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Copyright Law Enforcement

Over the years, piracy has become rampant among all parts of the world and all types of media. This is due in part to advances in technology; piracy has become much easier with the advent of websites and applications dedicated to the subject. As computers become much more widespread, piracy of software has become much more widespread. In China, Russia, and Vietnam, the piracy rates of certain products are eighty percent, sixty-eight percent, and eighty-five percent, respectively (Nill 1). Piracy law should be more strictly enforced worldwide; piracy detracts from potential revenues, violates copyright law, and damages artists and companies.

Proponents of piracy argue many legal and economic motives. The most widespread argument is that piracy does not harm anyone. An exact copy of an item, produced at zero cost and with no direct effect on the original item, does not constitute stealing. This logic does not appear fallacious when applied to physical objects such as cars and televisions. Another argument states that some software is incredibly expensive. Sana El Harbi states, “The retail price Microsoft charges for signature products such as Windows and Office – as much as \$669, depending on the version – can rival the average annual household income in some developing countries” (Harbi 2). Many people across the world view piracy as their only option; they would be forced to forego basic necessities otherwise. Many people believe that copyright legislation infringes on their right to own purchased products. They argue that they should be free to distribute a purchased product to whomever they choose because they are not stealing a tangible product; the product was copied rather than taken from its owner.

Despite these claims, piracy's effects are much more severe than its proponents argue. It results in the loss of billions of dollars in revenue and damages every country's economy. The annual loss in the United States is estimated to be an astounding 7.6 billion dollars (Nill 1). This means that every year companies in the United States lose a potential revenue of 7.6 billion dollars. The Motion Picture Association of America estimates that the United States loses at least three billion dollars per year in movie industry revenue. This is about thirty percent of the industry's total revenue of ten billion dollars (Vany 1). Arthur Vany states, "Revenues lost to piracy are difficult for the motion picture industry to absorb because most movie projects are not profitable and a handful of extraordinary successes drive total profit" (Vany 1). Vany goes on to state that these successes are the most likely targets of pirates and thus the impact on profit is very large. Movies earning an incredible amount of profit lose much more potential profit than movies losing money because pirates tend to target successful movies. This specific example can be generalized to most digital media. Both pirates and consumers share consumption trends; both groups desire high quality products over low quality products. Thus, a product is more likely to be targeted if it is successful. High grossing movies and computer programs will also attract more illegal downloads. Profits of successful digital media are significantly diminished by piracy. If governments effectively enforced copyright law, companies' profits would increase by drastic amounts.

Piracy is illegal in most countries in the world. Laws are meant to govern everyone, even those who disagree with their stipulations. People who argue that such laws are unethical and restrict freedom must comply. The Digital Millennium Copyright Act governs the United States and its piracy policies. This law attempts to prevent copyright infringement in the United States.

Most of its provisions apply to software piracy and these provisions aim to protect from software piracy. The penalties outlined in the law include fines and potential jail time, yet enforcing the law is nearly impossible. Tracking the massive amount of pirates and preventing potential pirates would need intrusive legislation harmful to basic freedoms. One proposed piece of legislation was known as the Stop Online Piracy Act (SOPA). This popular legislation would directly block access to websites known for piracy and shut down websites found to harbor copyrighted content. Many people believe this was a form of censorship and thus illegal under U.S. law because its stipulations were too broad and promoted corruption and misuse (Samuelson 3). Pamela Samuelson asks, “If Viacom tells YouTube it has found infringing clips of South Park shows on its site, does YouTube become a site dedicated to the theft of Viacom’s property if it does not investigate these claims” (Samuelson 3). Samuelson illustrates the subject of corporate misuse. Companies may instigate claims of piracy. The prohibition of piracy is already sufficiently covered under the Digital Millennium Copyright Act; additional legislation creates additional problems. Copyright law must be revised in a manner that does not encourage corruption and further harm industries.

Because piracy detracts from the profits of companies and artists, it stifles creativity. For example, if potential music artists realize they will earn less revenue from songs they produce, less music projects will be undertaken (Harbi 2). Sana El Harbi states, “Compared to originals, pirated goods are likely to be inferior goods. Indeed, they are imperfect substitutes and have lower quality” (Harbi 2). These illegitimate products may have viruses attached, missing functions, or lack the ability to update. These inferior products hurt creators’ reputations and diminish potential sales. Reputations can sometimes determine whether an individual purchases

a product; tarnished reputations will yield less sales. Ultimately, this will weaken economies and limit the choices of the populace.

Piracy is rampant across the world and steps should be taken to enforce laws that prohibit it. By decreasing companies' potential revenues and profits, it damages the economy and hurts creativity by these companies. Reputations of individuals and companies are also damaged by copyright infringement. Because all laws are inherently meant to be enforced, copyright law must follow suit. Individuals need more disincentives to steal intangible goods such as software, music, and movies; violating a copyright is done in a matter of seconds at no expense to the infringer. Copyright law should be more stringently enforced to prevent the myriad of damages of piracy.

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