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Personal Honour and Human Dignity as Fundamental Personal Rights

ABSTRACT: *The right to honour and human dignity is a natural subjective right belonging to every natural person and is classified as a personal right. The author comprehensively analyses these two rights under a single construct in the context of the provisions of Section 11 of the Slovak Civil Code. The author also points to other lex specialis of both private and public law regulating the right to honour and human dignity, particularly special provisions on the protection of honour and human dignity of natural persons under criminal law, labour law, and family law. The author exhaustively exposes the common features and fundamental differences between honour and human dignity, using not only legal but also philosophical theories. In connection with the protection of honour and human dignity during life, the author defines the institute of 'post-mortem protection of human dignity', the essence of which is to provide protection against unauthorised interferences with these rights after the death of a person. The post-mortem protection of a natural person against unauthorised interferences is categorised at two levels according to the object of legal protection. Comparisons are also conducted between the honour of a natural person and the right to a name and good reputation ('goodwill') of a legal person, with the latter regarded as "quasi-personal rights" of legal persons. In this context, she refers to a special legal regulation for the protection of the business name and reputation of an entrepreneur under the law against unfair competition. Then, the author analyses current Czech constitutional case law, according to which legal entities have the right to protect their reputation, similarly to the rights of natural persons.*

KEYWORDS: *personal honour, human dignity, personal rights, post-mortem protection of human dignity, Goodwill of a legal person, reputation of a legal person.*

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1. Introduction

The right to honour and human dignity is a natural subjective right of every natural person, from birth to death. This right applies *erga omnes*, is inalienable and inviolable, and cannot be affected by the execution of a decision. Thus, it represents one of the most valuable rights available to human beings.

The right to honour and human dignity is also one of various personality rights. Personality rights and their protection currently represent basic prerequisites for the functioning of a democratic state, albeit their development was not uniform and went through specific phases as society developed. The first codification works regulating the protection of these personality rights were created as their jurisprudence was being developed. The gradual historical development of these personality rights also led to the stabilisation of their conceptual features and the determination of their essence as we know them today.

Importantly, the legal regulation of personality rights in the Slovak Republic must be understood from an international perspective. The Slovak Republic has been a member of the European Union since 2004, has acceded to many international treaties, and is a member country of various international organisations. This affords the conclusion that the legal protection of personality rights in the country stems from international law, European law, and national law.

The object of our investigation is the personality right of the right to honour and human dignity, which is enshrined in the Constitution of the Slovak Republic (hereinafter, Slovak Constitution), the Civil Code and is partially regulated in other legal regulations. The Slovak legal framework for this right is hence provided by both private law (civil law and intellectual property law) and public law (constitutional law and criminal law) regulations. Using a comparative method, we examine the right to honour and human dignity in the context of national law—primarily civil law—and present the means of legal protection in the event of interference with these rights. In addition to investigating the constitutional and civil law regulations of these two rights, we also probe into the legal regulation in selected *lex specialis*, especially the Criminal Code, the Family Act, and the Labor Code.

In a separate chapter, we exhaustively outline the common features and fundamental differences between human honour and dignity. For a better understanding of both these fundamental human rights, we base ourselves not only on legal but also, and especially so, on philosophical theories. In this regard, we point out, unfortunately, the inconsistent views of the theoretical proposition of the 'absolute-ness' of these rights, which is reflected through inconsistent jurisdiction across countries.

The right to honour and human dignity is also closely related to the institute of 'post-mortem protection of human dignity', the essence of which is to provide a

deceased natural person with protection against unauthorised interference at a time when he/she is no longer alive and therefore cannot defend himself/herself. In a separate chapter, we present two levels of post-mortem protection, namely the general post-mortem protection (i.e. the legal protection of the memory of the deceased person) and the subjective (special) post-mortem protection (i.e. the legal protection of manifestations of a personal nature and assets that a person created during his/her life). In this context, we showcase that the right to pecuniary satisfaction is not preceded by the death of the natural person concerned by his/her heirs or by the death of that natural person. Since this right is, by its nature, closely linked to the natural person, it also expires with the death of that natural person.

A separate chapter presents a comparison of the right to honour of natural persons and the right to a good name and good reputation of legal persons. We briefly define a legal person and the philosophy of its existence and then consider whether personality rights can apply to a legal person. According to Art. 19 (1) of the Slovak Constitution, 'Everyone has the right to the preservation of human dignity, personal honour, good reputation and protection of name'. Based on this article, the following questions arise: does this constitutional right also apply to legal entities? How should the word 'everyone' in the cited provision be interpreted in this case? Does it include every natural person or every person, including legal entities? What is the nature of the rights under Section 19b of the Slovak Civil Code (i.e. right to a good name and right to a good reputation of legal persons)? Regarding the conceptualisation of the legal nature of the right to a good name and the right to good reputation of a legal person, we point out several different legal opinions from Slovak and Czech professional literature, citing both Slovak and Czech case law. We consider the recent jurisprudence of the Czech Constitutional Court (Czech Constitutional Court TZ 6/25) to be significant, according to which legal entities have the right to protect their reputation. As the Czech Constitutional Court states:

"(...) according to Art. 10 par. 1 of the Charter, everyone has the right to preserve their human dignity, personal honour, good reputation and protect their name. Although some of these rights, such as human dignity and personal honour, by their nature belong exclusively to natural persons, this does not mean that the protection of good reputation (and name) cannot be constitutionally guaranteed in relation to legal persons as well."

This study compares the Slovak legal regulation of the 'quasi-personal rights' of legal persons with the Czech legal regulation. We showcase their differences, with a particular focus on the divergence regarding one topic: while the 'right to privacy of a legal person' is enshrined in the Czech Republic, the Slovak legal regulation does not grant such a 'quasi-personal right'.

In a separate chapter, in addition to discussing the protection of the good reputation of a legal entity under Section 19b of the Slovak Civil Code, we also discuss the protection of a 'certain' reputation of a competitor under the law of unfair competition (under Section 48 of the Slovak Commercial Code). We compare the legal protection of a good reputation and a certain reputation under civil and commercial law.

