

The provision of online music streaming services and the management of copyright in the light of the Directive 2014/26/EU and its implementation in the Czech Republic and Denmark

Abstract

This thesis presents an insight into the management of copyright in musical works, with particular focus on their use in provision of online streaming services, together with the discernment of the individual aspects of such management in the context of changes brought about by the Directive 2014/26/EU and its implementation in the Czech Republic and Denmark. The aim of this thesis is to primarily describe the various models of copyright management and their importance for both the users of works and the right holders in the contemporary era of digital uses, and at the same time to analyse the individual legislative interventions into these models, confront them and infer possible *de lege ferenda* implications. The introductory part of the thesis also describes the streaming technology itself, especially with regard to its copyright aspects, whose grasp is essential for a proper description of the different modes of protection and application of copyright.

The thesis is divided into eight chapters. The first chapter describes the historical development of copyright protection of works in the digital environment. The following chapter examines the two main copyrights related to the online use of copyright works, in particular with respect to defining their basic aspects as are understood by the European and national legislations, as well as the case law of the Court of Justice of the EU and the Czech courts. These aspects are then subsequently applied in the third chapter, to form the legal and technical characteristics of streaming technologies. The fourth chapter deals with the description of the individual forms of copyright management with a special focus on the collective form of administration. It then follows with specifying the importance of these forms in regards to the provision of online music streaming services. The fifth chapter addresses the analysis of the Directive 2014/26/EU and its approach to the different forms of copyright management, together with the illustration of the possible impacts of this document. The last three chapters concern the implementation of the Directive 2014/26/EU into the Czech and Danish law, together with the comparison of the two different approaches to it. The results of this comparison serve as the basis of *de lege ferenda* considerations regarding mainly the adaptation of the copyright framework to the management of copyright in the modern digital environment.