

## **Abstract**

The main target of this thesis is to outline the issues connected with software piracy to the reader. To clarify this issue some legal background connected with software needs to be explained. First it is necessary to define what software is and clarify its connection with a computer program. Next step is to define a computer program, which parts of it are protected and which parts are not. In order to define what is software piracy the thesis defines a rightful use of a computer program. After that it is possible to define software piracy and take a closer look at it. Also in the conclusion there are some current issues in this area that have a significant impact on the perception of software piracy by the public.

This thesis is divided into ten chapters.

The introduction outlines the issues of software law and software piracy and attempts to clarify the origin of this issue considering a new borderless area - the internet.

The second chapter deals with the terms software and computer program, their relation and the differences and also with other terms which are used in this thesis including the legal source of a computer program with an overview of the current case law of the European Union Court of Justice.

The third chapter is focused on a computer program as an object of law together with protected and unprotected parts of it.

In the fourth chapter there is a definition of an author of a computer program as an author's work and there are the terms exclusive moral rights and exclusive property rights. In the end of this chapter there is the case of employee work and work created on the basis of contract for work.

The fifth chapter contains the definition of a possible use of a computer program by a person different from an author. The chapter also defines the use on the basis of legal or contractual license.

In the sixth chapter there are some means of computer program rights enforcement which represent the evolution of the legal protection of a computer program. The protection provided by the Copyright Act is highlighted. There are also software patents and computer-implemented inventions outlined.

The seventh chapter defines the term software piracy according to several different approaches. It summarizes the approaches from BSA, Police and current literature. The author also shares some critical view regarding the different approaches. It also defines the ways of committing software piracy.

In the eighth chapter there is the term warez defined as a synonym for software piracy. In this chapter there is the whole process of the production of pirated software from its release to its use by an end user. There is also mentioned the most common source of pirated software for end users which usually is an internet forum. The author picked W.A.R. forum as the largest source in the Czech Republic and Slovakia.

The ninth chapter is dedicated to the current issues in the area of software piracy which moved the whole world of software piracy and started many discussions. That is the main reason why these issues were included.

In the conclusion the author gives an assessment of the current situation and examines the current trends of the lawmakers and also tries to outline the possible direction to be taken in order to solve the situation.