[CZ] Act on Copyright Amended

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Act No. 121/2000 Coll. on Copyright and Rights Related to Copyright and on Amendments to Certain Acts (the Copyright Act 2000), was amended by Act No. 81/2005 Coll., Act No. 61/2006 Coll. and Act No. 216/2006 Coll.

In the year 2000, when the Copyright Act 2000 was issued, the Directive 2001/29/EC on the harmonisation of certain aspects of copyright and related rights in the Information society and the Directive 2001/84/EC on the resale right for the benefit of the author of an original work of art were under preparation. Some principles of this new Directives were already embodied in the Copyright Act 2000. But the complete implementation of the new Directives was effected by the amendment of the Copyright Act No. 61/2006 Coll. which is therefore the most significant amendment to the Act of 2000. It takes into account also the Directive 2004/48/EC of the European Parliament and of the Council on the enforcement of intellectual property right and the Commission Recommendation 2005/737/EC on collective cross-border management of copyright and related rights for legitimate online music services.

A problem is remaining with broadcasting within the provisions of accommodation services. The text of provision of Article 23 of the Copyright Act 2000 reads as follows:

“Performing the broadcast of a work shall mean that the work broadcast by radio or television is made available by means of a facility technically capable to receive such broadcasts. Making the work available by means of facilities technically capable to receive broadcasts to guests accommodated within the provision of accommodation services shall not be considered, under Article 18 paragraph 3, as performance of broadcast reception where such facilities are located in the rooms intended for private use by the accommodated persons. Making the work so available to patients to whom health care is provided in health care and medical facilities shall also not be considered, within the meaning of Article 18 paragraph 3, as performance of a broadcast work.“

Currently (in 2007), a further amendment of the Copyright Act is under preparation. It concerns the broadcasting in the hotels and other accommodation facilities which should be considered as performance of broadcast reception.

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Úplné znění zákona č. 121/2000 Sb. o právu autorském a právech příbuzných ve znění zákonů č. 81/2005 Sb. , č. 61/2006 Sb. a 216/2006 Sb.

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