

## 12. Summary

Software piracy is nowadays one of the most important social phenomenon. The primary reason is current fast development of information technologies, mainly the international electronic network that provides files and data transfer called Internet. This development caused that almost everyone is able to get a pirated copy of copyrighted work by using any computer on any place. That's why the protection of copyrighted works and intellectual property rights in general is becoming very important question of law. The reason why I have chosen this topic is that I have been working as a software auditor for a few years. I also use computers every day in work and at home as well. Study of law provides me with a different perspective of view and because of that I was able to combine technical and legal components in my work.

The purpose of my work was to define software piracy in general, but it is almost impossible without many single definitions which I have included in first two chapters. In three following chapters I have defined classes of software (computer programs) and common examples of breaching the intellectual property law in connection with software piracy. I have also mentioned some exceptions relating to software, particularly copy for personal use.

The largest chapter of my work deals with the possibilities of breaching the law by using the Internet. I have focused on two main parts, which are in my point of view the most important and most frequent. The first one is so called "warez" community, its origin, definition, typology and the second chosen topic is P2P (peer-to-peer) sharing. After a short introduction into P2P technical specifications, I have summarized the most important P2P networks from the past. For the closer look into practical area I have described two very important cases which are taking place on trial nowadays.

In the next chapter I have tried to give a legal analysis in respect to all subjects (including individuals, server operators and internet service providers). The main legal question was the responsibility of all concerned subjects regardless it was civil or criminal responsibility.

The last chapter describes legal possibilities *de lege ferenda* and gives a short brief of unsolved legal issues, notably the absence of judicature in the Czech republic.