Commercial store-commercial base-

The Algerian legislator did not know what was meant by a commercial store and focused on mentioning the most important elements that make up it in the text of Article 78 of the Commercial Code. By referring to jurisprudence, we find that it defines a commercial store as “a group of material elements and moral elements designated for the practice of commerce, and it can and may be a place for legal transactions such as selling.” Mortgage and rent,” and there are those who define it as “a group of movable, intangible and material property, gathered together for the purpose of commercial exploitation and attracting customers to the store, developing them, and retaining them...”, and others see it as: “a mass of movable property allocated to carrying out a commercial mission and including intangible elements.” It may also include other material elements.

Store items

The Algerian legislator mentioned the elements that make up a commercial establishment in the text of Article 78 of the Commercial Code, which stipulates the following: “Part of a commercial establishment is movable property allocated for the exercise of a commercial activity. The commercial establishment obligatorily includes its customers and its reputation, and it also includes all other funds necessary for the exploitation of the business.” Commercial, such as the address of the shop, the trade name, the right to rent, equipment, machinery, goods, and the right to industrial and commercial property, all of that, unless otherwise stated.

Trade name: means the designation or address that identifies the institution. It is the name that the merchant or project owner takes to distinguish his commercial store from other stores similar to it in the type of activity practiced. The name chosen by the project owner may be an invented or borrowed name, such as Jeezy, Najma, Mobilis. The trade name may be derived from the name and surname of the project owner, such as Hammoud Boualem. In this case, there are those who consider it a commercial title if it is derived from the name of the project owner. On this basis, they differentiate between it and the trade name, which is a borrowed or invented name.

The trade name, even if it is derived from the name and surname of the project owner, is considered a financial right that is included in the formation of the commercial store.

Commercial title: In fact, there are those who do not differentiate between the trade name and the commercial title, and there are those who distinguish between them on the basis that the commercial title consists of the real name or title of the project owner, while the trade name is an innovative and borrowed designation

Trademark: The Algerian legislator defined the trademark in the text of Article Two of Ordinance 03/06 of July 19, 2003 relating to marks, which stipulated the following: “In the meaning of this order, the following is meant: - Marks: all symbols capable of written representation, especially words, including names. Persons, letters, numbers, drawings or pictures, distinctive shapes of goods, their packaging, and colors, alone or in combination, all of which are used to distinguish the goods or services of a natural or legal person from the goods and services of others...”.