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Kulturflatrate. Lösung aller Probleme? (German Edition)

Marco Ganzhorn

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Studienarbeit aus dem Jahr 2010 im Fachbereich Jura - Medienrecht, Multimediarecht, Urheberrecht, Note: 13 Punkte ("gut"), Albert-Ludwigs-Universität Freiburg, Veranstaltung: Seminar "Aktuelle Fragen des Urheberrechts", Sprache: Deutsch, Abstract: Die rasante Entwicklung des Internets in den vergangenen Jahren hat nicht nur großen Einfluss auf das Geschäfts- und Privatleben vieler Internetnutzer genommen, sondern auch auf die Rechteinhaber urheberrechtlich geschützter Werke. Mittels Online-Tauschbörsen werden Musiktitel, Videofilme, Software und weitere Werke getauscht und damit massenhaft gegen das Urheberrecht verstoßen. In diesem Zusammenhang wird immer wieder intensiv über die Einführung einer „Kulturflatrate“ diskutiert. Im Wesentlichen geht es dabei um die Legalisierung des bisher illegalen Tausches von urheberrechtlich geschützten Werken über Peer-to-peer-Netzwerke durch Zahlung eines Pauschalbetrages. Das Nutzen urheberrechtlich geschützter Werke im Internet zu privaten Zwecken würde damit frei werden. Ob die Einführung einer solchen Internetflatrate wirklich die Lösung aller bestehenden Probleme in diesem Zusammenhang herbeiführen kann, ist Gegenstand dieser Seminararbeit.
Dazu müssen zunächst alle Problemfelder in der gegenwärtigen Situation unter Berücksichtigung der Rechtslage aufgezeigt werden (II.). Der sich daran anschließende Abschnitt befasst sich mit der Kulturflatrate: Die Darstellung derer Vor- und Nachteile in rechtlicher und tatsächlicher Hinsicht bildet die Grundlage für eine Entscheidung, ob die Flatrate tatsächlich alle Probleme lösen kann (III.). Abschließend werden alternative Vorschläge zur Lösung der gegenwärtigen Probleme vorgestellt (IV.).

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