

## Resumé

### **The Internet and copyright – the scope of liability of individual parties and modes of protection against piracy.**

The main purpose of my graduation thesis is to analyze and evaluate the current situation in copyright law, with an emphasis on the general liability of the Internet Service Providers and other respective subjects in the information society. An inseparable part of this thesis is an overview of international treaties, European law and national law. The final part highlights new trends in copyright piracy with the provisions for combating these.

From my perspective there are two reasons why this topic attracted my attention. Firstly, I could hardly hide my personal interest as a person who is a computer specialist by profession. Secondly, copyright law is a subject of perpetual and significant change, inspiring new ideas and new approaches.

The work is divided into five chapters, which are divided into various subchapters.

An introduction to the topic is broadly provided in the first and second chapter which describes this new medium of the Internet from several angles. These points of view often go far beyond copyright law, describing the axioms of constitutional law and the principles of humanism and human rights. These principles are threatened considerably in the globalised society with corporate entities affecting the legal systems.

The third chapter is strictly law orientated. A variety of legal resources are considered to give the reader a general overview of the current international, European and national legislation. A small excursion into the Anglo-American copyright system was unavoidable, which was recently an area of much discussion, with three Acts that become known globally – SOPA, PIPA and ACTA.

The last chapter but one deals with the liability of individual entities in the domain of the Internet. There is a huge discussion around this topic which inevitably raises questions and concerns from the affected parties. The most often asked question is relates to who should be held responsible for content which infringes copyright law in a situation where the end user uploads this content to a website operated by an Internet Service Provider (ISP). Should the ISP be treated as “mere conduit”, so avoiding any potential liability of copyright infringement, or should they apply filtering measures to uploaded content which would on the one hand prevent copyright infringement, but on the other bring additional expenses and a disproportional and unjust system of law enforcement? Or should the burden be moved towards the end users with graduate response philosophy? The aim of this chapter is to give some solid arguments on the sides of the parties involved.

The final chapter deals with current trends in the piracy and anti-piracy worlds. The internet is a big playground for a game of hide and seek, where one group tries to catch another. I have tried to introduce some independent ideas from which both parties could benefit. We have to deal with the fact that internet piracy is a modern trend which is not going to disappear, while caring about those whose work has enriched society in the areas of art and science.

Throughout this thesis respective judgments are cited as an important interpretational resource. These judgments come from the Supreme Court of the Czech Republic, The Constitutional Court of the Czech Republic and the European Court of Justice (ECJ).