SILESIAN UNIVERSITY OF TECHNOLOGY PUBLISHING HOUSE

SCIENTIFIC PAPERS OF SILESIAN UNIVERSITY OF TECHNOLOGY 2025
ORGANIZATION AND MANAGEMENT SERIES NO. 218

THE SUBJECT OF COPYRIGHT PROTECTION IN MUNICIPAL OFFICES

Anna BOHDAN[1*], Monika SZYMURA[2]

[1] Opole University of Technology; M.Szymura@po.edu.pl, ORCID: 0000-0003-2148-0691
[2] Opole University of Technology; A.Bohdan@po.edu.pl, ORCID: 0000-0001-6946-0812
* Correspondence author

Purpose: Copyright management and protection are an essential element of the activities and development of municipal offices. As part of their functioning, various solutions are created and applied in the field of products of human creative activity, subject to legal protection, which results in the need to ensure proper protection of copyright for authors. The scope and subject of this protection are determined by the provisions of the Act of 4 February 1994 on Copyright and Related Rights (The Act, 2022, Item 2509). The aim of this article is to answer the question of what are the main categories of works created, used and distributed in municipal offices.
Design/methodology/approach: The basis for the considerations is the subject literature and the analysis of the legal provisions in force in the area discussed.
Findings: Copyright protection plays an important role in the activities of the municipal office. In order to ensure the proper functioning of local government units (at all levels), knowledge of copyright protection is a key element. Municipal offices use not only works to which they have exclusive rights, but also those to which other entities (e.g. contractors or parties to administrative proceedings) have copyright. Knowledge of the principles of protection of a work under copyright law can contribute to better implementation of tasks by local government units.
Practical implications: It would be beneficial if local government units raised their awareness of copyright to works both created within these entities and used by them. Raising consciousness and knowledge of respecting copyright can minimize the number of disputes in this regard.
Originality/value: This article addresses the issue of managing intellectual property rights in an organization, which is an important aspect from the perspective of the municipality.
Keywords: intellectual property, copyright, municipal office, work.
Category of the paper: viewpoint, literature review.

1. Introduction

Intellectual property is understood as intangible products of the human mind. It cannot be perceived by the senses, although they can contribute to its better understanding. Cognition itself is of a rational, precisely intellectual nature (Sieniow, Włodarczyk, 2009). Protection covers intangible property (intellectual property), not its manifestation, i.e. the material carrier of the form or content of the work. According to the Supreme Court judgment of 15 November 2012, "copyright protection does not cover the object on which the work was fixed (corpus mechanicum)" (Pądzik, 2014). Among intellectual goods, it is worth mentioning such objects of exclusive copyright as: works and related rights, inventions that do not require individual or artistic character, trademarks and industrial marks, as well as protected factual states, such as business secrets (Golat, 2005). Protection covers absolute subjective rights of creators or other authorized entities (including producers, broadcasters, publishers).

Intellectual property rights show some similarity to property rights, in particular to ownership. Despite certain differences (the subjects of ownership are, in particular, tangible objects, while intellectual property only refers to intangible goods), in both cases there is a kind of monopoly of the entitled entity. According to the content of art. 140 of the Civil Code, an owner may, within the limits set by law and the principles of community life, to the exclusion of other persons, use a thing in accordance with the social and economic purpose of his right, and may also collect the profits and other revenues from the said thing. Within the same limits, he may dispose of the thing (The Act, 2024, Item 1061). Therefore, in the case of both ownership and intellectual property, control over the thing and deriving any benefits and bearing burdens related to the use of the protected object is the domain of the entitled entity. In both situations, a third party, i.e. a tenant or licensee, may also derive benefits.

The concept of "intellectual property" was introduced by the provisions of the Stockholm Convention of 14 July 1967 establishing the World Intellectual Property Organization. Article 2, point viii of the above Convention defined intellectual property as rights relating to:

- literary, artistic and scientific works,
- interpretations of interpreting artists, and performances of performing artists, phonograms, and broadcasts,
- inventions in all fields of human endeavor,
- scientific discoveries,
- industrial designs,
- trademarks, service marks, and commercial names and designations,
- protection against unfair competition,

and all other rights resulting from intellectual activity in the industrial, scientific, literary or artistic fields (Convention, 1975).

