

Summary

Domain names in the Czech legal system

The aim of this work is to introduce readers to the topic of domain names themselves with a necessary technical overlap, their legal regulation in the Czech legal framework, including a general analysis of particular legal institutes used for their protection (namely trademarks, unfair competition, name of an individual and name of a legal entity), and finally to outline the ways and development of the settlement of disputes arising from them before the judicial and extrajudicial bodies.

The first chapter of the thesis covers the concept of domain names as such from a technical point of view. There is described the domain name function in the Internet and the domain name system as well, consisting of top level domains of different types with their specifics. Consequently are there through domain name registration covered domain name disputes in a global context, including the individual causes (types) of these disputes, and finally concludes with the description of a specific form of alternative dispute resolution called UDRP.

The second, most extensive chapter is dedicated to the legal regulation of domain names in the Czech legal framework itself. The chapter begins with theoretical concept of domain names from the legal point of view and its historical development, with the emphasis on individual views of their understanding. At this point, the reader is offered an alternative legal view of the character of the domain name in the light of the recent regulation, as a subject of absolute property law, namely the possession as the sui generis right. In the subsequent sections, the second chapter analyses the rights to designations from which domain names typically deploy, specifically trademarks, unfair competition, the name of an individual, and the name of a legal entity.

The following chapter covers the decision-making practice of the authorities in the Czech Republic in relation to domain names, where, after the introduction into the concept disputes settlement, lists selected examples from its history. Examples of jurisprudence therefore consists from the most fundamental decisions of both the courts themselves, as well as the Arbitration Court at the EC CR and AC CR.

