

Abstract: The chosen aspects of protection of personality in the focus of the new media

The main aim of this thesis is to demonstrate on a scale of a few chosen aspects in which way are the personal rights protected in the environment of the new media and to what extent is this protection really working. In this thesis I describe the traditional institutes of the protection of personality, as well as the new ones, which are applied in the very specific environment of the new media. I show and describe the advantages and the weak points of these institutes on the deliberately chosen aspects

Firstly, I dedicate the opening chapters to the protection of personality in general and describe the traditional institutes of the protection of personality. Then I focus on the specificity of the new media as the phenomenon I describe the new media from the legal and sociological point of view. After that I think over the legitimacy and need of the cyberspace regulation and the formation of a new legal area.

In Chapter Two I describe the most common problems that confronts the protection of personality in the new media environment. On the chosen courts' decision I demonstrate the basic decision making principles of the Czech and European courts when the confrontation of two fundamental rights is needed (the most commonly are confronted the personality rights and the freedom of expression). Then I focus on the institutes of the personality protection arising from the area of the traditional mass media and I think about the possibility of their use in the new media.

In the most extended chapter, Chapter Four, I demonstrate on the chosen aspect in which way are the rights of personality protected in the cyberspace. For that I proceed from the practical experience and the decisions of the Czech and European courts. I also focus on the concrete social networks and their rules of use. Furthermore I reflect the problem of the privacy capitulation on the Internet and in the final chapter I deal with the practical enforceability of law in the new media environment.