Summary

This thesis describes the system of international protection of foreign investments with a focus on immaterial assets, in particular industrial rights, and further strives to point out the missing clarity in relationship between IIAs and international treaties in respect to protection of IP rights through an analysis of their main friction points.

The first chapter of this thesis talks about general development of international investment and protection of foreign investments in respect to international treaties. The goal of this chapter is to simplify the perception of contemporary international investment law through a brief in-sight of their historical context, basic structure and overview of main elements of their content. The aim of the second chapter is to define the term “industrial rights” as one of the protected assets under the subject-matter of investment protection. Definitions from TRIPS agreement will be used as a starting point for description of the particular industrial rights.

Third chapter tries to briefly answer questions regarding the scope of IP protection through IIAs such as the definition of “investment” and how it encompasses IPRs, relationship between IIA and international agreements on IP protection or the dispute settlement in respect to the investment claims regarding IP rights. Last two chapters deliberate about the characteristics of IIA and case law regarding foreign investment protection in Czech Republic and Germany.