

Opinions of the Finnish Public on the Copyright System

● With technological progress and changes in the service environment, copyright issues are increasingly affecting the general public. The production and consumption patterns of copyrighted content have become diverse, and increasingly sophisticated tools are available to all to create and share new content. Citizens can alternate between the roles of end user, distributor and author of new content.

Different types of content are distributed on internet platforms and other persons' works may be integrated into new content. At the same time, new business models based on interactivity and community content production have emerged. However, activities in copyright-based industries are often based on exclusive rights on the protected works. The responsibilities of different actors, such as platform service providers, involve new types of copyright questions. The European Union's Directive on Copyright in the Digital Single Market (Directive (EU) 2019/790 of the European Parliament and of the Council), adopted in spring 2019, aims to adapt copyright law to changes brought about by the digital environment.

This fact booklet presents information on the opinions of the Finnish public at large concerning the copyright system as well as data on the use of copyrighted content in Finland. The focus is on the use of content in the digital environment. The fact booklet is based on a study of the operation of the copyright system from the viewpoint of the general public carried out at Cupore in 2019 and 2020.

Full report available in Finnish at

www.cupore.fi/en/publications/cupore-s-publications/opinions-of-the-finnish-general-public-on-the-copyright-system

Contents

- 1 Cupore's study on the perceptions and opinions of the general public on the copyright system
- 2 The use of copyrighted content in the digital environment
- 3 Copyright knowledge of the Finns
- 4 Unauthorized use of copyrighted content
- 5 Motives for unauthorized use
- 6 Follow-on creation based on pre-existing works
- 7 Perceptions and opinions on the copyright system
- 8 The next steps: conclusions and recommendations
- 9 Assessment of the operation of the Finnish copyright system



Cupore's study on the perceptions and opinions of the general public on the copyright system

● In a project taking place in 2019–2020, Cupore examined the operation of the copyright system from the viewpoint of the general public. The themes of the study were copyright knowledge, the authorized and unauthorized use of content in the online environment, follow-on creation based on exist-

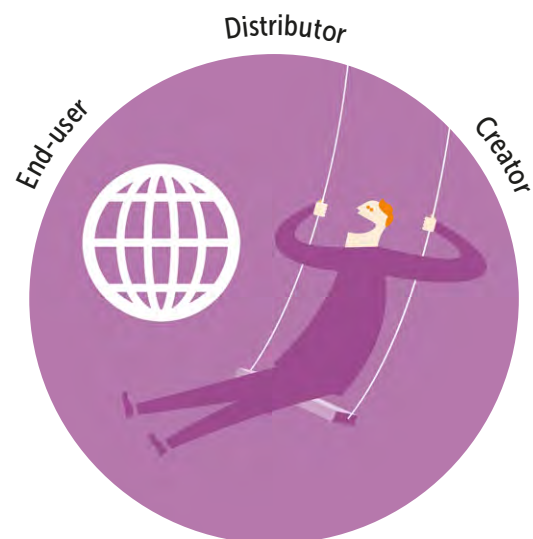
ing works, and the perceptions and opinions on copyright. The study took into account the various roles of the general public as end-users, creators and distributors of new works, especially on the Internet.

The aim of the study was to answer the following questions:

- Is the concept of copyright well understood, and are citizens able to recognize situations where the use of content is not permitted?
- How common is the authorized use of different types of online content?
- How common is unauthorized use of content online, what are the most typical reasons for unauthorized use, and is attention paid to the legality of the content in the online environment?
- How common is the use of existing works for follow-on creation and what problems are associated with this type of use?
- What are the opinions on and attitudes towards copyright?
- To what extent is the copyright system considered acceptable and legitimate?

The target population was 15–79 years old inhabitants of Finland, with the exception of the Åland Islands. The research data consists of 1005 responses collected through face-to-face interviews conducted in October 2019 as part of the national Omnibus Study of Taloustutkimus Oy.

The sample was formed by quota sampling, in which quotas are based on the national distribution of age, gender, province and municipalities of the Finnish population. The material was further weighted during the analysis phase by background groups to ensure that the data corresponded as closely as possible to the Finnish population. At the 95 % confidence level, the maximal margin of error for the overall results of the study is ± 3.2 percentage points.



What is copyright?

- Copyright is automatically granted to a creator. A work is protected by copyright when it exceeds the originality threshold, i.e. is the independent and original result of the intellectual creation of its author.
- Copyright applies to all literary and artistic works such as music, works of art, literary works, movies, games and computer programs.
- The reproduction and distribution of works require authorization from the rightholder, who can also obtain compensation for their use.
- When copies are made or the work is distributed, the author must be identified, the work must not be altered in a way which is prejudicial to the author's reputation or individuality, and the work cannot be distributed in such a form or context as to prejudice the author.
- On the basis of limitations to copyright, a few copies of a published work may be made for private use. A published work may be quoted to the extent required by the quotation's purpose.

