

SUMMARY

The objective of this doctoral thesis is to provide an integral view of legal regulation of copyright and subsequently the right of advertising with focus on their intermingling. The doctoral work is divided into seven extensive chapters. The first chapter deals with the historical development of copyright and its existing legal regulation from international and especially local point of view. The second extensive chapter of the doctoral thesis specifies in more detail the possibilities of trading with proprietary rights and describes the possibilities of use of a copyright work on the basis of a contract, i.e. on the basis of a copyright authorization, and on the other hand the possibility of use of the work without any contract within the framework of the so-called statutory licence, further of the so-called free works, where the duration of proprietary rights has already expired, and last but not least the so-called free uses of works for personal use. This chapter is supplemented by an interesting phenomenon of copyright, the so-called "three-step test". The third chapter of the doctoral thesis describes legal regulation of works with a special legal regime. The fourth chapter of the doctoral thesis deals with protection, limitations and specific unprotected works of copyright. The fifth separate chapter describes the relationship of copyright and industrial property rights. The sixth, also extensive, chapter of the doctoral thesis describes the advertising law and subsequently also its intermingling with copyright. The introduction of the given chapter describes in detail legal definitions of advertising which may be found in many legal regulations and documents. The chapter of advertising refers to the historical development of advertising law and describes in detail statutory requirements laid on regulation of advertising of some selected commodities, as tobacco advertising, including the historical excursion to the development of advertising of this commodity, further regulation of alcohol advertising, regulation of food advertising, regulation of advertising of starting and continuing baby and infant food and human medicaments. The chapter describes also briefly the functioning and position of concrete supervisory bodies of advertising. Chapter is closed by a discussion about protection against unfair competition in advertising. The doctoral thesis is closed by the seventh chapter focused on some interesting areas falling both within the sphere of copyright and advertising law. The phenomenon of modern time of copyright, the so-called Creative Commons, belongs here. Interesting sphere of this chapter is description of legal regulation of organizing of consumer or publicity competitions, further a passage

relating to use of somebody else's products in advertising, and last but not least also the passage with a relatively new legal regulation of the so-called Product placement.