

Abstract

Protection of Domain Names (*master's degree thesis*)

The purpose of my thesis is to analyse a legal interpretation of the domain name. The thesis analyzes the theoretical base of this term, authorities competent to constitute rules on the market of domain names and to decide how to judge correlated disputes, attention is also drawn to the conflict of protected names and domain names.

The important question to be answered is the eventual social significance of a juridical framework of domain name. The question of domain names (and also other institutes connected with internet) is a widely discussed and disputed topic. The last three decades the rules and the execution of them were constantly developing and underwent major changes.

Therefore it's very interesting to watch this progress and to compare the many different points of view on the whole issue. Those were the main reasons for my research.

The thesis consists of seven chapters. Chapter One, Two and Three are introductory, they define the term 'domain name', its function and structure. They also express and explain the basic terminology attached to domain names. Chapter Four analyzes the place of the domain name in Czech law system. This chapter is divided into two parts. Part One is focussing on the previous private law codex. The Second Part handles the new private law codex, compares it to the old one and considers the eventual effects on the legal concept of the domain name. Chapter Five concentrates on the most important domain name authorities. This chapter consists of four parts, each introducing one organization, its activities and relevant legislation. Chapter six elaborates problems resulting from an insufficient protection of names, which aren't protected by trademark and are used as domain names in bad faith. This chapter also illustrates the contemporary approach of domain name authorities and probable development of legislation. Conclusions are drawn in Chapter seven, which contains a more general explanation of the whole problematics and recommends changes to be made in legislation.

The main aim of the thesis is to describe a way of legal constitution of the domain name, provide a useful review of the problematics and highlight the difficulties and obstacles to be overcome. It is my assumption the main aims has been reached.