



HAFTUNG VON ONLINE-PLATTFORMEN FÜR FREMDE RECHTSVERLETZUNGEN STÖRER ODER TÄTER?

CARINA SEIFERT UND DANIEL SCHÄTZLE

Haftung Von Online Streaming Anbietern Heiko Hogenm Ller

Heiko Hogenmüller



Haftung Von Online Streaming Anbietern Heiko Hogenmüller:

Haftung von Online-Streaming-Anbietern Heiko Hogenmüller, 2015-06-11 Studienarbeit aus dem Jahr 2014 im Fachbereich Jura Medienrecht Multimediarecht Urheberrecht Note 13 von 18 Punkten Albert Ludwigs Universität Freiburg Institut für Medien und Informationsrecht Veranstaltung Haftung im Internet Sprache Deutsch Abstract Die vielfältigen Möglichkeiten des Internets haben mitunter in der Musikbranche für eine digitale Revolution gesorgt. Erforderte der Musikgenuss früher noch den Kauf einer Schallplatte, Kassette oder CD, so genügen heutzutage wenige Klicks im Internet, um die gewünschten Musiktitel zu erwerben. An die Stelle kostenpflichtiger Downloads treten neuerdings Musik-Streaming-Dienste wie Spotify oder Amazon, die sogar einen kostenlosen Konsum aktueller Lieblingssongs ermöglichen. Hierfür bedarf es lediglich eines internetfähigen Endgeräts, um die neuesten Songs zu Hause oder unterwegs abspielen zu können. Ein Blick auf die Statistiken von YouTube, eine Plattform, auf die Internetnutzer ihre eigenen Videos hochladen können, bestärkt den Einfluss des Internets auf Bereitstellung und Konsum von Audio- und Videomaterial. Laut eigenen Angaben besuchen monatlich mehr als eine Milliarde Nutzer YouTube; zudem werden jeden Monat mehr als sechs Milliarden Stunden Videomaterial angesehen und pro Minute 100 Stunden Material auf die Plattform hochgeladen. Auch immer mehr Unternehmen erkennen die Möglichkeiten solcher Plattformen und nutzen diese für eigene Zwecke. Dabei kennzeichnet YouTube eine Anonymität, die sich durch das gesamte Internet zieht und gleichzeitig Tür und Tor für illegale Handlungen öffnet, wodurch gerade der urheberrechtliche Schutz auf Grund anonymer Uploads gefährdet ist. Die Rechtspraxis stößt bei der Anwendung klassischer Rechtsgrundsätze auf Rechtsverletzungen im Internet oftmals an ihre Grenzen, sodass die Entwicklung neuer Rechtsmodelle sowie das partielle Eingreifen des Gesetzgebers erforderlich wird. Da hierbei gerade nur Reaktionen auf die technischen Neuerungen möglich sind, befindet sich das Medienrecht notwendigerweise in einem Zustand der Unvollständigkeit. Auch die rechtliche Stellung der neuen Streaming-Technologie ist noch nicht abschließend geklärt, und wirft hinsichtlich der Haftung für rechtsverletzende Handlungen Fragen auf: Welche rechtlichen Probleme auftreten können und inwiefern die Anbieter solcher Streaming-Dienste für die bereitgestellten Inhalte haften? Inhalt dieser Seminararbeit

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