

VILNIUS UNIVERSITY

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DIGITAL PIRACY MANAGEMENT IN CREATIVE CONTENT
INDUSTRY

Summary of Doctoral Dissertation
Social Sciences, Management (03S)

Kaunas, 2015

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The official defense of the dissertation will be held at 11 hour on 22th of June, 2015, in public session of the Council of Management Science trend in the auditorium no 10 at Vilnius University, Kaunas Faculty of Humanities

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The summary of doctoral dissertation was sent-out on 22th of May, 2015.

The doctoral dissertation is available at the library of Vilnius University

VILNIAUS UNIVERSITETAS

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SKAITMENINIO PIRATAVIMO VALDYMAS KŪRYBINIO TURINIO
INDUSTRIJOJE

Daktaro disertacijos santrauka
Socialiniai mokslai, vadyba (03S)

Kaunas, 2015

Disertacija rengta 2008–2014 metais Vilniaus universiteto Kauno humanitariniame fakultete.

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Disertacija bus ginama viešame Vadybos mokslo krypties tarybos posėdyje 2015 m. birželio mėn. 22 d. 11 val. Vilniaus universiteto Kauno humanitariniame fakultete, 10-toje auditorijoje.

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Disertacijos santrauka išsiuntinėta 2015 m. gegužės mėn 22 d.

Disertaciją galima peržiūrėti Vilniaus universiteto bibliotekoje

SUMMARY OF DOCTORAL DISSERTATION

INTRODUCTION

Problem formulation: creative content industry, the main product of which is copyrighted works of a different form and use, is inseparable from the protection of intellectual property issues, the relevance of which is directly related to the size and development of the creative content industry. Protection from unauthorized use or reproduction of copyrighted works, regardless of their form, content or nature, is largely dependent on the possibilities for unauthorized use or reproduction of these works. Over the past two decades, due to the rapid expansion of the Internet and spread of the digital format of informational products (music, movies, books and software), consumers have increased their possibilities to reproduce and distribute various copyrighted material without lawful consent of the author. Easy transfer of the creative content into the digital space and opportunities to reproduce and distribute the copyrighted material in digital form creates a distinctive medium for a spread of creative content industry products, which was formed as a result of a relatively new phenomenon – digital piracy.

Digital piracy, associated with any kind of copyrighted material distribution in digital channels without the consent of the authors, is a major economic problem for the creative content industry, because digital piracy has become to consumers of this industry products a mean to reduce significantly the cost of creative content products and use a considerably wider range of such works than it was usual earlier, before spreading creative content in the digital space.

With the prevalence of the Internet and the development of various information transfer and sharing among users, the user cost in sharing a variety of creative content has become minimal, and this is what used to be ignored by the creative content industry as a natural phenomenon (for example, sharing the Videothèque with friends), turned into a problem that has become impossible to ignore, and which solution possibilities directly associates itself with a threat for a long-term existence of the creative content industry.

According to M. Alvisi, E. Argentesi and E. Carbonara (2002), S. H. Bae and J. P. Choi (2006), T. Regner and J. A. Barria (2009), T. P. Cronan and S. Al-Rafee (2008),

C. W. L. Hill (2007), L. Aguiar and B. Martens (2013), digital piracy should be treated as a new phenomenon, which highlighted a problem previously deemed as insignificant sharing of copyrighted material among the users. Before the era of digitalisation users also had shared a variety of copyrighted material without permission of the authors, however, such sharing was limited physically (consumers had limited ability to reproduce copyrighted material and could only give each other the same copy of the work, protected by a specific physical format), therefore its prevalence and influence on revenue of the creative content industry was not considered as significant. As long as the production of creative content industry has not been moved into the digital space, sharing of copyrighted material among the users caused to consumers both, positive and negative consequences: the user, transferred the work to another user, could not use the same work. In the digital space, when reproduction of copyrighted material has become very simple, such sharing of copyrighted material between users eliminated the negative consequences for the users: they could use acquired copyrighted material for their own purposes and at the same time distribute an unlimited number of copies to other users. In this way, the sharing of copyrighted material has become quite a problem for creative content industry, having a significant impact on the industry revenue.

Digital piracy and its impact on the creative content industry and profits are studied by many scientists around the world. The most famous researchers of digital piracy should be considered M. Alvisi, E. Argentesi and E. Carbonara (2002), P. Belleflamme and M. Peitz (2010), I.E. Novos and M. Waldman (1984), W.R. Johnson (1985), S.H. Bae and J.P. Choi (2006), who, despite the differing concepts of digital piracy, in most cases focus on the assessment of the negative impact of digital piracy. Damages generated by the digital piracy are also analysed by various organizations: the World Intellectual Property Organization (WIPO), the Business Software Alliance (BSA), the Recording Industry Association of America (RIAA), the Association of Lithuanian Antipiracy Activity (LANVA) et al., which mostly investigate digital piracy with the clearly expressed goal – to ensure the income of the authors from distribution and use of their copyrighted material.

Mostly, digital piracy as a negative phenomenon is negatively evaluated in many countries of the world, so the focus in this area is mainly on the limitation of digital piracy adopting stricter laws on copyright, warning or punishing consumers for digital

piracy activities. Highly active steps are applied in countries of high economic level: this is partly due to large amount of computer and Internet users, but also a big impact makes an active lobbying activity of creative content industry aimed at restricting or completely destroying the digital piracy as a phenomenon, thus protecting against reduction of income and profitability of copyrighted material creation.

However, as L. Aguiar and B. Martens (2013), P. Belleflamme, M. Peitz (2010) and A. Balestrino (2008) emphasize, two economic principles are often ignored in the space of the fight against digital piracy: business has to adapt to innovations and promote them; business has to take into account the needs and approaches of consumers. These principles should be considered as the fundamental axioms in the business world. Due to the changing consumer demands, creative content industry with the aim to limit digital piracy by prohibitions faces a big resistance of consumers who are customers of creative content industry organizations. Therefore, in this context, dilemma of damage of digital piracy and existing or potential benefit is eminently apparent.

Minimal barriers to digital piracy (easy access, great selection, unlimited Internet access, low probability of judicial responsibility) means that users engaged in digital piracy practically do not invest anything in a product and that leads to changes in consumption of the creative content industry products. New possibilities of digital space change consumers' habits: for example, today's consumer usually hears at least a few music records before he may purchase one of them. Such changes in consumption force to understand properly and summarize the existing attitudes, intentions and circumstances that influence the customers' motivation for digital piracy.

Current experience of creative content industry shows that digital piracy has not only a negative impact. As R. K. Chellappa and S. Shivendu (2005), A. Duchene and P. Waelbroeck (2005), F. Silva and G. Ramello (2000), T. Regner and J. A. Barria (2009) emphasize, due to free advertising provided by widespread piracy, concert organizers sell more tickets; digital software piracy for personal use brings to software producers more profit from their sales of software production to large companies; TV shows freely distributed on the Internet are rapidly becoming popular, circle of spectators is increasing, and finally, revenue is gained from advertising; free music-sharing between users allows reaching for new artists large audience quickly. Therefore, more and more

often opinion is heard that industries affected by digital piracy, actually, get a solid profit due to these sources of income.

It is therefore important and necessary to explore digital piracy not only from negative approach, but also to evaluate the advantages and the opportunities it creates. Some authors (Gopal, Bhattacharjee, Sanders, 2006; Chellappa, Shivendu, 2005; Duchene, Waelbroeck, 2005; Silva, Ramello, 2000; Regner, Barria, 2009) discuss the potential benefits of digital piracy, but the authors' opinion on them is different, and neither of the authors do not classify them. As a result, there is a need to structure and summarize the potential benefits of piracy and examine their impact on the creative content industry by empirical methods. Such a research makes it possible to form the new business models, focused on the digital piracy exploitation for income generating creative content.

The level of research of scientific problem: At the beginning of the formation of digital content industry, digital piracy was not evaluated as a phenomenon which requires particular attention, until it was realized that growing possibilities of the distribution of digital content started to restrict income opportunities for creative content creators. The increase in distribution of illegal music and other creative content industry products led to increased focus on digital piracy phenomenon in order to define its concept, manner of manifestation, and to analyse its restriction or control opportunities.

Perhaps the initial and most active investigations of digital piracy phenomenon were initiated by copyright protection organizations that were directly concerned with the reduction in volumes of digital piracy (BSA, IIPA, IFPI, LATGA-A et al), which mainly focused on search of solutions to reduce or eliminate the digital piracy. The research of organizations, mainly based on analysis of statistical information or consumer opinion surveys, usually emphasizes that the growing digital piracy reduces incomes of music industry, thus limitation of digital piracy would enable those revenues to increase. The research by C.W.L. Hill (2007), A. d'Astous et al. (2005), S. Hinduja (2003), T.P. Cronan and S. Al-Rafee (2008) may be attributed to this kind of studies, analysing the reasons why users are tend to digital piracy, and aiming to identify ways to limit such a tendency.

A significant impetus to the search for new business models, encouraging consumers to renounce voluntarily the use of illegal music had a study of L. Aguiar and

B. Martens (2013), initiated by the European Commission, and a study conducted by the Directorate General for Internal Policies of the European Union (2011). Contrary to the position of the copyright protection organizations, the opposite position was based on these studies that digital piracy does not have a significant impact on the music industry revenue, because digital piracy weakly correlated with the propensity of customers to buy music records after the elimination of the possibilities for digital piracy. It is namely this kind of studies led to the search of new business models and formation of the principles for new music records industry, excluding the idea to keep still prevailing principle of music distribution.

This position – that digital piracy should be reduced by offering new, consumer-friendly business models that would minimally alter existing patterns of consumption – is supported by other authors: P. Belleflamme and M. Peitz (2010), A. Balestrino (2008), L. Aguiar and B. Martens (2013), A. Duchene and P. Waelbroeck (2005), T. Regner and J.A. Barria (2009), which examined the causes of the digital piracy and impact on the digital content industry. This position allows looking for theoretical and practical assumptions oriented to digital piracy management in order to ensure income for the creative content creators, adapting to the existing consumer behaviour and the possibilities and limitations offered by the digital space.

Scientific problem of the thesis: The existing digital content consumption habits and simple availability of the creative illegal content reduce the possibilities for limitation of digital piracy with prohibitory or regulatory measures. This is related to both, the improving digital technologies, which enable users more easy access and use (and even provide to other users) of copyrighted works of different nature and format, and the definition of digital piracy, which in some cases even causes an adversarial principled consumer reaction. Such a context of creative content industry determines the need to find new business models that would not prohibit the use of illegal creative content industry products for users, but encourage the voluntary choice of legal creative content industry products instead of illegal products. So far prevailed business models for the creative content industry, based on the principle that a consumer must pay for each physically purchased product of the creative content industry (or a set of them) and only then he can listen to it, have become ineffective in the digital space.

Therefore, there is a scientific problem: what business model would be the most suitable for the management of digital piracy in the creative content industry in order to adapt to the existing habits of the digital content dissemination and consumption and ensure reasonable remuneration for authors of works.

The hypotheses of the research: Considering the raised scientific problem, the following hypotheses are formulated in this dissertation research:

- H1: Music industry users prefer free of charge content, thus the model for management of digital piracy in music industry should be targeted to minimization of the required expenses for users.
- H2: Consumer-friendly model for digital piracy management in music industry would have a positive impact on reduction of digital piracy, and the increasing tendency of consumers to legal music recordings.

The object of the research: Management of digital piracy in creative content industry.

The goal of the research: To analyse the possibilities for digital piracy management in creative content industry, introducing new business models.

The following tasks have been set:

1. To investigate the features of copyright protection and relevance of digital piracy limitation;
2. To examine the concept and the role of the digital piracy in creative content industry;
3. To examine the causes of digital piracy in creative content industry;
4. To analyse the theoretical business models for digital piracy management in the creative content industry;
5. To prepare the theoretical model of possibilities for digital piracy management;
6. To perform a review of research carried out on extent and nature of digital piracy in the world and Lithuania;
7. To analyse the existing empirical business models for digital piracy management in music industry;
8. To prepare a model for digital piracy management in music industry.

Methods of the research: The methods employed in the research are the following:

1. The following general science research methods are used: systematic, logical and comparative analysis of literature, documents and secondary data, and the theoretical modelling to carry out the analysis of the effects of theoretical piracy aspects on the creative content industry.
2. The systematic and comparative analysis methods, case analysis method and empirical research methods: a survey and interviews with experts were used to carry out a review of the research on digital piracy prevalence and management.

The novelty of the work: Scientific novelty of the dissertation research is described by the following aspects:

1. Features of digital piracy management in creative content industry were analysed, considering digital piracy not only as a harmful phenomenon to the copyright protection, but also as a revenue generating opportunity for creative content industry with exploitation of modern information technologies.
2. Theoretical model of options for digital piracy management was prepared, which should be treated as a theoretical basis for the search of digital piracy management solutions, adapting decisions of various models for presentation of creative content to the market.
3. Comparative analysis of digital piracy management cases was provided, which highlighted the existing strengths and weaknesses of business models for digital piracy management, and their suitability for the management of digital piracy from point of view of participants of creative content industry.
4. The approaches to options for digital piracy management (on a basis of an example of Lithuania) of the consumers and music industry experts were analysed, which revealed the preferences of users and experts in music industry related to digital piracy and its exploitation for income generation of music creators.
5. A model of digital piracy management in music industry was prepared, which focuses on earnings of music artists working in the industry exploiting the

possibilities of digital technology and minimizing the attractiveness of illegal music production and distribution from point of view of the consumers.

