

Awareness on Copyright among Students

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ABSTRACT

Copyright refers to the rights of the authors over their literary and artistic works. This legal term protects the owner of their copyrighted work from being infringed by others. Infringement happens when the work of the original authors being used in verbatim without acknowledging the owner's right. University students are exposed to copyright each day especially in their submission of assignments. Students may directly or indirectly infringed the work of the original authors when they did not properly quote or acknowledge the work of the original authors. Fair dealing is an exception to the copyright infringement as well as a defence in the proceedings involving copyright. Lack of awareness on law relating to copyright among students will lead to plagiarism. This study evaluates whether knowledge of copyright law, awareness of fair dealing and knowledge of fair dealing have effects on the awareness on copyright among students. The approach taken was based on the responses received after the respondents attended a consumer talk focusing on the copyright issues. Findings from the survey shown that knowledge of fair dealing and knowledge of copyright law contribute to the awareness on copyright among students. This paper recommends further research on the type of infringements among students and the causes that leads to such illegal actions.

Key Words: Copyright, fair dealing, knowledge, awareness, students

1. INTRODUCTION

Copyright is a legal term to delineate the creators' rights over their literary and artistic works which incorporating books, music, paintings, sculpture, films, computer programs, databases, advertisements, maps and technical drawings. Unauthorised use of copyright material which violates the creators' exclusive right to produce or to make derivative that build upon it is known as copyright infringement (Aboyade et. al, 2015). An example of a copyright infringement is plagiarism in which the original works of the creator was violated by using all or any part of the works, either verbatim or with trivial changes (Isiakpona, 2012). Copyright infringement is familiar among undergraduate students where according to McInnis and Devlin (as cited in Tella & Oyeyemi, 2017), copyright infringement may take place with different intent and it can range from deliberate fraud to negligence or accidental failure to acknowledge sources when paraphrasing from original sources and misunderstanding about conventions of academic reference.

However, there are circumstances where the public can use author's work without infringing it. One of the exceptions to copyright infringement is fair dealing. Fair dealing should be given liberal interpretation as it is dealing with user's right, which is an integral to copyright law as the rights of copyright owners (Aboyade et. al, 2015). Among the prominent examples in fair dealing is when one making single copies of published works for personal and private use and the use of works in the media of articles of broadcasts on current economic, political or religious topics. It is becoming increasingly difficult to ignore since Malaysia and other countries around the world are facing copyright infringements in the global rise of digital information. According to Ismail & Zakuan (2019) there are two factors contribute to the copyright infringements which are quick access to the internet and advancement in peer-to-peer file sharing systems that caused rampant distribution copyrighted material illegally through the campus network (Gerlach et. al (2009) as cited in Ismail & Zakuan, 2019).

In Malaysia, the establishment of Intellectual Property Corporation of Malaysia or MyIPO and the Copyright Act 1987 serve as the avenue to solve the problem as well as raising legal awareness in educating the students on copyright infringement as mentioned by Dryden (2013) cited in Ismail & Zakuan (2019). Therefore, in order to avoid copyright infringement, the society must obey the law but not before they are aware of the law. As copyright is not an emerging issue, students may be aware of the copyright protection in its conventional forms. They may be aware that it is illegal to photocopy a book or to buy pirated CDs. With the advancement of information and communication technology, however, these conventional forms of copyrighted works are also available online. This means that anyone can access to the copyrighted works in the form of digital contents, such as e-books, e-magazines, music, film, and computer programs at anytime, anywhere (Ismail & Zakuan, 2019).

Following this critically, one can therefore hypothetically attribute the cause of plagiarism in academic institutions is due to lack of awareness of copyright among students (Glover et. al, 2016). Previous studies help to understand what triggers the students to commit copyright infringement. Hence, this study is meant to evaluate the awareness on copyright among students in relation to their submission of assignments and tasks to their respective university. Thus, a study on the issues relating to the awareness of copyright need to be conducted to ensure that a proper legislation on copyright law could be implemented in education line in resolving the issue of copyright infringement and also to safeguard the rights of the real owners. In fact, the researchers opine that the awareness on copyright helps the students to minimize the usage of copyright works and increase the submission of original works to the university.

