

Abstract

Copyright Aspects of International Trade in Works of Art

My thesis deals with copyright aspects of international trade in works of art. I decided to elaborate the theme due to my interest in the study of copyright and the international art market. The issue is explored mainly through overview of the relevant international, EU and Czech legislation. The work is introduced by historical development of the copyright and excursus to the development of international trade in works of art.

This study aims at analysing of the copyright aspects of international trade, not international trade law and private international law, even they affect the copyright aspects of international trade undoubtedly and both are crucial for this field. But if necessary, in spite of its copyright focus my thesis interferes in this area too.

Breakdown of my work is based on a systematic examination of the issue described. First, I focused on copyright aspects of the theme relevant to the overall focus of the work, i.e. the path to recognition of copyright, its different concept in the continental and the Anglo-American law system and the beginnings of its embedding. Then I focused on the international trade in works of art, from the most general basis pertain to its development and specifics, complemented an overview of the legislation that relates to this specific type of international trade. Parts concerning the application of copyright laws and setting of the minimum standards of protected subject matter, economic rights and its limitations and exceptions at the international level supplement these definitely crucial chapters. Chapter dealing with the protection and enforcement of copyright concludes the issue.

My study has confirmed the fragmentation of foreign copyright legislation, but also a high level of copyright protection in developed countries and positive changes consisting in compliance with the minimum standards of copyright in developing countries, due to its membership in the international community and participation in bilateral and multilateral agreements.