

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 surveys on Public Awareness of Intellectual Property Right (IPR) Protection since 1999. Mercado Solutions Associates Ltd. (MSA) was commissioned to conduct the survey among the general public between 1st and 28th November 2010. In total, 1 005 respondents aged 15 or above were successfully enumerated by telephone. The response rate achieved was 51.7%. This executive summary highlights the major findings of the survey.

Knowledge and Attitudes toward IPR

The findings were consistent with the previous surveys, with 45.1% of the general public considered IPR as "copyright / copyright piracy", some said "invention or creation" (18.7%), "trademark / trademark counterfeiting" (15.3%) and "patent" (10.3%). 25.3% claimed "don't know / hard to say".

When asked on different situations that whether people thought that the act was an infringement of IP rights, overall speaking, the findings were quite similar to the previous surveys that most of the people could point out the acts which infringed IP rights. It was noted that the proportions of considering "buying a genuine CD and then convert to MP3" (34.2%) and "someone copies part of books / newspapers / magazines for distribution to staff for internal reference" (55.2%) as infringement of IP rights were decreased, as compared with the last survey (40.7% and 59.2% respectively).

Besides, 58.7% of the people considered that "using others' music / movies / TV programmes for re-editing to funny videos,

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進行了多個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）受委託於二零一零年十一月一日至二十八日進行了公眾調查，透過電話成功訪問了 1 005 名 15 歲或以上人士，回應率達到 51.7%。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 45.1% 的公眾人士認為知識產權所指的是「版權 / 盜版」，部分認為是「發明或創作」(18.7%)、「商標 / 冒牌」(15.3%) 及「專利權」(10.3%)。25.3% 表示「不知道 / 很難說」。

當被要求對不同情況是否有侵犯知識產權作出判斷時，整體而言，結果與過去的調查相若，多數人士都能指出侵犯了知識產權的行為。而認為「購買正版光碟，然後轉為 MP3」(34.2%) 及「將參考書、報紙或雜誌影印一部份，在公司分發作業務之用」(55.2%) 是侵權行為的比例則比上一次調查的（分別是 40.7% 及 59.2%）下降了。

另外，有 58.7% 的人士認為「將音樂、電影或電視片段重新剪輯成有趣短片，然後放上網與別人分享」是侵犯知識產權的行為，而 30.4%

and upload them to Internet for sharing purpose” as infringement of IP rights, while 30.4% considered not.

則認為不是。

The vast majority of the public (97.1%) considered that it was very / quite necessary to protect the IP rights in Hong Kong, which was similar to the previous surveys. The top three reasons of considering so were: “protect the interest of inventors / encouraging creativity” (75.3%), “protect the interests of manufacturers / genuine IP right owners” (16.2%) and “protect private property” (15.6%).

絕大部分的公眾 (97.1%) 均認為知識產權在香港非常有需要 / 頗有需要受到保護，結果與過去幾年的調查相若。首三項認為需要保護的原因是：「保護原創人利益 / 鼓勵創作」(75.3%)、「保障生產商 / 正版商的利益」(16.2%) 及「保障私人財產」(15.6%)。

Regarding the reasons for IP infringement activities, the common mentions were quite similar to the previous surveys. Many people (61.8%) considered that it was due to “cheaper price of pirated / counterfeit products / genuine goods being too expensive”, followed by “unethical businessmen reaping excessive profits” (19.4%) and “greediness / improper public mentality / lack of self-discipline” (18.1%).

至於造成侵犯知識產權活動的主要原因，普遍提及的跟過往幾年的調查相若。很多人士 (61.8%) 都認為是由於「盜版及冒牌貨品價錢便宜 / 正版貨品太貴」，其次是「不道德商人謀取暴利」(19.4%) 及「市民貪小便宜 / 社會風氣差 / 欠自律」(18.1%)。

In terms of the dominant role in improving the situation of IP rights infringement in Hong Kong, 38.9% of the people considered that “the Government” should play a dominant role. While relatively higher proportion considered that “education institutions” (28.4%) should be the dominant role, as compared to the last survey (20.5%), relatively lower proportion considered that “the general public” (18.2%) should be the dominant role (vs. 24.9% in the last survey).

對於認為在改善香港侵犯知識產權情況的最重要角色，有 38.9% 的人士認為「政府」應該擔當最重要的角色。與上一次的調查 (20.5%) 比較，有較高比例認為「教育團體」(28.4%) 應擔當最重要的角色，而認為「市民自己」(18.2%) 是最重要角色的比例則下降了 (對比上一次調查的 24.9%)。

More than 85% of people were aware of the legislation on protecting copyright (89.3%), trademarks (88.3%) and patents (86.4%), which were slightly increased as compared with the last survey (87.4%, 84.9% and 84.7% respectively). Relatively fewer people were aware of the legislation on protecting designs in Hong Kong (55.9%), but such awareness level was higher than the last survey (46.0%).