WIPO (World Intellectual Property Organization) therefore understands intellectual property to include rights relating to, for example, the interpretations of interpreting artists, and performances of performing artists, phonograms and literary, artistic and scientific works, radio and television programs, inventions in all fields of human activity, scientific discoveries, industrial designs, trademarks and service marks, trade names and trade designations, protection against unfair competition.

Under Polish legal regulations, intellectual property covers broadly understood intellectual activity and exclusive rights related to it, which include: copyright and rights related to copyright, database rights, industrial property law relating to inventions, utility models and industrial designs, trademarks, geographical indications and topographies of integrated circuits.

Copyright management and protection are an essential element of the activities and development of municipal offices. As part of their functioning, various solutions are created and exploited in the field of the products of human creative activity, subject to legal protection, which results in the need to ensure proper protection of copyright for authors. The scope and subject of this protection are determined by the provisions of the Act of 4 February 1994 on Copyright and Related Rights (The Act, 2022, Item 2509).

One of the important elements in the activities of municipal offices is taking into account the provisions of copyright law enabling the lawful use of works protected by this law. This article is an attempt to present the issue of copyright protection in a municipal office in the context of the category of works created, used and distributed in municipal offices. The aim of the article is to show what the basic types of these works are in the light of copyright law. The article is based on an analysis of legal regulations and case law.

2. Subject of copyright protection

Municipal offices are public administration institutions operating at the municipal level. They are organizational units of the municipality, with the help of which the executive bodies of the municipalities implement tasks resulting from the Act of 8 March 1990 on Local Government (The Act, 2024, Item 1465). They include two categories of tasks: municipal (local) public tasks and tasks assigned from the scope of government administration. The organization and principles of operation of municipal offices are determined by organizational regulations, issued by the executive bodies of the municipalities by way of orders.

According to Article 1 of the Copyright and Related Rights Act, “The object of copyright shall be any manifestation of creative activity of individual nature, established in any form, irrespective of its value, purpose or form of expression” (The Act, 2022, Item 2509).

The Act lists the categories of works covered by copyright protection. These are works: 1) expressed in words, mathematical symbols, graphic signs (literary, journalistic, scientific, cartographic works and computer programs), 2) artistic works, 3) photographic works, 4) string musical instruments, 5) industrial design works, 6) architectural works, architectural and urban planning works as well as urban planning works, 7) musical works as well as musical and lyrical works, 8) theatrical works, theatrical and musical works as well as choreographic and pantomime works, 9) audiovisual (including film) works (The Act, 2022, Item 2509). It is worth emphasizing, however, that this list is only exemplary, and the catalog of works protected under copyright law is open.

"The claim that a work is a manifestation of 'creative activity' means that the work should be the result of creative activity. This premise, sometimes referred to as the premise of 'originality' of the work, is fulfilled when there is a subjectively new product of the intellect" (I ACa 800/07). At the same time, "a manifestation of human intellectual activity cannot be considered a work and protected by copyright if it lacks sufficiently individualizing features, i.e. distinguishing it from other products of a similar type and purpose" (III CSK 40/05). Therefore, we will always be dealing with a manifestation of creative activity when the creation of a specific work is the result of "intellectual effort" and not the simple reproduction of an already existing subject of protection (Szczepanowska-Kozłowska, 2010).

When assessing the individuality of a given work, its type should be taken into account (V CSK 337/08). In addition, "the assessment of the individuality of a work should be carried out by examining two conditions. First of all: whether there was a creative space within which the author could create and whether, in shaping the form or content of the work, the author used an area of freedom in the selection and arrangement of components" (Pinkalski, 2010).

In order to assume that a given human product is subject to copyright protection, it is necessary to clearly establish that the work that a given person has put into creating a given work is creative in nature (Górnicz-Mulcahy, 2012). In the opinion of the Court of Justice of the EU, the requirement that a work constitutes a "manifestation of creative activity of an individual character" should be understood as "one's own intellectual creation" (Laskowska-Litak, 2019). On the other hand, the creative process itself, the method of producing the work or, in "other cases, a newly created creative technique, style or manner are excluded from legal protection under copyright law" (Wojciechowska, 2014).

Importantly, in accordance with Article 1, Section 3 of the Copyright Act, a work is in copyright since being established, even if its form is incomplete (The Act, 2022, Item 2509).

