

Digital Rights Management does not replace understanding

Copyright issues were largely ignored in the German media 2003 - 2006

The new copyright law strongly bolsters commercial providers of intellectual property, whether in the area of software, music, movies or consumer goods. In the case of digital content, the tool for enforcing the new protection rights is supposed to be Digital Rights Management (DRM). This relates to the technical security measures, which serve to limit the use of digital content to those who acquire a license. Possibilities are in the hardware design, such as regulating the analogue outputs of DVD players, or in software design that limits and impedes copying.

However, the dilemma of piracy and misuse persists – despite all DRM measures. In many cases, a boomerang effect can be observed: More often than not, the measures against illegal copying also limit the legitimate and legal use of products, and consumers feel increasingly irritated. At the same time, they make illegal copies more attractive, since those can be used without technical limitations.

Apart from DRM, there are also more and more attempts at combating the problem of illegal copying with measures that many used to think had gone out of existence: The consumers' plain good sense. For several years now, eye-catching and controversial "illegal copiers are criminals"-campaigns, waged by the movie industry, let volunteers try out a mobile prison cell, in order to

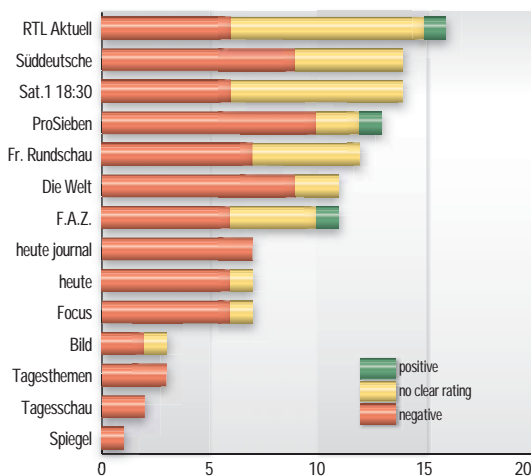
experience the hazards of professional illegal copiers. The campaign "Respect the Music" by the music industry has a more conciliatory approach and seems to put more trust in the consumers' maturity. It argues against punishments and coercive measures, and for public discourse, in order to put in place a fair system for remunerating digital content on a consensual basis.

Yet it is impossible to create awareness for the problem without sufficient attention. The media, in spite of being heavily affected themselves, have provided little room to this problem. The 14 most important opinion leading German media, from January 2003 till October 2006, published no more than 166 news stories that focused on copyright infringements in their politics and business sections. On average, this corresponds to one news story every three months per medium. The problem, which is one of the most controversial of the New Economy, thus remains far below the awareness threshold.

Protecting their own turf

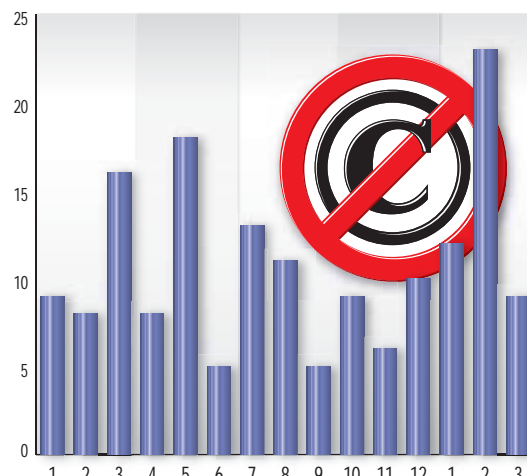
At this overall low level, however, there are significant differences across the media. The problem of copyright seems to be of particular concern to media outlets, whose parent companies, apart from journalism, are also involved in business with intellectual property. Copyright infringements were most frequently tackled in the news programs of **RTL**, which belongs to Bertelsmann.

