

## **Limitations and exceptions to copyright protection**

The purpose of my thesis is to outline the main limitations and exceptions to copyright protection that exist under the czech copyright law, international law and european law. The reason for my research is that limitations and exceptions are the most important legal instrument for reconciling copyright with the individual and collective interests of the general public.

The thesis is composed of six chapters, each of them dealing with different aspects of exceptions to authors' rights. Chapter One is introductory and describes copyright in general. The chapter two and three defines the most important international conventions and community legislation. Next chapter is dealing with limitations and exceptions to copyright protection that exist under czech copyright act. This chapter is subdivided into six parts. Part one describe the three-step test, which is a main condition of limitations and exceptions. Part is about making author's work public. Part three describes system for author's work for which the period of duration of economic rights has expired and only the author's moral rights remain. This work may be utilised by anybody without any further provision. Part four deals with free uses of author's work which shall be used for personal needs by a natural person without seeking to achieve direct or indirect economic benefit. Part five is called Demonstration or repair of a equipment for a customer. And last part of this chapter refers to compulsory licences. The penultimate chapter concentrates on problems resulting from amendment of copyright act, act no. 81/2005, which established exception to authors' rights for making the work available by television or radio capable to receive broadcasts to guests accommodated within the provision of accommodation services. This paragraph didn't comply with international conventions, which Czech republic has been member. This situation was solved by new amendement which was adopted in spring 2008.

Conclusions are drawn in chapter seven and look at hypothesis of way in which czech copyright law should be developed.

### **Key words:**

Limitations and exceptions to copyright protection...mimosmluvní užití autorského díla  
 Free Uses of Author's work.....volné užití  
 Compulsory Licences.....zákonné licence