

**Survey on Public Awareness of
Intellectual Property Right Protection 2018
香港市民保護知識產權意識調查 2018**

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**Intellectual Property Department
知識產權署**

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Summary of Findings 調查結果摘要

Introduction

The Intellectual Property Department (IPD) has been conducting surveys on Public Awareness of Intellectual Property (IP) Right Protection regularly since 1999, in order to keep track of the public's awareness of the intellectual property rights. Mercado Solutions Associate Limited (MSA) was commissioned to conduct the public survey between 29th October and 28th November 2018. A total of 1,003 respondents aged 15 or above were successfully enumerated by telephone. The response rate was 50.8%. This summary highlights the major findings of the Survey.

Knowledge and Attitude toward IP Rights

In terms of the knowledge about IP rights, most of the respondents managed to associate with correct terms and concepts. About half of them mentioned “copyright / copyright piracy” (48.2%), followed by “trade mark / trade mark counterfeiting” (23.1%), “invention or creation” (22.4%) and “patent” (16.9%), whereas only 2.1% mentioned “design”. Besides, 18.9% declared “don't know / hard to say”. In overall, the findings were quite similar to the previous round of surveys.

With regard to respondents' judgement on the infringement of IP rights in different specified scenarios, majority of the respondents (about 80% - 96%) were able to identify the respective purchasing and selling acts as infringement of IP rights, which was consistently aligned with the findings of the previous rounds of surveys. Comparatively speaking, fewer respondents considered “using the cartoon character from movie / TV / publication / internet for design of food style in cooking class” (65.6%; increased

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 1999 年起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 2018 年 10 月 29 日至 11 月 28 日進行公眾調查，透過電話成功訪問 1,003 名 15 歲或以上受訪者，回應率為 50.8%。本摘要概述重要的調查結果。

對知識產權的認識及觀念

對知識產權的認識方面，多數受訪者能聯想到正確的術語和概念，他們約有一半提及「版權 / 盜版」(48.2%)，其次是「商標 / 冒牌」(23.1%)、「發明或創作」(22.4%) 及「專利權」(16.9%)，而只有 2.1% 提及「外觀設計」。另外，有 18.9% 表示「不知道 / 很難說」。整體而言，結果與上一輪調查的相若。

對於受訪者就不同特定情況判斷是否侵犯知識產權方面，大部分受訪者 (約 80% - 96%) 能識別各個購買和售賣行為是侵犯知識產權，結果與過往調查的一致。相對而言，較少受訪者認為，在沒有獲授權的情況下，「使用電影/ 電視/ 刊物/ 網絡的卡通人物造型，作為烹飪班食品款式的設計」(65.6%；較 2016 年的 51.6% 有增加) 及「一個學生將整本參考書影印作為自己溫習之用」(56.7%) 是侵犯知識產權。

as compared with 51.6% in 2016) and “a student photocopying a whole reference book for the purpose of self-study” (56.7%) without authorisation as infringement of IP rights.

Similar to the previous surveys, a predominately large proportion of respondents (96.1%) considered that it was very / quite necessary to protect IP rights in Hong Kong. The key reason was “to protect the interest of inventors / encourage creativity” (78.0%), followed by “to protect the interest of manufacturers / genuine IP rights owners” (20.0%), and “to protect private property” (9.4%).

The majority of respondents revealed their awareness of the existence of legislation in Hong Kong for protecting patents (89.4%), trade marks (87.1%) and copyright (84.6%). Similar to the previous rounds, the awareness levels were kept over 80%.

The awareness level of the existence of legislation protecting designs was relatively lower (52.6%), which remained stable when compared with the previous surveys.

Online behaviour and IP rights protection in a digital environment

Among the respondents having the habit of surfing the internet, the top three categories of frequently browsed websites were “search engines” (30.9%), “social networking” (23.9%) and “news websites” (17.3%).

