

## Chapter 6

# Intellectual Property Rights and Social Media: Copyright in the Digital Era – Social Media and Copyrights

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### ABSTRACT

*Issues related to intellectual property rights in the Web 2.0 environment are rarely discussed. This chapter investigates the issues surrounding copyright in the digital era, which the market is increasingly using social media. The chapter describes the legal risks confronting people on using content in the digital era and examines the issues in this area. Valuable discussion will be generated for all users of digital content. The chapter investigates copyrights in the digital era through a case study, gathering data through interviews conducted in the UK. Research findings show lack of knowledge and instruction in the use of digital content and information produced through social media is the main reason for emerging conflict in this area. Knowledge about IPRs, and specifically copyrights in e-learning, needs to be provided for people. One of the issues that must be addressed by the use of Web 2.0 to learners is a full explanation of copyright laws. This will prevent content generated in this environment from infringing copyright.*

### INTRODUCTION

Information and communication technologies (ICTs) offer different opportunities to learners. Technologies enhance the quality of education and learning (Ladyshevsky & Taplin, 2013). Learners perceive usefulness by using ICTs in their learning process (Hashim, 2008). In addition, with the recent advancement in ICTs and the emergence of Web 2.0, individuals have been empowered

to generate and share content available on the internet. However, as people share and use more digital content, the issues related to copyright have become relevant to the many users who interact online (Palfrey, Gasser, Simun, & Barnes, 2009).

In the current digital era, copyright is one of the most common areas around intellectual property rights to be encountered. Issues related to copyrights in the current digital environment have been repeatedly discussed in recent years

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within the European Union (McNamee, Humeau, & Fiedler, 2013). Lack of universal laws to protect the users' privacy is a major stumbling block (Kligienė & Rapečka, 2011). Intellectual property rights (IPRs) is one of the challenging issues in innovation studies. Some scholars suggest that IPRs will increase the rate of innovation (Andersen & Frenz, 2010). On the other hand, this argument is challenged by others who highlight the role of IPRs over scientific knowledge (Murray & Stern, 2007). These scholars contend that IPRs are a barrier to gaining scientific knowledge (Murray & Stern, 2007). In fact the use of IPRs in education and the learning environment has ignited the policy debate. While some scholars support IPRs and protection of research and contents, others highlight the negative effects (Murray & Stern, 2007). This debate has become even more important with the emergence of social media, which attract people to come online and share their information and ideas as well as enjoy access to others' content. The concerns become more heightened if users employ others' work in their work without permission as it is available online.

Web 2.0 is a development of Web 1.0, which enables people to generate content in an online context (Bugshan, 2013). The ability that Web 2.0 technologies gave to people encourages them to take an active position on the internet and generate content. Web 2.0 is the platform for the advancement of social media (Kaplan & Haenlein, 2010). Today, social media has become all-embracing (Kaplan & Haenlein, 2010). However, users contribute and develop new content on the internet by using the work of others. This raises issues related to copyright as some of their work may be generated without permission (Wyatt & Hahn, 2011). This is a new challenge to be faced by people who are using social platforms, in some cases for learning. It is a matter of fact that Web 2.0 enables people to create content and develop new work. Although this may be creative, it can breach issues related to copyright (Wyatt & Hahn, 2011), as the source of new work might come from

others. One example of this is file sharing on the internet. EU, as reported by Dutch consultancy firm TNO, the UK media regulator and French copyright enforcement agency HADOPI, has concluded that downloading and file sharing in the financial sector is overestimated. Such findings highlight the regulatory work to be done on copyright in the digital era (McNamee et al., 2013).

The learning environment, specifically e-learning using digital content, is one of the challenging areas as students and researchers use a variety of information and content generated on the internet without adequate knowledge about the copyright issues of the source. Wikis are such examples of digital content produced by Web 2.0 technologies (Esichaikul, Aung, Bechter, & Rehman, 2013). The availability of this content is even more widespread with the proliferation of the internet and Web technologies, which enable people to have access to different information sources. In fact, the e-learning market is still in early stages of development (Ettinger, Holton, & Blass, 2006); social media can be a means to expand it. Hence, this could be the right time to raise the issues related to intellectual property rights. Users of content and information on Web 2.0 platforms can be instructed about this before being criticized for breaching copyright. It is argued that social media emerging from Web 2.0 attempt to re-contextualize cultural products and consume them, but these activities may be breaching copyright (Kawashima, 2010). It is argued that most of the issues raised about copyright in the digital era centres on file sharing (McNamee et al., 2013). The internet plays an important role in the entertainment industry (Rupp & Smith, 2004), where file sharing is prevalent and central to this industry. New technologies can now offer significant opportunities to this industry (Andersen & Frenz, 2010).

Towards these ends, the advancement of Web 2.0 technologies and the capability of social media is one of the main research agendas in recent years, but issues of Web 2.0 and intellectual property

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