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The American University in Cairo

School of Global Affairs and Public Policy

**PROFILING MOVIE DOWNLOADERS IN EGYPT: LAW AWARENESS AS AN
ATTITUDINAL FACTOR**

A Thesis Submitted to

The Department of Journalism and Mass Communication

in partial fulfillment of the requirements for
the degree of Master of Arts

Submitted by

Mona Abdelsattar Elswah

under the supervision of

Dr Rasha Abdulla

Associate professor, Department of Journalism and Mass Communication, School of
Global Affairs and Public Policy

Spring, 2016

ABSTRACT

This study is aimed at determining the main antecedents of the intention to illegally download movies in Egypt. This study examined the role of law awareness in forming the attitude toward illegal downloading and the methods downloaders use to rationalize their act. A model was proposed based on the planned behavior, neutralization and deterrence theories. A sample of 384 Mass Communication students at Cairo University was surveyed. The findings showed that law awareness does not play a direct role in forming attitudes toward movie illegal downloading. Even though the more illegal downloaders were aware of the illegality of movie copyright infringement, the more they perceived the law as deterrent; they continued downloading movies. The results also indicated that perceived deterrence has no direct correlation with attitude. The results showed that downloaders with lower levels of law awareness needed to rationalize their piracy act, which may indicate that they are aware of the immorality of their act regardless of its illegality. In addition, limiting access to movies and failing to provide more legitimate venues may cause more favorable attitude toward the illegal downloading which may represent one of the very few choices left to movie fans. Furthermore, attitude was found to be the strongest determinant of illegal downloading intention. Moreover, the current findings showed that movie downloaders perceived movie piracy as an easy act. The fight against piracy should include non-downloaders also, since this study showed that the societal acceptance was another driving force for movie piracy.

Keywords: Illegal downloading, copyright, movie piracy, attitude, neutralization techniques, intention.

DEDICATION

To my father Abdelsattar Ibrahim Ibrahim Elswah

(May his soul rest in peace)

You believed in me when no one else did. You dedicated your life to give me the best possible education. I grew up watching you surrounded by dozens of books just to get one piece of information. You inspired me to keep learning about new things, and to search for the truth. I am proud to have you as my father, and I hope I can make you proud as well. I am forever grateful for you. Thank you dad!

To my mother, Tomader Mostafa, who lights up my world and the greatest blessing of all.

To my brother, Osama Elswah, my supporter, guardian angel and role model.

I wouldn't have done it without your support

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Chapter One

Introduction

“I feel devastated for people when they are about to release a movie and then you find out it’s been pirated and already downloaded. All that work that has gone into it – it’s such a shame.” (Joel Edgerton, actor. The guardian, 2015)

Movie piracy predates the Internet era; duping (i.e., creating copies of the original movie) used to be the worst nightmare for movie producers. After obtaining a print of the 1902 Georges Méliès’s *a Trip to The Moon* movie, one of the first movies in history, a company illegally created a negative from the positive print. The movie was then duplicated under the name *A Trip to Mars* (Decherney, 2007). In 1912, Edison Company succeeded in adding motion pictures to the Copyright Act after years of fighting in the Supreme Court to protect their movies that used to be duped by other competitors. September 1927 marks the first detection of an outlaw network of movie circulation overseas by Victory Film Company which was responsible for duplicating and distributing unauthorized prints of four United Artists Pictures’ movies: *The Thief of Bagdad*, *Robin Hood*, *Don Q: Son of Zorro* and *Son of the Sheik* to India (Govil and Hoyt, 2014). These dates demonstrate an insignificant fragment of the filmmakers' ever-lasting struggle with movie pirates since the foundation of the industry.

Afterwards, digital revolution and broadband network unleashed new levels of content sharing. Digital distribution channels amplified the challenges movie producers needed to battle. Peer-to-peer (P2P) channels, file-sharing websites, and other unauthorized channels became obtainable and substituted the limited duped movies. These illegitimate venues facilitated the process of obtaining an unauthorized copy of any movie by illegally

downloading it. This type of piracy led to the circulation of copyrighted movies on a global scale.

Moreover, scholars have tried to define the exact amount of loss in Hollywood movie revenues due to piracy. Ma, Montgomery, Singh, and Smith (2014) found that pre-release movie piracy can cause a 19.1% reduction in the revenues compared to the post-release piracy. In addition, post-release piracy can influence the DVD purchases and revenues (Bounie, Bourreau & Waelbroeck, 2006). Vany and Walls (2007) estimated \$437.9 loss in the US theoretical revenues per active pirate site each week.

This unpaid illegal downloading is considered a troublesome problem to movie revenues globally. The piracy is an international problem for two reasons; first, entertainment markets are global ones. Second, the new technology facilitated pirated materials to cross national borders (Proserpio, Salvemini, & Ghiringhelli, 2005).

Global distribution of movies is a staple of this industry. Foreign markets took greater importance to recoup the loss in the domestic markets; revenues from foreign markets represented 25% to 40% of a total American film revenue in 1928, in 1960s it went up to 53% (Wang, 2003a). Currently, foreign revenues represent more than 75% of a total movie revenue; the Sony production “Spectre” earned 77.3% of its revenues from overseas theaters, “Everest” gained 78.6% of revenues from foreign markets, while the movie “The walk” was more popular in foreign countries than its home state with 83.3% of its revenues from foreign markets (boxofficemojo.com, 2016). Hence, foreign markets are important to all movies in general and to the Hollywood productions specifically, and in some cases more important than the domestic market. Therefore, losing foreign audience due to piracy is a major problem studios are trying to fight.

Furthermore, Vany and Walls (2007) noted that foreign markets are where movie piracy is most common. Hence, studios started to distribute movies in international markets in parallel with the domestic release in order to reduce the possibilities of pirated copies to be disseminated in foreign countries. Most Egyptian theaters grant moviegoers access to many foreign movies, especially Hollywood productions. Having access through illegal venues to foreign movies would cause financial damage to movie producers. Not only foreign movies are pirated and disseminated online, Egyptian movies are as well.

Historically, Egypt was a pioneer in the movie industry in the Middle East. Egyptian movies were instigated in 1927 with the first Egyptian feature film *Layla* produced by Aziza Amir (Shafik, 2007). Currently, a robust production is uncommon; few producers monopolize the film industry and independent filmmakers are withdrawing from the industry constantly. An exact number that represents the annual loss of the Egyptian movie industry due to piracy cannot be detected to date due to the lack of empirical studies inspecting the ramifications of illegal downloading.

Despite the constitutional protection given to intellectual property in Egypt, the enforcement of the IPR law isn't as rigid as required. The United States Trade Representative (USTR) (2015) in its "301 special report" listed Egypt in *the Watch List* for its failure to issue deterrent sanctions against intellectual property right (IPR) violations and the deficiencies in the law enforcement.

Hence, this research is inquiring whether people are aware of these legislations; whether this possible awareness would succeed in prohibiting them from pursuing the act of piracy; or if they may find other cognitive justifications to turn a blind eye towards these regulations.

This analytical study examines the illegal downloading behavior at the individual-level. Due to the growing loss they cause to the movie industry revenues, this study tries to provide a behavioral analysis of illegal movie downloaders in Egypt. Law awareness will be explored as an antecedent to the attitude toward illegal downloading that in turn influences the intention. This study will provide empirical data of the legal literacy levels among Egyptian downloaders and how that influences their attitude. In addition, evaluating the psychological process through which the legally literate individuals might overthrow these regulations and form a favorable attitude toward illegal downloading. Other factors that influence the intention such as subjective norms and perceived control over downloading process will be measured as well. This study will help in discerning better remedies to this problem in Egypt and worldwide.

Chapter Two

Intellectual Property Rights in Egypt

“Copyright” and “intellectual property rights” share some roots; however, they are not interchangeable. The World Intellectual Property Organization (WIPO) (2004a) in its Intellectual Property handbook defined Intellectual Property Rights (IPRs) as “the legal rights which result from intellectual activity in the industrial, scientific, literary and artistic fields”. Similarly, the World Trade Organization (WTO) (2016) defines Intellectual Property Rights (IPRs) as “the rights given to persons over the creations of their minds. They usually give the creator an exclusive right over the use of his/her creation for a certain period of time”. In other words, IPR laws grant producers of intellectual goods the right to control these goods for a certain specified duration (WIPO, 2004a).

Copyright falls under the umbrella of the intellectual property rights. Traditionally, intellectual property is divided into two types; industrial property and copyright. Literary and artistic fields (books, writings, music, paintings, films, etc.) constitute the copyright branch, while the industrial and scientific fields (inventions, industrial designs, trademarks, etc.) form the industrial property branch (WIPO, 2004a). The copyright branch is also concerned with the performers’ rights such as actors, musicians and broadcasting organizations (WTO, 2016).

In Egypt, copyright is protected within the IPR law. Therefore, an examination of the IPR law was required in this study to shed the light on the main articles of the copyright.

Historical Background:

The first copyright law in the world was issued in 1710 in England known as “The Statute of Ann” which provided writers of books, rather than the publishers, with an exclusive right to allow the print of their books. In 1791, the first copyright law was issued in France following the French revolution prohibiting performing any literary work without an authorization from the writer. Prior to the first promulgation of the IPR legislations, the Egyptian judiciary system used to protect IPRs using other legislations rooted in the principles of natural law and rules of equity (Lotfy, 2015). Copyright disputes among native Egyptians were decided in “native Courts” while disputes which included Egyptians and foreigners were looked after in “Mixed Courts” (WIPO, 2004b).

Issuing Law no. 57 in 1939 is considered the first attempt at regulating industrial property rights by the Egyptian legislator. This law was enacted to protect trademarks and prohibited the counterfeiting of registered trademarks (Internal Trade Development Authority ITDA, 2016). Followed by another legislation to protect patents and industrial designs in 1949, known as Law no. 132. Later, the declaration of the first law protecting copyright took place in 1954, known as Law no. 354 (WIPO, 2004c).

Laws no. 57, 132 and 354 were not sufficient in maintaining the IPRs in Egypt mainly after it joined the World Trade Organization (WTO) in 1995 which in turn imposed the terms of the Trade and Related Aspects of Intellectual Property Rights (TRIPS) Agreement on Egypt. Therefore, a new law was issued and ratified to guarantee all the intellectual property fields (industrial property and copyright) along with the new fields enforced by the TRIPS Agreement. Law no.82 of 2002 is the law that protects IPRs in

Egypt to the date of writing this study and the one enforced by the Egyptian judiciary. This law was issued to meet the standards of the international treaties and conventions Egypt had joined (WIPO, 2004b).

International Treaties and Conventions:

Egypt is a part of various international and regional treaties along with other countries. These treaties enforce the implementation of the minimum standards of IPRs on the Egyptian soil. There are many treaties that are administrated by the WIPO (WIPO, 2016a). The researcher of this study will elaborate on only one of these treaties that is concerned with literary and artistic works rights and one of the main treaties in the copyright field known as the “Berne Convention for the Protection of Literary and Artistic Works” which Egypt joined in 1977.

Egypt had joined other treaties related to the IP protection with other countries (Multilateral treaties). TRIPS Agreement is one of these conventions that tackled and changed the standards of the copyright legislations in all the member states’ legislative systems. Within the African region, Egypt signed treaties with other African countries. Other bilateral treaties were signed with Turkey, Armenia, Albania, Argentina, United States of America, Japan, Canada, European communities, and EFTA states (WIPO, 2016a). The researcher will also highlight the main articles of the TRIPS Agreement which Egypt relied on to develop the current IP Law in 2002.

Berne Convention for the Protection of Literary and Artistic Works:

The Berne Convention was adopted in 1886 to protect copyright. It provides authors with an exclusive right to control their work. It is based on three basic principles; a) national treatment to authors in all the Contracting States, b) the protection is automatic and unconditional, and c) the implementation of the protection is independent from the existence of an IPR protection in the author's country. (WIPO, 2016b).

Following the filmmakers' violations of the dramatists work when the film industry started to rise, movies were added to the convention's list of protected works. A French proposal in 1908 at the Berlin Conference demanded the protection for the dramatists' rights. Thereafter, a new text was added to the Convention prohibiting the infringement of literary and artistic works including the unauthorized reproduction of any of these works. Article 14 of the Convention implied to the authors' exclusive right to allow the reproduction and performing of their works (Leggett, 2003).

Berne Convention emphasized the necessity of including all types of artistic and literary works under the protection. It also asserted on the "moral right" of the author and the author's right of an authorship recognition. The term of protection granted by the Berne Convention is the life of the author and fifty years after his death for all literary and artistic works protected under this Convention (WIPO, 2016a). However, the Convention provided in Article 7(3) cinematographic works with a different protection period comparing to other works; it's calculated from the date the work has been made available to the public. Hence, movies are granted 50 years of protection following the first release of the film. Yet, later in Article 7bis, Berne Convention provided works categorized as "joint-authorship" with a

50-year protection following the death of the last surviving co-author (movies are categorized as joint-authorship work under the Egyptian IP law).

Trade Related Aspects of Intellectual Property Rights Agreement (TRIPS):

Developing economies continued to fear the growth of the IPRs protection that may hinder their access to knowledge and inventions. Hence, members of the World Trade Organization WTO joined the TRIPS Agreement in 1994. It enforces the minimum standards for IPR protection which must be adopted, according to the Agreement, by all the members in their national IP- related laws (Nain, 2006; Vita, 2013). In addition to the minimum standards provided, it permits extra-territorial protection for the domestic copyrighted works. It aims at harmonizing the IPR standards across the WTO states (Cardwell & Ghazalian, 2012).

The aforementioned Agreement marked a new departure for the multilateral trade. Developing countries were promised better access to products from developed economies with less restrictions. Developed countries, which were dissatisfied with the IPR protection in developing countries, were promised international guaranteed protection (Cardwell & Ghazalian, 2012).

Copyright and Related rights are protected in this Agreement under Articles 9 to 14. Article 11 provides authors of cinematographic works (i.e. movies) the right to authorize commercial rental of their work, original or copied, to the public. (WIPO, 2012).

According to Article 12, TRIPS grants a 50-year-protection following the death of an author. However, if a member state followed the Berne Convention terms (50 years

following the release date) or different terms, the protection should start from the end of the calendar year of an authorized publication (WIPO, 2012).

"Whenever the term of protection of a work, other than a photographic work or a work of applied art, is calculated on a basis other than the life of a natural person, such term shall be no less than 50 years from the end of the calendar year of authorized publication, or, failing such authorized publication within 50 years from the making of the work, 50 years from the end of the calendar year of making" (TRIPS, Article 10, 1994)

Egypt joined this Agreement in 1995. There was an urgent need to revise the national regulations to meet the Agreement's minimum standards. Hence, the current IP law was ratified and issued to be in coherence with the TRIPS Agreement terms. Article 139 in the copyright and related rights book in the Egyptian Law no.82 of 2002 guarantees safeguarding the copyright of all the members of the world trade organization (WTO). For instance, the performers' rights were included to the law for the first time in the light of the TRIPS agreement (WIPO, 2004b).

Law no.82 of 2002

This law consists of four books; each is concerned with an intellectual property field. The first book consists of three parts; part one is about patents and utility models, part two is about layout-designs for integrated circuits and part three is about undisclosed information. While the second book is composed of two parts; the first part is about trademarks and geographical indications, and the second part is about industrial designs. The third book, which is the main scope of this study, involves only one part about

copyright and their related rights. The last and the fourth book is about plant varieties (Egypt IP Law no.82, 2002).

Book three includes 51 articles; ranging from article 138 to 188. Article no.138 defines the word *author*¹ as “The person who creates the work. Is considered author of the work the person whose name is indicated on, or attributed to, the published work as being its author, unless proven otherwise”. It also defines the term “*reproduction*” as “Making one or more exact copies of a work or a sound recording, in any manner or form, including permanent or temporary storage of the work or sound recording in an electronic form”. In addition, the law defines *publication* as “Any act which is liable to make available to the public, in any manner, a work, a sound recording, a broadcast program or a performance. Works may be made available to the public subject to the consent of the author or copyright owner. Sound, recordings, broadcast programs or performances may be made available to the public subject to the consent of the producer or his successor”. According to this article, *performers* are “Persons who act, sing, deliver, declaim, play, dance or otherwise perform, including expressions of folklore, in literary or artistic works protected by the provisions of this Law or belonging to the public domain”. (Egypt IP Law no.82, 2002).

Movies are referred to in the TRIPS Agreement and the Berne Convention as “cinematographic works” (TRIPS, 1994; Berne Convention, 1886). The 1954 Egyptian copyright law used to refer to movies as “cinematographic works” as well (Egypt copyright

¹ The law was issued originally in Arabic; however, the researcher depended on the translation available on the WIPO website (the same translation is used by the Academy of Scientific Research and Technology Egyptian Patent Office). The translation was retrieved Feb 5, 2016 from <http://www.egypo.gov.eg/PDFs/law2002e.pdf> and <http://www.wipo.int/edocs/lexdocs/laws/en/eg/eg001en.pdf>

Law no.354, 1954). However, the 2002 IP law used the term “audiovisual works” *Mosnfat Sameya W Basria* to describe movies. The terms “movies, films, cinematographic works” are not used in this law at all. (Egypt IP Law no.82, 2002).

Categorizing the authorship of movies is a problematic matter. Hick (2014) pointed that film authorship has been debated frequently in the past half century with regard to the fact that hundreds of individuals work collaboratively in the same movie. Hick (2014) added that the trend is either to consider each of these individuals as author or to consider no one as an author. According to the Egyptian law, there are different types of authorship such as collective and joint authorships. Defining which category movies fall under is necessary due to the different protection terms each category enjoys.

