

# Teaching Materials on Respect for Copyright

Ages 10 to 15 years

Students' Notes

If ideas were  
real light bulbs



# PROPERTY



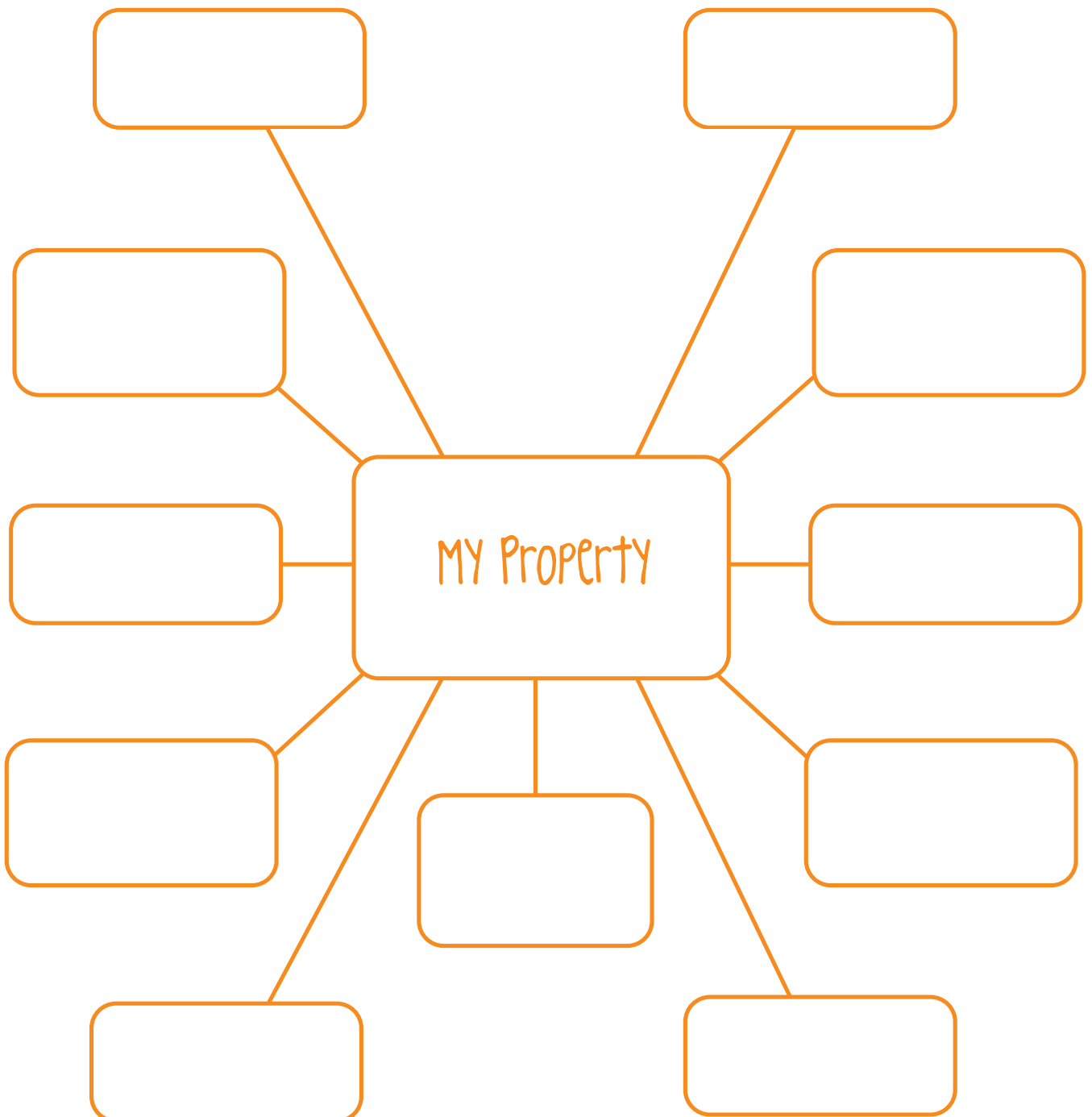
## What Is Property?

All of us own something – from the clothes that we wear to pens, books, bags and toys. Our parents or guardians might own a car or a TV set or a washing machine. Some might even own their house. These things are known as our “property”.

The dictionary defines “property” as follows: a thing or things belonging to someone;  
Here are some synonyms for the word property:

**Goods, House, Possessions, Things, Belongings, Personal effects**

In the chart below add things that belong to you and form part of your property:



# PROPERTY



## Respecting Property

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What would happen if someone took your property and kept it without your permission? What could you do? Who might you tell to help you get your property back?

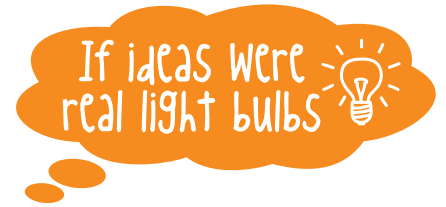
In the boxes below write down three things that you own. Who you might tell if someone stole this item and then what this person might do to help you get your property back. The first one has been done for you. For example: School bag / Teacher / Ask children in the school to search for it

ITEM	WHO YOU COULD TELL	HOW THEY MIGHT HELP
School bag	Teacher	Ask children in the school to search for it.



# CREATING

## Your Idea



So far we have talked about actual objects – things we possess. But what about ideas? How do we own them? How do we get them? Think about a story that you might create. You have spent a long time thinking about this story and are very proud of it. Where did your ideas come from? How long did it take to come up with the ideas? Once you had the idea what else did you need to do? What else did you have to think about? How did you go about creating your story? What were the different parts of the story that you had to think about? What do you think was original about it? Is this what made you proud of your story?



## Task

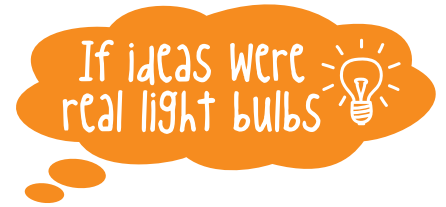
Think about something you have created – it might be a story, a painting, a photograph, a piece of music. In the boxes below write it down and the reasons why you might be proud of it

**I created a...**

**I am proud of it because...**

# CREATING

## Intellectual Property



The things we create with our thoughts and imagination can be very important to us. Such creations and their protection are often referred to as “Intellectual Property”

Putting it simply, intellectual property is any new, developed idea created by someone – that is, an invention, story, piece of art or music, film, report, computer software, dance, design or brand.



We all know that ideas are often shown as light bulbs appearing above a character’s head in a moment of inspiration. Well, what if your ideas turned into real light bulbs? Imagine this scenario: every time you had an idea for a story; or a poem; or a song; or a piece of artwork, a light bulb appears in your locker.

In the box below write down some of the things that you have created recently or some of the ideas that you have had.

MY ideas and things I have created

# ELEMENTS



## Ideas And The People Who Have Them

If ideas are like light bulbs then let's now think about some of the things that can happen to ideas and the people who have them.

You have thought about your own ideas. Now let's consider what artists have to think about as they develop their ideas. Whilst you are working on this, you will be exploring ideas of respecting each other's ideas. We call this respecting intellectual property.

We are going to look at four different types of artists:



**An Author**



**A film maker**



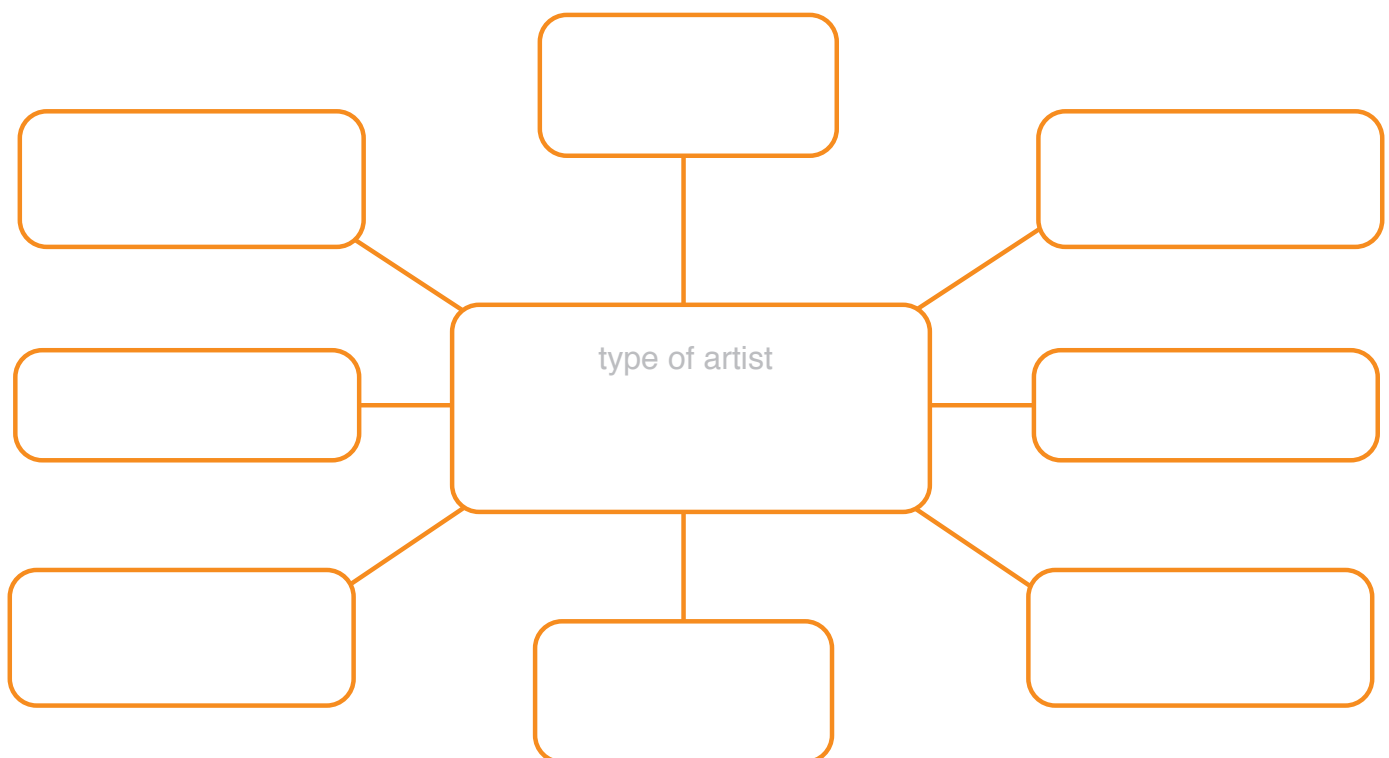
**A painter**



**A pop band**

You will be considering what each artist has to think about when they are developing their ideas into a finished product – a book, a film, a painting and songs and performances.

Choose one of the artists above and then write down everything they would need to develop their first idea into a finished piece of work in the chart below.



What does each artist need to do when they are creating their work?  
What are the different elements they will need to develop?

# Scenarios

If ideas were  
real light bulbs

You will have seen that artists spend a lot of time and effort creating their work. In many ways, your own experiences will be similar, but on a smaller scale.

Let's think now about what can happen to art works and ideas. We will start by thinking about what can happen to you in school.

## Story 1



A girl gets an idea for a story and she uses her story-idea light bulb to write the best story she's ever written. She gets to be 'Champion Writer' of the week and is awarded house points and a Head Teacher Award in assembly.

## Story 2



A boy has an idea for a fantastic dance routine. He uses his dance idea light bulb to come up with the choreography and shares it with his friends so that they can perform their dance in a school talent show. The whole school admires his friends' performance very much and respects him for his brilliant dance.

## Story 3



A pair of friends come up with an idea for a brilliant computer game. They use their idea light bulb to work collaboratively on their game which they create for their friends in the computer lab. A school parent offers to help them make a business out of the game. However, the friends are busy with school work and are unsure whether they should do so.

## Story 4



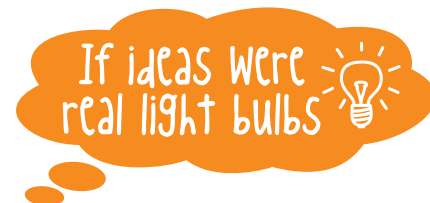
A girl arrives every day to school and there are no ideas in her locker. She tries her hardest to come up with an idea for something, but nothing comes. She feels that she doesn't have the success that her friends are having. She notices a girl who has lots of idea light bulbs in her locker. One lunchtime, she sneaks in and steals one of the ideas. It's an idea for a piece of art. She creates the piece of art and tells people that it's her own. The girl whose work has been stolen notices that her work has been copied, but she keeps quiet. The girl who stole the idea realises that she is not enjoying the fake success and apologises to the other girl.

## Story 5



Story four told the story of a girl whose locker is always empty – she never has any ideas of light bulbs. One day, she steals an idea from a girl who has lots in her locker. The girl owns up and says sorry to the girl whose work she stole. Having accepted the apology, the girl with all the ideas decides to help the other girl and she gives her one of the light bulbs and shows her how to make it her own. She is able to use the idea and put her own spin on it to create a really good piece of art which is hung in the school entrance hall for all to see. She realizes that she can be inspired by others, but stealing others' work is the wrong thing to do.

# Scenarios



## Feelings

It is very important to respect each other's creations and not to steal them or even borrow them without permission.

You have read the five stories above. Now think about what the characters might feel in each of the five stories. Using the chart below write down the characters that you meet and then what each might feel. You should then think why they might feel this way. You might like to think of a title for each story.

### Story 1:

Characters	Feelings	Why they feel this way

### Story 2:

Characters	Feelings	Why they feel this way

# Scenarios



Story 3: .....

Characters	Feelings	Why they feel this way

Story 4: .....

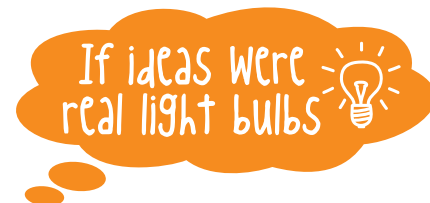
Characters	Feelings	Why they feel this way

Story 5: .....

Characters	Feelings	Why they feel this way

# Scenarios

## Infringing



Think back to the work that you did on the five stories. Each story centred around someone creating something, having an idea and seeing it through to a finished creation. But also, in two of the stories, there was the issue of someone stealing their creations – infringing their **INTELLECTUAL PROPERTY**.