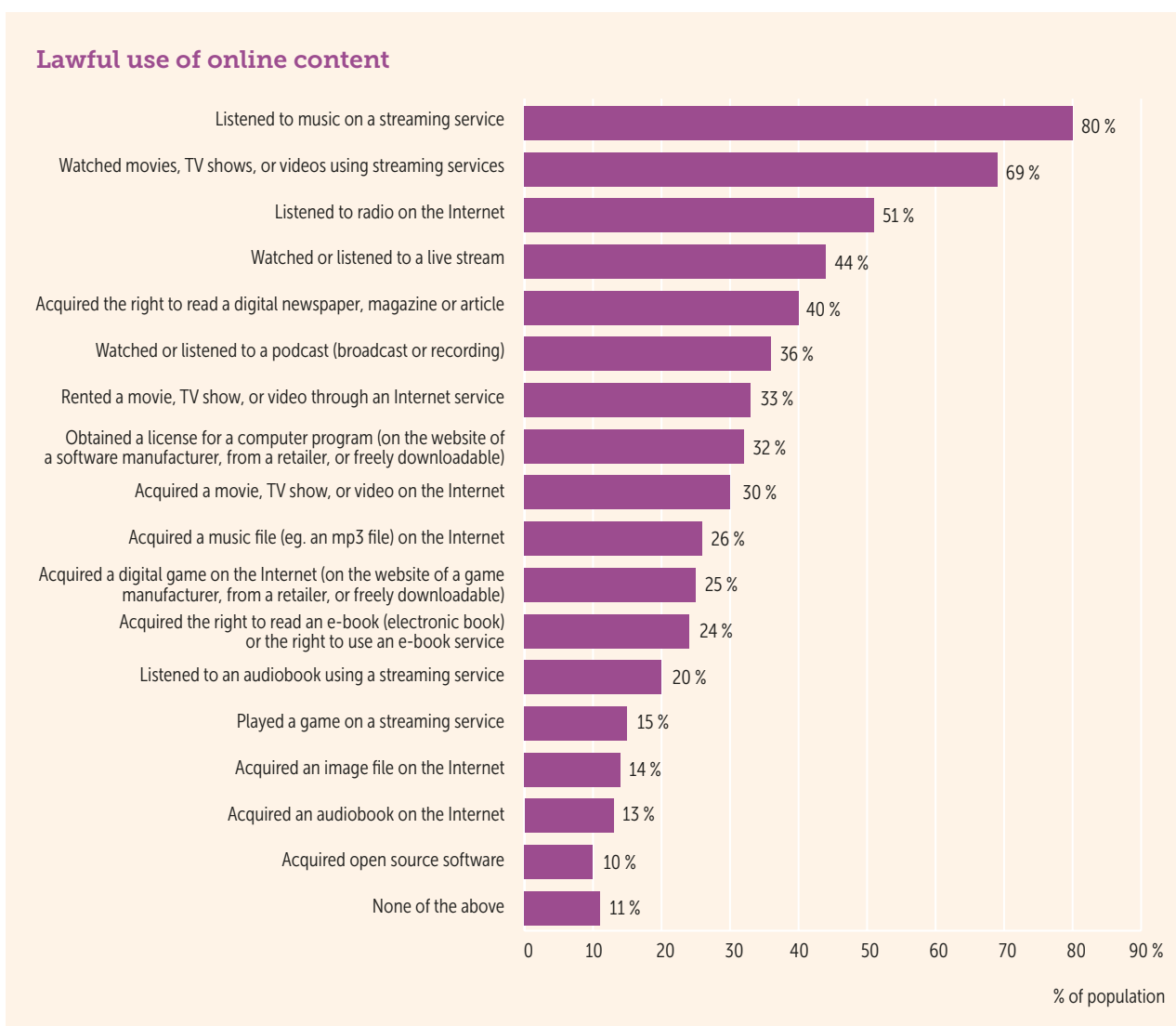
The use of copyrighted content in the digital environment

Digitalization has diversified the use and distribution of content, and copyright-protected works are increasingly available on the Internet.

● The majority of Finns have listened to music or watched movies, TV series or videos using online streaming services. Music and audiovisual content are commonly enjoyed weekly.

The use of digital content is linked to age. 36 % of people over the age of 65 have not used any online content, while there are virtually no Finns under the age of 45 in the same situation. Women have used e-books and audiobooks more often than men, while men have more frequently acquired a license for a computer program or digital game.

