

UNFAIR COMPETITION IN VIEW OF THE LATEST EUROPEAN LEGISLATION

The purpose of my thesis is to analyze the unfair competition in view of the latest European legislation. The reason for my research is the fact that for the past years the European legislation went through many significant changes. Taking into account the Czech Republic as one of its member, such changes have a direct impact also on the Czech legislation itself.

This thesis is composed of two main chapters. The Chapter One examines the current Czech legislation in the field of unfair competition. The Chapter Two defines the core of this thesis and it divides into several subchapters. As the protection of the current European legislation is primarily focused on the consumers, one of the subchapter deals with the statute of consumer. Other subchapters describe the Unfair Commercial Practices Directive, Directive concerning misleading and comparative advertisement, Directive on the enforcement of intellectual property rights and Directive of transmission of audiovisual works. After each of subchapter I provided the conclusions and possible adjustments in terms of *de lege ferenda*. Concerning the implementation of the above mentioned directives into the Czech legislation it is needed to highlight that the current Czech legislation remain almost untouched as the Commercial Code has not been amended. The changes are being implemented into the Consumer Act only. Regarding the Directive concerning misleading and comparative advertising, the Czech legislation in this area is fully compatible with EU legislation and such directive did not bring any news to it. Regarding Directive on the enforcement of intellectual property rights and Directive of transmission of audiovisual works – both of them have been fully implemented into the current status of Czech law. The case law, which is specifically very important in this field of law, will help to unify the unfair competition law across the whole EU. In one of the subchapter Chapter Two I do bring several analyzises of the latest court's decisions from ECD as well as from domestic Czech courts.