

## **Abstract**

### **Legal protection of domain names**

This diploma thesis provides overall introduction of domain names problematic, the topic which has witnessed stable rise of popularity over the last two decades, with special emphasis on its legal aspects and possibilities of legal protection. Mass expansion of the domain names over the years came hand in hand with some displeasing side effects, namely increasing occurrence of speculative behaviour residing in bad faith registration of attractive domain names. This practice, so called cyber squatting, rests in systematic abuse of key domain name registration principle first come first serve. As a result of increasing number of intellectual property infringements, namely trademark rights, the need for adequate techniques of domain name protection was highlighted. This task however was not going to be easy. From the legal point of view, domain names are very specific institution in a sense that explicit legal regulations are typically lacking and the rules of this exciting sphere are defined based on the soft law principles drafted by the nongovernmental domain names authorities. Therefore an enforcement of effective measures is not as smooth as for traditional institutions. To investigate this particularity, I have tried to prove presumption, that distribution of rule making competence over several nongovernmental authorities is adequate model which can effectively moderate domain name protection and lower number of domain name conflicts. To support this presumption, evolution of domain names principles has been scrutinized and relevant conclusions has been deducted.

Early chapters of this work are dedicated to introduction of domain name terminology, top level domains typology, including specifics of each domain name with respect to domain name protection and enumeration of domain name authorities. Sequent chapters then include definition of legal position of domain names with respect to Czech system of law and compendium of contextual institutes which could conflict with domain names. Deeper analysis of cyber squatting practices and specific procedures of addressing this malpractice are also cover in this section. Final chapters of this work focus on assessment of evolution of domain name principles with regard to possibilities of domain name protection.

As an extra part of this work, analysis of new generic top level domains is performed. Reason for this is, besides actuality of this topic, its potential to vastly modify current methods of domain name protection and possible need to further enhance mechanisms used for the domain name protection.

**Key words:** domain names, legal protection of domain names, new generic top level domain names