1) Below the awareness threshold even at peak times



Coverage on copyright infringements by media

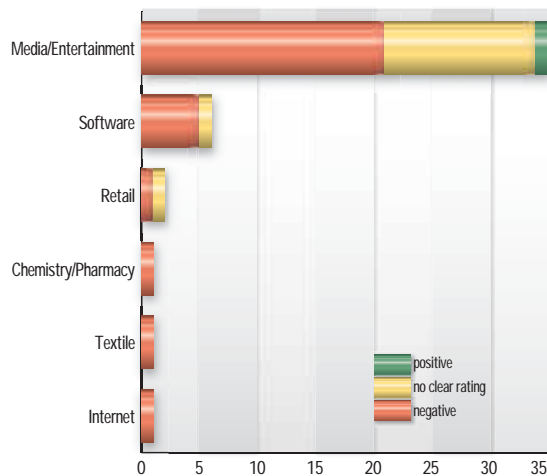
Source: Media Tenor 01/01/2003 - 10/31/2006



Coverage on copyright infringements in each quarter

Basis: 2.082 reports on Apple, 3.982 on Microsoft in 19 media

3) Damage just for the entertainment industry?



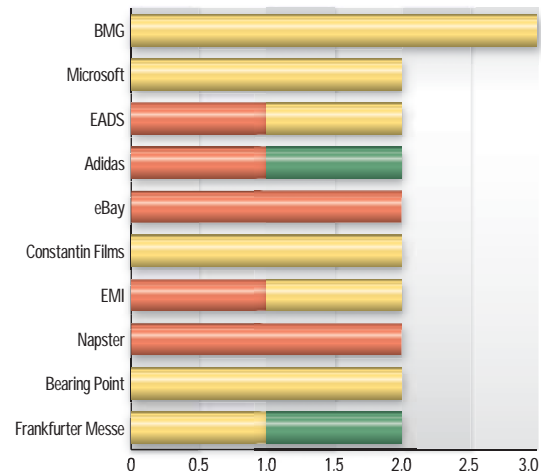
Coverage on copyright infringements by industry sectors

Source: Media Tenor

01/01/2003 - 10/31/2006

It does not seem too far-fetched to suggest that **RTL** is more interested in the issue because of plummeting sales at **BMG** than for purely journalistic reasons. The other two private news programs of the media outlets analyzed, **SAT.1 News** and **ProSieben Newstime**, almost attribute the same importance to the topic. The four major national dailies published just a little more than ten stories each – in almost four years. With the exception of the **Süddeutsche Zeitung**, their interest still lags behind that of the private television stations.

It is therefore not surprising that the problem is perceived to be one of the entertainment industry. Apart from the media and publishing sector, stories on copyright infringements occasionally mentioned the software industry as well. Counterfeiting in the textile industry or industrial espionage in the chemical and pharmaceutical industries were of even lesser interest to the media. Thus there is no realization that intellectual property is not only of paramount importance to artists, but also for a majority of the most important industrial branches. Many readers have no reason to identify with the issue, although they are possibly confronted with it on a daily basis.



Coverage on copyright infringements by companies

Basis: 166 stories on copyright infringements in 14 Media

Comprehensive solution required

If the Internet continues to evolve at the current pace, it becomes more and more critical to find a solution that takes the copyright owners' justified interests into account, while being equally accepted by the public at large. Systems like DRM ultimately cannot prevent illegal copying. They simply punish honest users and cannot be a long-term solution.

As long as a large part of the population does not recognize the value of immaterial goods, you cannot arrive at a consensus on an acceptable solution. A positive outcome in the sense of copyright protection is only likely when more people, apart from those immediately affected, understand the importance of intellectual property in a modern society. It is in the interest of all media professionals, and not only of those working for private television stations, to encourage a society that will guarantee copyright protection without relying on restrictive DRM regulation. (me)

Basis:

Media: Welt, FAZ, SZ, Fr. Rundschau, Bild, Tagesthemen, Heute Journal, RTL Aktuell, Sat.1 18.30, Tagesschau, Heute, ProSieben, Spiegel, Focus

Period of analysis: 01/01/2003 – 31.10.2006

Analysis: 166 stories on copyright infringements