

## **Abstract**

This diploma thesis deals with video games as a problematic part of software law that is constantly growing in importance. It focuses on legal difficulties that were a byproduct of their growing economic potential. It further explains relevant aspects of copyright law in this matter and, to a limited degree, also related problematic from different branches of law, namely criminal law, administrative law and civil law. During the writing, I was focusing on distinctive aspects of video games as specific kind of software, and their distinctions from different kinds of works, especially from „classic“ computer programs.

An introduction to the problematics, an establishment of aims of this work and a brief summary of video games from the forties to the present times can be found in the first chapter. Basic terminology that is used in this work is in chapter two. The thesis further continues with legal concepts such as author, work and computer program. It proceeds with thoughts on a possible subsumption of video game under a certain kind of work as it is defined in the copyright act and considers establishing an individual category for video games. Chapter five defines content of copyrights, their division on personal and property law with a focus on the specification of different kinds of property law. The work continues with a comparison of different national legal regulations from the perspective of different legal approaches of video games classification. The next chapter contains key judicature for video games, including resolutions of Court of Justice of the European Union and the important decision of the United States Court of Appeals. The Eighth chapter treats the partial problematic of video games, with emphasis on new forms of their use and a description of multiple methods that are used in legal practice when dealing with the given problematic. Also, multiple useful foreign legal institutes that are used in case of potential invasion of copyright are mentioned here. Chapters nine and ten describe legal protection of video games, especially in regards to instruments of copyright law protection and the problem of piracy including basics of computer program licenses. The work ends in a conclusion, in which I summarized the most important problems of the current legal status of video games and its potential solutions.