

Resumé

A comparison of national Trade mark with Community Trade mark.

The purpose of this thesis is to provide fundamental information about trademarks and their legal regulation. The reason why I decided to write a research about trademarks is that they are one of the most popular and widely used methods of labeling products and services. An indisputable advantage of European Union Trade mark is that registration is not needed for national Trade mark. Another advantage of European legislation of Trademarks is automatic and free dissemination of the accession of the new member states. Despite the fact that national trademark law is fully in compliance with European legislation, not all questions are completely identical. In this thesis I would like to show influence on the Czech national Trade marks after European Union accession. I focus on the practice of the The Court of Justice of the European Union which has of capital importance on decision making practice of the Czech Courts. In this thesis I focus on the amendment of European Union trade mark through regulation European Parliament and Council (EU) 2015/2424. There are some changes in three areas: institutional, procedural and changes in the level of charges. This regulation is a step forward in the development of trade marks. This regulation provides for simplification of the registration process. My thesis is composed of six chapters plus introduction and conclusion. In the first I discuss about concept of trade mark in general. It is about meaning trade marks on market share, about function, types of trade marks, well known trademarks and trade marks with reputation. At the end of the first chapter I describe differences between concepts sign and trade mark. Chapter two is about the legislation of national trade mark in Czech Republic. At the beginning of second chapter I write about historical development, about the legislation, the characteristic, the categories of trade marks. In the second part of second chapter I write about registration process, invalidity and revocation of trade marks. Chapter three focuses on international Trade mark and registration through The Madrid Protocol. There is an overview of the most important international agreement. The fourth chapter is about European Union Trade mark. At the beginning of the fourth chapter I write about historical development, about amendment of European Union Trade mark through regulation European Parliament and Council (EU) 2015/2424 and about changes which the regulation brought. The second part of chapter describes the registration process. The final part is focus on advantages and disadvantages of European Union Trade mark. The relationship with national Trade mark and European Union trade mark

I demonstrate to the practices of the courts. At the end of fifth chapter I discuss some differences between these two modifications.