In order to protect a work under copyright law, it is therefore necessary to "establish it". "Establishment is understood as the conscious activity of the creator of the work expressed in a specific form and enabling, under given conditions, the perception of the work by at least one person other than the creator of the work" (Nowikowska, 2021). This should be understood as the externalization of the work enabling third parties to become familiar with its form or content (depending on the manner of expression). "An artistic work becomes the subject of copyright

when it is established, i.e. when it takes any form, even if it is not permanent, but permanent enough for the content and features of the work to have an artistic effect" (I CR 91/73). Importantly, there is no requirement for the work to take its final form at the time of establishment. Protection can also be provided to an unfinished work, e.g. plans, outlines, sketches, drawings, models and designs. Individual stages of creating the work are also protected, of course provided that they are characterized by a creative and individual character. It is worth emphasizing that copyright protection may cover both entire works and their parts, e.g. chapters (Barta, Markiewicz, Poźniak-Niedzielska, 2017).

There is also no requirement to record the work; it is sufficient for third parties to become familiar with it, e.g., through the recitation of a poem or the performance of a musical piece.

In light of Article 1, Section $2^1$of the Copyright Act, only the manner of expression may be protected, while discoveries, ideas, procedures, methods and principles of operation, and mathematical concepts are not protected (The Act, 2022, Item 2509). A product of the intellect limited to an idea, even if its originality and even individuality are recognized, is not a work within the meaning of copyright law (Markiewicz, 2022).

Art. 4 of the Copyright Act excludes certain categories of works from copyright protection. The following are not subject to copyright: 1) legislative acts and their official drafts; 2) official documents, materials, logos and symbols; 3) published patent specifications and industrial design specifications; 4) simple press information (The Act, 2022, Item 2509). The above exclusion is exhaustive and an extensive interpretation cannot be applied here. Despite the fact that Art. 4 of the Copyright Act does not introduce the necessity to assess whether a given work meets the conditions specified in Art. 1 of the Copyright Act, it should be remembered that "exclusions of protection resulting from art. 4 of the Copyright Act of 1994 cannot be identified with leaving complete freedom to reproduce and distribute the materials listed in this provision. This freedom may be subject to restrictions, but these restrictions will result from other regulations, such as regulations protecting personal rights, secrecy, or counteracting unfair competition. Reproduction or distribution of materials indicated in art. 4 of the Copyright Act of 1994 may also constitute damage, the redress of which may be claimed under general principles" (IV CKN 458/00).

In relation to the municipality, the exclusion of normative acts and their official drafts and official documents and materials from copyright protection is of particular importance. The public interest should be indicated as the justification for introducing the above exclusion. The legislator's goal was to ensure a universal right to information on legislative processes and access to legal acts and other products created within state institutions. "This exclusion is to ensure that copyright does not become an obstacle to specific communication between the authorities and the citizen" (Pacek, 2019).

The following division of legal acts can be adopted: acts of internal (local) law and normative acts of public international law.

Among the acts of internal law, the first to be mentioned are universally binding normative acts, i.e. those that contain standards of conduct for generally specified addressees. Next, internally binding normative acts, i.e. those that must be consistent with universally binding acts and are addressed to addressees within a state or local government unit. These are, in particular, acts of internal management. Finally, the normative acts of local government should be mentioned (Ślęzak, 2017).

The exclusion from art. 4 of the Copyright Act covers all normative acts: the Constitution, ratified international agreements, acts, regulations, local law acts, as well as sources of internal law: resolutions of the Council of Ministers, orders of the Prime Minister. The provision also covers statutes and regulations in force in state and local government institutions (Ferenc-Szydełko, 2021).

The Supreme Administrative Court indicated that the concept of "an official document should be interpreted in the light of the provisions of Article 244, paragraphs 1 and 2 of the Code of Civil Procedure and Article 76, paragraphs 1 and 2 of the Code of Administrative Procedure. The definitions contained in both codes are identical as to their content. They indicate that an official document is a document drawn up in the prescribed form by state bodies appointed for this purpose within their scope of activity. They constitute evidence of what has been officially stated or certified therein" (III SA 889/96).

The concept of "official material" should be interpreted individually in relation to a specific subject. In the light of the Supreme Court's case law, official material will be "that which comes from an office or another state institution, or concerns an official matter, or was created as a result of the application of an official procedure" (Supreme Court Judgment of 26 September 2001, IV CKN 458/00). In the legal doctrine, one can encounter the view that an official material can be considered a product of an office, concerning an official matter or such a product which is the result of the application of official procedures (Pinkalski, 2009).