2. The Right to Honour and Human Dignity: The Basic Legal Framework in the Slovak Legal System

The right to honour and human dignity applies *erga omnes* and is a personal, natural, and subjective right belonging to every natural person from birth to death. It is also inalienable, inviolable, cannot be affected by the execution of a decision, and cannot be waived or transferred to another person. This right therefore represents one of the most valuable rights of human beings. In the Slovak Republic, we talk about two legally binding regulations that represent the constitutional basis of personal rights, as follows: Constitutional Act No. 23/1991 Coll., which was introduced by the Federative Assembly of the Czech Republic and Slovak Republic through the Charter of Fundamental Rights and Freedoms; and the Slovak Constitution No. 460/1992 Coll., as amended by constitutional laws.¹

The initial legal framework for the right to honour and human dignity in Slovakia is provided by the Constitution, as the hierarchically highest law of the state. It protects fundamental human rights and freedoms²; by enshrining these rights in the second chapter, the legislator emphasises and highlights their societal significance. According to this second chapter, some fundamental civil rights (e.g. the right to work and right to education) are regulated in other branches of law. In connection with the right to honour and human dignity, which is the subject of our article, there is a provision in para. 1 of Art. 12 of the Slovak Constitution, which states that 'People are free and equal in dignity and rights'. Art. 19 of the Slovak Constitution also states that:

"(1) Everyone has the right to the preservation of human dignity, personal honour, good reputation and to the protection of his name. (2) Everyone has the right to protection against unauthorized interference with private and family life. (3) Everyone has the right to protection against unauthorized collection, publication or other misuse of data about his person."

1 Lazar et al., 2010, p. 128.

2 This concerns in particular Arts. 7, 14 – 16, 19, and 21 of the Slovak Constitution.

From the norms of public law, the right to honour and human dignity is also protected by the norms of the Slovak Criminal Code.³ An example of such protection is the criminal offense of “defamation”, which is specified in Section 373 (1):

“Whoever reports false information about another that is capable of significantly jeopardizing his reputation among fellow citizens, harming him in his employment, business, disrupting his family relations or causing him other serious harm, shall be punished by imprisonment for up to two years.”

As Repa states, the object of this crime is the protection of honour, good reputation, and respectability of a person from defamation, which can seriously disrupt one’s civil coexistence. Honour is distinguished here in the objective sense, referring to the respect that a person enjoys in the minds of other people, and in the subjective sense, referring to the awareness of own value. The subject of defamation can only be applied to an individual, entailing that this criminal law provision does not protect legal entities.⁴ Additionally, according to The Supreme Court of the Czech Republic, the degree of threat to the person concerned must be significant according to the law. This means that the perpetrator’s actions must be capable of significantly endangering the dignity of the injured party (e.g. causing harm at work, disrupting family relationships, etc.). This threat must be more substantial. However, in case 5 Tdo 83/2003, the requirement for a “significant degree” of threat to the dignity of the injured party was not met. (The courts did not push the boundaries of legal interpretation, but rather applied existing rules to a factual situation that, in their assessment, was not sufficient to constitute the crime of defamation.⁵

Importantly, the system of fundamental human rights and freedoms, which forms the general constitutional framework of personality rights and the aforementioned criminal law regulation, must be distinguished from the system of personality rights, the protection of which is enshrined in private law. Specifically, the private law regulations of personality rights can be found *mainly* in the Slovak Civil Code (hereinafter referred to as Civil Code). We have highlighted the word *mainly* because the rights associated with a person’s personality are not regulated exclusively by civil law. An example is the ‘right to health protection’, which is secured by criminal, administrative, and labour law remedies in addition to civil law remedies.⁶ Other partial personality rights can also be found in several important Slovak legal regulations

3 Act No. 300/2005 Coll. (Criminal Code), as amended.

4 Repa, 2018, p. 63.

5 Decision No. Tdo 83/2003 (05.02.2003), Supreme Court of the Czech Republic; Decision No. Tdo 15/2008 (08.07.2008), Supreme Court of the Czech Republic.

6 Vojčík et al., 2012, pp. 118–119.

other than the Civil Code, such as the Labor Code, the Press Act, the Family Act, and the Personal Data Protection Act.

For example, the Slovak Family Act⁷ protects in particular *the dignity of the child*. This protection is enshrined in the provisions concerning the safeguarding of the interests of a minor child as a primary consideration in decision-making in all matters concerning him/her.⁸ According to Art. 5 of the Family Act, when determining and assessing the interests of a minor child, the following should be particularly considered:

“Section 5 (c): ‘protection of the dignity, as well as the mental, physical and emotional development of the child, and endangering the development of the child by interference with his or her dignity and endangering the development of the child by interference with the mental, physical and emotional integrity of a person who is a person close to the child’.

Section 5 (e): ‘threat to the development of the child by interference with his or her dignity and endangering the development of the child by interference with the mental, physical and emotional integrity of a person who is a person close to the child’.”

Section 30 (3) of the Family Act states the regulation of the use of appropriate educational means in raising a child by parents in such a way that the health, dignity, mental, physical, and emotional development of the child is not endangered. In addition to the dignity of the child, the law also protects the dignity in marital relations, as reported in Section 18 of the Family Act: ‘Spouses are equal in rights and obligations in marriage. They are obliged to live together, be faithful to each other, respect each other’s dignity, help each other, take care of children together and create a healthy family environment’.

In the Slovak Labour Code,⁹ the protection of human dignity is mentioned in connection with the adequacy of the performance of employee checks in preventing damage to property, as shown in Section 177 (2):

“To protect its property, the employer is entitled to carry out, to the extent necessary, checks on items that employees bring into or take out of the workplace. The employer shall determine more detailed conditions in the work regulations. During the checks, regulations on the protection of personal freedom must be observed and human dignity must not be degraded.”

7 Act No. 36/2005 Coll. Act on the Family and on Amendments and Supplements to Certain Acts, as amended.

8 Compare with Hassanová, 2020, pp. 21–27.

9 Act No. 311/2001 Coll., Labor Code, as amended.

Importantly, we do not list all the provisions in the special regulations in which the protection of honour and human dignity is enshrined. Rather, the list of laws above is only demonstrative and does not contain all special legal regulations relating to the protection of personality rights. Regarding the relationship between individual legal regulations of the right to honour and human dignity, they feature a subsidiary relationship. Importantly, the demonstratively listed legal regulations, which partially provide protection for the right to honour and human dignity, have the nature of *lex specialis* and supplement the general civil law regulation of personality rights in various areas of social life. They serve to ensure the protection of the constitutionally-guaranteed right to the protection of personality as effectively as possible.¹⁰

Individual means of protecting the right to honour and human dignity are provided by sources of both public and private law, which, in turn, intertwine and complement each other, creating a complex system that protects personality rights. This structure highlights the general nature of the right to honour and human dignity and personality rights and their significance for society. The protection of the right to honour and human dignity hence builds on principles that consider personality rights to be intangible and an absolutely subjective right of every natural person. Furthermore, the civil law protection of personality entails objective liability, meaning that fault or intent are not necessary.¹¹

3. Personal Honour and Human Dignity: Theoretical Aspects, Common Features, and Differences

The *honour* of a person (natural person) is an expression of respect, recognition, and appreciation that a person gradually acquires and enjoys in reflection of his/her attitudes and behaviours. It is an intangible value that a natural person acquires by joining society, entailing that the right to civil honour protects one of the most important aspects of a person, which in various ways conditions his/her application in society. According to Tůma: 'From this perspective, the fundamental right to honour and dignity is applied in several spheres. These are the private sphere, the sociable sphere, the civil sphere and the professional sphere, while the last three can be described as the social sphere.¹² As for the first sphere (the private sphere), it is actually about the protection of privacy, within which the right to honour is undoubtedly applied. However, it is fundamentally up to everyone what and to what extent they release information from this sphere to the outside world.

