

Thermenhotel L II, Supreme Court (Oberster Gerichtshof), 31 August 2010

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According to the Austrian Supreme Court, the EU Copyright Directive 2001/29/EC harmonises the right of communication to the public, assuming a consistent European term of publicity. The right of communication to the public is characterised by an element of distance. Therefore, the distribution by a hotel of a broadcast via TV to the TV-sets situated in its guest rooms falls under the term of "communication to the public" regardless of the technical way in which the signal is being distributed. The full summary of this case has been posted on [Kluwer IP Law](#).