About half of 15–24 year-olds have shared content made by others on the Internet.

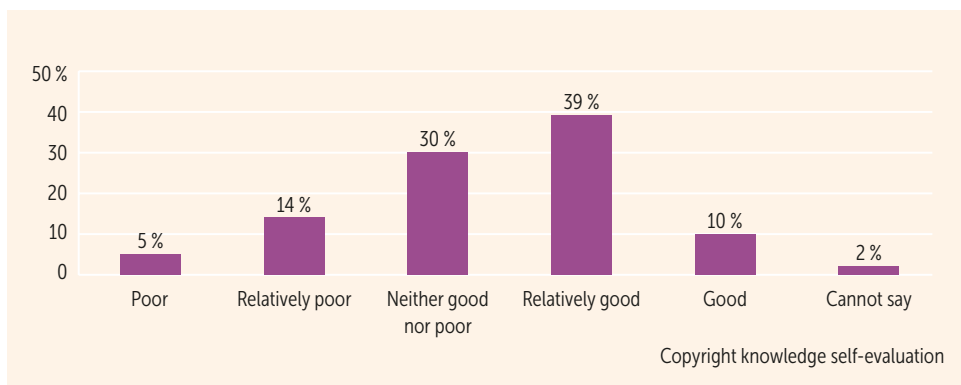


One third of all Finns have shared content made by others on the Internet over the past year. Among those, one in three has shared content to a larger audience than family members and closest friends. One sixth of all Finns have encountered a situation in the last year where they were not sure whether sharing content was permissible. Sharing content online is more common among younger people.

Copyright knowledge of the Finns

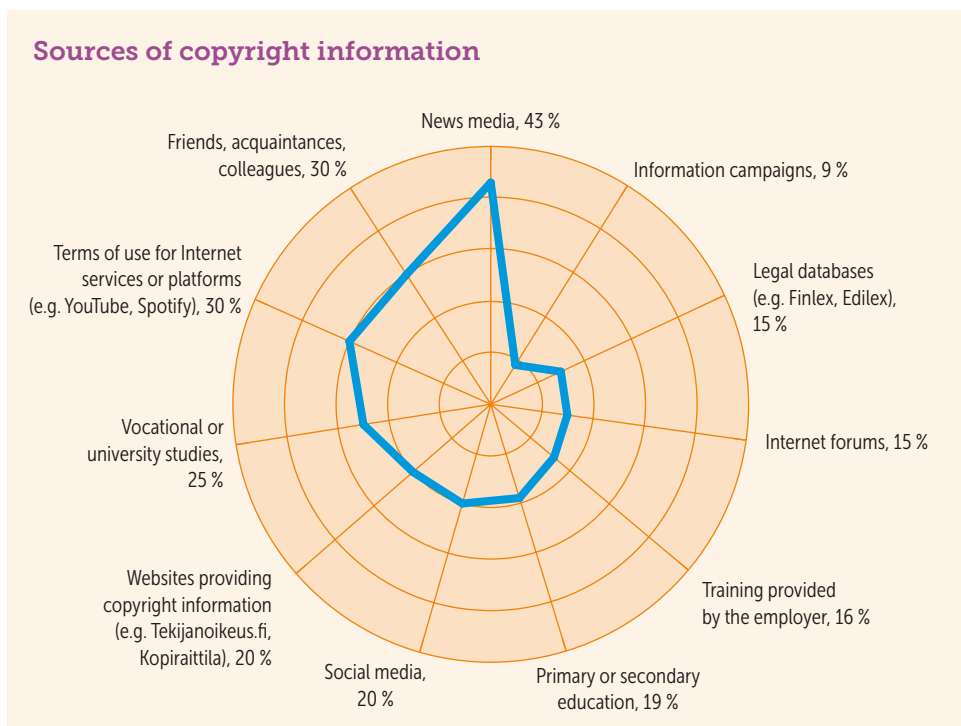
The importance of copyright knowledge increases as the media environment becomes more diverse and different types of material are available in digital form.

● Half of the Finns evaluate their own copyright knowledge as either good or relatively good. On the other hand, one in five estimates it to be either poor or relatively poor. On average, over 55-year-olds estimate their knowledge to be weaker than younger people.



78 % of all Finns and 92 % of 15–24-year-olds feel that they can identify whether watching, listening, reading and playing content is authorized. Almost as many, about 71 % of Finns, are in their opinion able to recognize when sharing content on internet platform services (such as YouTube or Facebook) is allowed.

63 % of Finns feel that sufficient information on copyright issues is available. Most commonly, information is obtained from news media, friends, acquaintances or colleagues, and the terms of use for internet services or platforms such as YouTube and Spotify. For people under the age of 35, the terms of use for internet services or platforms and social media channels are important sources of information. For 15–24-year-olds, primary and secondary schools are the most significant sources of information.



