



## ALAI Czech Republic Annual Report 2015

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### 1. Introduction

In 2015 the regular activity of the Czech national group ALAI continued, representatives of ALAI Czech Republic participated at the ALAI world congress in Bonn, the chairman represented the Czech branch in the work of the Executive of ALAI in Paris, seminars continued to be held in Prague. ALAI Czech Republic also took part in organising the section intellectual property law at the Olomouc Legal Days conference.

Since 2015 the group has followed the new statutes approved on 16.12.2014.

The most important event was the application to hold an ALAI world congress in 2019 in Prague. This application was approved and positively adopted by the ALAI Executive at the meeting of 21.3.2015 in Paris. The congress will take place on the 100th anniversary of OSA a ÚPV and ALAI will seek to acquire wide public and professional support for the holding of the congress.

In May 2015 ALAI Czech Republic was included by the Ministry of Culture in the working group for the amendment to the Copyright Act. A number of professional suggestions were elaborated for the amendment to the act, of which the Ministry of Culture adopted many at its own aegis (the opinion of the ALAI is accessible at <http://www.alai.cz/index.php?id=21>).

Detailed information on the activity of the group can also be followed on the [www.alai.cz](http://www.alai.cz) pages, which are regularly updated.

### 2. Activity in 2015

The association's main activity in 2015 continued to be the organisation of seminars devoted to various aspects of copyright law and rights connected with copyright. Although the seminars are intended chiefly for association members, they are not closed to lay experts.

#### **Olomouc Legal Days conference 21 – 22. 5. 2015 (Olomouc)**

ALAI Czech Republic at the initiative of **prof. Ivo Telc** participated in the holding of the section on intellectual property law at the Olomouc Legal Days conference organised by the Law Faculty of the Palacký University. Several members of ALAI also appeared at the conference.

**Seminary 28.5.2015 – Amendment to the copyright act and regulation on collective management (Prague)**

ALAI Czech Republic in cooperation with the Institute of Copyright Law, industrial rights and competition law of the Law Faculty of Charles University in Prague prepared a workshop with **Adéla Faladová** for the preparation of the amendment to the copyright act and the transposition of the regulation on collective management. The workshop took place with the keen interest of members of the wider professional public.

### **World Congress 18. – 20. 6. 2015 – Remuneration for the use of works – exclusiveness vs. other approaches (Bonn)**

ALAI organised the world congress on the stated themes. Details on the congress can be found on the congress website [www.alai2015.org](http://www.alai2015.org). Proceedings with conference contributions were distributed to ALAI members.

### **Seminary 25. 6. 2015 – News Aggregator Liability (Prague)**

At the initiative of our member **Jiří Jirsa** and in conjunction with the Institute of Copyright Law, industrial rights and competition law of the Law Faculty of Charles University in Prague a seminary was prepared with **Professor Toshiko Takenaka** from the University of Washington School of Law, which was dedicated to the news aggregator liability of news content, especially in connection with the Google News service.

### **Summer meeting 30.7.2015 (Prague)**

The group used the summer period for the social meeting of members in the Žofín Garden restaurant.

### **Seminary 21. 10. 2015 – Free Licence – copyright and tax aspects (Prague)**

**Matěj Myška** (Institute of Law and Technology at the Masaryk University Law Faculty, legal lead Creative Commons CZ) delivered a lecture on current copyright questions of free licences and **Libor Kyncl** (Department of Financial Law and National Economy at the Masaryk University Law Faculty, attorney) delivered a lecture on tax aspects of the application of free licences in business.

The presentation by M. Myška is available to be downloaded on the ALAI website, the article by L. Kyncl was published in the magazine *Právní rozhledy* 3/2015 (accessible at <https://www.beck-online.cz/>).

For help with organisation we thank the Chamber of Tax Advisors. The seminary was supported by DILIA through the provision of space and refreshments.

### **Seminary 9. 12. 2015 – Industrial designs, Berne Convention and criterion of originality (Prague)**

**Pavel Koukal** (Department of Civil Law at the Masaryk University Law Faculty) delivered a lecture on the current problems concerning the legal protection of works of applied art. The occasion was also used to release the new commentary by the Wolters Kluwer publishing house on the Act on the protection of industrial designs from the team of Pavel Koukal, Miroslav Černý, Radim Charvát.

The organisation of the seminary was kindly supported by the Wolters Kluwer publishing house.

### 3. Management of the association

The association's management resulted in a loss caused by the fact that the contribution for the International Literary and Artistic Association for 2014 was paid in the fiscal year 2015. At the same time, the contribution for 2015 was paid.

The association's sole income in 2015 was made up of contributions of members (CZK 37,000) and a donation (CZK 1,000).

Outline:

Income: **CZK 38,000** out of which:

- CZK 38,000 – membership contributions (8 membership contributions were not paid in time in 2015, 2 membership contributions were prepaid in 2014, 1 membership contribution paid in 2015 was paid for 2013, 3 membership contributions paid in 2015 were paid for 2014, 1 membership contribution paid in 2015 was paid for 2016).

Expenses (including VAT): **CZK 53,859.30**, of which:

- CZK 23,382.60 contribution for the International Literary and Artistic Association for 2014
- CZK 27,282.71 contribution for the International Literary and Artistic Association for 2015
- CZK 2,400.09 – duty/tax on a shipment of books for members from Japan (record of the congress in Kyoto of 2012)
- CZK 566 webhosting;
- CZK 168 alai.cz domain;
- CZK 60 bank fees.

According to the new statutes, on the day they came into effect (1.1.2015) for reasons of simplification of the administration the reserve fund was cancelled and its balance was transferred to the association's equity based on the decision of the assembly of members of 16.12.2014

The group further acquired from the Japanese and Belgian national ALAI groups the proceedings from the congresses in Kyoto (2012) and Brussels (2014), which were provided to members. Collection of the mail from Japan was connected to administrative fees of CZK 2 400.09.

### 4. Association's bodies and officials

The general assembly is the association's supreme body.

The association's executive body is the board of trustees of five members. Its composition did not change in 2015:

- Zuzana Císařová
- Rudolf Leška (chairman of the association)
- Jakub Menčl (deputy chairman of the association)
- Ivo Telec
- Petra Žíková

The chairman is the association's governing body. Rudolf Leška was the first chairman during the whole year.

The new statutes which came into effect as of 1.1.2015 established a new controlling body, which is the control commission. The assembly of members of 16.12.2014 elected these members of the control commission (for an electoral period of 5 years), which from 1.1.2015 took up their function and fulfilled it for the whole period of 2015 (it should be noted that the Commercial Court wrongly registered the period of formation of the function on the date 16.12.2014):

- Jiří Štaidl
- Kateřina Štechová
- Vojtěch Chloupek

The officials were registered in the group register maintained by the Municipal Court in Prague.

### **5. Membership base**

In 2015 the membership base was further expanded. As of the end of 2015 the membership base had 43 members, including the member who suspended his membership in 2014.

### **6. Addendum: Financial statement 2015**

*Follows on separate pages.*

Annual Report was compiled by  
Rudolf Leška, chairman.