

Assessing Copyright and Related Rights Systems

Public Awareness of the Rights

Report on Piloting in Finland





Assessing Copyright and Related Rights Systems: Public Awareness of the Rights. Report on Piloting in Finland.

This report is the result of the first pilot study implementing Methodology Card 10 – *Public Awareness of the Rights*, one of the 37 indicators constituting a methodology framework for assessing the operation of national copyright and related rights systems. The methodology framework has been developed at the Foundation for cultural policy research (Cupore) in Finland as part of in a project financed by the Finnish Ministry of Education and Culture. The pilot study was conducted by the core project team, Tiina Kautio and Nathalie Lefever, assisted by Niko Siukkola, Intern at the Ministry of Education and Culture, between July and November 2015. The results were first published in December 2015 on the website of Cupore.

A handbook presenting the methodology framework is available on the website of Cupore at www.cupore.fi.

Cupore webpublications 39:25

Kulttuuripoliittisen tutkimuksen edistämissäätiö (Cupore)

Foundation for Cultural Policy Research (Cupore)

© Authors and Foundation for Cultural Policy Research

Cover illustration: Oy Graaf Ab

ISBN 978-952-5573-97-8

ISSN 1796-9263

May 2016

Executive summary

This document presents data collected in application of a methodology framework to assess the operation of copyright and related rights systems. More precisely, the information and analysis below correspond to the tenth methodology card presented in the methodology handbook, titled “Public Awareness of the Rights”.

In Finland, public awareness of the rights of performers, artists and other right holders have been studied as part of annual Copyright Barometer surveys by Lyhty, as well as in the Youth Barometer Survey of 2009. This report presents an overview of their results concerning public awareness of copyright and also discusses topics for future studies.

The results show that only a small amount of information has been collected concerning end-users’ awareness of the rights of authors, performers and other right holders. Based on the information available, it can be said that the public at large is quite well aware of the rights of authors, performers and other right holders since the limitations concerning the use of copyright protected works are well-known. For example, the fact that 91 % of the respondents in the Copyright Barometer survey of 2015 knew it is against the law to buy a physical pirate copy of a sound recording, video game or a movie, embodies this quite well. As well does the fact that 86 % understood it was illegal to download, for private use, music or movies made available on the internet without permission. However, some situations can still be misunderstood: 83 % of the respondents thought that watching content uploaded on a video service platform without permission was legal and only 12 % thought it was illegal. This means that on this statement, the majority of respondents were wrong since only making content available on the video platform without right holders’ authorization is illegal, not watching it.

Issues concerning management of rights seem to be more difficult to comprehend among end-users. For example, the public at large is not fully aware of the operation of collective management organizations and their role in copyright management since the topic does not directly concern end-users.

Moreover, even though the public at large is well aware of the terms concerning the use of copyright-protected content, the results of Youth Barometer Survey indicate that young people are more likely to agree with statements that suggest copyright infringements are acceptable.

Based on the results of the studies presented in this report, it seems that the public at large, generally speaking, knows the implications of copyright protection. The limitations related to copyright-protected content and to its use are mostly understood. However, the available survey data on the awareness of the public at large concerning the copyright system is limited; this report therefore proposes a set of questions that could be used in future studies on this topic.

Table of contents

EXECUTIVE SUMMARY	3
INTRODUCTION.....	5
A. Context of the pilot study	5
B. Presentation of the indicator	5
C. Methods	6
RESULTS	7
Section 1. Public awareness of the rights: Overview of studies made in Finland	7
A. Copyright barometer surveys by Lyhty	7
▪ Awareness on the scope of authorized uses.....	7
▪ Awareness concerning the operation of collective management organizations	9
B. Youth barometer surveys by Nuorisosaian neuvottelukunta Nuora: End-users' views on distributing music for free on the internet	10
C. Earlier study on peer-to-peer users' attitudes toward copyright	11
Section 2. Suggestions for questions in a survey directed to the public at large.....	12
CONCLUSIONS	13
A. Analysis and summary of the results	13
▪ Public awareness of the rights of authors, performers and other right holders.....	13
▪ Public awareness on the terms for using copyrighted works	13
▪ General conclusions	13
B. Methodological findings.....	14
▪ Limitations.....	14
▪ Guidelines for future research	14
APPENDICES	15
A. Methodology card	15
B. Information sources	15
C. Questionnaire (proposal)	15

Introduction

A. CONTEXT OF THE PILOT STUDY

A methodology framework for assessing the operation of national copyright and related rights systems has been developed at the Foundation for cultural policy research (Cupore) in Finland. It is a collection of tools for achieving a systematic assessment of the functioning, performance and balanced operation of national copyright and related rights systems.

In the methodology, the assessment of the copyright and related rights system is determined through a framework consisting of so-called description sheets and methodology cards. The description sheets constitute guidelines to produce a comprehensive presentation and description of a country's copyright and related rights system and its operating environment. The methodology cards propose the collection of specific sets of data, either quantitative, descriptive or qualitative, that will be used as indicators of the functioning, performance and balanced operation of the system. Description sheets and methodology cards are accompanied by detailed information on the data to be collected, as well as analysis guidelines that will help connect them to each other.

The methodology framework is envisaged to be continuously improved through application feedbacks. For more information, see the Cupore website, www.cupore.fi/copyright.php.

This report presents data collected in application of Methodology card 10 of the methodology framework, titled "Public awareness of the rights". It is the result of the first pilot study applying this indicator in Finland.

