

**Abstract**

The thesis deals with the issue of COMI and the term of COMI in European insolvency regulation. It concerns on set of COMI for both natural and legal person and fact on that the fiction of COMI could be rebutted. In the thesis is analysed also judicature of European court of Justice and national court which concern to the COMI. Also is dealt with draft of European insolvency regulation. Further the thesis focus on the problem of forum shopping and the possibility of COMI shift to another member state. Also thesis concerns with the set the COMI by company groups.