Article 177 clarified the debatable matter by referring to directors, Scriptwriters (original or adapted), and composers as co-authors of the audiovisual work and that they have jointly the right to project the work. Therefore, movies are jointly authored by the film contributors. (Egypt IP Law no.82 of 2002).

“Shall be considered as co-authors of an audiovisual, audio or visual work:

(1) The author of the scenario or written idea for the program; (2) The person who makes an adaptation of an existing literary work for an audiovisual production; (3) The author of the dialogue; (4) The composer of the music if composed specifically for the work; (5) The director who positively contributes from the intellectual point of view to the making of the work” (Article 177, Law no.82 of 2002).

In 2013, in the case no.532, the Economic court considered a movie as a work of joint-authorship rather than a collective work. This verdict was on the basis that a producer is the person who is only concerned with the financial aspects of a movie. Yet, movies require more people to be created. Although performers are not listed as co-authors in this law, the court considered *Magda* (a famous Egyptian actress) in this case as a co-author as well (Lotfy, 2015). This led *Magda* to prohibit others from reproducing or broadcasting her movies without a permission.

This joint-authorship elicit a longer protection term for movies than single authorship. Under Article 161 of the Law no.82 of 2002, joint-authorship works are protected for 50 years following the death of the last surviving co-author (Egypt IP Law no.82 of 2002). Hence, it requires years for movies to become part of the public domain. Consequently, most of old-produced movies, except of those fall into the public domain, are also protected under this law. Downloading and uploading them online without the authorization of their producer is considered a copyright infringement as well.

Article 139 states that the copyright and related rights protect both Egyptians and foreigners who belong to a member state in the WTO. The members protected are “Producers and authors of cinematographic works, the maker of which has his headquarters or habitual residence in one of the countries of that organization “ (Egypt IP Law no.82, 2002). Hence, due to the applicability of the law on both national and foreign movies, this study is concerned with the illegal downloading of all movies produced in all WTO members (162 states to the date of writing this study) by Egyptian downloaders.

Awad , El-Gheriani and Abou Zeid (2010) pointed to Article 147 which comprises the author's exclusive right to allow the *reproduction* of his/her work.

“The author and his universal successor shall have the exclusive right to authorize or prevent any form of exploitation of his work, particularly through reproduction, broadcasting, rebroadcasting, public performance, public communication, translation, adaptation, rental, lending or making the work available to the public in any manner, including through computers, internet, information networks, communication networks and other means.”

(Article no.147, Egypt IP Law no.82, 2002).

According to the earlier Article 138, reproduction means creating a copy of the author's work. The process of illegal downloading of movies pertains creating a copy of the movie without the authorization of the author which is prohibited under Article no.147. In addition, if a person purchased legally a DVD from a movie, he/she can't publically present it for others or create copies of it for non-personal use.

Making the work available to the public through the Internet is also considered a violation of the author's right. Hence, based on Article 147, uploading movies, or any artistic copyrighted material without the authorization of the producer is considered illegal and violating this law. According to this article, the producer shall be entitled up to 10% of the money gained in return for each copy sold of the work (Egypt IP Law no.82, 2002). Also, copying or downloading a movie in this light is also illegal due to the absence of the author's permission as well and is considered an infringement to the author's financial and moral rights.

“Without prejudice to the moral rights of the author under this Law, the author may not, after the publication of the work, prevent third parties from carrying out any of the following acts (2) Make a single copy of the work for one's exclusive personal use, provided that such a copy shall not hamper the normal exploitation of the work nor cause undue prejudice to the legitimate interests of the author or copyright holders, (6) Reproduction of short extracts from a work for teaching purposes, by way of illustration and explanation, in a written form or through an audio, visual or audiovisual recording, provided that such reproduction is within reasonable limits and does not go beyond the desired purpose, and provided that the name of the author and the title of the work are mentioned on each copy whenever possible and practical.” (Article 171 , Law no.82 of 2002).

In light of the above Article which composites the exemptions which the law provides, unauthorized downloading which financially influences the movie producers and performers is not accepted even if it was for personal use only. However, the exception of creating a copy without harming the author financially is hardly applicable in reality. Lotfy (2015) referred to one of the very few liable cases in which this rule of “*a copy shall not hamper the normal exploitation of the work*” applies. Lotfy (2015) gave the example of creating a copy of a movie in a prison’s computer and showing it to prisoners, who won’t be able to have an access to the movie otherwise, for one time only and deleting the copy after showing it to the prisoners. Yet, the original source of this copy should be legitimate. In other words, creating a copy of illegally downloaded movies is not protected under this Article.

The “extracts” exception in the sixth point of this Article allows cutting some parts of a certain movie, this extract should not be more than few minutes in the case of a movie. These extracts can be used as a promotional tool. For instance, Lotfy (2015) posited that when a part of the 1944 *Om Kolthom*’s song was aired in the 1999 TV-show about the singer’s biography, the sales of the production company which produced the song noticeably increased.

According to this Law in Article 181, whoever infringe author’s rights shall face imprisonment for one month and shall be fined 5000 up to 10000 Egyptian pounds. In addition, those who infringe any of “the moral or economic copyrights or related rights provided for in this Law” shall be deterred and fined. In addition, the court shall confiscate the infringed copies as well as the equipment used to commit the infringement.

In case of repeating this act, sanctions could be multiplied. The punishment in that case will increase to a period of not less than three months and fined 10,000 to 50,000 Egyptian pounds (Egypt IP Law no.82, 2002).

IP New Paradigms:

Limiting access used to be the driving force for the intellectual property discourse. Rizk & Shaver (2010) pointed to the limitations copyright holders put on knowledge that may hinder the growth of the economy. They described knowledge as a commodity that shouldn’t be equivalent to other goods within regular markets. Thus, a new paradigm within the discourse of intellectual property started to rise, demanding open access to the different categories of intellectual property. Kapczynski (2008) described the long-lasting

demands of multiple parties to ease IP, urging free software, medications, and cultural products. Consequently, a campaign known as “Access to knowledge” (A2K) was affiliated to press the WIPO to undertake a new “development agenda”.

The aforementioned campaign demanded gratifying the needs of the developing economies by allowing more access to innovation. Responsively, WIPO drafted Access to Knowledge Treaty in 2005 aiming to sustain free-open models of innovations.

Rizk & Shaver (2010) defined “Access to Knowledge” as:

“the coordination of public policy – across intellectual property, trade, information and communication technology (ICT) promotion, education, health and other areas – to ensure that the potential for knowledge-based development is maximized through programs, technologies and business models that enable knowledge to be shared widely and to flourish in conditions of freedom...”.

The A2K movement has gained some success in the medications field and supported investing in developing various new open-source software. It also led to institutional changes within the WIPO through establishing a new committee for IP and development (Kapczynski, 2008).

Easing copyright restrictions is not widely supported in Egypt. There are two forces at play with respect to copyright in Egypt; on the one hand, there is pro-copyright protection and, on the other hand, there is the increasing support for the A2K initiative. A2K movement was embraced various campaign that enabled Egyptians to have an access to more books at affordable prices such as “Reading for All” campaign. In addition, the two programs ‘Thousand Book — Second Series’ and the ‘National Project for Translation’

are two programs initiated by the ministry of culture to translate books to Egyptian readers with cheap prices. Furthermore, The Bibliotheca Alexandrina (BA) created a “A2K” platform to raise awareness about A2K role in development. Conversely, Proponents to copyright include large Egyptian movie and music production houses and book publishing companies (Awad, El-Gheriani, & Abou Zeid, 2010).

A2K concentrated on freeing knowledge-related products. However, demands to enable more access to entertainment products have increased recently as well. Rizk (2010) referred to the consecutive calls for strengthening IP protection to create more incentives for music producers regardless to the monopoly threats this maximalist IP protection may lead to. These calls neglect the consumer welfare, especially with the recent technologies that may provide them with an opportunity to lower the reproduction costs and maximize the access. Rizk (2010) argued that music is a quasi-public good that should be more accessible through treatment as a public good and maximize incentive through treatment as a private good. Many reward models were introduced to enable free access to music while maintaining incentives to music producers.

Creative Commons (CC):

In the presence of the Internet, piracy has deprived authors of creative works of their moral and financial rights. Attempts to create online legal venues where the author can still preserve his/her copyright (e.g., iTunes) were approached. However, these paid legal online venues has not led to the demise of piracy. Hence, some authors have preferred to give up some of their rights while being compensated in different ways (Bazen, Bouvard & Zimmermann, 2015).

Several authors of literary and artistic works have started to adhere to obtaining a Creative Commons license. This Creative Commons license, were first released in 2002, permits more access that goes beyond the fair use while retaining some of the authors' rights. Proponents to CC argue that the CC model provides a balance between the right of people to have an access and the right of the authors (Morgan, Wiley & Ltd, 2011). Now, there are millions of works under CC license including film, music, books, etc. (Broussard, 2007). An author who is willing to give up some of his/ her rights and to obtain a Creative Commons (CC) license can go to the Creative Commons website (creativecommons.org) and select among various license options (Kim, 2007).

There are different types of Creative Commons licenses that are designed for all works protected by the copyright law such as music, movies, software, photography, literature, etc. Each license represents certain restrictions placed on a work by its author. For instance, the "Attribution Non-commercial-No-Derivatives" (by-nc-nd), the most restrictive type, license allows anyone to use the author's work without changing it and for non-commercial purposes. On the other hand, the Attribution Non-commercial (by-nc) permits using and building upon the work but doesn't allow using it for commercial purposes. However, works under Attribution No Derivatives (by-nd) license can be used for commercial purposes; yet, without changing the work. The most accommodating type of CC license is "Attribution" (by) which permits anyone to use, change, or build on the author's work for commercial or non-commercial purposes. However, While the Attribution Non-commercial Share Alike (by-nc-sa) allows others to use and to change a work for non-commercial purposes while attributing the author and license their work based on the same terms the author used. Similarly, Attribution Share Alike (by-sa) applies

the same rules of the previous license; yet, the work could be used for commercial purposes. All the aforementioned types should credit the author (Broussard, 2007; Creative Commons, n.d).

However, granting any of these CC licenses does not mean relinquish an author's work to the public domain. However, an author may decide to dedicate his/her work to the public domain. Under the CC0 license, authors waive all of their rights to the work worldwide under copyright law. This license does not require a user to attribute the original author and is considered the least restricted license (Hrynaszkiewicz & Cockerill, 2012).

Movies and the Public Domain:

Some movies fell into the public domain due to the failure of their owners to comply with legal technicalities or exceeding the protection period given by the copyright law. Austin (2013) described public domain as the area where works belong to no one and to everyone. Public domain motion pictures are with no copyright or expired copyright. Hence these movies could be reproduced and distributed without a license (Pierce, 2007). While producers and film owners have decried the loss of revenues due to losing the exclusive rights, TV station owners thought the public would benefit from those movies entering the public domain (Schiffman,1996).

As mentioned, there are two cases for a movie to fall into the public domain. The first condition is when a movie owner fails to comply with formalities (i.e., renewing the registration or misplacing a copyright notice on the opening credits of a movie). The private ownership of that movie would be taken away from the owner due to such incidents (Schiffman,1996). For instance, before the amendment in the copyright law, American

movie owners had to fill out a form, pay fees, and send copies to the Copyright Office in order to gain the copyright. Failing to fulfill one of these requirements would have led a movie to slip into the public domain (Pierce, 2007).

Various movies entered the public domain. In the United States, for instance, 1271 movies were registered in 1927, by the time of their copyright renewal in 1954 (the protection used to be only 28 years and should be renewed for a total term protection of 56 years according to the American 1909 Copyright Act) only 556 movies were renewed (Schiffman,1996). In other words, due to these formalities, about 715 movies entered the public domain and were freely accessible to everyone. For instance, the 1941 *Topper Returns*, the 1956 *Rock, Rock, Rock!* and the 1960 *Little Shop of Horrors* all entered the public domain when they failed to renew their registration (Pierce, 2007). Yet, some movies which flunked the formalities requirements found ways to remain in the private domain. For instance, the 1938 *Pygmalion* movie which didn't fit the new imposed formalities maintained its copyright by claiming that the story from which the screenplay was adapted is still copyrighted and hence the movie should not be free to public (Schiffman,1996).

Less movies started to enter the public domain following the 1976 Copyright Act. This Act changed the term of protection to a single term with no registration renewal. In addition, it permitted some foreign movies to restore their copyright they once lost. Yet, Schiffman (1996) posited that reducing the opportunities for movies to enter the public domain means weakening the public chances in having free access to these movies. Austin (2013) pointed to the negative influences of locking up too much of cultural material and creating too many fences on making more works available to the public.

The second condition for a movie to fall into the public domain is when a movie exceeds the copyright protection terms. The terms of protections differ from a state to another. Although, the Berne Convention provided movies (cinematographic works) with 50 years of protection following their releases, the Egyptian IP law provides a longer term. Movies are a joint-authorship works. In other words, for a movie to fall into the public domain in Egypt, it should be after 50 years following the death of all the co-authors of this movie. (Lotfy, 2015). For instance, most of the Egyptian musician *Sayed Darweesh* songs became a part of the public domain. *Sayed Darwish* who died in 1923 and his songs writers *Amin Elgndy*, *Amin Sdky*, *Mahmoud Birem Eltonsy* died in 1841, 1944 and 1961 respectively. This means after the 50 years following all the co-authors death, these songs were publicized. The researcher couldn't specify the exact movies available on the public domain in Egypt.

Chapter Three

Literature Review

The researcher first discusses the existing literature on digital movie piracy, including the effects of illegal downloading on local and international box-office revenues and DVD sales. The researcher also reviewed the literature on the effect of enabling more access to movies on illegal downloading rates along with the major counterpiracy measures executed recently. Then, the researcher turns to the literature on factors that motivate the willingness to download movies illegally including attitude, subjective norms, and perceived behavioral control. At the end, the researcher reviews the scholars' previous findings on the correlation between law awareness and digital movie piracy.

Digital movie piracy:

To date, movies are still produced in an analog format (i.e., positive prints). Then, they are run in theaters using 35-mm projection system. In case of home theaters, digital DVDs is used (Cook & Wang ,2004). Before the “DVD” era, pirates sought to duplicate a movie’s positive print and then sell the negative copies in lower prices (Decherney, 2007). Years later, when VCRs were invented, pirates started to hide camcorders to film low-quality versions of movies and to sell counterfeit videocassettes.

DVDs were first introduced to the US market in 1997 without the copyright protection Hollywood sought, until 1998 when the Congress passed the Digital Millennium Copyright Act (DMCA). DMCA prohibited the reproduction of copyrighted DVDs and any other digital media. Hollywood studios learned from the mistakes they had made with the VCR and planned to make DVDs more consumer-friendly and to encourage direct sales instead of rentals (Decherney, 2012). Moving to digital has altered the copyright shape

forever, especially after the instigation of the Internet. The Internet enabled the uploading and sharing of copyrighted movies in a worldwide scale. The rise of this digital technology led to a new term called “digital piracy”.

The definitions provided by scholars and organizations for the term “digital piracy” are in parallel with each other. According to MPAA (2011), digital piracy ranges from illegal sharing and copying of movies among peers to illegal downloading of movies on the Internet (Cited in Phau, Lim, Liang & Lwin, 2014). Similarly, Al-Rafee and Cronan (2006) defined digital piracy as “the illegal copying/downloading of copyrighted software and media files”. While Gopal, Sanders, Bahattacharjee, Agrawal, and Wagner (2004) defined it as “the illegal act of copying digital goods – software, digital documents, digital audio (including music and voice) and digital video – for any reason other than backup, without explicit permission from and compensation to the copyright holder”. Therefore, digital piracy includes non-online type of piracy (e.g., counterfeit DVDs, copying from peers, etc.), in addition to the downloading from illegal file-sharing websites or P2P (peer-to-peer) channels (i.e., torrents).

Hence, some scholars operationalized the term “digital piracy” as illegal downloading of movies only including direct downloading or through P2P channels (Jacobs Heuvelman, Tan & Oscar, 2012; Scaria, 2013; Al-Rafee & Roubih, 2009; Phau et al., 2014). In this study, the researcher will concentrate on the downloading of movies only. Comparing with illegal downloading, the counterfeit DVD trade is less common among Egyptians. Hence, shedding the light on this phenomenon won’t add to the digital piracy profile in Egypt. Moreover, copying from peers is less detectable than regular downloading and requires different sociological analysis from the one used to examine

downloading. In addition, uploaders who share movies on the web and start the piracy chain is beyond the scope of this study since the uploading and sharing requires different conceptual frameworks to be studied.

Digital movie piracy is a global phenomenon that researchers tried to investigate in many countries. Many scholars tried to explain the rise beyond this phenomenon; some have pointed to the increasing affordability of the illegal file-sharing software such as “Napster”, “Gnutella”, “Kazaa” and “BitTorrent” which facilitated illegal copying lately. They also added that the cheapness of personal computers and the high broadband connections are other major factors to this occurrence (Fetscherin, 2005; Cox, Collins & Drinkwater, 2010; Al-Rafee & Roubih, 2009). Parkes (2013) referred to the easiness of the process, whereas audience can download their favorite movies from their homes rather than the traditional movie consumption process.