Theoretical and practical significance of the working results: The scientific significance of the thesis at the theoretical level is described by the following results:

1. Approaches of various authors to digital piracy and digital piracy management options with a focus on revenue generation using the existing digital piracy media are analysed and structured;
2. Theoretical model of digital piracy management options is prepared which includes possible alternatives of creative content presentation to the market, ensuring the commercial benefit for creative content creators and distributors.

The practical significance of the dissertation is revealed through the model of digital piracy management in music industry, and on basis of it, the opportunity to generate commercial benefits from digital records of music is realized, encouraging consumers to choose music files presented within the framework of this model instead of illegal ones, while maintaining the current level of customer satisfaction and ensuring acceptable distribution of music creators' works in the digital space.

The literary sources used in the research: The dissertation used various Lithuanian and foreign scientific literature in Lithuanian, English and Russian languages, informational references, documents, studies, statistics, research and review articles and monographs. It is mainly focused on foreign authors who examine the issues of digital piracy, especially of music industry.

The structure of the research: Dissertation research consists of three main parts:

1. The first part contains analysis of the digital piracy and theoretical aspects of its management, studying the essence of the copyright protection and digital piracy, its impact and management options in the creative content industry, options of business reorganization and piracy management modelling, and developing a theoretical model of options for digital piracy management.
2. The second part of the work presents analysis of case studies on the prevalence and management options of the digital piracy, review of existing studies on users of digital piracy in the world and Lithuania, analysing the

existing cases of digital piracy management, as well as discussing the results of empirical study on digital piracy management options in music industry.

3. The third part presents the prepared model for digital piracy management in music industry, discussing the aspects of applying the theoretical models of digital piracy management to music industry and presenting the structure of model for digital piracy management in music industry.

Work limitations and difficulties: During the preparation of a thesis, the most important limitation was a shortage of the detailed and reliable information on the prevalence of digital piracy and the extent of it. Possibilities for accounting of digital piracy activities are limited due to the status of the legality of this activity and complicated identification of digital operations, so in most cases, the examination of digital piracy had to rely on existing results of secondary studies, which may not always accurately reflect the actual situation. However, given the fact that the aim of the dissertation research is not the detailing the current situation of digital piracy, but to provide solutions for the management of digital piracy, limitation of information on prevalence and extent of digital piracy is not to be considered a fundamental limitation of the dissertation research.

Scope of the research: The paper consists of three parts, introduction, conclusions, references and 4 annexes. Volume of the dissertation - 235 p.; the reference list consists of 132 positions; the dissertation thesis contains 19 tables and 57 figures.

Approval of work results: Results of dissertation research were published in three scientific publications and four international conferences.

1. THEORETICAL ASPECTS OF DIGITAL PIRACY AND ITS MANAGEMENT

The first part of dissertation contains analysis of the digital piracy and theoretical aspects of its management, studying the essence of the copyright protection and digital piracy, its impact and management options in the creative content industry, options of business reorganization and piracy management modelling. Having analysed the various models of presentation of creative content to the market which are possible to use in creative content industry, the theoretical model of digital piracy management options was prepared, which is to be treated as tentative model of digital piracy management for the creative content industry.

The theoretical model of digital piracy management options, analysed by F. Oberholzer-Gee and K. Strumpf (2007), W.W. Fisher III and W. Williams (2004), M. Fink (1996), M. Madden (2009), M. Parakkal (2009), A. Gayer and O. Shy (2003), M. Dubosson-Torbay, Y. Pigneur and J.C. Usunier (2009), J. Hughes, K. R. Lang and R. Vragov (2008), M.F. Schultz (2009), P. Vlachos, A. Vrechopoulos and A. Pateli (2006) and other authors, includes the following models of creative content presentation in the market:

- Traditional: a model based on non-digital channels of digital content sale, based on the transformation of creative content into material form (e.g., CD) that can be placed on the market through various retail outlets.
- Peer-to-Peer: a model based on a various digital content sharing directly among users, minimizing system administration costs and providing a wide range of digital content.
- Free on-line content: a model based on sale of advertising space on the website where customers are offered different type of free of charge creative content, and the income is generated from advertising revenues.
- Individual taxation: a model based on taxation of each digital work when user costs are directly related to the intensity of usage of production of creative content industry.

- Voluntary fixed fee: a fixed tax system, when users pay regular contributions not for directly used digital content, but for the opportunity to use such content indefinitely (or up to certain limits).
- Mandatory fixed fee: a model based on compulsory taxation when the actual or potential users of creative content are taxed regardless of their creative content usage volumes or intent to use such content.
- Orientation to concerts: this model is mostly meant for recorded music sector, based on the change of profile of the performers, with a main focus on concerts and revenue from concerts, and using the digital space only for promotion of the artist and his works.
- Community: a model based on creation of an artist fan community, when it is expected to generate revenue from active fans of the performer, who are directly interested in the promotion of the artist.
- Social networks: a model based on the exploitation of various social networks, when the artists' works are distributed on social networks, mainly with an aim to increase the popularity of the artist and his works and to provide information about the purchase opportunities of works.
- Performer to customer: a model based on direct contact between an artist and a customer, when the performer provides customers with their works via his personal website or social network account, without using the active partner.

Usage possibilities of these models in the contexts of digital content distribution and copyright protection are analysed on a basis of the structure of the business model of A. Osterwalder (2004), which has been discussed in the analysis of the business models ontology. A. Osterwalder (2004) proposes structure of the business model consisting of the following main modules:

- Infrastructure, which is divided into partnerships, processes and resources.
- The product or service.
- A customer, dividing this element into relations with customers and distribution channel.
- Finances, divided into costs and revenues.

Models of creative content presentation to the market are characterized at the theoretical level in the context of the ontology of the business model of A. Osterwalder (2004), considering the peculiarities of each model and opportunities for participants of the creative content industry. Each module of business model is detailed determining its possible components, considering the specifics of the creative content industry and peculiarities of its activities. The analysed composite elements of the typical business model of creative content industry interacting with each other create conditions to develop business of the creative content industry in the digital space. Depending on the specific model of creative content presentation to market, different elements of infrastructure, product/service, client and finances modules become relevant and are realized, which collectively create the basis of that particular operational model of creative content presentation to market and this, in turn, creates a certain specific conditions for the prevalence of the digital piracy or its management.

In order to develop a business model of digital piracy management which would be the most acceptable for participants of creative content industry, all studied alternatives of models of creative content presentation to market are connected into a single theoretical model of digital piracy management options. This model is characterized by all the analysed models of the creative content presentation to market in accordance with structural elements of standard business model for the creative content industry, which makes it possible to identify the pros and cons of each model of the creative content presentation to market in the context of digital piracy management.

The prepared theoretical model of options for digital piracy management should be treated as a theoretical basis for the search of options for the management of digital piracy, adapting solutions of various models for creative content presentation to market focused on reduction of digital piracy damage and maximizing earnings of the participants of the creative content industry, adapting to consumer habits and tendencies related to the usage of creative content industry production in the digital space. On a basis of the developed theoretical model of options for digital piracy management it is possible to form an executable model of digital piracy management appropriate for the creative content industry, but this requires an additional analysis of the current practices of digital piracy (distribution, consumer habits and attitudes; options of digital piracy management). Considering the fact that the dissertation research aims to develop a model

for digital piracy management that would be optimally efficient for music industry, it is appropriate to examine in detail the prevalence and management capabilities of digital piracy on a basis of the existing studies on digital piracy prevalence and the empirical research, tailored precisely to achieve the objective of the dissertation research.

2. RESEARCH LEVEL OF DIGITAL PIRACY PREVALENCE AND OPTIONS OF MANAGEMENT

The second part of the work presents analysis of research on prevalence and management options of the digital piracy, review of the existing studies of consumers of digital piracy in the world and Lithuania, analysing the existing cases of digital piracy management, as well as discussing the results of empirical research on options for digital piracy management in music industry.

In order to analyse the approach of the consumers and the creators of music records to the prevalence of digital piracy and options for management of the digital piracy in the music industry, empirical research of their approaches were carried out.

The goal of the research: to explore the approaches of music creators and consumers to digital piracy in music industry and new solutions of digital piracy business management, creating assumptions for the theoretical model modification of options for digital piracy management.

Two empirical studies were carried out to achieve this objective:

- Survey of consumers of digital music records.
- Interview with creators of digital music records.

The tasks of the research:

The tasks of digital music users' survey:

- To identify main causes of digital music records piracy.
- To explore approaches of the consumers to possible new models of digital music records business.

The objectives of interview with digital music creators:

- To explore approaches of creators of music records on piracy.
- To analyse the opinion of creators of music records on acceptable structure of their revenue resources.
- To examine approaches of music creators to new business models of digital music records.

The research on consumers' approaches is limited to the territory of Lithuania in order to focus on the factors of piracy that are relevant to Lithuania, thus the general totality of the research is comparable to entire population of Lithuania from 15 to 60 years. Persons under 15 years old are not included in the general totality as they do not decide independently on music purchase, and persons over 60 years are not included into general totality due to the relatively low digital literacy in this age group, for this reason, the majority of the population in this age group do not have the experience of digital music consumption and can not properly characterize this specific activity.

The aim of the **interview with creators of digital music records** is to investigate the approaches of music creators on piracy, analyse the structure of their resources of income and to find out their attitudes on the potential new business models of digital music records. A method of the structurized interview is used in this research.

Limitations of the research. The main limitations of the research are related to the geographical scope of the study – although it is technically possible to carry out surveys or interviews of consumers and music creators living in any country, this requires a very large sample size, because without it, opinion differences of the research participants can not be evaluated with regard to uneven spread of the digital piracy and management practices prevailing in different geographic regions.

Results of approaches of digital music consumers: Analysing the approaches of consumers to the digital music piracy management, the initial aim was to evaluate the prevailing tendency to digital piracy. The results showed that 72.6 percent of respondents had reproduced illegal music record and only 27.4 percent (i. e., less than one-third) indicated that they have never done it. Even 30.9 percent of respondents reproduce illegal music files almost daily, 21.8 percent perform this at least once a week. Thus, half of all respondents use illegal music files at least once a week, and it shows that the illegal use of music records is actually normal, everyday activity. A large part of the survey participants (32.9 percent) also pointed out that most of their environment people are engaged in digital music piracy, yet 19.2 percent indicated that there are quite a lot of such people in their environment. These results confirm that in case of music records, digital piracy is quite widespread and used on a regular basis; in addition, users do not hide this from each other which shows that they do not consider digital piracy as a negative or criminal phenomenon. This tendency confirms that restriction of digital

piracy with bans and/or fines would not be useful, because consumers do not realize clearly affecting real damage, and do not believe that their actions are inappropriate.

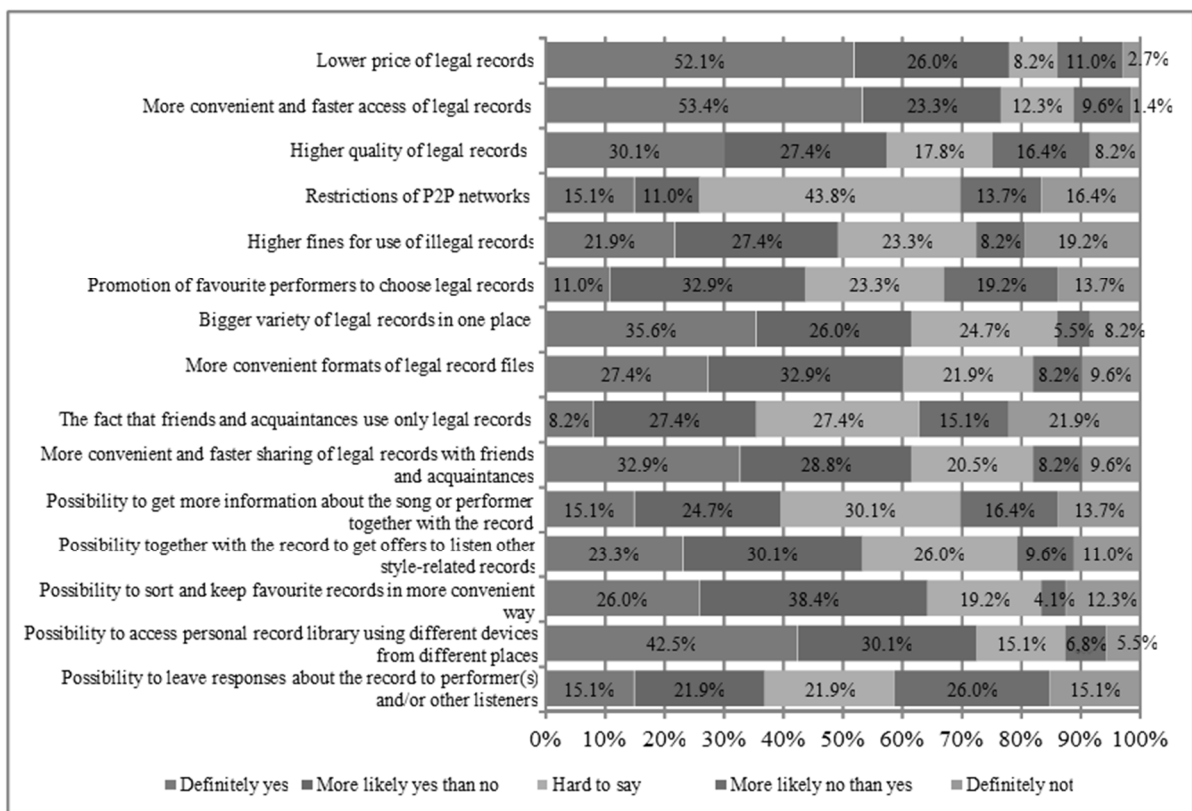
Thus, the results of the study lead to the conclusion that the majority of respondents personally use illegal music records and know a lot of the same people in their environment, but only some of them promote digital piracy by specific actions. Only a third of respondents believe that the illegal reproduction of music recordings cause significant damage to the performers.