Amongst these respondents, 44.3% had inclination to pay to listen to songs, watch movies online or to download songs / movies / computer software / games / e-books from authorised websites. This proportion maintained an upward trend since 2008 (from 21.0% in 2008 to 44.3% in this round).

與過往的調查相若，絕大部分的受訪者 (96.1%) 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「保護原創人利益 / 鼓勵創作」(78.0%)，其次是「保障生產商 / 正版商的利益」(20.0%) 及「保障私人財產」(9.4%)。

大部分受訪者知道香港有法例保障專利 (89.4%)、商標 (87.1%) 及版權 (84.6%)。與以往多次調查相似，認知程度維持在 80% 以上。

認知有法例保障外觀設計的比例相對較低 (52.6%)，而這個比例與以往調查的維持平穩。

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中，最常瀏覽的首三類網站是「網絡搜尋器」(30.9%)、「社交網站」(23.9%) 及「報紙網站」(17.3%)。

在這些受訪者中，44.3% 會付款在獲正式授權的網站線上收聽歌曲、觀看影片或下載歌曲 / 影片 / 電腦軟件 / 遊戲 / 電子書，這個比例自 2008 年持續上升 (由 2008 年的 21.0% 至這輪的 44.3%)。

The top three reasons for those who replied “definitely / possibly will” were “for better quality” (33.0%), “respect IP rights” (29.3%) and “give support to the creative industries” (23.4%). On the other hand, the top three reasons for those who replied “possibly / definitely will not” were “don’t have a habit of listening to songs / watching movies / playing electronic games / reading” (21.8%), “seldom / never download any files” (17.6%) and “other channels for listening / watching online are available” (17.6%).

Among the respondents who had the habit of online shopping, 67.0% said when they bought products with cartoon characters or logos of brand, they would pay attention if the products were genuine, pirated or counterfeit products, while 16.2% said they would not. The remaining 16.7% said they had never bought products with cartoon characters or logos of brand.

Behaviours involving infringement of IP Rights

Among the respondents who had the habit of using internet, the proportions of involvement in infringement of copyright were mostly similar to those in the last round:

- Downloading music / movies / TV shows / computer software / games / e-books from online communities / unauthorised websites and then uploading them to the internet for downloading by others (2.3%);
- Without 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 (5.4%);
- Downloading music / movies / TV shows / computer software / games / e-books from online communities / unauthorised

表示「絕對會 / 可能會」的首三個原因是「為了得到更佳質素」(33.0%)、「尊重知識產權」(29.3%)及「支持創意工業」(23.4%)。另一方面，表示「未必會 / 絕對不會」的首三個原因是「沒有聽歌 / 觀看電影 / 玩電子遊戲 / 閱讀的習慣」(21.8%)、「很少 / 從不下載任何檔案」(17.6%)及「有其他途徑可以網上收聽 / 觀看」(17.6%)。

有上網購物習慣的受訪者中，67.0% 表示在購買有卡通人物或品牌標誌的物品時，有留意貨品是正版、盜版或冒牌，而 16.2% 則表示不會留意，其餘 16.7% 表示他們不會上網購買有卡通人物/品牌標誌的物品。

參與侵權活動的行為

在有上網習慣的受訪者中，參與侵犯版權的比例大多與上一輪相近：

- 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 (2.3%)；
- 未經版權擁有人同意，擅自更改電影海報、漫畫或圖片等，然後上載至互聯網或社交網站與他人分享 (5.4%)；
- 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，然後轉發給朋友一同分享 (13.0%)；

- websites and then sharing the files with friends (13.0%);
- Listening to pirated music / watching pirated movies / TV shows online (30.4%); and
 - Downloading music / movies / TV shows / computer software / games / e-books from online communities / unauthorised websites for one's own use (36.4%; dropped from 40.3% in 2016).

Among the respondents who had the habit of using internet, the majority (80.8%) agreed that "it is morally wrong to download music / movies / TV shows from online communities / unauthorised websites even knowing that it is an infringement of the IP rights". Such proportion was slightly higher than 77.3% in 2016.

