

Software piracy

Abstract

This diploma thesis is focused on the topic of “Software piracy”, especially with regard to the legal regulation of the Czech legal order, primarily to the regulation of the Act No. 121/200 Coll., on Copyright and Rights Related to Copyright and on Amendment to Certain Acts (the Copyright Act), as amended. The main goal of this diploma thesis is to describe in complexity the software piracy, its types and present the individual kinds of malware, with regard to the two possible approaches to the topic.

Formally, the thesis is divided into eight chapters which are further divided into individual subchapters.

The first chapter is devoted to a brief outline of the history and current trends in software piracy.

The second chapter deals with the definition of the term software and describes the basic properties of computer programme.

In the third chapter, individual areas of the legal protection of computer programmes are described, i.e. areas of international law, European law, and copyright, administrative and criminal law of the Czech Republic. There are also briefly presented some other forms of legal protection of software, such as contract-based protection or patent protection of software.

The fourth chapter discusses the categorization of software with regard to the individual types of license terms and conditions.

The fifth chapter defines the term software piracy. Two possible approaches to the concept of software piracy are outlined, the first perceives the computer programme as a subject of legal protection, the second deals with a computer programme as a tool for committing illegal activity.

The sixth chapter discusses the different types of software piracy and, with regard to two possible approaches to this concept, lists several basic types of malware.

The seventh chapter is devoted to a brief description and analysis of some interesting cases and case law on software piracy, both from the Czech Republic and the European Union, as well as from the United States of America.

In the eighth chapter, there is discussed the topic of cybercrime which is often associated with the software piracy. There is also briefly discussed the issue of cyber security, which is currently very actual.

The conclusion of the diploma thesis is devoted to a brief summary of the topic, personal opinion of the author and the introduction of some possible thoughts de lege ferenda.

Key words: *software piracy, software, computer programme*