Somebody who creates something has the right to decide how their piece of work is used by other people – whether it is copied, or shared on the internet, or adapted for another similar work. So, for example, any person who takes a photo or writes a story has rights to protect them. They are free to let others know that their creation belongs to them and they can decide where it is shared and who can share it.

In the chart below, answer either yes or no to the statements.

statement	Yes, No or depends?	conditions
Is it ok to share a photo of somebody on the internet without asking their permission?		
Is it ok to download a film from the internet?		
Is it ok to 'borrow' someone's work and use it in your own work?		
Is it ok to add your favourite band's music to a film you made?		
Is it ok to cut and paste information from the internet when you're researching something?		



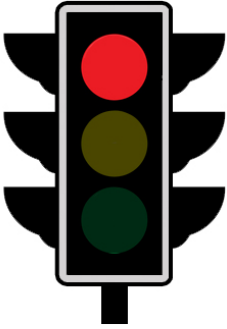


# INDIVIDUALS AND COMMUNITIES



## Codes of conduct: how do we know how to behave?

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- What instruction does this give motorists?
- What incentive is there for a motorist to obey this instruction?
- Is there anything to stop a driver going through a red light?

Most societies have some kind of 'code' for behaviour and conduct, which the majority of people within that society will follow. In some cases these 'codes' are written down in the form of rules and laws; in other cases, they are simply shared ideas about how to behave towards others.

Here is an extract from a 'code' that exists in the UK, The Highway Code:

**6: Motorways.** You **MUST NOT** walk on motorways or slip roads except in an emergency (see Rule 249) *Laws RTRA sect 17, MT(E&W)R 1982 as amended & MT(S)R regs 2 & 13*

### Discuss:

- Why should you follow these instructions?
- What might the consequences be if you don't follow them?
- Who is this 'code' trying to protect?

# INDIVIDUALS AND COMMUNITIES

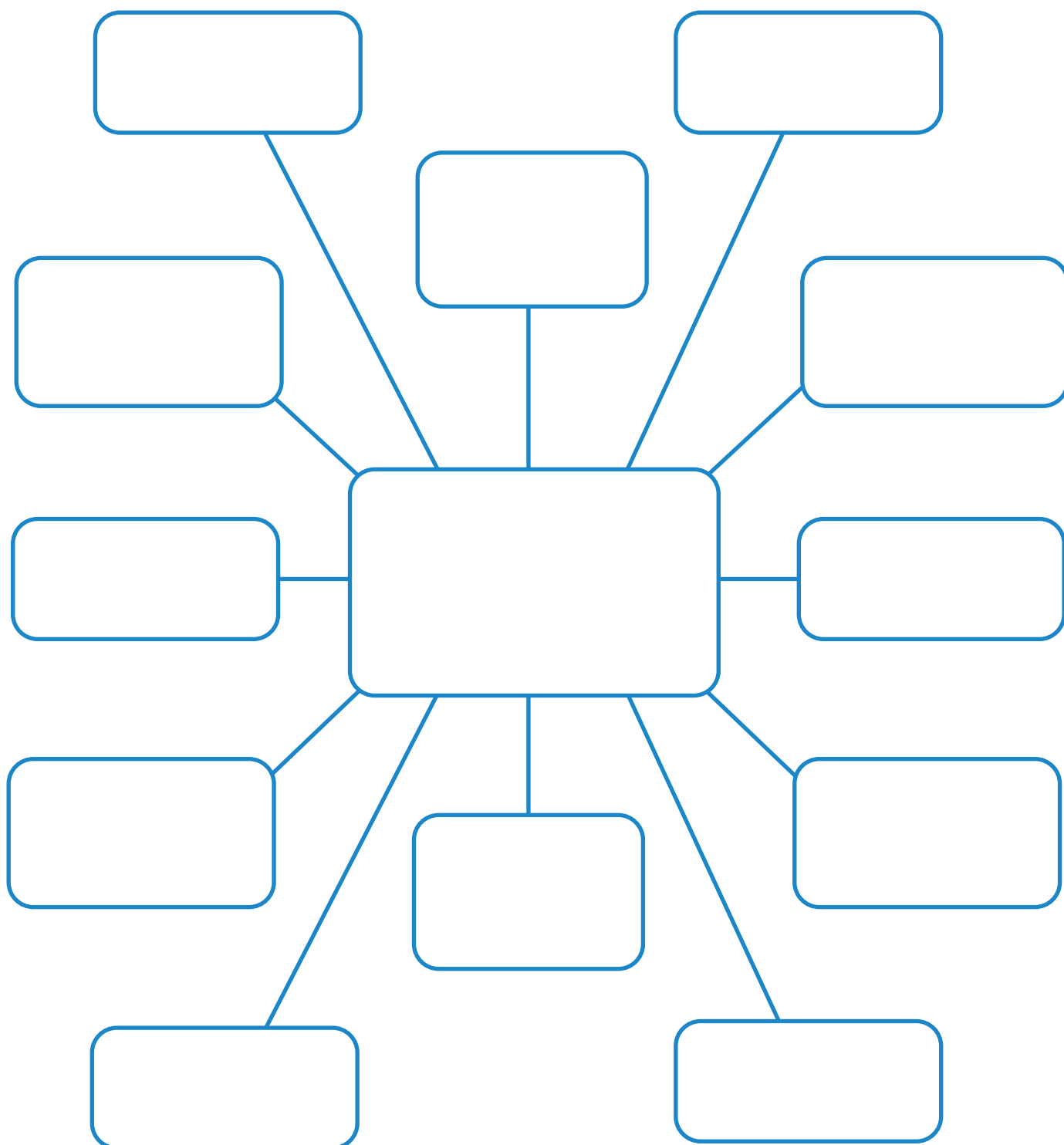


## Worksheet 1

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Can you think of any 'codes' that give you guidance on how to live?

Record your ideas in the space below. Write your name in the middle box, then show the circles of influence that inform your day-to-day code of conduct in the surrounding boxes: e.g. family, school, community, friends, place of worship.



# INDIVIDUALS AND COMMUNITIES



## Acting right

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Can you think of any other 'codes' that give people guidance on how to go about their lives?

### Summary Activities

- Think back over all the 'codes' for behaviour that you and your class thought of.
- Do you feel it is important for society that people have some sort of 'code' to help them decide how to behave?
- Do you think individuals can follow more than one 'code'? Could you give any examples?
- Do you think different communities following different 'codes' should be able to get along?
- Should there be a code of conduct when it comes to freedom of speech? Is it ok to say what you like, even if it offends somebody?
- Should there be a code of conduct when it comes to creative activity - e.g. music, film, writing? What code of conduct should the creators have? What about the consumers?

Explain your ideas, making your points as clearly as possible, and remembering to use reasoned, balanced arguments.

# LEGALITY AND MORALITY



## Discussion starter activity

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Of the following two actions, which do you think is against the law? Do you think either is wrong? Be prepared to explain your opinions.



**You can't find a bin in the local park so you throw your litter into the bushes where it can't be seen.**



**You are on a long bus journey and a pregnant woman asks you for your seat but you ignore her.**

What do you think is the difference between something being illegal, and something being immoral? Use your own examples to help you explain your ideas.

# LEGALITY AND MORALITY



## Worksheet 2

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Which of these acts do you think are against the law?

Telling a lie	
Copying a music CD onto your computer	
Carrying an imitation firearm in public	
Downloading music from a file sharing network	
Driving a car without lights at night	
Dropping litter	

Arrange the actions in order from most to least blameworthy, according to your opinion.

Of all of the actions, which do you think carries the most serious consequences? Try to find out which of the actions listed above are criminal offenses and what punishments apply.

### Discuss:

- Is there anything here that you didn't know was against the law?
- Do you feel that 'the punishment fits the crime' in these cases?

### Write:

Choose one of the crimes and punishments from the examples you looked at today. Decide whether or not you think the punishment is suitable, then explain your opinion in a reasoned way giving examples and evidence as appropriate.

# STEALING IDEAS



Increasingly students will use internet sources to help them with their homework: used thoughtfully and critically, these can be an excellent tool.

However this also presents an interesting dilemma: with such a wealth of information available, it can be all-too-easy to 'copy and paste' a homework answer or even a coursework essay rather than processing the information and making it their own original work. Copying someone else's work is plagiarism - whether it's the person working next to you, or copying and pasting from the internet.



Is downloading an essay and passing it off as your own illegal? Do you think it is immoral? Develop arguments to support your opinions.

Click on the link below to a anti-piracy advert from Chile. This advert shows a scene from family life where the moral values of a child are clearly affected by his father's actions. The advertising campaign is designed to make people think more carefully about their moral viewpoint with the hope of reducing film piracy. <https://vimeo.com/136602422>



# STEALING IDEAS

## Worksheet 3

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What is plagiarism?

What sorts of 'values' or moral codes are shown in the advert (from the previous page), and what message do you think the advert is trying to convey?

What do you think are the links between plagiarism and piracy?

Do you think this advert might encourage parents to think more carefully about their actions?

'Super bootlegged A' – what moral implications are there in getting an A through copying?

Imagine you produced a fantastic piece of work for art or music, maths, choreography for dance or whatever you wish, and entered it into a competition. How would you feel if someone else stole your ideas and profited from them?

# STEALING IDEAS

## Worksheet 4

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### Role-play scenario

A school was running a Young Enterprise competition for its students. In teams, students had to come up with an original idea for a company that would be able to set up and generate a profit. There was a prize for the best idea. Team A had an idea, but they didn't think it was very good. All the same they made careful notes and kept them safe as they worked on their idea. Team B had some great ideas but they didn't keep their notes to show the ideas were theirs. Team A sent in a spy to steal the opposition's best ideas. In the end, Team A won the competition with Team B's ideas: unfortunately, Team B couldn't prove that their ideas had been stolen as they hadn't written anything down.



Explore the moral issues involved here by taking on one of the following roles:

### Team A

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**Member no. 1:** You thought up your team's idea in the first place. OK, it's not the world's most amazing idea but no one else came up with anything better, did they? You feel annoyed that your team didn't help develop your idea, and don't think they deserved to win by using Team B's ideas.

**Member no. 2:** It was your idea to make sure your team kept all its notes and workings so you could prove the ideas were yours. After all, your team had taken the trouble to come up with it so you may as well write it down. Team B have got no written proof that those ideas belong to them: they should have thought more carefully about keeping a record of their work.

**Member no. 3:** You were the team's spy: your job was to find out about Team B's ideas and bring them back with you. Even though the people in Team B weren't exactly your friends, you feel pretty bad about what you did – you never expected your team would win, after all.

### Team B

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**Member no. 1:** You came up with a great idea and now Team A have taken all the credit. It's outrageous that they can lie like that in public! They think they've got away with it just because they weren't breaking copyright, but everyone knows that stealing is stealing.

**Member no. 2:** It's a shame you didn't win, but then frankly the other team had much more initiative and you have to give them credit for that. Really it's your team's fault for not recording your ideas, but how were you to know? Besides, it's only a competition after all.

**Member no. 3:** It was you who told Team A about your great idea. You feel so stupid now, but you never thought they would steal it and use it for their own. Who behaves like that? Now everyone is upset because Team A won with your idea, you're keeping quiet: they'll only get angry with you if they know.



# MAKING FAKES



## Copies and copyright: where do you stand?

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### Being original

*Group discussion:*

What does it mean to be original?

Is this the same as being creative?

Can you think of any jobs where originality or creativity is really important?



### Working creatively

These kinds of jobs require creative thought as well as a passion for the work. To be successful requires lots of hard work, good ideas and a bit of luck: it can be very difficult for people starting out in these creative industries.

Those who are successful in these industries could enjoy healthy profits as well as popularity with the public.

For example, some designer brands become so popular that they are 'must-haves': you wouldn't be seen in anything else, especially not a 'fake' version.

### Making a fake

However, some people make the decision to skip the creative part and make money by copying other people's work. For example, fakes of designer brands and pirated DVDs are often sold on the street, at markets and through online web sites.

So what's the difference? If a fake looks similar, but comes at a fraction of the price, why shouldn't you buy it?

The craftsmanship that goes into a designer good is lost when it's copied using cheap materials. Think about fake DVDs - how can you tell that they are not the real thing? When something is copied, quality often suffers. Pirate DVDs may have poor sound or visuals.

# MAKING FAKES



## Worksheet 5: Originality and Creativity

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**Answer the following questions based on what you have read, heard, seen and discussed this lesson.**

Write your own definitions for the following words:

Originality

Creativity

When do you think originality and creativity might be important?

### **Fakes and the real thing**

Where might you come across 'fake' versions of products?

What differences might there be between fakes and the real things?

What problems might be associated with making, selling and buying 'fake' goods?

# ENTERTAINMENT ONLINE



Changes in technology over the past few decades have influenced the way many people spend their leisure time. Now you no longer have to be in at a certain time to catch your favourite TV show: you can watch again, watch online or even download new episodes for a fee.

HD recorders and on-demand services mean we have greater access than ever before to a range of entertainment.



Providers such as Apple and Netflix allow users to download the latest DVD releases for a small charge. Users can watch the films on their computers a limited number of times before they expire.

- What do you think are the advantages of these new ways of watching films and TV?
- Where does the money users pay for these services go to, do you think?
- Some sites offer the same services or downloads but for free. What problems might be associated with this?
- Who do you think loses out when money is not paid for film downloads?

There are many ways of accessing entertainment from home. A wealth of television channels showing a range of topics can be accessed by viewers, some for free, and some for a fee.



## Worksheet 6: Public broadcasting – Cost Free?

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What do you and your friends know about the following? Write down all you know about 'free' and 'paid' programming.

Examples of 'free' programming	Examples of 'paid' programming

Are public broadcast channels totally cost-free? Can you think of 'hidden' costs that might have to be paid in order to watch these channels?

Can you identify any key differences between the content that is offered for 'free' and that which attracts a fee?

Why do you think certain channels, and certain content, cost viewers more?



## Worksheet 7: Illegal downloads

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How are 'illegal' download sites different from legal ones?

Do you know what might be 'illegal' about the material you can download? Is it easy to tell the difference between legal and illegal sites?

**Piracy on the internet can take a number of forms, and involves the making available online of copyright-protected works without obtaining permission from their owners.**

Why might people choose to download films from illegal sites rather than paying for them?

