

## **Comparison of legal regulation of patents in the Czech Republic and the People's Republic of China – Abstract**

This thesis compares legal system of patents in Czech Republic and People's Republic of China with the focus on Patent Laws and other legislation in respective countries.

The aim of this paper is to present the approach that Czech and Chinese society adopted with respect to patent law, together with its' historical evolution in both compared countries. This historical insight into the evolution of patent legislation is aimed to help the reader to understand, why certain legislation is present in national patent laws, even though both countries are members of WTO and WIPO and parties to Paris Convention for the Protection of Industrial Property.

Another goal of this thesis is to compare the national patent legislation of individual patent institutes, to highlight the differences of such patent institutes and map the influence that the international treaties and international organizations have on the national patent legislation of its' respective country.

Finally, this thesis will attempt to briefly introduce the Chinese system of patent enforcement and its practical application when the patentee seeks patent enforcement with Chinese authorities.

This diploma thesis is divided into four chapters. The first chapter briefly describes the historical evolution of patent legislation in the Czech Republic and the People's Republic of China, with emphasis on the historical evolution of patent legislation in PRC. The second chapter provides a comparison of the national patent regulation in the Czech Republic and the People's Republic of China, which is achieved by comparing the regulation of individual patent law institutes. This chapter also introduces Chinese patent institutes that have no equivalent in Czech legislation. Next chapter compares the patent application process in both countries. The forth and last chapter describes the enforcement of patents through Chinese People's Courts and other state authorities. The conclusion of this diploma thesis attempts to evaluate both patent legislations and provide suggestions for improvement of Chinese patent legislation.