

## **Abstract in english**

The private copying exception, as a traditional part of Copyright in the European Continental law, has become nowadays due to the development of information technologies and especially Internet probably the most discussed topics in the field of Copyright. The aim of my thesis is to offer a complex view on the exception, so I therefore deal with many related issues which are important for answering the question: „Is the private copying exception still justifiable – or to what extent – in Information society, when you can get almost every book, painting, music work or movie in few minutes on the Internet?“

The thesis introduces the most influent traditional justifications for copyright and examines whether the copyright is able to preserve its known attributes – especially aspect of exclusivity – while in the age of Internet the link between the intangible creative work and physical medium has been broken. However, central point of my thesis is the three-step test, the crucial provision in the current system of intangible property, both on international and EU level. The three-step test should maintain adaptation of copyright to the changing technological and social conditions, because every single using of copyrighted work formally falling within the extent of exception has to fulfil its three conditions to be allowed. In the context of three-step test I therefore examine two related and often discussed legal instruments – technological protection measures and copyright levy – with special respect to current decisions of Dispute Settlement Body in the WTO and Court of Justice of EU. Finally, conclusions drawn from the previous chapters are employed for considering the conformity of some common ways of enjoying the exception to the three-step test and therefore copyright.