¹⁰ Švestka et al., 2008, p. 117.

¹¹ Števček et al., 2015, p. 63.

¹² Tůma, 2022, pp. 100–105.

In other words, in this segment, complete informational self-determination usually applies. As for the social sphere (which includes the sociable, civil and professional spheres), this reflects the social nature of fundamental rights. It reflects the fact that an individual lives in a community and enters communication with other members of it, while through his behaviour, and even through his very being, he influences other members of the community. In the social sphere, complete informational self-determination no longer applies. In other words, this sphere can be entered under certain conditions, because facts may occur in it that may be the subject of legitimate public interest.¹³ The concept of honour expresses one's own inner view of self-esteem and his/her attitude towards his/her own elementary life values and ideas. On the contrary, the concept of dignity is more closely linked to the recognition of a person in his/her surroundings, to his/her position in society, and to the demonstration of respect by others. It is practically identical in meaning to the terms of good reputation or a person's good name.¹⁴ As stated by the Czech Constitutional Court in the case of Zeman v. Brezina, compared to dignity, honour can change over a lifetime, but dignity cannot.¹⁵ Throughout history, honour and reputation have been acknowledged as inherent aspects of humanity and perceived as independent interests worthy of protection.¹⁶

Human dignity is different from the institute of honour. Human dignity is the same for all natural persons; thus, unlike for honour, social status is not essential for it. Dignity is given to a human person by existence itself and is not exhausted by the right to life.¹⁷ Or in other words, it is given naturally. The protection of human dignity is enshrined in the Slovak Constitution, specifically in Art. 12, according to which people are free and equal in dignity and rights. On human dignity, Tůma describes that:

“Human dignity can be understood as one of the basic natural values of the human personality, expressing the necessity of maintaining elementary respect for man as a living being endowed with reason and feelings and for his unique human personality, regardless of gender, race, skin colour, language, faith and religion, political or other opinion, national or social origin, membership of a national or ethnic minority, property, gender or other status. Human dignity is manifested in several aspects of human life

13 Decision No. 30 Cdo 3770/2011 (12. 12. 2012), the Supreme Court of the Czech Republic; Decision No. II. ÚS 171/12 (15. 5. 2012) the Constitutional Court of the Czech Republic

14 Tůma, 2022, pp. 100–105.

15 Decision No. I. ÚS 453/03 (11. 11. 2005), the Constitutional Court of the Czech Republic.

16 Bubalo and Čerkić, 2022, pp. 21–34.

17 Moisei, 2018, pp. 23–33.

and in certain ways overlaps with other aspects of the human personality, especially with human freedom or his dignity and honour.”¹⁸

Human dignity is hence not merely a legal category, but primarily a moral–ethical category. Meanwhile, Kateb proposes that dignity is an “existential” value that pertains to the identity of a person as a human being and that human rights are derived from human dignity. Accordingly, dignity is not a moral or legal phenomenon but an existential one.¹⁹ We are inclined to the opinion that every human being is valuable in a unique way; therefore, respect does not depend on any personal characteristics or qualities, and its value is the same for all human beings. According to Collste, every human being has intrinsic value independent of any external circumstances, characteristics, or abilities, meaning that mentally disabled people have the same intrinsic value and human dignity as everyone else, although their capacities for rationality, awareness, and free will are limited to varying degrees.²⁰ Contrarily to these assertions, Gluchman considers it wrong to claim that all moral subjects have the same human dignity. He also states that the principle of human dignity cannot be considered absolute. In seeking an answer to the question of what human dignity consists of, he states:

“It is a much more difficult problem than it seems at first glance. Many believe that it was already solved by Kant or even long before that by Christianity. However, this is only an appearance, because there are probably more questions in connection with human dignity than satisfactory answers.”²¹

Simultaneously, some authors have described the problem of the lack of uniformity in the interpretation of the concept of human dignity. This is because, over time, the concept has varied significantly across jurisdictions, with McCrudden stating the following: ‘instead of providing a basis for principled decision-making, dignity seems open to significant judicial manipulation, increasing rather than decreasing judicial discretion’.²²

Both honour and human dignity influence the assessment of a person’s status and its application in society. Furthermore, the subject of the right to honour and dignity, as emphasised in the very wording of the law (i.e. ‘civic honour’), is only the natural person. Therefore, the law concerns the honour of a citizen in relation to, firstly,

18 Tuma, 2022, pp. 100–105.

19 Kateb, 2014, p. 5.

20 Collste, 2002, p. 234.

21 Gluchman, 2004, pp. 69–74.

22 McCrudden, 2008, pp. 655–724

society and, secondly, other fellow citizens. Lazar described the following about the topic: 'According to the opinion of the judicial practice, the subject of protection of a citizen is also his honour in professional circles in which he is known for his work and activity'.²³ These descriptions imply that the right to honour and dignity arises at birth or at the conception of a person (*nasciturus*) and evolves and acquires special attributes (e.g. we can speak of the honour of a professor or an artist) as the person develops.

