

# **A CASE STUDY: THE KNOWLEDGE AND AWARENESS LEVELS OF COPYRIGHT INFRINGEMENT AMONG LEARNERS UTILISING DIGITAL TECHNOLOGIES IN SUNWAY COLLEGE JOHOR BAHRU**

**Krishnaveni Sritharan, Vivien Wee Mui Eik, Rachel Chin May Ying, Emmy Jong Ee Mei**

*Sunway College Johor Bahru (Malaysia)*  
[venis@sunway.edu.my](mailto:venis@sunway.edu.my), [vivienw@sunway.edu.my](mailto:vivienw@sunway.edu.my), [rachelc@sunway.edu.my](mailto:rachelc@sunway.edu.my),  
[emmyj@sunway.edu.my](mailto:emmyj@sunway.edu.my)  
Tel: 607-359 6880

## **Abstract**

Technologies especially Web 2.0 tools and mobile devices are transforming the way education is delivered. As such higher education institutions are experiencing an emerging pedagogical trend that may cause copyright infringement. The Copyright Act 1987 was legislated to inspire continuing creative work among academicians. Hence, the knowledge and awareness of Copyright Law and its infringement becomes increasingly significant in protecting the academicians' work. Unawareness of the law can cause students to infringe the law and it can affect academicians' work. An initial survey was conducted on 127 first year students from all nine programmes of Sunway College Johor Bahru. The results reveal that although the respondents have a relatively high awareness level and claim to understand the infringement; their actual knowledge level is only approximately 50% of the law. Also, the knowledge and awareness levels have very little correlation with the attitude level towards the Copyright Law.

Keywords: Intellectual Property Rights, Copyright Law, Literary Work, Online Learning

## **INTRODUCTION**

Digital technologies have impacted the higher education industry globally and locally (Ernst and Young 2012; Hill, 2012). In the study related to the 'expanding education eco-system', Lowendahl and Rust (2012) recognise that higher institutions and individuals are spoilt for choice in terms of educational delivery and learning experience. At the same time, this poses a challenge for an institution where it has to ensure that institutional priorities for educational delivery are aligned to the Copyright Act 1987. The freedom to use technology in the formal learning environment has brought the teaching and learning experience to a whole new level. Technology is now part of good teaching and learning practice (Devlin and Samarawickrema, 2010).

The original work of author's was protected with the enactment of Statute of Anne 1710 in United Kingdom in the 17th century (Rose, 1993). In Malaysia, Digest of Kedah Laws denotes that copyright law have existed as early as 1902 (Khaw, 2008). In 1990, Malaysia acceded with the Berne Convention to

protect literary and artistic work (Ricketson & Ginsburg, 2006) and upon the agreement with Trade-Related Aspects of Intellectual Property Rights 1994; the law was further enacted in the year 2000, 2002 and 2003 (Khaw, 2008).

The Copyright Act 1987 was established to protect academicians' literary work (Lam Soon, 2001). S3 of Copyright Act 1987 provides that literary work implies any preparation of lectures, manuscripts, essays, articles and examination papers. However, the rapid expansion in technology has encouraged easy access in obtaining data and copying and pasting the data. This custom has also encumbered educators from creating literary work (Lathrop & Foss, 2000).

Institutions today provide students with well-designed learning packages available on the course websites that have been created by the authors as a support service for the students (Selim, 2005). The copyright law does not cover any course materials that are transmitted or taught through distance learning or digital transmission. Thus, the author's work is unprotected (Mason 1998) and dispute remains on the royalties of the work (Princeton, 1996). Changes appeared after the World Intellectual Property Organization (WIPO) Copyright Treaty 1996, where the technology-specific transmission type-rights were extended to wireless broadcast rights and limited cable diffusion rights. These rights are applicable to work made available on the internet and transmitted to the public (Dunning, 2006). The Act does not define 'public'; but the court held that communication to individuals in a private or domestic setting can be constituted as 'public' (Telstar, 1997).

