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between systems, and what different systems can learn from each other.

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In Comparative Perspective

A key issue is whether claims can be pursued on the basis of unjustified enrichment when other legal remedies are available to a party Parties and the courts have wrestled with this question since the 1970s with some judges strongly agreeing that all other remedies must take precedence over unjustified

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enrichment, while others thought it a matter of circumstance for each case.

Unjustified Enrichment: alternative remedies and ...

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Unjust enrichment is a term used to describe a situation wherein one party benefits at the other party's expense, in a situation the law considers to be unjust. Unjust enrichment is usually used to describe benefits that are received

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either accidentally or in error, but which have not been earned, and ethically should not be kept.

Unjust Enrichment - Definition, Examples, Cases, Processes

INTRODUCTION : #1 Unjustified
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James Michener, Unjustified Enrichment

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Key Issues In Comparative unjustified enrichment has been one of the most intellectually vital areas of private law there is however still no unanimity among civil law and common law legal systems about how to structure this

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6 Unjust Enrichment 1. The theoretical challenge “A person who has been unjustly enriched at the expense of another is required to make restitution to the other.” 1 In the past few decades, this principle of liability has recently become as firmly established in the common law jurisdictions as it has long been among civil law systems. Being a

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relatively new basis of liability, unjust ...

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enrichment, as well as proprietary and taxonomic questions. Two contributors deal with each topic, one a representative of a common-law system, the other a representative of a civil-law or mixed system.

**Unjustified Enrichment edited by
David Johnston**

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representative of a common-law system, the other a representative of a civil-law or mixed system.

Unjustified Enrichment : David Johnston : 9780521187442

This chapter examines unjust enrichment within the context of intellectual property laws in Israel. It

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begins with an overview of the definition and applicability of unjust enrichment before proceeding with a discussion of the relationship between unjust enrichment and intellectual property rights. In particular, it analyzes the A.Sh.I.R. case and the Israeli Supreme Court ruling in the case.

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Unjustified Enrichment: Key Issues in Comparative Perspective (2002), 627, 654. 2 . exercise of legal discretion on unspecified grounds that vary according to one's personal sense of justice. 6. How, then, can the unjustness of the enrichment be conceptualized in a

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juridically disciplined manner?

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