Since the dawn of the digital revolution, the flow of movie distribution has changed. Movie distribution follows a certain sequential order known as “windowing” strategy. This strategy helps in maximizing the producers’ profits by guaranteeing that each window will provide profits to them. The movies’ first window is theatrical exhibition, followed by DVDs, then cable TV, later network Television and syndications. This windowing strategy relies on the exclusive ownership, reproduction, distribution and display rights. Hence, this intertemporal flow among different distribution windows was destroyed by the Internet and digital technology that made piracy more feasible (Wang, 2003a). The battleship with movie pirates escalated when Sony introduced VCRs in 1970s which enabled the distribution of unauthorized copies on a mass scale (Wang, 2003b).

More developed technology followed VCRs made piracy less complicated and less costly. For instance, three days following the theoretical release in US for the movie *Star Wars Episode 1: The Phantom Menace* in 1999, pirated VCDs (Video Compact Discs) versions were found in Malaysia (Wang,2003a). Hence, scholars felt the necessity to examine the impact of piracy on the economy in general and on the movie industry specifically (Wang and Zhu, 2003; Siwek, 2006; Vany and Walls, 2007; Smith and Telang, 2009; Smith and Telang, 2010; Danaher and Smith, 2014; Ma et al., 2014; Rob and Waldfogel, 2007; Danaher and Waldfogel, 2012; Mackenzie and Walls, 2015; Danaher, Dhanasobhon, Smith, & Telang, 2010).

Scholars found that movie piracy has taken a heavy toll on the entire economy. Siwek (2006) described the economy as an “interlocking system”; hence, movie piracy may injure other segments in the economy. Siwek (2006) added that countless businesses supply the movie industry, thus various employees in addition to movie stars will be affected by movie piracy starting from the teenager who sells the popcorn in cinema theaters. Siwek (2006) also found that movie piracy leads to a \$837 million reduction in the US annual tax revenues, a \$20.5 billion loss in the output of different industries that are directly or indirectly related to the movie industry, and \$5.5 billion loss in the earnings of American employees. Ma, Montgomery and Smith (2016) estimated 15% (\$1.3 billion) increase in the box-office revenues if piracy was eliminated.

Conceptually, movie piracy has a specific direct impact on the box-office revenues. Vany and Walls (2007) found that weekly loss in the box-office revenues is positively correlated with active piracy websites. Thureau, Henning, and Sattler (2007) found substantial cannibalization in the annual revenues of the box-office, DVD rental and

purchases due to piracy. In addition, the DVD business was affected by piracy as well. Rob and Waldfogel (2007) pointed that movie piracy leads to “one-for-one displacement” since each unpaid counterfeit DVDs replaces legally purchased ones and hence affects the sales of DVDs. Siwek (2006) estimated the loss in the theoretical exhibitions sales in the US with \$6.452 billion in 2005. The loss was less drastic in Germany; Thureau et al. (2007) found evidence that movie piracy is responsible for \$300 million loss in the movie revenues which represents 9.4% of the total revenues of movies.

The release gap between US and international markets affects piracy. Scholars have found that pre-international-release piracy has affected the international box-office revenues. Danaher and Waldfogel (2012) pointed that the delayed legal release in foreign countries facilitates more pre-release piracy which led to 7% reduction in the revenues of the movies the researchers examined in their study. Similarly, Mackenzie and Walls (2015) posited that opening weeks’ revenues for American movies in Australia declined drastically due to the downloads that occurred prior to the world-wide release.

Piracy was incriminated and sometimes exonerated; some scholars offered a different perspective in terms of movie piracy effects. In the context of Australian film industry, Mackenzie and Walls (2015) found that the economic magnitude of movie piracy effect is small. Smith and Telang (2009) found that the DVD sales of a certain movie following its free-broadcast on TV weren’t affected by the illegal downloading of movies. Later, Smith and Telang (2010) correlated the increased broadband penetration (which may facilitate movie piracy) with the increased DVD sales. Smith and Telang (2010) explained this result by the promotional effect the Internet may employ; the Internet, as they explained, may improve the consumers’ ability to search for new movies. The Internet may

also enable the production houses to market their movies better. Moreover, Fetscherin (2005) found that available illegal copies have no impact on the industry and that most of the consumers prefer to purchase movies legally. In other words, piracy may act as a promotional tool for movies.

However, Byers et al. (2004) emphasized the negative influence of the availability of these unauthorized online copies. Similarly, when Ma et al. (2016) compared between the cannibalization and the promotional effect of movie piracy on movies released during 2006-2008 and 2011-2013, they found that the cannibalization in the movie revenues due to piracy dwarf any positive promotional effect. They also found that in less than 3% of the movies they studied, the pre-release piracy increased the word-of-mouth and promoted the movie.

Further, some scholars have examined the association between enabling or limiting legitimate access to movies and the piracy rates. Findings about the effect of enabling more access to legal venues to movies on the DVD sales are not conclusive. Smith and Telang (2009) pointed that legitimate broadcasting of movies on TV increased the DVD sales due to the increased word-of-mouth following the broadcast. Conversely, in another study which Danaher, Smith, Telang, and Dhanasobhon (2010) conducted, they compared the piracy rates of NBC's productions before and after NBC's decision to remove its content from iTunes. They found that when the NBC decided to remove its content from iTunes, the sales of NBC's DVDs on Amazon.com weren't affected.

Likewise, scholars have not reached a consensus on the effect of enabling more access to movies and piracy rates. Welter (2012) found using the statistical difference-in-difference model that the piracy rates of a blockbuster movie available on Netflix, the

largest video streaming website with 27 million subscribers, decreased. However, Smith and Telang (2009) found that when a movie was aired on TV, the illegal downloading rates of this movie were increased as well as its DVD sales.

In the contrary, limiting access was found to have a negative effect and to evoke illegal downloading. In the study of Danaher et al. (2010), an 11.4% increase was found in the piracy rates due to the unprecedented limited access to NBC's productions for iTunes users. In other words, limiting access to movies may induce more piracy. While enabling more access may have a three different scenarios; a reduction in the piracy rates, no effect on sales, or unintentional negative promotional effect which might provoke piracy.

Two anti-piracy measures have been employed; preventives and deterrents (Al-Rafee and Cronan, 2006). Preventives, on one hand, use several attempts to make piracy more complicated by using various methods such as shutting down major illegal file-sharing websites. These preventive measures were referred to as "supply-side intervention" by Danaher and Smith (2014). On the other hand, the deterrent measures (i.e., demand-side intervention according to Danaher and Smith ,2014) use the threats of undesirable consequences in an attempt to make piracy less desirable by employing legal sanctions.

Scholars haven't reached a consensus on which counterpiracy measure is more effective. Danaher and Smith (2014) found that the supply-side intervention was a successful measure since shutting down the illegal file-sharing *Megaupload* and *Megavideos* websites increased the legal DVD sales with 6.5 to 8.5% after consumers were forced to purchase illegal copies online. Peukert, Claussen and Kretschmer (2012) found that big-budget movies benefited from the shutting down.

On the contrary, Orme (2014) found that these shutting down measures are inefficient along with most of the current regulations. Peukert et al. (2012) pointed to the negative effect the sudden shutting down of *Megaupload* had on the box-office revenues of small and medium budget movies. In addition, blocking access to The Pirate Bay (a well-known website for BitTorrent files) by the Internet Service Providers (ISPs) in the Netherlands did not affect the rates of illegal downloading there (Poort et al., 2014). While Foreman (2014) pointed that the BitTorrent traffic increased following the Pirate Bay block. However, Al-Rafee and Cronan (2006) posited that both preventives and deterrents are not effective strategies. Therefore, this study is trying to provide a behavioral analysis of the illegal downloaders (people at the end of the piracy cycle) to which measure would be more effective in Egypt.

In retrospective, digital movie piracy has a negative effect on the whole economy and the movie industry in particular. Hence, various counterpiracy measures have been applied; yet, they couldn't eliminate piracy to date.

While most studies concentrate on exploring piracy in western countries, the researcher in this study couldn't find any study that examined movie piracy in the Arab world. However, few scholarships examined other types of piracy in Arab countries. King and Thatcher (2014) explored the software piracy behavior in South Africa. Aleassa, Pearson, & McClurg, (2011) examined the determinants of software piracy among Jordanians. While Al-Rafee and Rouibah (2010) experimented on students from Gulf countries to explore the more influential variables that evoke digital piracy. Due to this gap in the literature, this study is going to shed the light on the factors that evoke digital movie piracy and will add to the literature by examining this phenomenon in the Egyptian context.

Motivational Factors for Movie Downloading Intention:

A wide body of researchers has examined the factors that affect the digital movie piracy intention. The motivations for digital movie piracy have been a frequent topic of recent scholarships on the digital piracy phenomenon. Someone's level of efficiency to pirate was examined as a key antecedent to the piracy behavior (LaRose, Lai, Lange, Love & Wu, 2006; Jacobs et al, 2012; Phau et al. 2014; Taylor, Ishida, & Wallace, 2009; Cronan & Al-Rafee, 2008; Yoon, 2011; and Liang & Phau, 2011). The role of the social circle someone is connected with was investigated to shed the light on the power of peers in evoking the piracy behavior (Al-Rafee & Cronan, 2006; Phau et al. 2014; Malin & Fowers, 2009, Taylor et al., 2009; Yoon, 2011; Cronan & Al-Rafee, 2008). A downloader's level of favorableness of movie downloading (i.e., attitude) was considered a key antecedent to movie downloading intention by piracy scholars. Hence, comparing to other variables, attitude was extensively examined repeatedly in piracy scholarships. Some scholars devoted their study to examine the factors that influence the attitude toward downloading only (Al-Rafee & Cronan, 2006; Jacobs et al., 2012; and Tjiptono, Arli & Viviea, 2015). While some studies investigated the effect of attitude on the downloading behavior among other variables (Akbulut, 2014; Nandedkar & Midha, 2012; Phau et al, 2014; Goles et al., 2008; Yoon, 2011; Jacobs et al., 2012; and Taylor, 2012).

Illegal downloaders should know how to download movies directly or through using a torrent software. They should be aware of which websites to seek, torrent to download and software to use to play the movie. The downloaders' efficacy was examined repeatedly. When Jacobs et al (2012) studied movie piracy among the Dutch people whom were referred to as "experienced in operating a computer", they found that self-efficacy

does not play a major role in predicting piracy. Their result is in parallel with Lang and Phau (2010) who pointed that self-efficacy has no significant effect on attitude. Lang and Phau (2010) and Jacobs et al. (2012) both referred to the easiness of movie piracy which doesn't require sophisticated capabilities to practice.

Conversely, scholars have found a positive and a direct correlation between digital piracy and someone's perceived ability to illegally download (Phau et al. 2014; Taylor et al., 2009; LaRose et al. 2005; Yoon, 2011; and Cronan and Al-Rafee, 2008). Thus, acquiring enough digital literacy may make digital movie piracy more feasible. Since Egyptians' technological capabilities differ from citizens in developed countries, the researcher sought to examine the illegal-downloaders' perceived control as a predictor to someone's willingness to download movies.

In addition, Peer pressure and societal acceptance are considered among the factors that lead to downloading. A person is more likely to pirate movies when he/she is more engaged with peers who conduct the same act (Phau et al. 2014; and Malin & Fowers, 2009). Hence, "Subjective norms" (others acceptance of a certain behavior) was found to contribute in increasing the willingness to pirate movies online (Taylor et al., 2009; Yoon, 2011). However, Cronan and Al-Rafee (2008) have not found any empirical evidence to relate subjective norms to pirate software or media intentions. Hence, the researcher is examining subjective norms as a variable that might be positively correlated to movie downloading among Egyptians.

Moreover, much research has found that attitude is a key factor for motivating behavioral intentions. Cronan & Al-Rafee (2008) considered attitude the best predictor of intention and in turn behavior. They emphasized the necessity to examine attitude

repetitively since it's an alterable element that could be reshaped through persuasion and other methods. Ajzen (1985) pointed that salient beliefs about a certain behavior can change attitudes. Hence, these beliefs can shape someone's outcome evaluation about a behavior. Therefore, many scholars were driven to examine the factors and beliefs that alter the attitudes.

Attitudes are formed of beliefs about the expected outcome of movie downloading. Al-Rafee and Cronan (2006) explored various types of beliefs that may influence the attitude toward digital piracy. They found that downloaders believed that digital media is overpriced and that pirating them save money. In addition, Al-Rafee and Cronan (2006) found that downloaders believe that they are not going to get caught; however, the researchers suggested that going after each individual is an inefficient counterpiracy measure and suggested other solutions to eliminate the piracy problem. In parallel, Taylor (2012) pointed to the necessity of using creative marketing tactics directed toward attitudes rather than deterrent and punishment strategies to resolve the piracy problem.

Setiawan and Tjiptono (2013) found that the perceived benefit of digital piracy has a strong positive influence on attitude. In addition, they also found that someone's habit positively influences attitude. In a similar context, Peace, Galletta, and Thong (2003) who examined software cost as an antecedence to software piracy attitude found a positive influence of the cost on someone's behavioral attitude towards softlifting (term used to describe software piracy).

Individual differences were examined in relation to attitudes repeatedly. Al-Rafee & Cronan, (2006) found that gender was not found to be a great influencer on downloading attitudes. However, Tjiptono et al. (2009) found that males are more likely to form a

favorable attitude toward digital piracy than females. In addition, they found that the beliefs that form the attitude toward the piracy behavior varies based on the gender.

A positive correlation between attitudes and downloading intention is a well-established correlation in the piracy scholarships (Yoon ,2011; Goles et al, 2007; Nandedkar &Midha, 2012; Akbulut, 2014). Akbulut (2014) posited that attitude toward piracy has a strong effect on intention for different age groups (high school students, undergraduate students, and adults). In order to combat piracy, Yoon (2011) pointed to the importance of highlighting the negative consequences of copyright infringement in order to form unfavorable feelings toward the illegal downloading behavior in order to form a negative attitude toward it. In addition, Jacobs et al. (2012) found that attitude significantly influenced the number of movies downloaded.

Hence, this study is going to examine the attitudinal influence on the movie downloading intention. Drawing from the literature, examining the beliefs that govern the attitudes is necessary to understand the process through which these attitudes were formed.

Law Awareness:

Laws and regulations are usually imposed by policymakers to deter non-normative acts in any society. The effect of implementing new laws on deterring piracy was examined repeatedly among piracy scholars. Adermon and Liang (2014) found that the music sales increased 36% during the first six months that followed issuing a new anti-piracy law in Sweden. Likewise, Danaher, Smith, Telang and Chen (2014) noticed that the increased awareness of a new anti-piracy law in France led to increasing the French iTunes music

sales by 22% to 25%. However, Adermon and Liang (2014) noticed that the new reform effect disappeared after six months due to the weak enforcement of the law.

In regards to the aforementioned findings, examining the factors that influence the attitude toward illegal downloading is vital for understanding this phenomenon. A wide body of researchers examined many factors that may influence the attitude toward digital piracy. Law awareness was also examined as an antecedent to attitude in piracy research. Moores et al. (2009) found that knowledge about the consequences of software piracy on the market and the punishment involved led to the formation of less favorable attitude toward piracy. Jacobs et al. (2012) emphasized the importance of measuring the influence of law awareness on the expected outcome of downloading movies in future studies which they failed to measure in their study due to the lack of its validity in the pilot study.

Conversely, Al-Rafee and Rouibah (2010) experimentally examined in Gulf countries the effect of law awareness on the piracy intention by informing their sample about new law that deter piracy, they found that law awareness has no effect on Arab students. However, Al-Rafee & Rouibah (2010) have not provided empirical explanation to this phenomenon. Therefore, evaluating the psychological process through which the legally literate individuals employ to form a favorable attitude toward piracy and hence rationalize their action is necessary to fill this literature gap.

The cognitive process a downloader may undergo to justify his/her wrongdoing and to avoid self-blame known as “neutralization” has been examined repeatedly. The neutralization techniques downloaders use can explain the psychological process that downloaders employ to rationalize their deviant act. When Morris and Higgins (2009) examined the impact of the neutralization, they found a positive effect on the willingness

to pirate. However, by studying each justification individually that a downloader may use to rationalize, it was found that some downloaders employ some justifications more than others. Smallridge and Roberts (2013) found that music downloaders rationalize and avoid self-blame by appealing their loyalty to smaller groups rather than the normative society, or claiming that everyone else is undertaking the same act. Hinduja, (2007) found justifications such as appealing to higher loyalties and denying of injury are positively correlated to software piracy.

Due to weak enforcement of law and the lack of precedent court cases, Arabs are not being efficiently deterred under the copyright laws (Al-Rafee & Rouibah ,2010). Denial of deterrence has been examined by researchers. Peace et al (2003) found that severity and certainty of punishment predicted someone's attitude. In other words, if someone believes that the law will be implemented, he/she will be less favoring the piracy behavior. Similarly, studies showed a negative correlation between perceived risk and piracy (Setiawan and Tjiptono ,2013; Goles et al. ,2007). Hence the researcher will examine perceived deterrence as one of the factors that influence attitude.

Therefore, this study will fill the literature gap to understand the role of law awareness in favoring the piracy act. In addition, it will examine the process legally literate downloaders employ to ignore these laws and to end up forming a favorable attitude toward illegal downloading. In addition to examining other motivational factors which may influence the willingness to download movies in a society that have been slightly examined.

