

Resume in English

Title of the thesis: Copyright in Artistic Works

Abstract:

This thesis is dealing with copyright, with regard to the artistic work. After a brief introduction about the sources of copyright in the Czech Republic and the European Union, the explanation of what actually regulations CR mean by "artistic work" follows. There is concluded that the artistic works, whether they are defined by laws in any way, they are somehow protected in all countries of the world.

The following part, entitled "The Artistic Work as a Property," explains the difference between the artistic work and its carrier material, i.e. the thing by which the work is expressed, in the laws of Czech Republic. This is a very important hypothesis for all owners of art works, because these are also restricted by copyright of the author and with other laws.

The next chapter, 'The rights of copyright owner' focuses on descriptions of the various uses of the work. The Copyright Act of the Czech Republic describes the term "ways of use of the copyrighted work" in general, so it can be applicable to all types of copyrighted works. However, in this thesis, I am using the examples to demonstrate what the different ways of use mean. I described in details the Resale Right (Droit de Suite), which is the right granted to artists or their heirs to receive a fee on the resale of their works of art. This regulation relates to the global art market, and the 2001/84/EC EU directive mandates a uniform system of droit de suite across the European Union, so I described this institute in conditions of the EU. This part contains also the right to the "substitute reward", although its economic importance for the authors of the artistic works is not big.

The chapters focusing on the license agreements and non-contractual liability for infringement of copyright were defined also for the relationships across the EU member states, as the EU regulations Rome I and Brussels I are applicable.

At the very end, the description of the crime of copyright infringement and counterfeiting and imitation of artistic works are included, as they are defined by the Criminal Code of the Czech Republic.

Key words: Copyright, Artistic Work