

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 30th October and 30th November 2012. In total, 1 001 respondents aged 15 or above were successfully enumerated by telephone. The response rate achieved was 52.1%. This executive summary highlights the major findings of the survey.

Knowledge and Attitudes toward IPR

The findings were consistent with the previous surveys, with 49.4% of the general public considered IPR as “copyright / copyright piracy”, some said “trademark / trademark counterfeiting” (14.0%), “invention or creation” (12.1%) and “patent” (10.0%). 23.3% 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 proportion of considering “using others' music / movies / TV programmes for re-editing to funny videos, and upload them to Internet for sharing purpose” (39.2%) as infringement of IP rights was decreased, as compared with the last survey (58.7%).

Besides, only 32.8% of the people considered that “buying a genuine CD and then convert to other electronic format” as infringement of IP rights, while 50.7% considered not (similar to 34.2% and 52.4% in the last survey).

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）受委託於二零一二年十月三十日至十一月三十日進行了公眾調查，透過電話成功訪問了 1 001 名 15 歲或以上人士，回應率達到 52.1%。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 49.4% 的公眾人士認為知識產權所指的是「版權 / 盜版」，部分認為是「商標 / 冒牌」(14.0%)、「發明或創作」(12.1%) 及「專利權」(10.0%)。23.3% 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「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」(39.2%) 是侵權行為的比例則比上一次調查的 (58.7%) 下降了。

另外，只有 32.8% 的人士認為「購買正版光碟，然後轉為其他電子格式」是侵犯知識產權的行為，而 50.7% 則認為不是（與上一次調查的 34.2% 及 52.4% 相若）。

The vast majority of the public (94.6%) 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 / encourage creativity” (66.2%), “protect the interest of manufacturers / genuine IP right owners” (13.7%) and “protect private property” (11.2%).

Regarding the reasons for IP infringement activities, the common mentions were quite similar to the previous surveys. Many people (48.0%) considered that it was due to “cheaper price of pirated / counterfeit products / genuine goods being too expensive”, followed by “greediness / improper public mentality / lack of self-discipline” (17.8%) and “unethical businessmen reaping excessive profits” (14.7%).

In terms of the dominant role in improving the situation of IP rights infringement in Hong Kong, 35.1% of the people considered that “the Government” should play a dominant role. It was followed by “education institutions” (19.1%; lower than 28.4% in the last survey), “the general public” (19.1%), “retailer” (10.2%; higher than 5.2% in the last survey) and “copyright owner” (9.4%; higher than 4.8% in the last survey).

More than 80% of people were aware of the legislation on protecting copyright (85.4%), trademarks (84.0%) and patents (85.3%), which were slightly decreased as compared with the last survey (89.3%, 88.3% and 86.4% respectively). Relatively fewer people were aware of the legislation on protecting designs in Hong Kong (53.1%), which was similar to the last survey (55.9%).

48.8% 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 (slightly lower than 52.8% in the last survey), while 39.3% thought that there was no change.

絕大部分的公眾 (94.6%) 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」(66.2%)、「保障生產商 / 正版商的利益」(13.7%) 及「保障私人財產」(11.2%)。

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 (48.0%) 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「市民貪小便宜 / 社會風氣差 / 欠自律」(17.8%) 及「不道德商人謀取暴利」(14.7%)。

對於認為在改善香港侵犯知識產權情況的最重要角色，有 35.1% 的人士認為「政府」應該擔當最重要的角色，其次是「教育團體」(19.1%；較上一次調查的 28.4% 為低)、「市民自己」(19.1%)、「零售商」(10.2%；較上一次調查的 5.2% 為高) 及「版權擁有者」(9.4%；較上一次調查的 4.8% 為高)。

超過八成人士均知道香港有保障版權 (85.4%)、商標 (84.0%) 及專利 (85.3%) 的法例，較上一次的調查 (分別是 89.3%、88.3% 及 86.4%) 有輕微下跌。較少人士知道香港有保障外觀設計的法例 (53.1%)，與上一次調查的 (55.9%) 差不多。

48.8% 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 (稍微低於上一次調查的 52.8%)，而 39.3% 則認為情況沒有改變。

Online behaviour and IP rights protection in digital environment

When asked the people who had the habit of surfing the Internet the preference of paying for downloading songs / movies / computer software / games / e-books from authorised websites, 62.2% of claimed that they probably / definitely will not, while 36.0% definitely / probably will do so, and such proportion was higher than that in the last survey (29.7%).

