

# **Changes in EU trademark law and their reflection in Czech trademark law**

## **Abstract**

This thesis deals with the recent reform of EU trademark law and its impact on Czech trademark law. Main goals of the thesis are to summarise the changes introduced by the reform, analyse in detail the individual legal institutions most impacted by the reform, explain newly established legal institutions, examine how the changes in EU trademark law impacted Czech trademark law, and assess whether the changes represent a step in the right direction.

The first part serves as a general introduction to trademarks and it characterises them mainly by their specific functions.

The second part illustrates the evolution of international trademark law by brief examination of the most significant treaties and conventions. The international trademark law provides important context for understanding the EU and national trademark law.

The third part focuses on Czech trademark law. It compares the differences regarding the individual legal institutions before and after the reform. The most substantial changes concern the legal definition of trademarks, new types of trademarks, collective marks, grounds for refusal of registration, and also procedural changes regarding the registration and the proceedings in relation to revocation or invalidity of a trademark.

The fourth part looks at trademark law from EU's perspective. A brief outline of the EU trademark law evolution is followed by an explanation of the grounds the reform is based on. This part analyses the most significant changes, such as the abolition of graphical representation requirement, and also explores newly introduced legal institutions, such as the certification mark. The review of each change is completed by the effect it has on national trademark law.

Finally the thesis concludes that the changes brought by the reform are beneficial; however, in some respects insufficient. It also points out that the examination of the reform's impact is distorted by recent years events.

Two attachments are added to this thesis. The first attachment contains graphs showing numbers of yearly registered trademarks both in the EU, and in Czech republic, and also a graph showing numbers of yearly registered nontraditional EU trademarks. The second attachment includes examples of all types of trademarks.