超過 85% 的人士均知道香港有保障版權 (89.3%)、商標 (88.3%) 及專利 (86.4%) 的法例，較上一次的調查 (分別是 87.4%、84.9% 及 84.7%) 有輕微上升。較少人士知道香港有保障外觀設計的法例 (55.9%)，但認知程度已比上一次調查的 (46.0%) 為高。

52.8% of the people considered that the IP rights protection measures imposed by the Government in the past two years improved the IP rights infringement in Hong Kong a lot / a little, while 37.8% thought that there was no change. The findings were similar to the last survey.

Online behaviour and IP rights protection in digital environment

Among the 68.7% of the people who used Internet, only 8.2% had the habit of downloading e-books.

When asked their preference of paying for downloading songs / movies / computer software / games / e-books from authorised websites, 68.5% of Internet users claimed that they probably / definitely will not, while 29.7% definitely / probably will do so, and such proportion was higher than that in the last survey (21.0%).

The main reason of doing so was “respect IP rights” (48.0%), followed by “for better quality” (22.9%). On the other hand, the major reasons for not doing so were “prefer buying CD / DVD / game disc / book instead of downloading the files” (28.0%) and “don’t have a habit of listening songs / watching movies / playing electronic games / reading” (26.0%).

Behaviour of involving in infringement of IP Rights

Only few people involve in the infringement of copyright:

- Visit newsgroup / unauthorised websites and download music / movies / computer software / games / e-books and share the files with friends (10.0%);
- Download music / movies / computer software / games / e-books and upload them to Internet for sharing purpose (3.5%);
- Visit websites that are not authorised by the copyright owner and download music

52.8% 的人士認為政府在過去兩年採取的知識產權保護措施使香港的侵權情況大有改善 / 有少許改善，而 37.8% 則認為情況沒有改變。結果與上一次調查的相若。

網上活動情況及在數碼環境中的知識產權保護

在 68.7% 有上網習慣的人士中，只有 8.2% 有下載電子書的習慣。

當被問及他們對在合法網站付款下載歌曲 / 影片 / 電腦軟件 / 遊戲 / 電子書的取向，有 68.5% 的互聯網使用者表示未必會 / 絕對不會，而 29.7% 則絕對會 / 可能會，這個比例較上一次調查的 (21.0%) 為高。

會這樣做的主要原因是「尊重知識產權」(48.0%)，其次是「為了得到更佳質素」(22.9%)。另一方面，不會這樣做的主要原因是「較喜歡買 CD / DVD / 遊戲碟 / 書，不喜歡下載」(28.0%) 及「沒有聽歌 / 看電影 / 玩電子遊戲 / 看書的習慣」(26.0%)。

參與侵權活動的行為

只有很少人士有參與侵犯版權活動：

- 在網上社群或未經授權的網站下載音樂 / 電影 / 電腦軟件 / 遊戲 / 電子書，然後傳送給朋友一同分享 (10.0%)；
- 在網上下載音樂 / 電影 / 電腦軟件 / 遊戲 / 電子書，然後放上網供他人下載 (3.5%)；
- 在未經版權擁有人授權的網站下載音樂 / 電影 / 電腦軟件 / 遊戲 / 電子書自用 (19.5%)；及
- 將整本參考書影印 (11.3%)。

/ movies / computer software / games / e-books for own use (19.5%); and

- Photocopy of the whole book (11.3%).

Conversely, each with more than 80% of the people claimed that they never involved in it. The findings were similar to those of the previous surveys.

In response to the question “do you agree that it is against morality for a person to visit newsgroup / unauthorised websites and download music / movies / computer software / games / e-books, knowing that he/she is infringing the IP rights of others”, 76.1% of those who use Internet strongly agreed / agreed (vs. 80.3% in the last survey), while 19.8% indicated “disagree / strongly disagree”.

Regarding the habit of buying pirated or counterfeit goods, 8.4% of the people claimed that they often / sometimes buy pirated or counterfeit goods, while 20.9% claimed that they seldom buy it, and 69.6% had never bought pirated or counterfeit goods. When compared to the previous surveys (over 31%), the percentage of people who claimed that they would buy pirated or counterfeit goods (29.3%) was decreased gradually.