The main reason of doing so was “respect IP rights” (52.7%), followed by “for better quality” (24.9%). On the other hand, the major reasons for not doing so were “seldom / never downloading any type of files” (23.3%), “too expensive” (19.6%) and “other channels of free download are available” (14.0%). While the major reasons of doing so were similar to the last survey, the top two reasons of not doing so were different from the last survey (“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 (10.4%);
- Visit newsgroup / unauthorised websites and download music / movies / computer software / games / e-books and upload them to Internet for sharing purpose (5.4%);
- Visit newsgroup / unauthorised websites and download music / movies / computer software / games / e-books for own use (20.7%); and

網上活動情況及在數碼環境中的知識產權保護

當被到有上網習慣的人士對在合法網站付款下載歌曲 / 影片 / 電腦軟件 / 遊戲 / 電子書的意向，有 62.2% 表示未必會 / 絕對不會，而 36.0% 則絕對會 / 可能會，這個比例較上一次調查的 (29.7%) 為高。

會這樣做的主要原因是「尊重知識產權」(52.7%)，其次是「為了得到更佳質素」(24.9%)。另一方面，不會這樣做的主要原因是「很少 / 從不下載任何檔案」(23.3%)、「價錢太貴」(19.6%) 及「有其他途徑免費下載」(14.0%)。會這樣做的主要原因與上一次調查的相若，而不會這樣做的首兩個原因則與上一次調查的(“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%)) 有所不同。

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 (10.4%)；
- 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，然後放上網供他人下載 (5.4%)；
- 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 / 電子書自用 (20.7%)；及
- 未得版權擁有人同意，將電影海報、漫畫或圖片等改圖，然後放上網或社交網站與他人分享 (7.5%)。

相反，每項都有大約 80% 或更多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。

- Re-edit movie posters, comics or pictures without authorisation of copyright owner, and upload them to Internet for sharing purpose (7.5%).

Conversely, each with about 80% or more 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 consider 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”, 72.3% of the Internet users considered so (similar to 76.1% in the last survey), while 20.7% did not think so.

Regarding the habit of buying pirated or counterfeit goods, 8.5% of the people claimed that they often / sometimes buy pirated or counterfeit goods, while 20.3% claimed that they seldom buy it, and 69.5% had never bought pirated or counterfeit goods. When compared to the surveys conducted before 2008 (over 40%), the percentage of people who claimed that they would buy pirated or counterfeit goods (around 30% since 2008) was decreased gradually.

Of the people who bought pirated or counterfeit goods, 51.3% claimed the pirated or counterfeit goods which they bought the most was music CD / movie DVD or VCD, followed by clothing & accessories (20.1%) and computer software (12.7%). The findings were similar to those in the previous surveys.

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, only 11.4% of those who bought pirated / counterfeit goods considered that it was easier; 39.0% thought that it was more or less the same; 39.9% considered it more difficult (vs. 10.7%, 32.2% and 49.0% in

對於「認為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 / 電子書是否不道德的行為」這問題的回應，有 72.3% 的互聯網使用者認為是 (與上一次調查的 76.1% 相若)，而 20.7% 則並不認為是。

就市民購買盜版或冒牌貨品的習慣，有 8.5% 的人士表示他們有經常 / 間中購買盜版或冒牌貨品，而 20.3% 則表示很少購買，69.5% 表示他們從不購買盜版或冒牌貨品。與 2008 年前進行的調查相比 (超過 40%)，表示有購買盜版或冒版貨品習慣的百分比 (自 2008 年開始大約三成) 正逐漸地下降。

在那些曾購買盜版或冒牌貨品的人士中，51.3% 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 (20.1%) 及電腦軟件 (12.7%)，結果與過去幾年的調查相若。

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，只有 11.4% 認為是更容易；39.0% 認為情況與過去差不多；39.9% 認為較困難 (對比上一次調查的 10.7%、32.2% 及 49.0%)。

the last survey).

In response to the question “do you consider that it is against morality for a consumer to buy pirated / counterfeit goods knowing that they are infringing the IP rights of others”, 70.8% of the people considered so (vs. 74.2% in the last survey), while 21.2% did not think so.

Opinions towards the “No Fakes Pledge” Scheme

When asked whether ever heard of the “No Fakes Pledge” Scheme, 42.5% of the people said “yes”, which was higher than 34.5% in the last survey. The top channel of awareness was TV advertisements (72.8%), followed by newspapers / magazines (14.4%) and stickers / tent cards in shops (13.9%).

