

# **Protection of the Reputation of a Legal Person with a Focus on Compensation for Non-Pecuniary Damage**

## **Abstract**

The rigorous thesis addresses the reputation of legal entities and its protection against unauthorized interferences, with a particular focus on the currently contentious issue of the claim for compensation for non-pecuniary damage. According to the Supreme Court, legal entities generally do not have such claim because it lacks a legal basis; however, according to the Municipal Court in Prague, this constitutes a legal gap, and the claim should be inferred by analogy. The aim of the thesis is also to answer the question of whether legal entities are entitled to compensation for non-pecuniary damage caused by an interference with their reputation.

But first, it introduces the concept within the current legal framework, as no publication has yet comprehensively addressed the protection of the reputation of legal entities under the current Civil Code. Given the changes in legal regulation, previous principles and conclusions may no longer be applicable. The thesis initially provides a general overview of the rights associated with the legal personality of legal entities, describes their nature, and also analyses their practical application. Subsequently, it focuses solely on reputation, first presenting its definition, aspects, personal and property-related dimensions, and significance. Then it outlines the conditions and methods by which legal entities can defend themselves if another damages their reputation. In addition to the traditional claims aimed at stopping the interference and remedying its consequences, attention is also paid to the aforementioned issue of the right to compensation for non-pecuniary damage. Nevertheless, the thesis also addresses other potentially problematic issues related to the topic, such as the matter of the creation and termination of the right to protect reputation, the possibility of protection of a poor reputation, and the question of judicial jurisdiction in cases of interference caused by public authorities.

The thesis focuses on the relevant legal provisions contained in the Civil Code, supplemented by the conclusions of legal theory. A significant source of information is the case law of Czech courts, as it best reflects the real use of reputation protection in practice. However, the thesis does not only present Czech conclusions but also draws on foreign theoretical and practical findings and case law.