What disadvantages can you think of to watching illegal downloads compared to seeing a film at the cinema? Collect as many ideas as possible from your class.

What do you think are the consequences of illegal file sharing – for those providing the downloads, those watching them and the film industry?

# FILM PIRACY



Nothing beats watching a film at the cinema. Films are part of our everyday culture: we like to watch and re-watch our favourites over and over again and if we can share that experience with friends and family, all the better.

We can buy DVDs or download movies from websites after they have been released at the cinema. As we know: we can do this legally via legitimate retail outlets or download sites. Unfortunately, the demand for film is so high that people have developed illegal ways of getting pirated (illegally copied - without the producer's consent) films to the consumer. These pirated DVDs or illegal downloads are usually cheaper than the real thing, which makes it tempting to break the law for the consumer.



Film piracy is damaging the film industry and more importantly, the individuals who work within the film industry. The professionals behind and in front of the camera are all affected by the illegal pirating industry.

## Who gains? Who loses? – a role play activity

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Choose students to be in the hot-seat acting in role as the following people:

1. Someone who illegally downloads new movies and watches them for free. Explore the reasons why this goes on and why this type of activity is harming the creative industries.
2. A film distributor who is trying to release a low-budget independent film into cinemas. How is film piracy hurting his or her chances?
3. A person who has illegally recorded a movie at the cinema, and who is now sharing it online. Who does this type of activity benefit?

# FILM PIRACY



## Final Project: That's MY Idea – getting the message across

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It's clear that we need an anti-piracy campaign. But what's the best way of getting the message across? Who needs to be aware of the problem? How should we tackle the problem?

Your task is to come up with your own anti-piracy campaign to raise awareness in your school:



### Think about:

**WHO** you are addressing

**WHERE** you should place your campaign: online; on paper around the school; via text; in the local press; as a YouTube video etc.

**HOW** you should get your message across.

**WHEN** you should start your campaign for maximum impact.

**WHAT** you need to say - articulate your message clearly.

**WHY** you are saying it: think about the social, legal and moral responsibilities of each individual when it comes to intellectual property and film theft.

**It's a  
FAKE!**



# LESSON 1: INTRODUCING THE TERMS



(1) In the chart below, try to match the phrases in the first column with the statements that are most close to their meaning.

PHRASES USING THE WORD 'FAKE'	MEANING
With her hair color out of a bottle, her tan from a sun bed and her false eyelashes, she just looks so fake.	He's not genuine; he's a liar.
He's always lying to me about where he's been and who he's spending time with. He's just a fake!	She forged her husband's signature.
The flowers in the vase looked so realistic but actually they were fake.	The painting was a forgery.
She faked her husband's signature on a really important form.	She has an unnatural physical appearance.
I thought the painting was an original work of art by a really famous artist but it turned out to be a fake.	The flowers were artificial.

(2) ) Look up the word 'fake' in a dictionary or online. Make a list of all the synonyms (or words with the similar meaning) you can find.

Some of these synonyms will have very negative connotations and associations while others may be neutral. Once you have collected your list, try to sort them into words that have negative associations and words that are more neutral

Look again at your list - which words could be used to describe a product you might buy in a shop, a market or online? For example: **forged** – *I bought a signed copy of David Beckham's autobiography online but when I received it, the signature looked **forged**.*



(3) The history of the word 'fake' helps us understand its significance today. The word was first recorded being used in London criminal slang as an adjective in 1775 to mean 'counterfeit'. In 1812, it was recorded as a verb meaning 'to rob' while in 1851, it was used as a noun to identify a false deal, such as a 'swindle'. In 1888, 'fake' was used as a noun to identify a person trading in false deals – 'a swindler'.

Look at the following extracts taken from classic nineteenth century novels. The synonyms for 'fake' have been highlighted in each extract. In some contexts the word refers to a criminal act but in others it is used to exaggerate a social or personal attitude that is seen to be unacceptable.

Read through each extract deciding whether the highlighted word is referring to a criminal act or to something else.

# LESSON 1: INTRODUCING THE TERMS



EXTRACT FROM NOVEL	ILLEGAL ACT OR SOMETHING ELSE?
<p>Mrs. Weston proposed having no regular supper; merely sandwiches, &amp;c., set out in the little room; but that was scouted as a wretched suggestion. A private dance, without sitting down to supper, was pronounced an infamous <b>fraud</b> upon the rights of men and women; and Mrs. Weston must not speak of it again.</p> <p><i>Emma (1815) - Jane Austen</i></p>	
<p>'I scorn the <b>counterfeit</b> sentiment you offer: yes, St. John, and I scorn you when you offer it.'</p> <p><i>Jane Eyre (1847) - Charlotte Bronte</i></p>	
<p>The interval between that time and supper, Wemmick devoted to showing me his collection of curiosities. They were mostly of a felonious character; comprising the pen with which a celebrated <b>forgery</b> had been committed, a distinguished razor or two, some locks of hair, and several manuscript confessions written under condemnation - upon which Mr. Wemmick set particular value as being, to use his own words, 'every one of 'em Lies, sir.'</p> <p><i>Great Expectations (1861) - Charles Dickens</i></p>	
<p>The <b>counterfeits</b> of the past assume false names, and gladly call themselves the future. This spectre, this past, is given to falsifying its own passport. Let us inform ourselves of the trap. Let us be on our guard. The past has a visage, superstition, and a mask, hypocrisy. Let us denounce the visage and let us tear off the mask.</p> <p><i>Les Misérables (1862) – Victor Hugo</i></p>	
<p>Millions of men perpetrated against one another such innumerable crimes, frauds, treacheries, thefts, <b>forgeries</b>, issues of false money, burglaries, incendiaryisms, and murders as in whole centuries are not recorded in the annals of all the law courts of the world, but which those who committed them did not at the time regard as being crimes.</p> <p><i>War and Peace (1869)- Leo Tolstoy</i></p>	

## LESSON 1: INTRODUCING THE TERMS



(4) Some of these examples from nineteenth century novels include the words forgery and fraud in a criminal sense.

In the twenty-first century producers of forgeries, fakes and counterfeits, in addition to obtaining money by fraud, are often breaking modern copyright or trademark laws, which is a crime in its own right.

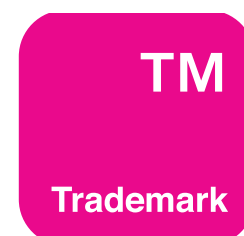
Look at these definitions of the words copyright and trademark. Then, with a partner, work through the task below.

**COPYRIGHT** protects the authors or creators of original work. This includes literary, dramatic, musical, artistic and other intellectual works, including works of artistic craftsmanship. If you created the work, then in general *only you* have the right to do the following (or let others do the following) –

- make copies of your work;
- distribute copies of your work;
- perform your work (such as plays, poems, dances or music) in public;
- show or play your work (such as films, sound recordings or broadcasts) in public;
- adapt your work (such as books, music or plays) into another form.



**TRADEMARK** is a distinctive sign used in trade. Trademarks tell us the source of products and services. They are usually words and / or designs. Think of the name of your favourite chocolate bar, your favourite jeans or your favourite social media network – they're all trademarks.



Copyright and trademarks are important examples of what we call “intellectual property” or “IP”. They are a kind of property, protected by the law, that results from artistic creativity or a reputation in business.

Now look at this chart below. In the first column is a description of a new product. Read it carefully with a partner and decide whether you think it could be a breach of copyright law, trademark law, both or neither. Indicate your answer in the second column. In the third column, list any further information you would need before making a final decision.

# LESSON 1: INTRODUCING THE TERMS



SCENARIO	BREACH OF COPYRIGHT OR TRADEMARK LAW?	FURTHER INFORMATION REQUIRED?
Mr Roberts manufactures cheap running shoes. He wants them to look like a well-known brand so has copied the NIKE logo and tick symbol into his shoes.		
Rizwan created an original video about his home town which he plans to sell to tourists as a DVD. He did not have the equipment to create his own soundtrack so downloaded a popular song from iTunes and included this in his video.		
Mrs Ojo runs her school's drama department. She photocopied twenty-five copies of a well-known musical and distributed them to students for their rehearsals.		
Mrs Smith has a company producing plastic handbags that she has made look like the high-end brand Prada. The designs are a straight copy and the name of the brand looks exactly like the original.		
Li Wu is a jewellery designer who has produced an original collection of pieces that she called The Lady Gaga Assembly, copied from photos of jewellery worn by the star.		

(5) Extension activity: Choose one of the scenarios in the chart above. Imagine you are a lawyer working for one of the companies whose trademark or copyright may have been infringed by the actions of these people. Draft a letter or an email to them explaining the evidence you have and the reasons you are writing to them. Depending on which one you choose, you may request further information or you may instruct them to remove their product from the market.

## LESSON 2: COPYRIGHT PROTECTION



(1) The creators of almost all of our entertainment will have their rights protected by copyright law. This lesson will help you think about what this means.

In the first column of the chart below, is a list of entertainment products that have all been created by an individual or a team. In the second column, try to come up with three examples of this product that you and / or your family may have at home. In the third column, say where the product was purchased.

PRODUCT	EXAMPLE	WHERE IT WAS PURCHASED
Music		
Movies		
Books		
Computer games		
Board games		
Wall poster / picture		

(2) Copyright protects the authors and creators of these original works. It is in general illegal to make a copy of someone's work without permission, save for your own personal use. Discuss these questions with a partner:

- How would you feel if someone copied something you created? Has that ever happened? If so, explain the situation.
- Have you (or your family) ever purchased a product (e.g., music DVD or movie) that you later discovered was a fake? How did it make you feel? What did you (or your family) do about it?
- Have you ever been asked to buy fake products?
- If you bought the fake products – or were tempted – why was this?
- If not, what stopped you?

## LESSON 2: COPYRIGHT PROTECTION

(3) Some people justify buying pirated products in a range of ways. In the left hand column below, are a series of these justifications. In the other column are some of the counter arguments. Read through both columns carefully and try to match up the argument that most effectively challenges the so-called justification.

JUSTIFICATION FOR BUYING PIRATED PRODUCTS	COUNTER ARGUMENT
The music and movie production companies are so rich they don't need all the money from us buying their expensive versions.	Piracy is akin to theft. Millions of pirate copies of movies, games and music are made each year, which has a huge impact on people who work in the creative industries.
The artists don't even get any of the money from the purchase of official DVD and downloads.	Many popular films and music are freely available on radio and television. If you really care about poverty, then people need jobs in safe working conditions. Illegal traders who do not pay taxes and don't pay a fair wage to workers control piracy. It's these people who keep people poor.
It's not like we're stealing from a person. These big companies don't suffer from a few hundred copies being made of their movies and music.	The people who are employed producing pirate copies of movies, music and games have no workers' rights and often work in unsafe conditions. Child labor is used to produce some pirate and counterfeit goods and people who sell the products are at risk of arrest. Piracy is part of an illegal economy.
We're helping poor people because otherwise they wouldn't be able to hear or see any of this popular stuff.	The production companies employ a large number of people whose salaries and wages are paid partly by the sales of music and movies.
We're keeping people in employment by producing this alternative economy.	Copyright law ensures that artists receive a percentage of the sales price when a DVD or download is purchased. If we buy pirated versions, the artists don't receive any money. Criminals sometimes use IP crime to finance other criminal business activities.

(4) If you have access to the Internet, watch these video clips about Valérie Kaboré and Wanjiru Kinyanjui, filmmakers from Burkina Faso in West Africa from Kenya in East Africa:

Valérie Kaboré: [https://www.youtube.com/watch?v=UhKq12ABQHU&index=19&list=PLsm\\_LOEp-pJazs8hDbkt8m7d3UenxspmVJ%20](https://www.youtube.com/watch?v=UhKq12ABQHU&index=19&list=PLsm_LOEp-pJazs8hDbkt8m7d3UenxspmVJ%20)

Wanjiru Kinyanjui: [https://www.youtube.com/watch?v=q4vxJcsef8w&index=13&list=PLsm\\_LOEp-pJazs8hDbkt8m7d3UenxspmVJ%20](https://www.youtube.com/watch?v=q4vxJcsef8w&index=13&list=PLsm_LOEp-pJazs8hDbkt8m7d3UenxspmVJ%20)





## LESSON 2: COPYRIGHT PROTECTION



After watching these clips, make a list of all the ways in which a national filmmaking industry can reduce poverty and unemployment in countries in the developing world.

How does piracy damage such industries? Why is copyright law so important to these filmmakers?

(5) Look at the statements below and discuss with your partner which ones you think are true and false.

STATEMENT	TRUE or FALSE
Copyright does not last forever.	
If a product is in the 'public domain' it means it is freely available to be copied.	
If you're not making money out of a website, you can upload any video or music that you like.	
You can use a short clip lasting up to one minute from a movie or video clip in your own movie or website without asking permission.	
Copyright status is only for well-known, professional authors, musicians, artists and filmmakers.	
You bought an official DVD of a Star Wars movie in a shop. It would be illegal to then sell it on EBay.	
You read an online article on a news website about the health risks of smoking. If you quote from the article in your school essay on this topic you will be breaching copyright.	
You write a brilliant poem that wins a national competition. You did not register your poem before you submitted it to the competition. You are no longer eligible to protect it by copyright.	

(6) **Extension:** In a group of four, use a dictionary to define the words below. Some of these words are included in the answers from the activity above. Once you have found definitions for each word, decide as a group which four words you think are the most important to help young people understand the significance of copyright law. Then each person in the group chooses one word to illustrate as a poster in order to raise young people's awareness of this topic:

- Copyright
- Fair use
- Public Domain
- File-sharing
- Piracy
- Plagiarism
- Infringement

## LESSON 3: PROBLEMS WITH TRADING PIRATE PRODUCTS



(1) Read through these different scenarios and think about the characters involved in each. In pairs and groups, role-play some of the scenarios thinking about how the different characters might respond and why.

**Scenario #1:** Carmen works on a market stall selling pirate DVDs. A young woman approaches the stall bringing back a DVD that she bought the day before which didn't play properly. She asks for her money back. Carmen refuses.



### Characters x 2

Carmen is twenty years old. She has a two-year-old child who is looked after by her mother when she's at work. A man called Mr Carlos owns the market stall but Carmen has only met him once. The stall is set up and packed away each day by Mr Carlos' son but he is never around during trading hours.

