

## Summary

### **Criminal aspects of infringement of Intellectual Property Rights**

Intellectual property directly relates to the development of society and economy. Higher level of legal protection provided by the State affects the creation of intellectual property objects, since creators are motivated to create in legal environment which provides them with adequate means of rights protection.

This thesis lays down an analysis of the means of the Intellectual Property Rights protection in order to determine their level of the protection in the Czech Republic. The author compares civil, administrative and criminal means of protection of copyright and related rights, and industrial rights, and draws attention to their advantages and disadvantages, to gaps and inconsistencies in law, and in appropriate places inserts suggestions *de lege ferenda*. The thesis addresses not only individuals but also with legal entities, which are also able to infringe protected rights.

The thesis concentrates on criminal aspects of Intellectual Property Rights infringement and this issue is therefore the major part of the thesis. Since the criminal law is the most stringent means in the hands of the state, the author explores its role in protecting Intellectual Property Rights. The thesis addresses in detail four crimes against industrial rights and against copyright which are contained in Chapter Six, Volume Four of the Criminal Code.

The author assesses the role of the criminal law in this area also by comparing the criminal law means of Intellectual Property Rights protection under the law of the United Kingdom of Great Britain and Northern Ireland. The thesis also includes suggestions as to how these laws, which are parts of different legal systems, could inspire each other.

On the basis of a detailed comparison, the author concludes that the Czech legal system sufficiently regulates the means of Intellectual Property Rights protection. In the case of criminal means, the scope of the regulation of the protection is even wider than in the United Kingdom of Great Britain and Northern Ireland. Despite the sufficient regulation, the effective protection of Intellectual Property Rights is not really ensured due to failure of the state to detect and prosecute such unlawful activity.

The author used expert literature, Czech and foreign case law and available statistics to show how various means of protection work in practice. In view of the relatively extensive problem, the author has drawn up tables in which she organised the various means of protection. These form annexes to this thesis.