

# The Business of Creativity: Seeking Value in the Digital Content Ecosystem

Part of the Norms and Values in Digital Media Project Series (2012-2014)

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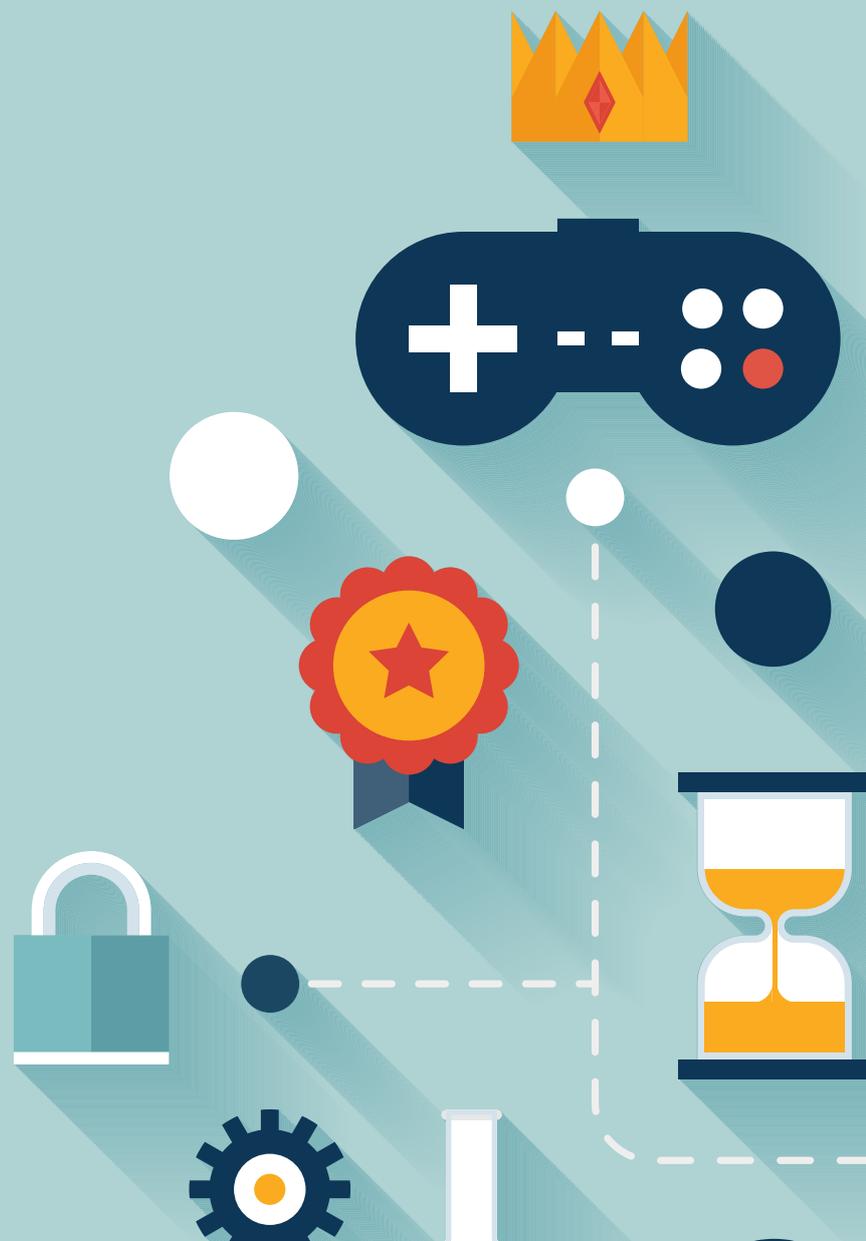
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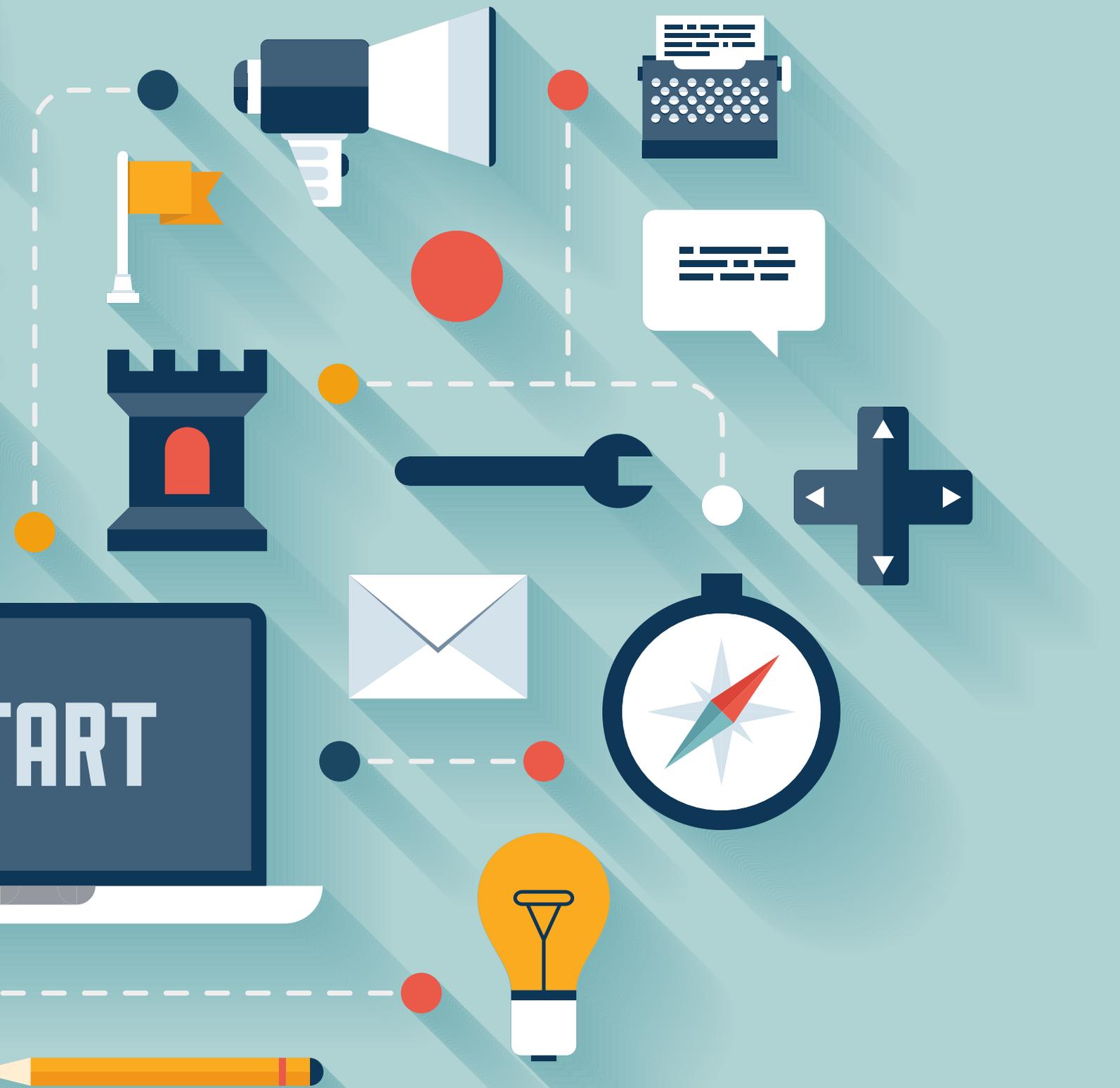
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# Introduction

The way creative content and information are created, produced, consumed and shared has changed dramatically in the digital era, presenting both new challenges and opportunities for copyright systems. The Media, Entertainment & Information Industries community of the World Economic Forum has taken an in-depth look at copyright issues in the digital age over the course of a three-year project series, entitled *Norms and Values in Digital Media*. The goal of the project series has been to help major stakeholders, such as governments, policy-makers, businesses, civil society groups, creators and innovators, to engage in a dialogue to better understand each other's interests, and to work together to create economic and social value, to develop a vibrant creative community and to foster ongoing innovation of the internet.