The young woman shopper does not realise the goods are pirated. She has a receipt for her purchase and says this entitles her to a refund for faulty goods. She says Carmen can send the DVD back to the manufacturer.

**Scenario #2:** Nigel is in a bar with his old school-friend Daniel. Daniel explains that he is building a web site through which people will be able to watch films and TV programmes, especially new cinema releases. The web site will carry advertisements, which Daniel believes will earn a lot of money. He asks Nigel to help with the creation of the site and to publicize it to his family and friends. Nigel is concerned that the films and programmes will be pirated copies.



### Characters x 3

Nigel is nineteen years old. He lives with his family and is a student on a computer science course. He doesn't have much money.

Daniel is the same age but has been working since he left school at sixteen. He has a little bit more money. He knows that what he is proposing is illegal, but he needs Nigel's skills to finish the web site.



## LESSON 3: PROBLEMS WITH TRADING PIRATE PRODUCTS



**Scenario #3:** Marco gives his girlfriend Hathai a box set of DVDs of her favourite TV series. He buys it from a kiosk in the city's high street. She is very excited to receive it but when she plays them at home, none of them work properly.



### Characters x 2

Marco doesn't have much money but likes to buy his girlfriend the best things he can. He wanted to impress her with this present. He doesn't like confrontations with people and doesn't want to get anyone into trouble.

Hathai doesn't want to upset her boyfriend who she knows is very generous but she thinks she has to tell him that they didn't work. She thinks they have a responsibility to stop the same thing happening to other people.

### (2) For discussion

Thinking about these scenarios, what can you identify as some of the key problems with dealing with pirate copies?

How might you be able to overcome some of these problems?

Make up your own scenarios showing how pirated products can create difficulties for those who trade them and those who buy them.

(3) Here are some arguments why we should think about the people behind the pirated goods. Read through these points carefully. Do you think they are right? Choose **THREE** points that you think are the most serious and present them to your class in one of the following formats:

- a poster
- a poem
- a radio or TV advert

### **Piracy....**

**... Is wrong:** Artists, authors and performers, and all the people who work with them to produce enjoyable or valuable products deserve to be paid. Pirates do not pay anything back to the people who make the work.

**... Could be expensive:** Downloading or streaming from illegal websites could put you at risk for identity theft and malware - which can steal your personal or credit card information.

**... Is illegal:** Piracy is illegal and obtaining pirated products supports criminals.

## LESSON 3: PROBLEMS WITH TRADING PIRATE PRODUCTS



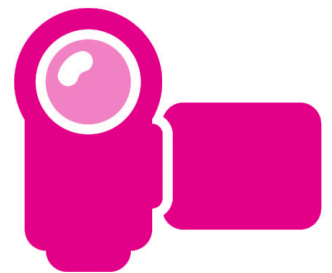
... **Costs the public:** People who deal in pirate and fake goods do not pay taxes, meaning less money for schools, hospitals, parks and other social programs.

... **Supports bad working conditions:** People who manufacture pirate and counterfeit products do not pay their employees fair wages or benefits, impose poor working conditions and sometimes even use forced or child labor.

... **Supports organized crime:** The profits from sales of pirated goods have been linked to organized crime.

... **Hurts legitimate companies:** Many copyright works, especially films and computer games, cost a lot to make, because many skilled people are involved. People who manufacture pirated goods seek to profit unfairly from another person's investment. The lost sales and profits that result from this unfair competition translate into lower wages and lost jobs, and reduced numbers of new works.

(4) **Extension:** Revisit your role-play scenarios and try to draft a script based on some of the different characters. To help illustrate more vividly the negative impact on families of pirating, you can develop, change and create new characters. If you have access to stills cameras or video cameras try to capture visually some of the key scenes. Keep these images safe as they could be used in the final presentation at the end of this unit of work.



## LESSON 4: LEGALITY AND ETHICS

(1) Legality means an act is in accordance with the law. Ethics is about concepts of right and wrong behaviour. Some actions may be legal but in some people's opinion not ethical. For example, testing medicines on animals is legal in many countries but some people believe it is not ethical. With a partner, read through this list of actions and discuss which ones you think are against the law and which ones are unethical. Is this always the same?

- Telling a lie
- Not wearing a seatbelt when travelling in a car
- Carrying a knife in public
- Riding a bicycle without lights at night
- Buying a pirated DVD
- Skipping the fare on a bus
- Chopping down a very old tree on your property
- Working a thirteen hour shift at work without a break
- Eating meat
- Killing a chicken

How does the seriousness of these different actions depend on the circumstances? Explain your views.

(2) Read these two case studies of innovative start up companies then discuss the question below.

### Case Study #1

A company in Panama, South America bottles fresh spring drinking water. The water is sourced ethically with no negative impact on the environment. Research was undertaken to ensure the water was safe to drink and that pipelines did not cause damage to the natural environment. Over two hundred workers are employed legally in the bottling factory where their working conditions meet government standards. The water is exported as a trademarked brand to nearby South American countries and the company continues to make profit. (see: <http://www.wipo.int/ipadvantage/en/details.jsp?id=3697>)



### Case Study #2

A company based in the USA and Nigeria has produced an ingenious electronic gadget which looks like a football and captures kinetic energy when played with. This energy can then be used to power small electronic devices such as reading lamps or mobile phones. Research was undertaken to ensure children could play with the ball safely, especially in wet conditions. The raw materials required to manufacture the ball were sourced legally and with care for the environment. The product has created legal employment for people and an increasing number of people in the developing world have benefited from the electricity created. (see: <http://www.wipo.int/ipadvantage/en/details.jsp?id=3688>)

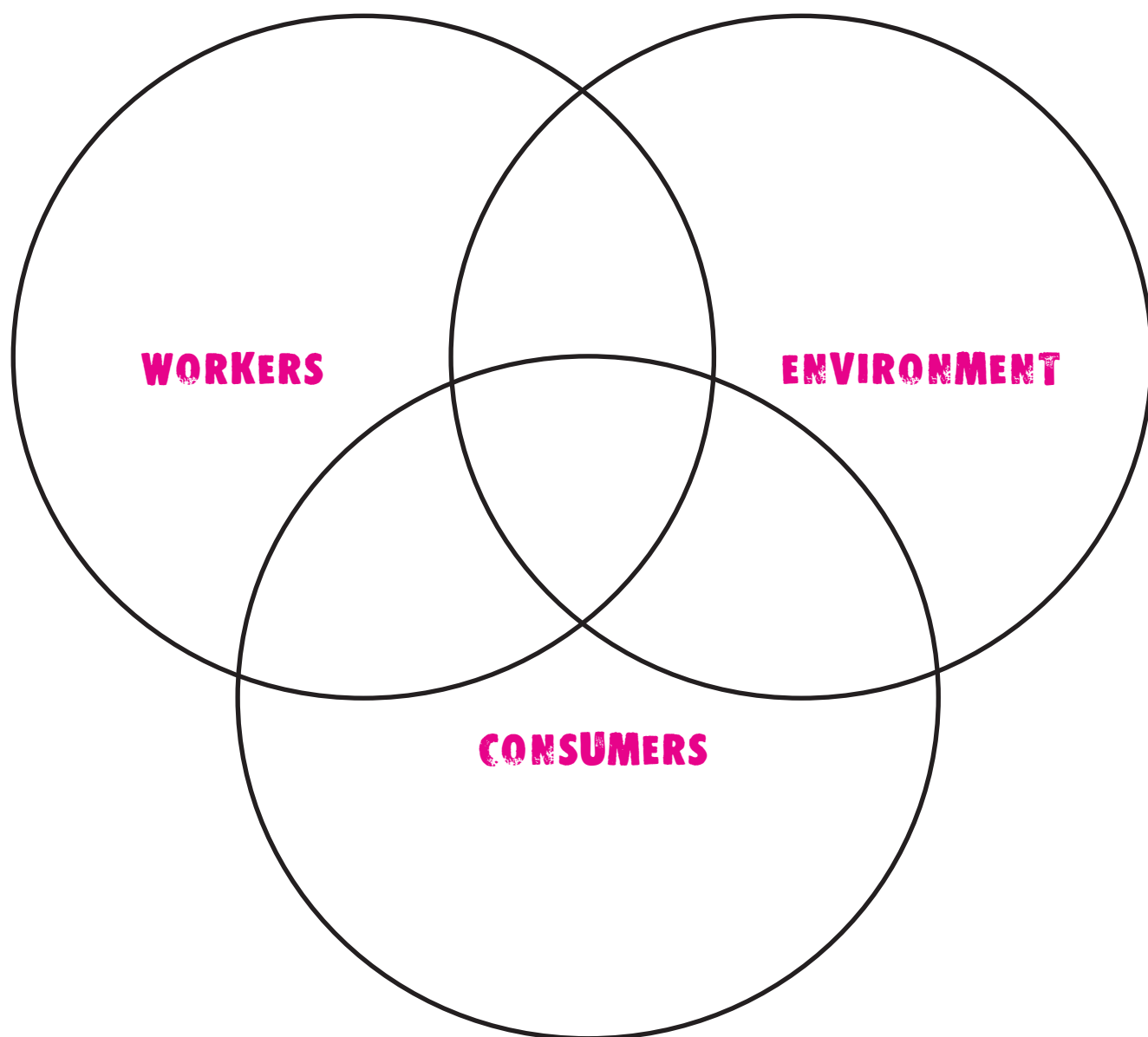


### Discuss

Imagine if a counterfeiting organisation copied the branding of the bottled water and the football gadget. What do you think would be the negative consequences and possible dangers for the workers, the consumers and the environment?

## LESSON 4: LEGALITY AND ETHICS

2) Look at this Venn diagram setting out three groups that can be affected by fake products. With a partner, try to place the words and phrases below into the appropriate section or subsection of the diagram. Remember that some factors may impact on more than one group.



Raw materials dangerously sourced  
 Poor working conditions  
 Unregulated production  
 Illegal pay  
 Poor quality of product  
 Natural environment destroyed

Pollution  
 Toxic elements in products  
 Waste products from manufacturing unsafely discarded  
 Unpaid taxes  
 Lost job opportunities  
 Loss of income

### Discuss

Now think about the Intellectual Property owner or the creator(s) of the original product. How do you think this person (or team of people) is affected by the creation of fake goods?

## LESSON 4: LEGALITY AND ETHICS



(3) In the first column of the chart below, are a series of quotes from a range of sources. Some raise legal problems – that is, they breach the law. Others raise ethical problems – that is, they disregard common concepts of right and wrong.

Read them all through carefully and decide whether they raise a legal or an ethical problem – or both.

Counterfeit alcohol puts people in danger and denies taxpayers of millions of pounds in unpaid duty – money which should be spent on vital public services. <a href="http://www.liverpoolecho.co.uk/news/liverpool-news/pictured-inside-45k-fake-vodka-13363377">http://www.liverpoolecho.co.uk/news/liverpool-news/pictured-inside-45k-fake-vodka-13363377</a>	<p><b>LEGAL PROBLEM</b></p> <p><b>OR</b></p> <p><b>ETHICAL PROBLEM</b></p> <p><b>OR</b></p> <p><b>BOTH?</b></p>
Counterfeit and pirated trade is a major threat to any modern, knowledge-based Economy. <a href="http://www.oecd-ilibrary.org/docserver/download/4216071e.pdf?expires=1502303609&amp;id=id&amp;accname=ocid195767&amp;checksum=273AF2A238FB72973820A2D107475207">http://www.oecd-ilibrary.org/docserver/download/4216071e.pdf?expires=1502303609&amp;id=id&amp;accname=ocid195767&amp;checksum=273AF2A238FB72973820A2D107475207</a>	
We were able to buy must-have items such as a fake Louis Vuitton satchel for £15, counterfeit Jimmy Choo shoes for £10, fake Beats headphones for £5 and a “Nike England” shirt for £20, all way below prices for the real thing. - Source Newspaper article, 15 June 2014: <a href="http://www.mirror.co.uk/news/uk-news/coun-terfeit-street-sunday-mirror-investigates-3695230">http://www.mirror.co.uk/news/uk-news/coun-terfeit-street-sunday-mirror-investigates-3695230</a>	
Based on our investigations, we have confirmed that there are counterfeit ... products in the market that are not equipped with protective devices to meet Canon’s designated quality standards. As a result, when they are used with cameras or video camcorders, or charged, they can cause overheating, leakage, ignition, rupture, and other malfunctions in the products they are used with. In the worst case, not only could these counterfeit products damage the cameras and video camcorders in which they are used, but also could cause fire, burns, blindness and other serious accidents and injuries. - Source Product Advisory, Canon U.S.A., Inc.: <a href="http://www.cla.canon.com/cla/en/consumer/product_advisories/ProdAdv/0901e02480b7cdf4">http://www.cla.canon.com/cla/en/consumer/product_advisories/ProdAdv/0901e02480b7cdf4</a>	
“If you are selling fake things, you are hurting the city, hurting legitimate businesses.” - Source Newspaper article, New York Times, 9 October 2006 <a href="http://www.nytimes.com/2006/10/09/nyregion/09bazaar.html?pagewanted=1&amp;r=1&amp;">http://www.nytimes.com/2006/10/09/nyregion/09bazaar.html?pagewanted=1&amp;r=1&amp;</a>	
We are seeing a significant increase in the manufacture, trade and distribution of counterfeit, stolen and illicit medicines and medical devices. Patients across the world put their health, even life, at risk by unknowingly consuming fake drugs or genuine drugs that have been doctored, badly stored or that have expired.” – Source Interpol <a href="http://www.interpol.int/Crime-areas/Pharmaceutical-crime/Pharmaceutical-crime">http://www.interpol.int/Crime-areas/Pharmaceutical-crime/Pharmaceutical-crime</a>	

(4) Extension: If you have access to the Internet, search this database of case studies to find examples of innovative brands successfully producing new trademarked products whilst protecting the environment and respecting workers’ and consumers’ rights:

[http://www.wipo.int/ipadvantage/en/search.jsp?ins\\_protection\\_id=&focus\\_id=573](http://www.wipo.int/ipadvantage/en/search.jsp?ins_protection_id=&focus_id=573)

Make a list of three of your favourite products giving reasons for your choice.

## LESSON 5: AWARENESS-RAISING CAMPAIGNS



(1) In a fair and just society, the rights of workers should be protected. Look at this list of possible workers' rights.