Chapter Four

Theoretical Framework

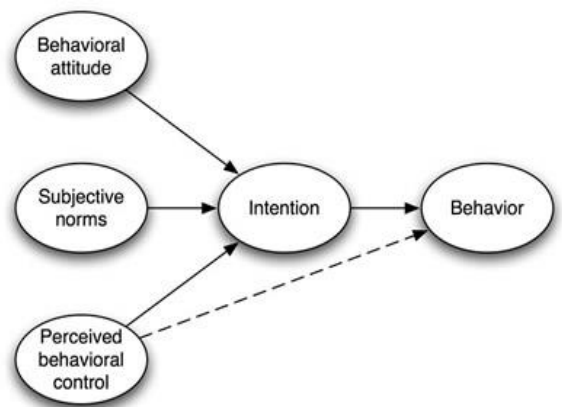
Piracy (music, movies, software, etc.) is a phenomenon usually examined using different cross-theoretical frameworks. Models were developed from multiple disciplines such as criminology, business, law, and psychology to investigate the piracy behavior. Goles et al. (2008) referred to the necessity of tailoring theories to fit the context of certain research goals in examining piracy. Also, Liang and Yan (2005) encouraged forming new models to examine the many confounding variables involved in the piracy act.

Therefore, the researcher in this study proposes a model that examines law awareness as the key exogenous variable that affects the attitude toward movie illegal downloading. In addition, the researcher examines other variables that may affect the willingness to download movies based on the following theories:

Theory of Planned Behavior (TPB)

This theory is frequently cited in examining human behavior since its introduction in 1985 by Ajzen. Ajzen (1985) developed the TPB from the theory of Reasoned Action (TRA) that he and Fishbein first put forth in 1975. The TRA proposed that attitudes, and subjective norms lead to forming behavioral intentions. Building around this, Ajzen (1985) introduced in TPB another factor that

Figure (1) Theory of Planned Behavior (TPB) Ajzen (1985)



influences behavior; he hypothesized that someone's perceived control over a certain behavior may increase his/her willingness to perform this behavior.

Beliefs, attitudes, behaviors, and intentions are four separate terms that lead to the development of each other sequentially. Attitudes are unobservable, latent, and hypothetical. Therefore, attitudes can't be detected from someone's physical appearance, they can be only inferred from someone's behavior (Ajzen, 2005). The term *attitude* has been frequently defined as "a disposition to respond favorably or unfavorably to an object, person, institution, or event" (Ajzen, 2005). However, Ajzen (1985) described it as someone's positive or negative evaluation of a certain behavior. This evaluative nature was viewed by many theorists as the most contemporary attribute of attitudes (Ajzen and Fishbein, 2000).

According to the theory of reasoned action, attitudes are determined by beliefs. Each belief associates a behavior with a certain outcome. For instance, the belief that being on a diet (behavior) will lead to a weight loss (outcome). Hence, an attitude is determined by the evaluation of the outcome of a certain behavior. In other words, a belief that a behavior will lead to a positive outcome (behavioral belief) may develop a favorable attitude toward that behavior (Ajzen, 1985). To simplify matters, when new behavioral beliefs are formed, they may lead to a change in attitudes.

Beliefs, in general, are "relevant information" and are referred to as "accessible beliefs" (Ajzen, 1985). The salience of information stored in memory determines its usability to form, for instance, attitudes (Ajzen and Fishbein, 2000). Behavioral beliefs are subjects to change when new information becomes accessible. For instance, prior to voting for a certain candidate, a woman learns that this candidate is not supporting gender

equality; therefore, this woman forms a new belief and changes her attitude toward that candidate (Ajzen, 1985). Drawing from this, the researcher in this study proposes that awareness of the law that incriminates copyright infringement and of the possible outcome (sanctions) of performing the illegal downloading behavior may influence the evaluation (attitude) of this behavior. Hence, this study is examining law awareness as an antecedent to forming attitude toward illegal downloading.

Subjective norms, which Ajzen and Fishbein in their TRA (1975) and Ajzen in his TPB (1985) proposed as the second variable to influence intention, are affected by a different kind of beliefs. These beliefs are known in literature as *normative beliefs*; the person's own beliefs about other people's approval or disapproval of him/her performing a certain behavior. Generally speaking, a person might perceive a social pressure to perform a certain behavior and develop a subjective norm if it was motivated by people whom this person complies to. Conversely, a person may avoid performing a behavior due to the *subjective norms* developed from his/her relevant referents' rejection (Ajzen, 1985). Hence, the researcher in this study hypothesizes that the more someone is surrounded with people accepting illegal downloading, the more likely he/she will be willing to download movies. Thus, the researcher is examining the role of peers and family in encouraging or discouraging the act of illegal downloading.

Although attitude and subjective norms were found to be successful in predicting intention, the intention-behavior relation remained conditional. Ajzen (1985) defined two factors for intention to act as an immediate determinant of behavior; first, the examination of intention has to be strictly prior to the performance of the behavior, secondly; a person has a control over the behavior.

Based on this notion, Ajzen (1985) proposed another set of beliefs that guide the human behavior, *control beliefs*. Ajzen (1985) noticed that personal deficiencies and external obstacles may hinder the performance of any behavior. There are many factors that may prevent the actual performance of a behavior regardless of the person's intention. Hence, the performance of an intended behavior is depending on a person's belief of his/her control over the surrounding factors. The control beliefs will produce *perceived behavioral control*; the perceived ease or difficulty of performing a behavior leads to the formation of intention (Ajzen, 2002). Hence, this study will examine the role of someone's perceived ability to use the technicalities needed to download movies illegally in increasing the willingness to do so.

In retrospect, behavioral beliefs will form a certain *attitude toward the behavior*; normative beliefs will produce *subjective norms*; and control beliefs will lead to *perceived behavioral control*. Successively, attitude toward the behavior along with subjective norms and perceived behavioral control will lead to *intention* (Ajzen, 2002). Eventually, the TRA and the TPB assume that intention is an antecedent to behavior. The core of the two theories is that intention is changeable over time; unforeseen events can alter someone's intention. Hence, these two theories tried to identify the determinants of intention to understand the human behavior (Ajzen, 1985).

Although perceived behavioral control is a direct antecedent to intention, it may act as an indirect antecedent to behavior as well. Since people are more likely to carry out their intended behaviors during the presence of an *actual* control over the behavior, the absence of the actual control is as vital in executing behaviors as intentions. Therefore, because

perceived behavioral control serve as an indicator to the actual control, it should be considered as an indirect antecedent to behavior in addition to intention (Ajzen, 2002).

Previous Piracy models based on TPB:

A wide body of scholars used the theory of planned behavior TPB (Ajzen, 1985) in their conceptual frameworks to investigate the piracy behavior (Nandedkar and Midha, 2012; Akbulut, 2014; Phau et al., 2014; Goles et al., 2008; Yoon, 2011; Cronan and Al-Rafee, 2006).

Based on the attitude-intention relation supported in the aforementioned theories, scholars have studied different independent constructs that influence attitudes. Nandedkar and Midha (2012) examined the role of *personal optimism, perceived risk, habit, and facilitating conditions* as attitudinal factors (Nandedkar and Midha, 2012). Similarly, Phau et al. (2014) asserted another model based on Ajzen's (1985) TPB to investigate *affect* as an attitudinal factor. While Yoon (2011) examined subjective norms, perceived behavioral control, and attitude as determinant to digital piracy intention. Yoon (2011) also examined *perceived risk and perceived benefit* as attitudinal factors.

Moreover, Goles et al. (2008) studied seven different variables as attitudinal factors; *Perceived usefulness, past behavior, personal moral obligation, risk-taking personal identity, legal personal identity, technical personal identity, and awareness of the law*.

When Goles et al. (2008) examined awareness of the law as an attitudinal factor, they hypothesized a negative correlation between law awareness and attitude. In other words, they posited that the higher the awareness, the less favorable the attitude toward

piracy will be. Although Jacobs et al. (2012) hypothesized a positive correlation between the two latent variables, this was due to the legitimacy of the downloading behavior by then in the Netherlands where the study of Jacobs et al. (2012) was conducted. Hence, they assumed that the more Dutch people are aware of the legitimacy of downloading in the Dutch law, the more favorable expected outcomes they will have. Yet, the model of Jacobs et al. (2012) is the only model found to date where law is positively correlated to attitude.

The Law-attitude negative correlation is well-established in countries that incriminate the unauthorized reproduction of movies. Although, Goles et al. (2008) predicted that legally unaware people are more likely to pirate, they didn't answer this question "what if a person is aware that unauthorized downloading is illegitimate; yet he/she still have a favorable attitude toward this act?". In other words, the positive correlation between law awareness and attitude was not investigated in the piracy literature to date.

Neutralization theory:

From a criminology standpoint, a wide body of scholars have applied the classic criminology neutralization theory to examine different types of digital piracy (Morries and Higgins, 2009; Hinduja, 2007; Ingram and Hinduja, 2008; Smallridge and Roberts, 2013; etc.). Sykes and Matza (1957) proposed this theory to explain the reasons some juvenile delinquents perceive their illegal acts as morally correct. The scope of the theory when it was initiated was to explain the juveniles' criminal acts; however, it was applied on different types of crimes later.

Justifying deviant behaviors is a vital element in pursuing any crime. Morris and Copes (2012) emphasized that interpreting any criminal acts in a way that doesn't cause damage to someone's self-concept is vital in engaging in delinquencies. Therefore, Sykes and Matza (1957) theorized that criminals defend their delinquencies by forms of justifications to preemptively turn this deviant behavior into a normative one to them but not necessarily to the legal system. These forms of justifications help the criminals to avoid self-blame and guilt associated with the crime. Consequently, the criminal, after being neutralized, will not feel that he/she violates the legal system; instead, he/she will see the act as more of an apologetic failure.

However, in order for neutralization to take place, Copes (2003) posited that those who do not think a certain behavior is wrong will not need to neutralize their act. Hence, for downloaders to rationalize the illegal downloading behavior, they need first to view their behavior as wrong. Therefore, the researcher is hypothesizing that those who are less legally aware are more likely to consider illegal downloading as a normative behavior and won't need to rationalize it. On the other hand, neutralization is pivotal to form a favorable attitude toward illegal downloading in case the downloaders were aware about the illegality of this act.

They neutralize their act by using patterned thoughts and beliefs to rationalize the guilt (Morris and Copes, 2012). Sykes and Matza (1957) provided five techniques of neutralization that allow juveniles to maintain a positive self-image. These techniques do not have to be employed simultaneously. Some techniques are associated with certain crimes more than others. These techniques are; *denial of responsibility*, *denial of injury*, *denial of a victim*, *condemnation of the condemner*, and *appeal to higher loyalties*. Ingram

and Hinduja (2008) referred to these techniques as “*it is not my fault*”, “*no harm will result from my actions*”, “*nobody got hurt*’ ’*how dare they judge me, considering how corrupt and hypocritical they themselves are*” and “*there is a greater and higher cause*” respectively.

The first technique is *Denial of Responsibility*, the stage in which the criminal defines himself as lacking responsibility for his action, delineating the action as “accident” or an out of control act (Sykes and Matza, 1957). Matza (1959) posited that delinquents usually associate their crimes with abstractions like luck, fate, or in some cases they blame others for their misbehavior e.g., parents, family, friends, and/or teachers. Siponen et al. (2012) measured this construct by asking respondents if they blame the ambiguity of the law for their piracy behavior. While Morris, and Higgins (2009) investigated if students who pirate software are denying the responsibility due to the unavailability of software and blaming the university instead for not providing it.

The second is *Denial of Injury* in which a criminal believes his action won’t cause any great harm or that the offended could afford the loss (Sykes and Matza, 1957). Usually in delinquencies that could be categorized as “mischief”, a delinquent might admit of doing a “wrong” act yet balks at describing it as a delinquency (Matza ,1959). Matza (1959) proposed three conditions which facilitates denying injuries; first, when the damage is insignificant. Second, when the victim frequently forgives the delinquent which supports the “insignificance of the injury” notion. Third, the absence of a “real victim”; when the victim is a corporate or an organization instead of a human being. By applying these conditions, illegal downloading is not a life-threatening crime with almost no previous court cases suing illegal downloaders in Egypt, and it indirectly hurt human beings. Hence,

the researcher hypothesizes that downloaders who are aware of the illegality of piracy may deny creating any serious injury to the movie industry which will make neutralization feasible.

Denial of a Victim is considered the third technique in which the offender either denies the existence of a victim, or perceives himself to be an avenger and that the offended deserves the injury (Sykes and Matza, 1957). In some cases, Offenders rationalize their delinquencies as victimless, while others rationalize them as a well-deserved punishment for the victim (Siponen et al. ,2012). Therefore, this study explores the kind of victim movie downloaders believe to harm by their behavior and the implications this has on pursuing piracy behavior.

The fourth is *Condemnation of the Condemner* in which the delinquent considers his/her condemners as deviants or hypocrites. The condemners are whoever posting a judgmental-disproval against the delinquents' acts e.g., parents, police, and neighbors (Sykes and Matza, 1957). Morris and Higgins (2009) examined, for instance, the effect of condemning the music and software companies in rationalizing the piracy act.

At last, the fifth techniques which Sykes and Matza (1957) proposed is *the appeal to higher loyalties*. When the offender belongs to a certain group or a smaller society system rather than the large normative society, he/she may sacrifice the norms of the larger society to please those he/she belongs to.

However, Maruna and Copes (2005) referred to the necessity of tailoring the techniques to measure certain criminal acts. Smallridge and Roberts (2013) added two new techniques to measure digital piracy; *sampling*, which is a justification digital pirates use to rationalize their act. They tend to buy the original copy later if they liked the sampled

media they pirated. Another justification is *DRM defiance* (Digital Rights Management); some pirates justify their act as an objection to or rebelling against the complicated DRM measures used by the copyright holders to protect their work.

In addition, Sykes and Matza (1957) argued that neutralization techniques lead a criminal to favor the violation of law. Furthermore, they also emphasized the necessity of studying neutralization techniques as a system of attitudes and beliefs. Hence, the researcher proposes that neutralization techniques influence the evaluation of the outcome of a given behavior (attitude). That these neutralization techniques have the ability to change someone's attitude by influencing the beliefs that he/she already has. The researcher hypothesizes that the neutralization process can influence someone's belief about the wrongfulness of the act of movies illegal downloading, which will sequentially form a favorable attitude toward it.

Deterrence Theory:

The theory is based on the notion that the threat of sanctions imposed in case of violating the law can deter crimes (Matthews and Agnew, 2008). According to the theory, such legal sanctions threaten those who haven't yet performed the deviant behavior. Deterrence theory depends on the notion that people are rational beings; therefore, they will avoid acts that are perceived as costly and painful (Higgins, Willson, & Fell, 2005). According to the deterrence theory, *certainty* of being punished (i.e., certainty that the act will be detected by authorities), *severity* of punishment (i.e., the harshness of the punishment) and the *swiftness* of detecting the crime (the belief that the act will be detected

immediately) are all factors that may influence the criminal behavior (Wolfe, Higgins, & Marcum, 2008).

Hence, when a punishment is believed to be certain, severe, and immediate, the crime will less likely take place. Punishment certainty and punishment severity are both directly related to the expected outcomes of a certain behavior (Peace et al., 2003). Gunter (2009) posited that people are less likely to engage in piracy in case the threat of punishment outweighs the expected gain from the copyrighted work. Certainty is more efficient in deterring crimes more than the other threats (Higgins et al., 2005; Peace et al., 2003).

The researcher in this study will measure the respondents' *perceived deterrence* in general. The construct "*perceived deterrence*" was examined in the piracy context to measure the pirates' perception of law enforcement (Kartas and Goode, 2012; and Plowman and Goode, 2009). The construct "*perceived deterrence*" will measure the movie downloaders' perceptions of the strength of law enforcement in Egypt. It will provide indications to the way downloaders perceive laws as certain, and sanctions as severe.

Drawing from the Planned Behavior theory (Ajzen, 1985), the classic criminology Sykes and Matza's (1957) neutralization theory, and the deterrence theory; the researcher in this study decomposed these theories into the following model to analyze the movie illegal downloading behavior.

The Proposed Model:

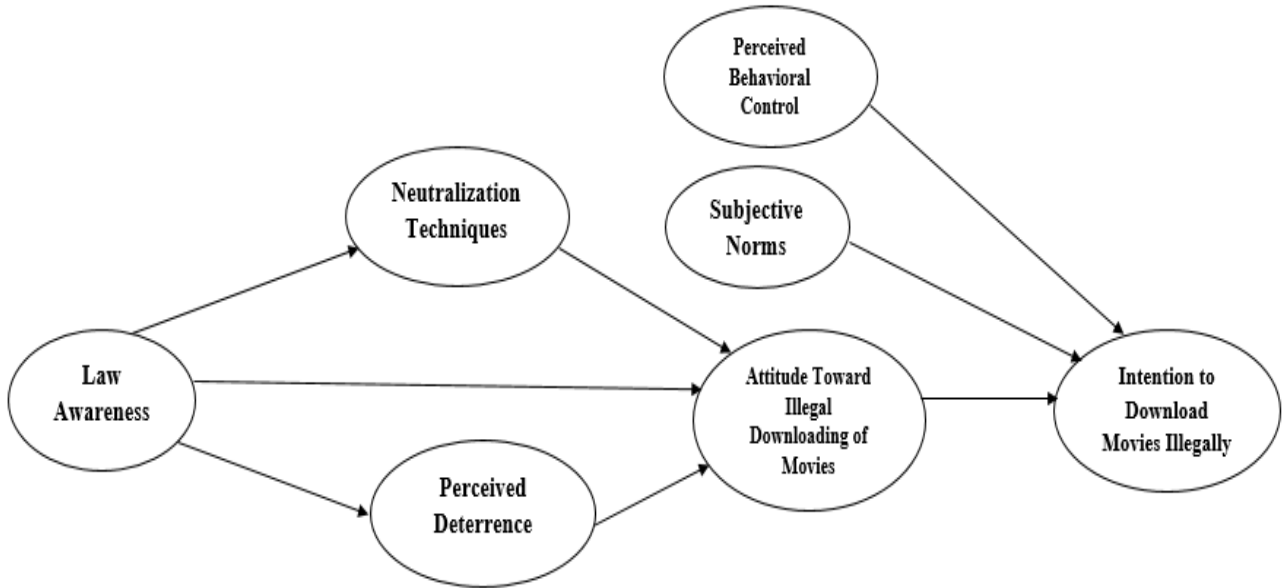


Figure (2) The Proposed Model

This study seeks to assess the behavior of movie illegal downloaders. It will measure law awareness as an antecedent to attitude in order to examine the intention to download movies. Attitude, according to the theory of planned behavior, is a primary key to the intention to download movies. Hence, examining the factors that influence the attitude is necessary in understanding what motivates the intention to download movies illegally by Egyptian.

