Abstract

The aim of the present thesis is to examine an impact of reproductive and recording technique and of the global network of the Internet on the institute of collective management of copyright and related rights which forms traditional part of the system of copyright law. Firstly, the thesis embeds an issue of the institute of collective management into the appropriate legal framework and historical context. The delimitation of collective management’s purpose follows; an emphasis is placed on the position of the collective manager of copyright as an intermediary between the competing interests of the right holders and interests of users. It is explained that the change of manners of communication of the work to the public from "point-to-mass" to "point-to-point" tends to weaken such position. The real and legal monopoly of collective management is scrutinized and conclusions of academics drawn from the coexistence of copyright management companies on the market in the United States are contrasted in the following part of the thesis. The issue with licenses is addressed. The collision between the potential ubiquity of works made available on the Internet and the principle of territoriality (lex loci protectionis) is described and, simultaneously, legal issues connected with functioning of the system of reciprocal agreements are explained in the thesis, especially in relation to competition law. In connection with the development of communication technologies and the use of computer networks, the more progressive principle of the origin of works (lex loci originis) is offered instead of the principle of territoriality. The final chapter deals with the ongoing debate over the harmonization of collective management in the digital age by EU law.