

## **Contemporary issues execution of collective administration in the Czech Republic.**

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As it could be implied from the title of my thesis, I focused on contemporary issues of the execution of collective administration in the Czech Republic.

Collective administration could be briefly summarized as representation of more persons in execution of their economic rights in case that other than collective execution of such rights is prohibited by law or would be inefficient (i.e. collection and distribution of levies, entering into collective contracts with users of protected works, where the collective administrator grants a licence to all works on behalf of all represented authors). Collective administration is considered to be efficient, if the individual execution would be very difficult or practically impossible. This could happen as a result of technical progress, huge number of users unable to select individual works they are willing to use etc. Collective administration works in favour of rightholders, who are not able to control all cases of uses of their works.

Collective administrators administer, enforce and protect the economic rights (especially of authors and other rightholders – heirs) and economic rights related with copyright (especially of publishers, interpreters, producers of phonograms and producers of audiovisual fixations).

Collective administration comprises first of all activities of collective administrators implemented in their own name and on the account of rightholders, collection of levies, grant of licences to the users of works, performances, phonograms, audiovisual fixations, and contraction of collective contracts in respect. As it could be implied from what was mentioned above, the goal of collective administration is to facilitate the execution of right for levies and rights to use protected works by the rightholders that are not enrighted or actually able to perform certain rights by themselves, i.e. individual collection of levies from the obliged persons or individual granting of licence by contracting individual contracts. At the same time the collective administration facilitates the grant of licence from an author to a user in easier and more efficient way, and to the whole extent of the represented works.

It is obvious, that the majority of people does not consider the execution of collective administration of economic rights to be the most interesting part of law. However, I think that this area of law is very specific and from the point of view of users of copyrighted works it belongs to the issues which are very difficult to handle. However, the users are obliged to get to know these issues still more frequently.

## *Aktuální otázky výkonu kolektivní správy v České republice*

In the first part of my thesis I focused on historical development of collective administration in the Czech Republic, individual collective administrators and their entitlement to perform collective administration. I tried to describe their competence, decision-making and their activity as a whole in the most comprehensible way.

In the second part of my thesis I dealt with problems of certain provisions of the copyright law, especially those provisions, which make the collective administration more difficult either for the reason of wrong or unclear interpretation or for the reason of wrong transposition from the European law to Czech law, eventually European law or other Czech acts of the same legal force impede the observance of the copyright law.

### **Seznam klíčových slov:**

Collective administration – kolektivní správa

Copyright law – autorské právo

Rightholders – nositelé práv