During the study, possible factors treading digital piracy were analyzed in order to assess more accurately the possibilities to manage digital piracy in music record industry. As the results of the study show (see Fig. 1), the participants of the study indicated the main factors that would really enhance the desire to choose authorized music, which are: more comfortable and faster access of legal music (53.4 percent of study participants chose the answer 'definitely yes'), the lower price of legal music (52.1 percent), possibility to access to personal record library using different devices and from different places (42.5 per cent), a greater variety of legal music in one place (35.6 percent), more convenient and faster sharing of music records with friends or acquaintances (32.9 percent) and more convenient music formats (27.4 percent).

It can be noted that in this case the emphasis is on convenience of receipt and use of music records, low price of music records and comfortable (acceptable to the consumer) music formats. However, in addition, consumers also stressed some other factors that would encourage them to use legal music records: this is a range of music records and comfortable personalization (i.e., the possibility to create your own personal music library and use it comfortably), and possibility of sharing with friends or acquaintances. In this case, two additional effects are highlighted, which are important to be assessed shaping the solutions for management of digital music piracy in the music industry:

- It is important for users to access a wide range of music, so that they could find a variety of their favourite musical works, as well as the opportunity to look for new music records constantly. In addition, management of user-relevant music records should be realized comfortably, including creations of personal library or lists, as well as their access at any time from any digital device.

- Social network effect has become increasingly important for users, so in case of music records distribution, the important feature of the product has become an opportunity to communicate with friends or acquaintances sharing favourite music records. Considering the rapid development of social networks and their role in modern digital space, music sharing has become a necessary attribute for successful management of digital piracy in music industry.



1. Factors which influence consumers' tendency to choose legal music records

Analyzing user-defined causes inducing use of legal music records, it should be noted that most users indicated as non-motivating reasons that friends or acquaintances use only legal music records (for this reason, an answer 'definitely no' was chosen by 21.9 percent of respondents), higher fines for illegal use of records (19.2 percent) and P2P network restriction (16.4 percent).

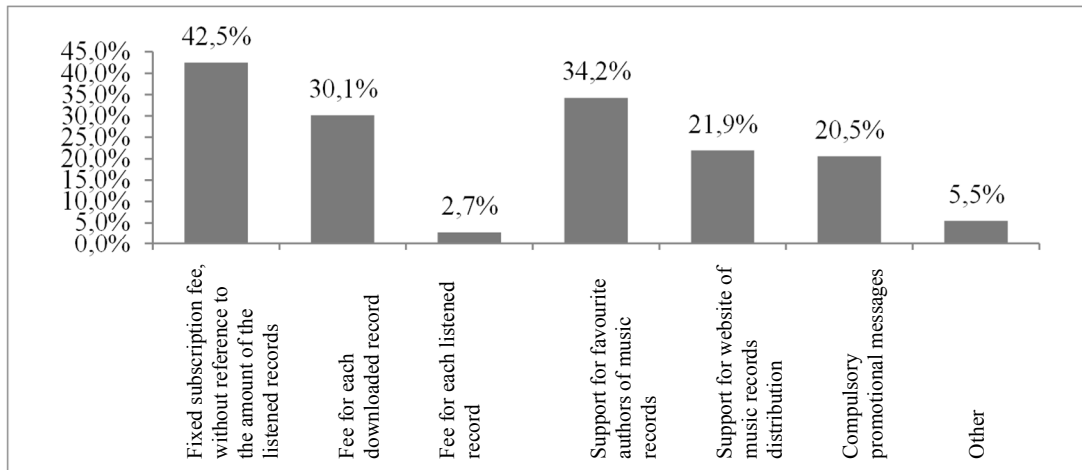
These results of the study revealed that users evaluate most negatively the reasons related with prohibitions and restrictions or forced promotion to change their

normal behaviour. These results are related to the discussed approaches of R. J. Lobato and J. Thomas (2012), L. Aguiar and B. Martens (2013), K. Yoon (2002), R. D. Gopal, S. Bhattacharjee and G. L. Sanders (2006), R. K. Chellappa and S. Shivendu (2005), M. Peitz and Waelbroeck (2004), S. Liebowitz (1985), J.P. Johnson and M. Waldman (2005) and other authors, emphasizing that digital piracy (illegal use of creative content industry products) may not necessarily be harmful, and forced restriction does not necessarily provides the benefits for creative content industry.

The results of the analysis of factors promoting the intention to choose legal music records are consistent with the raised hypothesis H2, stating that the positive impact on reduction of digital piracy and the increasing tendency of consumers to legal music records has a model of digital piracy management in music industry which is attractive to consumers, and restricted use of illegal music records is a less efficient solution.

To sum up the results of the study of approaches it can be stated that the main factor inducing piracy in music industry is a convenient use of pirate music records, while maintaining a sufficiently high quality of illegal records and reducing their purchase cost. This suggests that management of digital piracy in music industry should be focused on the convenient use of music records from the user's part. Users closely relate convenient use of music records with convenient accessibility of music records and user-friendly file formats, large variety of music records, convenient access to personal music library from various devices and the ability to share music with other users. Namely based on these factors, it is appropriate to construct foundations for management of digital piracy in music industry.

Analyzing the attractiveness of alternative of payment for music records from consumer's position, it should be noted (see Fig. 2) that fixed subscription fee is evaluated as the most attractive, without reference to the amount of listened records (42.5 percent of respondents indicated this alternative as attractive). Also, support of a favourite performer is evaluated as an attractive alternative and fee for each downloaded video. In this context, the formation of solutions for management of digital piracy in music industry requires to provide for the possibility of double taxation: a fixed monthly or annual fee for unlimited use of music records, and an alternative way to purchase individual music tracks and other additional services to the unsubscribed users.



2. Attractiveness of payment for music recordings to consumers

Major part of consumers is willing to pay a subscription fee as low as possible (the predominant choice is up to LTL 10 per month), but some people tend to pay higher fees for likely higher quality services. Therefore, the formation of solutions for management of digital piracy in music industry requires providing a staged structure of subscription, when additional privileges are granted for a higher subscription fee.

Analysing the approaches of consumer to existing business models indented for the music industry in the digital space, it should be noted that users evaluate as most attractive those models based on free of charge use of currently most popular music listening service ('YouTube', 'Linkomanija' and 'Spotify'), giving preference to them not only for the low cost of use, but also because of the convenience and range. Therefore the formation of solutions for digital piracy management in music industry requires focusing on this type of models and combining the element of subscription fee with relevant characteristics of use convenience.

The discussed results of users' survey highlighted the target characteristics of digital piracy management in music industry from consumers' perspective. In order to identify main relevant characteristics of digital piracy management in music industry from authors' perspective, an expert interview of music authors was performed, the results of which are discussed below.

Results of analysis of music authors' approaches: Approaches of authors of music records to the management of digital piracy in the music industry was studied by the method of expert interviews, surveying music authors immediately, using pre-made

open questions. The study involved 19 experts. All of them are individuals creating music in Lithuania. Summary on analysis of the experts' interview results was prepared summarizing predominant approaches and opinions of experts and presented in Table 1.

Table 1. Generalization of the Experts' Approaches to the Management of Digital Piracy in Music Industry

Topic	Generalization of the Experts' response
The expert's experience related with digital piracy	Illegal copying of music records for personal use and illegal downloading of the records from the Internet are encountered often. However, only 3 authors came indirectly into contact with production and trade of illegal records seeking commercial gain. All the authors indicated that there were people among their relatives who used illegal music records, and 15 authors indicated that they themselves had reproduced an illegal music record at least once. The majority of the experts think that digital piracy of the music records in Lithuania is decreasing due to occurrence of the services, which allow listening to the legal music records for free.
The impact of digital piracy on the music records industry	The biggest harm is done to the authors who get the significant part of their income from sales of the music records. Authors who get the majority of their income from concerts suffer the smallest damage; some experts think that digital piracy is partially useful for these authors (for the reasons of advertising due to more rapid distribution of their work). The majority of the experts think that the negative margin of digital piracy is reproduction of authors' work seeking commercial gain, but some experts think that any illegal reproduction of the work should be treated as digital piracy. Some experts think that restriction of digital piracy reduces the prominence of the authors, but other experts think this factor does not have any influence to the prominence.
The impact of digital piracy on the motivation of the authors who produce music records	Digital piracy does not have impact on the authors', who produce music records, motivation to create. According to the opinion of some experts, digital piracy increases motivation to make concerts.

Present and desired income structure of the authors of the music records	Income from the concerts dominates the present structure, yet different experts' income structure is quite diverse. Well-known authors get more income from music records, though all the experts indicated that they would have liked to increase the part of income they get from music records.
Correspondence between new business models and the expectations of the authors of the music records	Peer-to-peer broadcasting model is not acceptable to the authors because of limited opportunities to get income from distributing music records in such a way. The model of fixed taxation is attractive to the majority of the experts if it warrants sufficient income. The concert and community models (the author's communication with the consumer) and the modes based on social networks are the most valued from the niche business models.
The comparison of the present new business models	'YouTube' and 'Spotify' have the biggest influence to the decline of piracy. The models of 'iTunes' and 'Spotify' are the most attractive to the authors of the music records. 'YouTube' and 'Spotify' are considered to be the most promising in business terms.

Analyzing experience of experts related to digital piracy it should be noted that many experts encounter with facts of illegal music copying and use – all music authors involved in the study have such persons in their environment who listen to illegal music, download it from the Internet or copy from acquaintances. However, digital piracy as music copying and distribution for commercial gain, is encountered rarely: only 3 experts indicated that they have come across with this phenomenon indirectly (one expert pointed out that he interacted with one person engaged in such activity, other experts pointed out that they had heard about the specific facts of illegal music distribution for commercial purposes).

Many experts stressed that illegal music copying for personal use is very common in Lithuania, because the price of legal music is quite high if compared with living standards of the population (especially globally popular performers), and perception of the importance of intellectual property protection and the characteristics is quite low.

However, as many experts noticed, decline of digital piracy is noticeable in the music industry (differently from software or computer games industries) due to new

business models that allow users to listen to legal music records for free. Mostly, experts mentioned ‘YouTube’ and ‘Spotify’ as examples of as such business models.

Analysing the approaches of experts to the impact of digital piracy on the market of music records, firstly, prevailing expert opinion should be taken into account that digital piracy does the most harm to those authors who focus on music sales and expect to get the most revenue. In this case, the assessment of opportunities for users to reproduce music illegally leads to the conclusion that any illegal music reproduction is a significant negative factor. However, experts also stress that those authors who get most of their revenue from the concert activity, illegal reproduction of music does not have a significant negative impact. To such authors, illegal distribution of music is partly even beneficial (especially for beginners of musical career), because it allows reaching a larger audience of consumers faster and easier and thus allows the use of digital piracy as a promotional tool. Namely distribution of music records to raise awareness is a major positive factor, named by the experts. In addition to this factor, some experts also pointed out other positive factors such as the overall increase of popularity of the music industry production, testing the possibilities of market and consumer demands, greater dissemination of information to the target market.

Analysing the impact of digital piracy on motivation of music authors it can be noted that nobody of the expert specified that digital piracy has reduced the motivation to create. However, part of the experts stated that digital piracy affects authors’ habits and sources of income generation – mostly it is emphasized that digital piracy promotes concert activities which reduce the negative impact of digital piracy on authors’ revenue. The experts also pointed out that digital piracy encourages participation in new business models (for example, some authors are increasingly tend to use opportunities of ‘YouTube’) and changes the structure of the authors’ revenue.

Analysing current and required revenue structure of music authors almost all the experts stated that they are not satisfied with their income structure and they would like to gain more income from music distribution. This reveals that there is a demand to find new business models that would allow efficient management of digital piracy, and thus ensure income for authors from music distribution and reproduction in the digital space. Such an approach of experts allows expecting that management of digital piracy in music

industry would be attractive to authors if allowed expecting higher revenue from distribution of music records.

According to the experts, the models of 'YouTube' and 'Spotify' are considered to be the most perspective business models in business terms; therefore, it is advisable to pay more attention to these models shaping the decisions on management of digital piracy in the industry of the music records. It can also be noted that almost all the experts negatively evaluate the business model of 'Linkomanija', treating it as unattractive to the authors of the music records, and emphasizing the questioned legality of this model.

Based on the analysis of the research on prevalence and management of digital piracy, and analysing the results of empirical research – a survey and interviews with experts – the opportunity to develop a model of digital piracy management in music industry, based on the theoretical model of options for digital piracy management, has emerged. A model of digital piracy management in music industry is provided in the following part of the work.

