

Summary of Findings 調查結果摘要

Introduction

In order to keep track of the public's awareness of the intellectual property rights, the Intellectual Property Department (IPD) has been conducting annual surveys on Public Awareness of Intellectual Property Right (IPR) Protection since 1999. Mercado Solutions Associates Ltd. (MSA) was commissioned to conduct the sixth round survey between 11th November and 20th November 2004. In total, 1 214 respondents aged 15 or above were successfully enumerated by telephone. The response rate achieved was 60.4%. This executive summary highlights the major findings of the survey.

Knowledge and Attitudes toward IPR

The findings were consistent with the previous surveys, with close to half (48.6%) of the general public considered IPR as “copyright / copyright piracy”, followed by “patent” (15.7%), “trademark / trademark counterfeiting” (12.0%) and “invention or creation” (9.4%). However, still 27.5% claimed “don't know / hard to say”, demonstrating that more publicity about IPR should be done.

Majority (95.7%) of the people considered that it was very / quite necessary to protect the IP rights in Hong Kong with the main reason of “protecting the interest of inventors / encouraging creativity” (68.2%). More people in year 2004 also mentioned “protecting the interests of manufacturers / genuine IP right owners” (34.3%) and “protecting private property” (14.3%). as reasons of considering necessary to protect the IP rights.

前言

為持續跟進公眾對保護知識產權的意識，知識產權署自一九九九年起每年均會進行公眾對保護知識產權意識的調查。米嘉道資訊策略有限公司（米嘉道）受委託於二零零四年十一月十一日至十一月二十日進行了第六次的公眾調查，透過電話成功訪問了 1 214 名 15 歲或以上人士，回應率達到 60.4%。本摘要概述了主要的調查結果。

對知識產權的認識及觀念

調查發現結果與以往歷次相若，有接近半數 (48.6%) 的公眾人士認為知識產權所指的是「版權 / 盜版」，其次是「專利權」(15.7%)、「商標 / 冒牌」(12.0%) 及「發明或創作」(9.4%)。但仍有 27.5% 表示「不知道 / 很難說」，顯示政府需要舉辦更多有關知識產權的推廣活動。

大多數 (95.7%) 人士均認為知識產權在香港非常有需要 / 頗有需要受到保護，主要原因是需要「保護原創人利益 / 鼓勵創作」(68.2%)，在 2004 年亦有較多人士提及「保障生產商 / 正版商的利益」(34.3%) 及「保障私人財產」(14.3%) 為有需要保護知識產權的原因。

Similar to the previous studies, about three-quarters (76.0%) of the people considered the infringement of IP rights in Hong Kong was very / quite serious. Regarding the reasons for causing rampant IP infringement activities, about half (52.1%) considered that the reason was due to “cheaper price of pirated / counterfeit products / genuine goods being too expensive”, followed by “unethical businessmen reaping excessive profits” (16.4%), “greediness / improper public mentality / lack of self-discipline” (12.8%) and “inadequate enforcement of laws” (11.1%).

71.2% of the people were aware of the legislation on intellectual property in Hong Kong and 28.8% indicated “don’t know”.

Besides, as compared to previous years, more and more people considered that the most effective way to improve the situation of IP infringement in Hong Kong was “raising awareness of IP rights protection / strengthen education” (31.5% in 2004). Other ways with more people mentioned including “increase penalties” (25.0%), “lower price of genuine goods” (19.7%), and “Government should increase propaganda” (18.6%).

In terms of the dominant role in improving the situation of IP rights infringement in Hong Kong, 45.8% of the people considered the Government should play a dominant role.

Also, it was observed that more respondents considered that the general public should play a dominant role in improving the situation of IP rights infringement in Hong Kong (23.4% versus 18.7% in 2003).

與以往調查的結果相若，約四分之三 (76.0%) 的人士認為現時香港侵犯知識產權的情況非常 / 頗嚴重。至於造成侵犯知識產權活動猖獗的主要原因，有大約半數 (52.1%) 認為是由於「盜版及冒牌貨品價錢平 / 正版貨品太貴」，其次是「不道德商人謀取暴利」(16.4%)、「市民貪小便宜 / 社會風氣差 / 欠自律」(12.8%)及「政府執法未夠嚴厲」(11.1%)。

有 71.2% 的人士表示知道在香港的法例內已經有包括知識產權的法例，而有 28.8% 表示「不知道」。

另外，與以往歷年比較，認為最有效改善香港侵犯知識產權情況的途徑是「提高保護知識產權意識 / 加強教育」的比例亦愈來愈高 (2004 年有 31.5%)。而其他有較多人提及的途徑包括「加重刑罰」(25.0%)、「正版貨品價錢下降」(19.7%) 及「政府要多做宣傳」(18.6%)。

