Abstract

The aim of this master’s thesis is to probe into copyright, especially the moral rights that are inevitably included. Due to the complexity of terminology in intellectual property law, which includes the copyright, it is first provided an overview of intellectual property rights and somewhat as highlighting of some changes that were caused by the adoption of the new Civil Code, particularly with regards to the change of perspective in the conception of a thing in a legal sense.

After this lets say general introduction to intellectual property rights the main focus passes to the definition of basic copyright terminology and there are outlined the principles by which is our copyright controlled.

For a better understanding of moral rights in copyright it is explained what the nature of those rights actually is, together with the definition of basic approaches to moral rights and property rights as well and of course in relation to differentiation from general personality rights, i.e. those that lack the aspect of the creative nature.

Due to the recodification of private law, especially the inheritance law, it is also pointed out that according to the current regulation author’s commands not to disclose his particular work is not for the purposes of inheritance proceedings just a wishful thinking, but it may, provided it is in compliance with legal requirements, cause legal consequences.

In the end I think about what could be changed regarding the issue of moral rights in copyright and conclude that, with regards to the principal of strengthening the autonomy of the will based in the new Civil Code, it would be only appropriate to reflect the same principle in copyright by allowing authors to surrender their rights to particular work.