Of the people who bought pirated or counterfeit goods, 57.8% claimed the pirated or counterfeit goods which they bought the most was music CD / movie DVD or VCD, followed by clothing & accessories (20.7%). The findings were similar to those in the last survey. Yet, it was noted that the percentage of those who bought pirated computer software (9.7%) was decreased, when comparing with the previous surveys (over 14%).

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 two years, similar to the last survey, only 10.7% of those who bought pirated / counterfeit goods considered that it was easier; 32.2% thought that it was more or less

相反，每項都有多於 80% 的人士表示他們完全沒有參與。結果與以往幾年調查的相似。

對於「是否同意一位市民在明知侵犯別人知識產權的情況下，仍然在網上社群 / 未經授權網站下載音樂 / 電影 / 電腦軟件 / 遊戲 / 電子書是不道德的行為」這問題的回應，有上網習慣的人士中有 76.1% 非常同意 / 同意 (對比上一次調查的 80.3%)，而 19.8% 則對此表示「不同意 / 非常不同意」。

就市民購買盜版或冒牌貨品的習慣，有 8.4% 的人士表示他們有經常 / 間中購買盜版或冒牌貨品，而 20.9% 則表示很少購買，69.6% 表示他們從不購買盜版或冒牌貨品。與過往幾年的調查相比 (超過 31%)，表示有購買盜版或冒牌貨品習慣的百分比 (29.3%) 正逐漸地下降。

在那些曾購買盜版或冒牌貨品的人士中，57.8% 表示他們買得最多的盜版或冒牌貨品是音樂 CD / 電影 DVD 或 VCD，其次是衣服 / 手飾 (20.7%)，結果與上一次調查相若。然而，購買盜版電腦軟件的百分比 (9.7%) 較過去幾年 (超過 14%) 已有所下降。

就現在較過去兩年在香港市場購買盜版或冒牌貨品是更容易、差不多還是更困難而言，在有購買盜版 / 冒牌貨品的人士中，與上一次調查結果差不多，只有 10.7% 認為是更容易；32.2% 認為情況與過去差不多；49.0% 認為較困難。

the same; 49.0% considered it more difficult.

While 55.7% of the public mentioned that people around would buy / use pirated or counterfeit goods, 83.3% of them considered that people around were somewhat not influencing or not influencing at all on their decision of buying / using pirated or counterfeit goods. The situation was quite similar to the previous surveys.

In response to the question “do you agree that it is against morality for a consumer to buy pirated / counterfeit goods knowing that they are infringing the IP rights of others”, 74.2% of the people strongly agreed / agreed (vs. 79.9% in the last survey), while 20.7% claimed “disagree / strongly disagree”.

Opinions towards the “No Fakes Pledge” Scheme

When asked whether ever heard of the “No Fakes Pledge” Scheme, 34.5% of the people said “yes”, which was lowered than the last survey (50.1%). The top channel of awareness was TV advertisements (76.8%), followed by newspapers / magazines (14.1%) and stickers / tent cards in shops (13.5%).

Among those who were aware of the scheme, 83.4% considered that the scheme could be very / quite helpful in building the confidence of consumers and tourists in shopping in Hong Kong, or consolidating the city’s status as a shoppers’ paradise, which was similar to the last survey.

Attitudes towards long-term development for IP Rights

Regarding the public’s attitude towards long-term development for IP rights, the majority of people considered that the protection of IP rights could be very / quite helpful to the development of local creative industries (83.0%) and the overall development of Hong Kong’s economy (71.7%), such proportions were higher than

有 55.7% 的公眾提及他們身邊的人士有購買 / 使用盜版或冒牌貨品，然而他們當中有 83.3% 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。這情況與過去幾年的調查頗相似。

對於「是否同意當一個消費者在明知侵犯別人知識產權的情況下仍然購買盜版 / 冒牌貨品是不道德的行為」這問題的回應，74.2% 的人士非常同意 / 同意（對比上一次調查的 79.9%），而 20.7% 則表示「不同意 / 非常不同意」。

對「正版正貨承諾」計劃的意見

被問到有否聽過「正版正貨承諾」計劃，34.5% 的人士表示「有」，比例較上一次調查 (50.1%) 下跌了。最主要認知的渠道是電視廣告 (76.8%)，其次是報紙 / 雜誌 (14.1%) 及商戶標貼 / 座檯咭 (13.5%)。

在那些認知計劃的人士中，有 83.4% 認為計劃對增加消費者及遊客在港購物的信心或鞏固香港購物天堂的美譽非常有幫助 / 頗有幫助，比例與上一次調查的相若。

對保護知識產權長遠發展的意見

就市民對保護知識產權長遠發展的意見，大部分人士均認為保護知識產權對促進本地創意產業發展 (83.0%) 及香港整體經濟發展 (71.1%) 非常有幫助 / 頗有幫助，比例較上一次調查的 (分別有 76.0% 及 62.0%) 為高。

those in the last survey (76.0% and 62.0% respectively).

