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SOCIAL CAMPAIGN “LEGAL CULTURE”

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I. INTRODUCTION

1. The social campaign Legal Culture (“Legalna Kultura” in Polish) was created to maintain the diversity, basic values, and ideas which are fundamental to a culture, such as: to be fair to others, possibility to make a choice and the right to respect contributions to cultural development. The topic of respecting intellectual property is not very popular, nor is it attractive. It stands for the opposition to the enrooted beliefs that the resources on the Internet are just available and therefore they shall be free. The freedom of some persons (recipients) can mean the enslavement of others (creators). We are aware of how complex the problem of access to cultural goods is.

II. WHAT DO WE DO?

2. We, at the Legalna Kultura Foundation, promote the use of legal sources of culture and build awareness in the field of:

- protection of intellectual property;
- co-existence of the creators and the recipients of culture;
- support for the culture through the use of its legal sources; and
- building awareness of the recipients of culture in the new digital reality.

* The views expressed in this document are those of the author alone, and not those of the Secretariat or any of the Member States of WIPO.

3. We run widespread educational campaigns directed at schools, teachers and ordinary internet users, of all ages and from various environments. We create the base of legal sources of culture and support the creation of new sources. We build the sense of responsibility for culture. We change the language of discussion on copyright showing that it contributes to the common good of both the creators and the recipients.

III. WHO DO WE DO IT FOR?

4. The activities initiated by *Legal Culture* are directed at all participants of cultural life. The campaign supports the conscious recipients of culture who use legal sources of culture, trying to acknowledge their voice in the campaign. It also appeals to those who do not yet perceive the importance of the legality of sources they use.

5. We address everybody regardless of the age, by means of communication tools, which are appropriate for each particular age group. *Legal Culture* is a community campaign and therefore it is important that the topic and the intention to use the legal sources are familiar to both the generation of recipients and creators brought up on the traditional sources of culture, and to the generation embracing the digital reality.

IV. WHY DO WE DO IT?

6. The goal of *Legal Culture* is to make everybody aware that the way we use culture has a tremendous impact on the culture itself. Our goal is to make the recipients aware of their essential role in the culture flow and to build the sense of joint responsibility for the functioning of the culture, which could be translated to the strengthening of the good habit of using legal sources inside and outside our network.

7. The aims of the *Legal Culture* project are:

- setting the trend for the conscientious participation in the culture which is necessarily connected to the use of the legal sources of culture;
- promoting the existing legal sources of culture and creating the database of the legal sources on a website legalnakultura.pl, in cooperation with the internet users;
- supporting the emergence of new sources of legal culture;
- popularizing the digitalization of public resources;
- making it possible for the recipients of culture to find answers to the questions regarding copyright, including the protection of images, and other intellectual property rights – in theory and practice;
- promoting the protection of intellectual property and the enforcement of the law against all who make money from illegal dissemination of cultural goods;
- creating the community of creators and recipients; and
- encouraging the “co-creation” of culture through participation in crowdfunding projects.

V. HOW DO WE PROMOTE LEGAL SOURCES OF CULTURE?

8. *Legal Culture* is a positive campaign. We talk positively about the aspects of using legal sources of culture. Benefiting from the support of the “Friends of *Legal Culture*”, we concentrate on building the community of creators and recipients. We are supported by the following celebrity artists – actors, musicians, film directors, writers and other creators of culture, among others: Piotr Adamczyk, Agnieszka Grochowska, Robert Więckiewicz, Małgorzata Walewska,

Dawid Ogrodnik, Katarzyna Figura, Danuta Stenka, Zbigniew Zamachowski, Dorota Miśkiewicz, Aga Zaryan, Jacek Braciak, Justyna Steczkowska, Muniek Staszczyk, Piotr Metz, Filip Bajon, Adam Woronowicz, and Kayach. We build patterns for the conscientious use of cultural goods. We undertake a number of activities in public space, to draw attention to the issues related to the access to culture from legal sources.

9. The channels of promotions include the following:

- a) Internet: The website at www.legalnakultura.pl where the database of legal sources is displayed, is compiled in cooperation with users and divided into eight categories: film, music, books, press, museums, galleries, archives, photography, comprising almost 500 sources.
- b) Education: It is mainly programs addressed to students and teachers: workshops, talks, lectures, discussions for students, teachers, librarians and all who express a will to engage in *Legal Culture*. During the trainings, a lawyer answers all the questions asked by the participants.

On the website, there is a special zone for teachers where the educational materials are available. These are, among others, lesson plans in various fields: copyright and intellectual property in general, creator's rights and recipient's rights, protection and transfer of copyright, plagiarism, licensing and tools of exploitation, media education and film education.

The educational brochures and comics can be downloaded. The database is also displayed on the website where you can find the didactical resources for the teachers and the ancillary materials for schoolchildren. In addition to materials which are helpful for doing homework, we direct attention to websites where the users can familiarize themselves with the culture. Under the tab entitled "Worth visiting!" links are made available to libraries, museums and galleries. The schoolchildren also have at their disposal the Glossary – a compendium which enables quick searching for the terms used in the Law No. 83 of February 4, 1994 on Copyright and Neighboring Rights.