Throughout 2014, this project explored how digital content has introduced opportunities for creating, sharing and distributing, while revealing tensions within copyright systems. The final project seeks to:

- Illustrate innovations in digital content creation and distribution
- Understand how such innovations impact copyright systems
- Highlight legal, technical and societal needs to foster the ongoing innovation of content and the internet.

As digital technologies force us to confront and negotiate new realities around emerging rights and new currencies, stakeholders will need to continue to evolve copyright systems that are agile and elastic enough to adapt to these new realities. Copyright systems support content and distribution industries that have created enormous economic value, employment and cultural

diversity, and stakeholders are thus challenged to ensure that such systems continue to invite investment in creative works. The act of paying to see a movie or to read a book not only provides a sustaining economic foundation for these works, but also contributes substantially to national economies.<sup>1</sup> The economic significance of Intellectual Property (IP) intensive industries has been highlighted in several recent studies from developed markets. A recent United States (US) Commerce Department study shows that IP-intensive industries account for tens of millions of jobs and several trillion dollars of US gross domestic product alone. Among these, copyright-intensive industries contributed 5.1 million jobs and grew by 46.3% between 1990 and 2011, outpacing other IP-intensive industries, as well as non-IP-intensive industries.<sup>2</sup> A 2013 European Commission study shows that around 39% of total economic activity in the European Union, worth some €4.7 trillion annually, is generated by IP-intensive industries, which directly provide approximately 26% of all employment in the region.<sup>3</sup>

The content industry is adapting to the internet and the advent of digital content. A recent study conducted in the United Kingdom (UK) found that 86% of over 750 "of the most popular and critically acclaimed films" were legally available online through new digital models.<sup>4</sup> The media and entertainment industries will need to continue to innovate and to devise new possibilities for creation and distribution as digital content expands.

For the purpose of this report, the use of "copyright systems" and "copyright regimes" strictly refers to laws and policies related to copyright and not to cultural norms and values or economic realities in which these laws or policies may be rooted.

# Chapter 1.

# The Power of Digital: Three Stories about Creators, Content and Consumers

Just over 15 years ago, two teenage developers, Shawn Fanning and Sean Parker, turned the music industry upside down with the creation of Napster, a digital platform that enabled peer-to-peer file sharing of music. At its height, Napster possessed 70 million users exchanging 2.7 billion files.<sup>5</sup> Reflecting on the “Napster effect,” the music critic Carl Wilson declared: “It’s less what Napster itself spawned than what it revealed – that we were entering a whole new era in music distribution and consumption. I’ve been sad about the near-death of the record store, and very concerned about artists’ economic lives, but it’s also been a very exciting, dynamic time. . . . The wide-open way music is discovered today has broken down barriers between genres, between the ‘commercial’ and the ‘artistic’, between audience niches.”<sup>6</sup> Streaming platforms such as Spotify and Pandora, and the legitimate sharing of content that these platforms engender, also illustrate the music industry’s dexterity in adapting business models to the evolved consumer preferences that Napster precipitated.

Fast-forward 15 years, and companies continue to create new opportunities and conduits of content exchange. The internet has expanded access to content worldwide, enabled new methods of content discovery through increased peer-to-peer exchanges, and developed vibrant and active online communities dedicated to the content that brought them together.

## Viki (Singapore)

Viki is an online streaming service that enables users to watch ad-supported, subtitled TV shows from 100 countries in 200 languages, free of charge. Thirty million Viki users stream licensed television series every month, 20 million from mobile devices. Viki takes advantage of the existing copyright and licensing systems that are primarily nationally based, by acquiring rights to stream content to distant territories where it is not yet available. It has aggregated data on the most popular viewing languages, the titles and genres that succeed in certain regions, and the shows fans want for future streaming. Viki uses this data to tailor its offering to fans’ interests. It also provides this information to rights-owners who use it to inform content ideation and distribution plans. Viki’s predictive analytics are indicative of the wider potential that data has as a supplemental mechanism to create value: a potential that the internet has unleashed.

Viki crowdsources the subtitles of its shows from its users, who have facilitated the distribution of content across the globe: bringing Korean television series to Brazil with Portuguese subtitles, and spreading Mexican novellas across the Middle East with Arabic subtitling. This crowdsourced subtitling has enabled licensed distribution of TV series to audiences that would otherwise never have access (or would have only illegal, unlicensed access) because of the prohibitive cost of localizing shows for lower-revenue territories. Viki even licenses the subtitles to original rights-holders who use them for their international DVD distribution. According to Co-Founder and Chief Executive Officer, Razmig Hovaghimian: “The Viki community is at the heartbeat of this company. We have created an online

community where volunteers receive varied tiers of badges depending on the quality and volume of their contributions. We even have some of our top subtitlers – our Qualified Contributors – reaching out to lawyers and doctors to ensure that they have translated the more technical terminology accurately. They are incredibly dedicated and have amassed strong followings due to the quality of their contributions.”<sup>7</sup> The Viki story reflects a new phenomenon of fans who have turned into marketers, as they participate in the creative and distribution processes, bringing content to audiences who would not otherwise have legal access.

## WeDemand (Rio de Janeiro, Brazil)

WeDemand is a digital crowdfunding and promotion platform created by four music fans in Rio “who were tired of seeing artists – both established megastars and more indie, grassroots artists – pass on Rio for other markets, when we knew they had fans here.”<sup>8</sup> Co-Founder Pedro Seiler explains: “The company started with the Swedish indie band, Miike Snow, who we knew was going to Argentina. We really wanted to get them to come to Rio, so we had our friends each contribute \$100 towards the band’s fee and aggressively market the campaign through their social networks. We met the fee that we needed to get Miike Snow to come, and then opened up the floor to admission sales. We ended up with 1,000 people at the show and it was an enormous success. When we saw all the fans at the concert, we realized we may have a business model here.”<sup>9</sup>

WeDemand allows artists to promote their shows on its platform as well as to crowdfund the means to make their concerts happen, receiving a portion of the ticket sales or what was raised through crowdfunding campaigns. Since the Miike Snow show, the platform has revolutionized the way shows have been promoted in Brazil, by giving artists a direct mechanism to reach their fan bases. WeDemand has amassed and analysed data on the demographics of its fans, the strength of their fandom, and their ancillary music interests. WeDemand also provides this data to artists who use its service, and uses it to establish partnerships with third parties such as Spotify. Co-Founder Tiago Compagnoni explains: "With our data, we want to give artists the power of knowing how to better route their tours, not end up with idle dates, and better negotiate with promoters. We want to give them a direct channel to their fans that has been hard to build, even with the internet."<sup>10</sup>

In addition to empowering artists with new ways to reach their fans, the platform reshapes the traditional role of a consumer: consumers can now be active agents in planning tours and attracting their favourite artists to different cities.

