

Survey on Public Awareness of Intellectual Property Right Protection 2014

香港市民保護知識產權意識調查 2014

- Summary of Findings -

- 調查結果摘要 -

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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, since 1999, the Intellectual Property Department (IPD) has been conducting surveys on Public Awareness of Intellectual Property (IP) Right Protection regularly since 1999. Mercado Solutions Associates Ltd. (MSA) was commissioned to conduct the public survey between 14th November and 10th December 2014. A total of 1 005 respondents aged 15 or above were successfully enumerated for telephone interview. The response rate was 52.3%. This executive summary highlights the major findings of the survey.

Knowledge and Attitude toward IP Rights

The survey findings in this respect were consistent with the previous surveys. On the scope of IP rights, about half of the respondents replied "copyright / copyright piracy" (46.7%). The others suggested "trade mark / trade mark counterfeiting" (27.8%), "patent" (19.1%) and "invention or creation" (18.8%). 13.1% of the respondents indicated "don't know / hard to say".

On the infringement of IP rights with reference to different scenarios, the findings were also quite similar to the previous surveys. Most of the respondents were able to identify acts which infringed IP rights. It is worth noting that a higher proportion of them considered "re-editing others' music / movies / TV programmes to funny videos, and then uploading them to the Internet for sharing purpose" (49.3%) as an infringement of IP rights when compared with the last survey (39.2%).

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定期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) 受委託於二零一四年十一月十四日至十二月十日進行了公眾調查，透過電話成功訪問了 1 005 名 15 歲或以上受訪者，回應率為 52.3%。本摘要概述了主要的調查結果。

對知識產權的認識及觀念

這方面的調查結果與以往歷次相若，就知識產權的範圍方面，約一半的受訪者回答知識產權是指「版權 / 盜版」(46.7%)，其餘受訪者則提出「商標 / 冒牌」(27.8%)、「專利權」(19.1%)及「發明或創作」(18.8%)。另 13.1% 表示「不知道 / 很難說」。

受訪者對不同情況是否侵犯知識產權作出判斷時，結果亦與過去的調查相若。大多數受訪者都能指出侵犯了知識產權的行為。值得注意的是，與上一次調查 (39.2%) 比較，較多受訪者認為「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」(49.3%) 是侵權行為。

On the other hand, only 31.9% of the respondents regarded “buying a genuine CD and then converting to other electronic formats” as an infringement of IP rights while 56.0% considered otherwise. This was similar to the last survey the respective percentages of which were 32.8% and 50.7%.

Similar to the previous surveys, an overwhelming majority of the respondents (94.9%) considered that it was very / quite necessary to protect IP rights in Hong Kong. The top three reasons given in support of this view were to “protect the interest of inventors / encourage creativity” (56.5%), “protect the interest of manufacturers / genuine IP rights owners” (24.9%), and “protect private property” (10.7%).

As regards the reasons given for committing IP infringement activities, the usual ones were quite similar to those surfaced in the previous surveys. Many suggested that infringement was due to “cheaper price of pirated / counterfeit products” and/or “genuine goods are too expensive” (41.9%). This was followed by “greediness / improper public mentality / lack of self-discipline” (25.4%) and “unethical businessmen reaping excessive profits” (19.6%).

As to who should play a dominant role in improving the situation of IP rights infringement in Hong Kong, 36.9% of the respondents considered that “the Government” should play such a role. The others mentioned “the public themselves” (16.8%), “education institutions” (14.3%), “retailers” (12.6%) and “copyright owners” (11.0%).

另外，只有 31.9% 的受訪者認為「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 56.0% 則認為不是。這比例與上一次調查的 32.8% 及 50.7% 相若。

與過往調查相若，絕大部分的受訪者 (94.9%) 均認為知識產權在香港非常有需要 / 頗有需要受到保護。首三個認為需要保護的原因是：「保護原創人利益 / 鼓勵創作」(56.5%)、「保障生產商 / 正版商的利益」(24.9%) 及「保障私人財產」(10.7%)。

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。很多受訪者都認為侵權是由於「盜版及冒牌貨品價錢便宜 / 正版貨品太貴」(41.9%)，其次是「市民貪小便宜 / 社會風氣差 / 欠自律」(25.4%) 及「不道德商人謀取暴利」(19.6%)。