Meanwhile, another large proportion (70.2%) of respondents agreed that "it is morally wrong to listen to the music or watch the movies / TV shows online even knowing that they were pirated versions". This revealed an increase from 64.5% in the 2016 survey.

Apart from the morality issues, some respondents were practically concerned about the possible risks to individuals or families involved in dealing with online pirated files and files downloaded from unauthorised websites. The top three risks mentioned were "computer may get virus" (26.2%), "violating the law" (22.7%) and "being prosecuted" (17.0%).

With respect to the habit of buying pirated or counterfeit goods, 18.5% of the respondents declared that they often / sometimes / seldom bought pirated or counterfeit goods, which was the lowest proportion since 1999. On the other hand, most of the respondents (75.8%) said they had never bought.

- 直接在網絡上收聽盜版音樂 / 觀看盜版電影 / 電視節目 (30.4%) ; 及
- 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 / 電子書供自用 (36.4% ; 較 2016 年的 40.3% 有所下降)。

在有上網習慣的受訪者中，大部分 (80.8%) 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」，這個比例較 2016 年的 77.3% 略高。

與此同時，另一大比例的受訪者 (70.2%) 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」，這顯示較 2016 年的 64.5% 有所上升。

除道德問題上的看法外，一些受訪者亦關注處理網上盜版和未經授權的網頁下載檔案可能涉及對個人或家人的風險。首三個最多提及的風險是「電腦或會中毒」(26.2%)、「違法」(22.7%) 及「被檢控」(17.0%)。

關於購買盜版或冒牌貨品的習慣，18.5% 的受訪者表示他們經常 / 間中 / 很少購買盜版或冒牌貨品，是自 1999 年以來最低的比例。另一方面，多數受訪者 (75.8%) 表示他們從來沒有買過。

Among those who bought pirated or counterfeit goods, the top three most purchased pirated or counterfeit goods remained the same as those in 2016. Relatively more respondents expressed that the items which they mostly bought were “clothing and accessories” (43.1%; increased from 7.7% in 2004), followed by “music CD / movie DVD or VCD” (27.9%; decreased from 63.0% in 2004) and “toys / stationery / accessories” (17.2%; increased from 1.7% in 2004).

The most frequent channel of buying pirated or counterfeit products was physical “shops / stores” (39.7%; decreased from 47.3% in 2016), followed by “stalls” (31.4%) and “online shops” (21.0%; increased from 9.4% in 2016).

Most of the respondents (78.1%) agreed that “it is morally wrong to buy pirated / counterfeit goods even knowing that it is an infringement of IP rights”. Such proportion was slightly higher than 74.0% in 2016.

Opinions towards the “No Fakes Pledge” Scheme

About three-fifths of the respondents (60.3%) have heard of the “No Fakes Pledge” Scheme, which achieved the highest proportion since 2008.

The major channels of acquaintance were “stickers / tent cards in shops” (46.3%) and “television advertisements” (42.7%), followed by “newspapers / magazines” (9.8%).

Among those who were aware of the scheme, the majority (87.9%) considered that the scheme was very / quite helpful for building the confidence of consumers and tourists in shopping in Hong Kong, or in strengthening the reputation of Hong Kong as a shoppers’ paradise. This proportion was slightly higher than 84.0% in the previous round.

曾購買盜版或冒牌貨品的受訪者當中，首三類購買得最多的盜版或冒牌貨品與 2016 年的相同。較多受訪者表示他們購買最多的盜版或冒牌貨品為「衣服 / 首飾」(43.1%；較 2004 年的 7.7% 有所增加)，其次是「聲音 / 影片光碟」(27.9%；較 2004 年的 63.0% 有所減少) 及「玩具 / 文具 / 精品」(17.2%；較 2004 年的 1.7% 有所增加)。

購買盜版或冒牌貨品最多用的渠道是實體「商舖」(39.7%；較 2016 年的 47.3% 有所減少)，其次是「街上攤檔」(31.4%) 及「網絡商店」(21.0%；較 2016 年的 9.4% 有所增加)。

