

SUMMARIES

THE JUDICIAL PRACTICE OF THE RIGHT OF COMMUNICATION TO THE PUBLIC IN THE EUROPEAN UNION – SOLUTIONS AND CONTRADICTIONS

Gábor Faludi

The article lists and analyses the preliminary decisions of the European Court of Justice passed to interpret the communication to the public (C2P) right as laid down in Article 3 of the INFOSOC Directive. Since the number of the preliminary decisions dealing with the C2P right exceeds 40, it is worth to make a categorisation and at the same time evaluation of the rulings. The first category covers the „public performance”-type decisions, where protected content – originated by another entity – is made available for the public being present at the place where the commercial use in question occurs (e.g C2P in hotel rooms, bars, restaurant, commercial shops). Another category of the decisions tries to tidy up the broadcasting-type uses, where an entity other than the original broadcaster makes C2P. The issues of the making available right constitute the third category, while the evaluation of various cases of hyperlinking belong to the last category.

THE COST OF PROTECTION 3. THE REMUNERATION OF FILM WORKS AND CREATORS OF TV PROGRAMMES

Zoltán Károly Kiss PhD

The study deals with the different methods of establishing and measuring copyright fees – depending on the nature of use – in relation to audiovisual works. The remuneration of the authors of films and television programs cannot be separated from the specific legal relationship of filmmakers, film producers and television organizations, the provisions of the Film Act and the Media Act, as well as the role of joint rights management in the use of audiovisual works. No doubt that the special rules for contract on adaptation for screen do not guarantee authors of films actual access to remuneration and royalties. The authors of television programs usually carry out their creative activities within the framework of an employment relationship or a legal relationship contained in a contract on adaptation for screen, so legal disputes in connection with remuneration rarely arise between authors of television programs and television organizations.

THE PROBLEMS ABOUT THE LEGAL APPROACH OF THESES AS COPYRIGHT WORKS

Adrienn Aczél-Partos LL.M.

This study delves into the legal aspects surrounding the completion of theses and dissertations by final-year students in Hungarian higher education institutions. Providing a historical overview, it aims to clarify the conceptual definitions of the terms 'thesis' and 'dissertation'. The research involves a comparative analysis of the academic and examination regulations from various Hungarian higher education institutions, focusing on the key characteristics of theses and dissertations. The study also highlights the uneven practices in university libraries regarding thesis-related services, primarily due to the lack of specific legal regulations. Additionally, the paper brings attention to the substantial influence of theses in academic settings. It underscores the urgent need for appropriate legislative regulation in the higher education law to address these issues adequately in the future. This study aims to shed light on the significant power of theses and stresses the vital need for proper regulatory measures in the future higher education legislation.