Copyright aspects of social media advertising

Abstract

This paper aims to provide an overview of the copyright aspects of advertising content on social networks and to identify the key issues in this area. It first provides the theoretical framework necessary for a proper understanding of the various institutes that are described in the course of the thesis. This includes an introduction to the terms of advertising and social networks, the specifics of which are then presented in the context of a general explanation of the conceptual attributes of a copyright work or a description of the author of the work.

As this is a relatively modern and still developing field, the thesis also discusses the innovations that can be seen in social media advertising in recent times. In particular, the use of artificial intelligence tools to create advertising content. The legal framework has not yet been able to respond to the rise in popularity of these tools and the thesis describes possible ways of future regulation.

In many parts of the thesis, the complexity of advertising is discussed, for example, from the perspective of the broad set of legal norms regulating advertising or the process of creating advertising content. The advertising chain, which illustrates the complexity of the relationships that arise in the context of the creation of advertising content, is closely related to the issue of works with a special legal regime, which are also addressed in this thesis.

The issue of the multiplicity of relationships in advertising creation is followed by a section on the use of copyright works as advertising content on social networks, where a distinction is made between the creation of own content, i.e. the possible creation of own copyright works, and the use of other people's works. The following section is devoted to copyright infringement in this area and the liability of individual actors, including an analysis of specific examples of infringement.

Another aim of this thesis was to find out whether and how those working in the field of social media advertising are educated about copyright law, what tools they use to create advertising content, and how they perceive copyright law. A questionnaire survey was used to fulfil this objective, the results of which are discussed in a separate section of this thesis.