- Fair wages
- Regular breaks during shifts
- Holiday pay
- Sickness pay
- Healthy and safe working conditions
- Trade union membership
- Maternity / Paternity leave
- Pension scheme



Now talk through these questions with your partner, giving your reasons where appropriate.

- a) Are there any words you aren't sure of? If so, look them up in a dictionary.
- b) Which three of the rights listed do you think are the most important and why?
- c) Are there any rights you think should be added?
- d) Do you think workers' rights are protected where you live?

(2) In this lesson, you will create a public, awareness-raising campaign drawing attention to how workers rights are negatively affected by piracy.

Piracy and counterfeiting can have a negative impact on workers' rights in two key ways:

*When consumers buy fake goods, the legitimate companies lose business. This means that workers who are employed by these legal companies can lose their jobs.*

*Illegal traders do not pay their employees fair wages or offer them any employment benefits. These workers therefore have poor working conditions, and are often forced labor or child labor.*

Focusing on these two elements, make a list of people you think should hear about this? This could be your target audience for your campaign.

(3) The target audience of your campaign could also include one of the following:

- Consumers who buy cheap, fake goods or download illegal copies of films and music;
- Family members of people who work for companies producing goods or services (such as entertainment) protected by IP;
- Parents of teenagers who are about to embark on the world of work;
- Parents of children who would hate to think of their child being forced to work in dangerous conditions

With your partner, decide on the target audience of your campaign. Draft a profile of the typical person you are aiming at. How old are they? What is their connection with piracy? Why should they care about it? Why is it relevant to them? What do you want them to know? What are the key messages you want to communicate about IP protection?



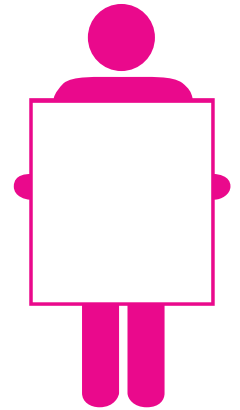
## LESSON 5: AWARENESS-RAISING CAMPAIGNS



(4) Look through magazines for adverts for well known products that would be protected by copyright – it might be a popular new movie, a computer game, business software or a new music album. Choose one of these to work from and create a new promotional poster showing how pirated versions of this product are bad for workers. Be imaginative. Go back through this lesson to remind yourself of the key issues and keep in mind at all times your target audience. Use these prompt questions to help you plan your poster:

- Is the language appropriate for your audience?
- Is the message clear and concise?
- Do you need to source images to make your message loud and clear?
- Have you cleared copyright on any images you want to use?

(5) A public awareness-raising campaign will need more than just one poster to get your message heard. With a partner, brainstorm ideas about how else you can let people know about the dangers of piracy for workers. If you have video or stills images from your role plays earlier in this unit of work, perhaps these can be included in your campaign too.



Use these questions to get you thinking about where your target audience might see and hear your messages:

- What social media do your target audience use?
- What sort of places does your target audience visit?
- How can you make your message eye-catching?
- How can you involve celebrities or politicians in spreading the word?

When you're ready, create a presentation for your classmates to share your campaign ideas.

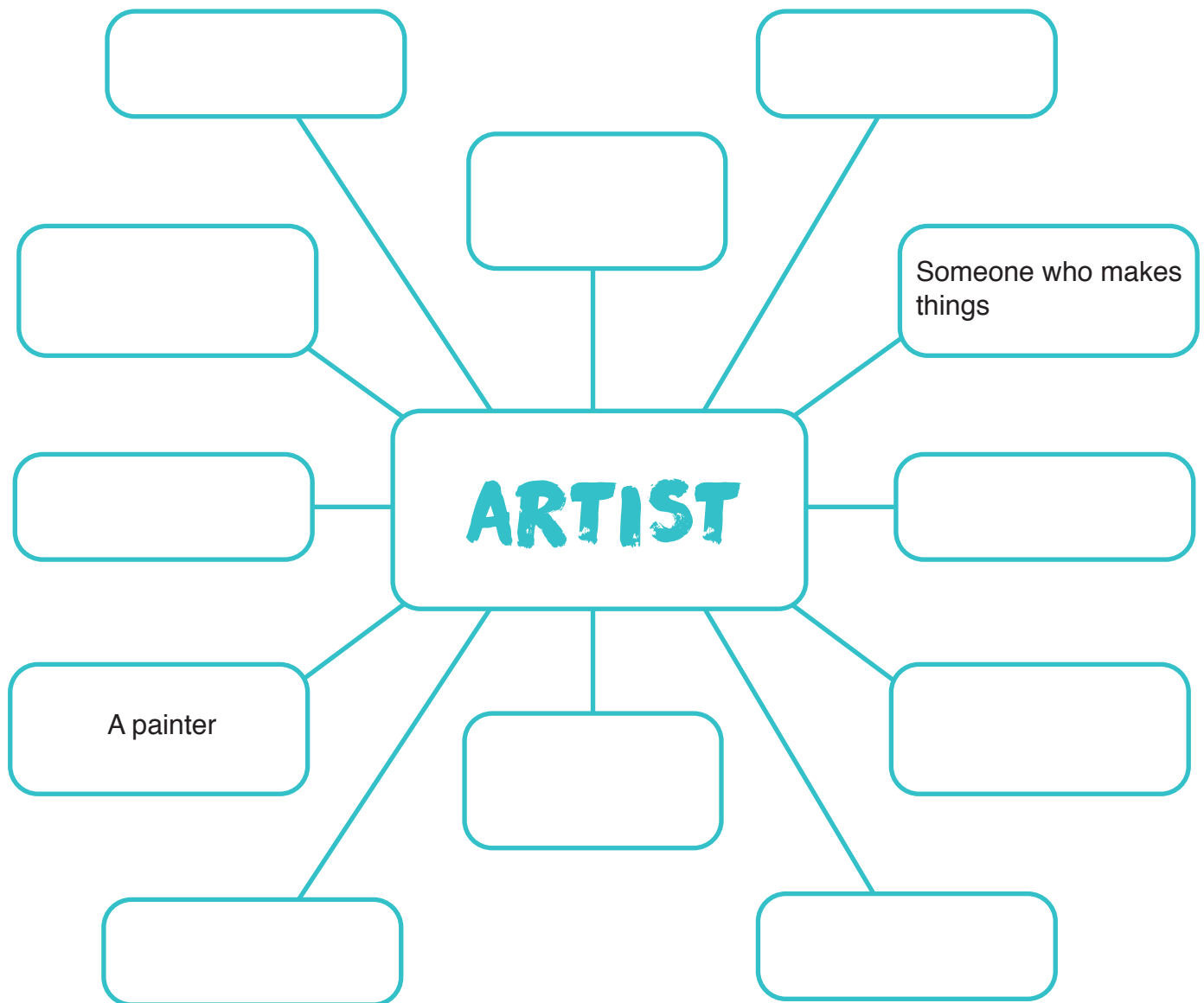




# LESSON 1: INTRODUCING THE TERMS



(1) What do we mean by the word 'artist'? With a partner, brainstorm as many definitions of this word as you can.



How has technology changed what it means to be an artist?

(2) One thing that all artists have in common is **CREATIVITY** and **ORIGINALITY**. Using a dictionary, find definitions of these words and write them down. You can add them to your notes above. Where possible, try to find more than one definition of each.

# LESSON 1: INTRODUCING THE TERMS



(3) With these definitions in mind, discuss with a partner the following statements. Make a note of whether you agree and disagree. Remember always to give your reasons.

STATEMENT	AGREE OR DISAGREE	REASON
There is no such thing as originality. Even Shakespeare copied ideas for his plays from other stories.		
Creativity comes from inside a person. You've either got it or you haven't		
Being inspired by another person's art and creating something using similar techniques is just copying.		
You don't have to be original to be creative.		
There's nothing creative about making music or images using a computer software package.		
Sampling a sound recording from another person's music to use in your own piece isn't original or creative.		

(4) The 'creative industries' is a wide term that includes lots of different sorts of employment. In the chart below, the first column includes a list of jobs that you might find in the creative industries, such as theatre, film or computer games.

# LESSON 1: INTRODUCING THE TERMS



With a partner, read through the job descriptions in the third column and try to match it up with the job title, by pointing an arrow in the second column.

JOB TITLE		JOB DESCRIPTION
Advertising art director - creative		This person reads a text before it's published to make sure it's accurate.
Animator (2D computer animation)		This person works on preparing a film's budget and production costs for potential investors.
Carpenter		This person illustrates a story and draws panels to set out the action of a film or game.
Choreographer		This person designs and creates new hats.
Copy editor		This persons checks and debugs a digital game to ensure it is high quality before it goes to the public.
Film director		This person helps to build, transport, rig, de-rig and store sets.
Gaffer		This person converts computer data into a sequence of viewable images.
Graphic designer		This person uses software to animate scenes, including creating characters and plotting camera moves.
Indexer		This person designs visual concepts for advertising campaigns.
Level editor		This person acts as a go-between for the film crew and the location owners keeping everyone happy during filming.
Line producer		This person builds, installs and removes wooden structures on film sets and locations.
Milliner		This person creates a list at the end of a document to help readers search for names or topics.
Runner		This person produces designs to communicate a client's message visually.
QA tester		This person helps out wherever they are needed on film productions.
Render Wrangler		This person has overall responsibility for creative direction including deciding on the style and structure.
Stagehand		This person plans, creates and brings to life dance and / or movement on stage or set.
Storyboard artist		This person is responsible for all the hands-on aspects of lighting and set locations.
Unit Manager		This person decides on and creates interactive architecture for part of a digital game, including the landscape, buildings and objects.

# LESSON 1: INTRODUCING THE TERMS



5) Once you have matched up the job titles above with their descriptions, you will notice that some of these are jobs within the digital sector. This means the work they are involved in producing is presented or available online or in a digital format. Look again at this list and highlight those jobs that you think are most obviously part of the 'digital sector' of the creative industries. What other jobs can you think of that are also part of this sector?

(6) If you have access to the Internet, browse some of your favourite websites and try to work out the roles of everyone who has worked on producing it and what their role might have been. Alternatively, look at advertisements in a magazine. How many creative jobs can you spot?

If possible, print out some screen shots of a couple of web pages and try to label the different sections indicating who's played a role in creating it. Here's an example to get you started:



## LESSON 2: VALUING CREATIVITY



(1) What do we mean when we say we 'value' something? How do we show that we value it? With a partner, make a list of the three things you value most in your life and explain how you show you value them. When you're ready, share them with the rest of the class to see where there is agreement.

(2) In modern society, we usually associate 'value' with money. In other words, gold is considered very valuable and therefore is expensive to purchase. Some things, however, cannot have a price put upon them. Read through this list and sort it into two columns: in one column list that everything that you think can be valued financially and in the other one list all the things you think money cannot buy. Are there any that could go in both columns? If so, explain your reasons.

Diamonds  
Love  
Babies  
Sports car  
Beauty  
Health  
House  
Education  
Computer  
Clothes  
Talent  
Mobile phone  
Family

VALUED IN MONEY	PRICELESS

## LESSON 2: VALUING CREATIVITY



(3) Read these extracts from recent news reports about how digital technology is changing how we value creativity then discuss the questions that follow.

*The larger question is that if free or cheap streaming becomes the way we consume all (recorded) music and indeed a huge percentage of other creative content ... then perhaps we might stop for a moment and consider the effect these services and this technology will have, before “selling off” all our cultural assets the way the big record companies did.*

*David Byrne, The Guardian 11.10.13*

*This pirating business is something that I, a refugee from the vinyl/CD generation, will never quite get used to. Sure, we used to copy records on to cassette when I was a boy – but usually these were records we’d already paid for. We felt perfectly comfortable with the idea that, in return for the pleasure of listening to music, we should pay the artist a fair cut... To the iPod generation, the idea of paying even a few pennies to buy music through iTunes is anathema. I mentioned an obscure hip-hop track by someone called RJD2 to a 12-year-old the other day, and, within seconds, he’d first downloaded the music for free, then the artwork. The boy’s dextrousness and ingenuity were a joy to behold, but they also saddened me: who’s going to pay for RJD2’s mortgage?*

*James Delingpole, Daily Telegraph, 1.10.11*

*The question of whether Spotify is good for artists is considerably more vexed. The service has been dogged by accusations that it doesn’t value musicians highly enough... In July, Taylor Swift wrote in a Wall Street Journal editorial, “In my opinion, the value of an album is, and will continue to be, based on the amount of heart and soul an artist has bled into a body of work.” For Swift, streaming is not much different from piracy. “Piracy, file sharing and streaming have shrunk the numbers of paid album sales drastically, and every artist has handled this blow differently,” she wrote.*

*John Seabrook, The New Yorker, 24.11.14*

- a) In your own words summarise the main point made in each of these articles.
- b) What do you understand by the term ‘piracy’?
- c) Do you agree with Taylor Swift that digital streaming is ‘not much different from piracy’? Give reasons for your answers.

## LESSON 2: VALUING CREATIVITY



(4) We consume digital products created by artists via the Internet. These digital products are the intellectual property (IP) of their creators. Some of these products are freely available to us whilst we are expected to pay for others. In the chart below, the first column lists different digital goods. Indicate in the next column whether you would expect to pay for this product. After you have completed the second column, discuss your answers with a partner. Where did you agree and disagree?

DIGITAL GOODS	SHOULD I PAY FOR THIS?
Online games	
Music	
YouTube videos	
Films and movies	
Advertisements – radio and video	
Radio programmes	
Television programmes	
Podcasts	
Video tutorials	
E-books	
Software	
Mobile apps	
Desktop backgrounds & wallpaper	
E-learning / online courses	
Cards	
Labels	
Clip art	
Logos	
Photos	
Web graphics	
Templates	

Highlight the products you do **not** think you should pay for.

- Who has made the product?
- What is its purpose?
- Who do you think has paid for it to be made?
- How will the person who has created it get paid?

