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EUROPEAN CITIZENS AND INTELLECTUAL PROPERTY: PERCEPTION, AWARENESS AND BEHAVIOR

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ABSTRACT

A new European Union (EU) wide survey carried out by the European Union Intellectual Property Office (EUIPO) shows widespread support for intellectual property rights (IPRs) among EU citizens and growing use of digital legal offers. It confirms the overall results of a similar survey conducted by EUIPO in 2013.

However, the survey shows there appears to be more tolerance for buying counterfeits, in particular among young people. Moreover, in the context of the ongoing economic crisis, young people said they felt it was acceptable to buy counterfeits if the original product was too expensive. A large number of people said they prefer to access digital content through legal or authorized services whenever there is an affordable option available. However, confusion is growing about what constitutes a legal source and/or a web shop selling genuine products. Since the publication of the 2013 study, EUIPO has carried out a number of actions based on its results, aimed directly at EU citizens.

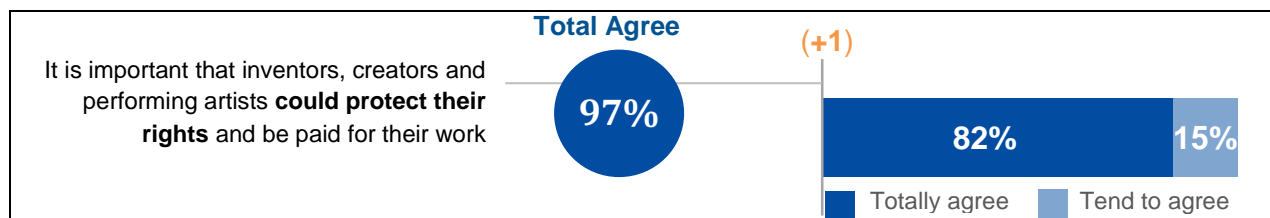
* The views expressed in this document are those of the author and not necessarily those of the Secretariat or of the Member States of WIPO.

I. INTRODUCTION

1. The study *European Citizens and Intellectual Property (IP): Perception, Awareness and Behavior*, commissioned by the European Union Intellectual Property Office (EUIPO), explores Europeans' attitudes towards intellectual property (IP); the degree to which Europeans respect these rights, and the concept as a whole¹. This European Union (EU) wide study, covering residents in all EU Member States aged 15 years and over and bringing together the results of more than 26,500 interviews conducted in 2016, gives an updated and comparative analysis of a 2013 study.

II. MAIN RESULTS

2. The importance of protecting intellectual property (IP) is increasingly acknowledged.



The percentage of the respondents who equate IP protection with maintaining economic stability remains constant, at 67 per cent.

2/3	Agree that if there was no longer any IP protection there would be economic chaos	Agree that companies that create a lot of IP contribute significantly more than the others to the creation of jobs or growth
1/2	NEW Think that strict protection of IP may curb innovation	NEW Think that IP principles are not adapted to the Internet

3. Just as in 2013, the opinion associating the absence of IP rules with economic chaos is most prevalent among the youngest and oldest age groups: 73 per cent of respondents aged 15 to 24 and 70 per cent of those aged 55 or over share this belief. Interestingly, and consistently since 2013, the most-educated Europeans are less convinced by this impact (63 per cent), and the level of understanding of IP does not play any role in this belief.

