

Abstract

Copyright aspects of webpages

The main purpose of this master's thesis is to introduce concise history of copyright protection of computer programmes and its present statutory provisions governed by Act number 121/2000 Sb., of the copyright and rights related to copyright (Copyright Act), and its extension and application on one of the fastest developing area of law, such as websites and web presentations. Another important objective of this thesis is the critical analysis and application of the most recent judgements of Czech and foreign courts and also judgements of the Court of Justice of the European Union in the area of computer programmes and internet law itself.

First chapter deals with the history and development of the copyright with particular focus on protection of computer programmes, databases and legal aspects of behaviour on the internet, respectively World Wide Web.

Second chapter is focused on definition of terms which are defined to be used in the following chapters in purpose of application of provisions of the Copyright Act. Chapter also provides detailed description of functioning of web presentations and description of its unique parts which create the web presentation itself.

The following chapter applies the conditions of statutory law and the most recent jurisprudence in the area of websites and the Internet on web presentations. First part of the chapter introduces the reader to the most common and frequently used licences, respectively terms and conditions of licences of particular distributions of the Content Management Systems – CMS. The chapter further introduce the jurisprudence and applies all the law and jurisprudence and all its conclusions on CMSs. The chapter also deals with the law applicable on graphic interfaces of web presentations and its unique position in websites making and functioning of such websites. Last but not least, the chapter does focus on visible content of web presentations and legal provisions which has to be applied on such content. The last part of the chapter emphasises on databases and application of legal provisions and jurisprudence on other specific parts of websites and domain names, respectively legal provisions which deal with specific kinds of web presentations, such as services with user embedded content.

Another chapter deals with shortcomings of the present state of jurisprudence and statutory law and also provides some suggestions on what precautions should be taken to improve the present state of legislation.

The last chapter contains concise conclusion which briefly summarizes general conclusions which has arisen from previous chapters.