

## **Abstract**

The topic of this diploma thesis is the relationship between rights of designation and unfair competition law. The thesis is divided into five chapters. The first two chapters define rights of designation and unfair competition law in general and the following chapters concentrate on the relationship between them.

The first chapter focuses initially on the place of rights of designation in the system of intellectual property law and afterwards it concentrates on particular rights of designation, i.e. trademark, designation of origin and geographical indication. This chapter deals with characteristic features of the rights of designation and differences between them and national, international and european legislation. The emphasis is also put on current issues, that are related to the rights of designation.

Chapter two is devoted to unfair competition law. This chapter focuses on legislation of unfair competition and the concept on which unfair competition law is based (that is combination of general clause and non-exhausting list of merits). Subsequently, it defines subjects of the unfair competition and claims that a subject affected by the unfair competition can make.

The third chapter, which presents crucial part of this thesis, concentrates on the relationship between rights of designation and unfair competition law. It describes various ways of looking on this relationship and the most common situations, when the laws in those areas blend. The relationship between rights of designation and unfair competition law is analysed in terms of legal theory as well as case-law.

The fourth chapter deals with merits of the unfair competition related to rights of designation. The aim of this chapter is to define these merits and to show - on the basis of specific judgments - possible ways of unfair competition linked to rights of designation.

The last chapter is devoted to legal means for protection of rights of designation. In addition to the absolute protection provided by the Act No. 229/2006 Coll., we can find also various legal means in civil law, administrative law and criminal law. These legal means have often huge importance within the legal protection of rights of designation.