多數受訪者 (78.1%) 同意「在明知侵犯知識產權的情況下仍然購買盜版 / 冒牌貨品是不道德行為」，這個比例較 2016 年的 74.0% 略高。

對「正版正貨承諾」計劃的意見

大約六成的受訪者 (60.3%) 曾聽過「正版正貨承諾」計劃，是自 2008 年以來錄得最高的比例。

最主要認知此計劃的渠道是「商戶標貼 / 座檯咭」(46.3%) 及「電視廣告」(42.7%)，其次是「報紙 / 雜誌」(9.8%)。

在認知此計劃的受訪者當中，大部分 (87.9%) 認為計劃對增加消費者及遊客在香港購物的信心或鞏固香港購物天堂的美譽是非常有幫助 / 頗有幫助，這個比例較上次調查的 84.0% 稍微上升。

Opinion towards the long-term development of IP Rights

In view of the public attitude 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 (79.9%; slightly higher than 75.4% in 2016) and the overall economic development of Hong Kong (69.1%).

With regard to the areas to which the Government should devote more resources to IP rights protection, relatively more respondents suggested “more promotion through the mass media” (37.8%), followed by “more enforcement action” (30.4%) and “more promotion in schools (incl. primary, secondary & tertiary)” (27.8%). These three aspects were consistent with the results in last survey.

Awareness of IPD and its promotional activities

Similar to the findings in the last round, 26.0% of the respondents 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. On the other hand, a considerable proportion (62.2%) still declared “don’t know”. The remaining 11.8% misunderstood that it was other government departments responsible for it.

For those who were aware that IPD is the department which was responsible for promoting the protection of IP rights, they were further asked about the scope of duties of IPD. Similar to the findings in the last round, relatively more respondents could correctly point out that IPD was responsible for “promoting awareness on IP rights protection” (47.9%), followed by “registration of trade

對保護知識產權長遠發展的意見

公眾對保護知識產權長遠發展的態度方面，多數受訪者認為保護知識產權對本地創意產業發展 (79.9%；較 2016 年的 75.4% 略高) 及香港的整體經濟發展 (69.1%) 非常有幫助 / 頗有幫助。

對於政府應該投放更多資源在哪方面以保護知識產權，較多受訪者建議「加強在媒體上的宣傳」(37.8%)，其次是「加強巡查和掃蕩」(30.4%) 及「加強在學校的宣傳 (包括大、中、小學)」(27.8%)。這三方面均與上次調查的結果一致。

對知識產權署及其宣傳活動的認知

與上一輪的結果相若，有 26.0% 的受訪者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。另一方面，仍有相當比例 (62.2%) 表示「不知道」，其餘 11.8% 則誤以為是由其他政府部門負責。

在認知知識產權署是負責推廣保護知識產權的受訪者中，他們被進一步問及對知識產權署工作範圍的認知。與上一輪調查的結果相若，較多受訪者能準確指出知識產權署負責「宣傳 / 推廣保護知識產權」(47.9%)，其次是「商標註冊」(22.4%) 及「專利註冊」(17.0%)。然而，仍有部分誤以為「打擊盜版 / 掃蕩冒牌」(18.8%) 是知識產權署的職務之一。

marks” (22.4%) and “registration of patents” (17.0%). However, still some mistakenly thought that “combating piracy and counterfeiting” (18.8%) was one of IPD’s duties.

Respondents were asked whether they had encountered any IPD’s advertising or promotional activities from different channels in the past two years. 51.1% of the respondents encountered IPD’s advertising or promotional activities. Such awareness level was similar to 50.2% in the last round.

Relatively more respondents expressed that they had seen the advertising or promotional messages on television (37.2%), followed by promotions on “No Fakes Pledge” Scheme (35.2%).

