

Digital Piracy: An Empirical Study On Public Opinion In Albania

Ana Buhajoti

University of Tirana, Faculty of Economics
Tirana, Albania
ana.buhajoti@gmail.com

Maxim Lurie

Lauder Business School
Vienna, Austria
maxim.lurie@lbs.ac.at

Abstract— This paper presents an experiment on the extent to which digital piracy has spread in Albania. The violation of copyright law (digital piracy) is a worldwide problem that causes losses to many industries (music, movies, software). Digital piracy consists of illegally possessing and distributing copyrighted material, without the permission of the rightful owner.

For the purpose of this research an online survey was conducted, and its main target group was composed of Albanian students. The participants were asked variety of questions to find out what is their opinion on the matter and which might be the factors that are affecting their behavior in regards to digital piracy. The survey proved that most of the people consider digital piracy as morale, and they still download or copy illegal files from the Internet.

Keywords— Digital, Piracy, Economics, Ethics, Intellectual Property, Culture, Public Opinion Albania

I. INTRODUCTION

Since the Internet today is fast, cheap and highly accessible, it is very easy to download and install programs. However this activity by itself creates a morale issue in regard to how these programs will be obtained and what Internet sites will be used. Programs, movies and other electronic creations, like works of art and literature fall under the protection of intellectual property law. The copyright law preserves all rights over a program or a website to the creator, and violating these rights is considered illegal.

Intellectual property is generally regarded by the law as a “tangible property”. However the true description of a “tangible” product is something that can be touched or felt and has monetary value – ex. property, real estate or personal belongings. An idea, a song or a movie cannot be touched therefore the situation with these items, and in general intellectual property rights and laws is a little vague.

Previously copyright laws were focused mainly on literary works and works of art, however due to the speed with which the Internet was introduced to our day to day lives, and the extent of innovative products it offers consumers, it became necessary to include software, movies and music under the copyright law. (Kinsella, 2011) [4]

Digital Piracy is a violation of copyright law, or a “theft of intellectual property”. The “theft of intellectual property” can be described as creating a perfect copy of an original without the authorization of the author for personal (namely commercial) gain.

Conversations about digital piracy tend to turn into conversations about morality and ethics. The issue of violating the rights of a copyright holder is considered immoral and harmful. The works protected under copyright law are mainly regarded as intangible property. A number of people do not consider stealing what they consider to be intangible property as real stealing, and they would not have a problem sharing the “stolen” music, movie or program with their friends and relatives. Most of the offenders are young people between 18-30 years, which raises the flag of the morale education and the impact of the Internet on the young generations. Nevertheless the truth is never black or white, and the actual situation with Internet is also more complex. As harmful as piracy is, there are some cases that can actually stimulate demand for certain kinds of music artists or movie genres. There are several cases in which limited piracy was beneficial rather than harmful for the copyright holder. (Hill, 2007) [13]; (Guldborg & Sunden, 2004) [12]; (Roosz) [21].

II. DIGITAL PIRACY IN ALBANIA

Albania and many other countries have found themselves on the “Priority Watch List” of countries since the International Intellectual property alliance (iipa) recommends that the U.S. Government should actively monitor developments in Albania after 2012 with respect digital piracy.

Several copyright industries, including the motion picture industry and the business software industry in particular, note significant enforcement problems in Albania. According to the Business Software Alliance (BSA), the software piracy rate in Albania has held steady at around 75% for the past few years. This ranks Albania behind only the Republic of Montenegro (79%) in piracy in the Western-Balkans peninsula. (IIPA, 2012) [8]