70 % of Finns pay at least some attention to the legality of the content they use on the internet. Whether a content is shared legally is often assessed based on the identity of the publisher.

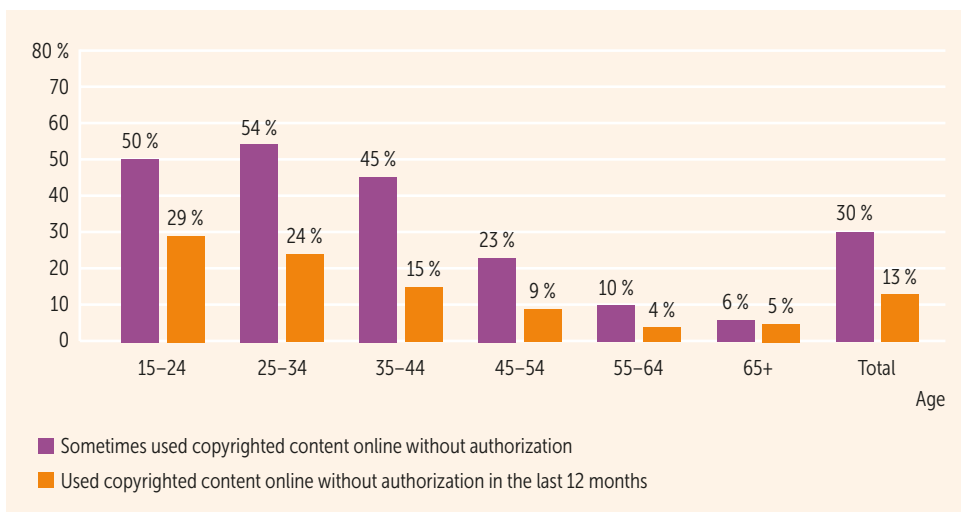
Unauthorized use of copyrighted content

The types of works that Finns most often use without authorization are audiovisual content and music. The prevalence of unauthorized use is related to age and gender.

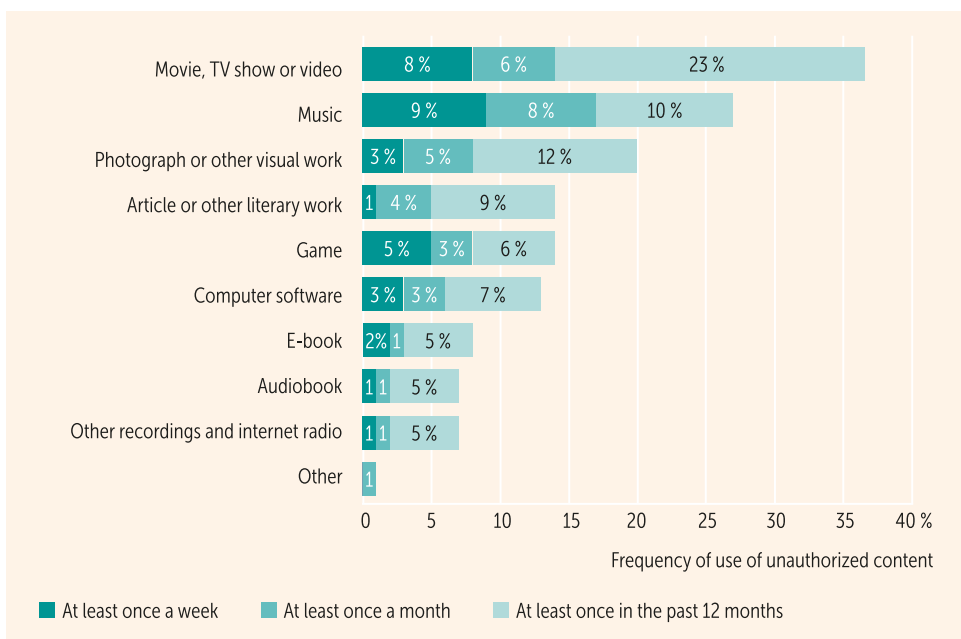
● Almost a third of all Finns and about half of those under the age of 45 estimate that they have sometimes accessed unauthorized content online or copied or downloaded copyrighted content without authorization. The percentage of Finns who have done this varies between the sexes: 37 % of men and only 22 % of women have admitted to it.

Over the past year, 13 % of Finns and 29 % of 15–24-year-olds have either accessed unauthorized content online or copied or downloaded copyrighted content without authorization. Over the past year, men have used content without authorization twice as often as women. However, there is no gender gap among young people.

One in ten Finns, and one in four 25–34-year-olds, has sometimes distributed copyrighted content without authorization.



