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PUBLIC INTEREST IN INTELLECTUAL PROPERTY LAW

The article is devoted to public interest in intellectual property law. The Author has reviewed selected legal regulations concerning the protection of such type of interest in the major sectors of intellectual property law: copyright law and industrial property law. The results of the analysis confirm the thesis according to which the role of the public interest in modern legal and economic systems does not oppose to individual interests but searches for equal relations or even the complementarity of such interests. This attitude is particularly visible in the shape of regulations relating to the object of the protection of particular intangible assets in the analyzed areas, as well as in the limitations of these exclusive subjective rights. The balance between the categories of legal interests is generally appropriate and does not cause substantial and unjustified unilateral strengthening of one of the categories of legal interests at the expense of the other. The article also contains *de lege ferenda* conclusions relating in particular to certain forms of fair use under copyright law.