| UNLICENSED SOFTWARE INSTALLATION RATES | | | | |
|--|------------|------------|------------|------------|
| | 2013 | 2011 | 2009 | 2007 |
| CENTRAL AND EASTERN EUROPE | | | | |
| Albania | 75% | 75% | 75% | 78% |
| Armenia | 86% | 88% | 90% | 93% |
| Azerbaijan | 85% | 87% | 88% | 92% |
| Belarus | 86% | 87% | 87% | — |
| Bosnia | 65% | 66% | 66% | 68% |
| Bulgaria | 63% | 64% | 67% | 68% |
| Croatia | 52% | 53% | 54% | 54% |
| Czech Republic | 34% | 35% | 37% | 39% |
| Estonia | 47% | 48% | 50% | 51% |
| FYROM | 65% | 66% | 67% | 68% |
| Georgia | 90% | 91% | 95% | — |
| Hungary | 39% | 41% | 41% | 42% |
| Kazakhstan | 74% | 76% | 78% | 79% |
| Latvia | 53% | 54% | 56% | 56% |
| Lithuania | 53% | 54% | 54% | 56% |
| Moldova | 90% | 90% | 91% | 92% |
| Montenegro | 78% | 79% | 81% | 83% |
| Poland | 51% | 53% | 54% | 57% |
| Romania | 62% | 63% | 65% | 68% |
| Russia | 62% | 63% | 67% | 73% |
| Serbia | 69% | 72% | 74% | 76% |
| Slovakia | 37% | 40% | 43% | 45% |
| Slovenia | 45% | 46% | 46% | 48% |
| Ukraine | 83% | 84% | 85% | 83% |
| Rest of CEE | 89% | 90% | 88% | 88% |
| TOTAL CEE | 61% | 62% | 64% | 68% |

Figure 1. Rates of Unlicensed PC Software Installations (IIPA 2012) [8]

In general, Albania's legal framework for IPR protection is sufficient. A new (and improved) Copyright Law considered by the Parliament in 2012 implemented key European Union directives (such as the 2004 Enforcement Directive). Drafts of the law are currently being considered by the government (Ministry of Culture and the Copyright Office), including meetings with rights holders. Passage of the law is also necessary to implement the Government of Albania's "Intellectual Property Rights Enforcement Strategy 2010-2015" which established a dedicated interagency detail (an ad hoc IPR "Inspection Agency") for combating IPR enforcement. There were two other additions to the legal framework. The first, was adopted in 2009 (implementing the 2003 European Council Regulation No. 1383/2003), to provide customs officials with ex-officio authority to suspend the release of goods or to seize goods on sufficient grounds. In addition to this authority, customs actions can also be undertaken on a rights holder's request. The second was adopted, effective July 2011, to the Law on Inspections, which allows internal market inspections (including IP inspectors) to use ex officio authority. Despite these encouraging legal reforms, enforcement activity by government authorities is described as "virtually non-existent" – for most copyright industries, and especially in the case of the business software industry. The BSA reported that there were no raids conducted by enforcement authorities in 2011, even after notifications by rights holders, against suspected businesses engaged in software piracy. (IIPA, 2012) [8] (UNESCO 2009) [20]

One particular problem in Albania has been television piracy. There are over 60 public and private channels in Albania and many stations continue to broadcast motion pictures without a license. In some cases, the materials have been licensed to certain stations in Albania, and other stations simply take and rebroadcast them without a license. The National Council of Radio and Television (NCRT) has issued fines against some of the broadcasters, but the fines have not been a deterrent penalty. This is because only the local tax authorities have the ability to execute

(collect) the fines, and they are not doing so, despite a Memorandum of Understanding between the NCRT and the tax authorities. Both the individual rights holders (the studios), and the Motion Picture Association of America (MPAA) have sent cease and desist letters to individual stations, but to no avail. The stations continue to broadcast unlicensed material, and the current enforcement regime in Albania has either been unable or unwilling to stop this activity. (IIPA, 2012) [8] (UNESCO 2009) [20]

III. METHODOLOGY

There was sparse information about piracy in Albania. The main source of information found was IIPA's reports. Albania is rebuked time and time again by IIPA. It was asked to update or/and change some of its laws and adopt some new ones. Even though the country has passed some new laws and has added a new bill, it is still on the watch list since IIPA claims that piracy is still thriving. However, none of the reports contained knowledge on public opinion and its attitude towards piracy.

The purpose of this research is to investigate about the opinion and the attitude of the young generation in Albania on the topic of digital piracy.

The total population in Albania according to information from the Central Bureau of Statistics (INSTAT)[11] is 2,893,005 inhabitants (January 2015), where approximately 139,034 are students in all Public Institutions in Albania (INSTAT, 2015 Students enrolled by Faculty and Programmes, academic year 2012-2013) [11].

In order to reach a valid sample, the stratified method was used with the help of a statistical calculator which computes the minimum sample size required (www.surveysystem.com/sscalc.htm). The stratified sampling is a method that divides the population in sub-groups (stratum) based on different geographical, demographical, social, cultural etc. characteristics (Statistical & Technical Team, 1998) [23]. The sample size needed in order to maintain a confidence level of 95% with a margin error of 5% is 383 people.