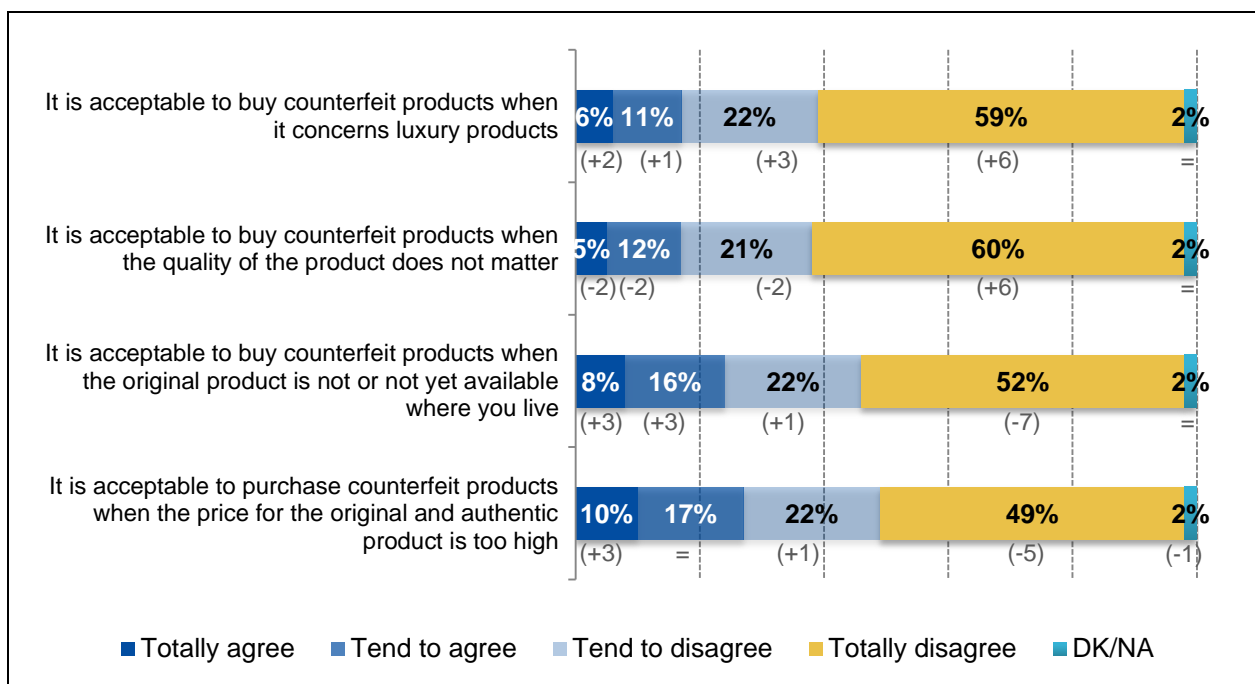
4. The opinion of IP curbing innovation appears to be more widespread among the youngest Europeans surveyed: six out of 10 respondents aged 15 to 24 agree with this statement (59 per cent versus the EU average of 50 per cent). It is also a frequent belief among buyers of counterfeit products and people downloading or streaming from illegal sources: 57 per cent of this sub-group agree with this statement.

¹ https://euiipo.europa.eu/tunnel-web/secure/webdav/guest/document_library/observatory/documents/IPContributionStudy/2017/european_public_opinion_study_web.pdf.

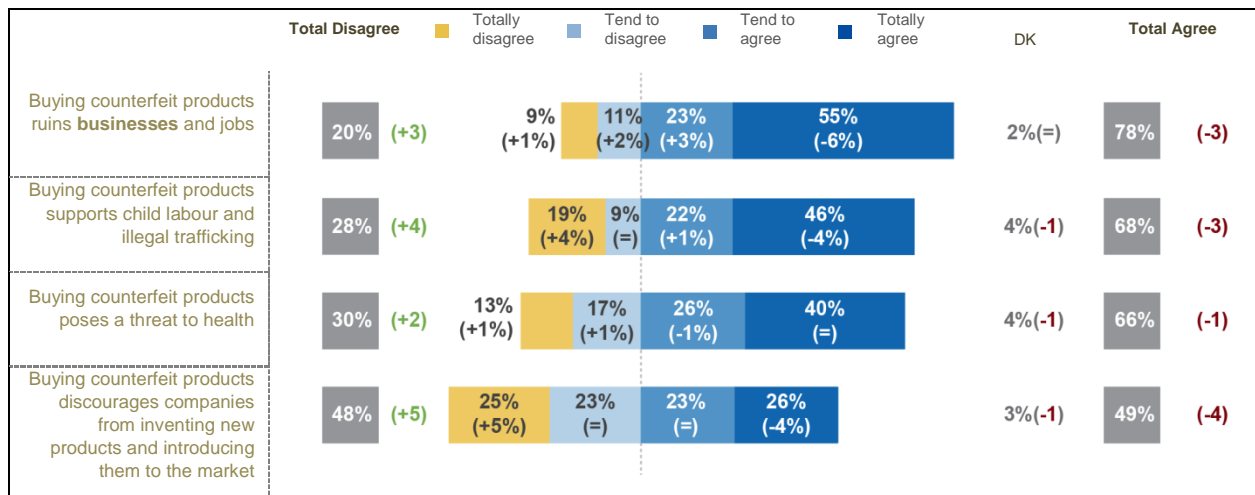
5. IP remains a largely abstract concept for citizens, as there is a continuing trend of associating IP protection with the “elite”, such as large companies and famous artists. At the same time, respondents think that consumers like themselves benefit to a much lesser extent. This pattern was the same in 2013.

