



7 June 2023

(23-3900)

Page: 1/2

**Council for Trade-Related Aspects of
Intellectual Property Rights**

Original: English

**NOTIFICATION OF LAWS AND REGULATIONS
UNDER ARTICLE 63.2 OF THE TRIPS AGREEMENT**

ACT NO. 429/2022 COLL., AMENDING ACT NO. 121/2000 COLL., ON COPYRIGHT, ON RIGHTS RELATED TO THE COPYRIGHT AND ON AMENDMENT OF CERTAIN ACTS ("THE COPYRIGHT ACT"), AS AMENDED, AND RELATED ACTS

Notifying Member	CZECH REPUBLIC
-------------------------	-----------------------

Details of the notified legal text

Title	Act No. 429/2022 Coll., amending Act No. 121/2000 Coll., on Copyright, on Rights Related to the Copyright and on Amendment of Certain Acts ("the Copyright Act"), as amended, and related acts
Subject matter	Copyright and related rights
Nature of notification	<input checked="" type="checkbox"/> Main dedicated intellectual property law or regulation <input type="checkbox"/> Other law or regulation
Link to legal text*	https://ip-documents.info/2023/IP/CZE/23_10042_00_e.pdf https://ip-documents.info/2023/IP/CZE/23_10042_00_x.pdf
Notification status	<input type="checkbox"/> First notification <input checked="" type="checkbox"/> Amendment or revision to notified legal text <input type="checkbox"/> Replacement or consolidation of notified legal text(s)
Previous notification(s) referred to	IP/N/1/CZE/C/5 ; IP/N/1/CZE/C/4/Add.1 ; IP/N/1/CZE/C/4

Brief description of the notified legal text

The new legislation implemented Directive (EU) 2019/790 on copyright and related rights in the Digital Single Market and Directive (EU) 2019/789 laying down rules on the exercise of copyright and related rights applicable to certain online transmissions of broadcasting organizations and retransmissions of television and radio programs.

The amendment introduced many important provisions adapting the Czech copyright law for the digital age, such as:

- a new right for press publishers vis-à-vis information society services, such as search engines or social networks, to ensure that press publishers share in the profits that these services receive when they use the content created by publishers;
- a special regulation of the online content-sharing service providers' responsibility for copyright infringement in cases when users of their services upload copyright-protected content;
- new exceptions and limitations to copyright (e.g. for the text and data mining or digital teaching);

- a new legal framework for out-of-commerce works, that will make it easier for libraries, museums, galleries and archives to make digitized collections accessible online through digital libraries (such as EUROPEANA and other similar projects).

The amendment also revised several provisions of the Civil Code on the licensing agreements. For example, it introduced a rule that remuneration should be negotiated on a revenue basis and lump-sum payments should be an exception. The so-called best-seller remuneration clause was extended and will be applicable also for contracts with lump-sum remuneration. Also, a new information obligation of the licensees to provide authors and performers with information on the use of the subject matter and the revenues from it was added as well as the possibility to withdraw from the licence agreement if the work is not used.

Language(s) of notified legal text	English, Czech
Entry into force	5 January 2023
Other date	

Notification details

Submission date of notification	22 May 2023
Other information	<p>https://mkcr.cz/doc/cms_library/novela-az-c-429_2022-16214.pdf (legal text of the amendment in Czech)</p> <p>IP/N/1/EU/C/14 <i>(Directive (EU) 2019/790 of the European Parliament and of the Council of 17 April 2019 on copyright and related rights in the Digital Single Market and amending Directives 96/9/EC and 2001/29/EC)</i></p> <p>IP/N/1/EU/C/13 <i>(Directive (EU) 2019/789 of the European Parliament and of the Council of 17 April 2019 laying down rules on the exercise of copyright and related rights applicable to certain online transmissions of broadcasting organisations and retransmissions of television and radio programmes, and amending Council Directive 93/83/EEC)</i></p>
Agency or authority responsible	<p>Ministry of Culture - Copyright Department</p> <p>Email: adela.faladova@mkcr.cz</p> <p>Ministry of Industry and Trade - Trade Policy Department</p>

* Links are provided to texts of laws and regulations notified under the TRIPS Agreement in the form supplied by the Member concerned; the WTO Secretariat does not endorse or revise their content.