The Copyright Act 1957 was established to promote art and science for the advantage of the public and to protect the work of authors (Sony, 1984). However, growing concern occurring causes threats to the copyright owner (Fraser, 1997). Such lack of awareness and knowledge of the copyright infringement is escalating among the learners of Sunway College Johor Bahru (SCJB). This paper aims to study the knowledge level and awareness level of the copyright infringement among learners utilising digital technologies in SCJB.

## **RESEARCH OBJECTIVE**

The study focussed on the following areas:

- i) analysis of the knowledge level of copyright infringement among learners in Sunway College JB
- ii) analysis of the awareness level of copyright infringement among learners in Sunway College JB

The study focused on two areas: i) the knowledge level of the copyright infringement, and ii) the awareness level of copyright infringement. Knowledge is referred to as learners who have acquired an appropriate understanding of the concepts (Palmer, 1998). The ultimate drive that stimulates knowledge is awareness (Madsen, 1996). A vast understanding of the copyright law was demonstrated in this study. Hence, the aim of the study is to understand the function and purpose of the copyright law and to evaluate the learners'

knowledge level and awareness level of the copyright infringement while utilising digital technologies in their learning.

## **METHOD**

A quantitative method using self-administered questionnaire was conducted. The data were collected from 127 first year students (aged 17 to 24 years) from all the programmes of the Sunway College Johor Bahru, ranging from Diploma, Pre-University, and Bachelor of Business to financial courses such as Certified Accounting Technician (CAT) and Association of Chartered Certified Accountants (ACCA). The students were randomly selected from each programme. The questionnaire was divided into three main sections: demographic details, Internet usage, and awareness and knowledge level of the Copyright Law. Questions were also asked regarding the respondent's attitude and perception towards copyright issues.

The data were then analysed using statistical software (SPSS). T-test was used to determine whether the awareness level was more than 50%. Tests were also conducted to determine if gender played any role in awareness, knowledge and attitude levels. One-way ANOVA was used to determine if the knowledge level and awareness level were significantly different among the students of the different programmes. Tests were conducted to determine the correlation between awareness level and knowledge level with attitude level.

## **RESULTS**

Approximately 70% of the respondents indicated that they access the Internet for assignments. In terms of awareness level of the copyright law, the mean score is 75.8% of all the respondents. With regards to copyright law, 73.6% claim to understand this law. However, the results indicate otherwise. The mean score for the knowledge level of copyright law is only 54.3% which indicates that approximately half the respondents do not really understand what is considered as infringement of the copyright law. From the ANOVA test, there seems to be a significant difference in the knowledge level and the awareness level among students of different programmes, with CAT students scoring the highest in both knowledge and awareness levels, and AUSMAT and Diploma in Hotel Management students scoring the lowest in the awareness level and knowledge level, respectively.

In terms of attitude towards copyright, the mean good attitude score is approximately 60%. However, two items in the questionnaire indicated different types of attitude. Approximately 41% of the respondents have copied words from other sources without acknowledgement and 45.6% do not agree that downloading media without the owner's permission, and not paying for it, should be considered a punishable offence.

There was also low correlation between knowledge level and attitude level of the respondents. The results are similar for the correlation between awareness level and attitude level. Knowledge level and awareness level explained only 9.2% of the attitude level. As for the correlation between knowledge and

awareness levels, there seemed to be a statistically significant, moderate positive correlation ( $r = 0.39$ ) between these two variables.

## **DISCUSSION**

Overall, the respondents' awareness level of the copyright law seemed reasonably high, but the differing levels of awareness among the respondents in the various programmes were interesting to note. The initial survey conducted did not include questions on how respondents became aware of the copyright law and the related infringements, so it is not yet possible to ascertain the reasons for the higher or lower levels of awareness among the first year students in different programmes.

As indicated earlier, the respondents' claims about knowledge of the copyright law was not consistent with the actual results obtained from the survey conducted. The significant difference between what the respondents think they know and what they really know demonstrates a need for clearer and more comprehensive instruction in the area of copyright law.