This pilot study was conducted by the core project team, Tiina Kautio and Nathalie Lefever, assisted by Niko Siukkola, Intern at the Ministry of Education and Culture, between July and December 2015.

B. PRESENTATION OF THE INDICATOR

The indicator implemented here is intended to present one of the copyright system's elements. It is part of the second pillar of the methodology framework, "Functioning and performance of the elements of the copyright system", and its fourth area, "Dissemination of knowledge". It is a methodology card which aims to assess the awareness of the public in general on copyright rules.

As explained in the methodology handbook, in order to have a well-operating copyright system, the public at large needs to be aware of the rights of authors, performers and other right holders, as well as of the extent of the legal uses of copyrighted works. Therefore, the purpose of this indicator is to measure the level of understanding of the concept of copyright by the public in general.

If the public at large is not aware of the obligations and rights stemming from the copyright system, it could indicate that the copyright law and system are difficult to comprehend, or that there would be need for more activities to enhance awareness and knowledge. Furthermore, the results can show which topics the public in general is well aware of, and which issues would require more education and information activities.

Besides the assessment made in the context of this pilot study, the awareness of the public at large on copyright legislation can also be measured indirectly through the analysis of copyright-related education in the country. If the education of teachers or the education in elementary or secondary schools covers copyright questions, it can be deduced that citizens are made familiar at an early age with the concepts of copyright protection and the extent of the legal uses of copyrighted works. These topics are the

subject of Description sheet 14 – *Copyright-related education for the public in general*. As suggested in the methodology handbook, the data collected according to this methodology card has also been compared to the results of pilot studies applying Methodology cards in Pillar II, namely Methodology card 11 – *Copyright-related education as a part of the education of professionals for creative industries* and Methodology card 12 – *Copyright-related study and research programs in universities and research institutions*.

Data on the level of awareness and knowledge about copyright is essential in the assessment of the copyright system's public acceptance (see Methodology card 22 – *Analysis of stakeholders' opinions on the copyright system*). Furthermore, the results can be compared to those of Methodology cards 20 – *Unauthorized use of copyrighted works in physical form* and 21 – *Unauthorized use of copyrighted works in digital form* which tell about the level of copyright infringement.

The methodology card presenting the indicator can be found in Appendix A of this report.

C. METHODS

The information collected for this indicator consists mostly of subjective data that could be collected by the means of a survey directed to public at large. The goal of this pilot study was, however, to gather relevant existing data from national information sources. The method chosen was therefore a desktop study. A list of national and international information sources used for this report can be found in the Appendices.

An exemplary questionnaire for a possible future survey directed to public at large is presented in Appendix C of this report.

The concept of end-users used in this report is based on a definition of the stakeholder categories presented in the methodology handbook¹. End-users of copyrighted products and services are individual consumers as well as organizations and institutions in both the public and private sectors. They are not granted any specific rights by law, although they may benefit from copyright exceptions, for example when they are considered by law as a special public. Based on this definition, all members of the society enjoying culture through the use of copyrighted products and services are part of the category of end-users; this is why proposals for surveys made in this report are targeted at “the public at large”.

¹ For more information, see the draft Methodology Handbook (27.2.2015), p. 45. available in English at <http://www.cupore.fi/copyright.php>.

Results

This chapter presents an overview of studies made in Finland on the public awareness of copyright. The focus is on the awareness of the public at large on the scope of authorized uses and the operation of collective management organizations. The goal is to get an overview of the awareness of the public on the rights of authors, performers and other right holders, as well as on their understanding of the extent of the legal uses of copyrighted works and of the concept of copyright.

The scope of a possible future survey on the topic is discussed in Section 2.

SECTION 1. PUBLIC AWARENESS OF THE RIGHTS: OVERVIEW OF STUDIES MADE IN FINLAND

This section provides an overview of the studies made in Finland concerning the awareness of the public at large on the scope of authorized uses and on the operation of collective management organizations.

A. COPYRIGHT BAROMETER SURVEYS BY LYHTY

Lyhty (Luovan työn tekijät ja yrittäjät), a co-operation project of the Finnish creative industries, has published annual “copyright barometer” survey (*Tekijänoikeusbarometri*) on copyright and unauthorized use since 2004. The surveys have been conducted by market research company Taloustutkimus. Every year the surveys include identical questions concerning the awareness of copyright rules related to certain specific uses of copyrighted works and questions concerning the acceptability of these actions. Some years, additional questions are asked on a one-time basis. This report focuses on the results of the barometers of 2011 (in which a larger set of questions was asked) and 2015.

▪ AWARENESS ON THE SCOPE OF AUTHORIZED USES

The surveys of Lyhty have included questions on the respondents’ views on what actions they thought were legal or illegal. According to the 2015 survey, 91 % of the respondents knew that it was against the law to buy a physical pirate copy of a sound record, video game or a movie (5 % of the respondents wrongly believed that it was legal and 4 % did not give their opinion), and 83% knew it was illegal to import one from abroad. Furthermore, when asked whether the respondents believed that it was legal or illegal to download for private use music or movies put on the Internet without permission, 86 % were right in believing that it was illegal and 10 % thought mistakenly that it was legal, while 4 % did not give their opinion. Only 2 % mistakenly thought it was legal to distribute music or movies on the Internet without permission, while 94 % of the respondents knew it was illegal and 3 % did not give their opinion. However, only 17 % of the respondents were aware that watching unauthorized movie put on a video service platform was legal, while 77 % of the respondents wrongly believed it was not legal and 6 % did not give their opinion².