Individuals with low levels of awareness will deal with illegal downloading as a normative behavior like other legitimate behaviors (i.e. watching TV or playing games).

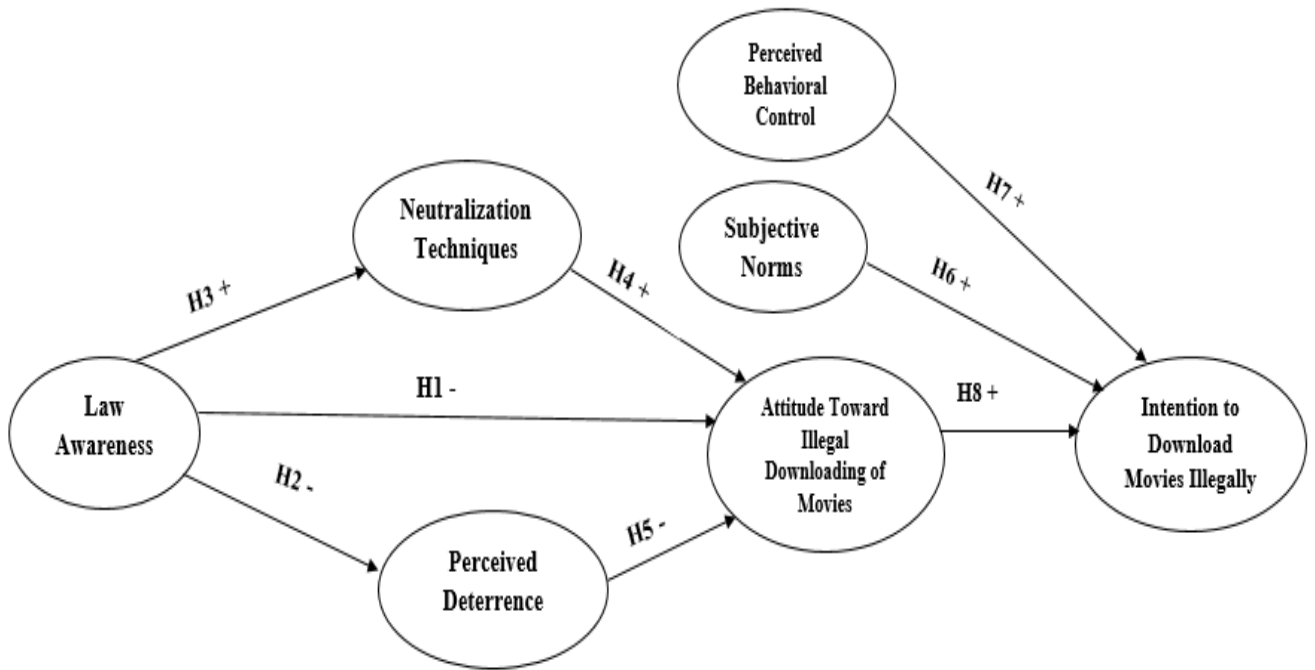
Therefore, they are more likely to form a favorable attitude toward movie downloading (they are not even aware they are violating copyright) and hence pirating.

In cases of higher levels of law awareness, legally literate downloaders may tend to conduct this non-normative behavior by drifting it into a normative one. If they failed to psychologically drift it, they are less likely to form a positive attitude toward downloading and less likely to download. In other words, movie downloaders who are aware of the IP law in Egypt are expected to go through the neutralization process to rationalize the illegal downloading act. However, in the Egyptian sphere, since law enforcement may not be as efficient as the western society, respondents' perception of deterrence may affect their expected outcome about movie piracy. Thus, those who perceive deterrence to be inefficient are more likely to form a positive attitude toward downloading.

Attitude is not the only motivational factor that influences the willingness to perform a behavior. Thus, the researcher proposes, based on the TPB, that subjective norms and perceived behavioral control will affect the willingness to download movies illegally in addition to attitude.

This model could be used to test other types of piracy, along with other deviant behaviors that may be depicted as "mischief" and not a serious felony (e.g., cheating, lying, etc.).

Hypotheses:



Research Hypotheses. Figure 3

Hypothesis 01: Law awareness is negatively correlated with the attitude toward illegal downloading.

Hypothesis 02: The higher the level of law awareness, the less likely the law to be perceived as deterrent.

Hypothesis 03: Law awareness is positively correlated with neutralization techniques.

Hypothesis 04: The more illegal downloaders rely on neutralization techniques, the more favorable their attitude will be toward illegal downloading.

Hypothesis 05: Perceived deterrence is negatively correlated with attitudes toward illegal downloading.

Hypothesis 06: Subjective norms are positively correlated with intention to download movies illegally.

Hypothesis 07: Perceived behavioral control is positively correlated with the willingness to download movies illegally.

Hypothesis 08: The more favorable the attitude toward illegal downloading, the more willing a person would be to download movies illegally.

Chapter Five

Methodology

This study investigates the correlation between law awareness and illegal movie downloaders' attitude and intention. In addition, it explores the interaction of other motivational factors with the willingness to download movies. The researcher examines the factors Ajzen (1985) used in his TPB (Subjective norms and Perceived behavioral control). This study also explores subjective norms and behavioral control which may affect the intention to download movies. Few examined the influence of awareness of the law on piracy, but to date none offered a psychological explanation for the reasons people who are aware of the illegality of piracy use to justify downloading movies illegally. They only shed the light on the mechanisms through which law awareness along with other motivational factors affected the illegal downloading behavior (Goles et al ,2008; Jacobs et al, 2012; Moores et al. 2009; Bryant, 2010; Peace et al., 2003).

Data gathering and Sampling

In order to measure the aforementioned variables, the researcher used the survey method to gather the data by disseminating self-administrated questionnaires during the 2016 spring semester. A purposive sample of 392 undergraduate mass communication students at Cairo University were surveyed.

Most of mass communication students are regular Internet users due to the projects they are assigned to do that require Internet access. Cairo University also includes a variety of socio-economic status groups that will be needed to make the data reasonable and to

provide better indicators. Moreover, this study could be considered to some extent an exploratory study; as it is among few studies examined movie piracy in Egypt.

Questionnaires were only completed by students who identified themselves to the researcher as illegal movie downloaders. Respondents who did not identify themselves as movie downloaders were not included in the survey. Although the researcher handed the survey herself to each respondent to ensure that he/she download movies illegally, the survey started with a filtering question as well to eliminate any possibilities of including non-downloaders in the sample. The researcher asked each respondent if they download movies for free from websites such as *myEgy* and *Mazika2day* (well-known illegal file sharing websites) or though using BitTorrent files. The researcher did not use words such as “illegal, piracy, stolen, etc.” to avoid making the respondents to experience any discomfort. Most of the time the researcher talked to the respondents individually, and in few cases, the researcher had to speak in groups.

After handing the questionnaire to the respondents, who identified themselves as downloaders to the researcher, they started by answering the filtering question. Rarely, some respondents marked “No” to the filtering question “Do you download movies” (15 cases and their answers were terminated). However, 392 respondents were fit in the purposive sample, yet the researcher had to discard 8 questionnaires owing to incompleteness. The total number of respondents who identified themselves as downloaders to movies from illegal venues was 384.

Professors were asked to spare 20 minutes from their classes to help the researcher conduct this study. Prior to participation, students were notified that answering the questionnaire is voluntary, anonymous and will be used for research purposes only. The

questionnaire didn't include words such as "illegal, unauthorized, pirated" to avoid leading the respondents. Also, the word "not-paid" and "free" were used several times in the middle of the survey. Yet, it was not used in every item to avoid inciting the respondents to favor certain answers that are considered less shameful.

The data was analyzed using the IBM SPSS statistics 22 software which is one of the most commonly used software in social sciences. Later, the researcher coded the variables and examined the correlations between the latent variables in this study using bivariate correlations.

Measures:

Most of the items were developed from previously published studies; most of the variables are measured using multiple-items to enable reliability testing. The sources from which the items used in this study were adapted are listed in the appendix. However, measures were tailored in this study to specifically measure the illegal downloading behavior. Most of the items were modified by the researcher to match the scope of this study by replacing some words (e.g., software piracy).

As a necessary procedure to avoid negative connotations, the word "downloading" is used throughout the questionnaire to make the respondent feel more comfortable while answering. The items later were translated to Arabic to facilitate answering them for the Egyptian students. The word "downloading" was translated as *Tanzeel*. The exact translation of this word in Arabic would be *Tahmeel*; however, this word is not common in the Egyptian dialect. Hence, the researcher used the word *Tanzeel* instead. In addition, the researcher wrote the English word "download" (which is more common among

Egyptians) in the survey in every page of the survey and in different items to ensure that the respondents are understanding what they are answering clearly.

Most of the variables were measured using 5-point Likert scale (1= strongly disagree, 5= strongly agree). Except for the *law awareness* variable which was measured through testing the respondents' certainty about the items (1= extremely uncertain, 5= extremely certain).

Cronbach's alpha was used as a measure of reliability since it is considered a good measure for testing internal consistency (Blischke, Karim & Murthy, 2011). All the scales used resulted an alpha value above 0.7 which indicates high value of internal consistency and at a satisfactory level (Peter & Peter, 2008; Lasinska, 2013). All of the scales were shown to be reliable with most scales having an alpha value above 0.7. The highest alpha score was $\alpha=0.830$ and the lowest was $\alpha=0.704$.

The items used to measure the variable "*intention*" was adapted from the scale of Goles et al. (2008) which was first intended to measure "software piracy intentions". The words "copy software" were replaced by "download movies". The reliability of this scale is $\alpha= 0.824$. Similarly, the items measuring the construct *attitudes toward movie downloading* were developed from Plowman and Goode's (2004) scale, which they used originally to examine the attitude toward illegal downloading of music. The scale consists of 4 items, one of these items is reverse scaled in order to avoid positive response bias. The Cronbach's alpha of this scale is $\alpha= 0.800$.

Subjective norms and *Perceived Behavioral Control* were measured using Yoon's (2003) scales. The subjective norms construct was measured using 4-item scale; however, one of the items employed had to be removed to improve the reliability of the scale. While

perceived behavioral control was measured using 4-item scale. The reliability for the scales is $\alpha=0.744$ and $\alpha=0.830$, respectively. The phrase “Downloading movies” replaced “digital piracy” in these two scales. The items used to measure the variable “subjective norms” were reverse scaled as well.

The variable *law awareness* was also measured using Goles et al. (2008) scale. The 4-item scale’s reliability is $\alpha=0.802$. The respondents were asked about their law awareness after asking them about their intention to download movies and attitude to avoid leading the respondents to specific answers. In addition, the items were placed in the questionnaire before the scales used to measure *neutralization* and *perceived deterrence*. This was also used to ensure the validity of their answers concerning law awareness because both neutralization and deterrence may lead the respondents to realize that free movie downloading is illegal.

The items of “perceived deterrence” are adapted from the scale of Peace et al. (2003) which was used to measure the two main deterrence factors; certainty and swiftness. The researcher in this study developed the items to avoid leading the respondent about the illegality of the piracy act. The reliability of this scale in this study is $\alpha=0.784$

The neutralization construct consists of 5 main other constructs (*denial of responsibility, denial of a victim, denial of injury, condemnation of the condemner and appeal to higher loyalties*) Morris and Higgins’s (2009) neutralization scale is used in this study to measure all the techniques except for the “appeal to higher loyalties” technique. The researcher in this study found it to be more convenient for the scope of the study to use another scale to measure “appeal to higher loyalties” technique.

The “appeal to higher loyalties” technique was measured using Ingram and Hinduja’s (2008) 2-item-scale. Modifications were added to Morris and Higgins’s (2009) and Ingram and Hinduja’s (2008) items in order to fit the scope of the study (Check the Appendix for the specific items). However, due to the exploratory nature of this study, the researcher will deal with the neutralization as a formative construct. Hence, the neutralization will be measured as a singular construct. The reliability of the neutralization scale which consists of 13 items (after computing all the techniques together) is $\alpha= 0.704$

Scale	No. of items	Cronbach's alpha
Intention	3	0.824
Attitude	4	0.800
Subjective Norms	3	0.744
Law Awareness	4	0.802
Perceived Behavioral Control	4	0.830
Perceived Deterrence	3	0.784
Neutralization Techniques	13	0.704

Table (1) Reliability of the scales

Chapter Six

Results

Description of the sample:

78.9% of the sample were females, while 21.1% were males. The respondents' ages ranged from 18 to 25 years old. 32% of the sample were 20 years old and only 0.3% were 25 years old.

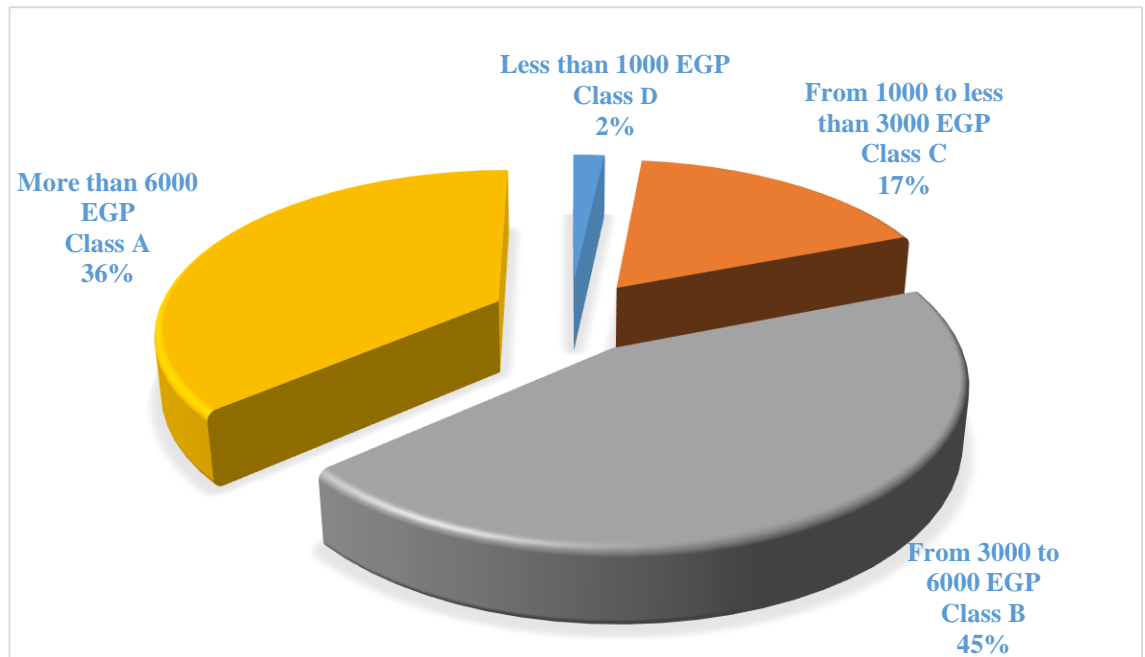


Figure (4) Family Income Per Month

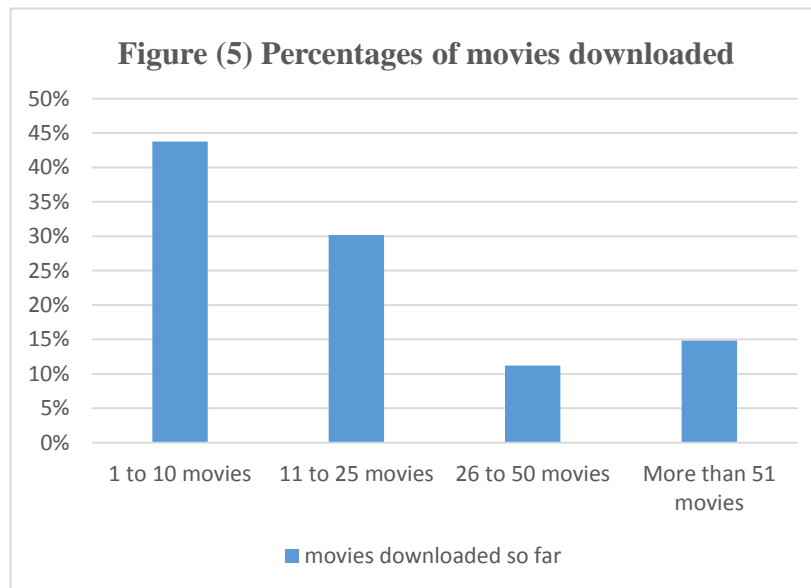
45% of the sample is considered from class B with monthly income that ranges from 3000 to 6000 E.P per month. Class A represented 36% of the sample which earn more than 6000 E.G.P per month. Only 2% of the sample is considered from D class.

Descriptive Analysis

	Frequency	Percent
Rarely	49	12.8
Sometimes	164	42.7
Often	107	27.9
Always	64	16.7
Total	384	100.0

Table (2) How Often Do You Download Movies?