The types of works most often used without authorization are audiovisual content such as movies, as well as music. Yet unauthorized use of any type of work is generally infrequent.

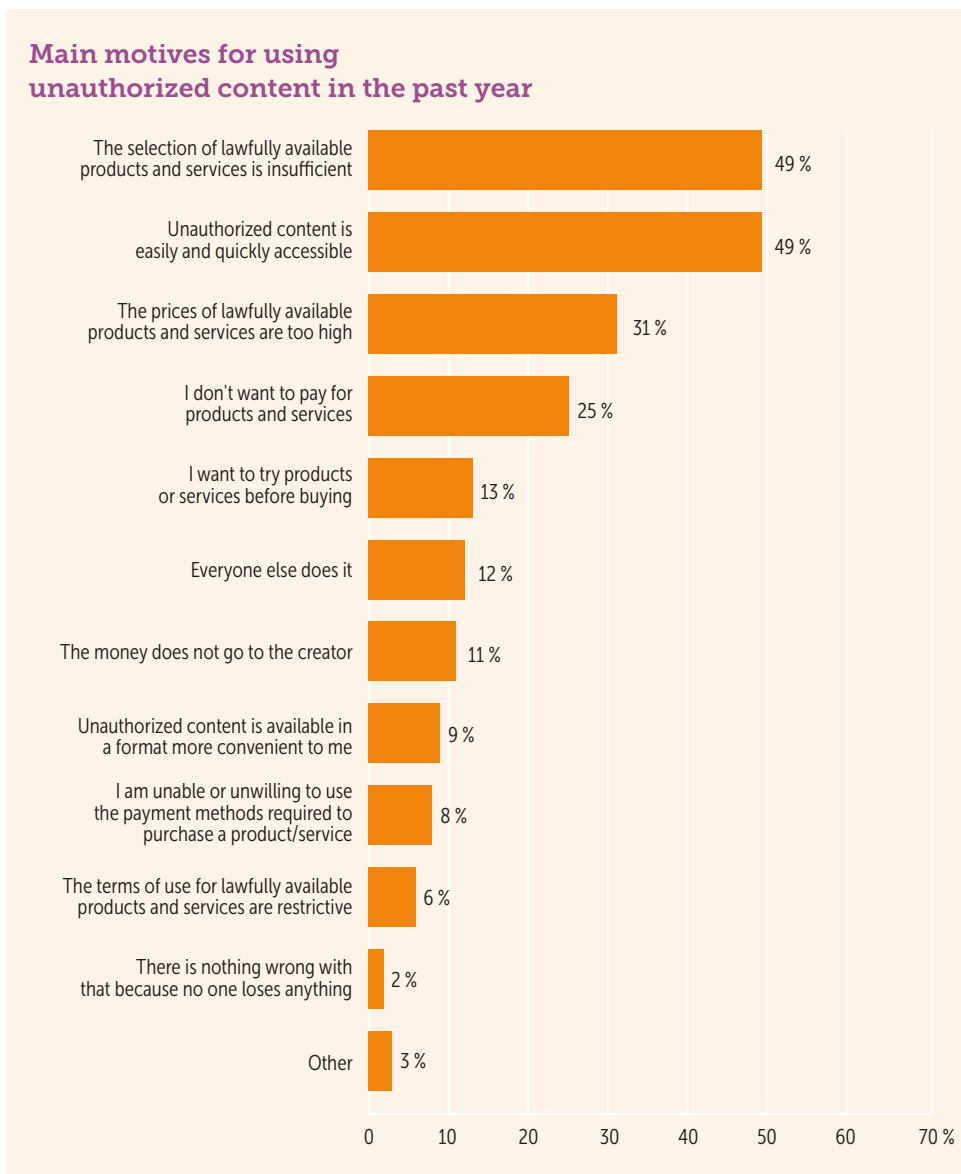


5 % of Finns use unauthorized content at least once a month, and 3 % at least once a week.

Motives for unauthorized use

Despite the proliferation of lawful services, it appears that they are still not always able to meet the needs of consumers.

● Better access to lawful content over the past few years has reduced unauthorized use for a clear majority of those who have sometimes used unauthorized content. However, insufficient offer of lawful products and services and the fact that unauthorized content is readily and quickly accessible are the most commonly mentioned reasons for unauthorized use among all age groups.



Users of unauthorized content are also active users of lawful content: they use all types of authorized online content more often than Finns on average.

For **61 %** of Finns, better access to lawful offer has significantly reduced the amount of unauthorized use.

The main motives for choosing lawful instead of unauthorized content are that the law must be respected and that creators should be compensated for the use of their works.