88.0% of the people considered definitely / quite necessary for the Government to put more resources in protecting IP rights in the long run, which was slightly increased as compared with the previous surveys (below 86%). They thought that the Government should put more resources on promotion in schools (46.8%) and in mass media (44.8%), followed by more enforcement action (27.9%) and increasing penalty (25.2%).

Awareness of IPD and its promotional activities

Similar to the previous surveys, not many people (14.8%) could spontaneously recall that the Intellectual Property Department (IPD) is the Government department which is responsible for promoting the protection of IP rights in Hong Kong.

Among them, 37.9% were aware that the IPD was responsible for “promoting awareness on IP rights protection”, followed by “registration of trademarks” (18.5%) and “registration of patents” (15.3%). On the other hand, still some people misunderstood that the IPD was responsible for “combating piracy and counterfeiting” (20.6%) and some did not know the duties of the IPD (34.7%).

60.4% of the people claimed that they had seen IPD’s advertising or promotional messages on TV, followed by radio (13.4%) and print advertisement / promotional materials (9.2%). Yet, 31.6% claimed that they did not remember or had never seen / heard / encountered any IPD’s advertising or promotional activities.

63.9% of the people considered that the promotional activities held by the IPD were very / quite effective in raising the awareness of Hong Kong citizens on protecting IP rights, while 32.9% considered the opposite. It was observed that the younger the people, the

88.0% 的人士認為長遠而言，政府非常應該 / 頗應該投放更多資源在保護知識產權方面，比例較過往幾年調查的 (86% 以下) 略有上升。他們認為政府應該投放更多資源加強在學校的宣傳 (46.8%) 及媒體上的宣傳 (44.8%)，其次是加強巡查和掃蕩 (27.9%) 及加重刑罰 (25.2%)。

對知識產權署及其宣傳活動的認知

與過往幾年的調查差不多，能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的人士並不多 (14.8%)。

在他們當中，37.9% 知道知識產權署是負責「宣傳 / 推廣保護知識產權」的，其次是「商標註冊」(18.5%) 及「專利註冊」(15.3%)。另一方面，仍有部分人士誤以為知識產權署負責「打擊盜版 / 掃蕩冒牌」(20.6%) 及不知道知識產權署工作的範圍 (34.7%)。

60.4% 的人士表示有從電視見過知識產權署的廣告或宣傳訊息，其次是電台 (13.4%) 及印刷廣告 / 宣傳物品 (9.2%)。不過，仍有 31.6% 表示記不起或沒有看過 / 聽過 / 接觸過任何知識產權署的廣告或宣傳活動。

63.9% 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意識非常有效 / 頗有效，而 32.9% 則持相反意見。調查發現年紀愈小，認為不大有效 / 完全沒有效的比例就愈高 (由 50 歲或以上的 27.8%；至 30 歲以下的 45.8%)。

higher the proportions who considered quite / very ineffective (ranged from 27.8% for those who aged 50 or above; to 45.8% for those who aged below 30).

Moreover, still most of the people thought that TV (82.6%) was the most effective channel to promote the protection of IP rights.

Conclusion

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

Moreover, the percentage of people who would buy pirated or counterfeit goods was decreased gradually, and more people considered that it was more difficult to buy pirated or counterfeit goods.

In addition, more and more people were aware of the legislation on protecting IP rights, and most of the people have positive responses on the development of creative culture and creative industries.

Finally, the majority of the public considered that it was necessary for the Government to put more resources in public education in protecting IP rights in long run, especially in schools and mass media.

此外，仍然有最多人士認為電視 (82.6%) 是宣傳知識產權的最有效途徑。

總結

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，但大部分公眾人士對知識產權均有認識，而且認為知識產權在香港非常 / 頗有需要受到保護。

此外，有購買盜版或冒牌貨品習慣的百分比有逐漸下降，而且有更多人士認為現時購買盜版或冒牌貨較困難。

進一步來說，愈來愈多市民知道香港有保障知識產權的法例，而且市民大多對推動創意文化及發展創意產業有正面的回應。

最後，大部分市民均認為長遠而言政府應該投放更多資源在加強對保護知識產權的公眾教育方面，尤其透過學校及媒體推廣。