## Twitch (San Francisco, US)

Twitch is the world's largest video platform for gamers, enabling players to broadcast, watch and communicate as they play games. It also hosts live gaming events and competitions, selling out stadiums and arenas. Twitch has capitalized on the gaming industry, valued at \$38 billion in revenue in 2014<sup>11</sup>, to attract more than 60 million visitors per month, who watched 155 billion minutes of gaming since its start in 2011.<sup>12</sup> In 2014, Amazon acquired Twitch for \$970 million, to complement its venture into devices with Kindle, Fire TV and Fire Phone. Michael Frazzini, Vice-President for Amazon Games, outlined the connection: "I think it's fairly safe to say at this point that, on anything with a screen, games are the number one or two activity."<sup>13</sup> In acquiring Twitch, Amazon gained one of the most vibrant, creative online communities today. As one young gamer put it, "By using Twitch and playing

games, I am a creator. I am a performer that others want to invest time in watching. In some ways, I am also like an actor. People are watching me make decisions that I narrate as I play. And in this collective watching experience we have built our own world – and our own community."<sup>14</sup> Twitch and the gaming industry are blurring the lines between creator and consumer, and igniting different channels and directions of content delivery between consumers, creators and distributors.



# Chapter 2.

# Copyright in the Digital Age

The internet has unleashed opportunities for content creation, production, distribution and consumption. Artists can more easily reach and understand audiences across the globe. A new class of non-professional creators is producing Do It Yourself (DIY) makeup tutorials, covering top 40 hits, tinkering with the codes of established online games, and providing on-the-ground coverage of political protests across the globe via social media. The internet furthers innovation around professional content creation and distribution, and supports the growth of business models around professional creative works. It also fosters “the hobby creativity” of the individual consumer and enables the growth of business models around such user-generated content.

The world’s copyright systems are confronted with the task of adapting policy developed for analogue content to today’s hyperconnected world. As illustrated by the continued growth and innovation within the media and entertainment industries and tech-driven start-ups such as Viki, WeDemand and Twitch, companies are able to innovate within the prevailing copyright systems. Yet, some argue that these legal systems need to evolve even more quickly to keep up with technologies that have enabled this wave of creative energy. Copyright systems across the world, even among countries with established copyright frameworks, are markedly different, and they reflect centuries of evolution in culture, norms and legal systems. In some countries, copyright systems are non-existent or still in the nascent stages of development. Thus, debates continue about whether existing copyright regimes can accommodate these changes.

## Licensing Regimes

One of the tensions facing copyright systems worldwide is the inconsistent nature of licensing regimes across geographical borders. Creative content is licensed differently across sectors for multiple reasons, including differences in financial investments and consumption behaviours. Copyright holders typically receive protection “on the basis of a bundle of national rights”.<sup>15</sup> Across countries, discrepancies can exist between the duration and reach of this protection. As such, “copyright is territorial in the sense that rights are acquired and enforced on a country-by-country basis under national law”.<sup>16</sup> The distribution of copyright-protected content through the internet “therefore requires, in principle, an authorization for each national territory in which the content is communicated to the public”.<sup>17</sup> This system, based on national boundaries, is the foundation of value for the established content industry and serves as a base for decades of economic value created through international distribution. On the other hand, entities that want to legally distribute content are often subject to significant transaction costs, because they must not only purchase or acquire the rights to such content from the copyright holder(s), but they must also clear the rights in each country or region. This can be an arduous and time-consuming process, particularly for small and medium enterprises (SMEs) from smaller countries or language communities.

While nationalized licensing is not a new reality, the advent of digital platforms and the fluidity of content catalysed by these platforms have heightened awareness of such localization. Because the internet further breaks down geographical

boundaries as barriers to content, consumers increasingly expect that they should be able to access their Netflix or Pandora accounts from anywhere in the world. In the age of analogue, distribution of content across borders was confined by the cost of physical transport and regional technology differences, causing CDs, DVDs, books and newspapers to be largely local artefacts.<sup>18</sup> The internet has removed the burden of many of these distribution costs for physical goods, while introducing other costs such as content delivery network and interconnect fees to enable high-quality internet distribution.

Viki has worked within localised licensing systems by building a business model around content arbitrage. By granting Viki licensing rights, rights-holders gain incremental revenues at lower operating costs than with traditional distribution. As Hovaghimian of Viki explains, “When we break down barriers through Viki – language barriers, geo-blocs, distribution holdback windows – you can get content to move at five times the volume that it would have moved at previously. It really is remarkable to see the reach and speed at which this content moves once it is freed.”<sup>19</sup>

## Copyright Duration

In enabling new points of contact between artists and consumers and expanding creative activity, the internet has opened up a creative process in which both artists and consumers build on the inventiveness of past or present creators in their own artistic pursuits. The internet has multiplied the opportunities to “build upon the culture around us”, and democratized the ability to draw on this culture. In a 2014 consumer survey as part of an ongoing research collaboration between the World Economic Forum and comScore, 54% of respondents in Turkey reported using publicly available and free online content to create their own versions of music, videos, photographs, or other art. Comparable responses were 49% in Indonesia, 32% in Brazil, and 15% in the UK.<sup>20</sup> This research shows how the internet has amplified a creative process that builds on prior works, especially in emerging markets.

Digital content has made the capacity to draw on others’ works more accessible than ever: music fans are more easily able to remix classics; gamers are now “modding” (making modifications to) previous games to create new ones; and fans of television series are subtitled their favourite shows in different languages to build new fan bases. Some would argue that certain copyright laws, like copyright term, which is often life plus 50 to 70 years, have not evolved quickly enough to adapt to such fluid modes of content creation. Calls have been made for the expansion of exceptions such as fair use and stronger intermediary liability protections. Others argue that adapting copyright duration would compromise investment in creative works, or that earlier entry of content into the public domain could impede the ability of creators to manage the way that their content is used in subsequent works.<sup>21</sup> Some creators fear that their work could be used inappropriately to create new works or that any consequent “value added” would not warrant monetary gain.<sup>22</sup> Whatever the direction in which copyright systems evolve around the world, a balance will need to be struck between maintaining the value that copyright creates, and encouraging modes of creative expression that draw on past inventiveness, enabled by the internet.

## Systems of Rights Discovery and Clearance

Creators and licensors must also contend with the process of untangling the complex web of rights and rights-owners in order to lawfully use or distribute a particular work. Music rights, as an example, are divided into multiple types, further complicating the process of identifying rights-holders who may claim ownership to the same work. Despite significant technological progress, there is no comprehensive registry that allows creators easy access to rights-holders and the ability to negotiate permissions to reuse original work. Even in cases where the rights are discovered, the owner cannot always be easily located. Past proposals to build registries, such as the US Public Domain Enhancement Act of 2006 (also known as the Copyright Term Deregulation Act) sought to create a government registry whereby rights-holders could record their work and the public could locate the rights-holder for a specific work.