The following are excluded from copyright protection:

- court decisions, including judgments of the Supreme Administrative Court (NSA) (with justifications),
- decisions from state or local government administration bodies (Barta, Markiewicz, Niewięgłowski, Poźniak-Niedzielska, 2017),
- announcements, instructions, circulars or explanations (Czub, 2022),
- valuations prepared by property appraisers for the purposes of managing real estate of local government units or the State Treasury (II SA/Gd 897/05),
- decisions on building permits, decisions on changing building permits and decisions on transferring decisions on building permits (I OSK 1856/15),
- other administrative documents, e.g. official letters, certificates, protocols or regulations.

A given material or document acquires an official character at the moment of its introduction into official circulation, e.g. delivery of an administrative decision, submission of a draft for consideration by the appropriate body of a local government unit. The acquisition of official status by a given work constitutes its exclusion from copyright protection, until that moment the people who created it have the full catalogue of copyrights. This moment determines the deprivation of copyright protection (Szewc, 2014).

3. Categories of works

Due to the diverse nature of works, a question should be asked about the categories of works created, used and distributed in municipal offices and protected under copyright law.

The first category of works created, used and distributed in the activities of municipal offices are independent and non-independent works. An independent work should be considered the result of the independent creative work of a given author. Such a work is characterized by originality and is not based on other previously created works (Chudziński, 2013). In judicial practice, the view has been established that "fully independent works not created under the inspiration are those that do not arise in an intellectual vacuum, which means that their author draws on previous scientific or artistic achievements, but does not directly refer to any specific work" (Michalak, 2019).

Independent works may also include inspired works. According to Art. 2 Sec. 4 of the Copyright Act, a work that was created under the inspiration of another author's work shall not be considered as the derivative work (The Act, 2022, Item 2509). Although they are created under the influence of another work, they exhaust the premise of creativity and are consequently included in the category of independent works (Tischner, Wojciechowska, 2009). "A work created solely as a result of creative stimulation from another work is covered by independent copyright (independent work)" (I CR 659/74). The work uses, in particular, unprotected elements of the original work (idea, theme, technique), and not their protected manner of expression (Czyżewski, 2019).

In the light of judicial practice, the following were considered to be independent works: specification of essential terms of the contract prepared pursuant to the Public Procurement Law (V CSK 337/08), templates and forms (II K 1092/32), draft technical documentation, plans, outlines, sketches, drawings, models and designs (I PRN 47/78), and occupational health and safety instructions (II CR 244/71).

An example of independent works created and used and disseminated in connection with the informational activities of municipal offices may be photographic works, e.g. photographs for an exhibition organized at the municipal office or for an information brochure or poster promoting a municipal event, and photographs published on a website in connection with the

organization of municipal events, e.g. a municipal festival or in connection with the promotional activities of the municipality. Will each of the photographs created in connection with the activities of municipal offices be subject to copyright? According to the Supreme Court, in order to cover a photograph with copyright protection, it is necessary to "demonstrate the existence of a creative and individual contribution of the photographer to the creation of the final work. It is assumed that 'creative activity' within the meaning of art. 1 sec. 1 of the Copyright Act, in the field of artistic photography is a conscious choice of the moment of photographing, point of view, image composition (framing), lighting, determining depth, sharpness and perspective, the use of special effects and procedures aimed at giving the photograph a specific character can be considered, as these elements give the photograph an individual mark necessary for the recognition of the existence of a work within the meaning of Copyright Act" (III CKN 1096/00, I C 1270/16). A photograph should be "the result of creative work, and is characterized by inventiveness and artistic independence. Therefore, purely documentative photographs and photographs aimed at faithful reproduction of the original, e.g. works of art, jewellery, structural elements of a building, are not protected" (I CSK 539/13).

The artistic works created in municipal offices in the form of logos are another example of works that can be classified as independent works. It is the logo that most often determines the appearance of all promotional materials of the office as an artistic (compositional) motif that harmonizes with other elements of promotion (Brzozowska, 2010). In the doctrine, traditional advertising gadgets created for the needs of promotional activities, such as mugs, calendars or T-shirts, are considered to be the subject of copyright, provided that they have a creative character, manifested, for example, in the arrangement and selection of photos (Brzozowska, 2010). A guide for the residents of the municipality (e.g. a guide for the residents of Szczecin *Bądź bardziej bezpieczny* (Be safer), available for download as a PDF file, developed on the basis of information materials from the Ministry of Interior and Administration and materials available in the textbook entitled *Zarządzanie kryzysowe, obrona cywilna kraju oraz ochrona informacji niejawnych* (Crisis management, civil defense of the country and protection of classified information) edited by S. Mazur (https://bip.um.szczecin.pl/chapter_50528.asp) or a multimedia presentation (e.g. a multimedia presentation made available on the website of the Zblewo municipality entitled *Poradnik dla mieszkańców gminy Zblewo. Na czas wojny i kryzysu* (Guide for the residents of the Zblewo municipality. For times of war and crisis)), developed, among others, on the basis of sources made available on the website of the Government Centre for Security and the Integrated Educational Platform of the Ministry of National Education (https://www.zblewo.pl/386,poradnik-dla-mieszkancow-na-czas-kryzysu-wojny) will also be an independent work.