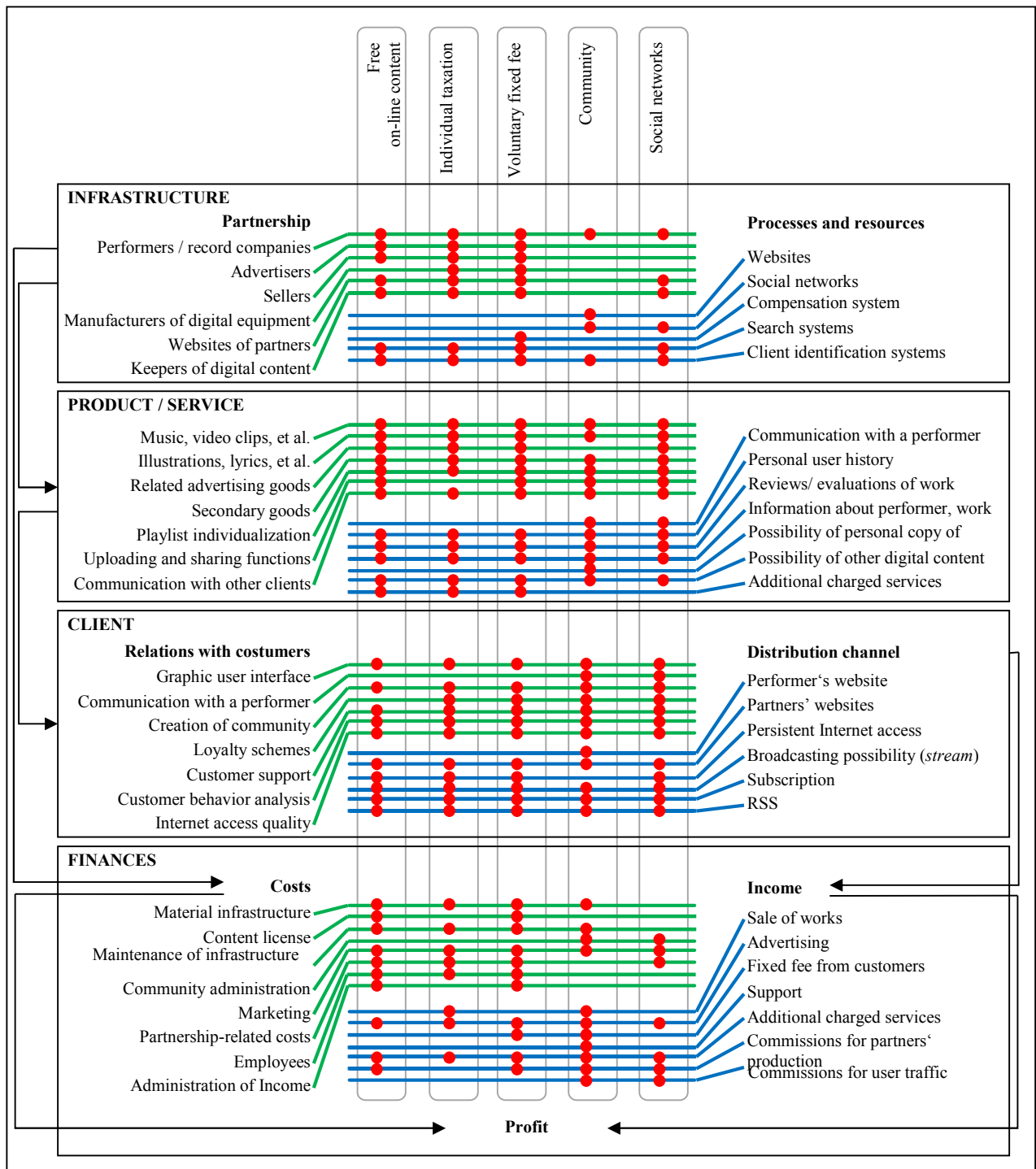
3. THE MODEL OF DIGITAL PIRACY MANAGEMENT IN THE MUSIC INDUSTRY

The analysed theoretical aspects of digital piracy and its management, and a review of research on digital piracy prevalence and management possibilities revealed characteristics of digital piracy in the music industry and management capabilities of digital piracy. Empirical research characterizing approaches of users and creative content creators to the management of digital piracy, allows formulating insights in the context of improvement of digital piracy management in music records industry. On a basis of these insights and generalization of theoretical aspects of the analysis, this chapter of the thesis provides a model of digital piracy management in the music records industry, which allow the formation of a business model suitable for music records industry both from perspective of the users and creators of music, as well as other industry participants, evaluating the existing environment of digital technologies and its evolution.

On a basis of the analysis of various models of creative content presentation to market (analysed by F. Oberholzer-Gee and K. Strumpf (2007), W.W. Fisher III and W. Williams (2004), M. Fink (1996), M. Madden (2009), M. Parakkal (2009), A. Gayer and O. Shy (2003), M. Dubosson-Torbay, Y. Pigneur and J.C. Usunier (2009), J. Hughes, K. R. Lang and R. Vragov (2008), M.F. Schultz (2009), P. Vlachos, A. Vrechopoulos and A. Pateli (2006) and other authors) in the formulated theoretical model of digital piracy management, typical alternatives of creative content presentation to market are distinguished (traditional, peer-to-peer, free on-line content, individual taxation, voluntary fixed fee, mandatory fixed fee, orientation to concerts, community, social networks, performer to the customer), which may be used for transfer of creative content to customers in order to achieve commercial results. A survey of digital music consumers allowed assessing the attractiveness of these models in respect of the consumers, which, in turn, revealed the expedience of their use for the digital piracy management. After evaluation of consumers' opinions expressed in the survey, alternative models of typical creative content presentation to market suitable for the management of digital piracy in the music industry were presented: Free on-line content; Voluntary fixed fee; Individual taxation; Community and Social networks.

Having evaluated the characteristics of typical models of creative content presentation to market suitable for the management of digital piracy in music records industry, the theoretical model of options of digital piracy management is modified, eliminating the other, inappropriate alternative models of creative content presentation to market not suitable for music industry (Figure 3).

Such a modified theoretical model of options of digital piracy management allows forming a specialized model of digital piracy management in music industry, including all relevant model elements of the components (infrastructure, product/ service, customer and financial) for categorization of their interrelations.



Resource: concluded by the author

3. Modified theoretical model of digital piracy management, adapted for music records industry

The model of digital piracy management in the music industry: Based on the discussed results of consumer survey and the experts' opinion study, the model of digital piracy in the music records industry, which is oriented at maximizing commercial

benefits of the music records presentation to consumers for the authors of the music records, was prepared.

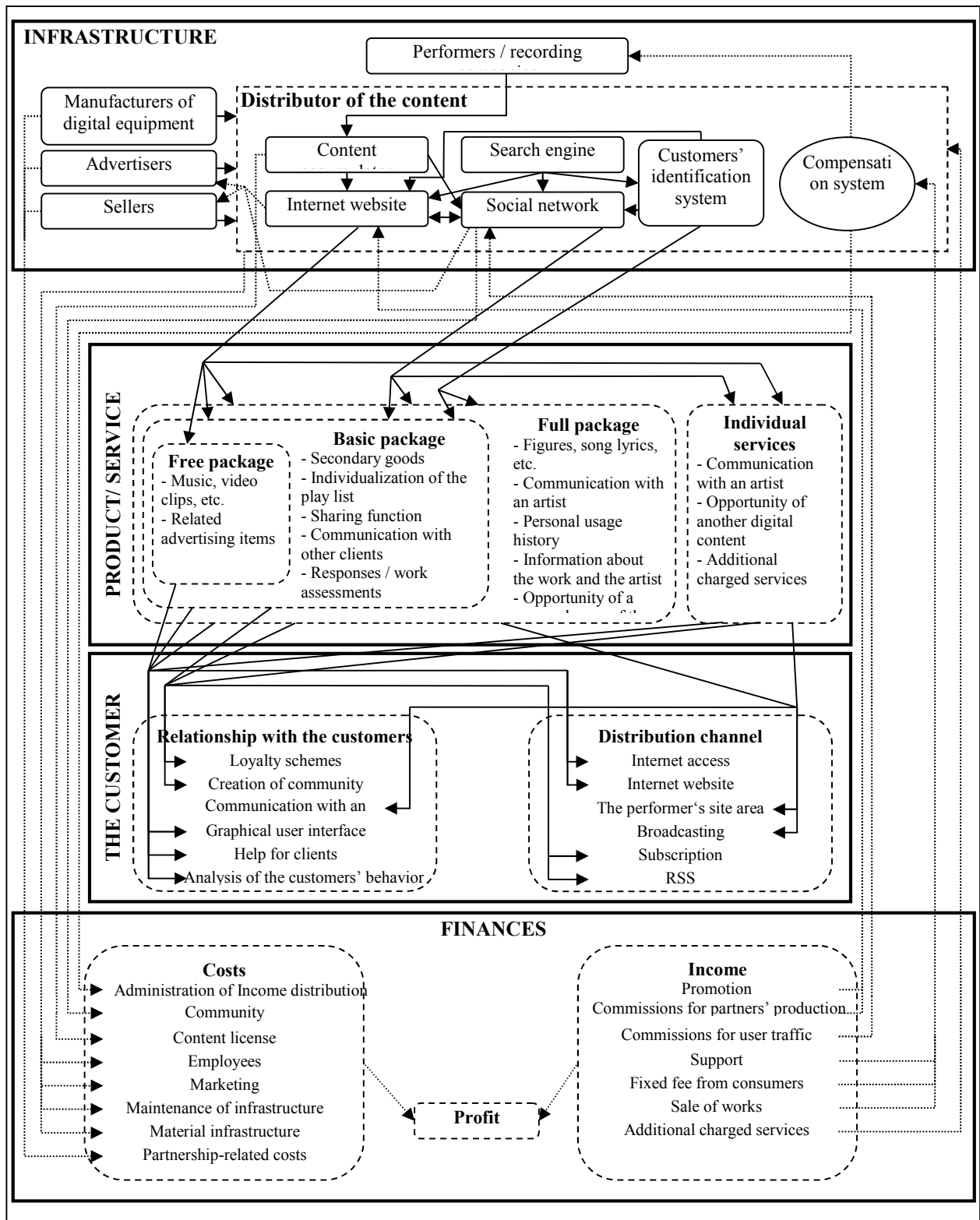
The graphic scheme of the model of the management of digital piracy in the music records industry, which shows the structural and working principles of the model, is presented in Figure 4.

The model of the management of digital piracy in the music records industry is based on the practical models, which, according to the consumers, have the biggest appeal ('YouTube', 'Spotify', 'Linkomanija'), for instance, when music records are introduced as digital content in a single place, which is easily accessed by the consumers in digital space, which administrator, labeled as distributor of the content in the model, becomes the central figure in the whole model, who links the authors of the music records and subjects providing support services for them with consumers, ensuring commercial benefits of these links for the authors of the records.

In the model of the management of digital piracy in the music records industry, conjunction of the free on-line content and voluntary fixed tax, grounded on unlimited assortment delivery to the consumers for a certain amount of fixed income from one consumer, becomes the primary mean to introduce creative content in the market. Thus, the commercial success of the system is the most dependent on the range of the music records and user traffic, while consumers' expenditure becomes not related with the intensity of the consumers' usage of the system.

In the product/ service area of the model of the management of digital piracy in the music records industry, the dual content charging solution is formed: a voluntary fixed fee which is separated into three levels: free package, basic package and full package, as well as individual taxation, which is applied to additional services of content distribution.

Subject to the package used by the consumer, composition of the customer's area (relationship with the customers and distribution channel) of the model of the management of digital piracy in the music records industry is accordingly implemented. In this case, the focus is on the fact that closer and more intense communication with the customer should be related to bigger income from the consumer.



Resource: concluded by the author

4. Model of digital piracy management in music records industry

The presented model of digital piracy management in music records industry based on survey of consumers of music records and interview of creators of music records confirms the hypothesis of the dissertation research:

- The analysed motives of the consumers to choose legal or illegal music records and the tendency of consumers to pay for legal music records (ensuring higher quality and easier use than of illegal music records) grounds the hypothesis H1 of the research, claiming that the users of music records industry prefer free content, but would pay for music sharing services if the use of records was better and easier than of illegal music. In this case, a very important factor is the right element of the product/ service which determine attitudes of users about convenience and quality of service offered by the legal music service provider.
- With the realization of consumer value-added solutions for free basic services, social network, direct communication with the artist, music sharing and universal usage in the model of digital piracy management in music records industry, consumers are likely to prioritize these services instead of illegal music records and this confirms dissertation research hypothesis H2, stating that a model of digital piracy management in music records industry would have a positive impact on digital piracy, and on the increase of tendency of consumers to legal music.

According to the discussed structure of the model of the management of digital piracy in the music records industry, the opportunity to generate commercial benefits from the digital music records is realized by encouraging the customers to choose music records presented within the framework of this model instead of the illegal ones. Convenient access to the music records, possibility of free content, wide range of additional services, integration of the social network, the possibility of contact with the artist, and other aspects of the model of the management of digital piracy in the music records industry have a real potential to attract customers who now tend to choose illegal digital music records, and this leads to the conclusion that such a model of the management of digital piracy in the music records industry is an appropriate tool for generating commercial benefits from distribution of digital music records, sustaining the

present level of consumer satisfaction and ensuring acceptable distribution of works in digital space for the authors of the music records.

CONCLUSIONS

The researched possibilities of the digital piracy management, introducing the new business models in creative content industry leads to the following conclusions:

1. The analysed features of the copyright protection and the investigated relevance of digital piracy limitation indicate that protection possibilities of the non-material form copyrighted works in the digital space are limited due to rapid and simple reproduction and transmission of such works, thus, digital piracy is becoming attractive to a large part of consumers which ignore the moral and social aspects of copyright protection. For this reason, it becomes relevant to focus on digital piracy reduction by promoting consumers to choose legal works, which, in turn, creates the need to find new business models that could enhance the demand for legal works and reduce the attractiveness of illegal works to consumers.