² Another question concerned watching a movie put on an illegal video service platform without permission; however, it might not have been clear for the respondents what was meant by “illegal video service platform” and what was the difference between these two questions.

Table 1. Public awareness of the legality of certain actions (Copyright Barometer Survey of 2015 by Lyhty)			
Are the following actions legal or illegal? ³	% of respondents		
	legal	illegal	no answer
Buying a pirate copy of a sound recording, video game or movie. ⁴	5	91*	4
Importing a pirate copy of a sound recording, video game or movie purchased abroad. ⁵	11	83*	6
Buy a stolen sound recording, video game or movie ⁶	4	94*	2
Watching a movie put on a video service platform without permission. ⁷	17*	77	6
Watching a movie put on an illegal video service platform without permission. ⁸	12*	83	5
Downloading music or movies put on the internet without permission. ⁹	10	86*	4
Distributing music or movies on the internet without permission. ¹⁰	2	94*	3

* indicates the right answer.

The copyright barometer studies of Lyhty have also included questions concerning the acceptability of different uses of copyrighted works. The results of the barometer of 2015 are presented below in order to offer an insight on the actions citizens think are morally acceptable as compared to what they know to be legal.

According to the results of the 2015 barometer, 14 % thought that downloading music or movies for private use, put on the Internet without permission, was acceptable. Altogether 12 % of the respondents thought that watching a movie or a TV series made available through an illegal online video service without permission was acceptable. 8 % thought that importing a pirate copy of a sound recording, video game or movie purchased abroad was acceptable. Moreover, 5 % of the respondents thought that buying a pirate copy of a sound recording, video game or movie was acceptable and 5 % thought that it was acceptable to distribute music or movies on the internet without permission. A small share of 2 % thought that buying a stolen sound record, video game or movie was acceptable. In total, 71 % of the respondents thought that none of the aforementioned actions was acceptable, while 3 % did not give their opinion.¹¹

Table 2 presents a summary of the results of the 2015 copyright barometer survey that concern the acceptability of different copyright-related actions. Although the topic of acceptance of copyright rules is part of the reports on Methodology card 21 – *Unauthorized use of copyrighted works in digital form* and Methodology card 22 – *Analysis of stakeholders' opinions on the copyright system*¹², it is interesting to compare the actions that are thought to be illegal with those considered unacceptable.

³ Original question in Finnish: "Ovatko seuraavat teot mielestänne Suomen lain mukaan laillisia vai lain vastaisia?"

⁴ Original text: "Ostaa piraattiaäänilevyn, -tietokonepelin tai -elokuvan"

⁵ Original text: "Tuo maahan ulkomailta ostamansa piraattiaäänilevyn, -tietokonepelin tai -elokuvan"

⁶ Original text: "Ostaa varastetun äänilevyn, tietokonepelin tai elokuvan"

⁷ Original text: "Katsoo internetin videopalvelusta sinne luvatta ladattua elokuvaa"

⁸ Original text: "Katsoo internetin laittomasta videopalvelusta sinne luvatta ladattua elokuvaa"

⁹ Original text: "Lataa käyttöönsä internetiin luvatta laitettua musiikkia tai elokuvia"

¹⁰ Original description: "Jakelee internetissä luvatta musiikkia ja elokuvia"

¹¹ Luovan työn tekijät ja yrittäjät (Lyhty), *Tekijänoikeusbarometri 2015*, summary of the survey available at: <http://www.lyhty.info/index.php?mid=396&itmid=338481&a=viewItem>. Visited on 26.8.2015.

¹² These reports are available on the Cupore website, at <http://www.cupore.fi/Pilotreports.php>.

Table 2. Public opinion on the acceptability of certain actions (Copyright Barometer Survey of 2015 by Lyhty) ¹³	
Which of the following actions are acceptable? ¹⁴	% of respondents
Watching a movie or a TV series made available through an illegal online video service without permission. ¹⁵	12
Downloading music or movies put on the internet without permission. ¹⁶	14
Importing a pirate copy of a sound recording, video game or movie purchased abroad. ¹⁷	8
Buying a pirate copy of a sound recording, video game or movie. ¹⁸	5
Distributing music or movies on the internet without permission. ¹⁹	5
Buying a stolen sound recording, video game or movie. ²⁰	2
None of these. ²¹	71
Do not know / do not have an opinion. ²²	3

■ AWARENESS CONCERNING THE OPERATION OF COLLECTIVE MANAGEMENT ORGANIZATIONS

In 2011 the respondents were asked what collective management organizations they could think of²³. As much as 49 % of the respondents could not name any collective management organization. However, 46 % of the respondents remembered Teosto and 15 % of the respondents remembered Gramex. Only 5 % of the respondents named Kopiosto, while Kuvasto and Sanasto were each mentioned by 1 % of participants. Moreover, 1 % named the Finnish Patent and Registration Office and 1 % mentioned Sound and AV-Record producers ÄKT (renamed IFPI Finland – Music producers), which are not collective management organizations. In addition, 3 % of the respondents mistakenly named some other organization.²⁴

In the 2011 barometer, the respondents were also asked about the tasks and purposes of collective management organizations. Altogether 72 % of the respondents correctly answered that collective management organizations collect copyright remunerations for artists. Moreover, 62 % of the respondents said that collective management organizations stand against the selling of bootlegs and 56 % of the respondents knew that collective management organizations grant licenses for the use of works for example on the radio or in restaurants. On the other hand, 23 % of the respondents wrongly believed that collective management organizations handle patent rights, 17 % of the respondents said that collective management organizations collect copyright remunerations from artists and redistribute them to companies and 12 % said that they collect copyright remunerations and redistribute them to the State. In addition, 5 % of the respondents wrongly believed that collective management organizations handle the rights of infringers. 2 % said that the collective management organizations

¹³ Source: Tekijänoikeusbarometri 2015.

