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European Intermediary Liability in Copyright: A Tort-Based Analysis Christina Angelopoulos,2016-09-15 In step with its rapid progress to the centre of modern social, political, and economic life, the internet has proven a convenient vehicle for the commission of unprecedented levels of copyright infringement. Given the virtually insurmountable obstacles to successful pursuit of actual perpetrators, it has become common for intermediaries –providers of internet-related infrastructure and services – to face liability as accessories. Despite advances in policy at the European level, the law in this area remains far from consistently applicable. This is the first book to locate and clarify the substantive rules of European intermediary accessory liability in copyright and to formulate harmonised European norms to govern this complicated topic. With a detailed comparative analysis of relevant regimes in three major Member State jurisdictions – England, France, and Germany – the author elucidates the relationship between these rules and the demands of EU law on fundamental rights and the principles of European tort law. She clearly presents the interrelations between such areas as the following: - accessory liability in tort; - joint tortfeasance; - European fault-based liability: fault, causation, defences; - negligence; - negligence balancing: rights-based or utility-based?; - Germany's "disturbance liability" (Störerhaftung); - fair balance in human rights; - end-users' fundamental rights; - The European Commission's 2015 Communication on a Digital Single Market Strategy for Europe; - The E-Commerce Directive and other relevant provisions; - Safe harbours: mere conduit, caching, hosting; - Intermediary actions: monitoring, filtering, blocking, removal of infringing content; and - application of remedies: damages and injunctions. The strong points of each national system are highlighted, as are the commonalities between them, and the author uses these to build a proposed harmonised European framework for intermediary liability for copyright infringement. She concludes with suggestions for the future possible integration of the proposed framework into EU law. The issue of the liability of internet intermediaries for third party copyright infringement has entered into the political agenda across the globe, giving rise to one of the most complex, contentious, and fascinating debates in modern copyright law. This book offers an opportunity for a re-conceptualisation and rationalisation of the applicable law, in a way which additionally better accounts for the cross-border nature of the internet. It will be of inestimable value to many interested parties – lawyers, internet intermediaries, NGOs, policymakers, universities, libraries, researchers, lobbyists – in matters regarding the information society.

Regulating Hosting ISPs' Responsibilities for Copyright Infringement Jie Wang,2018-03-19 This book employs a comparative approach to comprehensively discuss hosting ISPs' (Internet Service Providers') responsibilities for copyright infringement in the US, EU and China. In particular, it details how the current responsibility rules should be interpreted or revised so as to provide hosting ISPs maximum freedom to operate in these jurisdictions. In addition to examining relevant state regulations, the book assesses self-regulation norms agreed upon between copyright owners and hosting ISPs, and concludes that self-regulation is better suited to preserving hosting ISPs' freedom to operate. The results of this study will be interesting for a broad readership, including academics and practitioners whose work involves hosting ISPs' copyright responsibilities.

Defense against the Black Arts Jesse Varsalone,Matthew McFadden,2011-09-07 As technology has developed, computer hackers have become increasingly sophisticated, mastering the ability to hack into even the most impenetrable systems. The best way to secure a system is to understand the tools hackers use and know how to circumvent them. Defense against the Black Arts: How Hackers Do What They Do and How to Protect against It provides hands-on instruction to a host of techniques used to hack into a variety of systems. Exposing hacker methodology with concrete examples, this book shows you how to outwit computer predators at their own game. Among the many things you'll learn: How to get into a Windows operating system without having the username or password Vulnerabilities associated with passwords and how to keep them out of the hands of hackers How hackers use the techniques of computer forensic examiners to wreak havoc on

individuals and companies Hiding one's IP address to avoid detection Manipulating data to and from a web page or application for nefarious reasons How to find virtually anything on the internet How hackers research the targets they plan to attack How network defenders collect traffic across the wire to indentify intrusions Using Metasploit to attack weaknesses in systems that are unpatched or have poorly implemented security measures The book profiles a variety of attack tools and examines how Facebook and other sites can be used to conduct social networking attacks. It also covers techniques utilized by hackers to attack modern operating systems, such as Windows 7, Windows Vista, and Mac OS X. The author explores a number of techniques that hackers can use to exploit physical access, network access, and wireless vectors. Using screenshots to clarify procedures, this practical manual uses step-by-step examples and relevant analogies to facilitate understanding, giving you an insider's view of the secrets of hackers.

