

RESUMÉ

The name of the thesis: The relationship between trademark protection and copyright protection

This diploma thesis deals in a complex way with the system of relationship between trademark protection and copyright protection within Czech law. The diploma thesis is based mainly on two acts - Act No. 121/2000 Coll., On copyright protection, and Act No. 441/2003 Coll., On trademark protection. It also reflects European law including actual case-law. The main goal of the thesis is to show how both protections work, their mutual relation, eventually how and in which situations their convergence happens and what can be the consequences of it from the protection point of view. In the first chapter of my thesis we find introduction that brings the subject to the topic, including aim of the thesis. After that comes seven main chapters and a final conclusion.

Initially in chapter two and three of my thesis, I define the basic concepts dealing with Intellectual property and law related to intangible property. Subsequently description of the simultaneous operation of both protections is discussed and based on that their similarities and differences are highlighted. The focus is on analysis of both protections, subjects of both protections, their beneficiaries, formation, duration, means and international context.

Chapter eight consists of the summary of previous findings and comparison of both protections, including explanation of possible convergence, illustrated on real life cases. The conclusion of the thesis deals with evaluation of valid legislation and points out possible routing of both protections and their eventual future disputes.

Keywords: Intellectual property, copyright, trademark, protection, relationship, conflict of protections