¹⁴ Original question in Finnish: “Mitkä teoista ovat hyväksyttävää”

¹⁵ Original text: “Katsoo laittomasta internetin videopalveluista siellä luvatta tarjolla olevaa elokuvaa tai tv-sarjaa”

¹⁶ Original text: “Lataa käyttöönsä internetiin luvatta laitettua musiikkia tai elokuvia”

¹⁷ Original text: “Tuo maahan ulkomailta ostamansa piraattiaanilevyn, -tietokonepelin tai –elokuvan”

¹⁸ Original text: “Ostaa piraattiaanilevyn, -tietokonepelin tai –elokuvan”

¹⁹ Original text: “Jakelee internetissä luvatta musiikkia ja elokuvia”

²⁰ Original text: “Ostaa varastetun äänilevyn, tietokonepelin tai elokuvan”

²¹ Original text: “Ei mikään näistä”

²² Original text: “Ei osaa sanoa”

²³ Original question in Finnish: “Mitä tekijänoikeuksia hoitavia järjestöjä muistaa”

²⁴ Luovan työn tekijät ja yrittäjät (Lyhty), *Tekijänoikeusbarometri 2011*, summary of the survey available at <http://www.lyhty.info/gallupit/?itemid=338142&a=viewItem>. Visited on 21.7.2015.

have some “other” tasks and 7 % could not name any of the tasks of the collective management organizations.

Table 3. Awareness on the tasks and purposes of collective management organizations (Copyright Barometer Survey of 2011 by Lyhty)²⁵	
What are the tasks and purposes of collective management organizations?²⁶	% of respondents
CMOs collect copyright remunerations for artists ²⁷	72
CMOs stand against the selling of bootlegs ²⁸	62
CMOs grant licenses for the use of works ²⁹	56
CMOs handle patent rights ³⁰	23
CMOs collect copyright remunerations from artists and redistribute them to companies ³¹	17
CMOs collect copyright remunerations and redistribute them to the State ³²	12
CMOs handle the rights of infringers ³³	5
CMOs have some “other” tasks ³⁴	2
Could not name any task	7

B. YOUTH BAROMETER SURVEYS BY NUORISOASIAIN NEUVOTTELUKUNTA NUORA: END-USERS’ VIEWS ON DISTRIBUTING MUSIC FOR FREE ON THE INTERNET

The Advisory Council for Youth Affairs (Valtion nuorisoiain neuvottelukunta) has since 1994 published an annual youth barometer survey (Nuorisobarometri) which investigates the values and attitudes of the youth. Since 2004, the survey has been conducted in co-operation with the Finnish Youth Research Society (Nuorisotutkimuskeskus). In 2009, the survey had arts and culture as its main theme. The survey collected up-to-date information about the youth’s involvement in the field of culture and the arts, as well as information about their experiences and attitudes towards culture and arts.³⁵ The basic group in the survey consisted of 15-29 year old young people all over Finland excluding Åland. Altogether 1900 young people were interviewed, while the average length of an interview was 30 minutes. To compare the views of young people with the views of other age groups, additional comparison information was gathered by interviewing 200 people aged 50-55. These interviews were significantly shorter, with an average length of 10 minutes.³⁶

²⁵ Source: Tekijänoikeusbarometri 2015.

²⁶ Original question in Finnish: “Mitkä asiat kuuluvat nykyisin tekijänoikeusjärjestöjen tehtäviin”

²⁷ Original text: “Kerää tekijänoikeuskorvauksia taiteilijoille”

²⁸ Original text: “Vastustaa piraattituotteiden myyntiä”

²⁹ Original text: “Myöntää käyttöluvia teosten esittämiseen, esim. radiossa ja ravintoloissa”

³⁰ Original text: “Käsittelee patenttioikeuksia”

³¹ Original text: “Kerää tekijänoikeuskorvauksia taiteilijoilta yrityksille”.

³² Original text: “Kerää tekijänoikeuskorvauksia valtiolle”.

³³ Original text: “Käsittelee rikoksenteleijöiden oikeuksia”.

³⁴ Original text: Again just the term “other” was used, which seems to include some other task than the ones specifically mentioned in the survey.

³⁵ Youth Barometer survey of 2009 available at: https://tietoanuorista.fi/wp-content/uploads/2013/05/Nuorisobarometri_2009.pdf. Visited on 2.7.2015.

³⁶ Youth Barometer Survey of 2009, page 11.

In the 2009 survey a comparison was made between the groups of 15 to 29 year-olds and 50 to 55 year-olds. Both groups were proposed a statement: *it is wrong to distribute music that falls under copyright protection for free on the internet*³⁷. It should be noticed, however, that it was not made clear whether the word “wrong” was to be understood as “morally reprehensible” or “illegal”.

