

ABSTRACT

This diploma thesis describes Czech legislation on copyright protection of computer programs in European and international law context. The commentary is mostly focused on current, practical issues, which often aren't clearly and satisfactorily solved, or issues which are subjects of current or recent litigations before European courts.

First chapter introduces special characteristics of computer programs in copyright law, shortly mentions other possibilities of their legal protection and outlines some problems connected with massive technology development and international dimension of these questions, which are enlarged in following chapters. It also defines basic terminology used in the thesis.

Chapter two, called "Sources of international and European law" mainly focuses on international treaties and EU directives, on which current Czech copyright protection of computer programs is based.

Following chapter describes Czech copyright protection of computer programs, respecting, in general, structure of Czech Copyright Act and simultaneously gives deeper look into selected up to date problems. It compares computer programs with traditional copyrighted works, explains i.a. concept of "employee's work" and closely focuses on author's moral and, mainly, economic rights. Special attention is dedicated to distribution of software over the Internet (legal or not). Final subchapter deals with licence agreements including some special ways of their concluding.

Chapter four is dedicated to Software as a service business model. Whether it will succeed on large scale or not, it brings a big number of legal questions.

Concerning the phenomenon of the Internet, law sometimes seems to be out of depth and any attempts of its deeper regulation regularly face protests of public, as noted in the final chapter.