

Designations of origin and geographical indications

Resumé

This thesis as an introduction briefly indicate subject which was chosen to deal with. There are determined objectives which author wanted to achieve. Following content is excursion to the history of law regulation of those institutes and definition of legal terms used in this thesis showing mutual differences.

Main subject of interest in this thesis are rights of designation of origin, including geographical indication protected by different legal adjustments. This survey is performed in Czech system of law, international multilateral agreements, international bilateral agreements and law of the European Communities.

Following two chapters are oriented more in detail of law of the European Communities. Partly there is anatomized comparison of regulation in protection of agricultural and alimentary products restricted by the Council (EC) regulation no. 510/2006, on the protection of geographical indications and designations of origin for agricultural products and foodstuffs with regulation no. 509/2006, on agricultural products and foodstuffs as traditional specialities guaranteed. Upon it deals with concrete contradiction in level of solving complication, set by entered objection against registration of indication of geographical origin to the Register of indications of origin and geographical indications, administrated by the European commission

In following content there are recommendations of resolutions. Because of the much repeated situation is entering the objection against registration to the Register of designations of origin and geographical indications is generic term of the indication, one chapter of this thesis is dedicated to this questions. Based on the European Court of Justice and the Court of First Instance of the European Communities jurisdiction there is possibility of sequential deep analysis of the generic characteristic of product. At the end of this chapter, there are selected several principles and procedures which executive authority must respect. And in essence it shows possible settlement with set situation.

At final conclusions there is emphasized the importance of unification international legal regulations in field of protection geographical indication and designation of origin. This should be the right way for the future development of international protection of those rights.

Objective of this thesis should help us to find the right choice for the right protection of products which uniqueness consists in their origin. Another point in this thesis is to remind about obstructions which are related to administration and other possible complications.