Preliminary injunction and its execution - Abstract

The aim of this thesis, in particular, is to describe and define, as thoroughly as possible, the preliminary injunction incorporated in the OSŘ, including related case law. Such a preliminary injunction is traditionally used in situations when immediate intervention of the court is necessary, because in the respective case it is not convenient for the claimant to wait for the final decision of the court. Along with the abovementioned, I also analyse the preliminary injunctions regulated by the ZŘS.

It is also my aim to analyse the enforcement process of preliminary injunctions regulated by the OSŘ and EŘ and to define the main differences between them and describe some of the modes of enforcement of preliminary injunctions. I also look at the possible criminal consequences in cases where a preliminary injunction is infringed.

Last, but not least, the aim of this thesis is to analyse what is considered in relation to preliminary injunctions *de lege ferenda*.

The thesis is composed of eight chapters, the subject matter of the thesis can be found in chapters three to seven. The first two chapters deal with a general introduction to the topic and in the eighth chapter the conclusions of the thesis are drawn.

The third chapter examines current proceedings and institutes of preliminary injunctions regulated by OSŘ, including the essential requirements of a preliminary injunction motion and preconditions of civil procedure related to the preliminary injunction. Chapter three also deals with remedial measures; discharge and cancellation of preliminary injunctions; and with the liability for damages arising from preliminary injunctions.

The fourth chapter is dedicated to preliminary injunctions regulated by the ZŘS. In chapter five, the process of preliminary injunction enforcement along with some of modes of such enforcement are described, considering both the OSŘ, and EŘ.

The criminal consequences of violating preliminary injunctions are laid out in chapter six. Finally, chapter seven deals with the preliminary injunction *de lege ferenda*. 