## Attribution

By providing tools to facilitate the modification and dissemination of content, the internet further confounds the process of attribution. Consider this scenario: imagine you are a songwriter and you hear a poet perform on a street corner. You are inspired by a verse and you record it to incorporate in a song you later write. You use a crowdfunding platform, such as KickStarter, Indigogo, or Patreon, to finance the studio fee required to record and perform your song. Another songwriter hears your song and remixes it, sampling a few other compositions. The remixed version is shared on streaming services such as Spotify or Pandora, and is available for download from Amazon Prime and iTunes. A high-profile artist shares the remixed version on Twitter and Facebook, and it goes viral. A music label has one of its young stars record it and a movie studio then uses this song in a movie soundtrack. From the poet reciting a verse on the street corner to the movie studio using the recording of a remixed performance, many players populate this scenario: the songwriter, the patrons, the fans, the remixer, the distributor, the label, the star, the movie, the studio and the platforms, each contributing value in their own way at each stage.<sup>23</sup>

As introduced at the beginning of the chapter, the spirit of remixing that animates this scenario is not uniquely created by the internet. However, the internet does propel it by expanding opportunities for content discovery, tinkering and audience reach. The internet has also introduced new players to the process of content creation. Yet, there is not always a robust, supporting infrastructure, either technical or legal, that delineates these contributors and their rights, and enables them to negotiate or extract value from their contributions.

Twitch introduces new rights and complications to attribution, by enabling gamers to broadcast their playing to millions of fans. Who owns the rights to a live stream broadcasted on Twitch’s platform? Is it the player who is acting somewhat like a performer? Is it the access provider or ISP? Is it Twitch as the creator of the streaming platform? Is it the games publisher that created the game being played? The World Intellectual Property Organization’s (WIPO) recent study, *The Legal Status of Video Games: Comparative Analysis in National Approaches*, highlights “the wide-ranging national legal approaches to protecting [games], with implications for the way those developing games are treated and the remedies available to them under the law.”<sup>24</sup> The report reveals “an often uneasy fit between prevailing national legislation and the specific characteristics of the video game industry. For example, although some [legal approaches] treat video games as audiovisual works insofar as they are ‘a series of related images,’ unlike standard audiovisual works, video games are not ‘intrinsically intended to be shown’ but are designed for player interaction.”<sup>25</sup> Stakeholders will need to “examine the relative importance of the various technical and creative elements that go into making [and playing] video games” to adapt copyright systems, and to allow gaming contributors to negotiate rights and extract value.<sup>26</sup>

## Data Emergence and Value

The internet has expanded the participants involved in content creation and diversified the ways of creating value. Data has emerged as a mechanism of securing value but, thus far, its “transactionalization” has primarily been related to advertising. In the scenario described in the previous section, each of the players aims to derive value: the poet might be pursuing recognition and fame in addition to monetary compensation for the use of his or her verses; the songwriter might wish to sell concert tickets; the patrons might seek social capital for discovering and supporting a new artist; the remixer might want demographic data about the listeners of the song; the platforms might want a portion of the sales; and the studio might require a return on its investment.<sup>27</sup> The internet introduces new participants into the rather tangled web of content creation, while the ways in which they can be recognized and rewarded have also multiplied.<sup>28</sup>

The WeDemand story highlights the potential of data to serve as a conduit of value. WeDemand has amassed demographic data that it makes available to artists without charge. As Co-Founder Pedro Seiler puts it, “The fans belong to the artists. We don’t want to charge artists to speak to their own fans. That is not our place. We hope that musicians can use this data to empower themselves as artists, for example in negotiations with promoters around tour dates.”<sup>29</sup> Even though WeDemand and Viki do not directly monetize data, companies that exchange data in negotiations with rights-holders and partners offer examples of alternative methods of deriving value introduced by the internet. Technologies will continue to push stakeholders to negotiate existing realities around emerging rights and new ways to create value, such as through data exchange. These uses of data are often new, and the associated regulations are not yet clear. It remains to be seen how such uses will be further incorporated or will co-exist with the current copyright systems.



# Chapter 3.

## Needs for the Future

As the Media, Entertainment & Information Industries community evaluates copyright systems in the digital age, three areas should receive careful consideration:

1. Legal and policy needs
2. Technical needs related to attribution and rights discovery
3. Diverse international norms and values underpinning the creation and use of digital content

### Legal and Policy Needs

The debate continues around whether the various laws and policies that support copyright systems around the world will need to evolve, and how this might happen. This is a challenging and complicated task for national and international regulators and policy-makers. As part of its objective to build “a single digital market”, the European Union has continued efforts to harmonize licensing regimes, with its 2014 directive on collective rights management and multi-territory licensing. The directive seeks to facilitate multi-territorial licensing by fostering aggregation of repertoire and by establishing criteria that collective management organizations engaging in multi-territorial licensing must fulfil.<sup>30</sup> Convergence in localised licensing regimes may change the prevailing economic structures that enable the music industry, and it may take some time to adapt. Some argue that increased harmonization may be difficult to establish across different markets, given the diverse languages, customs, cultures, norms and values related to artists, creativity and industry.

Attempts have been made to incorporate elasticity within current copyright systems through more flexible licensing schemes. Creative Commons licenses, for example, do not depart from current copyright systems, but instead allow for copyright terms to change from the default of “all rights reserved” to “some rights reserved”.<sup>31</sup> Creative Commons licenses enable a rights-holder to grant others “the right to share, use and even build upon a work, providing the flexibility to stipulate non-commercial uses and ensuring that others do not have to be concerned about copyright infringement if they abide by the conditions stipulated”.<sup>32</sup> Other flexible and customizable legal solutions will need to be developed alongside existing licensing systems, to take advantage of the creativity that technology enables, without inadvertently encouraging unlawful use.

### Technical Needs: Attribution

Technical solutions that can detail all the contributors to a piece of content along its path of conception, creation and dissemination should also be considered. As the internet continues to empower content creation, opening up the process to new participants and providing them with an expanded toolkit to contribute further complicates the existing labyrinth of rights. In this context, it becomes more difficult for authors to negotiate rights or value to content, and for others to find the original rights-holders for a work in order to gain permission for further use. For example, metadata is a potential mechanism that can aid in tracking contributors along the chain of creation. By building a technical foundation that attaches metadata to content to track its

ideation and dispersion, it may become easier for creators and other contributors to extract value from their work. This solution requires an agreement on standards, and a trusted administrator of those standards. At this early stage, it is not yet clear what the precise standards should be nor who could play the role of this trusted administrator. These issues will need deeper discussion and collaboration as the industry evolves.

### Technical Needs: Systems of Rights Discovery and Copyright Exchanges

Metadata could help associate rights-holders with a work, but how does one receive permission to use that work? Some argue that a need exists for a system of rights discovery and exchange to enable creators and companies both to identify the various rights-holders for a work and also to accelerate the negotiation of the rights to use that work. For example, the division of music rights further complicates rights discovery. The Global Repertoire Database (GRD), a project aimed at “creating a single, comprehensive and authoritative representation of the global ownership and control of musical works” was an example of such a system of rights discovery.<sup>33</sup> However, in July 2014, the project was abandoned. Collaboration around the creation of a central, public database may have conflicted with other competitive interests.

