

# **A b s t r a c t**

**Title: Payment of Royalties for Performing the Broadcast in the Bedrooms of Spa Facilities**

The purpose of this thesis is to analyse the issue of payment of royalties for performing broadcast in the bedrooms of spa facilities, namely by the form of case study.

The introduction shortly presents chosen subject and highlights the incongruity of jurisprudence in legal disputes relating to payment of royalties by spa facilities.

Chapter one is dedicated to historical progression of different versions of the exceptions contained in section 23 of the Czech Copyright Act, which is also the cause for spa facilities to conclude that they are not liable for paying royalties to appropriate collecting society.

Chapter two examines relevant jurisprudence by Regional Courts, High Courts and the Supreme Court of the Czech Republic. The jurisprudence of the Court of Justice of the European Union is also mentioned.

Chapter three is composed of the introduction to the case study which illustrates the circumstances of the origin of hypothetical legal dispute which is to be solved by this thesis.

Chapter four is the focal point of the thesis and it is presented by the judgement issued by a Regional Court in the legal dispute between the collecting society as a plaintiff and the spa facility as a respondent. The plaintiff's claim is reviewed in terms of the law of the European Union, ratified and announced international agreements and finally in terms of determined provisions of the Czech Copyright Act. It is as well consisting relevation of the issue of availability of bedrooms and also deals with statute of limitations of the claim and suitability of required royalties.

Last chapter shortly refers to legislation on the exceptions from performing the broadcast *de lege ferenda*.

The conclusion summarizes whole thesis.