

The purpose of my thesis is to analyse the recent development of collective administration of rights (CRM). I have chosen this topic because of its actual impact and current changes on the field of CRM. The growing importance of the Internet and of digitisation technologies is opening up new possibilities for distributing creative content online. This is not in harmony with territorial principles of administration of right in Europe. So, there are challenges which can change the way how CRM cooperate and compete.

First chapter briefly describes collective administration of rights in Czech Republic. Second chapter is focused on public licences concretely Creative commons. Their impact on CRM is unexceptionable and the national legislature has to react on this new phenomenon of licensing of copyright works. The goal of this chapter is to introduce that public licence, describe their compatibility with Czech law system and draw attention to problematic paragraphs which blocks simple and lawful way how to use them.

Digitalization project such as *Europeana* open up the orphan works problem which is due by the fact that new digital media provide unprecedented opportunities for reutilizing 'old' existing content. There is a huge problem of right clearance of copyright and related rights which can influence digitalization efforts and threaten preservation of cultural heritage. Chapter three describes activity of European institutions map current ways how to deal with the orphan works and in the end proposes possible solutions of that topic.

Recent technological development is bringing new channels how to distribute copyright protected works and that's why they are easily accessible across the European Union (especially online music). It is causing the need for multi-territorial licensing that spans throughout the European territory. And the question is: whether the market for collective management of rights should be liberalized for rights-owners and users? Chapter Four analyzes judicature of the European Court of Justice (ECJ), characterises most important documents from European Commission and European Parliament and gives suggestions how to deal this actual problem.

Conclusions are drawn in Chapter Five. CC licences are applicable in CR but there are few provisions which need to be changed for easy going usage of them. Nevertheless the impact on the CRM will be appreciable because of reduction of their

incomes. As regards to orphan works problem none of presented models give us clear answer how to deal that problem. I suggest finding solution with respect to “Canadian” and “Nordic” model and attempt to lower number of new orphan works with using Digital right management technologies, CC licences or motivate authors to add information about him and residence to his work. Chapter concerning multi-territorial licensing and liberalization showed up that recent situation is in the state of chaos. There are tendencies from European Commission set competition between collective right managers but none regulative document was issue. Big collecting societies are signing exclusive contracts with international music publishers who afterwards withdrawal contracts with societies who don’t participate in them. It could cause that small CRM loose competitiveness and European cultural diversity will be damaged. On the other hand collecting societies in Europe are currently involved in litigation to prevent each other from issuing pan-European licences of their respective repertoires. European Commission should take an action in the form of clear statement whether to set competition or to define binding rules how to deepen cooperation between collecting societies. If not it could cause both right-holders and users.