2. The analysed concept and role of digital piracy in creative content industry highlights the necessity of digital piracy management in order to protect the economic interests of creators. Due to non-material form of production of the creative content industry, the digital piracy assumes special importance in the industry, which is forced to respond to technological changes and consumer habits in the digital space and continually look for ways to adapt to these changes. Depending on the definition of digital piracy, the phenomenon may be interpreted on several levels, which, in turn, leads to different approaches on capabilities and relevance of digital piracy management:

- a. Defining digital piracy only as reproduction and distribution of works to gain economic benefit, solutions of the digital piracy management are often associated with measures for limitation of illegal economic or criminal activity in order to reduce the extent of this activity;
- b. Defining digital piracy as any use of works without the direct consent of the author, more relevant solutions of digital piracy management become these helping to change consumer habits and promoting use of legal production instead of illegal one, at the same time maintaining the overall demand of works.

3. The analyzed causes of digital piracy in the creative content industry have highlighted the multi-nature of this phenomenon and the need to analyse the options of

digital piracy management capabilities from a different perspective. While traditionally the most common cause of digital piracy referred to as the economic motives of consumers, but recent changes in the digital space increasingly reveal that one of the most important factors of digital piracy has become consumers' habits related to receipt and easy use of works of the creative content industry, and social environment that promotes discussion on the validity of revenues of the creative content industry. In this context, supply and demand coherence of works of creative content industry in terms of the pricing, and the disposition of industry participants to adapt to changes in consumption patterns of the customers using customized production for the digital space have become debatable. Therefore, the development of effective solutions for the digital piracy management requires providing customers with the services that meet their habits, ensuring socially correct sharing of economic benefit.

4. The investigated theoretical business models of digital piracy management for the creative content industry have shown that the traditional business model has become less attractive for creators and users in the digital world. In order to adapt to the conditions of the digital space there is a need to create not only the new distribution channels of works, but also redistribute the creators' income structure, which is directly linked to consumers' habits and inclinations in the digital space. Having analysed solutions of various authors on digital piracy management, the following main market models have been developed: traditional, peer-to-peer, free on-line content, individual taxation, voluntary fixed fee, mandatory fixed fee, orientation to the concerts, community, social networks and performer to the customer. Integration and interrelation between these models of creative content presentation to the market and the individual elements of these models may be an effective solution of digital piracy management in the creative content industry, depending on the specifics of the different industry sectors.

5. The prepared theoretical model of possibilities for digital piracy management suggests that there are various alternatives of options for creative content presentation to the market at the theoretical level, which attractiveness in the context of the digital piracy management is determined by the adaptation to the features of digital space and income generation opportunities in the digital space. Due to the structure of theoretical model of possibilities for digital piracy management, depending on a model of the specific creative content presentation to the market, different elements of infrastructure,

product/ service, customer and financial modules have become relevant and realized, which collectively create basis for that particular activity model of creative content presentation to the market and this, in turn, creates certain specific conditions for the prevalence of the digital piracy or its management.

6. The conducted review of research on digital piracy extent and nature in the world and Lithuania allows stating that:

- a. Digital piracy, due to its implementation-friendly technological environment, is a relevant problem in many countries. Extents of digital piracy differ quite significantly in different countries, this indicates that there are sufficiently effective management techniques of digital piracy that part of the countries applied properly and thus they limit the development of digital piracy in this way.
- b. Globally performed research on digital piracy allows stating that digital piracy is mostly spread among lower economic development countries where there is a quite big number of young, educated people with high-quality access to the Internet, but who do not have sufficient financial resources for the purchase of the original production. This situation shows the need to review the existing strategies of creative content industry business in developing markets and to search for new business models adapted for realization of the digital content.
- c. In Lithuania, there is quite high digital piracy rate compared with other European Union countries, however, positive tendencies of change in digital piracy level are observed, which may be linked both with the growth of the country's economic development level, as well as new solutions for distribution of the creative content industry products, leading to lower consumer motivation to use illegal digital content.

7. The analysed existing empirical business models for digital piracy management in music industry using the techniques of survey and experts' interview leads to the following generalizations:

- a. Based on the opinion of users, the most suitable alternatives of models of creative content presentation to market for management of digital piracy in music industry is free on-line content, the voluntary fixed tax, individual

taxation, community and social networking. In this regard, it is appropriate to modify the theoretical model of possibilities for digital piracy management, eliminating the other, inappropriate alternatives of typical creative content presentation to the market for music industry.

- b. According to the experts, the most attention in shaping the model of digital piracy management in music industry should be given for ‘YouTube’ and ‘Spotify’ models that are considered to be commercially viable business models of music industry in the digital space.
- c. Digital piracy has the greatest negative impact on record sales-oriented authors, so the formation of model for digital piracy management in music industry requires accurate evaluation of the fact that the revenue structure of such authors may significantly change due to the characteristics of digital space, which leads to the need to form revenue generation alternatives for these authors, while adapting to consumer behaviour.

8. The prepared model for digital piracy management in music industry should be treated as a tool for the generation of commercial benefit from distribution of digital music records, while maintaining the current level of customer satisfaction and ensuring distribution of works in the digital space acceptable for music creators, which introduction in music industry would allow to minimize the attractiveness of distribution of illegal music records in the digital space and to ensure reasonable income acceptable to authors from their creative content in digital channels. Such properties of a model makes it attractive for participants of music industry seeking to commercially manage digital music piracy, therefore it is probable to expect that a model for digital piracy management in music industry management may become the basis for the formation of the models of commercial music distribution in the digital space. This confirms the hypotheses H1 and H2 of the dissertation research, claiming that consumers are prone to legal music services if they will ensure easier use and quality, even if it should be paid for, and such a choice of consumers would reduce digital piracy.

Recommendations: On the basis of the conducted research on digital piracy management and taking into account the shaped model for digital piracy management in music industry, the following recommendations were formulated for the operating business of music industry:

1. The most suitable digital space-based operating business models that meet consumers' needs and expectations in the recorded music industry is 'YouTube' and 'Spotify', so the development of new models for digital piracy management requires to evaluate the conceptual characteristics of the said models and their importance for consumers.

2. Appropriate pricing of digital music is one of the essential factors for the consumers' propensity to one or another business model, thus, it is recommended to take into account the fact that the experts and consumers consider that the most attractive pricing model is a set of three-levelled standard package including composition of free basic services, the constant fixed and individual taxation for specific services.

3. Fast and convenient access to a wide range of music records is very important in the digital space, therefore it is expedient to focus on economy of the extent when creating business of digital piracy management in order to involve as many as possible authors into business.

REFERENCES

1. AGUIAR, L., MARTENS, B. (2013). Digital Music Consumption on the Internet: Evidence from Clickstream Data. JRC Technical Reports: Digital Economy Working Paper 2013/04. Institute for Prospective Technological Studies.
2. ALVISI, M., ARGENTESI, E., CARBONARA, E. (2002). *Piracy and Quality Choice in Monopolistic Markets*. Mimeo; University of Bologna.
3. BAE, S.H., CHOI, J.P. (2006). *A Model of Piracy*. Information Economics and Policy 18, p. 303-320.
4. BALESTRINO, A. (2008). *It is a Theft but not a Crime*. European Journal of Political Economy 24 edition, p. 455-469.
5. BELLEFLAMME, P., PEITZ, M. (2010). *Digital piracy: theory*. Louvain-la-Neuve, Belgium: Center for Operations Research and Econometrics.
6. BELLEFLAMME, P. (2003). *Pricing Information Goods in the Presence of Copying*. Working paper No. 463. University of London
7. BHATTACHARJEE, S., GOPAL, R.D., LERTWACHARA, K., MARSDEN, J.R. (2006). Impact of legal threats on online music sharing activity: an analysis of music industry legal actions. *Journal of Law and Economics*, Vol. XLIX, pp. 91-114.
8. BUSINESS SOFTWARE ALLIANCE (BSA). (2011). [interaktyvus]. [žiūrėta 2011-10-15] Prieiga internete: http://www.bsa.org/country.aspx?sc_lang=lt.
9. BUSINESS SOFTWARE ALLIANCE (BSA). (2012). *Shadow Market: 2011 BSA Global Software Piracy Study*. Washington: Business Software Alliance.
10. BUSINESS SOFTWARE ALLIANCE (BSA). (2014). *The Compliance Gap: 2013 BSA global Software study*. Washington: Business Software Alliance.
11. CHELLAPPA, R.K., SHIVENDU, S. (2005). *Managing Piracy: Pricing and Sampling Strategies for Digital Experience Good in Vertically Segmented Markets*. Information Systems Research, Vol. 16, No. 4, pp. 400-417.

12. D'ASTOUS, A., COLBERT, F., MONTPETIT, D. (2005). Music piracy on the web- How effective is anti-piracy arguments? Evidence from the Theory of Planned Behavior. *Journal of Consumer Policy*, No. 28, p. 289 – 310
13. DUBOSSON-TORBAY, M., PIGNEUR, Y., USUNIER, J.C. (2009). *Business Models for Music Distribution after the P2P Revolution*. Lausanne: University of Lausanne.
14. DUCHENE, A., WAELBROECK, P. (2005). Peer-to-Peer, Piracy and the Copyright Law: Implications for Consumers and Artists. In: Takeyama, L., Gordon, W., Liacos, P., Towse, R. (Eds.), *Developments in the Economics of Copyright: Research and Analysis*, Edward Elgar.
15. DUCHENE, A., WAELBROECK, P. (2006). The Legal and Technological Battle in the Music Industry: Information-Push versus Information-Pull Technologies. *International Review of Law and Economics*, No. 26, p. 565-580.
16. FINK, M. (1996). *Inside the Music Industry: Creativity, Process, and Business*. Schirmer Books.
17. FISHER III, W.W., WILLIAM, W. (2004). *Promises to keep: technology, law and future of entertainment*. Stanford University Press.
18. GAYER, A., SHY, O. (2003). *Internet and Peer-to-Peer Distributions in Markets for Digital Products*. *Economics Letters* 81, pp. 51-57.
19. GOPAL, R.D., BHATTACHARJEE, S., SANDERS, G.L. (2006). Do Artists Benefit from Online Music Sharing? *Journal of Business*, No. 79(4), p. 44-61.
20. HILL, C.W.L. (2007). *Digital piracy: Causes, consequences, and strategic responses*. Asia
21. HUGHES, J., LANG, K.R., VRAGOV, R. (2008). An analytical framework for evaluating peer-to-peer business models. *Electronic Commerce Research and Applications*, No. 7, pp. 105–118.
22. JOHNSON, J.P., WALDMAN, M. (2005). The Limits of Indirect Appropriability in Markets for Copiable Goods. *Review of Economic Research on Copyright Issues*, No. 2, pp. 19-37.
23. JOHNSON, W.R. (1985). The economics of copying. *Journal of Political Economy*, No. 93, pp. 158-174.
24. LATGA-A (2012). 2011 m. *LATGA-A finansinė veiklos ataskaita*. Vilnius: LATGA-A.
25. LATGA-A. (2010). *Kūrinių atgaminimo asmeniniais tikslais masto Lietuvoje tyrimas*. Vilnius: Spinter tyrimai.
26. LOBATO, R., THOMAS, J. (2012). The Business of Anti-Piracy: New Zones of Enterprise in the Copyright Wars. *International Journal of Communication*, No. 6, pp. 606–625.
27. MADDEN, M. (2009). *The State of Music Online: Ten Years After Napster*. Pew Internet & American Life Project, Washington. [interaktyvus]. [žiūrėta 2013-08-05] Prieiga internete: http://www.pewinternet.org/~media/Files/Reports/2009/The-State-of-Music-Online_-Ten-Years-After-Napster.pdf.
28. NOVOS, I.E., WALDMAN, M., (1984). *The Effects of Increased Copyright Protection: An Analytic Approach*. *Journal of Political Economy* 92, p. 236-246. *Pacific Journal of Management* 24 edition, p.9 – 25.
29. OBERHOLZER-GEE, F., STRUMPF, K. (2007). The Effect of File Sharing on Record Sales: An Empirical Analysis. *Journal of Political Economy*, No. 115(1), pp. 1-42.
30. OECD (2007). *The Economic Impact Of Counterfeiting And Piracy*. Secretary-General of the OECD.
31. OECD (2009). *Piracy Of Digital Content*. Secretary-General of the OECD.
32. Office of the United States Trade Representative (USTR). (2012). *2012 Special 301 Report*. Washington.
33. OSTERWALDER, A. (2004). *The Business Model Ontology: A Proposition in a Design Science Approach*. Thesis, Licencié en Sciences Politiques, l'Université de Lausanne.
34. PARAKKAL, M. (2009). *Digital piracy – a special focus on the economic perspective*. University of Vienna, Wien.
35. PEITZ, M., WAELBROECK, P. (2004). *File Sharing, Sampling, and Music Distribution*. Mimeo. Available at SSRN.
36. PEITZ, M., WAELBROECK, P. (2006). *Why the Music Industry May Gain from Free Downloading - the Role of Sampling*. *International Journal of Industrial Organization* 24, pp. 907-913.
37. REGNER, T., BARRIA, J.A. (2009). Do consumers Pay Voluntarily? The Case of Online Music. *Journal of Economic Behavior & Organization*, No. 71, pp. 395-406.

38. SCHULTZ, M.F. (2009). Live Performance, Copyright and the Future of the Music Business. *University of Richmond Law Review*, No. 43(2), pp. 685-764.
39. SILVA, F., RAMELLO, G. (2000). Sound Recording Market: The Ambiguous Case of Copy-right and Piracy. *Industrial and Corporate Change*, No. 9, pp. 415-442.
40. VLACHOS, P., VRECHOPOULOS, A., PATELI, A. (2006). Drawing Emerging Business Models for the Mobile Music Industry. *Electronic Markets*, No. 16(2), pp. 154-168.
41. YOON, K. (2002). *The Optimal Level of Copyright Protection*. *Information Economics and Policy* 14, p. 327-348.

