

XI. Breach of the Copyright

Material to study

http://ec.europa.eu/internal_market/iprenforcement/docs/damages_en.pdf

Tasks and questions (23rd April)

- 1) What claims can you apply for in case of the breach of the copyright in your jurisdiction? Can you apply for the interim injunction?
- 2) What are the conditions for the successful claims for the damages or unjust enrichment in case of the breach of the copyright in your jurisdiction?
- 3) How would you prove the *damnum emergens* and *lucrum cessans* in case of the copyright infringement? Are there any presumed amounts which you can apply for?
- 4) Does your jurisdiction also recognize the claim for the fair compensation of the immaterial damage?
- 5) Does the copyright law in your jurisdiction recognize the concept of the circumstances which excludes the illegality of the violation of the copyright?