A. PURCHASE OF COUNTERFEIT GOODS

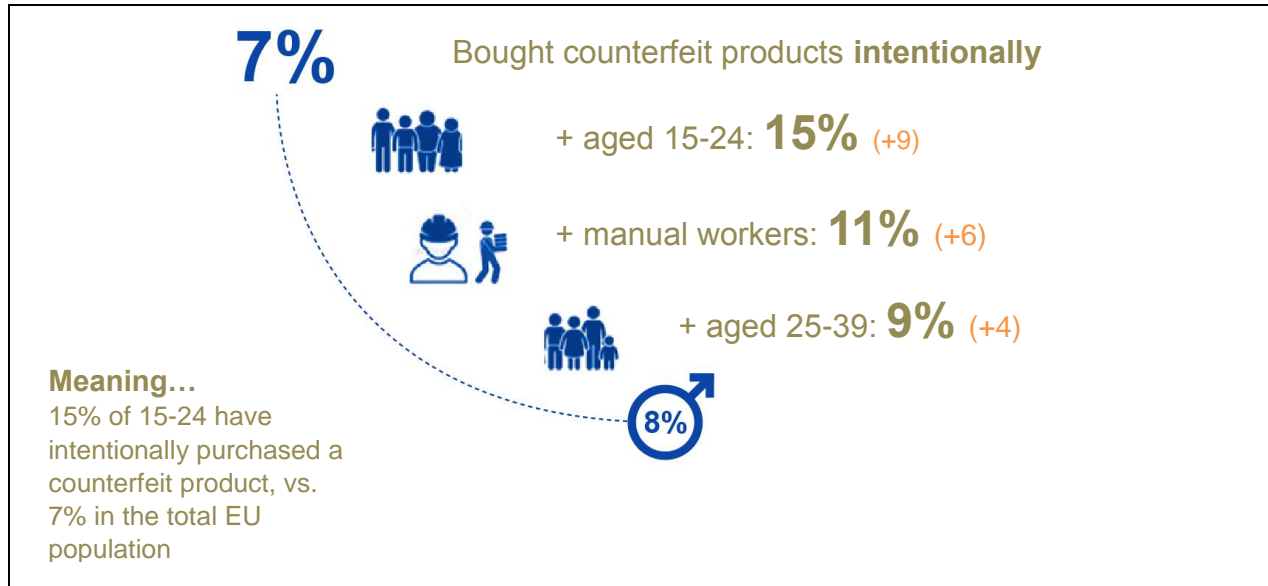
6. The Europeans surveyed continue to regard IP as a fundamental value, which is closely linked to strong condemnation of purchasing counterfeit products. Seven out of 10 Europeans surveyed believe that nothing can justify the purchase of counterfeit goods. This strong condemnation is further confirmed, as the proportion voicing the strongest attitude, “totally disagree”, is between 49 per cent and 59 per cent for all the statements from the survey shown below.



7. However, although condemnation of counterfeiting remains, acceptance of the practice is increasing, especially when the reasons for buying counterfeits are price and availability.



8. Overall, the percentage of the Europeans surveyed who declare having intentionally purchased counterfeit products remains low, but has increased three points since 2013 (seven per cent versus four per cent in 2013). Among those who admit having intentionally purchased counterfeit products, there is an observable over-representation of youngsters, as 15 per cent of the participants aged 15 to 24 admit having intentionally engaged in such behavior (+ nine points).

