumptions of perfect competition are consequences, including: There are many vendors - there are many buyers - companies selling goods is homogeneous - Businesses and consumers can freely enter and exit the industry - companies and consumers have perfect information are –There is no transaction fee (additional) - There are no externalities in production and consumption. (Depken, 2006, p153-154) Besides the term has learned from actual competition, the main problem was that the concept of perfect competition is that it is unreal. Is expressed this concept does not apply and the external case and basically found that all the conditions of perfect competition in the market cannot be realized. Race is conceptually based on the practical realities of the market in which some defects have been accepted. (Vakili Moghadam, 2010, p47; Barber, 1991, p17) Community’s microeconomic reform program was a turning point in the national competition policy. It was one of the basic principles of competitive markets to best serve the interests of consumers and society in general. For example, in Australia, the Fair Trading Act 1992 and Fair Trading (Consumer Affairs) adopted in 1973. (Eshmitoph, 2011, p535)

Unlawful Competition (Archly)

In France, it is customary to express the intention of using it against them, (Etali, 1989, p11) and said to be unfair competition from illegal acts contrary to the purposes intended in healthy competition. (H. Page, 2010, P37; Mackaay, 1999, p2) Archly competitions offered various definitions of some of the items listed are:

1. "Archly competition, action or actions that a person like a businessman or a doctor or a tradesman or craftsman or artist likes them to disperse (or entice away their) clients and customers with whom he is working through methods other than honorable and irrational commit. It is the conviction of the compensation and in some cases it is also a crime. (Jafari Langerudi, 2009, p338)"

2. "Archly competition It is the Merchant to cancel the purchase or use of goods It’s the same thing Chinese toys or by any means of false or fraudulent generally more appealing and tacitly or directly or indirectly seeks stipulation defective or inferior goods on it to show it ". (The amendment of Article 244 and Article 249 of the Penal Code Act, Public Act of 1310)
3. Unfair competition includes actions that are deemed ineligible in ordinary commerce, and unfair practices with the aim of promoting the sale of a business or increase its profits. (Olsen, 2004, Trademarks, pR.24) According to the above definition, it is tangibly, any action which will result in impairment rules governing competition in the customer spreading or to attract customers. Archly competition with other names such as competition, unlawful, harmful competition, competition, unreasonable, unlawful competition, unfair competition is also known. (Abolhamd, 1977, p) The following topics are discussed archly competition Privacy Competing rights and economic rights, but one of the branches of public law is considered, However, as far as competition law is compatible with archly competition And the package will be supported by the government and business owners. Formation of a free society is dependent on the market. The basic principle of a free society, property. The principle of private ownership implied that "each individual object, talents and abilities of your mental, moral rights are genuine."(Bagheri, 2009, p57; Eslami, nodate) Deleted material on the Competition archly yet our laws is empty.