4. Personal Honour and Human Dignity: Slovak Civil Law Regulation

Historically speaking, the right to honour and human dignity has far-reaching roots, going back as far as to Roman law. These rights then developed in direct proportion to the progressive tendency of democratisation and development of freedoms in Europe.²⁴ In the territory of Slovakia, Act No. 108/1933 Coll. on the protection of honour, which was in force in the territory of the then Czechoslovakia, should be mentioned. Before the Civil Code came into effect, the right to honour and dignity of a citizen was protected only in the criminal law area.²⁵

Personality rights are generally defined in Section 11 of the Civil Code, which outlines that 'A natural person has the right to the protection of his personality, in particular life and health, civil honour and human dignity, as well as privacy, his name and expressions of a personal nature'. The rights enshrined in Section 11 of the Civil Code, including the right to honour and human dignity, do not have the similar character of constitutional rights owing to their social significance. Nonetheless, owing to the complex legal regulation and the fullest possible respect afforded to the protection of personality, the legislator expresses the need for their protection by means of civil law. It follows from the above-mentioned amendment of the Civil Code that the enumeration of individual personal rights is only demonstrative, with the legislator using words 'in particular'. Such a demonstrative enumeration of the already-described personality rights in Section 11 of the Civil Code guarantees that Slovak jurisprudence can flexibly respond to new circumstances that appear in a developing society (e.g. in connection with the development of information technologies and artificial intelligence).²⁶

The basic function of Section 11 of the Civil Code is to ensure, at the civil law level, consistent protection of the respect for a person's personality and integrity. This is

²³ Lazar et al., 2010, p. 128.

²⁴ Moisei, 2018, pp. 23–33.

²⁵ Rebro and Blaho, 2003, p. 404.

²⁶ Kolkusová, 2016, pp. 168–192.

because such respect represents a necessary condition for a dignified existence and overall free development of a person in society. The first decision regarding this issue in the territory of Slovakia was implemented in 1967.²⁷ According to this judgment, the law provides protection for personality only in cases where civil honour is seriously violated and this violation interferes with the personality of a citizen. The interference must be objectively capable of causing such harm and must involve an action against moral integrity and a reduction in dignity, respectability, and honour. The action must be directed towards the relationship of the person with fellow citizens and must involve a threat against the position and application of the person in society. Section 11 provides protection only against such interferences capable of causing harm to the integrity of the authorised subject by reducing his/her reputation and dignity and threatening his/her application and position in society. According to Lazar, a violation of the right to honour will therefore not consist, for example, of the presentation of less serious verbal or other insults only done in private, or any action that is not capable of reducing in an objective sense the reputation, reputation, and dignity of a citizen.²⁸

Importantly, the protection of human dignity is legally regulated also in connection with the right to *bodily integrity*. The right to bodily integrity is based on the Slovak Constitution, whose Art. 16 states that everyone has the right to life; that life is worthy of protection even before birth; that no one may be deprived of life;²⁹ that no one may interfere with the physical or psychological integrity of a natural person; and that everyone must refrain from acting if this endangers the life or health of a natural person. However, there is a special law that determines who and under what conditions one may interfere with one's physical integrity. For instance, the Slovak Health Care Act stipulates when investigative and therapeutic procedures can be performed and when they can be performed without the patient's consent. This Act enshrines the right of every patient to the protection of own dignity and the respect for own physical and psychological integrity. It also regulates the conditions for the removal of organs from the bodies of a living donor and the deceased.³⁰ In connection with death, the law enshrines the right of everyone to preserve their bodily integrity even after death. Moreover, an autopsy cannot be performed if the person has demonstrably refused it during their lifetime; exceptions are listed in the Slovak Act on Health Insurance Companies and Healthcare Supervision.³¹

27 Decision No. 10 Co 21/67 (26.01.1967), Regional Court in Banská Bystrica (Slovakia).

28 Lazar et al., 2010, p. 128.

29 Fekete, 2007, p. 63.

30 Section 11 (8a) of the Slovak Health Care Act.

31 Vojčík et al., 2012, pp. 118–119.

5. Post-Mortem Protection of Human Dignity in the Field of Private Law

The institute of the 'post-mortem protection of human dignity', which is an important topic for discussion, is connected to the right to honour and human dignity enshrined in Section 11 of the Civil Code. Post-mortem protection is an absolute personal right, especially in the field of private law. Its essence lies in the provision of protection for a deceased *natural person* against unauthorised interference with his/her personal rights at a time when he/she is no longer alive and therefore cannot defend himself/herself.³² Unlike a dead person, a living person can resist unauthorized interference with his/her personal rights by filing a lawsuit, wherein he/she will assert general or special private law claims as an injured party. Meanwhile, a dead person loses the legitimate opportunity to take care of his/her personal rights and defend them by appropriate means. Post-mortem protection can thus be included in the general protection of the values of the deceased person's personality (*actio popularis*), in response to the general interest in preserving these values even after the person's death.³³

In Slovakia, post-mortem protection, or rather the position of post-mortem advocates, is regulated under Section 15 of the Civil Code. The right to post-mortem protection is entrusted to the spouse and children, unless they are parents. In this context, it is necessary to take a position on one more practical issue, namely whether the right to monetary satisfaction is preceded by the death of the affected natural person to his/her heirs or by the death of this natural person. Since this right is, by its nature, closely linked to the affected natural person, it also expires with the person's death, entailing that the right to monetary satisfaction does not pass to the heirs of the deceased affected natural person.³⁴

Post-mortem protection of a natural person against unauthorised interference can be understood at two levels, as shown in the following points:

1) The first level is the *general post-mortem protection*, which includes the legal protection of the memory (*piety*) of the deceased. The subjects of this protection are the following personal values: the honour, dignity, respectability, good reputation, name, likeness, and body of the deceased.

2) The second level is the *subjective post-mortem protection*, also known as 'special post-mortem protection', in professional literature. The subjects of this protection are

32 Post-mortem protection is attributed only to a deceased natural person. The legal system of the Slovak Republic does not provide for, nor does it derive from, case law and describes that legal post-mortem protection should also apply to the protection of the reputation or name of a legal person after its demise.

33 Ondruš, 2018, pp. 725–734.

34 Fiala and Hurdík and Korecká, 1999, p. 328.

the following personal expressions and goods: those that a person created/acquired during his/her lifetime; those that are closely linked to the personality of a particular person (e.g. diaries, notes, and letters); some expression a person made of his/her personality during his/her lifetime; and objects of creative and artistic activity for which posthumous protection is transferred to the level of copyright. According to Section 18(4) of the Slovak Copyright Act:³⁵

“After the death of an author, no one may appropriate his or her authorship of the work, the work may only be used in a manner that does not diminish its value and the author’s name or pseudonym must be stated, unless it is an anonymous work.”