Despite GRD's failure, interest persists in creating similar systems, both within the public and private sectors. The UK Copyright Hub, an emerging initiative funded in part by the UK government, aims to make it possible for a person (or a computer) to know "with a single click or a single query" where "they can get permission to use an item of content in the ways they want. An automated response that says 'Yes', 'No', or 'Yes, if the following conditions are met' should be possible, especially for low-value, high-volume rights requests."<sup>34</sup> Another recent endeavour is the Rights Data Integration (RDI) project, a public-private partnership between the European Commission and media industry participants, which aims to facilitate the management and trade of intellectual property rights online for multiple usages, across diverse types of content.<sup>35</sup> In the private sector, Google's Content ID and other notification-and-take-down systems are rights-discovery systems focused on identifying works that infringe the copyright of others. Start-ups such as RightsFlow (purchased by Google in 2012) and new entrant, Loudr, that provide artist-to-service and service-to-publisher clearance and administration, are examples of privatized systems of rights exchange and clearance operating in the United States.

Eventually, technological innovations should provide the tools to track attribution through metadata and build automated marketplaces for rights exchange. However, credit attribution, rights discovery, and systems of exchange are far too complex to be optimized by technological solutions alone. The abundance of data available makes the process of tracking contributors along the value chain difficult. Moreover, diverse systems of rights attribution, coupled with linguistic discrepancies in designating rights, further complicate the development of a central, comprehensive registry. Introducing digital components into the process of negotiating permissions and rewards will require greater collaboration and will take time to resolve before an effective solution can be implemented.

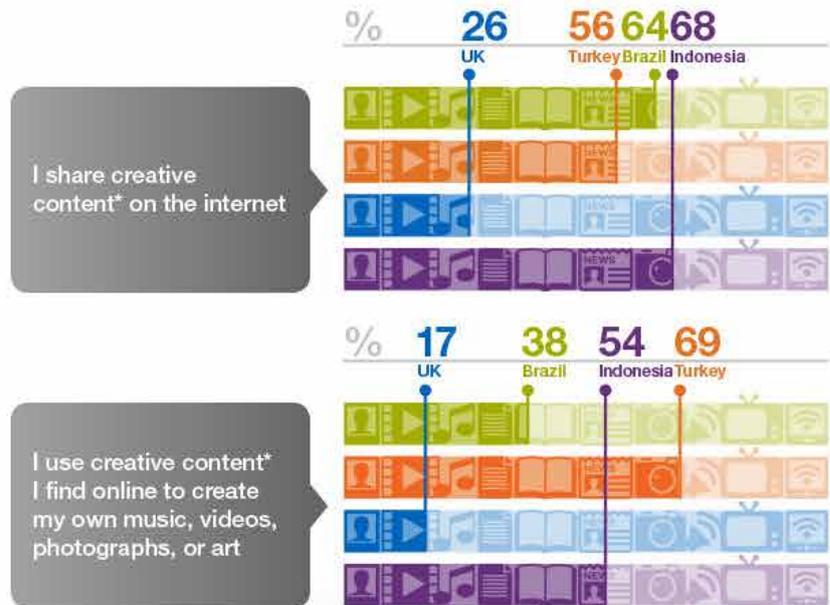
## The Business of Creativity: Seeking Value in the Digital Content Ecosystem

### Brazil/Turkey/UK/Indonesia Comparison

World Economic Forum/comScore surveys:  
986/973/1,005/1,019 Internet users in  
Brazil/Turkey/UK/Indonesia, aged 18-64

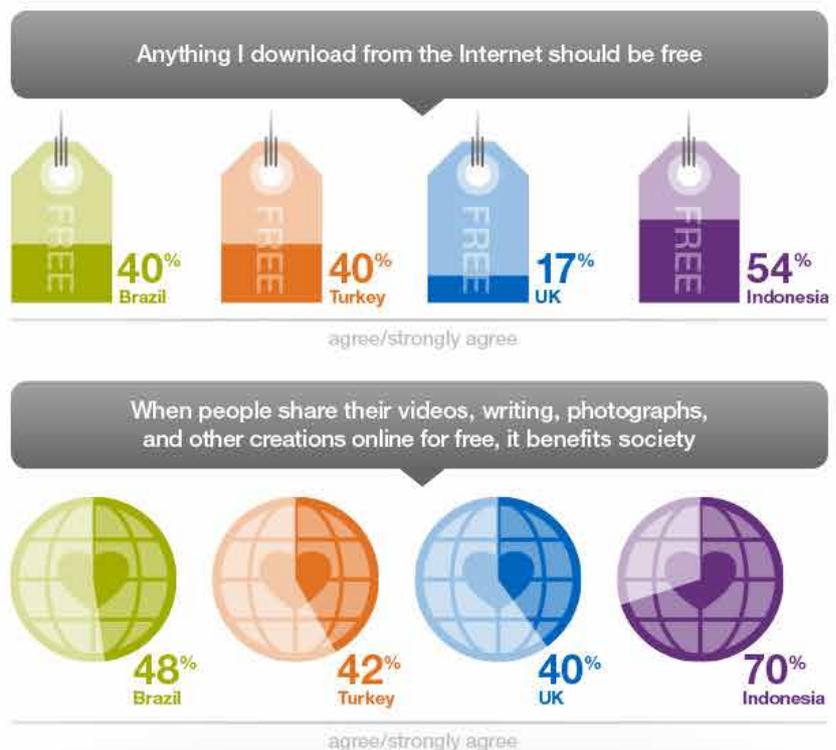
Brazil  
Turkey  
United Kingdom  
Indonesia

#### How people create and share online



\*Creative content includes videos, music, books and news articles

#### Perception of paying for online content



## Meeting These Needs in Diverse Cultural Contexts

Of course, any of the needs cited above, or other efforts aimed at harmonizing the process of content creation and distribution, must be globally relevant and locally adaptable. In 2013, the World Economic Forum partnered with comScore to conduct a survey to better understand consumer engagement with digital content in both the UK, as an established content market, and in Indonesia, an emerging content market. In 2014, the World Economic Forum and comScore continued their survey work in Brazil and Turkey.

Survey results suggest that with increased digital connectivity, there is greater recognition and acceptance of the monetization of content and legal rights associated with content. Across many topics, the survey results in Brazil and Turkey were comparable to those in the UK, whereas results from Indonesia diverged from the other three markets. For instance, 70% of Indonesian respondents agreed or strongly agreed with the statement: “When people share their videos, writing, photographs and other creations online for free, it benefits society.” Comparable responses were 48% for Brazil, 42% in Turkey, and 40% in the UK. Furthermore, 53% of respondents in Indonesia agreed or strongly agreed with the statement: “Once I download content online from the internet, it is mine to do with as I please.” The Indonesian survey findings reflect how “a traditional sharing culture manifests itself digitally as Indonesians go online primarily to share and connect with others (less so to access content or for self-expression).”<sup>36</sup> The parallels between the UK results and those of Brazil and Turkey could potentially be attributed to those countries approaching the level of internet connectivity in the UK. In 2013, Turkey’s and Brazil’s respective fixed broadband penetration was approximately 10% and 11%. While such rates are modest in comparison with the UK broadband penetration rate of 35%, they are certainly closer than Indonesia’s 1%.<sup>37 38</sup>