對於認為在改善香港侵犯知識產權情況的最重要角色，有 45.8% 的人士認為政府應該擔當最重要的角色。

而且，發現有較多被訪者認為，如要改善香港侵犯知識產權的情況，市民自己應擔當最重要的角色 (23.4% 相比 2003 年的 18.7%)。

Behaviour of Buying Pirated / Counterfeit Goods

In this round of the survey, people were asked how often they infringed the copyright in the work. Only 10% or less of the people claimed that they often / sometimes make photocopy of the whole book (5.0%), visit newsgroup / unauthorized websites and download MP3 / movies / e-books / games and share the files with friends (10.0%) and visit newsgroup / unauthorized websites and download MP3 / movies / e-books / games and uploading them to Internet for sharing purpose (3.5%). Conversely, each with more than 80% of the people claimed that they never involved in it.

Regarding the frequency of people buying pirated or counterfeit goods, 17.5% of the people claimed that they would often / sometimes buy pirated or counterfeit goods, 27.3% claimed they would seldom buy it and more than half (55.2%) of the people had never bought pirated or counterfeit goods.

Of the people who had bought pirated or counterfeit goods, they were asked which pirated or counterfeit goods they bought the most. It was observed that majority (63.0%) of them claimed the pirated or counterfeit goods which they bought the most was “pirated music CD / movie DVD or VCD”, followed by “computer software” (15.2%) and “game” (8.1%).

While 69.8% of the public mentioned that people around had bought / used pirated or counterfeit goods, majority (82.7%) of them considered people around were somewhat not influencing or not influencing at all to them in buying / using pirated or counterfeit goods. This illustrated that the behaviour of buying / using pirated or counterfeit goods was rather personal.

購買盜版或冒牌貨品的行爲

在今次調查中，市民會被問及他們侵犯版權的頻密程度。只有 10% 或以下的人士表示他們有經常 / 間中將整本參考書影印 (5.0%)、在網上社群或者未經授權的網頁下載 MP3 / 電影 / 電子書籍 / 遊戲，然後傳送給朋友一同分享 (10.0%) 及在網上社群或者未經授權的網頁下載 MP3 / 電影 / 電子書籍 / 遊戲，然後供人於網上下載 (3.5%)。相反，每項都有多於 80% 的人士表示他們完全沒有參與。

就市民購買盜版或冒牌貨品的習慣，有 17.5% 的人士表示他們有經常 / 間中購買盜版或冒牌貨品；27.3% 的人士表示他們很少購買；而有逾半數 (55.2%) 的人士表示他們從不購買盜版或冒牌貨品。

在那些曾購買盜版或冒牌貨品的人士中，他們會被問及哪樣盜版或冒牌貨是他們買得最多。結果發現，大部份 (63.0%) 的人士表示他們買得最多的是音樂 CD / 電影 DVD 或 VCD，其次是電腦軟件 (15.2%) 及遊戲 (8.1%)。

而有 69.8% 的公眾提及他們身邊的人士有曾經購買 / 使用盜版或冒牌貨品，然而他們大部份 (82.7%) 都認為身邊的人士對他們選擇是否購買 / 使用盜版或冒牌貨品的影響不大 / 完全沒有影響，這顯示購買 / 使用盜版或冒牌貨品的行爲是個人的取向。

Regarding whether it was easier, the same or more difficult to buy pirated / counterfeit goods in the Hong Kong market as compared to the past 12 months, close to three-tenths (29.4%) of those who had bought pirated / counterfeit goods considered it the same as before, another 42.6% considered it more difficult, and only 12.0% thought it was easier. Among those who considered it was more difficult to buy pirated or counterfeit goods, 45.4% of them claimed the reason was due to “more eradication by the Government”, followed by “tighter enforcement of laws” (33.0%), “fewer locations for buying pirated / counterfeit goods” (26.4%) and “fewer retailers selling pirated / counterfeit goods” (14.0%).

When asked about whether the protection of IP rights could help the development of local creative industries and the overall development of HK’s economy, 82.0% of the people considered the protection of IP rights could be very / quite helpful to the development of local creative industries and 72.5% of the people considered that it was very / quite helpful to the overall development of Hong Kong’s economy. Furthermore, about two-thirds (68.4%) of the public thought that the Government’s effort in developing a creative culture and creative industries in Hong Kong was very / quite helpful for Hong Kong people in creating wealth while more than four-fifths (85.5%) considered it definitely / quite necessary for the government to put more resources in developing creative culture and creative industries in the current situation.

