

## **Abstract**

The rigorous thesis "Opposition to registration of the trademark" presents a comprehensive view of the opposition procedure and the individual grounds of opposition that can be raised against applications for new trademarks.

In the first part of the thesis, the reader is introduced to the history of the institute of trademarks and its legal regulation. Further, attention is paid to each type of trademark and its definitions.

Subsequently, the thesis describes the process and requirements of opposition proceeding, including the newly enacted applicant's right to request the opponent to prove use of the opposed mark.

The main part of the thesis presents an analysis of the provision of Section 7 of the Trademark Act which contains all eight oppositions that actively entitled individuals could raise against the newly applied trademark. Within the framework of these analyses, the individual oppositions are analysed considering the decision-making practice of the Court of Justice of the European Union, national courts and the Industrial Property Office of the Czech Republic, which completes the legislation and thus the reader has the opportunity to better understand the usual decision-making tendencies and considerations during the assessment of particular opposition. The Trademark Act was significantly amended in 2019, whereas the amendment transposed Directive (EU) 2015/2436 of the European Parliament and of the Council into Czech law. Within the analysis of each opposition, the reader is therefore also introduced to the changes that above mentioned amendment has brought to the legislation, as well as the context and interconnection with the transposed harmonisation directive.

After reading the thesis, the readers will get a comprehensive overview of how individuals can defend themselves by oppositions in case they might be affected by the newly applied trademark and what elements such a defence must meet. And at the same time they will get an idea of how similar cases are viewed in the current decision-making practice.