The results showed that 54 % of the 15 to 29 year-olds and 66 % of the 50 to 55 year-olds fully agreed or somewhat agreed with the statement. On the other hand, 40 % of the 15 to 29 year-olds and 22 % of the 50 to 55 year-olds fully disagreed or somewhat disagreed with the statement. 5 % of the respondents aged 15 to 29 and 13 % of the respondents aged 50 to 55 did not give their opinion. The respondents were also asked whether it should be possible to distribute all music for free on the Internet³⁸. Of the respondents aged 15 to 29, 45 % fully agreed or somewhat agreed with the statement. The figure for the 50 to 55 year-olds was 33 %. By contrast, 53 % of the 15 to 29 year old respondents and 55 % of the 50 to 55 year old respondents fully disagreed or somewhat disagreed with the statement. 2 % of the respondents aged 15 to 29 and 14 % of the respondents aged 50 to 55 did not give their opinion.³⁹

Statement	Age group	Fully or somewhat agree with the statement, %	Fully or somewhat disagree with the statement, %
It is wrong to distribute music that falls under the copyright protection of the Copyright Act, for free on the internet. ⁴¹	15 to 29 year-olds	54	40
	50 to 55 year-olds	66	22
One should be able to distribute all music for free on the internet. ⁴²	15 to 29 year-olds	45	53
	50 to 55 year-olds	33	55

C. EARLIER STUDY ON PEER-TO-PEER USERS' ATTITUDES TOWARD COPYRIGHT

An earlier study was conducted in August 2007 by Herkko Hietanen, Anniina Huttunen and Heikki Kokkinen from the Helsinki Institute of Information Technology (HIIT) through an online survey advertised on media websites and in technology and business magazines. The survey collected a large number of responses (6103 forms were filled). Its purpose was to find out P2P (peer-to-peer) users' attitudes toward copyright and P2P services but also included a set of precise questions concerning the respondents' knowledge on the legal and illegal uses of copyrighted material. Although the self-selecting and self-admission nature of the survey limit its statistical representativeness, and the awareness of citizens might have changed since 2007, this study demonstrates that at the time, users already had a good general knowledge of the law: “Nearly all of the respondents knew that illegal file sharing can lead to fines, monetary compensations and to confiscation of computers. Even though survey participants knew what counted as copyright infringement, they had difficulties in recognizing the legal uses of works that copyright law permits. Over half of the respondents answered that it is not in accordance

³⁷ Original text: “on väärin jakaa tekijänoikeuslain alaista musiikkia netissä ilmaiseksi”

³⁸ Original text: “netissä pitäisi voida vapaasti jakaa kaikkea musiikkia ilmaiseksi”

³⁹ Youth Barometer Survey of 2009, page 80.

⁴⁰ *Idem.*

⁴¹ Original text: ”On väärin jakaa tekijänoikeuslain alaista musiikkia netissä ilmaiseksi”

⁴² Original text: “Netissä pitäisi voida vapaasti jakaa kaikkea musikkia ilmaseksi”

with law to “to make a copy for myself of a CD borrowed from a library” or “to make a copy for myself of a CD purchased by a friend,” even though the Copyright Act permits copying for private use from a legal source.”⁴³

SECTION 2. SUGGESTIONS FOR QUESTIONS IN A SURVEY DIRECTED TO THE PUBLIC AT LARGE⁴⁴

Previous studies presented above offer an overview of the awareness of the public at large on the rights protected by copyright. However, information on the public awareness on how the protected works can be used (issues such as conditions for use, private copy exemption, conditions for distributing copyrighted content, etc.) is not systematically collected. In order to study the topic more in detail, a survey concerning the end-users’ awareness on the terms of using copyrighted works, the actual rights of authors, performers and right holders as well as the purposes of the copyright system could be conducted. This data would give a more thorough picture of the public awareness of copyright and help directing copyright-related education and information activities.

In order to get a comprehensive set of subjective information on the issues at hand, the information collected here through desktop research could be complemented with survey data.

Suggestions for questions for a survey directed to public at large are presented in the questionnaire presented in Appendix C of this report. The questions are based on a separate toolkit of questionnaires, and they concern the awareness of copyright-related issues among the public at large. The questionnaire covers the following issues:

- The knowledge of rules that one should take into account when using works protected by copyright (see question 6)
- The access to education or information on copyright issues: do the respondents find it sufficient (see question 7)

It also tests the respondents’ awareness and knowledge on copyright issues with the following questions:

- What do you consider to be the purpose of the copyright system? (please explain briefly) (see question 8)
- Which of the following statements do you believe are true: (*followed by a list of propositions*) (see question 9)

⁴³ See H. Hietanen, A. Huttunen & H. Kokkinen, *Criminal Friends of Entertainment: Analysing Results from Recent Peer-to-Peer Surveys*, 5:1 SCRIPTed 31 (2008), p. 43, available at <http://www.law.ed.ac.uk/ahrc/script-ed/vol5-1/hietanen.asp>. Visited on 24.8.2015.

⁴⁴ See also the full proposal for a questionnaire in Appendix C.

Conclusions

A. ANALYSIS AND SUMMARY OF THE RESULTS

▪ PUBLIC AWARENESS OF THE RIGHTS OF AUTHORS, PERFORMERS AND OTHER RIGHT HOLDERS

At the moment, information on the public awareness on how the protected works can be used (issues such as conditions for use, private copy exemption, distribution rights, etc.) is not systematically collected. However, the copyright barometer surveys by Lyhty have covered public awareness on the legality of certain acts; end-users' awareness of the terms for using copyright protected works tells about the knowledge of the public at large on the rights of authors, performers and other right holders. From the limited information available, it can be deduced that the public at large is well aware of the rights of artists and performers since the limitations concerning the use of copyrighted works are well-known.