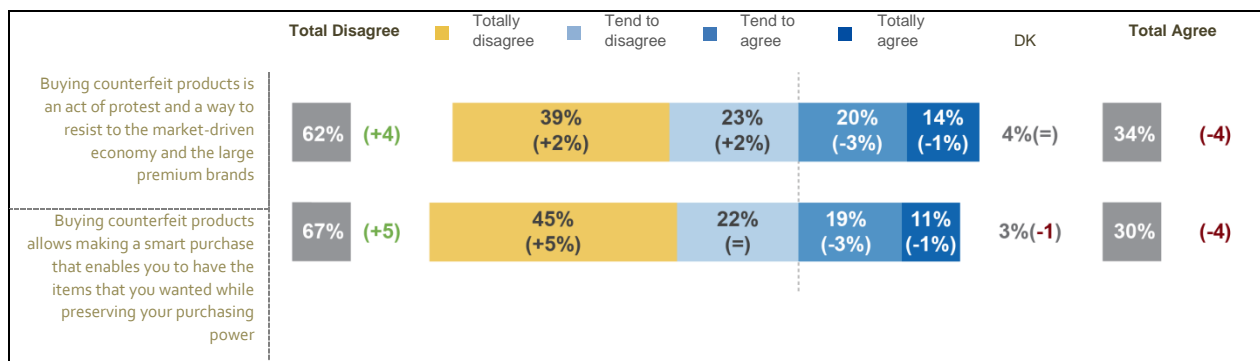


9. Those who were misled into purchasing counterfeit goods also increased by four points (10 per cent vs. six per cent in 2013).

10. While in 2013, the young generation was the most likely to have purchased counterfeit products as a result of being misled, in this survey it is respondents aged 25 to 39 who display this feature at a higher rate. In total, 12 per cent aged 25 to 39 say they have purchased counterfeit products due to being misled (+ six points), whereas 11 per cent of respondents aged 15 to 24 admit the same behavior (+ four points).

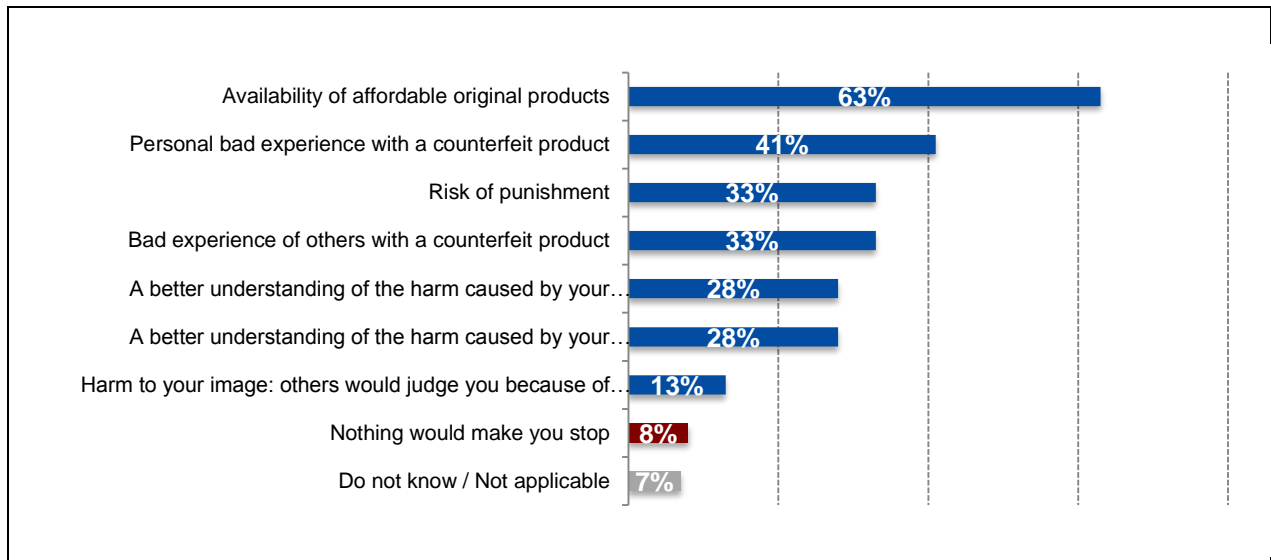
11. While more Europeans surveyed are purchasing counterfeit goods, a notable proportion (35 per cent) have also wondered whether a product they purchased was genuine or counterfeit.

