

Summary

The purpose of this study is to analyze the role of the collecting societies in the information society. What are their possibilities, task and challenges in the current technological development. Technological development encourages creativity, multiplies the creative process, supports new business models and makes information in general much more accessible for the general public. On the other hand unprecedented and unknown threats have developed – threats for both the copyright holders and copyright users.

In such an environment it is necessary to maintain a balance between the rights of authors and public interest at large, particularly education, research and access to information (Quotation from the Preamble of WIPO copyright treaty). It is the task of copyright law in general and collecting societies in particular to accommodate the interest of the original rights holders (such as creators) as well as the general public interest to use the respective work of art.

The solution to this potential conflict traditionally lies in „limitations and exceptions“to the author’s rights. All limitations are listed in the so called „Information Directive“, As a matter of interest, I would like to add that only one exception is mandatory, the rest is optional.

As a response to the current situation the European Commission has adopted a Green paper on Copyright in the Knowledge Economy. The aim of this document is to promote the dissemination of knowledge in the information society. It mostly focuses on scientific and educational material from the point of view of the exceptions and limitations.

The other initiative, which I would like to mention, is the Declaration on a balanced interpretation of the three step test“. The group of experts, who wrote this Declaration, moved away from the traditional understanding of the legal institute usually called the „Three step test“. According to their opinion the limitations and exceptions should not be interpreted narrowly, but according to their objectives and purposes.

What else is currently on the Top ten copyright lists connected with the collecting societies and internet? The role of ISPs in internet crime, results of DRM and its future.

All those aspects are mentioned in my thesis as well as the efforts of the EU to harmonize the legislation regarding the collecting societies. As I have written the attempts has failed and ended up by the non binding Recommendation. Nevertheless the process is still on going.

I have also stressed the importance of the education of the public for the successful future of the collecting societies in the information society.