## LESSON 2: VALUING CREATIVITY



(5) Sometimes people download digital products illegally. These are products we are meant to pay for but we try to get them for free. Or we buy copies cheaper than the original. These illegal copies are called 'pirate copies' and those who create them are involved in 'piracy'. Some people call this "copyright theft", because the artists lose out. Other people object to this description, because the artists do not lose physical property, but rather a chance of receiving income from their work. To help you think about this more deeply, discuss the following questions with a partner:



- a) Has a friend ever copied your schoolwork or your answers in a test? If so, how did this make you feel?
  - b) Have you ever copied someone else's? If so, why did you do it? How did it make you feel?
  - c) Do you think it's ever acceptable to copy someone else's work pretending it's your own? If not, why do people do it?
  - d) What would be more embarrassing – to get a bad mark in a test or to be caught out for cheating? Why?
  - e) How does this idea of cheating or stealing ideas in school compare to downloading purchasable digital products without paying?
- (6) Extension: What can you find about how the law in your country protects people's creative work from being used without their permission?



# LESSON 3: PROTECTING ARTISTS' RIGHTS



*(1) Read through these different scenarios and think about the characters involved in each. In pairs and groups, role-play some of the scenarios thinking about how the different characters might respond and why.*

**Scenario #1:** Marcel works for a small design company. His job is to create original designs for clients selling a range of products. He has to produce a design range for a new brand of soap. He searches on the Internet for ideas of similar products designed in other parts of the world. He downloads one distinct image and logo to copy and hopes the client doesn't notice. After the presentation he is called into his boss, Javier who suspects the design is a copy.

## **Characters x 2**

Marcel is going through a difficult time in his personal life and struggling to perform well at work. He is behind with some deadlines. He knows the law on copyright but thinks that he has made sufficient edits to the original to be able to get away with it.

Javier likes Marcel and knows he is capable of producing high quality, original work. He has responsibilities to uphold the law and he knows that infringing copyright in the design world is not acceptable and that if the original designer discovers this copy, they could be sued.

**Scenario #2:** Assaf is a keen gamer and asks his friend Murat to his house after school to play together on his computer. Assaf shows Murat how he can download some new games for free using some computer software he has discovered on the Internet. Murat isn't sure it's a good idea.

## **Characters x 2**

Computers and what they are capable of fascinate Assaf. He likes to experiment with all different types of software and finds that showing other people what is out there is a good way to make friends.

Murat also likes to experiment with computers and is curious about what is available online. He is a little more cautious though because his brother recently downloaded for free some games via an online site and they caused the computer to malfunction due to a series of viruses.

# LESSON 3:

## PROTECTING ARTISTS' RIGHTS



**Scenario #3:** Seo-yeon and Ji-woo are planning to go to a music festival during the summer holidays. Together, they look at the prices on the official festival website but they are very expensive. Seo-yeon finds an unofficial site which is selling tickets at a heavily discounted price. The girls cannot decide where to buy the tickets and discuss the risks.

Seo-yeon is a cautious girl who does not usually like to take risks. However, her father has recently lost his job so she doesn't want to ask her family to pay such a high price for this ticket.

Ji-woo is more of a risk taker and believes the tickets on the unofficial site look just as authentic as the others. She doesn't see anything wrong with going with the cheaper ones and says the artists performing at the festival won't get any of the ticket entrance prices anyway.

**Scenario #4:** Abeo is downloading onto his mp3 player some new popular world music that he read about on the Internet. The music is sourced from a website that offers free downloads. His older brother Onyedi returns home devastated at having been made redundant from work. He is angry when he sees what his brother is doing.

Abeo loves listening to a range of world music. He has a low paid job in a local grocery store and cannot afford to buy as much digital music as he would like. He has ambitions to work in the music industry perhaps as a DJ.

His older brother Onyedi was working for a small music production company. The company have had to make 15% of the staff redundant due to increasing losses in revenue in the last 5 years. The company CEO made the announcement that morning and cited illegal downloading of music as one of the causes.

(2) For discussion

- Thinking about these scenarios, what can you identify as some of the key problems with illegally downloading digital products?
- How might you be able to overcome some of these problems?
- If illegal downloads can cause a problem for individuals and their computers, do you think consumers have a duty to be responsible for their downloads? Should it be an issue of individual choice, or should an external body be involved? Explain your reasons.
- Make up your own scenarios showing how illegal downloading of digital products can cause difficulties for those who create the products and for those who download them. As well as the scenarios above, think also about questions of security of information and personal privacy, as well as the accuracy or reliability on online content and products.

# LESSON 3: PROTECTING ARTISTS' RIGHTS



(3) Here are some problems caused by illegally downloading digital products created by artists, designers, musicians, filmmakers, computer programmers and writers. Read through these points carefully and choose TWO points that you think are the most serious and use them as the basis for a presentation to your class in one of the following formats:

- a magazine article
- an outline for a social media campaign including hashtags, a logo and a key message
- a board game or card game

## ILLEGAL DOWNLOADS AND STREAMING

**...make you vulnerable.** As soon as you access a website offering illegally sourced content such as a newly released movie, you may be providing criminals with direct access to your computer. Once inside, they can see all your private information including bank details.

**...make your computer vulnerable.** These sites can expose your computer to a range of spyware, malware and viruses.

**...make children vulnerable.** Peer-to-peer sharing sites which allow users to share videos do not use controls to prevent under age users accessing unsuitable content.

**...can cost you.** In most countries, people who download digital products incur civil liability, which means they may be ordered by a court to pay compensation to the person whose digital product they took without payment. In some countries, illegal downloaders can incur fines or penalties.

**...hurt creators.** Authors and artists often struggle to make a living in our society. Illegal downloading and streaming deprive them of income.

**...damage the community.** Money which should have been paid to creators and the distributors of their work is diverted into the hands of criminals, strengthening criminal networks to the detriment of society.



(4) **Extension:** Revisit your role-play scenarios and try to draft a script based on some of the different characters. To help illustrate more vividly the negative impact of illegal digital downloads, you can develop, change and create new characters. If you have access to stills cameras or video cameras try to capture visually some of the key scenes. Keep these images safe as they could be used in the final task at the end of this unit of work.

# LESSON 4:

## KNOWING RIGHTS FROM WRONGS



(1) In 2013 in the UK an online research study asked 1,000 UK 11-15-year-olds about their online viewing habits. These were the results:

- A third (37%) of younger children aged 11-12 admit to having recently downloaded or streamed a film rated 15 from a pirate website
- One in five 11-15 year olds (21%) say they use pirate websites to keep up with what their friends and older siblings are watching
- More than a quarter of 11-15 year olds (27%) say their parents don't know what films they are watching online, and a third (32%) wouldn't feel comfortable with younger siblings copying their viewing habits

Discuss in your group how your viewing habits compare to this study. Ask yourselves these questions:

- Have you recently downloaded or streamed a film from a pirate website that is classified for an older age group?
- If yes, did you do this to keep up with your friends and older siblings?
- Do your parents know what you watch online?
- How would you feel if your younger siblings copied your viewing habits?

Now reflect on your group's answers. This task is not designed to make you feel guilty. It is for you to be honest about how you behave online and to reflect on why you do what you do.

(2) Read this account from a news report about a case in Britain where a young man illegally streamed Premier League football from website at his home.

*"A man who streamed live football matches through his computer and charged thousands of people to watch it avoided a prison sentence today.*

*G.G. was only 16 when he started illegally streaming Premier League matches to a website he set up, and undercutting prices charged by official broadcaster, Sky. He used a huge satellite dish, seven computers and nine satellite decoders to run the 'freelivefooty' website from his home in Lower Earley, near Reading...*



*Judge Reddihough told G.: 'Companies in this country, such as the broadcasters in this, and the Premier League, are entitled to their copyright and entitled not to have other people using it illegally, as you did. The trouble is that ultimately in cases like this it will be the consumer that ends up paying because if there are less people using it then the prices have to go up.'...*

*At the end of a six-day trial G. was convicted of communicating a copyrighted work to the public in the course of a business... The judge told G.: 'I bear in mind you were only 16 years old*

<sup>1</sup> Commissioned by The Industry Trust for IP Awareness, in partnership with the British Board of Film Classification (BBFC)

<sup>2</sup> Daily Mail - 25th January 2013

## LESSON 4: KNOWING RIGHTS FROM WRONGS



*when you started this enterprise and are still relatively young. I have no doubt at all that you were soon aware that what you were doing was illegal and ignored correspondence that pointed out to you that what you were doing was illegal. You carried on and you made not vast profits but some significant gain.’ He passed a six-month jail term, suspended for two years, and ordered him to carry out 200 hours of unpaid work and pay £1,750 towards the prosecution costs.”*

### For discussion

- Do you think G. G. would have got into such trouble if he hadn’t charged people for watching the football matches? Explain your answer.
- Why do you think the Judge mention G.’s age when making his ruling?
- What do you understand by the Judge’s logic that ‘it will be the consumer that ends up paying’? Do you agree?
- In the court hearing, the Judge said: “The fact, I’m told, that there are a number of other websites and enterprises conducting the same illegal operations, does not help you. If anything it calls for the courts to impose deterrent sentences.” What do you think he meant by this and to what extent do you agree?

(3) Read the opening passage from this article in The Sunday Times :

***A couple of years ago, someone wrote on a student website: “Hey relevant organisations reading this. I download shedloads of illegal music and movies. Please trace my IP address and arrest me.”***

*Provocative it may have been, but the writer knew nothing would happen. And while it may have been only one person, make no mistake: these are the words of a brazen, law-breaking generation. The idea of paying for the arts is utterly alien to many of them. It’s become so common, even people who work in the arts world themselves do it, undermining their own financial future. It’s so shrugged at these days that when episodes of the new Game of Thrones were leaked online, commenters on one newspaper website were openly telling each other where they could find them...*

### For discussion

- Do you agree that young people today constitute a ‘brazen, law-breaking generation’? Explain your answer.
- Elsewhere in this article, one young man who downloads content illegally describes himself as a ‘small fish’. What do you think he means and who might be the ‘big fish’?
- To what extent do you agree with this young man that illegally downloading on a small scale (i.e., being a ‘small fish’) doesn’t really matter? In what way might your perception change if millions of people are doing the same thing?
- What do you think the writer means when he says people who work in the arts who download content illegally are ‘undermining their own financial future’?

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<sup>3</sup> Illegal downloads of music and movie are killing creative industries – Jonathan Dean – The Sunday Times, 26th April 2015

# LESSON 4: KNOWING RIGHTS FROM WRONGS



- What 'official' sources of music downloads do you know of?
- Look at the average costs of downloading a music track. Where do you think the money you pay for a track goes?
- Find some examples of artists who've made their material available online for free. Explain what you think they have got out of this arrangement.

(4) Internet Service Providers (ISPs) in some parts of the world have agreed to send warning letters to customers who seem to be using illegal file sharing sites. Read through the following arguments against monitoring illegal downloads, and consider whether you think a valid point is being made in each case. Explain your reasons.

ARGUMENT	VALID OR INVALID POINT
'Users should have free choice about which sites they use. If they want to use legal or illegal sites, that is their choice.'	
'Monitoring people's download activity is taking the 'surveillance society' too far.'	
'These proposals treat internet users as criminals – is this really how ISPs see their customers?'	
'If someone is monitoring users' internet activity, this basically means an invasion of personal privacy.'	

(i) What responses do you think the ISPs might give to each of these arguments?

(ii) What reassurances do you think Internet users might want to hear?

(5) **Extension:** Using the Internet, research some case studies in your country or elsewhere in which people have been in trouble for illegally downloading digital content. Can you find any examples of 'deterrent' sentences as in the case of G. G.? What are the ethical issues involved in such deterrent sentences? What are the ethical issues involved in illegal downloads? Write a short report summarizing your findings.



# LESSON 5: BLOGGING FOR CREATIVE RIGHTS



(1) Based on what you have learned in this unit, in the first column of the chart below make a list of all the different types of digital artists whose intellectual property rights need protecting online. In the second column, list the legal ways of accessing their work. In the third column, list the illegal ways some people access their work.

TYPE OF ARTIST OR CREATIVE PRODUCER	LEGAL ACCESS OF PRODUCT	ILLEGAL ACCESS OF PRODUCT

(2) Different laws apply in different parts of the world but the principle of respecting other people's creativity crosses all national boundaries. Choose one of these case studies to read through in your group. When you have read it carefully, make notes on the questions below:

Copyright in the Digital Age: A Vital Tool for Artists -  
<http://www.wipo.int/ipadvantage/en/details.jsp?id=2688>

The Protection of Computer Programs –  
<http://www.wipo.int/ipadvantage/en/details.jsp?id=2567>

Localising Technology: The Story of Bijoy –  
<http://www.wipo.int/ipadvantage/en/details.jsp?id=2624>

# LESSON 5: BLOGGING FOR CREATIVE RIGHTS



## Making notes:

(i) In your own words, summarise the case study. Where does it take place? Who are the main characters involved? What are the key issues that it raises?

(ii) How does protecting intellectual property rights help these businesses grow?

(3) Not all free downloads of digital content are illegal. Find out more about these concepts:

- Creative Commons
- Open Educational Resources
- Open Source Initiative

In what ways does this research broaden your understanding of copyright laws in the digital age? Why do you think it is important for young people to understand the distinction between copyright products and those that are freely available?

(4) In your groups, you are going to design and plan a website to raise awareness among young people your age about the rights and responsibilities surrounding digital downloads from the Internet. Use the following questions to help you organise your ideas:

- What will you call your website? Try to think of a name that will attract your target age group and includes a reference to the key concepts.
- How many sections will you have and what topics will they cover? Look back through your notes from this unit of work to remind yourself of the main issues.
- Try to include a glossary of terms. Where would this fit in the site and what words would you include?
- What content can you plan that will interest your target group? What sort of things do people your age like to do, read and watch? How will you attract them to read your site? Think about quizzes, games, infographics, animations, human-interest stories, surveys etc.
- What will the colour, design and style of your site be like? What is the logo?

(5) **Extension:** Using an online web template, create your website. Develop your ideas within your group and allocate different content production to different people in the group. If you have access to video cameras, interview friends and family about their attitudes to intellectual property rights.





# Section 1: Creative Industries

Before exploring the creative industries and your country's economy, it makes sense to consider what exactly we mean by the terms 'industry' and 'economy'. An economy could be described as a system of consumer and business transactions, of goods and services produced and distributed; it includes various forms of wealth, such as currency, physical property, such as land and goods, and intangible property, such as shares in companies and intellectual property. An industry is made up of companies and businesses that deal in broadly similar goods, services or ideas.

Industries can be categorised as

- **primary** (extracting raw materials)
- **secondary** (processing materials or making products)
- **tertiary** (providing services) or
- **quaternary** (concerned with research and development).

Think of a type of business that matches each of these categories.

