

The main ambition of this thesis is to describe and to characterize factual and legal nature of contractual relationships in the area of intellectual property law, especially with a view to computer programs. Nowadays the computers and the computer programs means something inseparable of our everyday lives. The 21st century is sometimes characterized as „the informational age“. The term is closely connected with other the term „information society“ which means society typical with using and processing information. The information has the global meaning and top-priority importance. These circumstances lead to expansion of industrial branch which is typical with cooperation of authors and IT experts from all over the world. The adequate legal regulation of relationships between all participants is necessary.

The thesis primarily deals with problems of computer programs in connection with copyright law. In terms of the Czech copyright legislation the computer program is actually regarded as literary work. However in general meaning it is very complicated to characterize computer program as literary work. The creating and using of computer program is therefore typical with the great variability of contractual relationships. The different interests of contractual parties are markedly reflected in these relationships. The thesis focuses particularly on licence which is the most often way how to dispose with computer program.

The thesis itself is divided into nine closely connected chapters. The first chapter deals with sources of copyright law. The emphasis is on European community law which is undoubtedly beneficial to national law. The second chapter focuses on law interpretation of term „computer program“. The stress is laid on components which define the terms. The

technical aspect of computer program which is necessary for general understanding of the area is also touched in his chapter. The third chapter deals with subjects of copy right law relationships particularly with personal and property rights of author. The licence as the basic and the general kind of contracts in relation to copy right law relationships is described in chapter four. The chapter analyzes the conditions of conclusion, chase or disclosure of the licence. The chapter five focuses on some special types of copyright law relationships. The summary of different types of licences which are nowadays used for computer programs is contained in chapter six. In respect to flexibility and newness of this part of law only the currently known and used licences are described. The aim of the seventh chapter is to characterize practical feature of creating computer programs and of dealing with them afterwards. The last two chapters – chapter eight and chapter nine contain description of possible protection from misuse of copyright in term of law and also with possible consequences do misuse.

The author of this thesis is of the opinion that there are many points which should be discussed. For example is it suitable to include the computer programs into „literary work“ or other problematic issue is the period for which copyright law is protected after the death of author. The possible solution of these and many other problematic issues *de lege ferenda* is being seen in area of international and European community legal regulation.