Increased internet usage and smartphone penetration heighten the potential value of emerging markets, as content creators and distributors seek ways to “make the long-tail of consumers the fat-tail”. In a World Economic Forum workshop held in New Delhi, India in November 2014, Indian content aggregators and distributors agreed that consumers were willing to pay small amounts for high-quality content, and that subscription services tied to mobile phone plans would be the way of the future for Indian content industries. The ability to monetize mobile platforms becomes even more significant when one considers that mobile devices are quickly becoming the focal devices of internet usage across the world. Chinese manufacturers, such as Xiamoi, are riding the smartphone adoption wave and penetrating the market with sub-\$100 devices. As the world’s third-largest smartphone distributor, the company aims to aggressively pursue expansion in Brazil, Russia, Indonesia, Malaysia, Mexico, the Philippines, Thailand, Turkey and Vietnam in 2015. To ensure the success of subscription-based models as well as other efforts to monetize content within emerging markets, it is necessary to understand the prevailing norms that surround engagement with online content, and the value or accent placed on copyright and its preservation.

## Looking Ahead

The power of the internet has had significant impacts on the content industry. Constantly evolving technologies and the accelerating pace of innovation will require the contemplation of more fluid modes of content creation and distribution. What will be the implications for intellectual property outside of the content industries as the world becomes ever more connected? How will the apparel industry react when 3-D printing allows consumers to manufacture their own designs? How will the health sector negotiate conflicts over the rights to data among patients, payers, providers and third parties? How will intellectual property be negotiated between automotive manufacturers, electronics specialists and internet companies, as vehicles become more like giant computers? Such questions do not lend themselves to easy answers, and no single solution will be perfect. For each of these questions and more, as the *Norms and Values in Digital Media* project series has sought to affirm, collaboration is needed at the global level, as well as locally, to build effective legal systems and business practices that will enable adaptability and innovation in the digital age.

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Christophe Nicolas, Senior Vice-President and Head, Kudelski Security, Kudelski Group, Switzerland

Sally Broughton Micova, Research Officer, Media Policy Project, London School of Economics and Political Science, UK

Ethan Zuckerman, Director, Center for Civic Media, Massachusetts Institute of Technology Media Lab, USA

Denise Bassett, Vice-President, Communications, NBCUniversal International, UK

Jeff Jarvis, Director, Tow-Knight Centre for Entrepreneurial Journalism, City University of New York, USA

Michele Woods, Director, Copyright Law Division, World Intellectual Property Organization (WIPO), Switzerland

## Workshop Participants

### San Francisco, USA, 20 June 2014

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Tim Vollmer, Head, Public Policy, Creative Commons, USA

Cecily Mak, General Counsel and Corporate Secretary, Flipboard, USA

Chris Traub, Chairman, SES Global, Taiwan, China

Razmig Hovaghimian, Co-Founder and Chief Executive Officer, Viki, Singapore

Paolo Lanteri, Legal Officer, World Intellectual Property Organization (WIPO), Switzerland

### Istanbul, Turkey, 3 September 2014 (in conjunction with the Internet Governance Forum)

Nuri Colakoglu, President, Dogan Media International, Turkey

Sarah Wynn-Williams, Director, Global Public Policy, Facebook, USA

Ignasi Guardans, Partner, K&L Gates, Belgium

Glenn Deen, Director, Networking and Distribution Technology, NBCUniversal International, USA

Andres Guadamuz, Senior Lecturer in IP Law, University of Sussex, UK

### New Delhi, India, 4 November 2014

Natvar Bhavsar, Artist, USA

Janet Brosious Bhavsar, Artist, USA

Stuart Sender, President, Balcony Films, USA

David Nanayakkara, Regional President, Asia-Pacific, Brightstar Corp., Australia

Durga Raghunath, Founder, Firstpost, India

Manish Advani, Head, Marketing and Public Relations, Mahindra Special Services Group, India

Vivek Pandit, Director, McKinsey & Company, India

Nikhil Pahwa, Founder, Editor and Publisher, Medianama.com, India

Rajjat Barjatya, Managing Director and Chief Executive Officer, Rajshri Entertainment, India

Saikrishna Rajagopal, Managing Partner, Saikrishna & Associates, India

Suramya Gupta, Head, India Business, and Director, Asia Investments, SBI Holdings, Japan

Jai Maroo, Director, Shemaroo Entertainment, India

Aditya Swamy, Executive Vice-President, Viacom18 Media, and Business Head, MTV & MTV Indies, Viacom18, India

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## Interviewees

Matt Mason, Chief Content Officer, BitTorrent, USA

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Glenn Deen, Director, Networking and Distribution Technology, NBCUniversal International, USA

Jack Conte, Founder, Patreon, USA

John Villasenor, Professor of Electrical Engineering and Public Policy, UCLA, USA

Dominic Young, Chief Executive Officer, UK Copyright Hub, UK

Andres Guadamuz, Senior Lecturer in IP Law, University of Sussex, UK

Razmig Hovaghimian, Co-Founder and Chief Executive Officer, Viki, USA

Michelle Laird, Vice-President, Communications, Viki, USA

Tiago Compagnoni, Co-Founder and Chief Executive Officer, WeDemand, USA

Pedro Seiler, Co-Founder and Partner, WeDemand, Brazil

# Figures

**Figure 1: Survey on Norms and Values in Digital Media: Overview**

## Survey<sup>1</sup>

- 20 minute online survey conducted in Brazil and Turkey in 2014 and the U.K., and Indonesia in 2013
- Qualified respondents were Internet users 18-64 in all countries<sup>2</sup>
- Brazil Respondents = 986
- Turkey Respondents = 973
- U.K. respondents = 1005
- Indonesia respondents = 1019

## Survey topics

- Consumer norms around access to digital content, sharing and remixing content, ownership and control of content, and participation online
- Consumer perceptions of value of online content

<sup>1</sup> 2013 & 2014 survey results weighted against gender, age, and income of general population of respective countries. Not weighted for Internet penetration.

<sup>2</sup> Removed flatliners in survey analysis. A flatliner is defined as a respondent who responded to all scale question on the same level. (e.g., selected «agree» to all the attitudinal questions).

