Abstract

In this thesis I explain the problematic situation presented by the legal protection of logos in the Czech Republic. I chose this topic because logos are a daily part of everyone's lives helping us make important every day decisions. Yet logo is not a legal term and sometimes it can be difficult to define what logo actually is. This doesn’t mean to say that logos do not have legal protection. It always depends on the definition of logo. Usually a logo enjoys the same rights as the brand it represents giving it equal protection under the law. In many cases logos are a registered trademark giving it full protection under the trademark act. Even unregistered logos enjoy some of the same protections afforded to registered logos and it may be additionally protected by unfair competition laws. Often logos are the work of a single artist and therefore covered by the copyright act.

In the opening of the thesis I wrote about the legal protection of logos in view of the copyright act and explained the requirements a logo must meet to qualify for protection under this act. Thustly explaining the rights possessed by the author of the logo, the process of transferring those rights to another person, and finally what measures the author can take to defend his rights.

Next, I described logo in the terms of a trademark, explaining the obligations a logo must fulfill to be registered as a trademark, the process of registration, the rights of the trademark owner, and the measures an owner may take to protect the rights of the trademark. Additionally, I described the problems of unregistered trademarks and the protection under the law for them.

To conclude, many time logos are dually protected by both the copyright act and trademark act. The protection is dependent on the nature of the offense against the logo.