



# Le droit de la publicité (French Edition)

*Bernard Mouffe*

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La publicité, ce « télégramme qui saute à l'œil », vit chaque jour au rythme des grandes villes et des routes, se fond dans nos activités quotidiennes, sature notre champ visuel et ne quitte plus nos oreilles. A toute heure, la publicité, qui apparaît être aujourd'hui la carte de visite la plus efficace d'un produit (Vas-y Wasa! ou Clic clac, merci Kodak! ), voire d'un type de société (On a souvent besoin de petits pois chez soi), nous amuse, nous séduit ou nous agresse. En 1996, lors de la sortie de la 1<sup>re</sup> édition de cet ouvrage, il nous avait semblé indispensable de mettre enfin à la disposition des créatifs publicitaires, des agences et des artistes de tous bords un ouvrage pratique qui fasse le point sur les multiples degrés de protection octroyés aux différentes créations publicitaires. Si le créatif publicitaire voit en effet sa cotation grimper au rythme d'un développement économique galopant, les droits qu'il détient sur sa création et qu'il pourrait légalement faire valoir s'amenuisent de plus en plus. Au fil de ses différentes éditions, cet ouvrage a toujours eu l'intention d'informer très pratiquement les différents intervenants à l'œuvre publicitaire des moyens juridiques et des modes de protection existants. Ils sont nombreux et variés et permettent à chaque auteur, à chaque créatif, à chaque œuvre de bénéficier de la protection la plus appropriée. Reste que le législateur, national ou européen, ne cesse d'intervenir pour contrer des procédés publicitaires nouveaux ou pour réglementer, chaque jour un peu plus obscurément, la publicité dans certains secteurs particuliers : ainsi les dispositions régissant la question de la publicité dans le cadre des pratiques du commerce ont été intégralement refondues. La présente 3<sup>e</sup> édition de cet ouvrage intègre ces nouvelles dispositions légales sous la forme d'informations aisément compréhensibles pour les créatifs publicitaires, belges ou étrangers, en raison des développements mondiaux de l'industrie publicitaire.

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