Among those who were aware of the scheme, 81.5% 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 83.4% in the last survey.

Attitudes towards long-term development for IP Rights

Regarding the public’s attitude towards long-term development for IP rights, most of the public considered that the protection of IP rights could be very / quite helpful to the development of local creative industries (73.0%) and the overall development of Hong Kong’s economy (65.3%), such proportions were relatively lower than those in the last survey (83.0% and 71.1% respectively).

For the areas of work that the Government should put more resources in protecting IP rights, similar to the previous surveys, relatively more people thought that more resources should be put on promotions in mass media (36.6%) and in schools (32.3%), followed by increasing penalties (22.7%) and

對於「認為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 / 冒牌貨品是否不道德的行為」這問題的回應，70.8% 的人士認為是 (對比上一次調查的 74.2%)，而 21.2% 則並不認為是。

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，42.5% 的人士表示「有」，比例較上一次調查的 34.5% 上升了。最主要認知的渠道是電視廣告 (72.8%)，其次是報紙 / 雜誌 (14.4%) 及商戶標貼 / 座檯咭 (13.9%)。

在那些認知計劃的人士中，有 81.5% 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 83.4% 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，大多數人士均認為保護知識產權對促進本地創意產業發展 (73.0%) 及香港整體經濟發展 (65.3%) 非常有幫助 / 頗有幫助，比例較上一次調查的 (分別有 83.0% 及 71.1%) 相對為低。

對於政府應該投放更多資源在保護知識產權的工作方面，與過往的調查結果相似，較多人士認為應投放更多資源加強媒體上的宣傳 (36.6%) 及在學校的宣傳 (32.3%)，其次是加重刑罰 (22.7%) 及加強巡查和掃蕩 (22.1%)。

more enforcement action (22.1%).

Awareness of IPD and its promotional activities

Similar to the previous surveys, not many people (19.8%) 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, 52.0% were aware that the IPD was responsible for “promoting awareness on IP rights protection”, followed by “registration of trademarks” (15.8%) and “registration of patents” (12.0%). On the other hand, still some people misunderstood that the IPD was responsible for “combating piracy and counterfeiting” (27.3%) and some did not know the duties of the IPD (16.4%).

50.1% of the people claimed that they had seen IPD’s advertising or promotional messages on TV, followed by radio (8.2%) and print advertisement / promotional materials (5.3%). Yet, 42.3% claimed that they did not remember or had never seen / heard / encountered any IPD’s advertising or promotional activities.

63.4% 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 32.8% considered the opposite (similar to 63.9% and 32.9% in the last survey).

Moreover, still most of the people thought that TV (76.2%) was the most effective channel to promote the protection of IP rights. Increasing trend was observed for the percentages of school (from 3% - 16% in 1999 - 2010 to 22.8% in 2012) and Internet website (from 4% - 13% in 1999 - 2010 to 16.6% in 2012).

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 (19.8%)。

在他們當中，52.0% 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」(15.8%) 及「專利註冊」(12.0%)。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」(27.3%) 及不知道知識產權署工作的範圍 (16.4%)。

50.1% 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 (8.2%) 及印刷廣告 / 宣傳物品 (5.3%)。不過，仍有 42.3% 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。

63.4% 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 32.8% 則持相反意見 (與上一次調查的 63.9% 及 32.9% 差不多)。

此外，仍然有最多人士認為電視 (76.2%) 是宣傳知識產權的最有效途徑。數據顯示學校 (由 1999 年 - 2010 年的 3% - 16% 至 2012 年的 22.8%) 及互聯網頁 (由 1999 年 - 2010 年的 4% - 13% 至 2012 年的 16.6%) 的百分比有上升趨勢。

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 Internet users will pay for downloading songs / movies / computer software / games / e-books from authorised websites.

In addition, most of the people still have positive responses that the protection of IP rights could help the development of creative culture and creative industries.

Finally, while keeping to use TV as the major channel to deliver messages of protecting IP rights, as more and more people thought that school and Internet website were effective channels, IPD may consider to enhance the promotional and educational activities through these channels.

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，而且有更多互聯網使用者會在合法網站付款下載歌曲 / 影片 / 電腦軟件 / 遊戲 / 電子書。

進一步來說，大多數市民對保護知識產權有助推動創意文化及發展創意產業仍有正面的回應。

最後，除以電視作為發放保護知識產權訊息的主要途徑外，由於愈來愈多市民認為學校及互聯網頁是有效途徑，知識產權署可考慮加強透過這些途徑進行宣傳及教育活動。