In 2011, the Copyright Barometer also included questions concerning the CMOs that the public at large knew of, as well as concerning the functioning of collective management of rights. It would seem that end-users are not fully aware of the ways copyrights are collectively managed. Nearly half of the respondents could not name a single collective management organization. Quite a good amount of respondents remembered at least Teosto⁴⁵, but very few people seem to have remembered some of the smaller collective management organizations like Kuvasto, and some mistakenly named other organizations. Awareness concerning the roles of these collective management organizations also seemed to be limited.

▪ PUBLIC AWARENESS ON THE TERMS FOR USING COPYRIGHTED WORKS

The results showed that the public at large is quite well aware of the terms for using copyrighted works. However, there seems to remain some misconceptions. In the Copyright Barometer of 2015, 17% thought that watching content put on a video service platform without permission was legal and 77% thought it was illegal. A majority of the respondents were actually wrong about this since according to the prevalent judicial practice it is not illegal to watch the content put on a video platform without permission but it is illegal to upload content without authorization. However, it is reasonable to expect that so many people were wrong about this since it is rather logical to think that watching content that was put somewhere without permission is illegal.

Interestingly, the Youth Barometer Survey showed that young people were more eager to agree with statements that suggested copyright infringements were acceptable. Even though a majority of the younger people, too, disagreed with statements that suggested copyright infringements were acceptable, older people were more likely (by about 10 percentage points) to find it unacceptable.

▪ GENERAL CONCLUSIONS

In conclusion, it seems that on a general level the public at large is relatively well aware of the concept of copyright and the limitations concerning the use of copyright protected content since end-users are able to distinguish between what is allowed by copyright law and what is not allowed.

The high level of awareness can be explained by the inclusion of copyright in the general education and by past campaigns for public awareness. The education of citizens on copyright issues was described in

⁴⁵ For information on the Finnish collective management organizations, see the Pilot report on Description sheet 12 – *Collective management of rights*, available on the Cupore website at <http://www.cupore.fi/Pilotreports.php>.

the pilot study concerning Description sheet 14 – *Copyright-related education for the public in general*⁴⁶. As is presented in the corresponding reports, until 2016, copyright or intellectual property rights are not mentioned in the national core curriculum for basic education.⁴⁷ The curriculum includes seven themes that are integrated in the teaching of several subjects. Copyright issues can be part of two different themes. These are *media skills and communication* and *technology and individual*. In the national curriculum for upper-secondary schools, copyright is mentioned in the contents the cross-curricular theme *communication and media competence*. This means that copyright related issues are required to be integrated into the teaching of several different subjects. Copyright is also mentioned as a learning objective in the geography specialization course *Regional studies*.

Moreover, as presented in the pilot report on Description sheet 13 – *Copyright-related information activities*⁴⁸, campaigns have taken place in Finland to increase public awareness. Every year there is celebration of WIPO's World Intellectual Property day and UNESCO's World Book and Copyright day. The World Intellectual Property day has been celebrated internationally on April 26 since 2000. The main goal of the day is to "promote discussion of the role of intellectual property in encouraging innovation and creativity". The main goal of UNESCO's World Book and Copyright Day is to promote the positive essence of copyright and not to highlight the obligations it imposes towards citizens. The world anti-piracy day has also been organized annually by the Finnish Anti-Counterfeiting Group in cooperation with different actors in the field.⁴⁹

B. METHODOLOGICAL FINDINGS

▪ LIMITATIONS

In order to get a comprehensive set of subjective information on the topic, data should be gathered on the public awareness of the rights of authors, performers and other right holders through a survey. The main limitation of the study is related to the fact that these questions have not yet been directly surveyed. Moreover, some of the data already available was collected under the initiative of industry organizations; there would be a need for future research organized without stakeholder involvement.

Moreover, the Youth Barometer Survey is from the year 2009 and there have been significant changes in digitalization and in business models since then. The Youth Barometer of 2009 nevertheless gathered young people's opinions concerning copyright issues, which makes it an important source of information.

▪ GUIDELINES FOR FUTURE RESEARCH

The time needed for this pilot study will depend for each country on the availability of data. In the case of Finland, the workload for collecting data and drafting this report could be evaluated at approximately five weeks of full-time work. Since some of the data is not currently available, a survey directed to public at large is needed in order to get a comprehensive set of subjective information on the topic.

⁴⁶ The pilot report is available at <http://www.cupore.fi/DS14.php>. Visited on 7.10.2015.

⁴⁷ A new national core curriculum was approved in 2014 and is ought to enter into force in 2016. The new national core curriculum for basic education mentions copyright issues specifically as part of the knowledge in information and communication technologies. According to this new curriculum pupils will be guided towards responsible behavior by contemplating what the concepts of copyright and data protection mean and what consequences irresponsible and illegal behavior can have. This covers the grades 7-9. There is no mention of copyright, copyright issues or copyright related issues when it comes to the grades 3-6. Source: The premise for National Core Curriculum for basic education 2014, pages 284 and 157, available at: http://www.oph.fi/download/163777_perusopetuksen_opetussuunnitelman_perusteet_2014.pdf. Visited on 11.8.2015.

⁴⁸ The pilot report is available at http://www.cupore.fi/documents/191213Publication_PilotreportDS13_Copyright-relatedinformationactivities.pdf.