When the respondents were asked about their downloading pattern, 42.7% answered “sometimes”, while 27.9% chose “often”. The least selected answer was “rarely” with only 12.8% of the sample (only 49 respondents selected rarely).

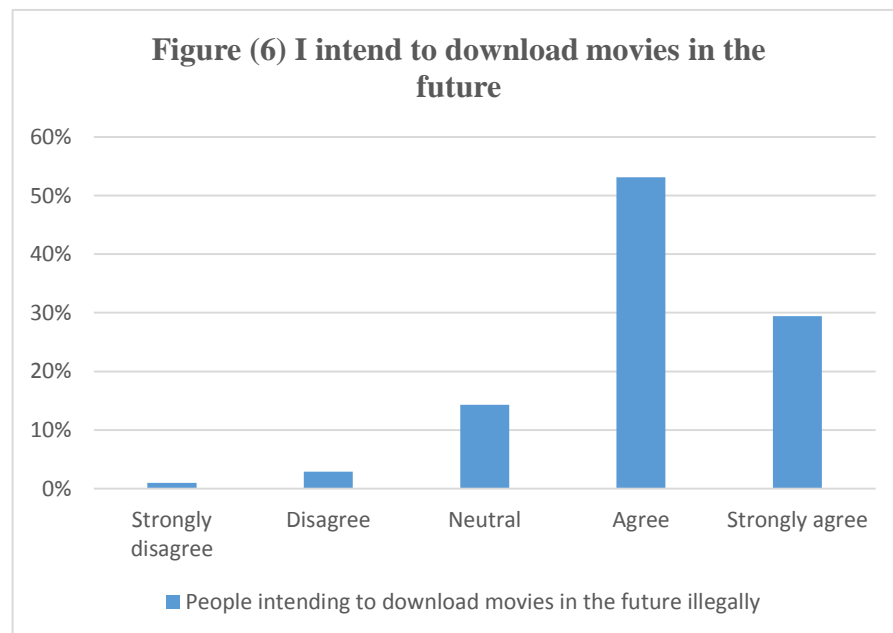


On the other hand, the results showed that 43.8% of the sample have downloaded 1 to 10 movies so far. While 116 respondents have downloaded 11 to 25 movies (30.2%). Only 11.2% have downloaded 26 to 50 movies so far. 57 respondents have downloaded more than 51 movies which is consistent with the above findings.

	Mean	SD
If the need or opportunity arises, I plan to download movies.	4.09	0.758
I intend to download movies in the future.	4.09	0.755
I intend to download movies by next year	4.00	0.810

Table (3) Intention to Download Movies

Table (3) shows the results of the 3 items employed to measure the construct “intention to download movies”. The means of the three items were almost identical. The first and the second items resulted identical means ($m=4.09$) with standard deviations 0.758 and 0.755 respectively. Whereas the third item’s mean is 4.0 with a standard deviation= 0.810. This shows that the answers revolved around agree and strongly agree. For instance, 53.1% agreed that they intend download movies in the future. The mean of the “*intention*” scale is 4.06 with $SD=0.666$. This indicates that the sample in this study had a tendency to download movies in the future.



Attitude ($\alpha=0.800$)	<i>Mean</i>	<i>SD</i>
Downloading movies is pleasant.	3.54	1.149
Downloading movies is a wise idea	3.37	1.024
Downloading movies is a good idea.	3.66	0.921
I don't like the idea of downloading movies*	4.04	0.906

**Reversed item*

Table (4) Attitude Toward Downloading Movies Illegally

The mean of the “*attitude*” scale in this study is 3.65 with SD= 0.794. The attitude toward downloading movies illegally was measured using four items. One of these items was reverse coded (I don't like the idea of downloading movies). The results of this item shown in the table are reversed. The means and the standard deviations of these items were consistent with each other. The mean for the first item was 3.54 with SD= 1.149. The second item resulted a mean =3.37 with SD=1.024. The third item's mean is 3.66 with SD 0.921. The fourth item scored m=4.04 with SD=0.906.

Perceived behavioral control ($\alpha=0.744$)	<i>M</i>	<i>SD</i>
For me, it is easy to download movies.	3.29	1.157
I have the knowledge and ability to download movies.	3.72	0.911
I could find movies online to download if I wanted to.	3.83	0.822
Downloading movies is under my control	3.49	1.014

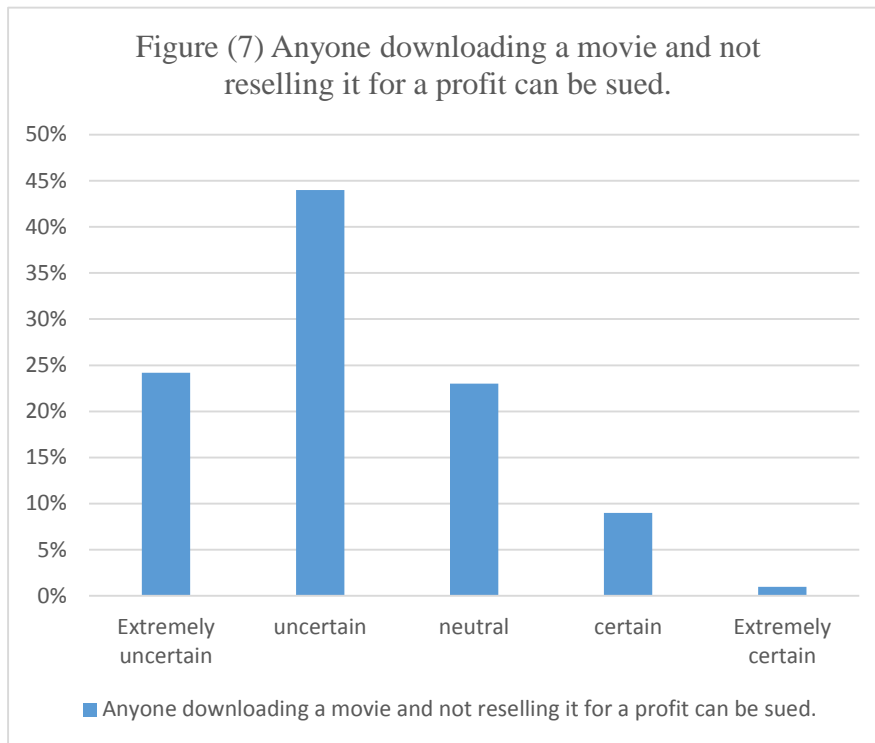
Table (5) Perceived Behavioral Control

The perceived behavioral control construct was measured using 4 items. The mean of this scale is 3.58 with SD= 0.811. Each item was measuring the extent to which the respondents perceive their capability of downloading movies. The first item “For me, it is easy to download movies” resulted a mean=3.92 with SD=1.157. The findings of the second item “I have the knowledge and ability to download movies” showed that only 1.6% of the sample strongly disagreed on having enough knowledge required to download movies for free. The mean of this item was 3.72 with SD= 0.911.

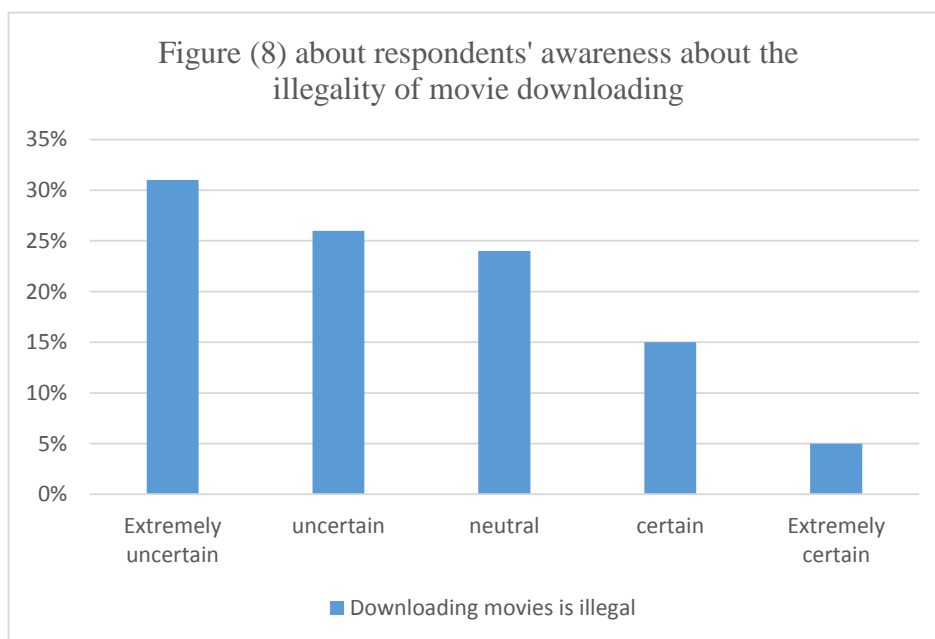
Similarly, 1.8% of the sample strongly disagreed on having the ability to find movies. This item had a mean=3.83 with SD= 0.882. While “Downloading movies is under my control” has a mean=3.49 with SD=1.014.

Law awareness (α =0.802)	M	SD
Anyone downloading a movie and not reselling it for a profit can be sued.	2.18	0.928
Anyone downloading a movie and not reselling it for a profit can be jailed.	1.78	0.886
Anyone downloading a movie and not reselling it for a profit can be fined.	2.17	1.029
Downloading movies is illegal.	2.38	1.199

Table (6) Law Awareness



The mean of the *law awareness* scale is 2.13 with SD= 0.806 which indicates that most of the sample were either uncertain or extremely uncertain about their answers. For instance, 167 (43.5%) respondents were uncertain that “anyone downloading a movie and not reselling it for a profit can be sued”. The mean of this item shows the uncertainty of the respondents (m=2.18 with SD=0.928).



Moreover, only 2 respondents were extremely certain about the possibility that illegal downloaders could be imprisoned with $m=1.78$ and $SD=0.886$. 1% of the sample were certain that “anyone downloading a movie and not reselling it for a profit can be fined”. This item resulted a mean= 2.17 and a $SD=1.029$.

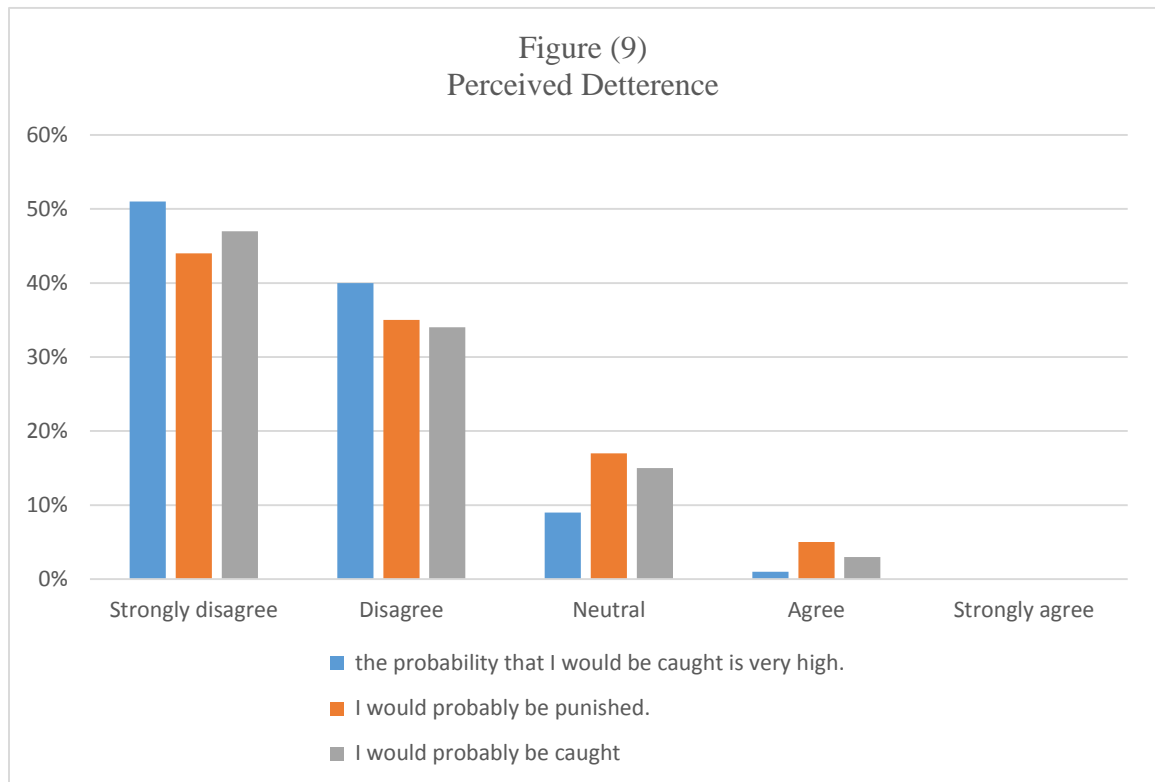
On the other hand, 30.5% of the sample were strongly uncertain about the illegality of downloading movies. The mean of the item shows that most of the answers were scattered around “uncertain” and “Strongly uncertain” with $m=2.38$ and $SD=1.199$.

Perceived deterrence ($\alpha =0.784$)	M	SD
If I downloaded movies, the probability that I would be caught is very high.	1.59	0.665
If I downloaded movies from the Internet, I would probably be punished.	1.84	0.886
If I downloaded movies, I would probably be caught	1.75	0.837

Table (7) Perceived Deterrence

The mean of the “*perceived deterrence*” scale is 1.72 with $SD= 0.699$. The items used for measuring the “perceived deterrence” construct shows that Egyptian illegal downloaders have very low level of perceived deterrence. 0% of the sample strongly agreed on any of the items measuring perceived deterrence (“If I downloaded movies, the probability that I would be caught is very high”, “If I downloaded movies from the Internet, I would probably be punished” and “If I downloaded movies, I would probably be caught”).

The first item has a mean=1.59 and SD=0.655. The second item resulted a the mean=1.84 and SD=0.886. In the third item, the mean is 1.75 with SD=0.837.



Neutralization ($\alpha=0.704$)	<i>M</i>	<i>SD</i>
<i>Denial of Responsibility</i>		
<i>If a person gets in trouble for downloading a movie without paying for it, it is more the movie production companies' responsibility because they should make the movies more available to people.</i>	3.20	1.022
<i>I shouldn't have to pay for movies when most of the people I know download for free.</i>	3.59	0.989
<i>The production companies should be responsible for providing access to movies or other digital media; this way people would not have to download them.</i>	3.59	0.935
<i>Denial of injury</i>		
<i>Movie production companies are not really harmed when people download their movies for free.</i>	2.13	1.022
<i>Those companies have so much money; it doesn't really matter.</i>	2.90	1.076
<i>Artists make so much money from other sources, they aren't really hurt by downloading.</i>	3.01	1.151
<i>Denial of a victim</i>		
<i>If movie production companies don't want people to download their movie for free, they should have better online security.</i>	3.63	1.017
<i>I don't really buy into the idea that movie production companies lose much from downloaders and file sharing; my (or other people's) downloading doesn't really hurt them.</i>	2.89	1.144
<i>Downloading is a victimless act.</i>	2.99	1.066
<i>Condemnation of condemners</i>		
<i>Movie production companies have been ripping people off for years, so downloading is justified.</i>	3.08	0.960

<i>It's really not people's fault that they download movies rather than paying for it; prices are just too high these days.</i>	3.34	0.964
Appeal to higher loyalties		
<i>I am more likely to download movie if a family member, friend, or significant other needed it.</i>	3.99	0.730
<i>I am more likely to download a movie if it will be used to complete a project for school or work.</i>	4.15	0.733

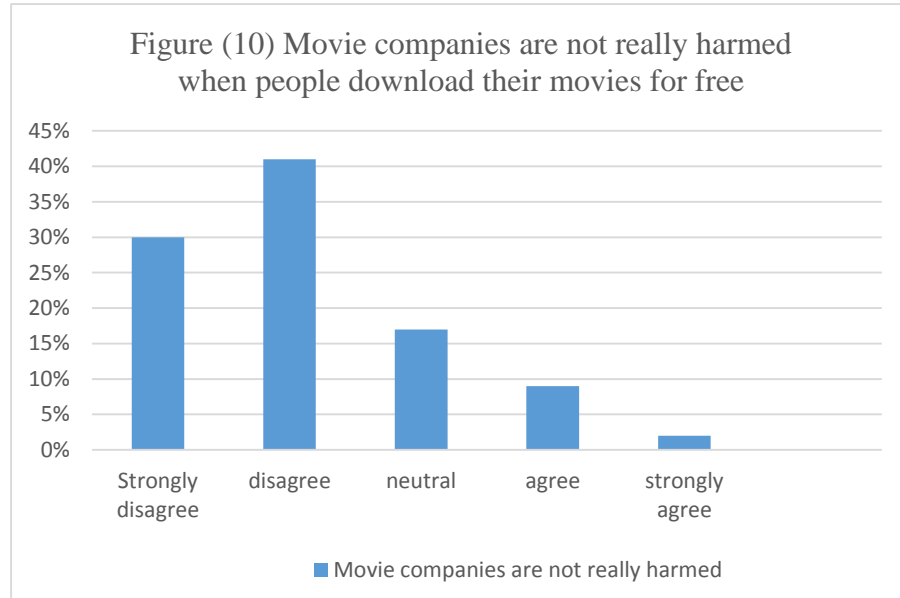
Table (8) Neutralization Techniques

The “neutralization techniques” scale resulted $m= 3.27$ with $SD= 0.465$. The table above shows the results of the first neutralization technique “denial of responsibility”. This technique was examined by criminologists as one of the ways which a delinquent may use to justify his/her wrongdoing (Sykes and Matza, 1957). Only 6.5% strongly disagreed that movie production companies held the responsibility for not making movies available. This item scored a mean= 3.20 with $SD=1.022$.