Some countries do not explicitly regulate the institution of post-mortem protection. For example, in the German legislation, the relevant civil law regulation (*Bürgerliches Gesetzbuch* in German) does not recognise the institution of post-mortem protection. Post-mortem protection is thus imported into Germany by case law of the relevant German and European courts, while the concept of protection is based on a dogmatic approach and established Christian values typical of Germany.³⁶

6. Object of Protection: (Only?) Natural Person

Based on the provisions of Section 11 of the Civil Code, only *a natural person* can be the subject of protection of the right to honour and human dignity, this right belongs only to a specific natural person, and it cannot be a subject of inheritance. After the death of a natural person, the right to protection of his/her personality belongs to the spouse and children; if there are none, it belongs to his/her parents. Moreover, a person becomes the subject of the right to honour and human dignity from an objective fact, which is one’s birth. This includes a conceived child if it is born alive (*nasciturus*). The period of protection lasts until the natural person’s death.³⁷ According to Section 13 (1) of the Civil Code,

“A natural person has the right, in particular, to demand that unlawful interference with the right to protection of his or her personality be stopped, that the consequences of such interference be eliminated and that he or she be given adequate satisfaction.”

³⁵ Act no. 185/2015 of the Slovak Copyright Act, as amended.

³⁶ Compare with Dauster, 2020, pp. 19–32.

³⁷ Fekete, 2007, p. 63.

This provision allows a natural person in proceedings for the protection of his/her personality rights to claim non-pecuniary damage in money. However, it is stated in Section 13 (2) and (3) of the Civil Code that ‘The amount of compensation under Section 2 shall be determined by the court, taking into account the seriousness of the damage suffered and the circumstances under which the right was violated’. It is clear from this provision that the court is not limited by its scope when awarding compensation for non-pecuniary damage. Importantly, the institute of non-pecuniary damage can be considered a newer legal concept, as it only began to be applied in the Czechoslovak legal system after 1989 through Section 13.

General courts assess each case individually, emphasising the uniqueness of each proceeding, which does not mean, however, that there are no limits to the award of non-pecuniary damage in money. Instead, the award should be supported by reasoning, and the rule applies that interferences with a similar set of personality rights will be decided in a similar manner. According to Czech case law, in specific cases, it is (among other things) always necessary to consider that:

“in the event of a conflict between the fundamental political right to information and its dissemination and the right to protection of personality, i.e. fundamental rights that are on the same level, it is necessary to carefully consider, taking into account the circumstances of each of them, whether one right has not been unjustifiably given priority over the other. For this reason, it is necessary to assess, based on the specific circumstances of the given case, whether the ruling in question is appropriate to the specific situation and whether it does not contain such intensity that it interferes with the right to protection of personality.”³⁸

The right to protection of honour and human dignity is closely related to other partial rights of personality protection, and they tend to overlap in practical scenarios. There are examples where several personality rights were interfered with at the same time, such as a case in which the Regional Court in Brno dealt with the violation of *personal honour and human dignity*, the *right to privacy*, the *right to intimacy*, and the *right to expression* of personal appearance. The dispute concerned the publication of erotic photographs of the plaintiff on the Internet after the termination of an employment relationship. Despite the fact that the plaintiff had previously performed services on an erotic video chat voluntarily for two years for remuneration, which already clearly resulted in a reduction of honour and dignity, the Regional Court considered that, after the termination of the employment relationship, ‘taking into account the erotic and vulgar nature of these photographs and the mass availability of the Internet, such

38 Decision No. 3 Cdo 137/2008 (18.02.2010), Supreme Court of the Slovak Republic.

conduct is undoubtedly capable of leading to a significant reduction in the plaintiff's dignity and her respectability in society'.³⁹

Furthermore, we would like to state that the current law does not grant legal persons the right to honour and human dignity. The following chapter discusses a recent opinion of the Constitutional Court in the Czech Republic, according to which even a legal entity, such as a monetary fund or a political non-profit organisation, can suffer, similarly to a person, from non-pecuniary damage and want satisfaction for its mental suffering in money. This was the case despite the legal person not being an actual person.⁴⁰

Even though legal persons do not have 'personality' nor natural rights like natural persons, the law grants them certain rights similar to the personal rights we examine in our article. These rights are granted by the Civil Code and include those outlined herein:

- the right to a good name, also known as 'goodwill'.
- the right to a good reputation.⁴¹

The above rights are also closely related to the right to the reputation of a competitor in economic competition, which is regulated in Section 48 of the Slovak Commercial Code.

7. Goodwill and Reputation of Legal Entities as a Personal Right

A legal person is an artificially created entity representing an organisation of persons or property created for specific, whether business or non-business, purposes. Legal persons acquire the legal personhood and the legal capacity (i.e. the ability to amend, enter into, and transfer rights and obligations) upon their creation, that is, when they are signed in the relevant register (e.g. the commercial register). Section 18 (1) of the Civil Code describes that 'legal persons also have the capacity to have rights and obligations'. Although a legal entity can perform many acts in the same way as natural persons, the applicable law does not grant legal entities the right to honour and human dignity. However, albeit legal entities do not have a 'personality' and do not possess natural rights like natural persons, the law grants them 'quasi-personal rights'.

As we mentioned at the end of the previous chapter, the Civil Code grants legal entities the protection of their goodwill and good reputation. The goodwill and reputation of a legal entity can, in our opinion, fulfill a similar function to the honour of a

39 Decision No. 24 C 48/2004 (31.10.2007), Regional Court in Brno (Czech Republic).

40 Decision No. TZ 6/25. (22.01.2025), Constitutional Court of Czech Republic.

41 Both regulated in Section 19b (2) and (3) of the Civil Code.

natural person. Good reputation is a concept that includes intangible and separately incalculable values associated with a legal entity, including certain moral and qualitative characteristics according to which it is evaluated and accepted by society.⁴² It often even happens that the goodwill and good reputation of a company can have a higher value for an entrepreneur than the property part of the company.⁴³ Specifically, just as is the case with a natural person, the good reputation of a certain legal entity is formed by the opinions, knowledge, and experiences of other persons about its activities, seriousness, responsibility, consistency, professionalism, expertise, and the level of its employees, co-workers, among others. Therefore, according to Vojčík, interference with these attributes of a legal entity may be capable of causing damage to its reputation.⁴⁴ According to Section 19b (1-3) of the Civil Code:

“Legal persons have their own name, which must be determined when they are established. In the event of unauthorized use of the name of a legal person, it is possible to demand in court that the unauthorized user refrain from using it and eliminate the defective condition; it is also possible to demand appropriate satisfaction, which may also be requested in money. Paragraph 2 applies mutatis mutandis to unauthorized interference with the good reputation of a legal person.”