The universities and colleges in Albania are a perfect place to survey the young generation in different age groups. The survey was designed as an online questionnaire and students from four different Universities took part in this survey : University of Tirana, Polytechnic University , Tirana Arts University, University of Agriculture (UBT).

Figure 2 presents the number of students in the four academic institutes, as enrolled by university in the academic year 2012-2013.

Students by Academic Institutes

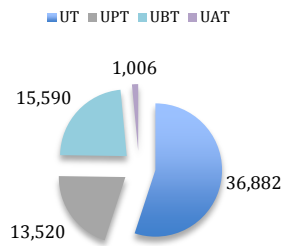


Figure 2. Students by Academic Institutes (INSTAT)

The survey had 491 participants between the ages of 18 to 30 years old which will be divided into gender and the age group. Table 1 presents the exact distribution of all the eligible questionnaires by age and gender.

TABLE I. AGE AND GENDER DISTRIBUTION

| Age and Gender Distribution | | | | | | |
|-----------------------------|------------|------------|------------|------------|------------|-------------|
| Age | Female | Male | Female % | Male % | Total | Total % |
| 18-21 | 44 | 43 | 9% | 9% | 87 | 18% |
| 22-26 | 117 | 92 | 24% | 19% | 209 | 43% |
| 27-30 | 92 | 86 | 19% | 18% | 178 | 36% |
| 30+ | 10 | 7 | 2% | 1% | 17 | 3% |
| Total | 263 | 228 | 54% | 46% | 491 | 100% |

The table shows that 54% of all the participants are females and 46% percent are males. The biggest age group is people between the ages of 22 and 26 years old, representing 43% of the entire population sampled.

IV. EMPIRICAL RESEARCH

There are many studies and articles on “digital piracy”, most of which cover the financial damages done to the companies and countries and how digital piracy can be quantified as an economic loss. Other articles cover the laws and enforcement and which kind of punitive measures should the authorities take against violators. There were only a few articles that provided analysis from the side of the consumers and why do Internet users decide to engage in digital piracy. The article “Digital music and online sharing: software piracy 2.0” acknowledges that there is not enough research on the consumer’s point of view and his economic perception (Bhattacharjee, Gopal, & Sanders, 2003) [1].

Accordingly this study provides a snapshot of the current situation while include some of the knowledge of the participants regarding information about copyright infringement, the extent of digital piracy, their morale concern for the matter, and the participants’ attitudes on sampling and buying etc.

A. Internet access at home

One important parameter was to check the availability of Internet at home. In order to engage in digital piracy, a person must have Internet access. Digital piracy is a violation of the copyright law regarding protected programs and files shared over the Internet. Users share and copy information sometimes even without the copyright holder’s

knowledge. It can be said that having easy Internet access predisposes users to spend more time wondering in different sites. This might lead users to obtain copyrighted material.

Internet connection at home

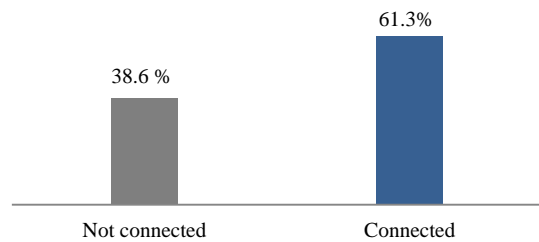


Figure 3. Availability of Internet at home

Research shows that 60% of the students have Internet access at home. On average youth spent 2.8 hours on the internet.

The main reason for youth navigating the net results to be accessing social networks like “facebook”. 77.3% of the young representative sample mentioned it as the primarily reason for using the internet. Chatting remains a major cause for internet usage, mentioned by 65.1% of the youth.

Watching videos/listening to music is rated almost the same as reading information was respectively stated by 57.8% and 57.0% of the interviewed sample while downloading books and movies was mentioned by 12.8 % of the respondents.

Online purchasing and banking is clearly not a motivation for the youth to take advantage of the internet.