- c) Research: Sociological research is available regarding the functioning of various contents in the network and the wide spectrum of social and cultural problems which arise through the use of the internet.
- d) "In the Blackness of the Cinema" Campaign: Audio spots (statements/endorsements) by famous artists thanking the users for using the legal sources of culture, were broadcasted in the cinema networks, such as, Cinema City, Multikino, Helios and Studio Cinemas immediately before the film.
- e) Travelling cinemas: Films were shown in regions with no cinemas (minimum 30 km to the nearest cinema) combined with the information campaign, namely presentation of the internet website of *Legal Culture*, with the database of legal sources, and distribution of promotional and educational materials.
- f) Cinema on the roof: Films were shown under the open sky within the auspices of the Festival OFF PLUS CAMERA, on the roof of the Cracovian Hotel "Rubinstein".
- g) "Thankful Culture" Campaign: Compliments are provided for the use of the legal sources of culture, given in the form of positive stickers, when purchasing a book, a film, a piece of music, or tickets to the cinema, concerts, theatrical performances and other events.

- h) Internet cafes of *Legal Culture*: These cafes organized during cultural events, enabling access to the festival repertoire, are very good occasions to present the resources of the *Legal Culture*.
- i) Cultural events: *Legal Culture* partners with 65 cultural events – film festivals, music festivals, concerts, and book fairs.

10. Thanks to the media partners of the project, *Legal Culture* is present on:

- TV stations: spots and thematic discussions;
- Radio stations: spots and thematic discussions;
- Press: thematic articles and advertising materials;
- Internet: thematic articles and advertising materials;

VI. RESULTS OF THE RESEARCH

11. A quantitative research on *Legal Culture* was recently conducted. The results confirm that the presence in the media and during various events as well as the educational workshops and other activities produced tangible results.

12. More than one Pole out of four declared that they knew about the *Legal Culture* campaign.

13. Of the total sample group (1,000 respondents) surveyed in the autumn, more than half of the respondents supported the idea of the campaign. From those who had contact with the campaign, 71% were in favor and only 5% against. The biggest acceptance - as much as 86% of the surveyed by *Legal Culture* came from the subgroup of the youngest respondents: 15 - 18 years of age. This is especially important due to the priority of the project to reach those who will influence, in the future, the market and the rules governing it. The results also show the impact of the promotional campaign on the attitudes and the behaviour of the Poles. Twenty-five per cent of the participants in the surveys, confirming having had contact with *Legal Culture*, declared that the campaign increased their awareness about the legality of internet content.

User-Generated Content: Motivations, Problems and Solutions

14. One of the goals of the Legalna Kultura Foundation, in addition to the promotion of the use of the legal sources of culture, is to acquire and expand knowledge about the creators and the recipients, and the group of the so-called "User-Generated Content" (UGC) is of special interest to us. We, for the first time in Poland, conducted research in relation to this group of internet users in two stages, in spring and autumn of 2013. Analyses of this type are also in the initial phase in the world, since they refer to the group of internet users emerging in recent times, but growing significantly in number. The results of this research can be a valuable contribution of Poland to the activities conducted by the European Commission through the "Licences for Europe project".

15. It is not an easy task to define the users belonging to the UGC group. The essential document which can be referred to when defining this group of network users is the OECD Report of 2007 on "Participative Web: User-Created Content". According to this Report UGC group (or UCC as user created content) shall be understood as: 1) the content created by the users, commonly available in the internet (requirement of publication); 2) the content related to the creative contribution; 3) the content generated outside the professional activity of the users.

These three conditions shall be fulfilled simultaneously to classify the content as UGC. However, in practice it is very difficult to draw strict boundaries and make precise definitions.

16. The first stage of our research produced many interesting results. Firstly, it brought a lot of information which enables the characterization, initially, of the attitudes and behaviour represented by the members of the surveyed group. Secondly, it signalled the inconsistencies and misunderstanding of many problems arising from posting UGC content on the network. In the next stage, we assimilated more precise knowledge on the creators of UGC content - their motivation, ways of using the network, problems and barriers which they encounter, and the up-to-date tendencies and potential solutions accepted by the representatives of the UGC group.

17. The UGC users define creativity posted on the network in a different way. One consideration is the level of professionalization of artistic activities on the network and the economic benefits resulting from it. The UGC creators make money from the advertisements, which are placed next to their projects and through promoting the products of certain brands.

18. One of the most important aspects is what motivates the creators to post UGC content on the network. For many creators the satisfaction derived from popularity is very important. The UGC creators also download the content from the network. What drives them can be illustrated by the films which are very often downloaded from illegal sources. The representatives of this group download from the network, first of all, films which are not legally available (the fringe films, less popular older productions and so on). The financial aspect is also important - the price of the tickets to the cinema is high. Furthermore, many internet users do not like the advertisements flashed on the screen before the film projection. However, they declare that they will not download from the illegal source any Polish films, or films made by the artists who are their friends.

