

Overview of special protection regimes of copyright works including the comparison with the general protection regime

Object and purpose of this work is to explore the special protection regimes of copyright works. But before I start to deal with these regimes, I find necessary to, at least in brief, outline the historical development and basic concepts of copyright law. In my opinion special protection regimes can not be examined without knowledge of these basics.

In the next chapter, I will discuss the general protection regime of copyright works. I think it is a sort of bridge between first general chapters on one side and specialities of special protection regimes of copyright works on the other. Copyright law has traditionally belong to private law, so I will explore different interventions to author rights and the means of protection, typically aimed at compensating injured. However, certain aspects of copyright law are so important to society that it is protected by criminal and administrative means, and those belong to public law. For this area is typical preventive repressive method of solving infringements. Thus compensating injured is on the second place, the primary is to protect society from such undesirable phenomena.

In the last part of this work, I'll get to the very core of this work, special protection regimes of copyright works. This area, however, can be viewed in several ways. But as it is said in title of this work, I chose the criterion of the copyright work and its mode of occurrence. In this way has come a few specific types of copyright works having its own legal regulation in the Copyright Act. They are specific copyright works, where the layout of personal and property rights is divergent, compared to the general regime. In principle, all of them has in common weakening rights of author of the work for the benefit of a third party, the investor, who initiated the creation of the work and put certain investment in it, mostly financial. So performance of property and several personal rights is moving from the author of the work to the investor. This regulation is necessary for today. Many copyright works would not without this investment ever come into existence, and that is why these investors has some special rights at the cost of the actual authors. The reason for these special regulation is mainly in maintaining a kind of equilibrium in the economic market, where the authors, motivated and encouraged to create works by investors, voluntarily give up some of their rights, and investors are adding value to their investments, so they are motivated by economic benefit.