

Internet Law – Master Thesis Abstract

This study explores and describes the discipline of Internet Law as well as the problems arising from applying its jurisdiction. Furthermore, it deals with liability limitation in the on-line world and presents various tendencies in the development of the Internet Copyright Law in the Czech Republic, USA and France. This study is divided into two main chapters. The first one deals with the theoretical and philosophical foundations of the Internet phenomenon and the second focuses on practical aspects of the on-line legal regulation. The tendencies in interpretation and application of the legislature are presented through important case studies.

The research strategy for this thesis was data gathering followed by its analysis. Providing examples of local legislature (Czech, USA, French) together with presentation of corresponding case studies I was searching for the keys for interpretation and application strategies of this relatively young and dynamically developing field of law.

The study's objective was to find answers to the following two questions:

- a) Is there a general need for the Internet legal regulation? And if so
- b) What should the legislative tendency within the Internet Copyright Law be?

During the writing process I had to confront two opposite approaches to this topic. On one hand, a viewpoint represented by the early 90's visions of self-regulated anarchic cyber society which relies strictly on categorical imperative and *bona fide* of its users. On the opposite side stands a stiff belief that standards of traditional law disciplines can be applied also in the on-line world. Trying to provide a compromise, I reached a conclusion that any sphere of human interaction has to be regulated by law with no exception to the Internet. Its size and its impact on the civilization are just too large to be ignored. Interactions happening within the Internet correspond with those happening off-line and there should be no advantage to "wrong" actions conducted online.

When considering the advantages and disadvantages of the local

regulations of the Internet Copyright Law while analyzing the data about Internet piracy, I reached a conclusion that the French attempt to protect copyright on the Internet seems reasonable and efficient in targeting the actual pirates and implementing preventive rather than penal measures.