

Abstract

The diploma thesis deals with the topic of acquisition of the property right from an unauthorized person, representing an exception to the Roman law principle *nemo plus iuris ad alium transferre potest quam ipse habet*, which means that no one can transfer more rights to another than he or she has. Acquisition of the property right from an authorized person represents one of the original ways of acquiring the property right, which significantly infringes on constitutionally guaranteed property right. For this reason, it is necessary to subject the legal regulation of acquisition of the property right from an unauthorized person to closer and critical examination and to assessment whether it complies with European standards of legal regulation of acquisition of the property right from an unauthorized person and whether it satisfies the reproaches aimed at previous legal regulation of acquisition of the property right from an unauthorized person, all after nearly six years after the recodification of private law in the Czech Republic. The diploma thesis in its five chapters presents to the reader a presentation of the nature of rights in rem and property right, historical grounds of the acquisition of the property right from an unauthorized person, a thorough analysis of current Czech legal regulation, including influences of Austrian and German legal regulation and court ruling, an assessment of the current Czech legal regulation with reference to some of its deficiency, and considerations *de lege ferenda*. In conclusion, the diploma thesis deals with a brief description of the Austrian legal regulation of the acquisition of the property right from an unauthorized person and with its comparison with the Czech legal regulation.