⁴⁹ See the pilot report on Description sheet 13 – *Copyright-Related Information activities*, page 8 and 9, available at http://www.cupore.fi/documents/191213Publication_PilotreportDS13_Copyright-relatedinformationactivities.pdf.

Appendices

A. METHODOLOGY CARD

Methodology card as presented in the Methodology Handbook, draft version 1.12.2015.

Elements: Information activities, Education	Methodology card 10. Public awareness of the rights	
Key question	Is the concept of copyright understood by the public at large? Are end-users aware of the rights of authors, performers and other right holders, as well as of the extent of the legal uses of copyrighted works?	
Type of data	<i>subjective data</i>	
Description	The awareness of the public at large of their rights and of the rationale behind the copyright system	
Parameters to measure	<ol style="list-style-type: none">1. Public awareness on the purposes and the operation of the copyright system (consider issues such as incentives to create and invest, the role of copyright in the access to culture, and the role of collective management organizations)2. Public awareness on copyright rules (consider issues such as authors' and performers' rights, conditions for use, and exceptions and limitations to copyright)	
Guidelines for data collection	These data can be collected through a combination of surveys and interviews directed at the public at large. <i>Exemplary questionnaires for surveys and interviews are presented in a separate toolkit.</i>	
Definitions	<i>End-users</i>	In this methodology card, members of the public at large are considered as potential end-users.
Limitations of the indicator	The comprehensiveness of the results will depend on the topics selected in the questionnaire.	

B. INFORMATION SOURCES

- Hietanen H., Huttunen A. & Kokkinen H., *Criminal Friends of Entertainment: Analysing Results from Recent Peer-to-Peer Surveys*, 5:1 SCRIPTed 31 (2008)
- Luovan työn tekijät ja yrittäjät (Lyhty), *Tekijänoikeusbarometri 2011*, summary of the survey available at <http://www.lyhty.info/gallupit/?itemid=338142&a=viewItem>
- Luovan työn tekijät ja yrittäjät (Lyhty), *Tekijänoikeusbarometri 2015*, summary of the survey available at: <http://www.lyhty.info/index.php?mid=396&itemid=338481&a=viewItem>
- *The premise for National Core Curriculum for basic education 2014*, available at: http://www.oph.fi/download/163777_perusopetuksen_opetusuunnitelman_perusteet_2014.pdf
- Nuorisosiain neuvottelukunta Nuora, *Youth Barometer Survey of 2009*, available at https://tietoanuorista.fi/wp-content/uploads/2013/05/Nuorisobarometri_2009.pdf

C. QUESTIONNAIRE (PROPOSAL)

The following questionnaire is based on a set of exemplary questions for surveys, interviews and focus group studies specified in a separate toolkit of questionnaires.

QUESTIONNAIRE FOR THE PUBLIC AT LARGE

BACKGROUND INFORMATION

1. Please select your age group

- 15 - 24 years
- 25 - 34 years
- 35 - 44 years
- 45 - 54 years
- 55 - 64 years
- 65 years or more

2. Please select your gender

- Male
- Female

3. Please define the size of your annual taxable gross income

Alternative question: Please define the annual taxable gross income of your household

- income group 1
- income group 2
- income group 3
- income group 4

Instruction for the researcher: The income groups need to be defined for each country separately. The question to be asked can be chosen from the two alternatives.

4. Please define your occupation

- Full-time employee
- Part-time employee
- Entrepreneur or self-employed person
- Student or at school
- Pensioner/retiree
- Unemployed
- Other

5. Please define the level education you attained

- Primary school
- Secondary school
- Professional-level education
- University degree
- Post-graduate degree

Instruction for the researcher: The education levels available need to be defined for each country separately.

6. Do you feel that you know enough about the rules that one should take into account when using works protected by copyright?

- Yes
- No

7. Do you have access to education or information on copyright issues?

- Yes, sufficiently for my needs
- Yes, but I don't find answers to all my questions
- No

Instruction for the researcher: If considered relevant, the issues of education and information (now asked in questions 6 and 7) can be asked in separate and more detailed questions.

The questions 8 and 9 are general questions about copyright system that will test the citizens' actual knowledge of the rationale behind the existence of the copyright system and their rights and duties. Answers will help in identifying situations where the respondents might think they know copyright rules and actually are wrong.

The statements in question 9 should be adapted depending on the copyright system of the country in question. They can be replaced by new questions that are more suitable for the specific country context. Also, an option "don't know" could be added to the question.

8. What do you consider to be the purpose of the copyright system? (please explain briefly)

.....

9. Which of the following statements do you believe are true:

- Copyright law allows you to make a copy of the CDs you own for personal use
- Copyright law allows you to distribute copies of any music pieces online
- Copyright law allows you to play music pieces for your guests during a party organized in your home
- You may photocopy a few pages of books borrowed from a library for any kind of use
- Teachers are allowed by law to distribute any number of paper copies of the school material found in published books
- A text which is published on the internet is not protected by copyright anymore
- A piece of music distributed for free by its author can legally be copied and resold by anyone
- A piece of music is not covered by copyright anymore 50 years after it was created
- Copyright law allows you to record a public performance of theatre with a video recorder if you bought a theatre ticket
- Copyright law allows you to watch any TV show online as long as you don't download it on your own hard drive
- If you wish to resell the work of more than one creator, you need the permission of every author.
- As long as a picture is available for free on the internet, you are allowed by law to use it on your website if you name the original creator
- Copyright law allows you to copy extracts of newspaper articles made by a journalist in an article of your own if you name the original author
- A text or image is protected by copyright only when accompanied with a © sign

- You have the right to publish a parody of a book without asking the original author's permission
- When you create a work, copyright law gives you the possibility to voluntarily give up on your monetary rights and make your works available to anyone for free.