On the other hand, the item “I shouldn’t have to pay for movies when most of the people I know download for free” resulted a mean = 3.59 with $SD=0.989$. Likewise, respondents blamed movie production companies on limiting access to movies; 46.9% of the sample agreed that production companies should be responsible for providing access to movies. This item’s $m=3.59$ with $SD=0.935$.

The second technique explored was “denial of injury” in which delinquents rationalize their deviant behavior by denying causing any great harm or by justifying that the offended could afford the loss (Sykes and Matza, 1957). The researcher explored this technique using 3 items. The first item examined the extent to which respondents perceive

they are causing harm to movie production companies. The mean of this item was 2.13 with SD= 1.002.

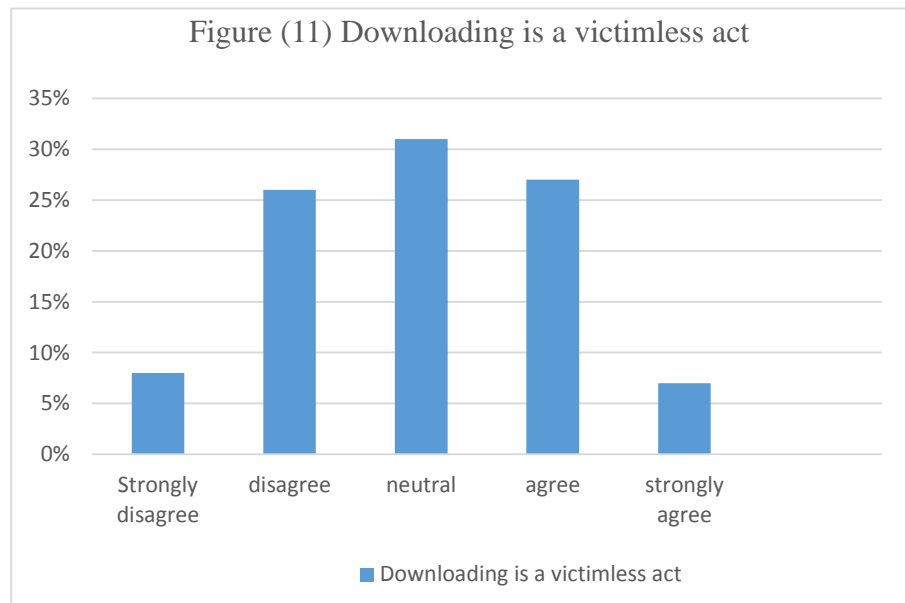


In addition, more people disagreed rather than agreed that movie production companies are rich and therefore illegal downloading won't matter to them. This item has a mean =2.90 with SD=1.076. On the other hand, respondents were more guilt-free toward artists than movie production companies in general. This item has m=3.01 with SD= 1.151.

The third technique *Denial of a Victim* was examined as a part of the methods offender employ to rationalize their act. The offender either deny the existence of a victim or believes he/she is an avenger and the offended deserves the injury (Sykes and Matza, 1957). 48.4% thought that movie production companies deserve what they get from piracy by agreeing that movie production companies are lacking strong online security which makes them vulnerable. The mean of this item is 3.63 with SD=1.017.

Respondents' answers were scattered on the second item that measures the extent to which illegal downloaders are convinced that they are hurting movie production companies. The mean of this item is 2.89 with SD= 1.144.

Likewise, answers were not clear-cut on the third item measuring "denial of a victim". The item "downloading is a victimless act" resulted a mean= 2.99 with SD= 1.066.



The fourth technique as suggested by Skyes and Matze (1957) is *Condemnation of the Condemner*. It is when a delinquent considers his condemners (anyone who can post judgmental-disproval against the delinquent) as deviants or hypocrites (Sykes and Matza, 1957). In this variable "condemnation of the condemner", the condemners are movie production companies and the state. Respondents were asked "movie production companies have been ripping people off for years, so downloading is justified" and "It's really not people's fault that they download movies rather than paying for it; prices are just too high these days".

In the first item, responses were not a clear-cut as well. The mean of this item=3.08 with SD=0.960. The second item's mean is 3.34 and SD= 0.964. This indicates that most of the answers are scattered around neutral (30.5%) and agree (40.1%).

The fifth technique used to rationalize deviant acts is "*the appeal to higher loyalties*". When the offender belongs to a certain group, he/she may sacrifice the norms of the larger society to please those he/she belongs to (Skyles and Matze, 1957). This technique was examined using two items. The first item explored the possibilities of downloading a movie illegally in case a family member, or a friend needed it. The mean of the first item is 3.99 with SD=0.730.

Similarly, the second item was employed to examine if someone would jeopardize his/her work or education to avoid illegal downloading. Respondents were asked "I am more likely to download a movie if it will be used to complete a project for school or work". The mean of the answers is 4.15 with SD=0.733.

The scale used to measure "subjective norms" consisted of 4 items (one had to be removed to improve the reliability). These three items were reversed to avoid leading the respondents to a specific answer. The results showed in this table were calculated after reversing the items' codes. The first items intended to measure the respondents' beliefs about others' approval or disapproval of their illegal downloading act. The mean of this item is 4.11 with SD=0.832.

<i>Subjective norms ($\alpha=0.744$)</i>	<i>M</i>	<i>SD</i>
<i>If I downloaded movies, most of the people who are important to me would disapprove*</i>	4.11	0.832
<i>Most people who are important to me would look down on me if I downloaded movies *</i>	4.36	0.844
<i>My colleagues think downloading movies is wrong. *</i>	4.29	0.835

**Reversed item*

Table (9) Subjective Norms

On the other hand, the second item intended to measure if the respondents think that their referent would despise/praise their illegal downloading act. The mean of this item is 4.36 with SD=0.844. The third item examined peer pressure reported a mean=4.29 with SD= 0.835 The indicated that the respondents think that their colleagues wouldn't mind if they downloaded movies from illegal sources. The summated mean of this scale = 4.26 with SD= 0.681.

Testing hypotheses

Hypothesis 01: Law awareness is negatively correlated with attitude toward illegal downloading.

Table (10) Correlation between attitude and law awareness

		Attitude	Law Awareness
Attitude	Pearson Correlation	1	-.090
	Sig. (2-tailed)		.077
	N	384	384
Law Awareness	Pearson Correlation	-.090	1
	Sig. (2-tailed)	.077	
	N	384	384

In this hypothesis, the researcher intended to examine the correlation between law awareness of illegal downloaders and attitude toward downloading. A Pearson's r data revealed a weak negative correlation since $r(382) = -.090$. However, p showed that the correlation is insignificant ($P = .077$) which means that $p > 0.05$. Hence, this hypothesis is rejected and the null hypothesis is accepted.

Hypothesis 02: The higher the level of law awareness, the less likely the law to be perceived as deterrent.

Table (11) Correlation between law awareness and perceived deterrence

		Law Awareness	Perceived Deterrence
Law Awareness	Pearson Correlation	1	.357**
	Sig. (2-tailed)		.000
	N	384	384
Perceived Deterrence	Pearson Correlation	.357**	1
	Sig. (2-tailed)	.000	
	N	384	384

** . Correlation is significant at the 0.01 level (2-tailed).

The researcher hypothesized that law awareness is negatively correlated with the downloaders' perceived deterrence. The results showed weak positive correlation between awareness of the law and the belief that actual deterrence would be imposed. Pearson's $r(382)=.357$. Moreover, this correlation is statistically significant. Hence, this means that $p<0.001$. Yet, this hypothesis is rejected.

Hypothesis 03: Law awareness is positively correlated with neutralization techniques.

Table (12) correlation between law awareness and neutralization

		Law Awareness	Neutralization
Law Awareness	Pearson Correlation	1	-.189**
	Sig. (2-tailed)		.000
	N	384	384
Neutralization	Pearson Correlation	-.189**	1
	Sig. (2-tailed)	.000	
	N	384	384

** . Correlation is significant at the 0.01 level (2-tailed).

The second hypothesis predicted a positive correlation between law awareness and the neutralization process. A Pearson's r showed that there is a weak negative correlation between the two variables since $r(382)=-.189$. In addition, this correlation is statistically significant; since $p<0.001$.

Hypothesis 04: The more illegal downloaders rely on neutralization techniques, the more favorable their attitude will be toward illegal downloading.

Table (13) Correlation between neutralization and attitude

		Neutralization	Attitude
Neutralization techniques	Pearson Correlation	1	.199**
	Sig. (2-tailed)		.000
	N	384	384
Attitude	Pearson Correlation	.199**	1
	Sig. (2-tailed)	.000	
	N	384	384

** . Correlation is significant at the 0.01 level (2-tailed).

The results showed a positive weak correlation between neutralization techniques and attitude toward illegal downloading. Pearson's $r(382)=.199$. The correlation is statistically significant with $p < 0.001$.

Hypothesis 05: Perceived deterrence is negatively correlated with attitudes toward illegal downloading.

Table (14) correlation between attitude and perceived deterrence

		Attitude	Perceived Deterrence
Attitude	Pearson Correlation	1	-.074
	Sig. (2-tailed)		.146
	N	384	384
Perceived Deterrence	Pearson Correlation	-.074	1
	Sig. (2-tailed)	.146	
	N	384	384

This hypothesis intended to explain the influence of perceived deterrence on the illegal downloaders' attitude. The results showed a very weak negative correlation between perceived deterrence and attitude since $r(382) = -0.74$. Yet, this correlation is meaningless since $p = .146$ and therefore $p > 0.05$. Hence, this hypothesis is rejected and the null hypothesis is accepted instead.

Hypothesis 06: Subjective norms and intention to download movies illegally are positively correlated.

Table (15) Correlation between subjective norms and intention

		Subjective Norms	Intention
Subjective Norms	Pearson Correlation	1	.190**
	Sig. (2-tailed)		.000
	N	384	384
Intention to Download Movies illegally	Pearson Correlation	.190**	1
	Sig. (2-tailed)	.000	
	N	384	384

** . Correlation is significant at the 0.01 level (2-tailed).

The researcher hypothesized, based on the literature, a correlation between subjective norms and intention to download movies illegally. The results showed a positive weak correlation between the two variables since $r(382) = .190$. This correlation is statistically significant with $p < 0.001$.

Hypothesis 07: Perceived behavioral control is positively correlated with intention to download movies illegally.

Table (16) correlation between intention and perceived behavioral control

		Intention	Perceived Behavior Control
Intention	Pearson Correlation	1	.401**
	Sig. (2-tailed)		.000
	N	384	384
Perceived Behavioral Control	Pearson Correlation	.401**	1
	Sig. (2-tailed)	.000	
	N	384	384

** . Correlation is significant at the 0.01 level (2-tailed).

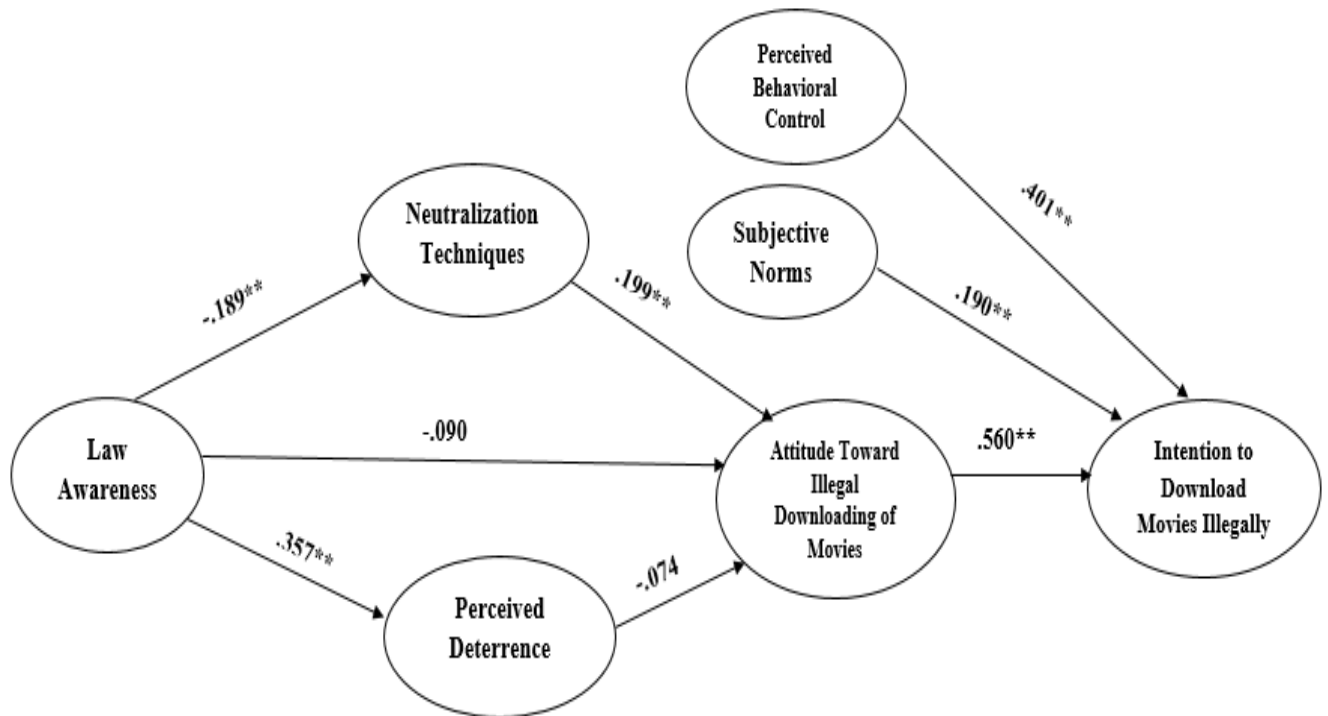
This hypothesis intended to examine the relationship between someone's perceived ability to download movies illegally and his/her willingness to download movies. The results showed a moderate positive correlation that is statistically significant ($p < 0.001$ and $r(382) = .401$).

Hypothesis 08: The more favorable the attitude toward illegal downloading, the more willing a person would be to download movies illegally.

Table (17) correlation between intention and attitude

		Intention to Download Movies illegally	Attitude toward illegal downloading
Intention to Download Movies illegally	Pearson Correlation	1	.560**
	Sig. (2-tailed)		.000
	N	384	384
Attitude toward illegal downloading	Pearson Correlation	.560**	1
	Sig. (2-tailed)	.000	
	N	384	384

The results showed a moderate positive correlation between attitude and intention to download that is statistically significant. Pearson's r 0.560 with $p < 0.001$



**** $p < 0.001$**

Table (18) results of the research model.

Chapter Seven

Discussion

This study sheds light on the important determinants of illegal downloading. Specifically, this study's contribution lies in attempting to establish a behavioral analysis of Egyptian movie downloaders based on their level of law awareness. Awareness of the illegality of movie copyright infringement was examined along with other factors that may motivate this act. In addition, an attempt was made to provide a psychological explanation for illegal downloaders who have higher levels of law awareness.

Using established theories from criminology and psychology, this interdisciplinary study proposed a model to identify and categorize the factors that motivate the intention to download media content illegally. By doing so, countermeasures to combat those factors can be implemented to reduce the increasing rates of illegal downloading. This is especially important since there is a gap in the literature examining movie piracy in Egypt. Analyzing the attitudinal antecedents and other motivational factors could further help in combating movie piracy. Determining the cognitive process which they held based on their law awareness levels is necessary for understanding the movie piracy phenomenon.

Although no relationship could be established between awareness of the Egyptian IP law and illegal downloading, the results showed that Egyptian illegal movie downloaders have very low levels of awareness about the IP law in Egypt. Interestingly, the findings showed that few respondents were aware that downloading is illegal; however, fewer were aware that they could be prosecuted, according to the Egyptian IP law, fined or imprisoned.

These results could be attributed to the fact that pirated movies are widely available in Egypt to the extent that unlicensed TV channels started to broadcast illegally downloaded movies to people through NileSat. The act of illegal downloading of movies has been institutionalized among Egyptians to the extent that they cannot perceive of it as illegal.

This finding contradicts with the findings of Moores et al. (2009) who found that knowledge about the possible sanctions form a less favorable attitude toward piracy. In other words, law awareness does not influence the favorableness of the illegal downloading act. Movie downloading is already a well-established favored phenomenon among Egyptians regardless of its legal state. Hence, there is no direct correlation between law awareness and attitude.

Yet, law awareness was found to be negatively correlated with neutralization techniques. This, unlike what was hypothesized, may mean that those with higher levels of law awareness are less likely to rely on neutralization techniques. It means that illegal downloaders who are more aware about the illegality of movie piracy may still feel guilty about their downloading. In other words, Egyptian movie downloaders who may be considered as legally literate are more likely to perceive their piracy act as non-normative. Yet, they are still downloading movies regardless of the self-blame attached. Hence, attitudes might not be the driving force for those with higher levels of awareness, or there might be other factors that make piracy favorable to those aware of its wrongfulness rather than law awareness. Further research is needed in order to understand the cognitive process driving those with law awareness.

Interestingly, this result contradicts with what Copes (2003), who posited that those who are aware about the wrongfulness of their act are more likely to use the neutralization techniques than their counterparts who are not perceiving their act as wrong. However, the results showed a negative weak correlation between law awareness and neutralization techniques. This may indicate that downloaders who are unaware about the illegality of their act still need to justify it using neutralization techniques. In other words, this indicates at some point that downloaders may be aware of the wrongfulness of piracy even if they are not aware of its illegality. They might be aware at some level that their act might cause some harm and hence they needed to rationalize it. In other words, illegal downloading might be perceived as an immoral act rather than an illegal one.

