

Audio-visual work and audio-visually used works and performances

Abstract

The aim of the diploma thesis on Audio-visual work and audio-visually used works and performances is to provide an overview of key concepts of the Czech audiovisual legislation. The thesis mainly focuses on private-law aspects of copyright, but it also touches upon the subject of public regulation in the field of public support of audio-visual sector, regulation of advertising and media, or liability for administrative and criminal offences committed by infringement of the relevant intellectual property rights. Emphasis is placed on the intellectual property related to the creation of audio-visual work as a subject matter of copyright protection and on the entities and individuals that participate in the creation and production of audio-visual work.

The first part of the thesis covers basic copyright concepts of the Czech legal system and sources of law relevant to the audio-visual sector, and it briefly mentions the legal instrument of collective rights management in the Czech Republic. The second part of the thesis covers the main topic of this work. Its first chapter defines the concept of author's work and examines the concept of audio-visual works and their classification, while also mentioning the concept of multimedia works and the question of video games' classification as audio-visual works, with the concept of works and performances audio-visually used being addressed at the end of the chapter. The second chapter of this part focuses on the entities involved in the creation, production and economic use of audio-visual works, namely producer (of audio-visual recording), director of audio-visual work (including a comparison with the copyrights status of theatre director), screenwriter, script editor, cinematographer, editor, sound expert and performers, including actors. The end of the chapter mentions the distributor of the audio-visual work and other persons who, in addition to the producer, participate in its economic use are also mentioned. The third part of the thesis is dedicated to the license agreement and to the contract for work with regard to the audio-visual sector. The fourth part of the thesis deals with the protection of rights to intellectual property in audio-visual sector, specifically with the issue of private-law claims arising from infringement of these rights, as well as the issue of administrative and criminal liability.

Key words:

Audio-visual work, Audio-visually used works and performances, Audio-visual production