Unauthorized use is apparently not due to lack of copyright knowledge. On average, those who often use unauthorized content evaluate their level of knowledge higher than other Finns.

Follow-on creation based on pre-existing works

In the digital environment, individual citizens are increasingly not only consumers of creative content, but also creators and distributors of new works that can be based on pre-existing works.

● 36 % of Finns and more than half of the 15–44-year-olds have produced creative content and shared it on the Internet.

Half of those who have shared their own creations have used music, images, videos, or other content made by others as part of their own content.

- The types of content most often created are *videos or other audiovisual content*.
- The types of content most commonly integrated in new creative content are *music and photographs*.

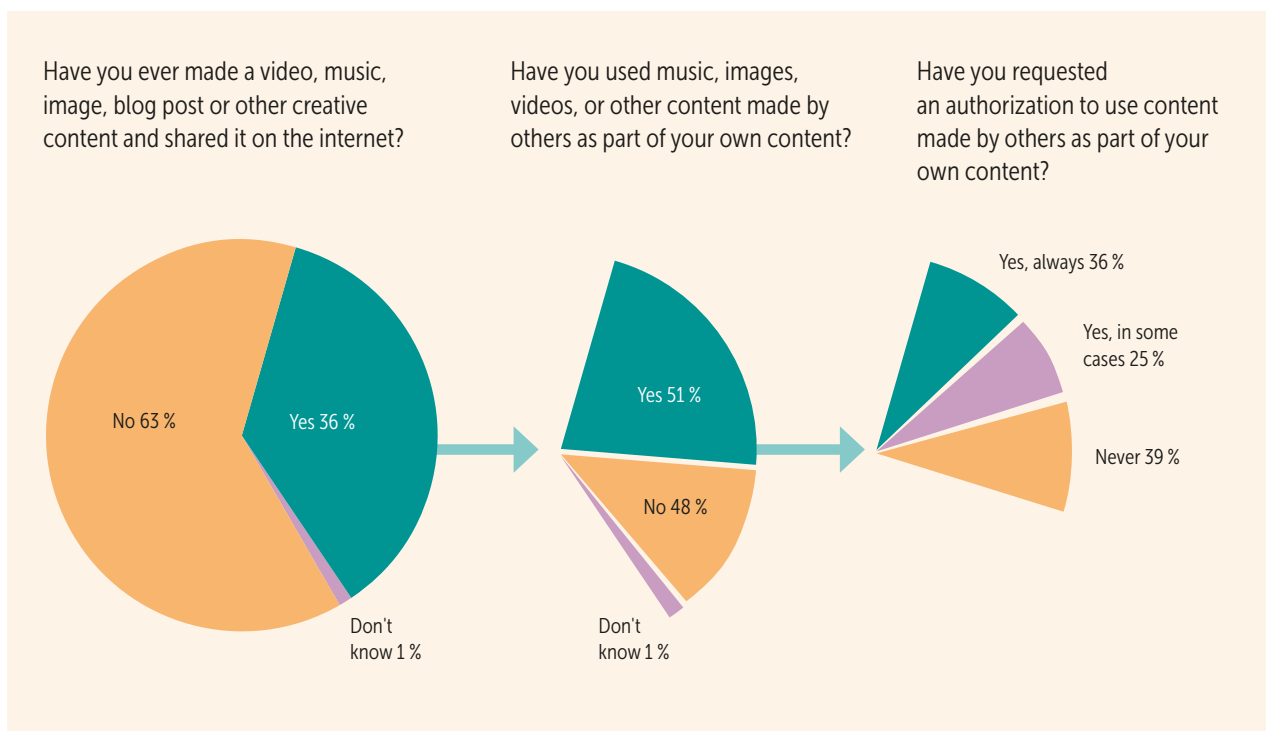
About 10 % of Finns have used pre-existing content as part of their own creative content, and also shared the new content on the Internet to a wider audience than to their close friends.

● An authorization to use works made by others as part of new creative works is requested only in some situations.

Almost 40 % of those engaging in follow-on creation had never requested authorization for follow-on use. However, 36 % of them had always asked for an authorization.

The most common reasons for not asking an authorization:

- requesting an authorization did not seem important (47 %)
- authorization was not required, for example due to the license terms of the original work (34 %)
- it was not known that an authorization was required (30 %)
- the rightholder was unidentified (27 %).