These are absolute rights that provide protection against unauthorised interference if the legal person has suffered damage and if such damage is even threatened. In many instances, it is possible to apply conclusions pertaining to legal persons in relation to the personal rights of a person, for example: regarding the protection of the good reputation of a legal person vs. the protection of the name of a natural person; regarding the protection of the reputation of a legal entity vs. the protection of the honour of a natural person; *the right to privacy of a legal entity* in the Czech Republic vs. the right to privacy of a natural person.⁴⁵

According to Art. 19 (1) of the Slovak Constitution: ‘Everyone has the right to the preservation of human dignity, personal honour, good reputation and protection of name’. Does this constitutional right also apply to legal entities? How should the word “everyone” in the cited provision be interpreted in this case? Does it include every natural person or every person, including legal entities? In addition to these questions, we further ask, what is the nature of the rights under Section 19b of the Civil Code (right to a good name and right to a good reputation of a legal entity)? We hold

⁴² Drgonec, 2002, pp. 1227–1234.

⁴³ Kopčová, 2024, pp. 1–42.

⁴⁴ Vojčík and Miščíková, 2004, pp. 258–260.

⁴⁵ More about the protection of privacy of legal entities in the following explanation (comparison of Slovak and Czech legislation).

the opinion that these are rights similar to personality rights and therefore refer to them as 'quasi-personal rights'.

However, the opinions of experts and case law differ from our opinion. According to Drgonec, the right to protection of the good reputation of a legal entity does not belong to personal rights or 'quasi-personal rights'. He describes the good name and reputation of a legal entity as a 'property right', which is protected by Art. 1 of Protocol No. 1 to the Convention for the Protection of Human Rights and Fundamental Freedoms. In his opinion, although the protection under the cited Art. 19 of the Slovak Constitution can be considered, it is not necessary to subsume the right to the protection of a good reputation and the right to the protection of a good name under the protection of this norm. This is because the right to the protection of a good reputation represents a fundamental right to own property under Art. 20 of the Slovak Constitution. Thus, the good reputation of legal entities is protected without the rights being qualified as personal rights.⁴⁶ Meanwhile, Lazar states the following on the topic: 'It follows from the nature of the matter that a legal entity does not have the same rights to protection of personality as a natural person. However, it does have similar rights'.⁴⁷ Contrarily, a group of Czech experts considers these rights to be rights of a personal nature: 'The good reputation of a legal entity has – similarly to the name of a legal entity – the nature of a personal right, which is inalienable'.⁴⁸ Slovak case law and Czech case law state the following:

"The good reputation of a legal entity, like the name of a legal entity, is one of several personal rights granted to legal entities by law. In accordance with the generally accepted presumption of the honesty of the actions of legal entities, it is also assumed that a legal entity has a good reputation until the contrary is successfully proven".⁴⁹

In this context, we consider the current interpretation of the Czech Constitutional Court to be very interesting, according to which legal entities have the right to protect their reputation:

"According to Art. 10 par. 1 of the Charter, everyone has the right to preserve their human dignity, personal honor, good reputation and protect their name. Although some of these rights, such as human dignity and personal honor, by their nature belong exclusively to natural persons, this does not mean that

46 Drgonec, 2002, pp. 1227–1234.

47 Lazar et al., 2010, p. 190.

48 Fiala and Hurdík and Korecká, 1999, p. 328.

49 Compare with Decision No. 4 Cdo 212/2007, Supreme Court of the Slovak Republic, and Decision No. 30 Cdo 1385/2006, Supreme Court of the Slovak Republic.

the protection of good reputation (and name) cannot be constitutionally guaranteed in relation to legal persons as well. Legal entities are not just a self-serving legal fiction, but are mainly a tool through which people can fulfill their interests. A good reputation plays a key role for the performance of legal entities in legal relations and for the fulfillment of the rights of individuals who are associated in them, and in the event of unauthorized interference with it, they may suffer pecuniary and non-pecuniary damage.”⁵⁰

It is important to emphasise that the protection of constitutionally-guaranteed rights should not be theoretical and illusory, but rather practical and effective. Considering this assertion, the impossibility of legal entities to demand adequate compensation for non-pecuniary damage represents a legal limitation of their fundamental right to the protection of a good reputation. This is because such impossibility denies them compensation for non-pecuniary damage, which is problematic because they do not have access to other means for sufficiently and effectively protecting their right.

In the Czech Republic, according to Section 135 of the Civil Code,⁵¹ legal protection is provided both for the name and good reputation of the legal entity and its privacy. According to paras. 1 and 2 Section 135 of the Czech Civil Code:

“A legal entity that has been affected by the questioning of its right to a name or that has suffered damage due to unauthorized interference with this right, or that is threatened with such damage, in particular by unauthorized use of the name, may demand that the unauthorized intervention is abandoned or its consequences are removed. The same protection belongs to a legal entity against anyone who interferes with its reputation or privacy without a legal reason, unless it is for scientific or artistic purposes or press, radio, television or similar reporting; however, even such an intervention must not conflict with the legitimate interests of the legal entity.”

9. The Reputation of a Legal Entity in The Context of Unfair Competition

The reputation and good name of a legal entity can also be harmed by interference with its intellectual property, including unfair competition. In fact, there is a special legal regulation under the law against unfair competition (regulated in Section 44 et seq. of the Slovak Commercial Code) on the protection of the business name and

⁵⁰ Decision No. TZ 6/25 (22.01.2025), Czech Constitutional Court.

⁵¹ Act No. 89/2012 Coll. the Civil Code, as amended.

reputation of an entrepreneur.⁵² According to Section 44 (1), 'Unfair competition is any conduct in economic competition that is contrary to good morals of competition and is likely to cause harm to other competitors or consumers. Unfair competition is prohibited'. This mainly concerns facts associated with unfair competition in the form of parasitism on reputation, as outlined in Section 48 of the Slovak Commercial Code:

"Parasitism is the use of the reputation of a company, products or services of another competitor with the aim of obtaining a benefit for the results of one's own or another's business that the competitor would not otherwise have achieved."

