

## **Abstrakt**

### **Unjust enrichment under business law**

The aim of this work is to analyze the unjust enrichment with its overlap to commercial law. The introduction of the text summarizes the historical development of unjust enrichment from ancient Roman law provisions, including the Austrian General Civil Code and the Civil Code from 1950 up to the history of the currently effective codex published under no. 40/1964 Coll. This historical analysis points out certain analogies with the current regulation and the development of elements that are the foundation of today's unjust enrichment legislation. The following part of the work contains analysis of the current *de lege lata* legislation of unjust enrichment in the commercial law, the subsequent part constitutes the crucial part of this work that is concerned directly with unjust enrichment in the commercial law. First, it analyses the term of business contractual obligations, then it analyses the relationship between the Civil Code and the Commercial Code and finally it sums up the expert discussion relating to the unjust enrichment in the commercial law and subsequently the author presents his personal view of the problem and the effects of the unjust enrichment, especially on the question of limitation period, are considered briefly.

The final chapter consists from analysis of changes of the legislation brought by the new Civil Code, published under no. 98/2012 Coll., effective from 1.1.2014, considering the unjust enrichment and assessment of the effects of these changes on the crucial topic of the work / the unjust enrichment in the commercial law.

Key words - unjust enrichment, business contractual obligations, limitation