

Abstract

The Internet and copyright – modes of the use and scope of protection of the work (traditional usage, peer-to-peer networks, email...)

The purpose of my thesis is to analyse the relation between the internet and copyright. The aim of the thesis is to analyse modes of the use (traditional usage, peer-to-peer networks, inking, e-mail...) and scope of protection of the work on the internet from the legal point of view and also to explore new ways, alternatives and potential changes of this conception. The reason for my research is the fact, that the internet is new, dynamic, and one of the most important phenomena of the current interconnected world and copyright hardly keeps up with it.

The thesis consists of five chapters, each of them dealing with different aspects of copyright on the internet. Chapter One is introductory and defines basic terminology used in the thesis. Firstly, it describes the internet as a legal term and provides a short view of its history. The second term I am dealing with in this chapter is copyright - its principles, historical background and basic sources of copyright law including international, European and Czech law.

Chapter Two examines relevant Czech legislation on copyright. The chapter is subdivided into two parts. Part One focuses on the work and its types and explains the term authorship. Part Two investigates main aspects of the use of the work, its forms and licensing – including very important free use of the work for personal need.

The key chapter for the whole thesis is chapter Three, the purpose of which is to explore the use of the work on the internet and its copyright consequences. On the one hand, part One describes traditional usage, which is uploading and downloading works from the internet. On the other hand, part Two explains differences of the specific modes of use. This part gives an account of electronic communication systems (E-mail, Instant messaging), linking and its forms, peer-to-peer networks, streaming and webcasting. This chapter is also focused on the most misused usage of the work on internet – BitTorrent networks.

Chapter Four concentrates on the protection of the work and solving problems resulting from its use on the internet. This part gives a summary of the main instruments for protection of the work resulting from public and private law.

Chapter Five in its part One states some examples of alternatives to the traditional

conception and understanding of copyright on the internet nowadays. Part Two attempts to analyse some theories and suggestions of potential changes to the copyright.

The main aim of the thesis is to expand my initial hypothesis of unsustainability of traditional copyright in the modern world. The conclusions of my thesis warn against the problems and the misuse of copyright on the internet and lead to my suggestions for a solution of this situation primarily contained in chapter Five.