12. Of the Europeans surveyed, 34 per cent (- four points) consider purchasing counterfeits as an act of protest, while 62 per cent do not share this opinion.



13. Among respondents who admit having intentionally purchased counterfeit goods, the impact of this behavior on the EU economy or the harm caused to the producers of the original content does not appear to make a significant impression.

14. Just as the increase in acceptability of counterfeits appears to be driven by price, the same is observed regarding those who have intentionally purchased a counterfeit product within the last 12 months. The availability of affordable products is the main reason that would make counterfeit buyers discontinue this behavior.



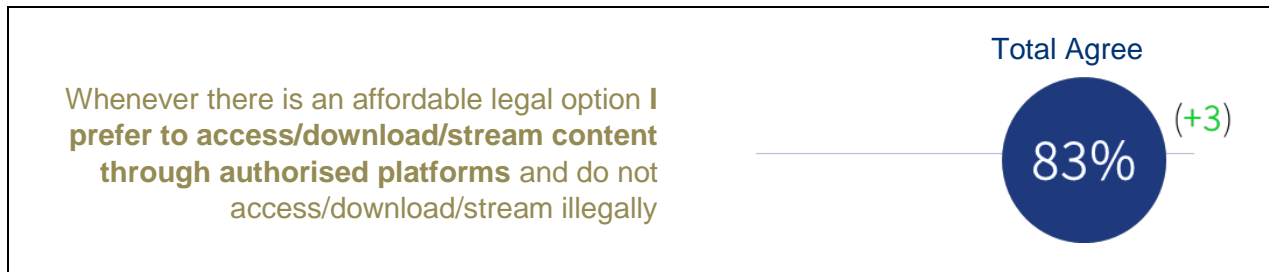
B. DIGITAL CONTENT

15. While general acceptability of copyright-infringement behavior decreases, with only 35 per cent of respondents believing it is acceptable to obtain online content illegally if it is for personal use (– seven points), consumption needs appear increasingly to overrule legal concerns, as 31 per cent (+ nine points) of the Europeans surveyed state that obtaining online content via illegal sources is acceptable if no legal alternative is available.

