Abstract

This diploma thesis deals with the phenomenon of software piracy, which is still an unsolved problem on which rights holders lose a significant amount of financial resources. In this work, the emphasis is mainly on the analysis of current domestic legislation and jurisprudence, including related EU legislation and the jurisprudence of the Court of Justice of the European Union, however, with an explanation of the necessary historical and technical connection with the given topic and with an outline of the practical functioning of piracy circles.

From a formal point of view, the work is divided into five chapters, which I further divide into individual subsections.

The first chapter briefly presents the history of software development along with the necessary definition of the terms "computer program" and "software", which, due to the intercontionality of the issue, are not identical.

The second, comprehensive chapter is devoted to the general regulation of copyright, whether in terms of international law or the law of the European Union, but with great emphasis in relation to computer programs, and at the same time the most commonly used technical means of protecting computer programs are described here.

The third chapter is focused on the disposition of rights to computer programs and individual types of computer programs are distinguished here according to the license on the basis of which they are distributed.

The fourth chapter primarily describes in detail the economic impacts of software piracy on a global scale, then the individual types of actions that can be characterized as software piracy are outlined here, together with the follow-up to the responsibility of service providers for uploaded foreign content. Furthermore, the functioning of the underground warez scene, which can be described as the originator of a large part of illegal software, is described in detail. Finally, the fourth chapter describes the consequences for software pirates, from the point of view of Czech law, if they commit impermissible conduct.

In the fifth chapter, I highlight modern technical methods that I consider to be, from the current point of view, very effective in order to at least partially prevent software piracy.

Key words: *software piracy, computer programme, software*