

Let's Play videos from the point of view of copyright law

Abstract

This Master's Thesis examines Let's Play videos (that are a new but significant and popular part of the entertainment industry) from the point of view of copyright law, especially the Czech one. The view of the European Union law is of course not omitted. With respect to the global nature of the issue, the Thesis includes selected foreign legislation, case law and expert opinions. Since the issue of Let's Play videos is new and almost unexplored, this Thesis examines and defines not only Let's Play videos but also their creators. It also identifies sources of income from Let's Play videos, persons involved and their interests, which can collide with each other. Given the existential interdependence of Let's Play videos on videogames, this Thesis examines even some relevant copyright aspects of videogames.

Besides the question of copyright classification of Let's Play videos, the Thesis also deals with not so obvious consequences of such classification. There are analyzed possible legal titles for the use of video games and their elements in the creation, publication and monetization of Let's Play videos as well.

Subsequently, this Thesis also examines and analyses the current worldwide licensing practice in this field. Despite the fact, that prevailing positive attitude of videogame companies to Let's Play videos creation and their monetization through display of ads and various partnerships with information society services that enable watching Let's Play videos was found, the author of this Thesis was struck by the form in which are granted approvals. The practice of unilateral statements of videogame companies is very problematic, and in the opinion of the author of this Thesis it is also contradictory with the Czech copyright law. All this in the situation, where videogame companies and users of their videogames are concluding extensive licensing agreements, but which explicitly not address issues of Let's Play videos, or which forbid them (which is often contradictory with the unilateral statements of these videogames companies).

At the end of this Thesis are then presented considerations *de lege ferenda*. Great attention is paid to the fair use principle, which is established in the copyright law of the United States of America.

Key words: copyright law, Let's Play videos, videogames, licensing practice