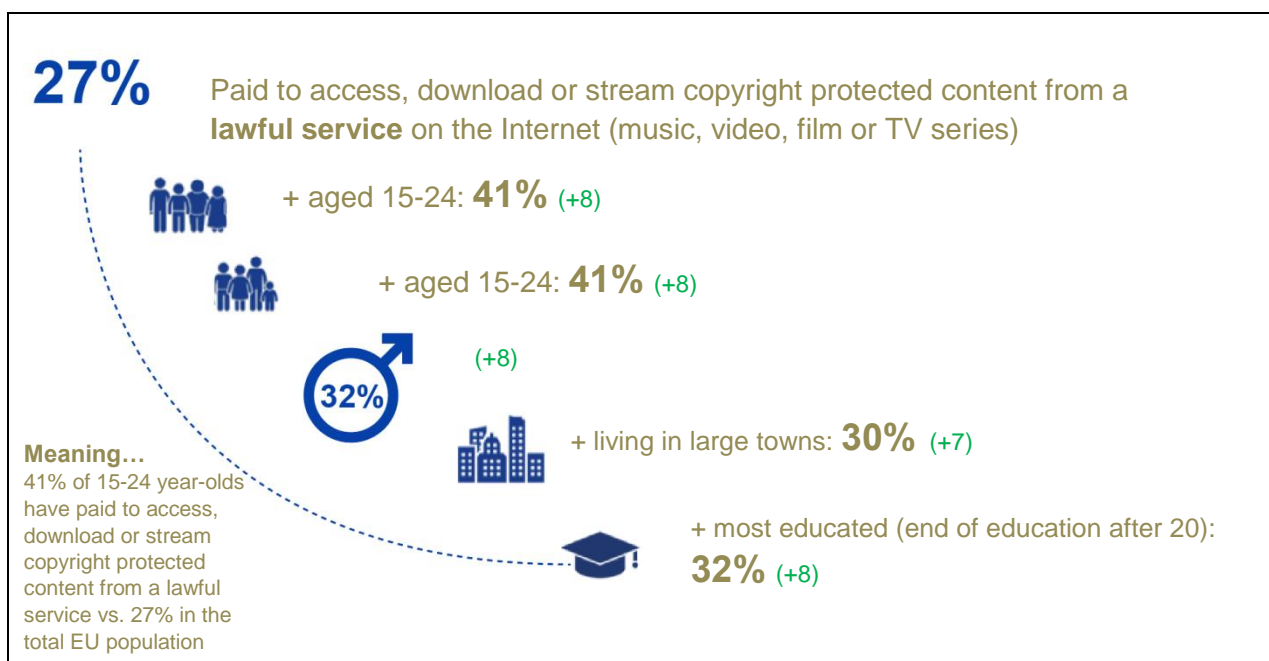


16. The level of acceptability of illegal downloading when there is no immediately available legal alternative decreases with age.

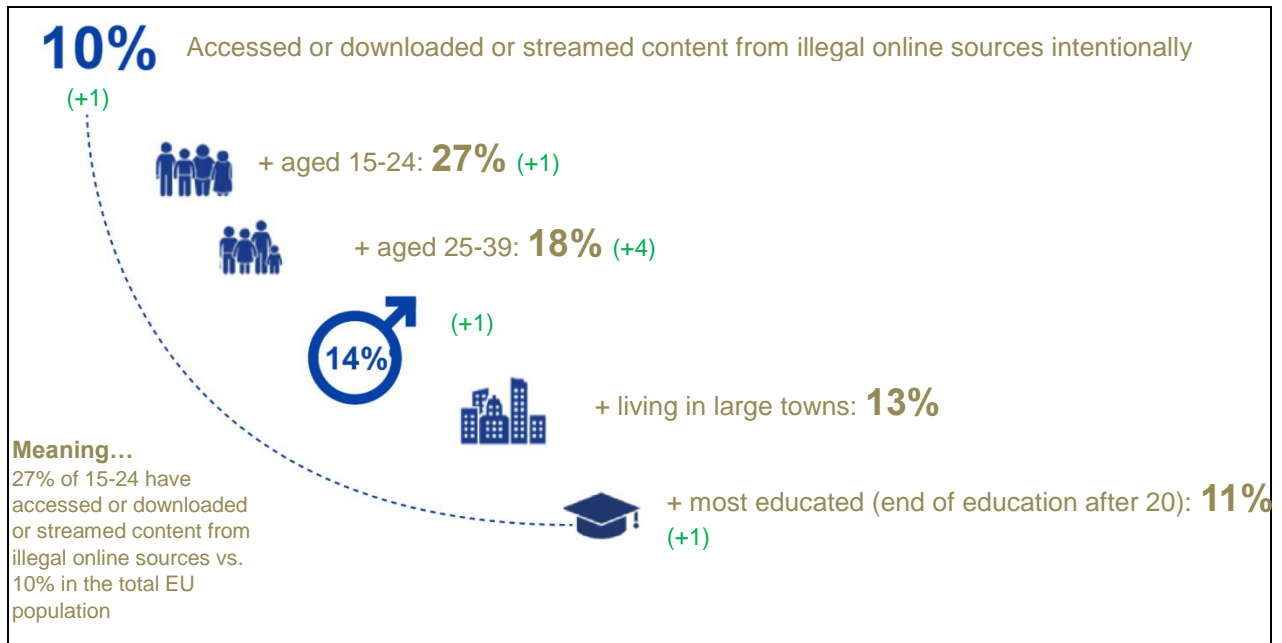
17. Even though an increasing proportion of the citizens surveyed state that infringing behavior can be justified when no legal alternative is available, a large and increasing majority of the Europeans surveyed would choose the legal offer over illegal sources. There is a clear preference for using legal means to access online content when an affordable option is available, as 83 per cent of the Europeans surveyed say they prefer to obtain digital content through legal/authorized services.



18. Only eight per cent declare they would not necessarily go for the legal option even if it were an available and affordable option. Among 15 to 24 year olds, 13 per cent would still use the illegal option. However, this proportion has dropped by four points from 2013, whereas it has decreased by two points overall. This decline is consistent with the increase in the use of legal services by young Europeans.