2. LITERATURE REVIEW

2.1. Knowledge of Copyright Law

Ahmadi and Sonkar (2015) viewed that copyright is considered as an important intellectual properties by awarding the exclusive rights to the author of creative work to reproduce the work in any form. Copyright stands as a protection for the creative labour which belongs to the original author of the subject matter. Nasir et.al, (2007) mentioned that copyright owners may take a legal action in the event of copyright infringement. The authors viewed that copyright owners are entitled to seek for a redress mechanism in cases of the breach of copyright by using a proper legislation. The authors also viewed that most of the respondents in their studies are confused between copyright, patent and trademark protection as trademark and patents are more well-known as compared to copyright in digital environment. Further, according to their studies, many of the respondents describe copyright protection and commercialisation is still at infancy stage.

According to Tella & Oyeyemi (2017), undergraduate students may infringe on copyright law if copyrighted works are reproduced, distributed, performed, publicly displayed, or made into a derivative work without the permission of the copyright owner. This is to show that knowledge about copyright is important to be understood by the students to avoid them from involving in that illegal act. Tella & Oyeyemi (2017) further recommended the original author to reduce the cost of their textbooks to help reducing the rate of piracy in higher institution. Further, all relevant sources must be equipped to the library to enable the students to get a quick access to all information at any time. This is to ensure that

students will be able to access all information needed through a proper avenue without the need to infringe any copyrighted works.

2.2. Awareness of Fair Dealing

Fair dealing is a predominant concept in copyright law. In Malaysia, the copyright law is governed by the Copyright Act 1987 and the principle of fair dealing is an exception to the rights of copyright owner which is particularly stated under section 13 of the aforesaid Act (Abdul Aziz, 2009). Fair dealing allows reproduction in copyright work but only limited to certain purposes. Abdul Aziz (2009) highlighted that the right to utilise the copyrighted work such as for academic research and private study will give benefit to the public as well as to maintain the privileges of the copyright owner. In addition, fair dealing is also known as a part of defences available in the law of copyright in relation to an action brought against copyright infringement (Ahmadi & Sonkar, 2015).

In order to avoid any infringement to copyright work, the public must aware of the principle of fair dealing. Thus, raising awareness of fair dealing among students is very important as it may control them from leading to plagiarism offences. A study by Ahmadi & Sonkar (2015) found that 66% of the doctoral students of Babasaheb Bhimrao Ambedkar University, Lucknow are aware about fair use while 10% are unaware. In keeping with these finding, the researchers reported that 10% of the doctoral students are aware that the private study is an integral part of fair dealing and it does not fall under infringement of copyright (Ahmadi & Sonkar, 2015). Hence, if the students are aware of the concept of fair dealing, they will limit the utilisation of the copyrighted work only for education purposes.

Sritharan & Manickam (2013) found that learners were not aware of the materials that can be used for private study. This indicates that learners still lack of awareness of fair dealing. Moreover, Marshall (2005) as cited in Sritharan & Manickam (2013) says that misunderstanding and lack of awareness of the concept of fair dealing may lead to copyright infringement among students. Since the concept of fair dealing has been portrayed as a defence against the copyright infringement, the students must be adequately aware of this principle and therefore the universities must play important role to educate students on the fair use, copyright and plagiarism in academic works.

2.3. Knowledge of Fair Dealing

Copyright law was established to protect the work of the authors and fair dealing is a defence to justify the usage of the author's work. However, copyright violation and misunderstanding of fair dealing could lead to copyright infringement by the learners (Krishnaveni Sritharan & Manickam, 2013). According to the research conducted by Henderson et al. (2019), fair dealing was an integral part of copyright law. The defence of fair dealing is permitted for the purposes of private study, non-profit research, criticism, review and reporting for current events and apparently no other (Tee, 2004).