Do you know of any companies that span two or more of the stages of production?

Different countries have different economic and industrial strengths. Some countries rely on heavy industry whilst others rely on service industries and research and innovation to generate income for their economies. There is now a world market for all goods but does this lead to greater choice and more competitive prices for goods? There is also more attention paid to particular BRANDS which are known around the world.

## Research Task: Innovation

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1. Can you think of any companies, products or ideas from your country that are known and used in other countries? Make a list and compare with another individual or group.
2. What innovations have come out of your country in the last fifty years? List a range of key examples across at least three sectors.

## Creative Sectors

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Service industries, and in particular financial services, can make up a large proportion of the wealth generated by an economy today. Yet in recent years, the creative industries have come to play an increasingly significant role as well. But what exactly are the creative industries, and what do they do?

Sectors within the creative industries include:

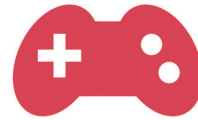
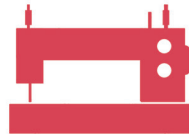
- film
- music
- design
- fashion
- computer games and software
- publishing...

**IT'S  
FREE?**

## ***Section 1: Creative Industries***

Can you name any companies working within these sectors? You may need to conduct some research online, or from another source, to find company names.

Apart from those listed here, can you think of any other sectors that could be included within the creative industries?



### ***Extended Research Task***

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This task is designed to give you an overview of three sectors and a more detailed knowledge of a particular business or organization of your choice. Finally, you will present your findings to your class or group.

1. Conduct your own research into one of the creative industry sectors listed above. Find out what sorts of products or services are created within that industry, the kinds of processes (and technologies) they use, and find examples of businesses within these sectors.
2. Now create a more in-depth profile on one of these businesses. Find out how it is organized and what kinds of jobs there are within the business; think also about how the business researches and develops its products, ideas or services. What sources of inspiration do they draw on? And who is their target market?



## Section 2: Valuing Creativity

### Looking at the numbers

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Across the world millions of people are employed in creative industries. But what is the real value of creative goods and services produced in the marketplace?

Placing an economic value on anything largely comes down to two things: how much there is of something, and how many people want it. This is called supply and demand. The higher the demand for a product or a service, generally the higher the price, and something which is not readily available tends to cost more than something that is easy to get hold of. Think of some examples to illustrate these economic principles.

Everybody needs water: you could say that drinking water is a precious commodity. Not many people 'need' diamonds: they are not essential to survival. So why do diamonds cost so much more than water?



### The price of art

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Diamonds can change hands for incredible sums of money; but then, so can works of art - particularly well-known pieces or works by famous artists. These sales follow the principle of supply and demand referred to previously: could you explain how?

### Guesstimate auction

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The following descriptions relate to real works of art that have changed hands in recent years, often for huge sums. What value would you place on each of these based on the description alone?

- a) A biblical scene with many figures, painted 1609 - 1611. Oil on wood – 142 x 182 cm.
- b) A painting of two women sitting in front of a tree and mountains, painted 1888. Oil on canvas – 101 cm x 77 cm.
- c) Portrait of a famous movie star from the 1950s, in artist's distinctive style, painted 1964. Silkscreen and acrylic on canvas - 91 cm x 91 cm.
- d) Painting of mountains with people in the foreground of the picture, painted in the 14th century. Ink on paper - 120 x 54 cm.

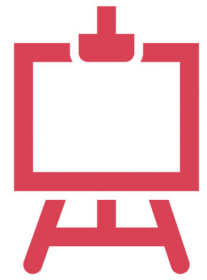
(Answers below)

a) "Massacre of the Innocents" Peter Paul Rubens - sold in 2002 for \$76.7 million b) "When will you marry?" Paul Gauguin - sold in 2015 for (about) \$300 million c) "Turquoise Marilyn" Andy Warhol - sold in 2007 for \$80 million d) "Zhichuan Resettlement" Wang Meng - sold in 2011 for \$62 million.

## Section 2: Valuing Creativity



Modern artists who are still alive can command high prices for their works. But even if they sell them they will still retain the copyright to their picture. But what does it really mean to hold the copyright to a piece of art? Basically, it means that the artist can control whether any reproductions are made, and whether images of the artwork are used in advertising campaigns, for example. It's the same for other artists, such as authors and musicians. The person who 'owns' the piece of art just owns it as a physical good – they haven't got the right to control where and how reproductions are made, or how images of it are used. The copyright in a piece of art can be very valuable to an artist when other people pay for the right to use it.



### Points for discussion

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1. Obviously the prices paid for famous paintings go well beyond the cost of the materials involved in making them: so what are the buyers paying for, and how do you think they justify these prices? Do you think the sums paid here reflect the 'true' worth of each painting? Explain your answers carefully.
2. Why would someone pay a huge sum for a piece of art when they could get a digital print for a fraction of the cost?
3. What about when a piece of art is re-sold, or changes hands - do you think the artists themselves should get a share of the profits then?
4. What about if the artist only becomes famous after their death – where do you think the money should go?

### Creative costing

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A live performance such as a play, a concert, a festival or a dance show usually comes with a price tag. The ticket price goes towards the costs of the performance, paying those involved in the organization and setup of the event, as well as helping organizers re-coup their advertising costs. Some live shows or events sell out very quickly – there is more demand for the tickets than there is supply. On the other hand, sometimes a show will have to be cancelled due to low ticket sales: in these cases, the organizers can't afford to carry on and may lose money.

1. What kinds of events attract the highest ticket prices? Make a list of any that you can think of.
2. What factors do these events have in common – do there seem to be logical reasons for these high prices? Do any other factors come into play here?
3. What about shows that are put on for free: how do you think these are funded?



## ***Section 2: Valuing Creativity***

In some cases, live events are supplemented by further sales – for example, a live DVD or digital download of a concert might be available to buy once the run of shows has ended. In this way the event can extend its earning potential beyond the live show. In some cases, these ‘supplementary’ sales are a more important source of revenue than the live event itself. In the creative industries, as with other industries, the choices people make in terms of buying a ticket or buying merchandise indicates the value of that product for the consumer – whether that product be music, performance, film, art or fashion.

### ***Task: designer value***

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Choose a brand of designer clothing or footwear and find examples of print, television or online adverts for that brand.

1. Look carefully at the advertising campaign: how is it designed to make people want the product? How is the brand represented or shown in the advert?
2. What kinds of people are the adverts targeting?
3. For each product advertised, research the retail price and consider whether this reflects the cost of production or whether there might be other reasons for the price charged to the consumer.

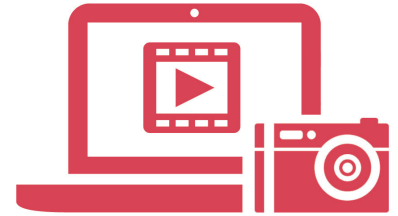
# Section 3: Protecting Creativity

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## Digital culture

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Many of us have access to a huge range of technologies that would have seemed bewildering to our ancestors. Today we can view, create, and re-create text and images quickly and at relatively low cost, with fast, cheap internet access making it possible to download, upload and share effortlessly. You might also say technology has made it easier to be creative: for example, digital cameras and editing software have made photographic art more accessible.



But does having a digital camera make you a photographer, or do talent and skill still count for something? Think about the skills and experience, not to mention the equipment, needed by a photographer on a fashion shoot and you begin to see the difference between the enthusiastic amateur and the experienced professional. What they have in common is a passion for what they do: creative professionals need enthusiasm, drive and energy to be successful.

## Making copies

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Whereas today the price of digital cameras makes creativity affordable for many, in the past, only the wealthiest people had access to art. Royalty, nobility or members of the court who commissioned an artist to paint their portrait could do the equivalent of modern 'airbrushing' by instructing the artist to hide their less attractive features or to change their appearance completely. Kings and queens in particular would be very exacting about how they were represented: control of their image was as important then as it is to modern high-profile celebrities. In general, access to culture and education was limited to the richest and most influential portion of society.

These restrictions also extended to the written word. The development of the first European printing presses in the fifteenth century made it easier to create multiple copies of written texts: a great leap forward for the spread of culture and ideas. In England, the monarchy didn't want the wrong sorts of texts to be printed and so established control over all the printing presses – a control that was maintained for nearly two hundred years. The King or Queen had the right to say what could and couldn't be printed (copied), and who was allowed to do the copying. By controlling the press the ruling monarch hoped to keep control over the information available to their subjects.

## Discuss

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1. Can you think of any parallels in the modern age where what people see and hear is controlled by certain individuals or groups?
2. Who would you say has the most control – Multinational companies? Governments? Rulers and leaders? Or individuals themselves?

## Section 3: Protecting Creativity

IT'S  
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3. Would you say social class is more or less important today in terms of people's access to and understanding of the world at large?

### Copyright control

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The British Statute of Anne of 1709 was the first law to give control over copying to the author of a written work. This law meant that writers could decide where and how their work was reproduced and make a better living from it. The Statute explains the reasons for introducing a law on copyright in order to prevent problems caused by unlicensed copying 'without the Consent of the Authors or Proprietors of such Books and Writings, to their very great Detriment, and too often to the Ruin of them and their Families', as well as 'Preventing therefore such Practices for the future', the law was intended 'for the Encouragement of Learned Men to Compose and Write useful Books'. It protected existing works and was designed to protect intellectual creativity into the future.

Nowadays 'copies' of original works are available in countless formats, such as digital music, image and text files, movie files and web design – and these files can be manipulated and reproduced. The ability to copy is certainly more freely available, but the right to copy other people's work is not so straightforward. The producer of an original work still owns the copyright to it: they own the content, and the expression of ideas. They don't actually own the copies themselves – so an author owns the text that makes up their novel, but they don't own all the copies ever made of that book, and it's the same for a musician and digital music files – they own the creative work itself and not the object that contains it.

### Making a fake

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In the art world, forgery is a recognised problem. An original Picasso is worth a lot of money, whereas a copy is not: but what if you can't tell the difference? And what is it that makes the 'original' more valuable than a forgery that looks identical? A similar problem occurs with currency. Coins and notes have a value in exchange for goods and services; in themselves, they're not worth very much at all – a pound coin would be of little value if you couldn't spend it. This value makes currency a target for forgers or counterfeiters producing fake money: a criminal activity that's problematic for businesses and consumers.

What happens when a shopkeeper won't take your money because you've ended up with a fake note or coin? There's not much you can do. Recent research has suggested that 1 in 50 pound coins in circulation in the UK is a fake; on a bigger scale, this sort of forgery can completely undermine a currency and cause severe economic repercussions. Knowingly using fake money to try and buy goods is a criminal offence.







## Section 3: Protecting Creativity

Taking someone else's property without paying is one thing, but what about taking something more abstract – such as taking an idea? Copying another person's design, sampling someone else's music, using another person's story – these can all be problematic, but the lines are less clearly drawn.

### Discuss

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1. Is a fake always less valuable than the real thing? You could refer specifically to art or money to help explain your answer.
2. Do you think it's possible to 'steal' a creative work, and is it more or less blameworthy than stealing physical property?
3. Is it ever possible to have a truly original idea, particularly now that we are bombarded with media messages and images all day long?

### Great minds think alike...

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Ever wondered how all the High Street fashion chains manage to have similar styles and designs at the same time? There's a long lead time on designing clothes, manufacturing them and getting them into the shops, so it's not as easy as just looking at next door's stock and copying it. In fashion retail, events such as London Fashion Week play a big part in influencing High Street trends: big-name designers showcase their latest looks whilst fashion journalists and buyers take notes and pictures of what they've seen. Styles, colours, patterns and fabrics are adapted and reinterpreted then filter down, and eventually end up in the shops.

Trends in design in everything from shoes to MP3 players can be seen across different brands at the same time – the German phrase 'zeitgeist' sums this up in terms of 'the spirit of a moment in time'. At a conscious and a subconscious level, each of us may be influenced by other people's ideas - especially now that online advertising, social networking, billboard posters, shop radio, TV and cinema ad space mean we are exposed to thousands of media messages each day.

But where do you draw the line between inspiration and just plain copying? The possibility of a creative work, concept or design 'owned' by one person being 'stolen' by another, is what led to the term 'intellectual property'. Concepts and visuals can have real value for businesses and individuals, just as much as stock or assets, so making them into a kind of property where they have a legal owner seems to make sense.

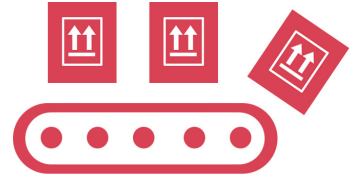
# Section 3: Protecting Creativity

IT'S  
FREE?

## Smart goods, intellectual property

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As you will already have seen, innovation and creativity have long been important to the economy of many countries. Businesses in the creative industries look for new designs, new products and new ways of presenting services to consumers in the hope of getting ahead in the market. Investing in the research and development of new products and services also helps move the economy forward – but it is expensive. If a business develops a brand new product or service, the last thing they want is for their rivals to suddenly start selling that ‘exclusive’ new design as well.



So how do businesses avoid getting into lengthy legal wrangles about their designs and products?

## Research task

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The website for the World Intellectual Property Organization contains plenty of information about copyright, design, patent and trademark, as well as more general information about IP. You can find the site at <http://www.wipo.int>

1. Use the website to take brief notes on the different kinds of ‘intellectual property’ protection available.
2. Find a selection of dictionary definitions of ‘intellectual property’.
3. Where does the term ‘intellectual property’ come from? Are your different sources in agreement? When did the expression come into use?

## Section 3: Protecting Creativity

### The great idea robberies

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Cases of disputed ownership, double dealing and downright copying can be found littered throughout history. Come up with an idea and share it – you risk it being stolen and used elsewhere. It may have already happened to you, in one form or another. Disputes about ownership of ideas and products can be long, expensive and damaging to reputations and relationships between companies. A lack of a valid patent or trademark can also prevent new businesses from getting their goods or services to the market.