對於現時較過去十二個月在香港市場購買盜版或冒牌貨品是否更容易、差不多還是更困難，在有購買盜版 / 冒牌貨品的人士中有接近十分之三 (29.4%) 認為情況與過去差不多；另有 42.6% 認為較困難；只有 12.0% 認為是更容易。在認為現時較難購買盜版或冒牌貨品的人士中，45.4% 表示原因是「政府的掃蕩工作增加了」，其次是「政府執法較之前嚴厲」(33.0%)、「售賣盜版 / 冒牌貨品的地方減少了」(26.4%) 及「售賣盜版 / 冒牌貨品的零售商減少了」(14.0%)。

當被問及認為保護知識產權對促進本地創意產業及香港整體經濟發展有否幫助，有 82.0% 的人士認為保護知識產權對促進本地創意產業發展非常有幫助 / 頗有幫助，以及有 72.5% 的人士認為對促進香港整體經濟發展非常有幫助 / 頗有幫助。除此之外，約三分之二 (68.4%) 的公眾認為政府推動創意文化及發展創意產業能非常 / 頗有助於香港人創造財富，而且超過五分之四 (85.5%) 認為在現階段政府非常 / 頗應該投放更多資源在培養創意文化及創意產業上。

Awareness of Intellectual Property Department and its promotional activities

It was observed that only 13.5% of the people could spontaneously recall the Intellectual Property Department (IPD) is the Government department which is responsible for promoting the protection of IP rights in Hong Kong.

While half (50.1%) of the people did not know the duties of IPD, this proportion was lower as compared the previous years. Among those who could name the duties, more people were able to give correct answers such as “promoting awareness on IP rights protection” (23.8%), “registration of trademarks” (8.1%) and “registration of patents” (6.6%), yet still more than one-fifth (23.9%) of the people misunderstood that the IPD was responsible for “combating piracy and counterfeiting”.

The number one channel of awareness of IPD’s advertising or promotional activities was TV (51.4%), followed by radio (9.9%) and print ad / promotional materials (7.3%). Nevertheless, more than one-third (37.5%) of the people claimed they had never seen / heard any IPD’s advertising or promotional activities in the past 12 months and 5.1% declared “do not remember”.

Quite consistent to previous surveys, close to three-fifths (59.8%) of the people considered the promotional activities held by the IPD were very / quite effective in raising the awareness of Hong Kong citizens on protecting IP rights. Moreover, still most of the people thought of TV was the most effective way to gather information from the IPD (80.3%).

Conclusion

對知識產權署及其宣傳活動的認知

調查發現只有 13.5% 的人士能在沒有提示的情況下正確地說出知識產權署是負責在香港推廣保護知識產權的政府部門。

與歷年的調查結果相比，今年表示不知道知識產權署工作範圍的比例已有所減少，但仍有一半 (50.1%) 的人士表示不知道。在能給予答案的人士中，相對有較多人能給予「宣傳 / 推廣保護知識產權」(23.8%)、「商標註冊」(8.1%) 及「專利註冊」(6.6%) 等正確答案，不過仍有多於五分之一 (23.9%) 的人士誤以為知識產權署負責「打擊盜版 / 掃蕩冒牌」。

對於知識產權署的廣告或宣傳活動，電視 (51.4%) 是最高認知程度的渠道；其次是電台 (9.9%) 及印刷廣告 / 宣傳物品 (7.3%)。不過仍有超過三分之一 (37.5%) 的人士表示在過去 12 個月沒有見過 / 聽過 / 接觸過任何知識產權署的廣告或宣傳活動，以及有 5.1% 表示「記不起」。

有接近五分之三 (59.8%) 的人士認為知識產權署的宣傳活動對提升香港市民保護知識產權的意識非常 / 頗有效，這與以往的調查結果頗一致。此外，仍然有最多人士認為電視是最有效的途徑去接收知識產權署的消息 (80.3%)。

總結

As illustrated from the survey findings, despite the awareness level of IPD and its duties was still relatively low, majority of the general public have knowledge of IPR, they also considered the infringement of IP rights in Hong Kong was very / quite serious and thought that it was very / quite necessary to protect IP rights in Hong Kong.

以上調查結果說明，雖然對知識產權署及其工作範圍的認知程度仍然較低，但大部份公眾人士對知識產權均有認識，而且認為香港侵犯知識產權的情況非常 / 頗嚴重，及認為知識產權在香港非常 / 頗有需要受到保護。

Besides, more people considered that it was more difficult to buy pirated or counterfeit goods in year 2004..

此外，在 2004 年有更多人士認為現時較困難購買盜版或冒牌貨。

In addition, most of the people have positive responses on the development of creative culture and creative industries. As a result, if the government can put more resources in developing creative culture / industries and public education in protecting IP rights, especially on TV, the public awareness and attitude towards the protection of IP rights was expected to improve in the near future.

進一步來說，市民大多對推動創意文化及發展創意產業有正面的回應。所以，若政府能投放更多資源在培養創意文化及創意工業上，以及加強對保護知識產權的公眾教育，尤其透過電視作為推廣媒介，市民對保護知識產權的認知及態度可望在不久的將來有明顯的改善。