Types Archly Competition

It is difficult to distinguish legitimate from non-legitimate competition and cannot be easily separated. For example, Tuesday shoemaker shop in a side street had been the first shop to attract customers wrote (Best Shoes City) Another wrote: (best shoes in the world) and a store that was located in the middle of the two, wrote (in input original) now detect whether it is legitimate or illegitimate competition or promotion is not easy.(Sotudeh Tehrani,2006,vol1,p180) Obviously, the archly competition business considers instances cannot be the constant changing business practices, will also change through business competition the examples assume that the Court of Justice and the Council is competitive.(Eslami,nodate,p) However, having competed in various types depending on the initiative of individuals every day is a new type of competition may be found archly, But in general, the archly competition types can be summarized as follows: 1 - actions that may cause misunderstanding and error. These are brand name imitation, emulation boards, fake profile commercial use unreal source material, trademarks and patents duplication or fraud. Every businessman has the exclusive right to their own name, but also against anyone who does business under its own name and in cases of misunderstanding is the trade name for someone who just entered the business, by adding words such as adding a name or addresses its trade name, distinguishing the former. If the brand is innovative and amusing, others have no right to use it. Article eight of the civil liability of the lyrics is: "Who in fact opposed to the dignity and position verification or publications other compensation for bringing so much into it. The publication or other means of personal or disagree, or at least the loss of customer goodwill is can be asked to cease the operation and the claim of the importer to prove the guilt of the losses.(Eslami,nodate,12) “Smoking is not permitted except for the source material. Tehran's Pastry for your Flour Bakery you write on the box: Esfahan Flour Bakery, the customer made a mistake on the throw home.(Sotudeh Tehrani,2006,vol1,p182;Ghanbari Jahromi,2010,p239) 2 - Acts that lead to fraudulent means to divert attention from his client and the others are: General competitive race to attract customers if no match is tricky to do, do not mind it, but if the client by making false statements, or to gain unlawful action is not permissible. Operation that diverts customers
is Include: The unreal characteristics to sex or to the factory to make people think The sex is better than other commodities, Unlike other merchant discounts by assigning the true cause of his reputation is tarnished, Discounts on other defective goods dealer misrepresenting others to demonstrate the advantages of advertising their wares, and having the means to Boy cottage not to go to another merchant. Buy items at low prices so Dumping called, have proven ill-intentions. (Sotudeh Tehrani, 2006, vol1, p185) 3 - Acts that are contrary to business ethics and good manners: People may sometimes commit acts that are contrary to good morals. Trading in any action contrary to ethics and good behavior is a commercial, are alien and as a result do harm to others to enter if under the definition of competition archly in Article 244 of the Penal Code General described is not subject to other material law and However, as a matter of law, be guilty of a civil liability to compensate damages. These actions can be summarized as follows: actions that disrupt the order of the merchant, For example He urged workers to strike Using fraudulent means to destroy the reputation of his goods, For example, bottle filling and wrapping products from bad products; Providing the means to do it with other people conclude contracts businessman has become impossible, and so on. In all these cases, if the action is not subject to the provisions of the Criminal Code, the law of civil liability for compensation for damaged material and makes your own. (Van Den Bossche, 2008, p507; Pettet, 2007, p192; Sobhani, 2001, p56) Some distinguish between unfair competition and unlawful competition and believe illegal competition law and is unfair competition from non-compliance with the law. Notably, all professions, all areas of business and all market participants are affected by unfair competition law and the competition will expand the scope of the underground economy growth. Another fraud Tender form can be archly competition. (DHall, 2007, p55) Companies with the opportunity to feature fictitious kidnapping of other companies, and in the event of failure to meet project-specific funding, they have to get this credit. One reason for the interest of standardization (i.e. ranging) is a significant personal and social benefits that come with time.(Lonfeld,2011,p437) One of interconnected institutions subject to standards in relation to standards, very little attention has been lawyers, intellectual property rights and standardization of distribution channels.(Senobar,2010,p200 ; Eleanor,1995,p8)

Archly Competition Exceptions (The Laws In Some Countries)

Is a term that by definition archly competition instances, your coverage will be. However, these examples can be given that the conditions of competition are not considered archly, we will review these cases as exceptions, competition archly. Law No. 628-63, dated July 3, 1963 tax reform for 1963, to take care of fixing the economy and financial - French reads: Article One - Consumer prices cheaper than buying only these are allowed: 1 - perishable goods when the corruption will be exposed immediately. 2 - In the case of voluntary or forced sales due to a business closure or replacement. 3 - About the goods they are selling are seasonality of sales in the period between the ends of the season and will have two seasons. 4 - The goods due to fashion changes or developments in technology and demand are outcome. (Ardalan, 1995, vol1, p319; Geradin, nodate, p2) The approval letter No. 1309-86 dated December 29, 1986 - French reads: Article 24 - The following award will not be considered: 1 - goods or services for the benefit of conventional financial product or service, this deal is inevitable. 2 - After sales
service and dealer facilities for handling our clients provide. 3 - A service that should be done free of charge on condition that these services are generally subject to a contract are not free and have no value. (Ardalan, 1995, vol1, p325) Also, the deal with the procedures monopolistic approved February 24, 1990, Poland - Article 3 - the exclusive rights of the rules on patents, signs, commercial, decorative scheme, as well as issues relating to copyright and contracts between employees and their unions with employers to protect workers’ rights, the It is beyond the scope of the law. (Ardalan, 1995, vol1, p386) Antitrust restrictions must be licensed. (McChesney, 2010, p31) In some cases, Canadian businesses need to obtain Council authorization to compete with its rivals. However, in some cases, given that the monopoly must necessarily be a specific reference, such as exceptions, competitive electric power industry in the country, to say these natural monopolies. (Khemani, 2002, p10; Pour Moghim, 2003, vol1, p101) This is only a sample of the project was discussed during the debate, in other cases it will review.

**Archly Competition Examples**

**Dumping**

Dump the conventional sense of the word dumping of cheap selling prices or tariffs have been approved break and the term is Supply of goods or services at prices below cost price or less than the legal fees In order to gain advantage in competition with other suppliers of the same goods or services. (Martin, 2006, p404) Another definition is Dumping means selling goods below cost price to the competitors in the field. In this way a much lower price that is much lower than the price of your product is competitors trying Your competitors will always be on the field (it will fail) And then create a monopoly in the market to sell their goods at prices higher than before. (Bakhshi, 2002, p19) Dumping in international trade, is very narrow and technical ; (Lonfeld, 2011, p271) That is, the Selling a product in a foreign market at a price below the cost of production of goods in the supply, In order to gain advantage in competition with other suppliers of the same goods. (Mehrabian, 2003, p18) Of dumping as "aggressive pricing" to be remembered. As well as the "pricing to eliminate competitors" also known as. (Vakili Moghadam, 2010, p232; Bagheri, 2006, p56) The dominant commercial position, this position has a special responsibility for commercial activities. In general, most companies have always charged to exclude competitors from the market due to its position which tries and perform actions that result in the elimination or reduction in the ability of competitors to operate in the market. On top of these measures can be used to remove low priced competitor named.