You may know of some famous case of stolen ideas or breaches of copyright. The following example concerns a dispute that went on for almost fifty years, and was only settled after the inventor's death:

*The inventor Nikola Tesla, born 1856, came up with hundreds of inventions and patented many of his ideas. He is now recognised as holding the first patent for radio technology; however, his ownership of this patent was disputed for many years, notably by Guglielmo Marconi, who also pioneered developments in radio technology. Tesla's priority was recognised by the US patents office in 1903 when Marconi applied for protection of the same design as Tesla. Later on, however, Marconi was credited with the invention. Tesla apparently joked, 'Marconi is a good fellow. Let him continue. He is using seventeen of my patents'. Yet the dispute was only resolved after Tesla's death, in 1943: Marconi's claim was legally overturned, but Tesla never saw his ownership of the patent for radio fully reinstated.*



### The great idea robberies

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1. Do you know of any other cases of ideas or designs being stolen?
2. What do you think would happen if the same situation were to occur today?
3. How could someone go about protecting his or her creative output – for instance, a novel or a clothing design?



## **Section 4: digital consumers**

### **The Digital Consumer**

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The way we ‘consume’ entertainment, and creative outputs, has changed greatly. Over the past fifty years many of us have had an increasingly wide choice of how to spend our money and our leisure time. Restaurants, bars, pubs and clubs along with multiplex cinemas and leisure complexes have risen rapidly in numbers in urban centres presenting consumers with many options. In addition, widely available and reasonably priced broadband opens up a wide range of possibilities, with DVDs and home gaming systems giving people even more choice. But what makes us want to pay for these entertainments? And what impact has the digital revolution really had on the way we consume creative outputs?

### **Entertainment online?**

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Nearly half the world’s population are now connected to the Internet. Internet users can spend hours a day browsing sites for information or just for leisure, taking advantage of the speed and ease of online transactions. Shopping online or interacting with games; listening to music through downloads; watching films and TV programs online through video on demand or video streaming sites – the choices available to internet subscribers are huge. But is it just ease of use and access from home that encourages us to have a virtual experience as opposed to making a physical transaction or interaction, or are there other things to consider? And is the attraction of the online experience universal?



### **Task**

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1. Are there any creative products or services that couldn’t be made ‘virtual’, or that you think would lose their appeal if they were to be offered in this way?
2. What do you think is the main audience for social networking sites and for online shopping sites such as Amazon?
3. Explain whether you think the following events could be provided virtually (online, on DVD etc.), or whether there are reasons why they work best ‘live’:
  - festival
  - musical
  - outdoor film screening
  - fashion show
  - play
  - art exhibition



## **Section 4: digital consumers**

### **Digital entitlement**

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Many users now expect to be able to get unrestricted access to online content. In 2008, internet access was identified as a 'basic welfare right' in Sweden; shortly afterwards, the European Parliament also decided that access to the internet was a basic right. Online access has become a political, as well as a personal, issue. But could it be argued that reliance on the internet for so many aspects of life is unwise?

### **Discussion points**

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1. Do you think use of social networking sites and online forums means missing out on real experiences?
2. Could we be compromising our security or our personal safety by sharing too much online?
3. What about putting trust in online traders that mislead consumers or rip them off? Who should be responsible for monitoring this?

### **Risky business**

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As more and more of us are purchasing goods and services online, security is becoming an increasing concern. Although online measures to protect consumers are constantly being updated there is still risk in making a transaction – just the same as when someone hands over a credit card in a shop or restaurant.

Ticket touts have always been out to make money on a concert, festival or event: they'll sell you a ticket – but at an inflated price, and in some cases, the ticket is a fake rather than the real thing. Every summer of scores of live music fans lose out to fraudulent festival websites. When the tickets they'd paid for failed to arrive, people realised they'd been scammed. The trouble was, the fake sites looked legitimate – consumers couldn't tell what was genuine and what was not.





## **Section 4: digital consumers**

### **Task: online rights**

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1. In addition to the example above, consider any other possible problems internet users might encounter – in terms of the security of their information and personal privacy, as well as the accuracy or reliability of online content and products.
2. Construct a list of the key 'rights' you think internet users should be entitled to online.

### **Policing the net?**

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As you move into the next section, keep the following ideas in mind:

The worldwide web is expanding daily with more and more users adding and accessing increasingly large volumes of data. Online traffic keeps increasing and so do the speeds at which internet connections operate. But can existing systems cope with continued expansion, or will there come a point when capacity is reached? Many consumers rely on internet access for a range of transactions, putting their trust, passwords and bank details into a range of sites. Yet the internet is a global system and different nations have different laws: if you were ripped off online by a company overseas, you might find it difficult to get your money back. So who should protect internet users when things go wrong, and what should the consumer do to help prevent potential problems?





## Section 5: industry responses

Consumers want to protect their rights; businesses want to protect their interests and their profits. So what changes are being made by these groups, and by external bodies, to match issues in the digital age? And are these changes addressing consumer, or industry, concerns?

### Keeping up with the changes

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As the choice for consumers widens, and the expectation of choice becomes more embedded in modern culture, the entertainment industry is seeking to make its content available in a wider array of formats. For example, television companies such as the BBC have developed services like the iPlayer to meet these expectations, and to an extent, to encourage legitimate consumption of their content online. TV programs have not been immune to online piracy, and the provision of a legal alternative is one method of stemming this tide. Recent financial cuts also caused changes to some programming, with fears that funding for new and original shows would cease to be available and that, rather than ground-breaking programming, viewers would be faced with endless repeats. But who really cares about original programming – on our televisions, in theatres, or in the cinema?



### Discuss

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1. Should funding and protection for the creative arts be provided?
2. Who should be responsible for making sure new creative talent gets the chance to succeed – in fashion, music, art, film and so on?
3. Explore whether you think the industries themselves should be responsible, or whether consumer or government bodies should look after these concerns.

A range of organizations around the world have been set up across the creative industries in order to respond to growing instances of digital rights infringement. Increasingly, these groups are working with other organizations (e.g. government, the police, internet providers) in order to convey their messages.



## **Section 5: industry responses**

### **Case study: the music industry**

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Digital music formats have changed the way we consume music, and arguably made it easier for new bands to break onto the scene. Music files can be downloaded easily online: convenient for the consumer and fine for record companies and artists provided they are getting something back – profits, usually – although sometimes artists are happy with press coverage and an increased fan base.

### **Task**

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1. What 'official' sources of music downloads do you know of?
2. Look at the average costs of downloading a music track. Where do you think the money you pay for a track goes?
3. Find some examples of artists who've made their material available online for free. Explain what you think they have got out of this arrangement.

Whilst there are plenty of legitimate ways to buy music online, there are also places where music is available illegally: filesharing networks being one of the key sources of illegal music files. But what exactly is illegal about an illegal download? The problem is one of copyright. Artists who create music are the legal owners of that music (or their record companies are) and they are entitled to receive proceeds when their music changes hands – the same as when their CDs are sold in a shop. Illegal downloads are usually free, or if there is a cost involved, the proceeds do not go to the people who own the copyright in the music. Obviously this is a problem for the music industry, as it means lost income for them.

Although steps have been taken to reduce the availability of illegal downloads, and to give consumers more legal options, there are those who believe music should be free, and that record companies have been too slow to adapt to technological changes. But aside from exploiting someone else's copyright, illegal downloads can also create problems for consumers in terms of unexpected content: users may end up with spyware or viruses rather than the music files they wanted. So do consumers have a duty to be responsible in their downloads? Should it come down to individual choice, or should an external body be involved?

In some countries, such as the United States of America, major internet service providers (ISPs) have agreed to a process of sending warning letters to customers who use illegal filesharing sites. These measures were portrayed as a way of educating internet users about digital rights infringement. Copyright owners and ISPs also said they would work to ensure that users have legitimate alternatives available. There have also been proposals to introduce a policy whereby after three warning letters, users persistently infringing copyright may have their internet connection withdrawn for a period. Such systems have been introduced in France and the Republic of Korea.



## Section 5: industry responses

### Balancing rights: digital users and creative producers

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There has been much media interest in this mode of responding to online piracy. A summary of some responses from individuals and consumer groups concerned about these measures is given below.



### Task

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1. Read through the following arguments against monitoring illegal downloads, and consider whether you think a valid point is being made in each case.
2. What responses do you think the copyright owners and ISPs might give to each of these arguments? What reassurances do you think internet users might want to hear?
  - a. 'Users should have free choice about which sites they use. If they want to use legal or illegal sites, that is their choice – not the choice of the state or the ISP'
  - b. 'Monitoring people's download activity is taking the 'surveillance society' too far: people's daily activities shouldn't be subject to constant observation and scrutiny'
  - c. 'These proposals treat internet users as criminals – is this really how ISPs see their customers?'
  - d. This kind of system creates unfair costs for ISPs. They should not have to worry about the interests of big entertainment companies.

## Section 6: Future perfect?

Individuals want access whilst retaining privacy; businesses want custom whilst protecting profits; creative rights owners want to earn a living from their work. The conflict of consumer interests with those of big business and the balancing of ownership against expectations of privacy seem to reflect well-established positions in public debate, but are these just false dichotomies established by the media? What ways can you see to resolve these conflicts – what is the way forward for digital rights issues?

### **Sharing creative outputs: consultation and review**

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Copyright came into existence in the first place in order to regulate the reproduction of printed works (see Section 2): initially it was a way of controlling who could print what, but as time went on it became a way for individuals and businesses to earn a living from the creation of original work. Nowadays, copyright is an important concern across an extensive range of creative works: from the visual arts, through film, television and music to computing and the internet. But how has existing legislation relating to copyright kept up with the current technological climate, where the possibilities for production and reproduction keep advancing?

### **Alternatives to copyright?**

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Not everyone agrees on issues of copyright and intellectual property: in this section, you can view some of the suggested alternatives to traditional copyright and think about the reasons behind some of these contrasting ideas. Your thinking here will be especially useful for approaching the tasks at the end of this booklet.

### **Open Rights Group: protecting 'digital rights'?**

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This group is a NGO – non-governmental organisation – set up in 2005, which comprised about 1,000 members at the time of going to press. Anyone can subscribe to ORG (for a fee), and the group post their objectives and current campaigns on their website, <http://www.openrightsgroup.org/>. Read the following information taken from their site and answer the questions below:



*About ORG*

*Politicians and the media don't always understand new technologies, but comment and legislate anyway. The result can be ill-informed journalism and dangerous laws.*



## Section 6: Future perfect?

*The Open Rights Group is a grassroots technology organisation which exists to protect civil liberties wherever they are threatened by the poor implementation and regulation of digital technology. We call these rights our 'digital rights'.*

1. Comment on the language used in this short extract of text. What effects do you think the choices of language are designed to have on readers?
2. How does this compare to the viewpoints of groups set up by, or in association with, the creative industries?
3. Who do you think might be the target audience for this group? Visiting their website and considering their campaigns and activities will help you to answer this question.

### Open Source

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Another movement concerned with opening up possibilities is the Open Source Initiative. Source code is the nuts and bolts of software – it is the string of instructions for a piece of software (or computer game or application for a social networking site such as Facebook). Open Source licensing enables computer users to download other people's software for free, and to make any adjustments to it they want, without having to pay, or ask permission of the code's original author.



This is in contrast to commercial software source codes, which are not available for free, or to adapt and adjust. Users must pay for licenses to use commercial software, usually including upgrades to improve functionality or iron out any problems remaining when the software was published. The license to use the software does not usually grant access to the source code and therefore prevents the user from making any changes.

Read this information from the website for the Open Source Initiative:

*Open Source is a development method for software that harnesses the power of distributed peer review and transparency of process. The promise of open source is better quality, higher reliability, more flexibility, lower cost, and an end to predatory vendor lock-in.*

*The Open Source Initiative (OSI) is a non-profit corporation formed to educate about and advocate for the benefits of open source and to build bridges among different constituencies in the open-source community.*

<http://www.opensource.org>



## Section 6: Future perfect?

### Discuss

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1. Is this a purposeful way forward for the software industry, or do you think commercial software is better than that designed by individuals?
2. Should commercial software manufacturers have to change the way they license their materials or maybe change their pricing structures instead?

It is possible for open source software creators to protect their rights over the work they create, and many choose to do this through a process known as Creative Commons licensing.

### Creative Commons

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This is a flexible system for the licensing of creative works, and setting conditions as to how that work can be used by other people. It allows those producing creative works to share them whilst protecting their ideas from being exploited. Creative Commons licenses can be accessed online and are free of charge to users. Read the following information taken from the official Creative Commons UK website <http://www.creativecommons.org.uk/>

### Why use creative commons?

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*Some good reasons to use Creative Commons licenses and content*

*Share, reuse, and remix — legally.*



#### *Creative Commons Licences*

*Creative Commons provides free tools for authors, artists, and educators to mark their creative work with the freedoms they want it to carry. Our tools change 'All Rights Reserved' into 'Some Rights Reserved' — as the creator chooses. We are a non-profit organisation. Everything we do — including the software we create — is free.*

Users can choose from a range of licenses to apply to their work, controlling the extent to which other people can use or adapt it, and stipulating whether or not they are credited for their work. Creative Commons licenses are of course based on copyright, but the system makes it easy for authors to give broad permission for the use of their works.

## Section 6: Future perfect?



One fashion design company, Pamoyo, have made use of Creative Commons licensing in their clothing designs. This kind of licensing enables users to download the company's clothing designs to recreate or adapt them provided they make them available to other users under the same terms and conditions. Some of Pamoyo's patterns for their clothing designs are available to download from the company's website: users are encouraged to use the basic pattern to create the clothes for themselves, and to add ideas and alterations of their own, sharing these once they are finished. This is an interesting approach in the clothing industry where designs and patterns are often closely guarded. You can find out more here: <http://www.treehugger.com/sustainable-fashion/first-eco-fashion-label-under-creative-commons-license-promises-creativity-and-sustainability.html>

### Atelier

Hereby we proudly publish the first pattern from the Styled With Heart collection:  
**Shirt Deluxe.**

Download pattern as pdf and jpg here .

The patterns can be printed on a normal A4 printer. Feedback is very welcome, and if you make own creations based on this pattern, we would love to see the results!



## Task

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1. Why do you think this fashion company decided to make their designs available through Creative Commons licensing? Explore their website to get a clearer idea of the way this creative business operates, looking at their commercial, social and cultural values.
2. Creative Commons was officially founded in 2001. What digital advances can you think of that have happened since that time? Do you think that, in ten years' time, this could still work as a solution - is it future proof?
3. Do you think that technology and legislation are going to provide the answer to questions of creative rights and digital responsibilities, or do you believe that a balance has to be struck by modification of attitudes, or by education?

**For more information  
contact WIPO at [www.wipo.int](http://www.wipo.int)  
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