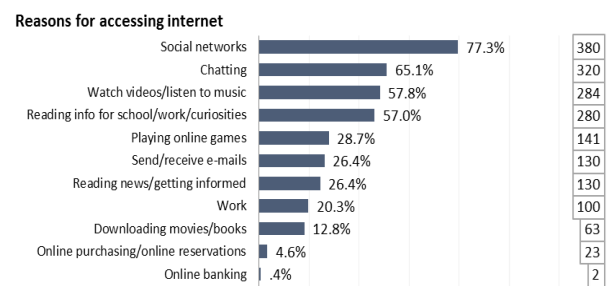


Figure 4. Reasons for accessing the internet

B. Knowledge and Opinion

Respondents’ personal knowledge on file sharing programs is an important issue. Programs like: e-Donkey, Limewire, other torrent programs etc. allow users to share their downloaded and personal files with others. One of the questions in this survey was designed to make sure that the participants know their files are being shared and can be downloaded from their computers by other users, by using such programs. The question was: “Did you know that a file sharing program shares files automatically with other people around the world, so they can download files free of charge (e.g. programs, music, movies etc.) via

other shared files from other people anywhere in the world?”. The question even made sure the users know that the process takes place free of charge.

TABLE II . KNOWLEDGE OF FILE SHARING BY GENDER AND AGE

| Female | No | Yes | Total | Total % |
|---------------------|-----------|------------|------------|------------|
| 18-21 | 10 | 34 | 44 | 77% |
| 22-26 | 21 | 96 | 117 | 82% |
| 27-30 | 20 | 72 | 92 | 78% |
| 30+ | 1 | 9 | 10 | 90% |
| Total Female | 52 | 211 | 263 | 80% |
| Male | No | Yes | Total | Total % |
| 18-21 | 2 | 41 | 43 | 95% |
| 22-26 | 8 | 84 | 92 | 91% |
| 27-30 | 6 | 80 | 86 | 93% |
| 30+ | | 7 | 7 | 100% |
| Total Male | 16 | 212 | 228 | 93% |
| Grand Total | 68 | 423 | 491 | 86% |

Table 2 calculates in the “Total %” how many people answered “yes”. No correlation was found between the age group of the participants in other words age does not play a major role on the matter of this particular knowledge. On the other hand, it is obvious that males knew better about the sharing features of those programs compared to women.

Another question asked how the respondents learned to download programs. In other words, how was this knowledge acquired?

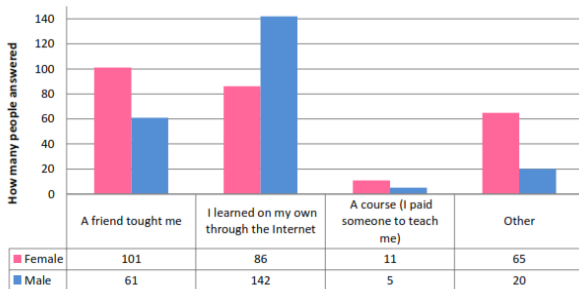


Figure 5 .Knowledge of file sharing by gender

Results show that 62.3%, the majority of the males have learned how to download on their own with the information found on the Internet, while most of the women, 38.4% preferred to gain the knowledge through the help of a friend. The Internet supplies users with enough information about file sharing programs. This can be assumed since almost 50% of the participants have used the information available on the Internet to obtain what they needed to download.

Results show that people are not willing to pay money to learn how to use file sharing programs. 80% of the people turn to free and available sources of information, either through their friends or through the Internet.

The next question asked the participants to state their opinion regarding the digital piracy problem in Albania. Their opinion required them to assess, according to their knowledge and beliefs, if digital piracy is a major problem in Albania.

TABLE III. DO YOU THINK THAT DIGITAL PIRACY (NON GENUINE PRODUCTS) IS A BIG PROBLEM IN ALBANIA?

| | Yes | No | I do not know | Grand Total |
|--------------------|------------|-----------|---------------|-------------|
| Female | 98 | 43 | 122 | 263 |
| Male | 109 | 51 | 68 | 228 |
| Grand Total | 207 | 94 | 190 | 491 |

Based on the answers, the Albanians who participated in this survey consider digital piracy to be a problem in their country. 42 percent of the participants thought it was a serious problem and 39% did not know. Men know more about digital piracy than women where 47% of the men chose “yes” compared to 46% of the women who said “I do not know”.

How easy is it to get non genuine copies of copyrighted material in Albania, the answer would be quite predictable regardless of the gender, age, occupation or any other correlation which were tested.