Parasitism on the reputation of another competitor can be understood as the effort of one competitor to feed on the successes (or failures) of another competitor; by doing so, it can save its own costs for building a good reputation and ultimately achieve higher profits. Reputation parasitism is specific because it requires intent, hence being a targeted act. To fulfill the factual nature of reputation parasitism, it is not necessary for the benefit from parasitism to actually occur, as the existence of intent per se is already sufficient. Furthermore, the key prerequisite for fulfilling the factual nature of reputation parasitism is the very existence of a 'certain' reputation on which it is possible to parasitise. We deliberately use the word 'certain' here because it is possible to parasitise on things other than a good reputation (used to name 'goodwill', or *der gute Ruf* in German). For example, a legal entity can parasitise on a bad or any reputation that results in a certain connection of the reputation with a specific company, product, or service of a competitor in the relevant market. In general, a good reputation is built over a long period and does not arise automatically with the establishment of an entity (i.e. registration of a business name in the commercial register) nor with the registration of another designation related to a good or service in the relevant register (e.g. a trademark, designation of origin of goods, or geographical indication). Considering these assertions, we can posit that the right to a good reputation is not an absolute right, but rather is a certain "image" of a competitor on the market built up in relation to the public and its operation in a given territory at a given time.⁵³ According to the interpretation of the Czech case law:

"Reputation within the meaning of Section 48 of the Commercial Code represents a set of certain aspects that, in the business sphere, create the overall impression of how a competitor, its products and services appear to the outside world. By acting in accordance with Section 48 of the

⁵² Act No. 513/1991 Coll. of the Slovak Commercial Code, as amended.

⁵³ See: Elias et al., 2007, p. 353; Hajn, 2000, p. 181.

*Commercial Code, it is possible to parasitize not only on the good reputation of a particular competitor; however, it is crucial that the competitor has a certain reputation.*⁵⁴

‘Reputation’ is thus conceived more broadly within the meaning of Section 48 of the Civil Code than within with Section 19b (3) of the Civil Code, which protects the ‘good reputation of a legal person’. As we stated in the previous chapter, legal theory and judicial practice tend to believe that every legal person acquires the good reputation of a legal person *ex lege* upon its establishment, regardless of whether it is a legal person established for the purpose of carrying out business activities or for other purposes.⁵⁵

If this right of a legal entity is unlawfully interfered with, it has the right to protection in the form of a restraining order (i.e. if the unlawful interference persists) or a removal order (i.e. if the negative consequences associated with the unlawful interference persist; e.g. the removal of posters on billboards unlawfully interfering with the right to the name of the legal entity). A legal entity whose reputation has been affected is of course also entitled to compensation for damages and the release of unjust enrichment (provided that all other conditions are met). Additionally, compensation for non-pecuniary damage can be claimed (again, provided all prerequisites are met) through protection against unfair competition.⁵⁶ In claiming compensation for damage (pecuniary or non-pecuniary), the fault of the person who unlawfully interfered with the ‘quasi-personal rights’ of the legal entity must also be given.

10. Conclusion

In this article, we explore two fundamental human rights, namely the right to honour and the right to human dignity, considering them as a single construct. These rights are globally recognised rights that belong to every natural person. Historically speaking, the right to honour and human dignity has far-reaching roots going back to Roman law. However, we focus our investigations on the current legal regulation of these rights in the context of Slovak civil law. We also present the constitutional framework for the legal protection of the right to honour and human dignity, along with some legal regulations that, in the *lex specialis* relationship, protect the honour and human dignity of children or spouses in family law relationships (under the

54 Decision No. 23 Cdo 4384/2008 (28.04.2011), Supreme Court of the Czech Republic.

55 Decision No. 30 Cdo 1385/2006 (18.03.2008), Supreme Court of the Czech Republic.

56 According to the current case law of the Constitutional Court in Prague, it is also possible to seek satisfaction under civil law. Compare with Decision No. TZ 6/25 (22.01.2025), Czech Constitutional Court; Lavický, 2014, p. 713.

Slovak Family Act) and employees in employment law relationships (under the Slovak Labor Code) and provide protection from *defamation* (a criminal offense within the meaning of the Slovak Criminal Code).

We define the terms 'personal honour' and 'human dignity' from legal and philosophical point of views. Both honour and human dignity influence the assessment of a person's status and its application in society. Using comparative analysis, we depict the most important difference between honour and human dignity: while a natural person's *honour* is an expression of the respect, recognition, and appreciation gradually acquired and enjoyed through one's own attitudes and behaviours as one integrates into society, all natural persons have the same *human dignity* (unlike honour). Thus, social status is not essential for human dignity, and dignity is instead given to a human person by one's very existence. We can see a certain connection between human honour and the good reputation of a legal entity in this study. Meanwhile, in synthesising several views on the concept of the right to human dignity, we are inclined to opine that every human being is uniquely valuable, entailing that respect for a natural person does not depend on any personal characteristics or qualities and is the same for all.

Human honour and dignity are rights that both living and dead individuals possess. This consideration brings forth the concept of 'post-mortem protection of human dignity', which provides a deceased individual with protection against unauthorised interference with his/her personality rights at a time when he/she can no longer defend himself/herself. According to the established legal theory, we present two levels of post-mortem protection: general (i.e. the legal protection of the memory of the deceased person) and subjective (special) post-mortem protection (i.e. the subject of protection of the manifestations of a personal nature and goods that a person created during his/her lifetime). Although, in some countries, the institution of post-mortem protection is not legally enshrined, as in Germany, we state that the protection is imported by the case law of the relevant courts. In general, the right to post-mortem protection is entrusted to the spouse and children, unless they are parents. This situation gives emergence to the need for deciding on the practical issue of whether the right to monetary satisfaction is preceded by the death of the affected natural person to his/her heirs or by the death of the natural person. Since this right is naturally closely linked to the affected natural person, it also expires with the death of the affected natural person. This means that the right to monetary satisfaction does not pass to the heirs of the deceased natural person.

In connection with the legal protection in the event of a violation of honour and human dignity, we assess the individual claims that an active natural person can assert in court and draw attention to one of the means of such legal protection: *satisfaction*. Using judicial interpretation, we point out that courts assess each case individually, emphasising the uniqueness of each proceeding, which does not

mean, however, that there are no limits to the amount of non-pecuniary damage in money.

We consider the last part of the article to be very interesting for further discussions. In the context of the right to honour and dignity of natural persons, we compare similar rights guaranteed to legal persons, namely the right to a good name and the right to a good reputation, which are protected by both civil and commercial law. In particular, we present several opinions from Slovak and Czech doctrine and jurisprudence to understand the nature of these rights. The opinions differ: some consider these rights to be property rights, others regard them to be personal rights, and several view them as 'similar to personal rights'. We understand these rights as 'quasi-personal rights', despite some differing legal opinions. We consider the recent jurisprudence of the Czech Constitutional Court (Decision No. TZ 6/25) to be significant in this regard, according to which legal entities have the right to protect their reputation. In the context of the judgment:

"(...) Although some of these rights, such as human dignity and personal honor, by their nature belong exclusively to natural persons, this does not mean that the protection of good reputation (and name) could not be constitutionally guaranteed in relation to legal persons as well."

