

Summary

The aim of this thesis is to introduce fashion law as a cross-cutting legal branch which concerns many legal branches. In this work, the author focuses mainly on the regulation of the intellectual property law, which is absolutely crucial given the fact that the products of the fashion industry are the results of artistic creation.

The introduction of the thesis is devoted to the history of the fashion law in the world and in the Czech Republic. The merit for the development and expansion of fashion law into awareness in Czech Republic belongs to The Czech Fashion Law Association.

Further attention is focused on the design, its detailed conceptual and legal specification and familiarization with its types.

Further on, the thesis deals with copyright protection of the copyright work. Copyright protection can be applied due to uniqueness and artistic value of the pieces. Particularly we speak about works of applied art, which are characterised by meeting the requirements of the daily needs except aesthetics impression.

Industrial design protection is suitable for example for the protection of textile designs or the general original looks of products that fashion brands need to protect. The thesis is focusing on conditions, which need to be fulfilled for industrial design registration. It also focuses on rights arising from the registration. The thesis also concerns situations of concurrence of the copyright and industrial design protection.

The protection of fashion industry products is not the only theme of the thesis. The trademarks protection of fashion brands is also one of the main topics. It explains the differences between the terms “brand“ and “trademark“ and its types. The whole part contains also several judgments concerning this issue. Trademarks infringements are a frequent issue for the fashion industry. The thesis also mentions the issue of domain infringements.

In conclusion, the thesis focuses on unfair competition related to the fashion industry. Specifically, the invoke of the danger of confusion for costumers, misleading designation of goods and services, and parasitism.