

Abstract

Calculating damages in copyright infringement claims

The diploma thesis is focused on the issue of calculating damages in copyright infringement claims. In the work, the author summarizes the basic aspects of copyright and subsequently focuses on the analysis of the current legislation on the calculation of the amount of damages in copyright infringement claims. The thesis is written with an emphasis on current trends in copyright law, which are mainly the use of author's works on the Internet, the use of file hosting repositories, framing, embedded links, and BitTorrent.

The diploma thesis is divided into five chapters, among which the Introduction and Conclusion are not included. In the first chapter, the author describes the basic principles of copyright important for its functioning, provides definitions of important terms institutions, describes current developments and trends in the field of copyright and, in the end, addresses the issue of cybercrime.

In the second chapter, the author discusses some ways of copyright infringement, considering current problems. The connection of copyright with some of the modern technologies mentioned above is also discussed in the second chapter. The chapter is supplemented by the most important jurisprudence in this area.

The third chapter is dedicated to the consequences of copyright infringement, where the author describes the possible civil, administrative and criminal law aspects of copyright infringement.

In the fourth chapter, the institutes of damages, unjust enrichment and paying damages are analysed.

Finally, in the fifth chapter, the author discusses the actual calculation of the amount of damages, the natural problems associated with calculation and their solutions. The chapter is again supplemented with information from case law.

In the Conclusion of thesis, the author summarizes his work and focuses on the very topic of calculating damages in copyright infringement. claims. The author analyses and assesses the current situation, which as he believes as not entirely ideal and still rapidly evolving.

Key words: copyright, damages, calculating damages