Once the statutory characteristics of a work are met, the subject of copyright protection in municipal offices will also include legal opinions prepared by office lawyers (Brzozowska, 2010).

A non-independent work includes derivative works, i.e. adaptations constituting an independent work taking over significant creative elements of the original work, e.g. translation, adaptation, modification (Art. 2, Sec. 1., The Act, 2022, Item 2509) and works with borrowings, i.e. using fragments of other works under the quotation license (Art. 29, The Act, 2022, Item 2509). The doctrine emphasizes the special nature of a derivative work, because "by meeting the requirements on which recognition as the subject of copyright protection depends, it owes its creation to a specific relationship between it and the so-called original (parent) work. The specificity of this relationship results from the creative borrowing of some elements of the parent work, i.e. the work that has become the subject of the adaptation" (Poźniak-Niedzielska, Szczotka, 2020). The derivative work should be characterized by creative adoption of elements from the original work (Traple, 2011).

"A derivative work is a modification of an original work. Its basic feature is the recognizability of the work that inspired in the work under inspiration (main idea, plot, characters) and although it still contains elements of the basic work, it also contains the creative contribution of the author of the derivative work. The scope of this contribution may vary" (I CR 659/74). In practice, it can be problematic to distinguish a work under inspiration from a work with borrowings. In legal science, one can encounter the view that the classification of a work into the category of derivative works is determined by the number of fragments of the parent work (Doliński, 2011).

An example of derivative works created in a municipal office may be the preparation, based on existing sources, of a study that meets the characteristics of a work. The creative nature of the study may be manifested in its content and the appropriate selection and arrangement of materials. The subject of copyright is not "a study that is merely an application of even highly specialized technical knowledge, if its content is determined in advance by objective conditions and technical requirements and the nature of the technical problem (task) being implemented (solved) (I ACa 490/06).

As indicated above, works with borrowings use fragments of other works under the quotation license. Within the scope of the activity of the municipal office, works with borrowings using quotations from other works may be created. These works include, among others, works in which fragments of already published works are quoted, e.g. scientific works. These are works with quotations that fall within the quotation law regulated in Art. 29 of the Copyright Act. A work with borrowings in municipal offices may be, for example, a multimedia presentation in which fragments of disseminated works are cited to the extent justified by an explanation or critical analysis. In the case of a quotation justified by an explanation, the fragment of someone else's work used in the presentation should be necessary for the clarity and full understanding of the argument of the author of the presentation and should be closely related to the work of the citing party, constituting additional evidence of the cited opinions and claims or serving to expand one's own argumentation (Wachowska, 2008).

What is important, changing the form of recording a work, e.g. from traditional to digital, does not result in the creation of a new work (Safjan, 2012).

In municipal offices we also come across works that have more than one author. These are co-authored works, which are the result of creative cooperation between two or more people. Court decisions indicate that the qualification of a work to the category of a co-authored work is conditioned by the attribution of creative input to the creation of the work to each of the co-authors.

In the case of a work created by two or more people, we may be dealing with a collective work. In order for such a work to be created, it is necessary for each of them to contribute to the creation of the work and for these contributions to be combined to form a coherent whole.

"Co-creation – within the meaning of copyright law – does not occur when the cooperation of a specific person is not creative in nature, but auxiliary, even if the ability to perform auxiliary activities requires a high degree of professional knowledge, dexterity and personal initiative. The specific factual situation determines when the cooperation of several people can be considered co-creation, but in any case co-creation occurs only when there is an agreement between the co-authors to create a joint work by joint effort" (II CR 575/71). According to Art. 9 of the Copyright Act, co-authors are jointly entitled to copyright (The Act 2022, Item 2509).