DAKTARO DISERTACIJOS SANTRAUKA

Tyrimo aktualumas. Kūrybinio turinio industrija, kurios pagrindinis produktas yra įvairios formos ir paskirties autoriniai kūriniai, neatsiejama nuo intelektinės nuosavybės apsaugos problemų, kurių aktualumas tiesiogiai siejasi su kūrybinio turinio industrijos dydžiu ir išsivystymu. Autorinių kūrinių, nepriklausomai nuo jų formos, paskirties ar pobūdžio, apsauga nuo dauginimo ar neteisėto naudojimo daugiausia priklauso nuo šių kūrinių atgaminimo ar dauginimo galimybių. Per pastaruosius du dešimtmečius dėl sparčios interneto skvarbos bei informacinių produktų (muzikos, filmų, knygų ir programinės įrangos) skaitmeninio formato paplitimo, vartotojams atsiranda vis daugiau galimybių dauginti bei platinti įvairius autorinius kūrinius be teisėtų jų autorių sutikimo. Nesudėtingas kūrybinio turinio perkėlimas į skaitmeninę erdvę bei palankios galimybės skaitmeniniu formatu esančius autorinius kūrinius dauginti ir platinti sukuria savitą kūrybinio turinio industrijos produktų plitimo terpę, dėl kurios susiformavo palyginti naujas reiškinys – skaitmeninis piratavimas.

Skaitmeninis piratavimas, siejamas su bet kokio pobūdžio autorinių kūrinių platinimu skaitmeniniais kanalais, neturint autorių sutikimo, tampa svarbia ekonomine problema kūrybinio turinio industrijai, nes šios industrijos produktų vartotojams skaitmeninis piratavimas tampa priemone, kuri labai sumažina kūrybinio turinio produktų išlaidas ir leidžia naudotis gerokai platesniu tokių kūrinių asortimentu nei buvo įprasta anksčiau, prieš paplintant kūrybiniam turiniui skaitmeninėje erdvėje.

Plintant internetui bei vystantis įvairioms informacijos persiuntimo bei dalinimosi tarp vartotojų programoms, vartotojų kaštai dalinantis įvairiais kūrybinio turinio produktais tapo minimalūs, ir tai kas anksčiau kūrybinio turinio industrijos buvo ignoruojama kaip natūralus reiškinys (pavyzdžiui, turimos videotekos dalinimas draugams), pavirto problema, kurios ignoruoti tapo nebeįmanoma, ir kurios sprendimo galimybės tiesiogiai siejasi su kūrybinio turinio industrijos ilgalaikio egzistavimo grėsme.

Skaitmeninis piratavimas, remiantis M. Alvisi, E. Argentesi ir E. Carbonara (2002), S. H. Bae ir J. P. Choi (2006), T. Regner ir J. A. Barria (2009), T. P. Cronan ir S. Al-Rafee (2008), C. W. L. Hill (2007) bei L. Aguiar ir B. Martens (2013) nuomonėmis, traktuotinas kaip naujas reiškinys, išryškinęs anksčiau nereikšminga laikytą autorinių

kūrinių dalinimosi tarp vartotojų problemą. Prieš skaitmenizacijos erą vartotojai taip pat dalinosi įvairiais autoriniais kūriniais be autorių sutikimo, tačiau toks dalinimasis buvo apribotas fiziškai (vartotojai turėjo ribotas galimybes dauginti autorinius kūrinius ir galėjo tik perduoti vienas kitam tą pačią kūrinio kopiją, saugomą tam tikru fiziniu formatu), todėl jo paplitimas ir įtaka kūrybinio turinio industrijos pajamoms nebuvo laikoma reikšminga. Kol kūrybinio turinio industrijos produkcija nebuvo perkelta į skaitmeninę erdvę, autorinių kūrinių dalinimasis tarp vartotojų patiems vartotojams sukeldavo ne tik teigiamų, bet ir neigiamų pasekmių: vartotojas, perdavęs kūrinį kitam vartotojui, pats negalėdavo tuo kūriniumi naudotis. Skaitmeninėje erdvėje, kuomet autorinių kūrinių dauginimas tapo itin nesudėtingas, tokių kūrinių dalinimasis tarp vartotojų panaikino neigiamas pasekmes vartotojui – vartotojas galėjo savo reikmėms naudoti įsigytą autorinį kūrinį ir tuo pačiu metu platinti neribotą kiekį jo kopijų kitiems vartotojams. Tokiu būdu autorinių kūrinių dalinimasis tapo visai kūrybinio turinio industrijai aktualia problema, turinčia reikšmingą poveikį šios industrijos pajamoms.

Skaitmeninį piratavimą bei jo įtaką kūrybinio turinio industrijai ir pelnui tiria daug mokslininkų visame pasaulyje. Žymiausiais skaitmeninio piratavimo tyrinėtojais laikytini M. Alvisi, E. Argentesi ir E. Carbonara (2002), P. Belleflamme ir M. Peitz (2010), I. E. Novos ir M. Waldman (1984), W. R. Johnson (1985) bei S. H. Bae ir J. P. Choi (2006), kurie, nors ir pateikia skirtingas skaitmeninio piratavimo sąvokas, tačiau daugeliu atvejų susitelkia ties neigiamos skaitmeninio piratavimo įtakos vertinimu. Skaitmeninio piratavimo sukuriama žalą taip pat nagrinėja įvairios organizacijos – *World Intellectual Property Organization* (WIPO), *Business Software Alliance* (BSA), *Recording Industry Assosiation of America* (RIAA), *Lietuvos antipiratinės veiklos asociacija* (LANVA) ir kt., kurios skaitmeninį piratavimą dažniausiai tiria turėdamos aiškiai išreikštą tikslą – užtikrinti pajamas autoriams iš jų autorinių kūrinių platinimo ir naudojimo.

Dažniausiai skaitmeninis piratavimas kaip reiškinys neigiamai vertinamas daugelyje pasaulio valstybių, todėl daugiausiai dėmesio šioje srityje skiriama skaitmeninio piratavimo ribojimui, priimant ir griežtinant autorystės teisių įstatymus, perspėjant ar baudžiant vartotojus už skaitmeninio piratavimo veiklą. Itin aktyvūs veiksmai taikomi aukšto ekonominio lygio valstybėse. Tai iš dalies lemia didelis kompiuterinių bei interneto vartotojų skaičius, tačiau taip pat tam daug įtakos turi aktyvi

lobistinė kūrybinio turinio industrijos veikla, kuria siekiama apriboti arba visiškai sunaikinti skaitmeninį piratavimą kaip reiškini, tokiu būdu apsisaugant nuo pajamų ir autorinių kūrinių kūrybos pelningumo mažėjimo.

Tačiau, kaip akcentuoja L. Aguiar ir B. Martens (2013), P. Belleflamme ir M. Peitz (2010) bei A. Balestrino (2008), kovos su skaitmeninio piratavimo terpėje dažnai ignoruojami du ekonominiai principai – verslas turi prisitaikyti prie naujovių bei skatinti jas; verslas turi atsižvelgti į vartotojų poreikius bei nusistatymus. Šie principai laikytini pagrindinėmis aksiomomis verslo pasaulyje. Dėl kintančių vartotojų poreikių kūrybinio turinio industrija, siekianti draudimais riboti skaitmeninį piratavimą, susiduria su dideliu vartotojų, kurie yra kūrybinio turinio industrijos organizacijų klientai, pasipriešinimu, todėl šiame kontekste itin išryškėja dilema dėl skaitmeninio piratavimo daromos žalos bei esamos ar potencialiai galimos naudos.

Minimalios kliūtys skaitmeniniam piratavimui (paprasčiausia prieiga, didelis pasirinkimas, neribojamas interneto ryšys, maža teisminės atsakomybės tikimybė) reiškia, kad skaitmeniniu piratavimu užsiimantys vartotojai į produktą praktiškai nieko neinvestuoja, o tai lemia kūrybinio turinio industrijos produktų vartojimo pokyčius. Naujos skaitmeninės erdvės galimybės keičia vartotojų įpročius, pavyzdžiui, šiuolaikiniam vartotojui įprasta išklaudyti bent keletą muzikos įrašų prieš galbūt įsigyjant vieną iš jų. Tokie vartojimo pokyčiai verčia tinkamai suvokti ir apibendrinti vartotojų veikiančius požyrius, ketinimus ir aplinkybes, darančias įtaką skaitmeninio piratavimo motyvacijai.

Esama kūrybinio turinio industrijos patirtis rodo, kad skaitmeninis piratavimas turi ne tik neigiamą poveikį. Kaip akcentuoja R. K. Chellappa ir S. Shivendu (2005), A. Duchene ir P. Waelbroeck (2005), F. Silva ir G. Ramello (2000) bei T. Regner ir J. A. Barria (2009), dėl plačiai paplitusio piratavimo suteikiamos nemokamos reklamos, koncertų organizatoriai parduoda daugiau bilietų; programinės įrangos skaitmeninis piratavimas asmeninio vartojimo tikslais programinės įrangos gamintojams atneša daugiau pelno iš jų gaminamos programinės įrangos pardavimų stambioms įmonėms; internete laisvai platinamos televizijos laidos sparčiai populiarėja, daugėja jų žiūrovų, gaunamos pajamos iš reklamos; nemokamų muzikos įrašų sklaida tarp vartotojų leidžia greitai pasiekti didelę auditoriją naujiems atlikėjams. Todėl vis dažniau sutinkama

nuomonė, kad skaitmeninio piratavimo veikiamos pramonės sritys iš tiesų dėl šių pajamų šaltinių gauna solidaus pelno.

Todėl svarbu ir reikalinga ištirti skaitmeninį piratavimą ne tik iš neigiamo požiūrio, tačiau ir įvertinti jo sukuriamas galimybes bei privalumus. Kai kurie autoriai (Gopal, Bhattacharjee, Sanders, 2006; Chellappa, Shivendu, 2005; Duchene, Waelbroeck, 2005; Silva, Ramello, 2000; Regner, Barria, 2009) aptaria galimus skaitmeninio piratavimo privalumus, tačiau autorių nuomonė apie juos skirtinga, taip pat nei vienas autorius jų neklasifikuoja. Dėl to kyla poreikis susisteminti ir apibendrinti galimus piratavimo privalumus bei ištirti jų poveikį kūrybinio turinio industrijai empiriniais metodais. Tokių tyrimų pagrindu atsiranda galimybė formuoti naujus verslo modelius, orientuotus į skaitmeninio piratavimo veiklos išnaudojimą pajamų kūrybinio turinio kūrėjams generavimui.

Mokslinė problema. Esami skaitmeninio turinio vartojimo įpročiai ir nesudėtingas nelegalaus kūrybinio turinio prieinamumas mažina skaitmeninio piratavimo ribojimo galimybes draudimo ar teisinio reguliavimo priemonėmis. Tai susiję tiek su tobulėjančiomis skaitmeninėmis technologijomis, dėl kurių vartotojai vis lengviau gali pasiekti ir naudoti (ir netgi pateikti kitiems vartotojams) autorių teisių saugomus įvairaus pobūdžio ir formato kūrinius, tiek ir su skaitmeninio piratavimo apibrėžimu, kuris kai kuriais atvejais netgi iššaukia priešišką principinę vartotojų reakciją. Toks kūrybinio turinio industrijos kontekstas lemia poreikį ieškoti naujų verslo modelių, kurie ne draustų vartotojams naudotis nelegaliais kūrybinio turinio industrijos produktais, bet skatintų savanoriškai vietoje nelegalių rinktis legalius kūrybinio turinio industrijos produktus. Iki šiol vyravę verslo modeliai kūrybinio turinio industrijose, pagrįsti principu, kad vartotojas turi susimokėti už kiekvieną fiziškai įsigytą kūrybinio turinio industrijos produktą ar jų rinkinį ir tik tuomet gali jo klausytis, tampa neveiksmingi skaitmeninėje erdvėje.

Todėl kyla mokslinė problema: *koks verslo modelis geriausiai tiktų skaitmeninio piratavimo valdymui kūrybinio turinio industrijose, siekiant prisitaikyti prie esamų skaitmeninio turinio sklaidos ir vartojimo įpročių bei užtikrinti autoriams priimtina atlygį už kūrinius.*

Tyrimo hipotezės. Atsižvelgiant į iškeltą mokslinę problemą, formuluojamos šios disertacinio tyrimo hipotezės:

- H1: Muzikos įrašų industrijoje vartotojai teikia pirmenybę nemokamam turiniui, todėl skaitmeninio piratavimo valdymui muzikos įrašų industrijoje skirtas modelis turėtų būti orientuotas į vartotojų būtinųjų kaštų minimizavimą.
- H2: Vartotojams patrauklus skaitmeninio piratavimo valdymo muzikos įrašų industrijoje modelis turėtų teigiamą įtaką skaitmeninio piratavimo mažėjimui ir vartotojų polinkio į legalius muzikos įrašus didėjimui.

Mokslinės problemos ištyrimo lygis. Pradėjus formuoti skaitmeninio turinio pramonei, skaitmeninis piratavimas pradžioje nebuvo vertinamas kaip išskirtinio dėmesio reikalaujantis reiškinys, kol nebuvo suvokta, kad didėjančios skaitmeninio turinio platinimo galimybės pradeda riboti pajamas kūrybinio turinio kūrėjams. Išaugęs nelegalus muzikos įrašų ir kitų kūrybinio turinio industrijos produktų platinimas paskatino vis daugiau dėmesio skirti skaitmeninio piratavimo reiškiniui, siekiant apibrėžti jo sampratą, pasireiškimo formas bei iširti jo ribojimo arba valdymo galimybes.

