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The new issue of Prague Law Faculty s open source electronic periodical offers a set of working papers on various topics. The following provides a general outline of their content. Their full versions can be downloaded free of charge from http://www.prf.cuni.cz.

Zdeněk Kühn contributed an article titled "**Transformation of the concept of privacy and liability for its invasion at the outset of the third millennium**". The starting premise of the author is that the Internet has substantially changed the way we conceive human conduct; it has fundamentally altered our chance to have control over spreading information and the impact of human behaviour in the course of time. The paper analyses the transforming modes of privacy invasion over centuries. It explains the transformation of invasion of privacy in the Internet era and the transformation of the concept of privacy itself. Next, it attempts to show that the protection of privacy by public law against giant providers of telecommunications and data services and corporations such as Google and Facebook is relevant. Efficient regulation should be exercised by the law of the European Union because autonomous domestic regulations would endanger free movement of services across the EU; moreover, separate national regulation in fighting global giants like Google could hardly be successful. On the other hand, not much sense can be seen in public-law or even European regulation of activities that are local by nature, such as monitoring cameras in private buildings which are to serve the protection of property of the camera system operators. The author explains that regulation under public law becomes toothless in such cases, and sanctioning becomes selective and essentially random. In addition, such regulation has a potential to further alienate the law from its ordinary recipients.

Magdaléna Svobodová treated the issue of "**The concept of legislative acts in the European Union law**". Her paper focuses first on the status of legislative acts in EU law and aims to outline the consequences of being afforded such a status. Subsequently, it deals with a specific issue concerning the concept of legislative acts. There is a "grey area" of secondary legislation in EU law, i.e. basic legal acts that are not adopted formally by a legislative procedure and therefore are not formally considered to be legislative acts. The author calls them "innominate acts". Particular legal bases serving for the adoption of innominate acts are analysed with the conclusion that these acts should be, *de lege ferenda*, recognised in most cases as legislative acts. The author also mentions the problem of democratic deficit and fundamental rights with regard to the issue in question.

Tomáš Dobřichovský contributed a paper about "**Perspectives on legal protection of databases in the EU and the Czech Republic"**. It is aimed at analysing the legal framework for the protection of databases in the EU and the Czech Republic with special regard to "sui generis" protection, primarily taking into account relevant provisions of the Database Directive that still maps EU database law despite the unsatisfactory effects of "sui generis" protection in practice. Above all, the problem of the accessibility of databases to the public is addressed, viewing this critical issue within the context of relevant precedential judgements of the CJEU in the *British Horse Racing Board* case, the *Fixtures Marketing* case and, in particular, the *Ryanair* case. Perspectives and regulation options for future prospects and the workings of both copyright and "sui generis" protection of databases are outlined, above all in order to avoid the contractual locking-up of unprotected non-original databases.

Finally, **Kamol Tanchinwuttanakul**, a Ph.D. student, analysed in his paper the issue of "**Protection of public health under the model bilateral investment agreement (BIT) of Thailand: the case of tobacco**". The author first briefly introduces a dispute between Thailand and the Philip Morris Group tobacco company and also explains the concept of public health in Thailand and its internal public health measures aiming to reduce the consumption of tobacco products with respect to WHO standards and Thai fiscal and customs measures. In the BIT Model of Thailand, the phrase "Public Interest

Protection" is used instead of "Public Health Protection". Therefore, when this issue is interpreted, it is not clear whether "Public Interest Protection" has the same meaning as "Public Health Protection". As BIT will mostly be interpreted in terms of trade and investment, it usually does not cover public health protection. As a result, the public health protection measures of Thailand are problematic. For example, tax and fiscal measures are ineffective methods of enforcement because they are viewed as trade barriers, which breaches WTO principles. This ambiguity and conflict in the public health protection of Thailand increases the risk of legal action by cigarette companies such as Phillip Morris, which may take legal action in arbitration with regard to BIT. Hence, to solve this problem, the BIT model of Thailand should be reformed and re-negotiated. For instance, BIT should include exceptions for investment protection involved with tobacco products. The author then analyses measures to reduce the consumption of tobacco in response to public health concerns. The author considers problems in the model BIT of Thailand, in particular tax and fiscal measures, the protection of investments, and the expropriation of trademark in violation of the principles of investment protection. In the end he also recommends reform of the Thai model BIT concerning the protection of public health.

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