

Jana Hoferková – Copyright protection on social networks

Resume

The purpose of this thesis is to analyse the subject of copyright protection on social networks. The thesis is composed of five chapters, each of them dealing with different aspects of the topic discussed. Chapter One is introductory and explains the reasons behind focusing on this issue.

Chapter Two provides a brief description of social networks. It consists of two parts, which discuss possible legal threads of social networks. Part One focuses on problem of privacy protection whereas Part Two deals with the issue of data protection on social networks.

Chapter Three provides an overview of copyright on social networks. It is subdivided into four parts, each of them dealing with different aspects of copyright in relation to social networks. Part One describes the copyright itself in the Czech legal system. Part Two compares the Czech copyright with the Anglo-American copyright, for its relevance to social networks. Part Three examines the question of the governing law, as the relationship between social network and user includes an international aspect. Part Four investigates the license agreement between social network and user.

Finally, Chapter Four concentrates on the liability for copyright infringement on social networks. Five Parts of this chapter provide an overview from American, European Union and Czech perspective. Part One looks at the liability of the end user for different types of online activities. On the contrary, Part Two focuses on the liability of the social network itself and the concept of safe harbour. This liability is further discussed in Part Three (legislation in the USA), Part Four (European Union legislation and relevant decisions of the Court of Justice of the European Union) and lastly, Part Five investigating the question in the context of the Czech Republic.

Conclusions are drawn in Chapter Five. I suggest that the legislation governing social networks and internet services should remain abstract to enable the courts to flexibly react to the information technology development.