More importantly, the candidates' knowledge and awareness had little bearing on their attitude towards the infringement of the copyright law in the course of producing academic work since nearly half the respondents had no qualms about using sources without acknowledgement and felt no need for any legal action in areas of copyright infringement. This essentially means that the institution and educators need to be more proactive in inculcating appropriate attitudes towards the copyright law so as to prevent widespread infringements whilst the students are in the process of creating their own work.

## **CONCLUSION**

It can be concluded that based on this initial survey, students of Sunway College Johor Bahru (SCJB) are still largely unaware of the consequences of infringing the copyright law, and this ignorance is coupled with a relatively low level of knowledge of Copyright Law among the respondents. There is a need, therefore, in future studies to identify the areas of knowledge in relation to the copyright law that the respondents lack.

It has to be noted, however, that this paper only surveyed first year students of all programmes at SCJB and hence, the results cannot be extrapolated to the whole student population in SCJB. Future surveys which are more comprehensive and larger-scale would be recommended so that the results can reflect more concretely the level of knowledge and awareness of the SCJB student population in matters related to the copyright law.

## REFERENCES

- Dunning, A. (2006). *Copyright and Other Rights Issues in Digitalization*. London: Arts and Humanities Data Service (AHDS), 2006. Retrieved from [www.ahds.ac.uk/creating/informationpapers/copyright-introduction/index.htm](http://www.ahds.ac.uk/creating/informationpapers/copyright-introduction/index.htm).
- Devlin, M. & Samarawickrema, G. (2010). The criteria of effective teaching in a changing higher education context. *Higher Education Research and Development*, 29(2), April, 111-124.
- Ernst & Young. (2012). *University of the future: A thousand year old industry on the cusp of profound change*.
- Fraser-Woodward Ltd v British Broadcasting Corp [2005] 64 IPR 187
- Hill, P. (2012). Online Educational Delivery Models: A descriptive view, *Educause*, November/December, 85-97
- Khaw, L.T. (2008). *Copyright Law in Malaysia*, Malaysia: LexisNexis.
- Lam Soon (M) Bhd v Forward Supreme Sdn Bhd & Ors [2001] 6 MLJ 651, (2001) 4 CLJ 673
- Lathrop, A. & Foss, K. (2000). *Student cheating and plagiarism in the internet era*. Englewood: Libraries Unlimited Inc.
- Lowendahl, J., & Rust, B. (2012). The Expanding Education Ecosystem: A World of Choice, *Gartner*
- Madsen, P. (1996). *What can universities and professional schools do to save the environment?* New York: Albany state University of New York Press.
- Mason, R. (1998). Models of online courses. *Aln Magazine*, 2(2). Retrieved from [http://www.aln.org/alnwed/magazine/vol2\\_issue2/Masonfinal.htm](http://www.aln.org/alnwed/magazine/vol2_issue2/Masonfinal.htm).
- Pallant, J.(2010). *SPSS Survival Manual: A Step by Step Guide to Data Analysis using SPSS*. (4th ed.). NSW: Allen & Unwin
- Palmer, J. & Neal, P. (1994). *The handbook of environmental education*. London: Routledge
- Princeton Univ. Press v. Mich. Document Servs., Inc., 99 F.3d 1381, 1390–91 (6th Cir. 1996).
- Ricketson, S. & Ginsburg J. (2006). *International Copyright and neighbouring Rights: The Berne Convention and Beyond*. Oxford: OUP.
- Rose, M. (1993). *The invention of Copyright*. London: Harvard University Press.
- Selim, H. M. (2005). Critical success factors for e-learning acceptance: Confirmatory factor models. *Computer and Education*. Retrieved from <http://mail.phy.bg.ac.yu/-marijam/milos/science7.pdf>.
- Sony Corp of America v Universal City Studios [1984] Inc 464 US 417
- Telstar v APRA 1997 146 ALR 649