

Abstract

This thesis on the theme Protection of a domain name in relation to other industrial rights strives to provide a comprehensive image of domain names protection in relation to the relevant objects of industrial property, respectively in relation to industrial rights related to these objects, as well as to provide a summary of the interpretative practice to this topic of the courts in the Czech Republic and of the Arbitration Court attached to the Economic Chamber of the Czech Republic and Agricultural Chamber of the Czech Republic with regards to top level domain .cz. For this purpose, the first part of the thesis introduces a basic technical and descriptive introduction to domain names containing a general and comprehensible extract of technical solution and significance of domain names, which are also used in other chapters of this thesis. The following third chapter defines the basic definition of the domain names anchoring in the law in the Czech Republic, including current theoretical and legal concepts of domain names. The fourth chapter introduces the basic characteristic of industrial rights that are compared in contrast to domain names. This chapter also identifies the eligible objects of industrial property with which the registration and possession of the domain names may collide. The following chapter, as a core part of the thesis, lists a possible ways of interference with domain names and identified objects of industrial property, and also individually identifies potential collisions with domain name rights arising against the relevant objects of industrial property. The theoretical and interpretative part is subsequently supplemented by the means of substantive protection, which in the last subsection is followed by the procedural legal protection consisting in particular in the legal resolution of disputes and alternative dispute resolution for ccTLD .cz. The sixth chapter, for the purpose of practical insight to the topic, is supplemented by the interpretative decision-making practice by courts in the Czech Republic in the field of domain name protection and also by the Arbitration Court attached to the Economic Chamber of the Czech Republic and Agricultural Chamber of the Czech Republic in the arbitration proceedings and also in alternative dispute resolution for ccTLD .cz.