The Malaysian Copyright Act 1987 was amended in the year 2012 to extend the exception of 'fair dealing' in research purposes (Wahid, Madieha, & Ghani, 2020). Based on the findings from the research conducted by San (2015), the practice by instructors of selecting only those parts of the resources which are relevant and then saving into their respective files is legally permissible as it would fall within the fair dealing provision in Section 13(2)(a) of the Copyright Act 1987. Further, fair dealing for the purposes of research, private study, criticism or review or reporting of news or current events does not tantamount to an infringement of copyright as long as the usage of the author's work is accompanied by acknowledgement of the title of the work and its authorship in the proviso to the section 13(2)(a) of the Copyright Act 1987.

2.4. Awareness on Copyright

High cost of textbooks, lack of awareness of the principle of plagiarism, free copying from internet, academic research pressure, peer pressure, easier access to the information needed, lack of awareness about what is correct or wrong on the Internet, and misconception about copyright law as it applies to internet content were the factors that lead to copyright infringement (Igudia & Hamzat, 2016). Education institution did not have an expert in copyright which further contributes to the lack of awareness among

students (Charbonneau & Priehs, 2014). Dutta & Paul (2014) suggested that any form of awareness-raising campaign can help to increase interests in copyright.

In a study done by Sritharan et. al (2015) they found that the respondents' statements about awareness of copyright law were not in line with the actual results of the survey conducted. They suggested that institution and educators need to be more vigilant in inculcating appropriate attitudes to copyright law in order to avoid widespread infringements when students are in the process of producing their own work. The increasing awareness on copyright law and possible punishment for violating the law was rated as the most fundamental way of reducing copyright infringement (Tella & Oyeyemi, 2017).

3. RESEARCH METHODOLOGY

This study was purely quantitative where an online survey instrument was given to students of Universiti Teknologi MARA, Cawangan Negeri Sembilan, Kampus Seremban, Negeri Sembilan who attended a Consumer Talk 3.0 on 28 November 2019. A total of 170 students from 200 students responded to the survey given after the talk which discussed on issues relating to copyright law. The questionnaires which were adapted from the study done by Sritharan & Manickam (2013) were divided into two sections where section A consists of the demographics of the students such as gender, age, and the program attended.

In section B of the questionnaires, a total of 18 items were divided into categories such as knowledge of copyright law, awareness of fair dealing, knowledge of fair dealing, and awareness on copyright. All the items in Section B were assessed using 4-points Likert Scale (1=Strongly disagree, 2=Disagree, 3=Agree, 4=Strongly agree). Statistical Package for Social Science (SPSS) version 24 was used to analyse the data. The following hypothesis have been formulated for this study:

H1: There is a significant relationship between knowledge of copyright law and awareness on copyright.

H2: There is a significant relationship between awareness of fair dealing and awareness on copyright.

H3: There is a significant relationship between knowledge of fair dealing and awareness on copyright.

4. RESULTS & DISCUSSION

Table 1 shown the profiles of respondents which involved 26 male (15.3%) and 144 female (84.7%) respondents. All of the male respondents were from aged 18-20 years (n=26, 100%) while within the female respondents mostly aged 18-20 years (n=134, 93.1%), followed by aged 21-23 years (n=8, 5.6%) and only two female respondents aged below 18 years (n=2, 1.4%). In this study, majority of the respondents were diploma students where within the male population, the diploma students (n=22, 84.6%) were more than degree students (n=4, 15.4%). As for the female population, the number of diploma students (n=108, 75%) were also more than the degree students (n=36, 25%).

Table 1: Profile of Respondents

Profile	Male		Female	
	Frequency (n)	Percentage (%)	Frequency (n)	Percentage (%)
Total Respondent	26	15.3	144	84.7
Age				
Below 18 years	0	0	2	1.4
18 – 20 years	26	100	134	93.1
21 – 23 years	0	0	8	5.6
Program				
Diploma	22	84.6	108	75
Degree	4	15.4	36	25

The data was further analysed using Cronbach Alpha in order to test the reliability of the questionnaires. The widely accepted cut-off score is that Alpha should be 0.60 or higher (Sekaran & Bougie, 2016). Hence, based on the Table 2 below, it can be concluded that all the variables in this study were found to be good and reliable.