The original intent was to exclude low priced competitor and remove it from the market, if you break the competing bids in a manner consistent and occurs regularly. First, it explains the pricing to eliminate losses in the short term will be followed by sinning. But this lead to the removal of competitors for a monopoly situation because at this point the only manufacturer or supplier of the product shall be can determine the price of any damages to compensate the former. This behavior can also delete existing competitors, the entry barrier for prospective competitors and potential leads. New competitors to enter the market because the price they cost in most companies (i.e. lower costs spent) set, which is often not affordable. (Vakili
Moghadam, 2010, p232; Mehrabian, 2003, p18) For protection against dumping, anti-dumping law is enacted.(Ghanbari Jahromi, 2011, p74) Some of the ways to evade anti-dumping orders to bypass use, One of the ways is called a screwdriver: For example, anti-dumping order against the firm in Japan, where it was exported to Europe in the Community A company can sub in parts of Europe that are open to enter which is subject to anti-dumping duties. Assembling them into a final product that cannot be said to have been imported, it considers strategic product price to the market. In 1987, the population of Europe anti-dumping regulations to be amended to deal with the mounting screw. (Lonfeld, 2011, p310) So one of the reasons that the duties imposed on foreign goods is crushed, often under the anti-dumping (anti-dumping) is remembered. (Mohtasham Dolatshahi, 1996, p175) In some cases, No need to plan for their own actions and not dumping, Examples of ways to reduce the price of illegal acquisition of wealth that brings down the price to earnings as sales of goods coupon free.

Monopoly

The purpose of the monopoly and domination, a situation in which a business enterprise will be able to compete effectively with its competitors, has failed and substantially independent of its competitors have overtaken them. (Shokuhi, 2002, p41) The legal definition is: Monopoly position in the market share of a firm or company or the manufacturer, buyer and seller supply and demand is the amount the power to set prices or the market value is or new firms to enter or exit the market will be limited. Speaking exclusively to the laws of the two states: A - Natural monopoly: A firm position in the market because of falling average costs, it can provide product or service price. The price of the other firms in the market may not be able to enter or continue working. B - A legal monopoly: a state of the market, law, and manufacturing, selling or buying a particular product or service is given monopoly of one or more businesses. Emphasizes three types of scientists and the more exclusive types of things are included in them. A - Monopoly: either a full monopoly is a seller or supplier is responsible for delivery of a specific product. In a comprehensive economic analysis of monopoly is the opposite of perfect competition. Interest income is the exclusive seller is much more than usual. (Depken, 2006, p169) B – Oligopoly refers to a situation in which a company has a monopoly status, but few companies have a market share split. (Shirkhani, 2011, p132; Depken, 2006, p197) C - Duopoly is a market with two sellers of monopoly called bipolar. (Cowell, 2004, p251) The fourth kind of remembered that some entitled (Monopsony), which is to say it like a monopoly. In a monopolistic market, a seller and many buyers are competing. But monopsony has a competitive buyer and many sellers. (Henderson, 1985, p190) This topic is discussed in Article II of the Sherman Act. (Ardalan, 1995, vol1, p409) Points should be discussed with exclusive mucus. The rating is allowing the government to do certain things such as factories, mining and newspapers give to someone. In legal terms, points to the concept of “associated person or the right to determine the law” are. Such rating or ratings down oil production in a regional rail line. Competition Law is antitrust, of course, there are exceptions, and for example the creation of intellectual property is the sole property of their respective owners. These exclusive rights are granted subject to this law because no special support (exclusive) to be exposed to the public and create an artificial monopoly owners to protect these rights.
Intellectual property rights as the right to the protection of intellectual creativity arises. Monopoly of intellectual property is desirable but not exclusive cause consumer interests and objectives of competition law compromised. In fact, the situation should be such that intellectual property owners of their rights are abused. Archly competition application not only dedicated to the business. Other examples are evident in the business. In order to create a strong foundation for financial institutions, and banking privatization Sticky Notes is: Anticompetitive practices such as monopolies, restrictive practices and unfair banking practices, for example:

1 - Fixed price (fixed fee except banking)
2 - Determination Services (or the minimum lending rate ceilings account)
3 - Market Share and Service Limitations
4 - bestowing gifts, awards and the like that cause serious harm to others. (Bagheri, Sayedi, 2008, p70-71) Another business, competition among the official documents is illegal, For example, the decision to split and adjust documents; To divide and set about recording ministries and international institutions and private companies and state-owned banks and municipal Notary public With regard to the criteria and measures that ensure equitable sharing and distribution are regulated and recording. (The decision to divide and set up the document, approved 19/11/1356) One of the other things that can lead to a monopoly position as an economic unit, fair allocation of subsidies from the government. When a business unit or an unfair and no agreement will support more than usual, naturally, the other firms will take over the financial situation better. (Van Den Bossche, 2008, p600) One of the exclusive control of the situation, is the "standard contract", (Farahnakian, 2010, p30; Khodaparast, nodate, p75) as some have standard contracts in a contract does not depend on the consent and agreement of the parties. Thus, informal providers to create a monopoly in the market and impose conditions to its clients. In some cases, the person signing the contract, the contract terms conscious will. Suppose a person to buy a bus ticket to go to a travel agency that is mounted on the wall priced bus tickets to cities. (Shiravi, nodate, p73-75)

**Structuring Transactions**

The legal (contracts and Ayqas) will result in accurate and complete human social relations; there are exhibits and special orders. Will be healthy and have all the legal requirements can act effectively to create. If the contract or Ayqas appearance and fabricated in a legal scholar, but a serious attempt to realize there is no formal deal has been formed primarily to contractors work and commitment to not. (Mirshamsi, MH, formal trading rights in Iran and France, abstract p. We moved from the site of Qom Seminary) basically, there is no formal deal but only if the transaction is a transaction intended composition is presented. After this kind of deal, in fact, any kind of deal does not materialize. (Shahidi, 2010, p99) We can only issue raised in the article 190 of the Civil Code of the basic conditions for the validity of the transaction, the transaction formally cited. In other definitions, it is mentioned that the deal face to the transaction is said to appear and if the deal is, but without the effects and results of the sales is correct because Article 362 of the Civil Code concerning the effects of sales properly so clear: Of the sales contract is properly located are as follows: 1 - a single owner sales of customer sales
and vendor is owner pays 2 - Contract vendor selling it sales toggle comprehend and understand the customer pays will sponsor 3 - Contract vendor selling it sales submission will require 4 - sales contract requires the customer to pay the price. To Article 426 of the Commercial Code: a Speech jurist in this sort of deal is also valid. Formal ways of dealing with race relations will archly. And the transaction will be canceled. (Aftabir, 2010) Here the form of the transaction is to the detriment of the consumer and it also asked the salesperson through non noble dream, is to attract customers. B - Price manipulation: One of the problems involved when global financial markets are grappling with changes in market reality by the profiteers. They changed the face of trading prices are false. These facts indicate that the marketplace so as to manipulate the price of the move said to be aimed at deceiving investors. (Makarem, 2006, vol2, p244) Price manipulation is achieved in two ways: A - Information-based manipulation: in this way by publishing misleading information or rumors to manipulate the share price changes unfounded. Are In this way, some companies have a legal obligation under Article 45 of the Stock companies are obliged, timely and clear information to the exchange offer. B - Trade based manipulation: Article 46 Paragraph 3 manipulated the prices of the Securities and Exchange Act passed in December 1384 in this section are: Everyone His actions typically lead to a misleading appearance of trading or the trading price of securities to be false or seduce people, The death penalty is mentioned in the lead article 46 of the same law. (Mousavi, 2011) Some of the major companies in structuring transactions with its subsidiary companies made Unrealistic profits and stated that in their stock to rise to unrealistic; With a series of lies and false information, stock buyers, the company's stock rush. (Soheili pour, 2011) Law in order to attract customers through false information and scams has been cancel. Anyone with bad intentions to commitment to encourage people to buy the securities company to issue shares or announcement board Announcement debt underwriters to ensure that the information is inaccurate or incomplete, To engage in bad faith or for the preparation of the declaration or statement is false or incomplete data The death penalty will begin to fraud And if any of these measures have been applied in order to commit dishonest and will be sentenced to the penalty prescribed. (A bill to amend part of the Commercial Code, adopted 24/12/1347, companies first discussed, Article 249)

Conclusion

Jurisprudence that have defined the field of social sciences, The goal is to find rules in order to establish justice Maintain order and happiness of the people of the state will submit it to the members of the society. Maintain fair business dealing with unfair trade practices, and the balance can be seen as an example of the functions of this science. Economic regulation as well as ways to help the process including: 1) prohibition of non-competitive activities such as advertising, false dignity, destroying competitors, trademark counterfeiting, stolen business information to competitors 2) prohibits unfair employment and market regulation 3) enforce antitrust laws 4) control the entry and exit rate service to market and 5) monitoring the quality of goods and services on the market. Accommodate the passage of material that can be an essential component of a healthy competition dynamic economy, society, and dealing with competition archly important step in reaching this vision.
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