對於誰應該擔當改善香港侵犯知識產權情況的最重要角色，有 36.9% 的受訪者認為「政府」應該擔當此角色。其餘受訪者則提出是「市民自己」(16.8%)、「教育團體」(14.3%)、「零售商」(12.6%) 及「版權擁有者」(11.0%)。

More than 85% of the respondents indicated awareness of the existence of legislation protecting IP rights and in terms of proportion, awareness of legislation concerning copyright was 89.9%; trade marks, 91.1%; and patents, 88.3%. Overall, the awareness in this respect has increased as compared with the last survey (being 85.4%, 84.0% and 85.3% respectively). In contrast, relatively fewer respondents were aware of the legislation protecting designs in Hong Kong (59.2%), although this still represents a higher percentage than the last survey (53.1%).

On IP rights protection measures adopted by the Government in the past two years, 58.7% of the respondents considered that the situation of IP rights infringement in Hong Kong had improved a lot / a little (58.7%). This was relatively higher than the finding in the last survey (48.8%) but 26.9% opined that there had been no change.

Online behaviour and IP rights protection in a digital environment

Respondents having the habit of surfing the Internet were asked about the websites that they frequently browsed. The three most-mentioned ones were: “social networking” (32.5%); “search engines” (32.2%) and “news websites” (22.0%).

Those with the habit of surfing the Internet were further asked about their inclination to pay to listen to songs, watch movies online or to download songs / movies / computer software / games / e-books from authorised websites. 60.6% claimed that they possibly / definitely would not pay. Those indicated that they definitely / possibly would come to 38.8%, which was similar to that of the last survey (36.0%).

超過八成半的受訪者均知道香港現時有法例保障知識產權。當中知道有法例保障版權、商標及專利的比例分別為 89.9%、91.1% 及 88.3%。整體而言，知道香港現時有法例保障知識產權的比例較上一次的調查（分別是 85.4%、84.0% 及 85.3%）上升了。相反，相對有較少的受訪者知道香港有保障外觀設計的法例（59.2%），儘管此比例仍較上一次調查的（53.1%）為高。

就政府在過去兩年採取的知識產權保護措施，58.7% 的受訪者認為因此香港的侵權情況大有改善 / 有少許改善，這個比例較上一次的調查（48.8%）為高。然而，26.9% 的受訪者卻認為情況沒有改變。

網上活動情況及在數碼環境中的知識產權保護

有上網習慣的受訪者均被問及他們最常瀏覽的網站。首三個最多被提及的是「社交網站」（32.5%）、「網絡搜尋器」（32.2%）及「報紙網站」（22.0%）。

有上網習慣的受訪者進一步被問及對付款在合法網站線上收聽歌曲、觀看影片或下載歌曲 / 影片 / 電腦軟件 / 遊戲 / 電子書的意向。有 60.6% 表示未必會 / 絕對不會付款。至於表示絕對會 / 可能會這樣做的則有 38.8%，這個比例與上一次調查的（36.0%）相若。

The main reasons quoted for willingness to pay included “for better quality” (51.2%), “respect IP rights” (32.0%) and “give support to the creative industries” (23.8%), these reasons were similar to those in the last survey. On the other hand, the major reasons given for not paying were either “too expensive” (23.4%), “too troublesome / complicated to purchase online” (19.0%), or “other channels for free downloading are available” (17.8%). The 2nd reason quoted for refusal to pay, i.e. “too troublesome / complicated to purchase online (19.0%)” has replaced the reason “seldom / never download any files (23.3%)” as revealed in the last survey.

表示願意付款的主要原因包括「為了得到更佳質素」(51.2%)、「尊重知識產權」(32.0%)及「支持創意工藝」(23.8%)，這些原因與上一次調查結果相若。另一方面，不會付款這樣做的主要原因是「價錢太貴」(23.4%)、「網上購物太麻煩 / 複雜」(19.0%) 或「有其他途徑免費下載」(17.8%)。提出不會這樣做的第二個原因，即「網上購物太麻煩 / 複雜」(19.0%) 則取代上一次調查的「很少 / 從不下載任何檔案」(23.3%)。

Behaviours involving in infringement of IP Rights

參與侵權活動的行為

The survey revealed that relatively few respondents have been involved in the following infringement activities:

調查結果顯示只有很少的受訪者參與下列侵犯版權活動：

- Downloading music / movies / TV shows / computer software / games / e-books from newsgroups / unauthorised websites and then sharing the files with friends (20.9%);
 - Downloading music / movies / TV shows / computer software / games / e-books from newsgroups / unauthorised websites and then uploading them to the Internet for downloading by others (7.1%);
 - Downloading music / movies / TV shows / computer software / games / e-books from newsgroups / unauthorised websites for one's own use (29.1%);
 - Without the authorisation of copyright owner, re-editing movie posters, comics or pictures and then uploading them to the Internet or social networking websites for sharing purpose (6.3%); and
 - Listening to pirated music / watching pirated movies / TV shows online (27.6%).
- 在網上社群或未經授權的網站下載音樂 / 電影 / 電視節目 / 電腦軟件 / 遊戲 / 電子書，然後傳送給朋友一同分享 (20.9%)；
 - 在網上社群或未經授權的網站下載音樂 / 電影 / 電視節目 / 電腦軟件 / 遊戲 / 電子書，然後放上網供他人下載 (7.1%)；
 - 在網上社群或未經授權的網站下載音樂 / 電影 / 電視節目 / 電腦軟件 / 遊戲 / 電子書自用 (29.1%)；
 - 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 (6.3%)；及
 - 直接在網絡上收聽盜版音樂 / 或觀看盜版電影 / 電視節目 (27.6%)。

For each of the above items, about 75% or more of the respondents denied having been involved in such activities. These findings were similar to those in the previous surveys.

就上述項目，每項都有大約 75% 或更多的受訪者表示他們從來沒有參與該項活動。這個結果與以往幾年調查的相似。

The survey further revealed that 69.5% of the respondents having the habit of surfing the Internet agreed that “it is morally wrong to download music / movies / TV shows from newsgroups / unauthorised websites knowing that it is an infringement of IP rights” (which was similar to the last survey result of 72.3%). 22.5% of the Internet users however did not consider such activities were immoral.

About 60% of the Internet users interviewed (59.4%) agreed that “it is morally wrong to listen to the music or to watch the movies / TV shows online knowing that they were pirated versions”; whereas 32.4% did not think so.

These Internet users were also asked for their views on the possible risks of listening to pirated music, watching pirated movies / TV shows online or downloading music / movies / TV shows from unauthorised websites. The three risks most mentioned were: “computer may get virus” (36.2%), “computer may be hacked by hackers” (17.8%) and “fear of violating the law” (12.1%).

In order to suppress Internet piracy, the Internet users suggested “more promotion through the mass media” (37.1%), “more enforcement action” (30.9%), “more promotion in schools” (22.2%) and “amending the law” (21.9%).

When asked if they had the habit of buying pirated or counterfeit goods, 7.4% of the respondents indicated that they often / sometimes bought pirated or counterfeit goods; 20.8% responded that they seldom bought such goods; while 69.9% claimed they never did. When compared to the surveys conducted before 2008 (with over 40% of the respondents claiming they have bought such goods), the percentage of respondents claiming they would buy pirated or counterfeit goods (around 30% since 2008) has gradually decreased.

調查結果進一步顯示，69.5%有上網習慣的受訪者同意「在明知侵犯知識產權的情況下，仍然在網上社群 / 未經授權網站下載音樂 / 電影 / 電視節目是不道德的行為」(與上一次調查結果—72.3% 相若)。然而，22.5%的互聯網使用者並不認為有關行為是不道德的。

大約 60%的互聯網使用者 (59.4%) 同意「在網絡上收聽或觀看明知是盜版的音樂 / 電影 / 電視節目是不道德的行為」；然而，32.4% 並不同意。

互聯網使用者亦被問及在網絡上收聽盜版音樂或觀看盜版電影、盜版電視節目或在未經授權的網頁下載音樂 / 電影 / 電視節目可能會遇到的風險的意見。首三個最多被提及的風險是：「電腦或會中毒」(36.2%)、「電腦或會被駭客入侵」(17.8%) 及「害怕觸犯法例」(12.1%)。

為了停止網上侵權行為，互聯網使用者提議「加強在媒體上的宣傳」(37.1%)、「加強巡查和掃蕩」(30.9%)、「加強在學校的宣傳」(22.2%) 及「修改法例」(21.9%)。