59.9% of the respondents considered that the promotional activities held by IPD were very / quite effective in raising the awareness of the Hong Kong public on protecting IP rights. Such proportion was similar to 58.2% in the last survey. On the contrary, 36.2% considered that the promotional activities were quite / very ineffective.

Finally, respondents were asked to give suggestions on the most effective channel to promote the protection of IP rights. Most of the respondents (66.9%) still considered that television was the most effective channel for promoting the protection of IP rights, followed by internet websites (30.1%), school (23.3%) and email / website advertisement (19.5%). Although television had been the most mentioned channel over all these years, it was noteworthy for the significant increase of internet websites and email / website advertisement (increased from 7.2% and 1.1% in 2003 to 30.1% and 19.5% in 2018 respectively).

受訪者被問及在過去兩年有否從不同的渠道接觸過任何知識產權署的廣告或宣傳活動。51.1% 的受訪者接觸過知識產權署的廣告或宣傳活動，認知程度與上一輪調查的 50.2% 相若。

較多受訪者表示他們曾在電視上收看有關的廣告或宣傳訊息 (37.2%)，其次是「正版正貨承諾」宣傳 (35.2%)。

59.9% 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很有效 / 頗有效，這個比例與上一輪調查的 58.2% 相若。相反地，有 36.2% 認為宣傳活動不大有效 / 完全沒有效。

最後，受訪者被問到認為最有效宣傳知識產權的途徑。多數受訪者 (66.9%) 仍然認為電視是宣傳知識產權的最有效途徑，其次是互聯網頁 (30.1%)、學校 (23.3%) 及電郵 / 網頁廣告 (19.5%)。儘管電視在過往多年為最多人提及的渠道，但值得令人關注的是互聯網頁及電郵 / 網頁廣告的明顯增長 (分別由 2003 年的 7.2% 及 1.1% 上升至 2018 年的 30.1% 及 19.5%)。

Conclusion

The survey findings showed that most of the public had basic knowledge about IP rights, which was quite consistent with the previous rounds of survey. Many respondents knew that IP rights referred to copyright, trade marks and patent, and were aware of the existence of legislation in Hong Kong for protecting these IP rights. The majority of respondents were also able to identify various specified acts as infringement of IP rights. Yet, their knowledge about protecting designs was not as strong as the other IP rights.

Concerning the public's behaviour in protecting IP rights on the internet, more and more people would pay for listening / watching / downloading copyright works from authorised websites. Moreover, most of those who had the habit of online shopping would pay attention if the products were genuine, pirated or counterfeit products.

Amongst the various online activities which involved infringement of copyright, a slight decrease was found for the proportion of respondents who downloaded copyright works from online communities / unauthorised websites for own use, whilst the frequencies of involving in other activities remained stable.

In fact, most of the people were alerted to the risks in listening / watching / downloading pirated copyright works, and more people acknowledged that such acts are morally wrong.

The percentage of people who bought physical pirated or counterfeit goods continued to drop. Yet, the percentage of buying via "online shops" had increased.

總結

調查結果顯示公眾大多對知識產權有基本認識，這與過往的調查頗一致。很多受訪者都知道知識產權是指版權、商標及專利，也認知香港有法例保障這些知識產權。大部分受訪者亦能夠識別多項特定行為是侵犯知識產權。然而，他們對保護外觀設計的認識則沒有其他知識產權般強。

有關公眾在網上保護知識產權的行為，愈來愈多人會付款在獲正式授權的網站收聽 / 觀看 / 下載版權作品，而且有上網購物習慣的人士大多都會留意貨品是否正版、盜版或冒牌。

在多項涉及侵犯版權的網上活動中，在網上社群或未經授權的網站下載版權作品自用的受訪者比例有輕微減少，而有參與其他活動的比率則維持平穩。

事實上，多數人士均警覺到收聽 / 觀看 / 下載盜版版權作品的風險，亦有更多人認同這些行為是不道德的。

購買實體盜版或冒牌貨品的百分比繼續下降。然而，透過「網絡商店」購買的百分比卻有所增加。