

# **Violation of Authors' Rights Using Cyberspace**

## **Abstract**

This diploma thesis describes violation of authors' rights in cyberspace, especially the most common ways of committing this crime. The thesis is divided into five parts. The first chapter contains a general introduction to the topic, it defines the basic concepts (such as computer and related terms of hardware and software, internet, cyberspace and cybercrime), which serve as a basis for other parts of the work. The second chapter deals with copyright as such. It explains the concept of copyright work and describes the individual rights of the author. Given the nature of this criminal activity, it is not possible to limit the interpretation to the criminal law regulation. The second chapter thus indicates what rights of the author are affected, which works are subject to copyright infringement, which works are excluded from copyright protection and, finally, what are the limitations and exceptions to copyright. The third part is followed by a brief overview of the legislation that can be applied to the area of copyright (or generally to cybercrime). This includes national (Czech), European and international legislation, as it is an issue that in many cases crosses national borders. The fourth part of the thesis is a crucial part, because it deals with the analysis of selected ways of copyright infringement, namely audio and audio-visual piracy and software piracy. Selected forms of violations were selected mainly according to their frequency. This chapter also includes a legal assessment of the liability of individual entities involved in this crime in some way. Both important decisions of Czech courts and cases from abroad are included. The conclusion is devoted to the issue of quantification of the amount of damage and unjust enrichment in the light of the case law of the Czech courts.