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Intellectual Property Liability of Consumers, Facilitators and Intermediaries Christopher Heath,Anselm Kamperman Sanders,2012-10-01 With reports from all major jurisdictions where the responsibility of facilitators and intermediaries for copyright and trade mark infringement have been litigated, this very useful book is the first comprehensive global survey of the liability regime that intermediaries may face when assisting others to directly infringe copyright and trade mark rights, or when providing others with the means to do so. It addresses such issues as the following: ISP liability; contributory and secondary liability for trade mark, copyright, and patent infringement; time- and geo-shifting devices and services; consumer identification through dynamic IP addresses; infringements committed on a "commercial scale"; liability of hosting providers; requirements for a breach of duty of care; notice to users to refrain from infringements; filters and other due diligence measures; "actual knowledge"; privacy and infringers' personal data; file sharing services; online storage services; and liability of transporters and freighters. After a general introduction analysing relevant aspects of trade mark and copyright law, local experts provide detailed reports on positions in the EU (at the Community level), Germany, France, Italy, The United States, Japan, Korea, Australia, and New Zealand. As well as dealing with the issues, each report pays close attention to case law, legislative developments, and procedural issues of injunctive relief and damages. A final chapter covers comparative contributory patent infringement. Along with the very practical value the book offers corporate counsel charged with IP rights litigation, the authors shed light on the fundamental issue of whether attempts to broaden liability in this area are compatible with established IP principles such as territoriality, freedom to operate, and freedom of competition. As a result, the book will be welcomed by a wide spectrum of lawyers and others working in this rapidly growing field, including practitioners, policymakers, academics, and jurists.

The Law of Contributory Liability on the Internet Berrak Genç-Gelgeç,2022-01-10 This book explores the contributory liability of Internet intermediaries that arises from trademark infringements committed by third parties on the Internet, providing a comprehensive analysis of the law applicable to the matter in an EU context. It also considers the applicable laws of Germany and England to demonstrate how the rules are implemented in national laws, as the current state of the law is two-tiered. In providing a framework of the law applicable to online contributory trademark liability, the book also addresses ongoing and emerging issues that are specific to trademark law and proposes specific solutions to the issues arising in the context of online contributory trademark liability. The liability of Internet intermediaries has been a popular and lively subject from different substantive rights' angles. However, trademark law has not received a great deal of attention from either scholars or legislators. As such, this book fills a gap in the literature by undertaking a trademark-specific examination, and will be of great interest to all those involved in the research and legal practice of trademark law.

Internet Intermediaries and Copyright Law Stefan Kulk,2019-10-02 All forms of online communications and interactions between people and companies on the Internet are facilitated by intermediaries – service providers whose decisions and policies have a shaping effect on the

Internet, its users and the information shared on it. Today, because such intermediaries employ technologies that go well beyond the mere transmission and storage of information into new realms potentially disrupting existing business models, a rethinking of existing relevant law is called for. The legal analysis and recommendations in this book put the topic of intermediary liability in the perspective of copyright law and offer a vision on how to regulate that liability. In the context of in-depth and up-to-date analyses on EU, US, German and Dutch law, the author discusses such issues and topics as the following: the liability rules in the new Directive on Copyright in the Digital Single Market; liability for the intermediary's own copyright infringements (primary liability); the intermediary's responsibility to stop or prevent the infringements of others (secondary liability); the role that fundamental rights play in copyright law and intermediary liability; the rights and interests of copyright owners, intermediaries and users, and how they are protected; notice-and-takedown by service providers; website blocking by Internet access providers; the publisher's rights and the use of online articles by platforms; legal status of hyperlinks under copyright law; and search engine use of copyrighted materials. A focus on the strengths and weaknesses of existing EU copyright law concerning Internet intermediaries in terms of how future-proof that law is, includes detailed attention to legislation, regulation and case law. With its deeply informed guidance with respect to the methods of regulation in a domain that is heavily influenced by technological developments, this book will be welcomed by policymakers, legislators, academics, judges and practitioners working in the area of copyright law as applied to the Internet. The detailed attention to the extent to which an intermediary can be held liable for copyright infringements in both the EU and the US will prove highly beneficial for in-house counsellors and advisors working for rights holder organizations and intermediary service providers.

Oxford Handbook of Online Intermediary Liability Giancarlo Frosio,2020 This book provides a comprehensive, authoritative, and state-of-the-art discussion of fundamental legal issues in intermediary liability online, while also describing advancement in intermediary liability theory and identifying recent policy trends.