Perceptions and opinions on the copyright system

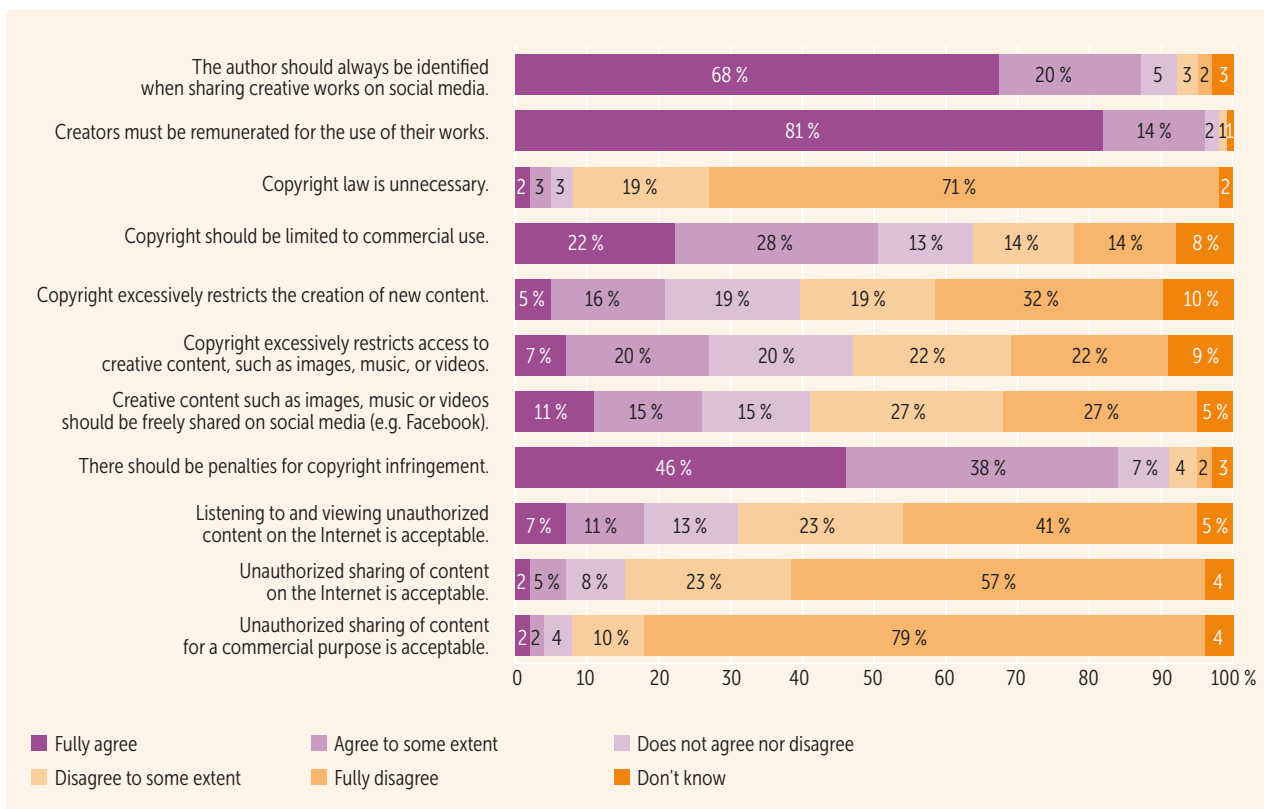
Although copyright is also subject to criticism, a clear majority of Finns consider the copyright system and the copyright legislation to be legitimate.

● 95 % of Finns agree at least to some extent that creators must be compensated for the use of their works. The majority is also of the opinion that the author should be identified when sharing works on social media.

A quarter of Finns believe, at least to some extent, that creative content such as pictures, music or videos should be freely shared on social media. However, regulation on the use and distribution of content is largely welcomed. Finns are also clearly of the opinion that copyright violations should have consequences. Attitudes towards unauthorized use are more negative when the use of content also involves sharing the work with others, in particular when the activity has a commercial purpose.

Opinions vary on whether copyright is too restrictive. Just over a quarter of Finns feel, at least to some extent, that copyright overly restricts the availability of creative content, and about a fifth are of the opinion that copyright limits too much the creation of new works. Half of Finns are at least to some extent of the opinion that copyright should only extend to commercial use. However, only a few percent feel that copyright law is unnecessary.

15–24-year-olds are more likely than other age groups to think that creative content should be freely shared on social media.



The next steps: conclusions and recommendations

Based on the results, the copyright system should be made clearer and information on copyright and authorized uses should be available in a form that is easy to use in practical situations. The development of the system must take better account of the changes brought about by technological development.

The majority of Finns operate in the digital environment

- The most common uses of copyrighted content are listening to music and watching movies, TV shows or videos through streaming services.
- There is often uncertainty on whether sharing content is permitted. However, content is commonly shared on the Internet even in situations where the permissibility is uncertain.

