

## **ABSTRACT (DOCTORAL DISSERTATION)**

**Dominik Gabor – *Dissemination of works by streaming on the comparative legal context***  
**(Supervisor: prof. dr hab. Katarzyna Grzybczyk)**

The doctoral dissertation advances the thesis that streaming constitutes a data transmission technology of such a distinct and individual nature that it requires a particular approach concerning the enactment, amendment, or interpretation of copyright law, media law, and the law of new technologies. The purpose of the dissertation is to determine whether, within the fundamental constructs of copyright law, there exists a necessity for an individualised approach due to the widespread use of streaming technologies. At the same time, the dissertation addresses issues about the law of new technologies and media law, which are interconnected legal domains in this respect. The analyses carried out in the dissertation confirmed the research thesis.

The doctoral dissertation presents the significance of streaming in the contemporary world, particularly within audiovisual streaming, music streaming (including podcasts), and gaming streaming (including e-sports transmissions). The dissertation defines streaming as a specific form of data dissemination over networks; the distinctive features consist of transmitting smaller data packets in real time, enabling the reception and engagement with the transmitted content, which may include copyright-protected works. The study discusses the fundamental definitions of a work within the above-mentioned specialised areas of streaming and dissemination, together with the notion of making available to the public as established under European Union law. The dissertation analyses streaming in relation to the fundamental constructs of copyright law, particularly the function of streaming in the context of fields of exploitation and the emergence of new concepts resulting from the implementation of EU directives. The dissertation further situates streaming within the core constructs of the law of new technologies, including intermediary services. It also presents a model for the legal subsumption of digital services provided within streaming platforms. Moreover, the dissertation examines streaming from the perspective of media law, specifically radio and television broadcasting, outlining a range of concepts arising from the application of streaming to the dissemination of radio and television content. Finally, the dissertation addresses comparative legal issues by assessing, based on the legislation of Germany, France, the United States, China, and Japan, the potential for a specific regulatory framework for streaming in Poland.

The dissertation is based on research conducted using the dogmatic (formal-dogmatic) method concerning Polish law. The study also draws, where necessary, on European Union law. The dissertation was further developed through comparative legal research, under which relevant legislative examples from other legal systems directly concerning streaming were juxtaposed, thereby illustrating possible avenues for developing and interpreting Polish law. The dissertation analyzes written legal materials, including statutory provisions, judicial and tribunal decisions, and doctrinal writings. It also makes extensive use of online resources.

Furthermore, the study reflects the author's professional experience, notably his work in law firms, his provision of legal services to entities operating in the streaming sector, and his role as a consumer of streamed content. The dissertation reflects the state of the law as of 31 August 2025 and covers, in particular, the following legal instruments: the Berne Convention for the Protection of Literary and Artistic Works, the Digital Services Act, the Directive on Copyright in the Digital Single Market, the Audiovisual Media Services Directive, the Directive on the Harmonisation of Certain Aspects of Copyright and Related Rights in the Information Society, the Polish Copyright and Related Rights Act, and the Polish Broadcasting Act. The dissertation also analyses selected instruments within the scope of comparative legal research, including, *inter alia*, the Medienstaatsvertrag (Germany), Délibération n° 2014-43 (France), the United States Code (United States), the Regulations on the Protection of the Right of Communication to the Public (China), and the Copyright Act (Japan).