SOURCE: World Economic Forum/comScore survey on Norms and Values in Digital Media, November, 2013 & November, 2014

**Figure 2: Overview of respondents (% of respondents)**

	Brazil	Turkey	U.K.	Indonesia
<b>Male</b>	48	57	50	51
- Female	52	43	50	49
<b>Age</b>				
- 18-34	49	54	36	47
- 35-54	40	38	46	42
- 55+	11	8	18	11
<b>Consumer type<sup>1</sup></b>				
- Creative consumers	42	47	39	45
- Regular consumers	58	53	61	55
<b>Marital status</b>				
- Single, never married	47	37	30	33
- Married or domestic partnership	44	53	59	62
- Separated or divorced	7	5	8	1
- Widowed	1	3	2	3
<b>Employment status</b>				
- Employed (net)	72	60	70	67
- Student	10	15	6	9
- Stay-at-home parent	NA <sup>2</sup>	NA	7	3
- Retired	5	8	6	5
- Unemployed	10	14	7	3
<b>Total Annual Household Income</b>				
- Mean	R\$ 27.6K	TL 27.3K	£ 42.6K	Rp 76.8M
<b>Education</b>				
- High school or less	38	37	45	19
- Vocational school/diploma	27	16	14	24
- College/degree or post-graduate	35	45	41	57

<sup>1</sup> Self classification of consumer types based on time spent on main activities/hobbies. «Creative consumer» hobbies included: photography, designing websites, writing blogs, making music or in a band, mixing or remixing music, making videos, amateur online news reporting/citizen journalism, regularly posting videos on YouTube, regularly posting to Tumblr, writing for a local newspaper

<sup>2</sup> «Stay at home parent» not an option in 2014 survey conducted in Brazil and Turkey

SOURCE: World Economic Forum/comScore survey on Norms and Values in Digital Media, November, 2013 & November, 2014

**Figure 3: Internet behaviors** (% of respondents)

	Brazil	Turkey	U.K.	Indonesia
<b># of hours on Internet per week<sup>1</sup></b>				
- Less than 5 hrs	24	19	7	13
- 5-16 hours	39	37	47	42
- More than 16 hours	35	43	46	45
<b>Have a personal account Facebook</b>				
	93	90	78	96
<b>Have a personal account on Twitter</b>				
	53	64	39	72
<b>Usage of publicly available mediato create own versions of music, videos, photographs, or other art<sup>2</sup></b>				
- Yes, use free online content	32	54	15	49
- Yes, use paid online content	10	22	10	10
<b>No</b>	62	31	80	47

<sup>1</sup> Question: How many hours, if any, do you spend on the Internet each week for personal reasons (from work, home or elsewhere)? Please do NOT include time you spend on e-mail or instant messaging.

<sup>2</sup> Question: Do you use movies, TV shows, books, or music from the Internet to create your own music, videos, photographs, or art? Please select all that apply.

SOURCE: World Economic Forum/comScore survey on Norms and Values in Digital Media, November, 2013 & November, 2014

**Figure 4: Main online activities** (% of respondents)

	Brazil	Turkey	U.K.	Indonesia
<b>Survey respondent activities<sup>1</sup></b>				
- Cooking	33	39	49	36
- Playing video games	33	30	36	33
- Photography	21	21	23	19
- Playing sports	29	38	23	34
- Arts and craqs	20	18	21	14
- Writing blogs	13	13	11	25
- Making music or in a band	6	7	10	3
- Regularly posting videos to YouTube	9	12	8	6
- Designing websites	8	9	6	10
- Making videos	6	15	6	7
- Mixing or remixing music	5	6	5	4
- Regularly posting to your Tumblr	4	4	5	3
- Amateur online news reporLng/citizen journalism	5	4	3	7
- Writing for a local newspaper	2	4	3	4
- Creating other types of art or writing compositions that you post online (please specify)	3	1	1	2
- None of the above	24	16	20	18

■ “Creative consumer” activities

<sup>1</sup> Question: We would like to know about your main activities outside of work or school.

SOURCE: World Economic Forum/comScore survey on Norms and Values in Digital Media, November, 2013 & November, 2014

**Figure 5: Internet behaviors** (% agree/strongly agree)

	Brazil	Turkey	U.K.	Indonesia
<b>Statement<sup>1</sup></b>				
- Everyone should pay some fee for books they download from the Internet	16	27	30	27
- Everyone should pay some fee for music they download or stream from the Internet	13	20	30	23
- Everyone should pay some fee for movies and TV shows they download or stream from the Internet	12	20	26	21
- Anything I download from the Internet should be free	40	40	17	54
- Everyone should pay some fee for news articles, newspapers, and magazines they read on the Internet	8	8	12	13
<b>Perception of laws</b>				
- There should be laws that protect my ability to access content online	45	49	34	58
- The current laws that protect my ability to access content online function well	22	20	21	29

<sup>1</sup> Question: How strongly do you agree or disagree with the following statements about accessing online content?

SOURCE: World Economic Forum/comScore survey on Norms and Values in Digital Media, November, 2013 & November, 2014

**Figure 6: Consumer perceptions of sharing and remixing content online** (% agree/strongly agree)

	Brazil	Turkey	U.K.	Indonesia
<b>Statement<sup>1</sup></b>				
- When people share their videos, writing, photographs, and other creations online for free, it benefits society	48	42	40	70
- I feel like I am able to use and share content online the way I want to	27	31	33	78
- Once I download content from the Internet, it's mine to do with as I please	20	24	27	53
- Making people pay for videos, writing, photographs, and other creations online hinders creativity	33	34	22	41
- Artists and music creators get paid enough money, so they do not need to make money through the online channel	22	26	19	34
<b>Perception of laws</b>				
- There should be laws that protect my ability to use and share content online the way I want to	43	48	33	64

<sup>1</sup> Question: How strongly do you agree or disagree with the following statements about accessing online content?

SOURCE: World Economic Forum/comScore survey on Norms and Values in Digital Media, November, 2013 & November, 2014

**Figure 7: Consumer perceptions of creator compensation and control**  
(% of respondents)

	Brazil	Turkey	U.K.	Indonesia
<b>Statement<sup>1</sup></b>				
- I do not have the artist's paycheck in mind when I access movies, TV shows, music, or books from the Internet	49	36	40	44
- Illegal downloads of movies, music, books, news stories, games, and photographs should be punishable with a monetary fine	32	32	37	48
- I do not need to pay for online music, news articles, video, photos or art clip, because just by watching, reading or listening I am supporting the person who created it	36	41	19	52
- I regularly support writers, actors, singers, photographers or other creators I like online by participating in their online fan clubs/communities	35	30	14	48
<b>Perception of laws</b>				
- There should be laws that give artists and creators control over how their work is used and shared online	47	51	47	74
- There should be laws which are effective in creating an environment where online content creators can make money from their creations	52	46	35	77
- The current laws are effective in creating an environment where online content creators can make money from their creations	21	24	18	37
- The current laws that give artists and creators control over how their work is used and shared online function well	20	21	17	30

<sup>1</sup> Question: How strongly do you agree or disagree with the following statements?

SOURCE: World Economic Forum/comScore survey on Norms and Values in Digital Media, November, 2013 & November, 2014

**Figure 8: Consumer willingness to pay (% agree/strongly agree)**

	Brazil	Turkey	U.K.	Indonesia
<b>Statement<sup>1</sup></b>				
- I would pay more for online movies, TV shows, books, music, and news if I knew more of the money were going directly to the artist or writer	28	34	45	44
- I am willing to pay more money for physical media like newspapers, DVDs, and paper books than online media	24	39	43	33
- I would donate to a video creator, writer, singer or photographer after watching a video or reading an article I like online if donating were easy to do	28	18	18	43

<sup>1</sup> Question: How strongly do you agree or disagree with the following statements?

