

Blockchain and copyright

Abstract

The aim and objective of this Thesis is to introduce the phenomenon of blockchain technology and some of its applications in the field of copyright. The thesis focuses primarily on the areas of databases, NFT and Smart Contracts, and their application in the existing, particularly Czech law.

In its first chapter the author defines the blockchain technology, describing the basic terminology, such as node, block, hash, transaction, peer-to-peer network, proof of work. The chapter then explains how blockchain works, describing its key characteristics. The author dwells on three types of blockchain and finally discusses the issue of ethics and privacy protection.

The next chapter on copyright summarizes basics of this area of law which has been experiencing fast development of new technologies. A sub-chapter on author's property rights, whereby special attention is paid to the issue of digital reproductions, constitutes an important part the the Thesis.

Central chapters deal with Smart Contracts, blockchain, collective rights management and NFT (Non-fungible Tokens). Smart Contracts have the potential to simplify the process of contracts conclusion and to make it more user-friendly. The same applies in the field of copyright, for instance in the form of automatic deduction of fees for using an author's work. This may potentially trigger changes in collective rights management as well. NRT, or Non-fungible Tokens, provoke strong emotions, yet one should bear in mind that their acquisition may be highly beneficial. A NFT purchaser will therefore not purchase a mere link to an image but based on specific cases they may also acquire different types of rights.

The final part of the Thesis discusses whether blockchain may be considered a database or even an author's work. It is the author's belief that the former type of protection applies on blockchain, even though it can hardly be considered an author's work.

The author outlined the legislative issues related to blockchain technology within the field of copyright. It is obvious that the existing legislation is not sufficient and the author therefore concludes that legislators should at least supplement the current legislation and with the help of

case law help to provide answers to the question whether application of blockchain technology in copyright is the right way forward or not.

Key words: blockchain, copyright, database