

SUMMARY

ADAMOVIÁ, Zuzana – BEDNÁRIK, Richard

INFORMATION AND COMMUNICATION TECHNOLOGIES LAW AND INTELLECTUAL PROPERTY LAW IN THE PANDEMIC YEAR OF COVID-19

This Paper deals with the most significant changes brought by the year 2020 in the field of new technologies, law in cyberspace and in the field of intellectual property. It focuses on and analyses current developments at international, European and national level, pointing out some controversial aspects and sensitive issues. It notes the most significant changes that have been affected by the global COVID-19 pandemic, Brexit and other factors.

Keywords: new technologies, intellectual property, internet, cyberspace, covid, privacy, copyright, GDPR, digital services, cyber security, artificial intelligence, brexit, cookies, Creative Commons, data, protection of designations of origin, higher education law

GÁBRIŠ, Tomáš

ONGOING CHANGES IN CYBER SECURITY LEGISLATION

Slovak Republic in its ongoing process of amending the Act No. 69/2018 on Cybersecurity failed to take note of the EU Toolbox and to implement its requirements so as to ensure the goal of digital sovereignty of both the EU as well as that of Slovakia. In this brief paper we have provided an overview of various regulatory models used in other EU Member States that Slovakia and other EU Member States can follow in implementing the Toolbox – both with regard to ensuring the

security of suppliers, as well as with respect to diversification of suppliers. With the former, we would rather plead for a positive list of “allowed” suppliers, based on objective criteria, which may be formed e.g. according to the Dutch example. This prevents the negative labelling of some of the suppliers by the official authorities of the EU Member States whereby instead of their opposing to inclusion in a “banned” list, they can rather show evidence as to their fulfilment of all the criteria required in order to be included in the “White list”. Of course, the criteria should not be manifestly discriminatory, rather they should be explicitly emphasizing the security aspects of the criteria selected. Secondly, with regard to diversification, the legal regulation should certainly also take into account material, procedural as well as transitional aspects of the matter – respecting the existing contracts and/or providing for their gradual limitation in scope and duration so as to reach the goal of diversification in the very end. Again, even here some foreign models as to horizontal and vertical diversification can be used, similarly as with the screening of foreign direct investments. Finally, the regulation to be introduced with regard to blocking and access by the National Security Authority of Slovakia to any and all system information should be very carefully phrased, in a manner consistent with the rule of law principle.

Keywords: cybersecurity, 5G networks, EU Toolbox

HAZUCHA, Branislav

COPYRIGHT LAW FROM A VIEWPOINT OF INTERNET USERS IN THE EU, US AND JAPAN

This Paper aims to shed light on a conundrum faced by contemporary copyright law and policy in the digital environment that the general public completely ignores and disregards copyright law. To do so, it relies upon an empirical study examining how the general public perceives various commercial and private non-transformative uses of

copyrighted works without any prior permission obtained from the concerned copyright holders. The study shows that, contrary to often presented views, the general public clearly recognizes copyright law and deems using of copyrighted works for commercial purposes or in massive way without any consent from the concerned authors as wrongful activity. This evidently confirms that intellectual property law, and especially copyright law, has solid and sound foundations in social norms recognized by the general public and is not any pure construct of law. However, there is a notable mismatch between public views and recent trends in copyright law which attempt to restrict various non-commercial private uses of copyrighted works. This explains why such restrictions, which have no underpinning in social norms, might be quite costly to enforce, especially when they try to change social conduct which is considered by the public as normal and rightful.

Keywords: copyright, copyright infringement, private use, non-transformative use, online survey, social norms, downloading, uploading.

BACÁROVÁ, Renáta

RIGHTS OF PUBLISHERS OF PERIODICAL PUBLICATIONS IN THE NEW COPYRIGHT LEGISLATION

The article deals with the transposition of the new right of publishers into the Slovak legal order, including claims to fair compensation. In addition to the conceptual disproportions contained in the Press Act and in the new Directive on Copyright and Related Rights in the Digital Single Market, it also deals with the unclear connection between the forthcoming amendment to the Copyright Act and the provisions on publisher's rights under the Press Act. It deals with the possibility of exercising the right of correction, the right of reply and the right to additional notification online. The article analyzes the terminology used as a publisher, periodical publication and periodical press and compares it with the terms under the Copyright Directive, namely rights to

publications, press publications, fair compensation for remuneration. At the same time, it points to possible duplication in the existing and proposed legislation, which could cause application problems.

Key words: publisher, right of publishers, rights in publications, press publication, periodical publication, fair compensation, online uses of press publications

RYBNÍKÁR, Samuel

**CURRENT DECISION-MAKING ACTIVITY
OF THE SUPREME COURT OF THE SLOVAK REPUBLIC
IN THE FIELD OF INDUSTRIAL PROPERTY**

In the article, the author presents the legal conclusions of decisions of the Administrative Collegium of the Supreme Court of the Slovak Republic from the previous year (2020) in matters of administrative judicial review of decisions and measures of the Industrial Property Office of the Slovak Republic.

Key words: trademark, administrative justice, cassation complaint, patent revocation, inventions, expert opinion