Pirmiausiai ir aktyviausiai skaitmeninio piratavimo reiškinio tyrimus inicijavo autorių teises ginančios organizacijos, tiesiogiai suinteresuotos skaitmeninio piratavimo mastų mažinimu (BSA, IIPA, IFPI, LATGA-A ir kt.), kurios daugiausiai orientavosi į sprendimų, kaip sumažinti ar panaikinti skaitmeninį piratavimą, paiešką. Šių organizacijų tyrimai, daugiausia grindžiami statistinės informacijos analize ar vartotojų nuomonių tyrimais, paprastai akcentuoja, kad didėjantis skaitmeninis piratavimas mažina muzikos įrašų industrijos pajamas, todėl skaitmeninio piratavimo ribojimas leistų minėtas pajamas padidinti. Prie tokio pobūdžio tyrimų galima priskirti C. W. L. Hill (2007), A. d'Astous ir kt. (2005), S. Hinduja (2003), T. P. Cronan ir S. Al-Rafee (2008) tyrimus, kuriuose nagrinėjamos priežastys, dėl kurių vartotojai yra linkę į skaitmeninį piratavimą, bei siekiama identifikuoti būdus tokį polinkį riboti.

Nemažą postūmį ieškant naujų verslo modelių, skatinančių vartotojus savanoriškai atsisakyti nelegalių muzikos įrašų naudojimo, turėjo L. Aguiar ir B. Martens (2013) tyrimas, inicijuotas Europos komisijos, bei Europos Sąjungos vidaus politikos generalinio direktorato (2011) tyrimas. Šiais tyrimais buvo pagrįstas autorių teisių gynimo organizacijų pozicijai prieštaraujantis požiūris, kad skaitmeninis

piratavimas nebūtinai turi reikšmingą poveikį muzikos įrašų industrijos pajamoms, nes skaitmeninio piratavimo mastai silpnai koreliuoja su vartotojų polinkiu įsigyti muzikos įrašus, panaikinus skaitmeninio piratavimo galimybes. Būtent tokio pobūdžio tyrimai paskatino naujų verslo modelių paiešką ir naujų muzikos įrašų industrijos principų formavimąsi, atsisakant idėjos išlaikyti iki šiol vyravusį muzikos įrašų platinimo principą.

Šią poziciją – kad skaitmeninis piratavimas turėtų būti mažinamas siūlant naujus, vartotojams priimtinius verslo modelius, kurie minimaliai keistų esamus vartojimo įpročius – palaiko ir kiti autoriai, nagrinėję skaitmeninio piratavimo priežastis ir įtaką skaitmeninio turinio industrijai (P. Belleflamme ir M. Peitz (2010), A. Balestrino (2008), L. Aguiar ir B. Martens (2013), A. Duchene ir P. Waelbroeck (2005), T. Regner ir J. A. Barria (2009)). Tokia pozicija sudaro prielaidas ieškoti teorinių ir praktinių sprendimų, orientuotų į skaitmeninio piratavimo valdymą, siekiant užtikrinti pajamas kūrybinio turinio kūrėjams, prisitaikant prie esamų vartotojų įpročių ir skaitmeninės erdvės teikiamų galimybių bei ribotumų.

Darbo objektas – skaitmeninio piratavimo valdymas kūrybinio turinio industrijoje.

Darbo tikslas – ištirti skaitmeninio piratavimo valdymo galimybes kūrybinio turinio industrijoje, diegiant naujus verslo modelius.

Darbo uždaviniai:

1. Ištirti autorių teisių apsaugos ypatumus bei skaitmeninio piratavimo ribojimo aktualumą.
2. Išnagrinėti skaitmeninio piratavimo kūrybinio turinio industrijoje sampratą ir vaidmenį.
3. Išnagrinėti skaitmeninio piratavimo kūrybinio turinio industrijoje priežastis.
4. Ištirti teorinius skaitmeninio piratavimo valdymo verslo modelius kūrybinio turinio industrijoje.
5. Parengti teorinį skaitmeninio piratavimo valdymo galimybių modelį.
6. Atlikti skaitmeninio piratavimo mastų ir pobūdžio tyrimų pasaulyje ir Lietuvoje apžvalgą.

7. Ištirti esamus empirinius skaitmeninio piratavimo valdymo verslo modelius muzikos įrašų industrijoje.
8. Parengti skaitmeninio piratavimo valdymo muzikos įrašų industrijoje modelį.

Darbo metodai. Atliekant skaitmeninio piratavimo pasekmių kūrybinio turinio industrijai teorinių aspektų analizę yra taikomi bendramoksliniai tyrimo metodai: sisteminė, loginė ir palyginamoji mokslinės literatūros, dokumentų ir antrinių duomenų analizė bei teorinis modeliavimas. Atliekant skaitmeninio piratavimo paplitimo ir valdymo galimybių tyrimų apžvalgą, taikomi sisteminės ir palyginamosios analizės metodai, atvejo analizės metodas bei empiriniai tyrimo metodai: anketinė apklausa ir ekspertų interviu.

Darbo rezultatų teorinė ir praktinė reikšmė. Mokslinį disertacijos reikšmingumą teoriniu lygmeniu nusako gauti rezultatai: (1) išnagrinėti ir susisteminti įvairių autorių požiūriai į skaitmeninį piratavimą bei skaitmeninio piratavimo valdymo galimybes, daugiausia dėmesio skiriant pajamų uždirbimui, išnaudojant esamą skaitmeninio piratavimo terpę; (2) parengtas teorinis skaitmeninio piratavimo valdymo galimybių modelis, apimantis galimas kūrybinio turinio pateikimo rinkoje alternatyvas, užtikrinančias komercinę naudą kūrybinio turinio kūrėjams ir platintojams.

Praktinis disertacijos reikšmingumas atsiskleidžia per pateiktą skaitmeninio piratavimo valdymo muzikos įrašų industrijoje modelį, kurio pagrindu realizuojama galimybė generuoti komercinę naudą iš skaitmeninių muzikos įrašų, skatinant vartotojus rinktis šio modelio rėmuose pateikiamus muzikos įrašus vietoje nelegalių, išlaikant esamą vartotojų pasitenkinimo lygį bei užtikrinant muzikos įrašų kūrėjams priimtina kūrinių platinimą skaitmeninėje erdvėje.

Darbo naujumas. Disertacijos mokslinį naujumą nusako šie aspektai:

- Išnagrinėti skaitmeninio piratavimo valdymo ypatumai kūrybinio turinio industrijoje, į skaitmeninį piratavimą žvelgiant ne tik kaip į autorinių teisių apsaugos požiūriu žalingą reiškinį, bet ir kaip į kūrybinio turinio industrijos pajamų generavimo galimybę, išnaudojant šiuolaikines informacines technologijas.

- Parengtas teorinis skaitmeninio piratavimo valdymo galimybių modelis, kuris traktuotinas kaip teorinis pagrindas skaitmeninio piratavimo valdymo sprendimų paieškai, adaptuojant įvairių kūrybinio turinio pateikimo rinkoje modelių sprendimus.
- Pateikta skaitmeninio piratavimo valdymo atvejų palyginamoji analizė, išryškinusi esamų skaitmeninio piratavimo valdymo verslo modelių pranašumus ir trūkumus bei jų tinkamumą skaitmeninio piratavimo valdymui kūrybinio turinio industrijos dalyvių požiūriu.
- Ištirtas vartotojų ir muzikos įrašų industrijos ekspertų požiūris į skaitmeninio piratavimo valdymo galimybes Lietuvos pavyzdžiu, atskleidžiantis vartotojų ir ekspertų preferencijas muzikos įrašų industrijoje, susijusias su skaitmeniniu piratavimu ir jo išnaudojimu pajamų muzikos įrašų kūrėjams generavimui.
- Parengtas skaitmeninio piratavimo valdymo muzikos įrašų industrijoje modelis, orientuotas į muzikos įrašų industrijoje dirbančių atlikėjų pajamų uždirbimą, išnaudojant skaitmeninių technologijų galimybes ir minimizuojant nelegalių muzikos įrašų gamybos ir platinimo patrauklumą vartotojų požiūriu.

Darbo apribojimai ir sunkumai. Rengiant disertaciją, svarbiausias ribojimas buvo išsamios ir patikimos informacijos apie esamą skaitmeninio piratavimo paplitimą ir jo mastus trūkumas. Skaitmeninio piratavimo veiklų apskaitos galimybės yra ribotos dėl šios veiklos legalumo statuso bei skaitmeninių operacijų identifikavimo sudėtingumo, todėl daugeliu atvejų, nagrinėjant skaitmeninio piratavimo paplitimą, teko remtis esamų antrinių tyrimų rezultatais, kurie gali ne visuomet tiksliai atspindėti faktinę situaciją. Tiesa, disertaciniu tyrimu siekiama ne detalizuoti esamą skaitmeninio piratavimo situaciją, bet pateikti sprendimus, kaip valdyti skaitmeninį piratavimą, todėl duomenų apie skaitmeninio piratavimo paplitimą ir mastą ribotumas nelaikytinas esminiu disertacinio tyrimo apribojimu.

Darbo struktūra. Darbą sudaro įvadas, trys dalys, išvados, literatūros sąrašas ir 4 priedai.

Pirmojoje darbo dalyje pateikiama skaitmeninio piratavimo ir jo valdymo teorinių aspektų analizė, nagrinėjant autorinių teisių apsaugos ir skaitmeninio piratavimo esmę, skaitmeninio piratavimo įtaką ir jo valdymo galimybes kūrybinio turinio industrijoje, verslo reorganizavimo ir piratavimo valdymo modeliavimo galimybes bei parengiant teorinį skaitmeninio piratavimo valdymo galimybių modelį.

Antrojoje darbo dalyje atliekama skaitmeninio piratavimo paplitimo ir valdymo galimybių tyrimų analizė, apžvelgiant esamus skaitmeninio piratavimo vartotojų tyrimus pasaulyje ir Lietuvoje, nagrinėjant veikiančius skaitmeninio piratavimo valdymo atvejus bei aptariant skaitmeninio piratavimo valdymo muzikos įrašų industrijoje galimybių empirinio tyrimo rezultatus.

Trečiojoje darbo dalyje pristatomas parengtas skaitmeninio piratavimo valdymo muzikos įrašų industrijoje modelis, aptariant teorinių skaitmeninio piratavimo valdymo modelių pritaikymo muzikos industrijai aspektus bei pateikiant skaitmeninio piratavimo valdymo muzikos įrašų industrijoje modelio struktūrą.

Disertacijoje naudotasi įvairia Lietuvos ir užsienio autorių mokslinė literatūra lietuvių, anglų ir rusų kalbomis, informaciniais šaltiniais, dokumentais, atliktų tyrimų duomenimis, statistiniais duomenimis, moksliniais ir apžvalginiais straipsniais bei monografijomis. Daugiausia dėmesio skirta užsienio autoriams, nagrinėjantiems skaitmeninio piratavimo klausimus, ypač muzikos įrašų industrijoje.

Darbo apimtis – 235 psl., literatūros sąrašė yra 132 pozicijų, disertacijoje yra 19 lentelių ir 57 paveikslai.

IŠVADOS

Ištirtos skaitmeninio piratavimo valdymo, diegiant naujus verslo modelius, galimybės kūrybinio turinio industrijoje leidžia daryti šias išvadas:

1. Ištirti autorių teisių apsaugos ypatumai bei išnagrinėtas skaitmeninio piratavimo ribojimo aktualumas rodo, kad skaitmeninėje erdvėje autorių teisėmis saugomų nematerialaus pavidalo kūrinių apsaugos galimybės yra ribotos dėl spartaus ir nesudėtingo tokių kūrinių dauginimo ir perdavimo, todėl skaitmeninis piratavimas tampa patrauklus daugeliui vartotojų, ignoruojančių moralinius ir socialinius autorių teisių apsaugos aspektus. Dėl šios priežasties tampa aktualu skirti išskirtinį dėmesį skaitmeninio piratavimo galimybių mažinimui, skatinant vartotojus rinktis legalius

kūrinius, o tai, savo ruožtu, sukuria poreikį ieškoti naujų verslo modelių, galinčių sustiprinti legalių kūrinių paklausą ir atitinkamai sumažinti nelegalių kūrinių patrauklumą vartotojų požiūriu.

2. Išnagrinėta skaitmeninio piratavimo kūrybinio turinio industrijoje samprata ir vaidmuo išryškina skaitmeninio piratavimo valdymo būtinybę, siekiant apsaugoti kūrėjų ekonominius interesus. Dėl nematerialaus kūrybinio turinio industrijos produkcijos pavidalo skaitmeninis piratavimas įgauna išskirtinę svarbą šioje industrijoje, kuri yra priversta reaguoti į technologinius bei vartotojų įpročių pokyčius skaitmeninėje erdvėje ir nuolat ieškoti būdų, kaip prie šių pokyčių prisitaikyti. Priklausomai nuo skaitmeninio piratavimo apibrėžimo, šį reiškinį galima interpretuoti keliais lygiais, o tai, savo ruožtu, lemia skirtingus požiūrius į skaitmeninio piratavimo valdymo galimybes ir aktualumą:

- a. skaitmeninį piratavimą apibrėžiant tik kaip kūrinių dauginimą ir platinimą, siekiant ekonominės naudos, skaitmeninio piratavimo valdymo sprendimai dažniausiai susiejami su nelegalios ekonominės ar kriminalinės veiklos ribojimo priemonėmis, siekiant sumažinti šios veiklos mastus;
- b. skaitmeninį piratavimą apibrėžiant kaip bet kokį kūrinių naudojimą, neturint tiesioginio jų autoriaus sutikimo, skaitmeninio piratavimo valdymo srityje aktualesni tampa tokie sprendimai, kurie padeda pakeisti vartotojų įpročius ir skatina nelegalią produkciją keisti legalia, tuo pačiu siekiant nesumažinti bendrosios kūrinių paklausos.