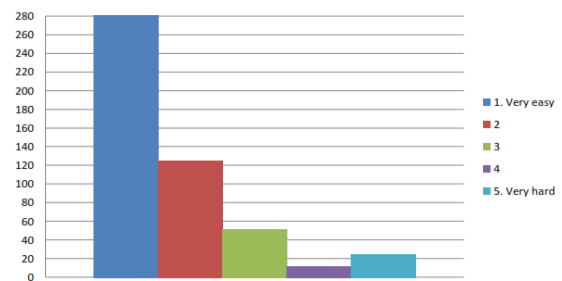


Figure 6 - How easy it is to download/purchase non genuine copies?

The question asked the respondents to rank the degree to which acquiring or downloading pirated goods is easy or difficult on a scale of 1 to 5, were 1 is very easy and 5 is very hard. 57% think it is very easy to download or purchase pirated copies of games, music and other kinds of copyrighted material. An additional 25% of the respondents said it is easy to get non genuine copies. Combining these numbers, 82 percent admit it is easy to obtain pirated material, which confirms the concern that IIPA communicated to the Albanian government through its reports.

An interesting connection was found between the amount of hours spent a day using the Internet and the tendency to use a file sharing program.

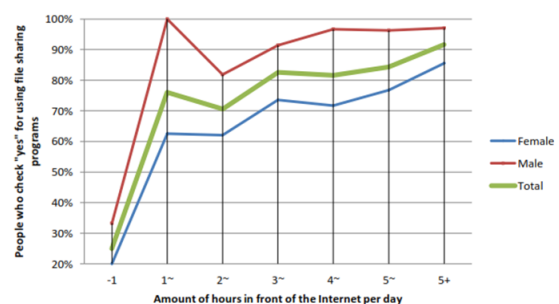


Figure 7 – Connection between: Amount of hours using the Internet a day and people how use file sharing programs

Figure 7 was constructed in order to show a pattern between the people who use file sharing programs and the amount of hours they spend on the Internet a day. The hours spent a day were divided in to groups of male, female and total. There is a significant difference between males and females. . The average between males and females on the matter of using file sharing programs stands on 27%, which would mean that for the same amount of Internet usage per day, men tend to use file sharing programs 27% (on average) more than women. The graph presents a direct connection between the amount of Internet usage in a 24 hour period and the likelihood of using file sharing programs. The "total" line declines as the amount of time spent on the Internet decreases. In other words, the less time a person uses the Internet per day, the lower the chance that individual has of incurring in a violation of copyright laws.

Males have a higher tendency of using file sharing programs probably because they have more knowledge and because they tend to learn more on their own and do not wait for someone to explain to them how to operate their computers. A study done in American academies verifies that men with superior computer understanding and knowledge have a higher tendency to be involved in digital piracy (Kin-wai Lau, 2006) [5].

C. Sampling and willingness to buy

Despite the negative aspects of unauthorized file sharing and downloading, sharing music under specific conditions can be useful since it can increase the popularity and the income of singers. (Bhattacharjee, Gopal, & Sanders, 2003) [1]

Some people use the download option for sampling purposes, and then they can decide if the file is worth buying or not. Sampling can be used to promote audio CDs since people can listen to the music on their computers and if they like it, they can purchase it. (ibid)

As a result, respondents were given a choice: if they have downloaded a non genuine program, and after a certain period of time it turns out to be of their liking, would they consider acquiring an original copy of the program?

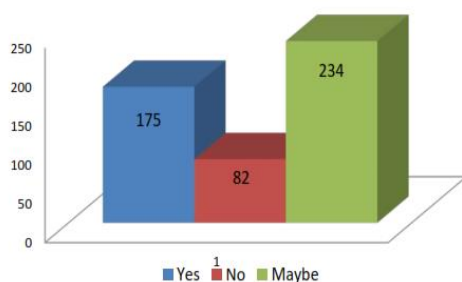


Figure 8 – Liking and using a pirated program and the willingness of purchasing a genuine copy of the same program

Most of the respondents (47%) answered they might consider buying a genuine copy if they like the program they obtained illegally while 36% said they will acquire an original copy if they like program.