19. A minority of the Europeans surveyed, 10 per cent (+ one point), say they have intentionally used illegal sources online. While the younger generations are the most likely to have paid to access content, they are also the most likely to have intentionally accessed content using illegal sources.

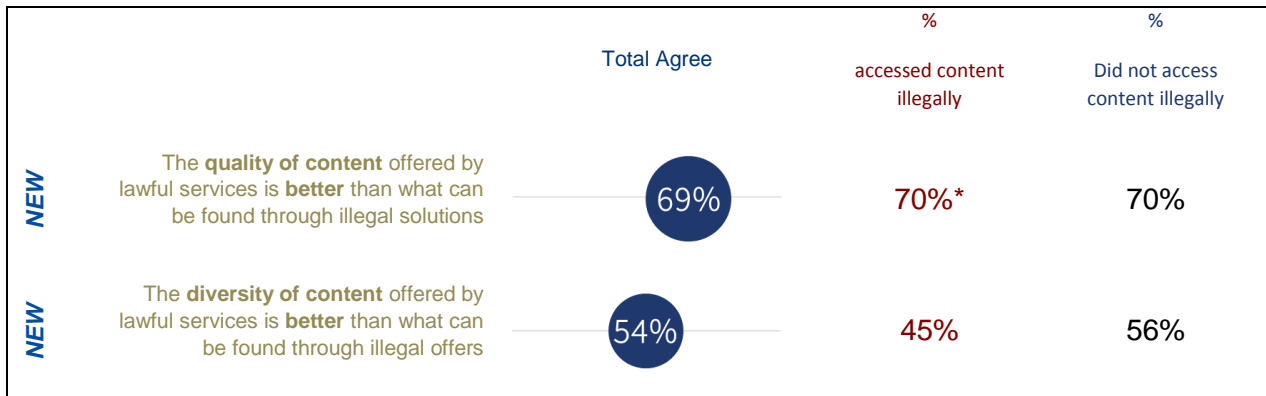


20. Approximately one third (32 per cent) of the Europeans surveyed accessed copyright content online, legally or illegally, with 22 per cent using only lawful services, five per cent using only illegal sources and five per cent using a mix of paid lawful and illegal sources. This suggests that respondents are willing to switch between legal and illegal sources in order to gain access to content.



21. While use of legal sources has increased, so has awareness of the legality of online content; however, there appears to be increased ambiguity regarding what constitutes a legal or illegal offer. A total of 24 per cent of the Europeans surveyed questioned whether a source was legal or not with, a five point increase compared with the 2013 study.

