

Abstract: Copyright and other protection of visual arts

The main topic of this thesis is the copyright and other protection of visual arts. Its aim is to present the main principles of Czech copyright law, illustrate these general rules on examples of visual art, and point out the specifics of the Czech copyright towards these works. Apart from the Czech copyright law, this thesis presents the basic rules of American copyright law, as an introduction to this subject matter in a different legal system. This thesis then shows the legal rules of copyright law in the Czech Republic, which emerges from civil law, and the legal rules of copyright in the USA, which extends from common law. The purpose is not to compare these two legal systems in detail, but to explain the Czech rules in context of a foreign legal system, which offers different concepts and other solutions.

The first chapter presents the legal sources of Czech and American copyright. Chapter two describes the basic principles of Czech copyright law, which is followed by an introduction to American copyright law in chapter three. These two chapters interpret the origins of Czech and American copyright, define the work of copyright in both systems as well as explain in legal terms of what a “work of visual art” means in these systems. Chapter four is about both authorship and copyright ownership and various associated rights, while highlighting the main differences in both countries. The copyright segment is concluded in chapter five with its description of public-law and private-law protection of visual art.

The sixth and final chapter focuses on the protection of artwork with respect to forgery. This part presents an overview of facts on how the original artworks are protected, especially paintings, when they are copied or otherwise misrepresented. This chapter describes the methods of authenticating a painting, through the consultation of experts, provenience and science.