Although the Constitutional Court indirectly grants personal rights to legal persons, we will still follow further developments in this matter. We also importantly highlight that while the 'right to privacy of a legal person' exists in the Czech Republic, Slovak law does not recognise such a quasi-personal right.

In addition to the protection of the good reputation of a legal entity under Section 19b of the Civil Code, we also discuss the protection of a 'certain' reputation of a competitor under the law of unfair competition (under Section 48 of the Slovak Commercial Code). We define the act of reputation parasitism as an intentional act with the aim of damaging the reputation of another economic entity and compare the legal protection of good reputation and certain reputation under civil and commercial law. Through a comparison, we conclude that 'reputation' as defined in Section 48 of the Civil Code is conceived more broadly in comparison with the conception of the construct in Section 19b (3) of the Civil Code, which protects the 'good reputation of a legal person'.

Bibliography

- Bubalo, L., Čerkić, Š. (2022) 'Protection of the Right to Honor and Reputation – A Historical Overview', *Journal on European History of Law*, 13(1), pp. 21–34.
- Dauster, M. (2002) 'Post-Mortem Protection of Human Dignity: The German Supreme Court of Justice Case Law on Violations of International Humanitarian Law', *Bratislava Law Review*, 4(1), pp. 19–32 [Online]. Available at: <https://doi.org/10.46282/blr.2020.4.1.154> (Accessed: 8 July 2024).
- Drgonec, J. (2002) Vzťah dobrej povesti právnickej osoby k ochrane osobnostných práv. *Justičná revue*, 54(11), pp. 1227–1234.
- Fekete, I. (2007) *Občiansky zákonník. Komentár*. Bratislava: EPOS.
- Fiala, J., Hurdík, J., Korecká, V. (1999). *Občanský zákoník – komentář, Vol. I*. Praha: ASPI – Codex.
- Gluchman, V. (2004) 'Rozličné kontexty idey ľudskej dôstojnosti', *Filozofia*, 59(1), pp. 69–74.
- Hassanová, R. L. (2020) 'Protection of Children under International Law', *Central and Eastern European Legal Studies*, 2020(1), pp. 1–20.
- Kateb, G. (2014). *Human Dignity*. Harvard University Press [Online]. Available at: <https://doi.org/10.4159/9780674059429> (Accessed: 8 July 2024).
- Kolkusová, R. (2016) 'Osobnostné práva v informačnej spoločnosti', *Európska spoločnosť a jej kultúra*, 15(1), pp. 168–192.
- Kopčová, R. (2024) 'Zásady tvorby obchodných mien fyzických osôb a právnických osôb', *Paneurópske právnické listy*, 7(1), pp. 1–42.
- Lazar, J. et al. (2010) *Občianske právo hmotné 1*. Bratislava: Iura Edition.
- McCrudden, Ch. (2008) 'Human Dignity and Judicial Interpretation of Human Rights', *European Journal of International Law*, 19(4), pp. 655–724 [Online]. Available at: <https://doi.org/10.1093/ejil/chn043> (Accessed: 8 July 2024).
- Moisei, H. (2018) 'Human Dignity as a Fundamental Right of a Person', *European Journal of Law and Public Administration*, 5(2), pp. 23–33 [Online]. Available at: DOI:10.18662/eljpa/39 (Accessed: 8 July 2024).
- Ondruš, M. (2018) 'Postmortálna ochrana – úvod, geneze a trvanie ochrany', *Právni rozhledy*, 21/2018, pp. 725–734.
- Rebro, K., Blaho, P. (2003) *Rímske právo, 3rd edition*. Bratislava: Iura Edition.
- Repa, O. (2018) 'Trestný čin ohovárania vs. prípustná (dovolená) kritika' *Právne listy* [Online]. Available at: <https://www.pravnelisty.sk/clanky/a649-trestny-cin-ohovarania-vs-pripustna-dovolena-kritika> (Accessed: 8 July 2025).
- Števec, M. et al. (2015) *Občiansky zákonník I. Veľký komentár*. Praha: C. H. Beck.
- Švestka et al. (2008) *Občanský zákoník I, 2nd edition*. Praha: C. H. Beck.
- Tůma, P. (2022) § 81 [Osobnost člověka]. In: Lavický, P. et al. *Občanský zákoník I. Obecná část (§ 1–654)*. Praha: C. H. Beck.

- Vojčík et al. (2012) *Právo duševného vlastníctva*. Praha: Čeněk.
- Vojčík, P., Miščíková, R. (2004) *Základy práva duševného vlastníctva*. 1. edn. Košice: TypoPress.
- Judgment of the Constitutional Court of the Czech Republic 22.01.2025, file no. TZ 6/25.
- Judgment of the Constitutional Court of the Czech Republic of 11. 11. 2005, file no. I. ÚS 453/03.
- Judgment of the Constitutional Court of the Czech Republic of 15. 5. 2012, file no. II. ÚS 171/12.
- Judgment of the Supreme Court of the Slovak Republic, file no. 4 Cdo 212/2007.
- Judgment of the Supreme Court of the Czech Republic of 05.02.2003, file no. 5 Tdo 83/2003 and of 08.07.2008, file. no. 11 Tdo 15/2008.
- Judgment of the Supreme Court of the Czech Republic of 18.03.2008, file no. 30 Cdo 1385/2006.
- Judgment of the Supreme Court of the Czech Republic of 28.04.2011, file no. 23 Cdo 4384/2008.
- Judgment of the Supreme Court of the Czech Republic of 12. 12. 2012, file no. 30 Cdo 3770/2011.
- Judgment of the Regional Court in Banská Bystrica of 26.01.1967, file no. 10 Co 21/67.
- Judgment of the Regional Court in Brno of 31.10.2007, file no. 24 C 48/2004.
- Act No. 460/1992 Coll. as amended (The Constitution of the Slovak Republic).
- Act No. 40/1964 Coll. (Civil Code of the Slovak Republic) as amended.
- Act No. 300/2005 Coll. (Criminal Code of Slovak Republic) as amended.
- Act No. 513/1991 Coll. (Commercial Code of Slovak Republic), as amended.
- Act No. 36/2005 Coll. Act on the Family and on Amendments and Supplements to Certain Acts of Slovak Republic as amended.
- Act No. 311/2001 Coll., Labor Code of Slovak Republic, as amended.
- Act No. 185/2015 Coll. Copyright Act of Slovak Republic as amended
- Act No. 89/2012 Coll. the Civil Code of Slovak Republic as amended.