Instruction for the researcher: This list of propositions is a set of examples. Researchers implementing this survey should select the examples that best allow an evaluation of the knowledge of the public at large on the national copyright legislation. The list should not be too long to keep respondents' focus until the end, and should include a balanced number of true and false answers.

Assessing Copyright and Related Rights Systems: Piloting of the methodology framework in Finland

Cupore webpublications 39:1	<i>National Context. Report on Piloting in Finland.</i>
Cupore webpublications 39:2	<i>International and Regional Context. Report on Piloting in Finland.</i>
Cupore webpublications 39:3	<i>Technological Development. Report on Piloting in Finland.</i>
Cupore webpublications 39:4	<i>Macroeconomic Importance of Copyright Industries. Report on Piloting in Finland.</i>
Cupore webpublications 39:5	<i>Markets for Copyrighted Products and Services – Focus: Literature (Book Publishing Industry). Report on Piloting in Finland.</i>
Cupore webpublications 39:6	<i>Volume of Domestic Production of Copyrighted Products and Services. Report on Piloting in Finland.</i>
Cupore webpublications 39:7	<i>Volume of Exported and Imported Copyrighted Products and Services. Report on Piloting in Finland.</i>
Cupore webpublications 39:8	<i>Development of Digital Business Models and Income Based on Digital Distribution. Report on Piloting in Finland.</i>
Cupore webpublications 39:9	<i>Copyright Law. Report on Piloting in Finland.</i>
Cupore webpublications 39:10	<i>Copyright Policy. Report on Piloting in Finland.</i>
Cupore webpublications 39:11	<i>Public Consultation on Law Proposals. Report on Piloting in Finland.</i>
Cupore webpublications 39:12	<i>Use of Impact Assessment and Research in Policy Development. Report on Piloting in Finland.</i>
Cupore webpublications 39:13	<i>Public Administration of Copyright. Report on Piloting in Finland.</i>
Cupore webpublications 39:14	<i>Enforcement by Public and Private Actors – Focus: Public Authorities. Report on Piloting in Finland.</i>
Cupore webpublications 39:15	<i>Enforcement by Public and Private Actors – Focus: Private Actors. Report on Piloting in Finland.</i>
Cupore webpublications 39:16	<i>Sanctions and Remedies for Copyright Infringement. Report on Piloting in Finland.</i>
Cupore webpublications 39:17	<i>Application of Sanctions and Remedies for Copyright Infringement. Report on Piloting in Finland.</i>
Cupore webpublications 39:18	<i>Availability of Alternative Dispute Resolution Mechanisms. Report on Piloting in Finland.</i>
Cupore webpublications 39:19	<i>Use of Alternative Resolution Mechanisms for Solving Copyright Disputes. Report on Piloting in Finland.</i>
Cupore webpublications 39:20	<i>Individual Exercise of Rights – Focus: Literature (Book Publishing Industry). Report on Piloting in Finland.</i>
Cupore webpublications 39:21	<i>Collective Management of Rights. Report on Piloting in Finland.</i>
Cupore webpublications 39:22	<i>Efficiency of Collective Management Organizations. Report on Piloting in Finland.</i>
Cupore webpublications 39:23	<i>Copyright-related Information Activities. Report on Piloting in Finland.</i>
Cupore webpublications 39:24	<i>Copyright-related Education for the Public in General. Report on Piloting in Finland.</i>
Cupore webpublications 39:25	<i>Public Awareness of the Rights. Report on Piloting in Finland.</i>
Cupore webpublications 39:26	<i>Copyright-related Education as Part of the Education of Professionals for Creative Industries. Report on Piloting in Finland.</i>
Cupore webpublications 39:27	<i>Research on Copyright-related Topics. Report on Piloting in Finland.</i>
Cupore webpublications 39:28	<i>Copyright-related Research and Study Programs in Universities and Research Institutes. Report on Piloting in Finland.</i>
Cupore webpublications 39:29	<i>Efficiency of Copyright as an Incentive to Create and Invest in Creative Works – Focus: Literature (Book Publishing Industry). Report on Piloting in Finland.</i>
Cupore webpublications 39:30	<i>Access to Copyrighted Works by the Public. Report on Piloting in Finland.</i>
Cupore webpublications 39:31	<i>Access to Copyrighted Works for Follow-on Creation.</i>
Cupore webpublications 39:32	<i>Transaction Costs in Transfer and Licensing of Rights – Focus: Literature (Book Publishing Industry). Report on Piloting in Finland.</i>
Cupore webpublications 39:33	<i>Terms for Transfer and Licensing of Rights – Focus: Literature (Book Publishing Industry). Report on Piloting in Finland.</i>
Cupore webpublications 39:34	<i>Unauthorized Use of Copyrighted Works in Physical Form. Report on Piloting in Finland.</i>
Cupore webpublications 39:35	<i>Unauthorized Use of Copyrighted Works in Digital Form. Report on Piloting in Finland.</i>
Cupore webpublications 39:36	<i>Analysis of Stakeholders' Opinions on the Copyright System – Focus: Literature (Book Publishing Industry). Report on Piloting in Finland.</i>
Cupore webpublications 39:37	<i>Analysis of Stakeholders' Opinions on the Copyright System – Focus: End-users. Report on Piloting in Finland.</i>