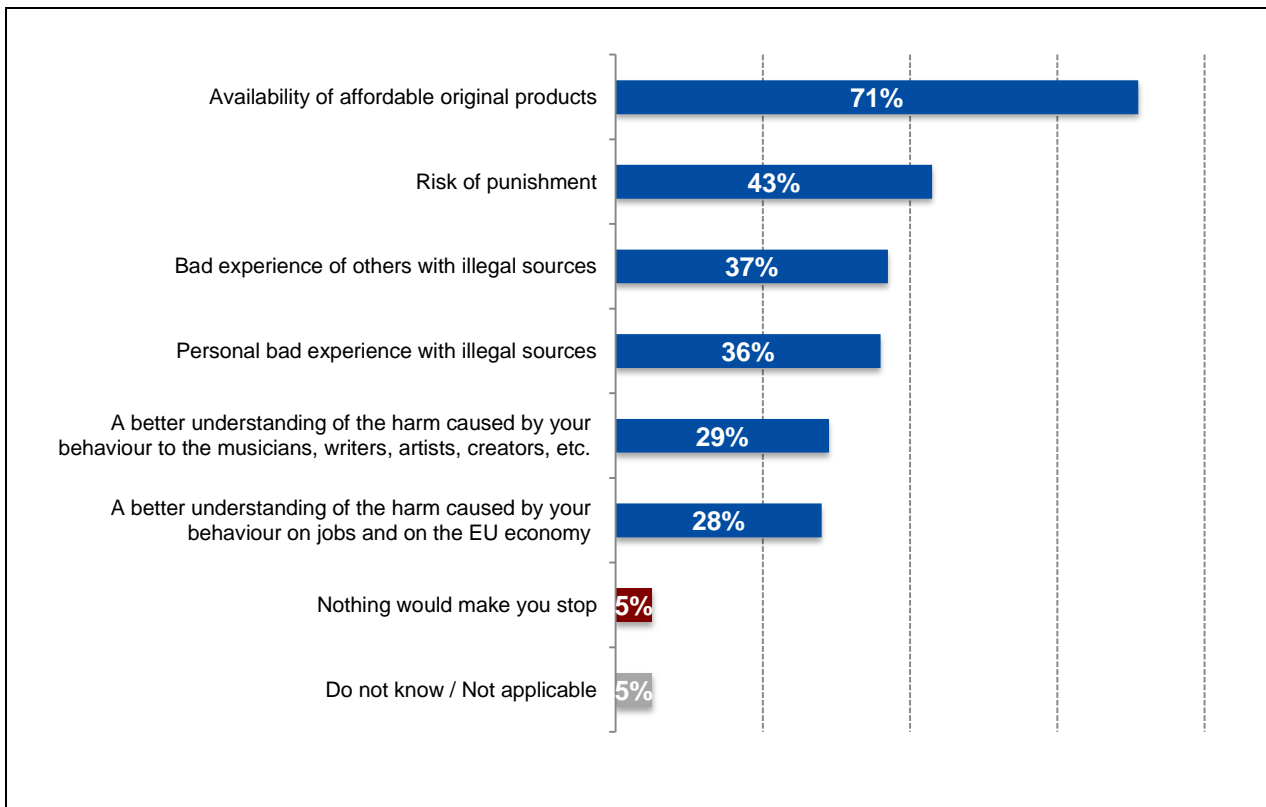
22. Europeans appear to take a clearer stance regarding the quality of content offered by lawful services.



*When adding up people who accessed content illegally and people who did not, the total does not equal the overall EU sample as 3% of the Europeans surveyed preferred not to answer this question. That is why we observe a difference between the percentage of people agreeing with the statement and this split shown between declared infringers and non-infringers

23. The belief that legal sources offer higher quality content than illegal sources is most prevalent among the younger generations, as three quarters of those aged 15 to 24 and 25 to 39 stated this opinion. The youngest generation surveyed also finds that legal services have more diverse content than illegal options, as six out of 10 of the respondents aged 15 to 24 state this belief, whereas a little more than half of those aged 25 to 39 share this view.

24. Among respondents admitting to using illegal sources to access online copyright content, price and availability prevail as the apparent drivers for such behavior.



III. CONCLUSIONS

25. In 2016, the Europeans interviewed increasingly regard IP as a value and a set of principles that protect artistic creation and innovation. They view IP as an essential regulatory principle, believing that a lack of IP protection would impact economic stability.

26. However, and consistently with the 2013 results, IP still appears to be a confusing and ambiguous topic for the Europeans surveyed. Even if the understanding of IP increases across Europeans as a whole, strong IP understanding erodes in 2016. Moreover, younger Europeans disclose decreasing understanding and have more critical views on IP. Additionally, the Europeans interviewed continue to view the “elites” as the main beneficiaries of IP, and citizens like themselves are recognised as beneficiaries to a much lesser extent.

27. The disconnection between support for IP principles overall and actual infringement behaviors related to IP has grown stronger between 2013 and 2016, with two trends that can be observed. On the one hand, there has been an increase in the purchase of counterfeit products, especially among the younger generation, which goes hand in hand with a growing acceptability of this behavior due to price and lack of availability, as well as a decrease in its perceived harm.

28. However, regarding online content, the growth of legal offers since 2013 translates into its use, as a significant increase is noted in the Europeans surveyed that report having paid to access, download or stream copyright content from lawful services. This growth, nevertheless, has not yet resulted in a decrease in illegal behavior. Results confirm that Europeans do prefer legal sources, but a lack of access to desired content drives them to use illegal sources. The results also show an increase in uncertainty, as Europeans continue to reveal confusion regarding what constitutes a legal or an illegal source.

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