3. Išnagrinėtos skaitmeninio piratavimo kūrybinio turinio industrijoje priežastys išryškino šio reiškinio prigimties daugialypiškumą bei poreikį nagrinėti skaitmeninio piratavimo valdymo galimybes, žvelgiant iš skirtingų perspektyvų. Nors tradiciškai dažniausia skaitmeninio piratavimo priežastimi nurodomi ekonominiai vartotojų motyvai, tačiau pastarojo meto pokyčiai skaitmeninėje erdvėje vis labiau atskleidžia, kad vieni svarbiausių skaitmeninio piratavimo veiksnių tampa vartotojų įpročiai, susiję su kūrybinio turinio industrijos kūrinių gavimo ir naudojimo patogumu, bei socialinė aplinka, skatinanti diskusijas dėl kūrybinio turinio industrijos pajamų pagrįstumo. Šiame kontekste diskutuotinas tampa kūrybinio turinio industrijos kūrinių paklausos ir pasiūlos suderinamumas kainodaros požiūriu, bei šios industrijos dalyvių nusiteikimas prisitaikyti prie pasikeitusių vartotojų įpročių naudojant skaitmeninei erdvei pritaikytą produkciją. Kuriant veiksmingus skaitmeninio piratavimo valdymo sprendimus, tampa svarbu

suteikti vartotojams jų įpročius atitinkančias paslaugas, užtikrinant socialiai teisingą ekonominės naudos pasidalinimą.

4. Ištirti teoriniai skaitmeninio piratavimo valdymo verslo modeliai kūrybinio turinio industrijoje parodė, kad skaitmeninėje erdvėje tradicinis verslo modelis tampa vis mažiau patrauklus tiek kūrėjų, tiek vartotojų požiūriu. Siekiant prisitaikyti prie skaitmeninės erdvės kuriamų sąlygų, būtinybe tampa ne tik naujų kūrinių paskirstymo kanalų kūrimas, bet ir kūrėjų pajamų struktūros perskirstymas, kuris tiesiogiai siejasi su vartotojų įpročiais ir polinkiais skaitmeninėje erdvėje. Išnagrinėjus įvairių autorių aptariamus skaitmeninio piratavimo valdymo sprendimus, išskirti šie pagrindiniai kūrybinio turinio pateikimo rinkoje modeliai: tradicinis, lygiarango, nemokamas prijungtinis turinys, individualus apmokestinimas, savanoriškas fiksuotas mokestis, privalomas fiksuotas mokestis, orientacija į koncertus, bendruomenė, socialiniai tinklai, bei atlikėjas – klientui. Šių kūrybinio turinio pateikimo rinkoje modelių ar atskirų jų elementų tarpusavio integracija gali tapti veiksmingu skaitmeninio piratavimo valdymo sprendimu kūrybinio turinio industrijoje, priklausomai nuo šios industrijos atskirų sektorių specifikos.

5. Parengtas teorinis skaitmeninio piratavimo valdymo galimybių modelis leidžia teigti, kad teoriniu lygiu egzistuoja įvairios kūrybinio turinio pateikimo rinkoje alternatyvos, kurių patrauklumą skaitmeninio piratavimo valdymo kontekste lemia prisitaikymas prie skaitmeninės erdvės ypatumų bei pajamų generavimo skaitmeninėje erdvėje galimybių. Dėl teorinio skaitmeninio piratavimo valdymo galimybių modelio struktūros, priklausomai nuo konkretaus kūrybinio turinio pateikimo rinkoje modelio tampa aktualūs ir realizuojasi skirtingi infrastruktūros, produkto/ paslaugos, kliento ir finansų modulių elementai, kurių visuma sudaro to konkretaus kūrybinio turinio pateikimo rinkoje modelio veiklos pagrindą, o ši, savo ruožtu, sukuria tam tikras specifines sąlygas skaitmeninio piratavimo plitimui arba jo valdymui.

6. Atlikta skaitmeninio piratavimo mastų ir pobūdžio tyrimų pasaulyje ir Lietuvoje apžvalga leidžia teigti, kad:

- a. Skaitmeninis piratavimas, dėl itin jo vykdymui palankios technologinės aplinkos, yra aktuali problema daugelyje valstybių. Skirtingose valstybėse skaitmeninio piratavimo mastai skiriasi ganėtinai reikšmingai, o tai rodo, kad egzistuoja pakankamai efektyvūs skaitmeninio piratavimo valdymo

būdai, kuriuos dalis valstybių tinkamai pritaikė ir tokiu būdu riboja skaitmeninio piratavimo plėtrą.

- b. Pasauliniu mastu atlikti skaitmeninio piratavimo tyrimai leidžia teigti, kad skaitmeninis piratavimas labiausiai paplitęs žemesnio ekonominio išsivystymo valstybėse, kuriose yra pakankamai daug jaunų, išsilavinusių asmenų, turinčių kokybišką prieigą prie interneto, bet neturinčių pakankamai finansinių išteklių originaliai produkcijai įsigyti. Tokia situacija rodo poreikį peržiūrėti esamas kūrybinio turinio industrijos verslo strategijas besivystančiose rinkose ir ieškoti naujų skaitmeninio turinio realizacijai pritaikytų verslo modelių.
- c. Lietuvoje skaitmeninio piratavimo lygis yra ganėtinai aukštas lyginant su kitomis Europos Sąjungos šalimis, tačiau pastebimos teigiamos skaitmeninio piratavimo lygio kitimo tendencijos, kurios sietinos tiek su šalies ekonominio išsivystymo lygio augimu, tiek ir su naujais kūrybinio turinio industrijos produktų platinimo sprendimais, dėl kurių mažėja vartotojų motyvacija naudotis nelegaliu skaitmeniniu turiniu.

7. Ištirti esami empiriniai skaitmeninio piratavimo valdymo verslo modeliai muzikos įrašų industrijoje, taikant anketinės apklausos bei ekspertų interviu metodus, leidžia daryti šiuos apibendrinimus:

- a. Remiantis vartotojų nuomone, skaitmeninio piratavimo valdymui muzikos įrašų industrijoje tinkamiausios kūrybinio turinio pateikimo rinkoje modelių alternatyvos yra nemokamas prijungtinis turinys, savanoriškas fiksuotas mokestis, individualus apmokestinimas, bendruomenė ir socialiniai tinklai. Atsižvelgiant į tai, tikslinga atitinkamai modifikuoti teorinį skaitmeninio piratavimo valdymo galimybių modelį, eliminuojant kitas, muzikos įrašų industrijai netinkamas tipinių kūrybinio turinio pateikimo rinkoje modelių alternatyvas.
- b. Ekspertų teigimu, daugiausia dėmesio, formuojant skaitmeninio piratavimo valdymo muzikos įrašų industrijoje modelį, tikslinga skirti „YouTube“ ir „Spotify“ modeliams, kurie laikytini komerciškai perspektyviausiais muzikos įrašų industrijos verslo modeliais skaitmeninėje erdvėje.
- c. Skaitmeninis piratavimas didžiausią neigiamą poveikį turi į muzikos įrašų

pardavimą besiorientuojantiems autoriams, todėl formuojant skaitmeninio piratavimo valdymo muzikos įrašų industrijoje modelį, svarbu įvertinti, kad tokių autorių pajamų struktūra gali reikšmingai pasikeisti dėl skaitmeninės erdvės ypatybių, o tai lemia poreikį suformuoti šiems autoriams ekonominiu požiūriu priimtinas pajamų generavimo alternatyvas, kartu prisitaikant prie vartotojų įpročių.

8. Parengtas skaitmeninio piratavimo valdymo muzikos įrašų industrijoje modelis traktuotinas kaip komercinės naudos generavimui iš skaitmeninių muzikos įrašų platinimo, išlaikant esamą vartotojų pasitenkinimo lygį bei užtikrinant muzikos įrašų kūrėjams priimtina kūrinių platinimą skaitmeninėje erdvėje, skirtas įrankis, kurio diegimas muzikos įrašų industrijoje sudarytų sąlygas minimizuoti nelegalių muzikos įrašų platinimo skaitmeninėje erdvėje patrauklumą bei užtikrinti muzikos įrašų kūrėjams priimtinas pajamas iš jų kūrinių platinimo skaitmeniniais kanalais. Tokios modelio savybės daro jį patrauklų muzikos įrašų industrijos dalyviams, siekiantiems komerciniais tikslais valdyti muzikos įrašų skaitmeninį piratavimą, todėl galima tikėtis, kad skaitmeninio piratavimo valdymo muzikos įrašų industrijoje modelis gali tapti pagrindu formuojant komercinį muzikos įrašų platinimo modelį skaitmeninėje erdvėje. Tai patvirtina disertacinio tyrimo hipotezes H1 ir H2, teigiančias, kad vartotojai būtų linkę į legalių muzikos įrašų paslaugas, jeigu jos užtikrintų didesnę naudojimo patogumą ir kokybę, net jeigu už tai reikėtų mokėti, o toks vartotojų pasirinkimas mažintų skaitmeninį piratavimą.

Remiantis atliktų skaitmeninio piratavimo valdymo tyrimų rezultatais bei atsižvelgiant į suformuotą skaitmeninio piratavimo valdymo muzikos įrašų industrijoje modelį, formuluojamos šios **rekomendacijos** muzikos įrašų industrijoje veikiančiam verslui:

1. Labiausiai vartotojų poreikius ir lūkesčius atitinkantys skaitmeninės erdvės pagrindu veikiantys verslo modeliai muzikos įrašų industrijoje yra „YouTube“ ir „Spotify“, todėl kuriant naujus skaitmeninio piratavimo valdymo modelius, rekomenduojama įvertinti minėtų modelių koncepcinius ypatumus ir jų svarbą vartotojams.

2. Tinkama skaitmeninių muzikos įrašų kainodara yra vienas iš esminių vartotojų polinkį į vieną ar kitą verslo modelį lemiančių veiksnių, todėl rekomenduojama atsižvelgti į tai, kad ekspertų ir vartotojų nuomone, patraukliausias kainodaros modelis yra trijų lygių tipinių paketų visuma, apimanti nemokamas bazines paslaugas ir nuolatinio fiksuoto bei individualaus apmokestinimo už specifines paslaugas derinį.

3. Skaitmeninėje erdvėje itin svarbus yra greitas ir patogus priėjimas prie plataus asortimento muzikos įrašų, todėl kuriant skaitmeninio piratavimo valdymo verslą, tikslinga orientuotis į masto ekonomiją, siekiant į verslą įtraukti kuo daugiau atlikėjų ir vartotojų.

THE LIST OF SCIENTIFIC PUBLICATIONS AND PRESENTATIONS ON THE TOPIC OF DISSERTATION

The list of scientific publications:

1. Marius Akulavičius (2015) Skaitmeninio piratavimo valdymo muzikos įrašų industrijoje verslo modelių formavimasis. *Iššūkiai ir socialinė atsakomybė versle*. Kolpingo kolegija, Kaunas. 8 p. ISSN 2029-7130
2. Marius Akulavičius, Edverdas Vaclovas Bartkus (2015) Possibilities of digital piracy management in music records industry. *Transformations in Business and economics*, vol. 14., No. 1., Vilnius University and others; Brno-Kaunas-Riga-Vilnius, 15 p. ISSN 1648-4460
3. Marius Akulavičius, Edverdas Vaclovas Bartkus (2015) The formation of Digital piracy management business models in the music records industry. *Journal of arts and humanities*, vol. 4, No. 2., MIR centre for socio-economic research. 9p. ISSN 2167-9045

International scientific conferences:

1. Skaitmeninio piratavimo įtaka turinio industrijai- teorinis požiūris. 8- toji tarptautinė Vlado Gronsko mokslinė konferencija „Ūkio plėtra: teorija ir praktika“ 2011 m. gruodžio 8 d. Kaunas, VU KHF, Lietuva;
2. Vartotojų motyvacijos veiksniai skaitmeniniam piratavimui. 9- toji tarptautinė Vlado Gronsko mokslinė konferencija „Ūkio plėtra: teorija ir praktika“ “ 2012 m. gruodžio 6 d. Kaunas, VU KHF, Lietuva;
3. Digital piracy- tendencies and motivation. *PRORES international scientific conference Social and ecological implications of restructuring during and after the global economic crisis*. 2013 m. gegužės 9-10 d. Kaunas, Lietuva;
4. The formation of business models indigital piracy management of music records industry. *Tarptautinė mokslinė-praktinė konferencija „Darnaus vystymosi iššūkiai švietimui“* 2015 m. kovo 26 d. Kaunas, Kolpingo Kolegija, Lietuva

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Vilnius University	Master of management and business administration	2005-2007
Vilnius University	Bachelor of management and business administration	2001-2005
Work experience		
Name employer	Ocupation or position held	Dates
Bidvest Lithuania	Head of purchase departament	2015- now
Bidvest Lithuania	Product groups manager	2011-2014
ALSO Lithuania	Project manager for small and medium businesses	2007-2009
Fields of Scietific Interest	Digital piracy, digital piracy management, business development, e-commerce	