

Introduction

Current regulation, based on the Directive, does not satisfactorily resolve the requirement of adequate compensation in cases of Copyright infringement.

Methodology

For the preparation of the thesis, legal research and legal literature methodology will be used mainly.

The research starts from the analysis and study of legislative, jurisprudential, doctrinal and scientific texts.

Results

The lack of harmonization of Tort Law means that each State can apply its own rules of civil liability in the field of Copyright.

The regulatory shortcomings have motivated the CJEU to assume the impulse of a unification process in the area of Copyright in which some elements of Tort Law are also present.

His attitude has awakened, albeit timidly, a unifying normative current in the EU.

The new regulatory proposals follow this unifying trend of the online responsibility of large online platforms.



- **Directive (EU) 2019/790 of the European Parliament and of the Council of 17 April 2019 on copyright and related rights in the Digital Single Market:** Article 17 contains a unifying element by incorporating a rule of exemption from liability for direct infringement in favor of "online content sharing service providers"
- **The Digital Services Act (DSA) and the Digital Markets Act** will be directly applicable throughout the EU under the form of a Regulation.



Conclusions

For the adequate protection of the rights and legitimate interests of copyright holders and of consumers and users in the Digital Single Market through the instrument constituted by Tort Law, a specific regulation that addresses it would be desirable.

Bibliography & References

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