

## **Digitalising copyright – a road to nowhere?**

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### **Abstract**

This contribution focuses on how traditional copyright laws are capable of handling the challenges posed by the evolution and development of digital technology. Since many excellent authors have already discussed this topic I am not going to purely restate what they have done already. However, - based on a comparative investigation in and analysis of both US and EU law - in this paper by identifying some key problems and analyzing the possible solutions provided by the current copyright laws I will sketch the main tendencies and a possible future development path. The four challenges – based on my arbitrary choice – are: the new types of use of works (online digital content, digital broadcasting, the different file-sharing networks, etc.), the digital rights management technologies (e.g. anticircumvention issues, etc.) the question of fair use in the digital use of works, and the so-called licensing issues, more particularly the new types of – or also known as alternative - licensing methods (e.g. CC, etc.) (Part I.) My observation would be that in all the four areas traditional copyright law cannot perfectly tackle with the named problematic areas (Part II.). Therefore, in the final part of my paper (Part III.) I will attempt to propose a new, innovative legal framework for the regulation of the relevant areas of copyright law.