19. UGC creators also point at numerous problems and barriers in relation to the network; especially those which result from the use of the legal resources. The obligatory registration on the portal leads to uncertainties. The artists making their publications on the network are mainly concerned about what would happen with their works in the future, which are left at the mercy of the internet users. Not only the illegal downloading of the content by the recipients is a problem, but also their reactions to the UGC content appearing on the network and towards its creators. The internet users who make use of the UGC content lack the option of purchasing the artistic works as such, and is not being forced to watch the spots promoting completely different kind of product.

20. Not only the attitudes and the behaviour of the UGC users are interesting, but also their level of knowledge of copyright law. The artists say that knowledge is not enough, the effective instruments are not in place which can help to enforce their rights. In the creators' opinion, not only the inadequate enforcement of the available legal measures impacts the situation, but also the recipients' conviction about the minor detrimental effect of the unlawful activity and the lack of the certainty of the penalty. Another problem arising is the economic dimension of the internet activity of the creators. The artists are usually interested in this type of income even if it can be symbolic. The big services which allow to download UGC content quite cheaply, create many doubts. The Internet users do not want to pay to the distributor, they would prefer to pay money directly to the artists. What is even more, they are aware that such portals often operate illegally. The creators also emphasise that the benefits from displaying UGC content in the legal services are insignificant and they are aware that high costs are involved in the maintaining of such "art factories".

21. UGC creators also highlight the existing dominating tendencies of using the sources of culture in the network. In addition to social portals and the portals containing specialized knowledge, websites containing UGC content are also visited. The most favourite websites are: Spotify and Deezer and also portals presenting the European Cinema Production.

22. UGC users also point to a certain paradox, namely, that the use of illegal sources is simply more convenient. Thus, the barrier is not only the money, but also, and maybe, first of all, the user's comfort. It seems that this is one of the basic challenges faced by all who want to promote the use of legal sources of culture on the network.

23. The task of the institutions and organizations which are interested in the circulation of such materials on the network is the compilation of the extensive databases of good quality legal sources of culture. This is a much more effective strategy than the forceful combating of internet piracy.

24. Further studies will be necessary as the familiarization with the attitudes and the behaviour of the users from the UGC group will help to create effective educational and promotional instruments tailored to their needs. The knowledge assimilated to such research will also help to develop and implement the future solutions which the users regard as the fulfilment of their expectations.

VII. IN WHAT HAVE WE SUCCEEDED?

25. We have succeeded in drawing the societal attention to the fact that culture is a community of creators and recipients, and the way we use culture has a tremendous impact on culture itself. We managed to encourage those who use legal sources of culture to raise their voice since their statements are vital to the campaign. A measurable result of the campaign is the constantly expanding legal sources database and the *Legal Culture* internet website, which is perceived as an interesting portal promoting spectacular events and creators. The campaign also contributed to the development of the perception of *Legal Culture* as a reliable source of information in the field of the copyright and related rights. We succeeded in reducing the "public boasting" of downloads from illegal sources into an "embarrassment".

VIII. WHAT IS DIFFICULT?

26. Respect for intellectual property is not popular nor attractive. It is something new, and it is an opposition to the enrooted beliefs that the internet resources are simply available and therefore that they should be free. The choice of sources which we use is very often dominated by a lack of knowledge and ease of access. Furthermore, there is a lack of awareness that we often pay for the culture coming from the illegal sources and a lack of knowledge that the culture from legal sources can be paid as well as free

IX. WHAT IS IMPORTANT?

27. The perception of the recipients of culture is very important, as well as the conscious choices they make. For sure, everyone wants to remain fair towards creators, especially those most favoured.

28. We are happy about the popularity of *Legal Culture* among the internet users, parents, students and teachers. With them in our mind, we will "re-make" our presentations, "re-give" our lectures, and "re-organize" our workshops and meetings with the lawyers. New sources of knowledge will emerge, destined for schoolchildren and teachers. We will be developing our database of legal sources. We are currently preparing our new chapter – *The Bank of Individual Creativity*, which is to encourage the joint creation of culture by supporting crowdfunding activities. The experience that we have gained up to this day teaches us how

important the interaction with consumers of culture is in the dissemination of knowledge about the intellectual property protection.

X. WHO DO WE COOPERATE WITH?

29. The strategic partners for the project *Legal Culture* are the Ministry of Culture, the National Heritage, and the Polish Institute of Film Art. The campaign is supported by 32 institutions, 43 media partners and by numerous festivals and cultural events. The supporting institutions provide the content, material and promotional support. The media partners also provide support.

30. In the year 2013, we conducted 73 educational workshops, we were present at 66 festivals and cultural events in Poland. We will continue the activities in 2014. Moreover, we will endeavor to activate the creators as well as the creative industries to be more involved in the dialogue with the recipients of culture.

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