ABSTRACT

Remedies for copyright and neighbouring rights infringement in international context

The aim of this thesis is to comprehensively summarise the current international state of remedies for copyright and neighbouring rights infringement. For that purpose the thesis outlines subject matter of copyright and neighbouring rights, international and European legislation, execution and infringement of such rights.

With regard to intangible nature of subjects protected by copyright and neighbouring rights, it is not sufficient to prescribe measures only at national level; on the contrary it is necessary to prescribe legislation internationally, because execution and infringement of rights can occur at multiple locations simultaneously. Therefore, this thesis also deals with current issues of digital era, which must be dealt with by the law of copyright and neighbouring rights.

The topic of this thesis is divided into five parts.

First chapter outlines the intellectual property rights and mainly the special nature of copyright and neighbouring rights.

Second chapter summarises most of international treaties in the field of copyright and neighbouring rights and guides through the evolution of international legislation. Further the chapter summarises the European legislation on copyright and neighbouring rights, and also outlines requirements on enforcement measures.

Third chapter summarises execution of copyright and neighbouring rights with focus on territoriality of protection, exceptions and limitations and exhaustion of rights.

Fourth chapter outlines types of infringement of copyright and neighbouring rights and then summarises current practical issues connected to infringement in digital environment.

Last chapter deals with remedies for copyright and neighbouring rights infringement, which can be employed by right holders in case of interference with their exclusive right. The chapter sorts the remedies and afterwards elaborates their current state with focus on advanced European legislation.