

English Summary

The aim of this thesis is to compare the determination of law applicable to non-contractual obligations in the Czech Republic and the United States of America. In the beginning I provide a brief overview of the international private law in general and then the substantial law of torts in both Czech Republic and the USA and the prospective changes in the new Civil Code which should be applicable from 2014.

The fifth chapter concerns with the law applicable to non-contractual obligations in the Czech Republic. In the first place there is a statute (Private International Law Act), but the majority of its provisions were overruled by the Rome II regulation, which unifies the private international law of the EU states. According to the regulation, general rule for the law applicable to non-contractual obligation arising out of torts is *lex loci delicti* (the law of the country in which the damage occurs). Rome II then provides special rules for product liability, unfair competition, environmental damage, etc. In the Czech Republic the regulation does not apply to traffic accidents because the Czech Republic is a contracting state to Hague Convention on the Law Applicable to Traffic Accidents.

The sixth chapter focuses on the law applicable to torts in the USA. The first subchapter deals with the development of US conflict law in general, including the process of abandoning rigid rules in favour of more flexible approaches and a short introduction of modern methods. After mentioning legal sources of the conflict law in US, I describe seven different methods of determination of the law applicable to torts in the way how they were set down by Symeonides. Each state has its own private i and there is no choice of law method that would prevail, even though almost half of the states follow the Restatement (Second) of Conflict of Laws in torts.

Chapter Seven goes back to Czech law and informs about the future changes in the new Private International Law Act which should be in application from January

2014. The new act deals only with areas that are not included in the Rome II regulation. Concerning the non-contractual obligations, it focuses on invasion of privacy and personal rights including defamation.

In the last chapter I picked some problems of choice of law that we face in both systems – the characterisation, renvoi and public policy exception.