Table 2: Reliability Test Result

Variables	Cronbach's Alpha	No. of Items
Independent Variables:		
Knowledge of copyright law	0.790	4
Awareness of fair dealing	0.673	4
Knowledge of fair dealing	0.771	4
Dependent Variable		
Awareness on copyright	0.889	4

Pearson correlation is used to examine the relationship between the three independent variables (knowledge of copyright law, awareness of fair dealing, knowledge of fair dealing) with the dependent variable (awareness on copyright). Table 3 below shows relationship between the variables and its relationship with deterrence.

Table 3: Pearson Correlation Analysis

Variables	Awareness on copyright	Significant
Awareness on copyright	1.000	.000
Knowledge of copyright law	-0.311	0.000
Awareness of fair dealing	-0.038	0.621
Knowledge of fair dealing	0.526	0.000

Significant (p-value 0.05)
 Source: SPSS Analysis

The variable knowledge of copyright law (-0.311) and awareness of fair dealing (-0.038) shown that those variables were negatively related to the variable awareness on copyright. However, the variable of awareness of fair dealing is not significantly related to awareness on copyright. Thus, based on the above table 3, the independent variable of knowledge of copyright law is negatively significant to the dependent variable of awareness on copyright and the independent variable of knowledge of fair dealing (0.526) is positively and significantly related to the dependent variable awareness on copyright.

A regression analysis was conducted to identify which variables have impact on dependent variable of awareness on copyright. Based on the Table 4 below, only the independent variables knowledge of copyright law and knowledge of fair dealing have impact on the on the dependent variable of awareness on copyright. The model was significant, $p < .000$ with the independent variables explained 29.6% of the variance. The standardised coefficient beta for variable knowledge of fair dealing (.476) indicate that this factor make the largest contribution to the dependent variable awareness on copyright, followed by the independent variable of knowledge of copyright law (-.148).

Table 4: Regression Analysis

Model	R	R Square	Adjusted R Square	Std. Error of the Estimate	F	Sig.	
1	.544 ^a	.296	.284	.53051	23.295	.000	
Coefficients^a							
Model		Unstandardised Coefficients		Standardised Coefficients	T	Sig.	Results
		B	Std. Error	Beta			
	(Constant)	2.428	.416		5.835	.000	
H1	Knowledge of copyright law	-.173	.082	-.148	-2.012	.037	Accept
H2	Awareness of Fair Dealing	.004	.094	.0003	.041	.968	Reject
H3	Knowledge of Fair Dealing	.499	.073	.476	.476	.000	Accept

a. Dependent Variable: Awareness on copyright
 Source: SPSS

Students are exposed to day to day copyright infringements particularly involving submission of assignments. Special session should be conducted on the writing skills which will not infringe the work of others. Students should be informed of the Copyright Act 1987 particularly on the acts which may lead to infringement. In fact the results of the data analysed shown that knowledge of copyright law affects the awareness of copyright among students.

The other predictor which has a significant positive effect of the awareness of copyright among students is the knowledge of fair dealing. Students should also be informed of the acts that tantamount to fair dealing which is the exception to the copyright infringement. Sufficient information on the fair dealing which include the characters, natures and other dealings in accordance with the Copyright Act 1987 should be disseminated to students at the beginning of semester. Students will be more vigilance in their submission of works for fear of punishment arising from contravening the legislation.

5. CONCLUSION AND RECOMMENDATION

Early dissemination of information on copyright is a good method of creating awareness among students on infringement of copyright. Introduction on copyright law, fair dealing and sanctions on contravention of legislation is sufficient to make the students aware of their conduct. A good implementation by education institution on copyright legislation helps authors to preserve their copyrighted works from being infringed. The paper recommends further research on the type of infringements among students and the causes that leads to such illegal actions.

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