One of the reasons for resorting to digital piracy and a high response to "maybe" might be because expensive programs tend to push people to pirate them of the Internet. Price is an important factor and software companies charge relatively high prices for their products. People do not want to buy something that can be acquired at much lower price illegally. Companies should lower prices if they want to attract a bigger quantity of consumers (Kin-wai Lau, 2006). A Dutch study found that 90 percent of the respondents downloaded music only if it was for free (Liu, 2009) [17].

In fact, past studies on the matter have showed the price plays an important role when a consumer considers buying a program. (de Matos, Trindade Ituassu, & Vargas Rossi, 2007) [3] Since price plays an important role, the survey included a question designed to see if respondents would buy the files or programs they obtained illegally, if these had a lower price. Respondents were asked whether they would buy original software for a relatively low price (between €5 - €20 Euros).

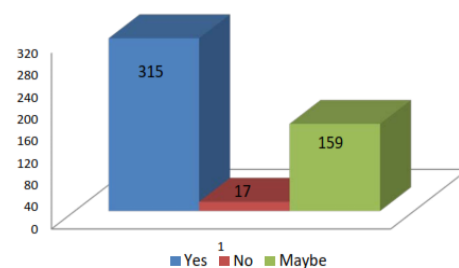


Figure 9 – Would an individual buy a program for a symbolic price?

The amount of people willing to invest in an original licensed program for a lower price almost doubled. The amount of people that would not agree to buy a genuine copy even after the price was dropped is low (3.4%). This graph supports the evidence provided by Trindade Ituassu et al (2007) [3] and the suggestion made by Kin-wai Lau (2006) [5] were lower prices will increase the readiness of people to buy genuine copies. Moreover Kin-wai Lau (2006) [5] suggests that companies should adjust the prices of their products if they wish to decrease copyright infringement.

D. Ethical or unethical behavior

Piracy is considered to be morally wrong. Individuals do not seem to pay attention to morale standards and legal issues regarding intellectual property. People mainly do not respect intangible

property rights. Taking those files and programs without paying seems to be acceptable. Sharing music is not perceived as an illegal action since it is not a tangible good. The thought of stealing a CD from a store would probably generate a different reaction in most people who download music illegally. Downloading the music via file sharing programs appears to be a morale thing. (Liu, 2009) [17]

“Do you think it is morally acceptable to purchase/download non genuine copies?”

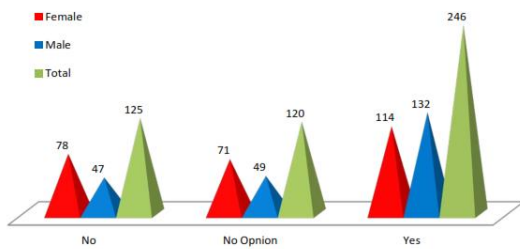


Figure 10. Do you think it is morally acceptable to purchase/download non genuine copies?

246 participants (50%) believe that acquiring non genuine copies is morally exactable. 125 of 491 (26%) disagree and consider illegal copies to be unethical. Additional information supplied by this figure shows that males are less morale than females, 57% against only 43% represented by women.

The final question had a statement and the survey’s participants had to scale it from 1 (it has nothing in common) to 5 (it is exactly the same). The statement is: “Stealing from a store is the same as downloading a non genuine copy of music, programs, movies etc.”

51 % of the people thought that both crimes have nothing in common or have something slightly in common.

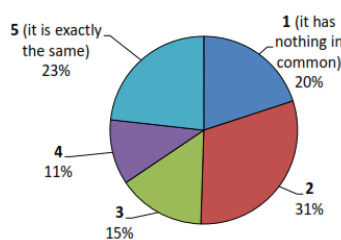


Figure 11 – Statement question and the level of agreement

E. Blame and course of action

Articles state different possible reasons for which people might engage in digital piracy. Some state that the prices of the files that users download are unreasonable, or that the users who download illegally, feel exploited by companies. Other blame the government for not taking proper actions to prevent piracy. (Kin-wai Lau 2006 , de Matos et al 2007 and Bhattacharjee et al 2003) [5] [3] [1]

The last part of the survey examined who the people surveyed blame for piracy and who should solve the problem.

A simple set of questions was asked: “Who is to blame for the digital piracy phenomenon?” and “Who should solve the digital piracy problem?”

