

## *Abstract*

This rigorous thesis deals with grounds for refusal of Community trade mark applications in decisions of the Court of Justice of the European Union. It focuses on both branches of the trade mark case law of the European Union, namely actions filed with the General Court against decisions of OHIM (and subsequent decisions of the Court of Justice on appeals) based on Council Regulation (EC) No. 207/2009 on the Community trade mark of 26 February 2009 and questions referred for a preliminary ruling by national courts of the EU Member States based on Directive 2008/95/EC of the European Parliament and of the Council of 22 October 2008 to approximate the laws of the Member States relating to trade marks.

The paper deals with the basic principles of the Community trade mark, including a brief description of the registration of trade marks and legal remedies. For the sake of completeness the influence of case law of the Court of Justice of the European Union on the decision-making practice of Czech courts and statistical data on Community trade marks are also provided. Further the author describes the absolute grounds for refusal of applications, giving special attention to non-traditional trade marks (such as sound mark, olfactory marks and colour per se). Further the author describes each of four relative grounds for refusal of application and analyses the decisions of the Court of Justice of the European Union concerning both the assessment of the similarity of the signs (i.e. conceptual, visual and sound similarity) and assessment of the similarity of goods and services.