A collective work is a work comprising works by various authors, within the framework of which the copyrights of the authors of individual works may be transferred to the producer or publisher of the collective work. According to Art. 11 of the Copyright Act, the copyrights to the collective work are vested in the producer or publisher. Examples of collective works include municipal quarterlies, municipal information bulletins and yearbooks issued by municipal offices published on websites, e.g. the Lesznowola Municipality Information Bulletin issued by the municipal office and edited by an editorial team consisting of employees of the Department of Promotion and Communication with Residents, https://lesznowola.pl/kwartalnik-gminny/; Bulletin of the Municipal Office in Żabia Wola *Nasza Gmina* (Our municipality), https://www.zabiawola.pl/1037; quarterly *Wieści* (News) published by the municipal office in Zakrzew, https://zakrzew.pl/kwartalnik-wiesci/; and the yearbook published by the Szemud Municipal Office, https://szemud.pl/lesok-roczniki.html.

The content of quarterlies and bulletins consists of materials (works) prepared by various authors (both employees of municipal offices and entities from the external sphere of administration, i.e. people from outside the office), combined within the framework of publishing and editorial activities into one whole. Within the framework of editorial activities, it is the editor who decides on the arrangement of works in the quarterly or bulletin. Each issue of the quarterly, bulletin or yearbook appears in a specific composition and graphic design.

According to the Court of Appeal in Warsaw, internet portals are also considered collective works. These platforms are a source of the most important information about the residents of municipalities, which at the same time constitute a factor integrating and uniting the local

community (Winnicki, 2010). In the legal justification for the judgment, the Court of Appeal in Warsaw shared the position of the court of first instance according to which, "creating the layout and graphic form of the portal, as well as improving and changing it during the period of use of the internet portal falls within the definition of a work referred to in Art. 1, § 1 of the Act of 4 February 1994 on Copyright and Related Rights" (I ACa 1145/06). In the context of the activities of municipal offices, local government internet portals should be mentioned, e.g. the Internet Portal of the Dobrzeń Wielki Municipal Office, https://bip.dobrzenwielki.pl/198/7884/internetowy-portal-urzedu-gminy-dobrzen-wielki-ipu.html.

Collections of works may also be characteristic of the activities of municipal offices. These collections are protected when they are characterized by the creative nature (originality and individuality) of the selection, arrangement or compilation of collected materials (Poźniak-Niedzielska, Szczotka, 2020). An example of this category of works in municipal offices may be a database of documents in electronic form, including case cards with a description of the procedures necessary to submit a case and electronic applications in a form for printing and editing, e.g. the document database prepared as part of the Internet Portal of the Dobrzeń Wielki Municipal Office, https://bip.dobrzenwielki.pl/198/7884/internetowy-portal-urzedu-gminy-dobrzen-wielki-ipu.html.

It is worth emphasizing that databases will not always be subject to copyright protection. A necessary condition will be a creative contribution to the development of the database. In the activities of local government units, examples of databases that are not works are databases relating to: records of localities, streets and addresses, population records, land and building records, geodetic records of land utilities networks (Czub, 2022).

4. Conclusion

Copyright protection plays an important role in the activities of municipal offices. Knowledge of the principles of protection of a work under copyright law can contribute to better implementation of tasks by local government units at all levels.

Knowledge of the protection of these rights is a key element in ensuring the proper functioning of local government units at all levels. It is important that employees in municipal offices grow in awareness of copyright rights to works both created within these entities and used by them. Sensitivity and knowledge of the issue of respecting copyright should contribute to minimizing the number of disputes in this regard.

Works subject to copyright, created, used and distributed in municipal offices include independent works, non-independent works, i.e. derivative works (adaptations) and works with borrowings, co-authored works, collective works and collections of works. These works are

created within the framework of the current activities of municipal offices and may constitute the work of one or more employees of the office. Their creation may also be commissioned to external entities. In such cases, it is necessary to have an appropriate license or to conclude an agreement on the transfer of property copyrights. The transfer of property copyrights will also be necessary in the event that the author of the work is an employee of the office, unless the work was created as part of the performance of employee duties and constitutes a so-called employee work. The copyright status of a specific work therefore translates into the possibility of its use and distribution within the framework of tasks performed in municipal offices.

It should also be pointed out that municipal offices use not only works to which they hold exclusive rights, but also those to which copyrights are held by other entities, e.g. contractors or parties to administrative proceedings.

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