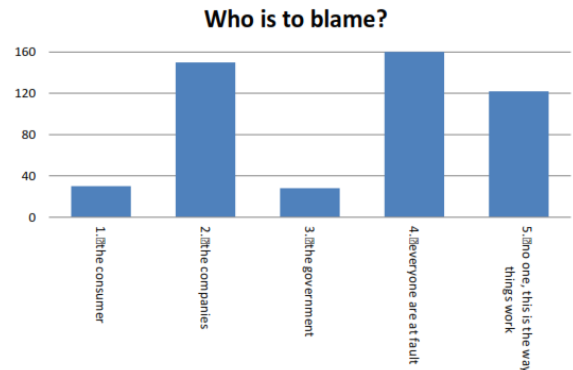


Figure 12 Who is to blame for piracy phenomena?

33% of respondents feel that “everyone is at fault”.30% of respondents accused the companies for this phenomenon and 25% blames “no one, since this is the way things work”.

When those people were asked to say, who they think should solve the problem, they results showed that 41% of the respondents feel the companies should fix the situation.

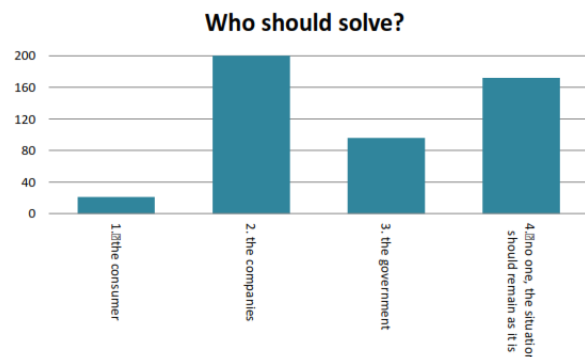


Figure 13. Who should solve the piracy phenomena?

Figure 13 shows that only a few respondents felt that the users are to blame for the phenomenon and that they should solve it. Despite those facts, the second graph shows that 20% of the people surveyed think the government should fix the existing situation.

CONCLUSION

Digital piracy refers to the theft of intellectual property by using computer and the Internet. Nowadays it is relatively easy to download pirated material to a computer. Broad band Internet usage and millions of people surfing all around the world make it easy to exchange information across borders. Duplications of documents, programs and songs are easy to download and electronic storage devices (hard disks) are relatively cheap and accessible.

The results of the research show Albanian youth are aware that can share downloaded files with others and they consider it easy to acquire counterfeit products. Men tend to know more about piracy and the file sharing programs possibly because they search the Internet to learn about them by themselves.

Buying original copies depends a lot on their price. The research shows that 64% of the participants are willing to invest in genuine copies as long as the price fits.

Results revealed a higher morale standard for women compared to men. Despite this fact, both genders do not see tangible theft and intangible theft as the same. Most people will not steal a CD from the store, but will download it from the Internet.

Blame and solutions are important factors. 33% of the respondents blame everyone for the piracy phenomenon and 30% hold the companies responsible. 41% out of the entire sample think that companies are the ones that should solve the problem. By no means should the government interfere by applying and/or toughening laws or regulations. In case they do so, most of the people assume it will not affect them in any way.

FUTURE IMPLICATIONS

In Albania, piracy is wide-spread and according to various IIPA reports and reports released by other bodies, the country does not do enough to solve the problem. Despite new laws and bills, the level of piracy is high and enforcement is lax.

Better awareness

The study showed that people have different attitudes towards tangible and intangible goods. Strengthening the association between intellectual property and tangible goods could heighten the understanding that virtual theft is the same as tangible theft. This might result in less piracy. The initiative to educate the local population is a good one and should be conducted in schools as well.

Free sampling

There are many organizations that promote free sampling like: Free software foundation, Open source and creative commons. These nonprofit organizations try to convince many companies to supply free samples to people. This way they divert the feelings of exploitation from major software companies like Microsoft. (Hill, 2007) [13]

By providing samples for free, the companies can control the quality of the sample, unlike software offered by pirates. By doing so, the software companies will gain the trust and appreciation of the public and might benefit from it later on. Involving such

organizations that support free sampling in Albania might reduce the extent of the problem.

Cheaper genuine products

The survey results showed a significant change in attitude towards genuine products when the price "feels" right.

Based on the findings, lowering the price in general or integrate a form of price discriminations for example: lower prices to students who want to acquire genuine product that is needed for studying.

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