Understanding copyright in the digital environment is sometimes a challenge

- Although the majority of Finns feel that they are able to recognize when the use or sharing of creative content on internet platform services is permitted, many feel that it is difficult to distinguish what online use is authorized.
- The terms of use for the services and the copyright legislation could become more comprehensible. There is a clear need for information on copyright and authorized uses of content in an easy-to-understand format.

Users of unauthorized content are also active users of authorized content

- Unauthorized use does not generally appear to be linked to a lack of copyright knowledge. However, providing clear copyright information can help prevent unintentional unauthorized use.
- Unauthorized use is mainly driven by practical reasons: the availability of content and the limitations of the legal offer.
- Although better access to legal supply has reduced unauthorized use, legal services do not always meet the needs of consumers.

There is legal uncertainty about the use of works for follow-on creation

- In the digital environment, it is increasingly common for citizens to act as authors and distributors of original works based on earlier works.
- The authorization to use works made by others as part new works is requested only in some situations.
- In cases where such an authorization is not requested, it is less due to a lack of copyright knowledge than to the uncertainty and difficulties associated with license acquisition.

Changes in the operating environment challenge the legitimacy of the copyright system

- Copyright infringement online is generally considered easy, while the means of enforcement available are limited.
- Legal services have generally been slow to respond to the needs of consumers, which has contributed to the popularity of unauthorized use.
- Copyright appears to have maintained its credibility among the general public despite changes in the operating environment.
- Attitudes towards unauthorized use of content are more judgmental when the activity has a commercial purpose. In terms of the legitimacy of copyright law, it may be worthwhile to focus resources on combating commercial piracy.

On the basis of the results, the following recommendations can be made to improve the operation of the Finnish copyright system and the markets, as well as to promote content availability:

- 1.** Information on copyright and terms of use must be available in a format that is easy to understand and practical.
- 2.** Information on social media channels and clarity of the terms of use for online services are key areas to increase copyright knowledge for people under the age of 35.
- 3.** There is a need for information activities and clear copyright data (information on works and authors) to increase the public understanding of the situations in which content sharing is permitted.
- 4.** Easy access to a wide range of legal products and services is a key tool for reducing unauthorized use.
- 5.** The simplicity and ease of use of services are key areas for development to promote authorized use.
- 6.** Various licensing solutions should be developed to facilitate the acquisition of licenses for the non-commercial re-use of content.
- 7.** Clear copyright data is necessary to reduce legal uncertainty regarding the non-commercial re-use of content.
- 8.** Legislation must adapt to technological development, within the context of the EU legal framework. The copyright system as a whole, including public and private actors, must adjust to the new ways of using and distributing content.

The recommendations concern both governmental actions and the development of markets for copyrighted content. Some of them require international cooperation between representatives of different industries and states.

Assessment of the operation of the Finnish copyright system

● The study on the public views on the copyright system was part of the continuous **assessment of the operation of the Finnish copyright system** made at Cupore, based on annually changing themes. The work is based on a **methodology for assessing the copyright system** developed at Cupore .

The aim of the project is to provide a broad and regularly updated knowledge base on the operation of the copyright system. It highlights a variety of points of view on the copyright system

and provides objective analysis to assess needs for development. Continuous monitoring of the functioning of the copyright system and active development of copyright policy are important in the changing environment. The results of the study will be published openly and will therefore be available to all those interested in the operation and development of the copyright system. This will contribute to the openness and transparency of the system and increase the understanding of its operation.



Collective management of copyright



Opinions of the general public on the copyright system



Copyright-related questions in education and research



Copyright issues in different creative industries



Copyright-related questions in libraries, archives and museums



The copyright system's operating environment

Main source:

- Kautio T., Oksanen-Säreälä K. & Kurlin Niiniaho A. (2020). *Suomalaisten näkemykset tekijänoikeusjärjestelmästä*. Cuporen verkkojulkaisuja 61.

Further readings:

- 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 and amending Directives 96/9/EC and 2001/29/EC. Published on 17 May 2019.
- European Commission's webpage. *Flash Eurobarometer on Illegal Content Online* (2018).
- European Union Intellectual Property Office (2019). *Intellectual Property and Youth Scoreboard 2019*.
- European Union Intellectual Property Office (2019). *Online Copyright Infringement in the European Union. Music, Films and TV (2017-2018), Trends and Drivers*.
- Kautio T., Lefever N. & Määttä M. (2016). *Assessing the Operation of Copyright and Related Rights Systems: Methodology Framework*. Cupore publications 26 and Cupore webpublications 37.
- Kortelainen J., Lefever N. & Kautio T. (2018). *Evidence for the Future – A Review of the Finnish Copyright System*. Cupore webpublications 48.
- Website of the Copyright Information and Anti-Piracy Centre. *Tekijänoikeusbarometri 2019*.

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