Abstract

My work deals with the issue of liability of individual parties in the internet, especially the liability for making the work protected by copyright available to the public and downloading it from the internet, and with internet piracy, which is closely connected with this issue. Its aim is to define the liability of the parties in the light of present development of the internet and currently used services and platforms, to illustrate the issue of internet piracy and to suggest the most effective ways to solve such phenomenon today. This is based both on statutory provisions and on the case-law of the Czech courts and, in particular, on the Court of Justice of the European Union.

In the first part of the thesis I introduce readers to basic institutes of copyright, I deal with the subject of copyright protection and the exceptions from it. I discuss in particular the conditions of free use of the work which I consider to be the fundamental institute connected with the topic of my work. In the second part I deal with making the work available on the Internet, first I describe what is meant by „making the work available to public", later I distinguish between the liability for making available the own content and the other people's content. In the context of the other's content, I especially address the possibility of limiting the liability of specific service providers in relation to the conditions of the so-called "safe harbour" under the e-commerce directive, the content of which was transposed into the Czech legislation (Act on specific information society services). I also discuss the liability of hyperlink providers and the liability of internet search engines. The third part of my work then addresses specific cases of making available on the Internet, especially the responsibility within P2P networks and the responsibility for streaming the work. The following part discusses the responsibility of end users for downloading the work from the Internet. Part five, the last one, deals with the phenomenon of internet piracy. The beginning of this part summarizes the history of piracy and current situation, later I present the possibilities of solving the problems of internet piracy and the advantages and disadvantages of these individual solutions.