

Internet and copyright – liability of information society service providers

Abstract

The diploma thesis primarily deals with the liability of information society service providers with a focus on relevant legislation at the level of the European Union as well as the national legislation of the Czech Republic. The author's goal is to provide a comprehensive legal analysis of this issue with respect to copyright infringement on the internet.

The opening chapter is dedicated to providing a definition of the term internet itself, the description of the beginnings of this technology and the basic technical parameters of the internet. The subsequent chapter provides an analysis of the institutes of copyright and copyright work and their relationship to the development and commercialization of the internet. The main technological tools that have been and are being used to infringe copyright on the internet are also outlined and the legislation and case law related to it.

The core part of the thesis focuses on the definition of the terms information society service and information society service provider together with the relevant jurisprudence of the Court of Justice of the European Union. Information society service providers are divided into relevant categories, according to the nature of the service they provide, and the defining characteristics of each category are also listed. The thesis then provides an analysis of relevant legal regulation of the special liability regime, which is applied to information society service providers, both at the level of the European Union and at the level of the legal order of the Czech Republic. The requirements that the information society service provider must fulfil in order for this special liability regime to be applied to it are also elaborated and analysed in detail, taking into account the relevant jurisprudence of the Court of Justice of the European Union, which greatly specifies these conditions. The link between the liability of information society service providers and copyright infringement is specified, together with the possibilities of the author's defence.

The final part of the work is dedicated to new, but highly relevant, legislative initiatives of the European Union, which have a far-reaching impact not only on the liability of information society service providers, but on the overall digital environment in the European Union.

Keywords: internet - copyright - liability of information society service providers