當被問及是否有購買盜版或冒牌貨品的習慣，有 7.4% 的受訪者表示他們經常 / 間中購買盜版或冒牌貨品；20.8% 則表示很少購買；而 69.9% 表示他們從不這樣做。當與 2008 年前進行的調查相比 (超過 40%的受訪者表示曾購買這類貨品)，表示有購買盜版或冒版貨品習慣的百分比 (自 2008 年開始約 30%) 正逐漸地下降。

Among those who admitted having bought pirated or counterfeit goods, 35.8% claimed that the items which they mostly bought were music CD / movie DVD or VCD, followed by clothing & accessories (28.0%) and toys / stationery / accessories (15.8%). While the top two most purchased pirated or counterfeit goods were similar to those mentioned in the last survey, the third category has changed from “computer software” (12.7% in 2012) to “toys / stationery / accessories”.

67.4% of the respondents agreed “it is immoral to buy pirated / counterfeit goods knowing that it is an infringement of IP rights”, which was slightly lower than that of the last survey (70.8%). 22.5% of the respondents did not think the activities were immoral.

Opinions towards the “No Fakes Pledge” Scheme

When asked whether they had ever heard of the “No Fakes Pledge” Scheme, 48.7% of the respondents replied “yes”, which was higher than 42.5% in the last survey. The major channels of acquaintance were respectively, television advertisements (71.0%), stickers / tent cards in shops (16.3%) and newspapers / magazines (15.3%).

Among those who were aware of the Scheme, 87.0% considered that the Scheme was very / quite helpful in building the confidence of consumers and tourists for shopping in Hong Kong, or in strengthening Hong Kong’s status as a shoppers’ paradise. This was higher than the last survey result of 81.5%.

在那些表示曾購買盜版或冒牌貨品的受訪者當中，35.8% 表示他們買得最多的是音樂 CD / 電影 DVD 或 VCD，其次是衣服 / 手飾 (28.0%) 及玩具 / 文具 / 精品 (15.8%)。首兩類買得最多的盜版或冒牌貨品與上一次調查的相若，而第三類則由“電腦軟件” (2012 年的 12.7%) 轉為“玩具 / 文具 / 精品”。

67.4% 的受訪者同意「在明知侵犯知識產權的情況下，仍然購買盜版 / 冒牌貨品是不道德的行為」，這個比例較上一次的調查 (70.8%) 略低。22.5% 的受訪者則並不認為此行為是不道德的。

對「正版正貨承諾」計劃的意見

當被問到有否聽過「正版正貨承諾」計劃時，48.7% 的受訪者表示「有」，比例較上一次調查的 42.5% 為高。最主要認知此計劃的渠道分別是電視廣告 (71.0%)、商戶標貼 / 座檯咭 (16.3%) 及報紙 / 雜誌 (15.3%)。

在那些認知此計劃的受訪者當中，有 87.0% 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，比例較上一次調查結果 81.5% 為高。

Opinion towards the long-term development of IP Rights

Regarding the public's view towards the long-term development of IP rights, most of the respondents considered that the protection of IP rights would be very / quite helpful to the development of the local creative industries (70.9%) and the overall economic development of Hong Kong (63.1%), which were slightly lower than those in the last survey (73.0% and 65.3% respectively).

With regard to the areas to which the Government should devote more resources for IP rights protection, the result is similar to the previous surveys. Relatively speaking, a greater proportion of the respondents considered that more resources should be used on promotion through the mass media (42.5%). This was followed by taking more enforcement action (25.8%) and more promotion in schools (24.1%).

Awareness of IPD and its promotional activities

Similar to the previous surveys, not many respondents (23.8%) could spontaneously recall that the Intellectual Property Department (IPD) is the Government department being responsible for promoting the protection of IP rights in Hong Kong.

Among those who were aware of IPD, 50.4% knew that IPD was responsible for "promoting awareness on IP rights protection", as well as "registration of trade marks" (28.0%) and "registration of patents" (24.2%). Nevertheless, some still mistook IPD for being responsible for "combating piracy and counterfeiting" (37.8%), and a small proportion of respondents was not aware of the duties of the IPD (20.9%).