SOURCE: World Economic Forum/comScore survey on Norms and Values in Digital Media, November, 2013 & November, 2014

**Figure 9: Consumer perceptions about laws (% agree/strongly agree)**

	Brazil	Turkey	U.K.	Indonesia
<b>Statement<sup>1</sup></b>				
- There should be laws that give artists and creators control over how their work is used and shared online	47	51	47	74
- There should be laws which are effective in creating an environment where online content creators can make money from their creations	52	46	35	77
- There should be laws that protect my ability to access content online	45	49	34	58
- I feel like I am able to use and share content online the way I want to	27	31	33	78
- There should be laws that protect my ability to use and share content online the way I want to	43	48	33	64
- The current laws that protect my ability to access content online function well	24	20	21	29
- The current laws are effective in creating an environment where online content creators can make money from their creations	21	24	18	37
- The current laws that give artists and creators control over how their work is used and shared online function well	19	21	17	30

<sup>1</sup> Question: How strongly do you agree or disagree with the following statements?

SOURCE: World Economic Forum/comScore survey on Norms and Values in Digital Media, November, 2013 & November, 2014

**Figure 10: Awareness of laws or regulations when accessing online content (% aware respondents)**

	Brazil	Turkey	U.K.	Indonesia
<b>Statement<sup>1</sup></b>				
- Music downloads from digital media libraries like iTunes	55	44	46	27
- Video downloads from digital media libraries like iTunes <sup>2</sup>	60	52	41	22
- Music downloads from specific artists' websites	53	51	34	28
- Music downloads from peer-to-peer platforms such as torrent sites <sup>3</sup>	32	33	NA	NA
- Video downloads from peer-to-peer platforms such as torrent sites <sup>3</sup>	44	41	NA	NA
- Photo downloads from search engines like Google or Yahoo!	52	56	21	47
- Photo downloads from image search sites (e.g. Compfight)	52	47	18	17
- News stories or clips from global news websites like BBC or CNN	41	35	16	19
- News stories or clips from national news websites like UOL or Hurriyet TV4	41	53	14	33
- News stories or clips from local news websites like Estadão or Mynet	38	51	10	16
- Icon downloads from search engines like Google or Yahoo!	52	61	10	37
- Icon downloads from icon search sites (e.g. iconfinder)	41	30	9	8

<sup>1</sup> Question: For each of the following types of creative content listed below, please indicate if you are aware of any laws or regulations that you need to follow when you are accessing the content. Please select all that apply.

<sup>2</sup> "Movie" changed to "video" in 2014 survey

<sup>3</sup> Answer choice not provided in 2013 survey conducted in U.K. and Indonesia

<sup>4</sup> Examples localized for each respective country

SOURCE: World Economic Forum/comScore survey on Norms and Values in Digital Media, November, 2013 & November, 2014

**Figure 11: Consumer sharing habits (% of respondents)**

	Brazil	Turkey	U.K.	Indonesia
<b>Consumers who share creative content on Internet:<sup>1</sup></b>				
<b>Common activities among respondents who share content online:<sup>2</sup></b>	64	56	26	68
- I post creative content on social media (e.g. Facebook, Twitter)	75	72	69	80
- I share creative content via e-mail	45	39	38	57
- I post creative content on blogs	19	17	27	35
- I transfer creative content to other users through sharing devices (e.g. USB sLck, CD)	36	32	22	40
- I share videos, arLcles, books, music, or news arLcles through subscriPLon services	18	12	19	26
- I share creaLve content via instant messaging (e.g. Yahoo Messenger)	27	35	18	39
- I share creaLve content through online groups (e.g. Google Groups)	25	26	18	31
- I transfer creaLve content to other users through file sharing websites (e.g. Dropbox)	18	17	16	20

<sup>1</sup>Question: Do you share creative content on the Internet? By sharing creative content, we mean posting, emailing, transferring, or sharing videos, books, articles, music, or news articles online through subscription services.

<sup>2</sup>How do you share creative content (e.g. movies, TV shows, books, or music) on the Internet?

SOURCE: World Economic Forum/comScore survey on Norms and Values in Digital Media, November, 2013 & November, 2014

**Figure 12: Consumer sharing habits (continued) (% of respondents)**

	Brazil		Turkey		U.K.		Indonesia	
<b>Activities<sup>1</sup></b>								
- I transfer creative content to other users through sharing devices (e.g. USB sLck, CD)	71	29	72	28	46	54	70	30
- I share videos, articles, books, music, or news articles through subscriPLon services	46	54	47	53	51	49	64	36
- I share creative content via instant messaging (e.g. Yahoo Messenger)	83	17	82	18	56	44	71	29
- I share creative content through online groups (e.g. Google Groups)	73	27	70	30	57	43	77	23
- I transfer creative content to other users through file sharing websites (e.g. Dropbox)	72	28	62	38	59	41	64	36
- I share creative content via e-mail	74	26	80	20	62	38	73	27
- I post creative content on blogs	69	31	65	35	62	38	69	31
- I post creative content on social media (e.g. Facebook, Twitter)	84	16	86	14	78	22	80	20

■ Share free content    ■ Share paid content<sup>2</sup>

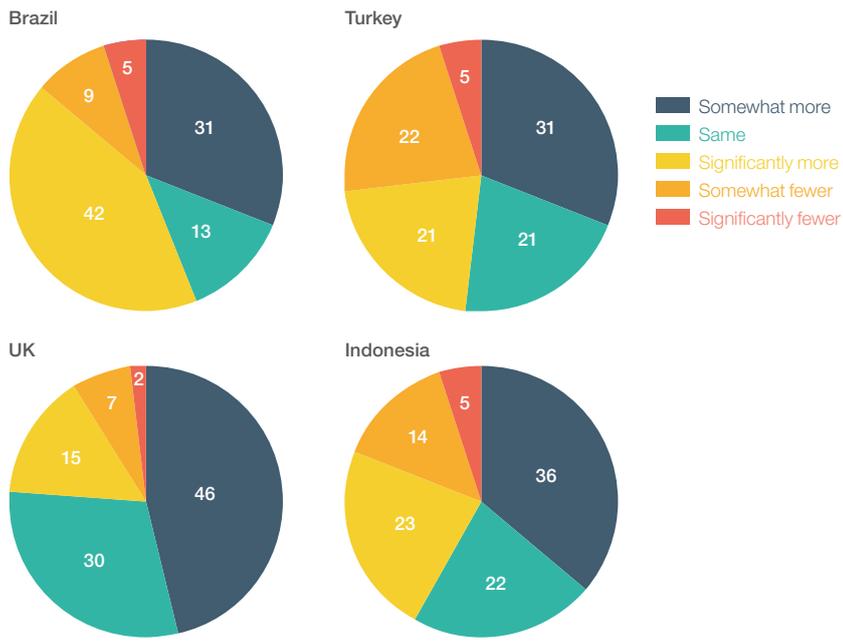
<sup>1</sup>Question: For each option below, please indicate whether you share creative content (e.g. movies, TV shows, books, or music) you find for free online, content you pay for, or both free and paid content.

<sup>2</sup>Includes respondents who reported sharing only paid content, and respondents who reported sharing both paid and free content

SOURCE: World Economic Forum/comScore survey on Norms and Values in Digital Media, November, 2013 & November, 2014

**Figure 13: Consumer sharing habits (continued) (% of respondents)**

Amount of content shared by consumers today versus 5 years ago<sup>1</sup>:



<sup>1</sup>Question: Compared to 5 years ago, do you now share fewer or more videos, books, songs, or news articles on the Internet?

SOURCE: World Economic Forum/comScore survey on Norms and Values in Digital Media, November, 2013 & November, 2014

# Endnotes

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