

**The estimation for moral damage as a Result of patent infringement in
Jordanian legislation.**

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Abstract

This study examines in terms of the general principle of civil liability, which stipulates that every act causes harm to others that is not required to be compensated for. A subject of much controversy in Jordanian legislation and in Arab and non-Arab legislation. All legislation has recognized that damage is the basic element on which tort liability is based, and its emergence requires compensation. From the descriptive approach and the analytical approach, given their suitability to the nature of the study, the study reached a number of results, the most important of which were:

- That the responsibility revolves with the damage in its presence or absence, as there is no responsibility without harm, and the effect of the harmful act is not limited to the injured person himself, but rather extends it to the individuals surrounding him.

- Moral harm is every prejudice to a non-financial interest, as it affects the human entity in general, affecting the body, honor, consideration, dignity, or feeling, or it affects the social aspect of moral and moral responsibility.

- The fact of compensation for moral damage is based on the removal of moral harm that occurred to others.

The study recommended:

- That it is more appropriate for some legislations, such as the Jordanian and Egyptian legislation, to amend some of the texts of its articles, to amend the position of the judiciary in estimating compensation, and to identify and expand the forms of moral damage and list them in the text of its articles. The moral, especially the text of Article (187), corresponds with the simultaneous development with the development of contemporary legal thought.

- And that the Court of Cassation's judgment should rely on the text of Article 256 of the Civil Code of Jordan in compensating all damages, material or moral, and whether they were caused by a discriminator or not within the framework of civil liability in the event of a deficiency in the legal texts.

Keywords: moral damage, civil liability, tort liability, compensation assessment.