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，大多數受訪者均認為保護知識產權對促進本地創意產業發展 (70.9%) 及香港整體經濟發展 (63.1%) 非常有幫助 / 頗有幫助，比例較上一次調查的 (分別有 73.0% 及 65.3%) 相對略低。

對於政府應該投放更多資源在哪個方面以保護知識產權，結果與過往調查的相似。相對而言，較多比例的受訪者認為應投放更多資源加強媒體上的宣傳 (42.5%)，其次是加強巡查和掃蕩 (25.8%) 及加強在學校的宣傳 (24.1%)。

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的受訪者並不多 (23.8%)。

在認知知識產權署的受訪者當中，50.4% 知道知識產權署是負責「宣傳 / 推廣保護知識產權」的，以及「商標註冊」(28.0%) 及「專利註冊」(24.2%)。然而，仍有部分受訪者誤以為知識產權署負責「打擊盜版 / 掃蕩冒牌」(37.8%)。另小部份受訪者不知道知識產權署工作的範圍 (20.9%)。

42.0% of the respondents claimed that they had seen IPD's advertising or promotional messages on television, followed by promotional messages of the "No Fakes Pledge" Scheme (7.8%) and printed advertisement / promotional materials (4.8%). However, 48.6% of the respondents indicated that they did not recall or had not seen / heard / come across any of IPD's advertising or promotional activities.

60.8% of the respondents considered that promotional activities conducted by IPD were very / quite effective in raising the awareness of Hong Kong residents on protecting IP rights, while 36.3% took a contrary view. This is similar to the last survey which returned 63.4% and 32.8% respectively.

Moreover, television was still considered by many (70.9%) to be the most effective channel in promoting IP rights protection. Despite the result, the trend of choosing television as the preferred channel has decreased from 72% - 85% in 2002 - 2012 to 70.9% in 2014 whereas the trend for preferring Internet website has increased from 7% - 17% in 2002 - 2012 to 22.7% in 2014.

Conclusion

The survey findings shows that despite the public having relatively limited knowledge about IPD and its work, the majority of the general public has a general understanding of IP rights and they also considered that it was very / quite necessary to protect IP rights in Hong Kong.

The survey also reveals that the proportion of the public indicating that they would buy pirated or counterfeit goods is gradually decreasing, and there has been an upward trend of the Internet users who indicated willingness to pay to listen to songs, watch movies online or to download songs / movies / computer software / games / e-books from authorised websites.

42.0% 的受訪者表示曾經從電視看過知識產權署的廣告或宣傳訊息，其次是「正版正貨承諾」宣傳 (7.8%) 及印刷廣告 / 宣傳物品 (4.8%)。不過，48.6% 的受訪者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。

60.8% 的受訪者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 36.3% 則持相反意見。兩者比例與上一次調查的 63.4% 及 32.8% 差不多。

此外，仍然有最多受訪者認為電視 (70.9%) 是宣傳知識產權的最有效途徑。儘管結果如此，認為電視作為首選渠道的百分比有下跌的趨勢 (由 2002 年 - 2012 年的 72% - 85% 至 2014 年的 70.9%); 反觀提出互聯網頁為最有效宣傳途徑的百分比則由 2002 年 - 2012 年的 7% - 17% 上升至 2014 年的 22.7%。

總結

調查結果顯示，雖然公眾對知識產權署及其工作範圍擁有有限的認知程度，但大部分公眾人士對知識產權均有一般的理解，而且認為知識產權在香港非常 / 頗有需要受到保護。

調查結果亦顯示公眾購買盜版或冒牌貨品習慣的百分比有逐漸下降，而且互聯網使用者願意付款在合法網站線上收聽歌曲、觀看影片或下載歌曲 / 影片 / 電腦軟件 / 遊戲 / 電子書的比例繼續維持上升的趨勢。

It is encouraging to note that a great majority of the public have responded positively to the work of protecting IP rights and considered that this could foster the development of the creative culture and the creative industries in Hong Kong.

值得鼓舞的是，絕大多數市民對保護知識產權有助推動香港的創意文化及發展創意產業仍有正面的回應。

Last but not least, while television was still regarded as the major channel for disseminating messages on the protection of IP rights, the survey also revealed an increased proportion of the public who considered that newspapers / magazines and Internet websites were equally effective channels. In view of these findings, IPD may consider deploying these channels for its future promotional and educational activities.

最後，電視仍然被視為發放保護知識產權訊息的主要途徑。另外，調查發現認為報章 / 雜誌及互聯網頁同樣是有效途徑的比例增加了。鑑於此結果，知識產權署將來可考慮透過這些途徑進行宣傳及教育活動。