Internet Untuk Segala Kebutuhan ,2009

Internet Service Provider Liability for Copyright and Trade Mark Infringement Zoi Krokida,2022-06-16 This book critically evaluates the EU regulatory framework for the liability of host Internet Service Providers (ISPs) for copyright and trade mark infringements and provides a cluster of novel recommendations for its improvement. The book recommends the imposition of a duty of care to host ISPs to curb the dissemination of unauthorised works and counterfeit goods, the ascription of a transparency obligation to host ISPs towards their users, and the establishment of a supervisory authority for host ISPs. Host ISPs have facilitated the dissemination of content amongst users and the purchase of goods online, enabling copyright holders and brand owners to attract a greater audience for their works and goods. However, their services have attracted a high number of copyright and trade mark violations, too. Neither Article 14 of the e-Commerce Directive nor Article 17 of the Copyright in the Digital Single Market Directive provide a solid response to the issue of host ISPs' liability. This book is a valuable resource for researchers in IT and IP law and offers a new perspective for resolving online IP disputes.

Free Ride Robert Levine,2011-10-25 How did the newspaper, music, and film industries go from raking in big bucks to scooping up digital dimes? Their customers were lured away by the free ride of technology. Now, business journalist Robert Levine shows how they can get back on track. On the Internet, "information wants to be free." This memorable phrase shaped the online business model, but it is now driving the media companies on whom the digital industry feeds out of business. Today, newspaper stocks have fallen to all-time lows as papers are pressured to give away content, music sales have fallen by more than half since file sharing became common, TV ratings are plummeting as viewership migrates online, and publishers face off against Amazon over the price of digital books. In Free Ride, Robert Levine narrates an epic tale of value destruction that moves from the corridors of Congress, where the law was passed that legalized YouTube, to the dorm room of Shawn Fanning, the founder of Napster; from the bargain-pricing dramas involving iTunes and Kindle to Google's

fateful decision to digitize first and ask questions later. Levine charts how the media industry lost control of its destiny and suggests innovative ways it can resist the pull of zero. Fearless in its reporting and analysis, Free Ride is the business history of the decade and a much-needed call to action.

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Internet Book Piracy Gini Graham Scott,2016-03-22 The international battle against Internet pirates has been heating up. Increasingly law enforcement is paying attention to book piracy as ebook publishing gains an ever-larger market share. With this threat to their health and even survival, publishers and authors must act much like the music, film, and software giants that have waged war against pirates for the past two decades. Now, The Battle against Internet Piracy opens a discussion on what happens to the victims of piracy. Drawing from a large number of interviews—from writers, self-publishers, mainstream publishers, researchers, students, admitted pirates, free speech advocates, attorneys, and local and international law enforcement officials—the text speaks to such issues as: •Why pirates have acted and how they feel about it •The conflict over constitutional rights and piracy •The current laws surrounding Internet piracy •Examples of cases taken against some pirates •Alternatives to piracy •Personal experiences of being ripped off •The ways piracy affects different industries and how they've responded Author Gini Graham Scott prepares readers to arm themselves against these modern perils by learning about copyright, infringement, and how to prevent, combat, and end book piracy. Allworth Press, an imprint of Skyhorse Publishing, publishes a broad range of books on the visual and performing arts, with emphasis on the business of art. Our titles cover subjects such as graphic design, theater, branding, fine art, photography, interior design, writing, acting, film, how to start careers, business and legal forms, business practices, and more. While we don't aspire to publish a New York Times bestseller or a national bestseller, we are deeply committed to quality books that help creative professionals succeed and thrive. We often publish in areas overlooked by other publishers and welcome the author whose expertise can help our audience of readers.

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Computational Science and Its Applications -- ICCSA 2009 Osvaldo Gervasi,David Taniar,Beniamino Murgante,Antonio Laganà,Youngsong Mun,2009-07-09 The two-volume set LNCS 5592 and 5593 constitutes the refereed proceedings of the International Conference on Computational Science and Its Applications, ICCSA 2009, held in Seoul, Korea, in June/July, 2009. The two volumes contain papers presenting a wealth of original research results in the field of computational science, from foundational issues in computer science and mathematics to advanced applications in virtually all sciences making use of computational techniques. The topics of the fully refereed papers are structured according to the five major conference themes: computational methods, algorithms and scientific applications, high performance technical computing and networks, advanced and emerging applications, as well as information systems and information technologies. Moreover, submissions from more than 20 workshops and technical sessions contribute to this publication. These cover topics such as geographical analysis, urban modeling, spatial statistics, wireless and ad hoc networking, logical, scientific and computational aspects of pulse phenomena in transitions, high-performance computing and information visualization, sensor network and its applications, molecular simulations structures and processes, collective evolutionary systems, software engineering processes and applications, molecular simulations structures and processes, internet communication security, security and privacy in pervasive computing environments, and mobile communications.

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