

**„Copyright and China: Protection Against the Violation of Authors' Rights in the People's Republic of China“
SUMMARY – ENGLISH**

„On September 7, 1990, at the Fifteenth Plenum of the Standing Committee of the Seventh National People's Congress (NPC), the People's Republic of China promulgated the first copyright law in its history, with 102 votes in favor and ten opposed or abstaining. The establishment of the Copyright Law marked the end of a tortuous road that had snaked through the Mao era and spanned the entire first half of the reform era as well.“¹ And let us add that the following course taken towards the establishment of a Chinese copyright law system was not quite less dramatic, and neither is the situation of the Chinese copyright law at present.

This thesis by no means aspires to cover, to contrast and compare in an exhaustive manner, the whole of both the Czech and Chinese copyright law systems (or, since both the countries draw their theoretical grounds more or less from the continental copyright doctrine, „right of autorship“ systems) currently in force. That would be a task better suited for a work aspiring on higher academic titles than the magisterial one.

The goal of this work is, first, to sum up the complicated genesis of the said branch of law (during which it discusses the ongoing academic debate concerning the existence of the copyright law institutes and/or copyright law system in imperial China, and also the complicated process of evolution of a copyright law system in 20th century China); second, to take a look at the current situation of copyright law in China, to investigate into the functioning of the Chinese legal system, to explore some of its most important principles, and to lay out the legal framework of remedies available to persons whose copyright (or right of authorship) has been breached. It then proceeds to examine the concept of breach of copyright in Chinese and Czech law respectively, and to further implore into the various modalities of the aforesaid. The work takes an in-depth look into the different breaches of copyright law sanctioned, in Chinese law, by both civil and administrative, and by criminal law, in comparison with corresponding Czech legal institutes.

Thirdly, this work gives a brief description of the day-to-day functioning of the rapidly developing Chinese Copyright Law system – the state of which is a contentious topic both among legal theoretics and politicians. It then attempts to sketch some of the most important reasons of the present state of affairs concerning Chinese Copyright law.