The findings support this proposition, most of the sample thought that movie production companies, which they perceive as wealthy corporations, are harmed with illegal downloading. Hence, the downloaders do not deny the damage they cause to the movie industry. This damage was widely supported in previous literature by piracy scholars (Siwek, 2006; Ma et al., 2016; Vany and Walls, 2007; Rob & Waldfogel, 2007; Thureau et al., 2007). Still, illegal downloaders blamed movie production houses for limiting their access to movies when they can make movies more available to people. Hence, limiting access to movies might be one of the forces that elicit movie piracy. According to Danaher and Waldfogel (2012) and Mackenzie and Walls (2015) movie production companies delay international releases which, according to the literature, increase the rates of pre-international-release piracy. This also supports the previous findings that illegal downloading rates increase when access to legitimate venue was blocked (Danaher et al., 2010). It also supports the notion that enabling more access to legitimate channels may

reduce the piracy rates, as was previously supported in the work of Welter (2012). Egyptians lack legitimate access to movies. Egyptians can only use Shahid.net (a well-known Saudi Arabian website to stream Arabic, Turkish, Indian and Iranian TV shows, programs and movies), Netflix (was introduced to the Middle East early 2016), and iTunes to watch movies legally.

Further, they also held movie production companies responsible for having a weak Internet security on their system which enables technologically knowledgeable individuals to easily crack the protection provided by their security systems and to easily circulate their movies once a single copy is cracked. In addition, one of the methods illegal downloaders use to drift their guilt feeling was condemning the current economy. They said that they illegally download movies due to the high prices that will hinder them from spending money on movies. However, most of the sample were from B and A classes (41.7% and 38.3% respectively), which means that they may afford subscribing to legitimate streaming movie websites such as Netflix (costs around 7.88 USD/ about 88 EGP per month to the date of writing this study) and Shahid.net (costs 4.99 USD/ about 55 EGP per month to the date of writing this study). Moreover, some considered that if a movie was necessary for their study, work, or someone else needed it, then it's justified to download this movie illegally.

The rationalization of illegal downloading was found to lead to a more positive attitude towards the act. Illegal downloaders with lower law awareness of copyright infringement are more likely to rationalize and to drift the guilt feeling aside and therefore form a more positive attitude. However, this research could not specify the cognitive

process through which those few with higher levels of law awareness employ to download movies.

Interestingly, unlike what was hypothesized, those few downloaders with higher levels of law awareness in the sample perceived the law as more deterrent than others. Hence, the factors that lead those to break a law perceived as deterrent should be further examined.

However, most of the sample perceived the law as non-deterrent. The majority thought there is no possibility they would be punished or caught for downloading movies illegally. This is not surprising, since most of the sample was not aware about the illegality of copyright infringement. In addition, in post-revolution Egypt and with the current political instability, some might think that detecting and prosecuting movie downloaders are not a priority. This is consistent with Al-Rafee and Rouibah (2010), who pointed out that Arabs in the Gulf are not efficiently deterred by copyright laws.

However, the findings of this study showed no significant correlation between deterrence and attitude. This is in line with previous findings that illegal downloading is hardly perceived as an outlaw act. Findings generally indicated a positive correlation between attitude and intention. Comparing to other motivational factors (subjective norms and perceived behavioral control), attitudes were found to be the strongest determinant of intention. That is, when a favorable attitude is formed, a person may become more willing to download movies in the future. This finding is consistent with Yoon (2011), Goles et al. (2007), Nandedkar and Midha (2012), and Akbulut, (2014). This indicates that altering attitudes toward illegal downloading might succeed in reducing future piracy attempts. Yet, this study showed that increasing people's awareness about the illegality of copyright

infringement may not succeed in altering Egyptians' attitudes. Nevertheless, this study showed that Egyptian downloaders seek neutralization techniques to avoid self-blame while downloading movies and hence form a favorable attitude. In other words, changing the beliefs that surround piracy is needed in order to alter attitudes rather than emphasizing the illegality of the piracy act.

The results of this study are consistent with previous research in terms of the correlation between subjective norms and intention to download movies (Taylor et al., 2009; Yoon, 2011). This suggests that peer pressure and societal acceptance are among the factors that motivate illegal downloading of movies. The results showed that most respondents think that their referents will not perceive movie downloading as a wrongdoing. These results are predictable since illegal downloading seems to be a well-institutionalized phenomenon in Egypt.

The results support the findings of Phau et al. (2014), Taylor et al. (2009), LaRose et al. (2005), Yoon, (2011), and Cronan and Al-Rafee, (2008) that a positive correlation between perceived behavioral control and intention exists. The results indicated that illegal downloaders perceive movie piracy as an easy act. They believe that they can effortlessly find illegal-file sharing websites and download from it if they desired. These results provide an explanation for the reasons why deterrent measures will not find success in solving the piracy problem in Egypt. Movie production companies should make their movies as accessible and as available as the illegal files. In other words, it is easier for Egyptians to have an access to illegal venues than to legitimate sources.

Hence, focusing on solving the piracy problem from the supply-side might help in decreasing the downloading rates than using demand-side interventions. This is in

consistence with the findings of Welter (2012) who pointed to the reduction in the piracy rates of movies available on Netflix. In Egypt, there are very few stores which sell legitimate DVDs. Moreover, movies available on iTunes are being sold for relatively high prices for third-world citizens (for instance, to the date of writing this study, Egyptians are supposed to pay approximately 133 EGP/14.99\$ to download the new Spotlight movie)². In other words, the very few legitimate venues provide movies to Egyptians at prices they cannot afford.

Moreover, fewer movies are falling into the public domain. The presence of a long term protection, like in Egypt's case, given to movies hinders making more movies available to the public. In addition, movie production companies are rarely obtaining Creative Commons licenses. The current trend is to keep the copyrights of these movies as long as the companies of these movies can guarantee the maximum profit.

Having said that, in the fight against piracy, guaranteeing the authors' rights is vital. Yet, understanding and putting into consideration the users' rights may attain the success the piracy battles have been always trying to achieve.

Conclusion

This study categorized some factors that may help us understand movie piracy in Egypt. Determining the main antecedents in eliciting illegal downloading may help in combating this phenomenon. This study is aimed at providing empirical findings to predict the role of law in fighting movie copyright infringement. The findings showed that law awareness does not play a direct role in forming attitudes toward movie illegal

² iTunes US store, Spotlight movie page, Retrieved May 14, 2016, from <https://itunes.apple.com/us/movie/spotlight/id1058061902>

downloading. Hence, emphasizing the illegality of copyright infringement in media discourse may not succeed in making movie piracy less favorable. On the other hand, enforcing the law and detecting those who illegally download movies might not be the solution either. The findings of this study indicate that even those who were more aware about the illegality of movie copyright infringement and perceived the law as more deterrent still carried out the act of downloading movies. The results also indicate that perceived deterrence has no direct correlation with attitude as well.

However, movie piracy could still be fought if the right discourse and countermeasures were used. The results showed that downloaders with lower levels of law awareness needed to rationalize their piracy act more. This may indicate that they might be aware about the immorality of their act regardless of its illegality. Hence, raising people's awareness about the negative influence piracy may cause to the movie industry may make piracy less favorable. In addition, the current limited access to movies through legitimate venues seems to cause more favorable attitudes toward illegal downloading, which then represents one of few choices left to movie fans. Making movies more affordable therefore might also succeed in altering attitudes and in making it difficult to rationalize this act. High prices and bad economy may force moviegoers to stop visiting movie theaters or legally purchase movies in favor of illegal downloading.

This research showed that altering downloaders' attitudes should be the main concern for policymakers and copyright advocates to eliminate the piracy problem. The study showed that attitude is the strongest determinant of illegal downloading. Further studies should focus on exploring other factors that might affect attitude. The fight against piracy should include non-downloaders also, since this study showed that the societal

acceptance was another driving force for movie piracy. This exploratory analysis could provide a base for future copyrights studies in Egypt and in the Arab region where laws are perceived and practiced differently.

Limitations

The results presented in this research have some limitations. One of the limitations of this study is the lack of external validity since the survey was applied on mass communication students in Cairo University during the Spring semester. The results may differ if the study was applied on a different and more representative sample. Variables such as age, socio-economic status and educational level may have an influence on illegal downloading. Second, there might be other factors that could influence attitudes that were not examined in this study.

Third, excluding movies on the public domain is a necessary step future studies should try to cover in studying movie piracy. This would help exclude downloaders who download public domain movies which is not an illegal act. Fourth, in-depth interviews could have added a deeper explanation for the movie piracy phenomenon based on the theoretical model the researcher proposed, which time limitations prevented in this study. Fifth, the results of this study can only predict the behavior of illegal downloaders; it cannot be applied on movie uploaders, who should be examined differently. Hence, the findings of this study contributes in solving only one part of the movie piracy problem. Further investigation of the movie piracy phenomenon should be examined. Sixth, this study is culture-specific; it was implemented in Egypt where the copyright law is hardly enforced

on illegal downloaders. The results might differ in countries where copyright infringers are prosecuted consistently.

Recommendations

- Encouraging movie production companies on obtaining a Creative Commons license for their older movies or movies that they may not be financially benefiting from. These movies could act as a promotional tool for the actors, producers and the whole company.
- Since using deterrent measures may not find success in combating piracy in Egypt, movie production companies and policy makers should start implementing other solutions rather than using severer sanctions.
- Creating more legal channels where Egyptians can have an access to watch movies. These venues should be at affordable prices.
- Enhancing the Internet connection in Egypt to make legal streaming more enjoyable to Egyptian users.
- Shortening the protection terms provided by the Egyptian IP law to movies. Movies in Egypt enjoy a 50-year-protection following the death of the last co-author. In other words, a movie could take a hundred years to fall into the public domain.
- Shortening the gap between international releases in foreign markets and local releases. In some cases, it takes weeks for a foreign movie to be released in Egyptian theaters. Hence, movie fans who are eager to watch these movies might use illegal methods to obtain them.

- Shortening the gap between the distribution windows. It takes months before a movie is available on DVDs or on Netflix or any other legal venue. This leaves few options for movie fans.
- Providing DVDs at affordable prices to third world countries.
- Movie production companies should strengthen their Internet security systems in order to avoid leaking their movies out.
- IP law should be taught to in Egyptian schools and universities.
- Policymakers should start thinking of some alternative methods to compensate authors of copyrighted works whose moral and financial rights could be violated due to piracy.
- Egyptian cinematic syndicate should start a national campaign to raise people's awareness of the damage and the injury movie piracy makes. The discourse should be targeted toward downloaders and non-downloaders as well.

Future studies

- It's recommended to reapply this model on a larger random sample that represents people from different socio-economic classes and age groups.
- Examining other factors that might influence the attitude of illegal downloaders with higher levels of law awareness.
- Examining other types of piracy (music, software, games, etc.) in Egypt.
- Analyzing other behavioral factors that might affect the piracy intention.
- Examining the effects of movie piracy on the Egyptian box-office revenues.
- Studying the motives that govern the attitude of illegal movie uploaders.

- Examining the correlation between each neutralization technique on the attitude toward downloading movies illegally.
- Examining the effect of enabling new legal venues (e.g, Netflix) on the illegal downloading rates in Egypt.
- Providing a behavioral analysis of non-downloaders is necessary in order to determine the reasons that make piracy less tempting to them.

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Appendix

Construct	Items	Adapted from
	<i>(Strongly agree to strongly disagree)</i>	
Movie Piracy Intention	<p>I intend to download movies in the future.</p> <p>I plan to download movies within the next year.</p> <p>If the need or opportunity arises within the next year, I plan to download movies.</p>	Goles et al. (2008)
Attitude toward Downloading movies illegally	<p>Downloading movies on the Internet would be pleasant.</p> <p>Downloading movies on the Internet is a good idea.</p> <p>I don't like the idea of downloading movies on the Internet. *</p>	Plowman and Goode (2009)
Law Awareness	<p><i>(Extremely uncertain to Extremely certain)</i></p> <p>Downloading movies is illegal.</p> <p>Anyone downloading a movie and not reselling it can be sued.</p> <p>Anyone downloading a movie and not reselling it can be jailed.</p> <p>Anyone downloading a movie and not reselling it can be fined.</p>	Goles et al. (2008)

(Strongly agree to strongly disagree)

Neutralization – Denial of responsibility If a person gets in trouble for downloading a movie without paying for it, it is more the movie production companies' responsibility because they should make the movies more available to people. Morris and Higgins (2009)

Movie production companies should be responsible for providing access to movies or other digital media; this way people would not have to download it.

I shouldn't have to pay for movies when most of the people I know download for free.

Neutralization- Denial of injury Movie production companies are not really harmed when people download their movies for free.

Those companies have so much money; it doesn't really matter.

Artists make so much money from other sources, they aren't really hurt by downloading.

Neutralization- Denial of a victim If movies companies don't want people to download their movie for free, they should have better online security.

I don't really buy into the idea that movie production companies lose much from downloading and file sharing; my (or other

people's) downloading doesn't really hurt them.

Downloading movies is victimless.

**Neutralization-
Condemnation
of the
condemner**

Movie production companies have been ripping people off for years, so downloading is justified.

It's really not people's fault that they download movies rather than paying for it; prices are just too high these days.

**Appeal to
Higher Loyalties**

I am more likely to download movie if a family member, friend, or significant other needed it.

Ingram and Hinduja (2008)

I am more likely to download a movie if it will be used to complete a project for school or work.

**Subjective
norms**

If I downloaded movies, most of the people who are important to me would disapprove*

Yoon (2011)

Most people who are important to me would look down on me if I downloaded movies*

My colleagues think downloading movies is wrong.*.

**Perceived
behavioral
control**

For me, it is easy to download movies.

Yoon (2011)

I have the knowledge and ability to
download movies.

I could find movies online to download if I
wanted to.

**Perceived
Deterrence**

If you downloaded movies, the probability
to be caught is very high.

Peace et al.
(2003)

If you were caught carrying downloaded
movies, you will be severely punished.

If I downloaded movies, I would probably
be caught

*A reversed item and will be reversed during the data entry

English version of the questionnaire

- 1) Do you download movies?
 - A. Yes
 - B. No

- 2) How often do you download movies?
 - A) Always
 - B) Often
 - C) Sometimes
 - D) Rarely

- 3) How many movies do you think you have downloaded so far?
 - a) 1 to 10 movies
 - b) 11 to 25 movies
 - c) 26 to 50 movies
 - d) More than 51 movies

4) Indicate your opinion about each statement below:

NO.		Strongly disagree	disagree	neutral	agree	Strongly agree
1.	If the need or opportunity arises, I plan to download movies.					
2.	I intend to download movies in the future.					
3.	I intend to download movies by the next year					
4.	Downloading movies is pleasant.					
5.	Downloading movies is a wise idea					
6.	Downloading movies is a good idea.					
7.	I don't like the idea of downloading movies.					
8.	For me, it is easy to download movies.					
9.	I have the knowledge and ability to download movies.					

10	I could find movies online to download if I wanted to.					
1	Downloading movies is under my control					

5) Based on your information, please check the answer you find most appropriate:

No.		Strongly uncertain	Uncertain	neutral	certain	Strongly certain
1.	Anyone downloading a movie and not reselling it for a profit can be sued.					
2.	Anyone downloading a movie and not reselling it for a profit can be jailed.					
3.	Anyone downloading a movie and not reselling it for a profit can be fined.					
4.	Downloading movies is illegal.					

6) Indicate your opinion about each statement below:

		Strongly disagree	disagree	Neutral	agree	Strongly agree
1	If a person gets in trouble for downloading a movie without paying for it, it is more the movie production companies' responsibility because they should make the movies more available to people.					
2	I shouldn't have to pay for movies when most of the people I know download for free.					
3	The production companies should be responsible for providing access to movies or other digital media; this way people would not have to download them.					
4	Movie production companies are not really harmed when people download their movies for free.					
5	Those companies have so much money, it doesn't really matter.					
6	Artists make so much money from other sources, they aren't really hurt by downloading.					
7	If movie production companies don't want people to download their movie for free, they should have better online security.					
8	I don't really buy into the idea that movie production companies lose much from downloaders and file sharing; my (or other people's) downloading doesn't really hurt them.					

7) Indicate your opinion about each statement below:

		Strongly disagree	disagree	Neutral	agree	Strongly agree
1	downloading is a victimless act.					
2	Movie production companies have been ripping people off for years, so downloading is justified.					
3	It's really not people's fault that they download movies rather than paying for it; prices are just too high these days.					
4	I am more likely to download movie if a family member, friend, or significant other needed it.					
5	I am more likely to download a movie if it will be used to complete a project for school or work.					
6	If I downloaded movies, most of the people who are important to me would disapprove					
7	Most people who are important to me would look down on me if I downloaded movies					
8	No one who is important to me thinks it is okay to download movies					
9	My colleagues think downloading movies is wrong.					

8) Indicate your opinion about each statement below:

		Strongly disagree	disagree	Neutral	agree	Strongly agree
1	If I downloaded movies, the probability that I would be caught is very high.					
2	If I downloaded movies from the Internet, I would probably be punished.					
3	If I downloaded movies, I would probably be caught					

9) Gender:

- a) Female
- b) Male

10) Age:

.....

11) Family Income per month:

- A) Less than 1000 EGP
- B) From 1000 to less than 3000 EGP
- C) From 3000 to 6000 EGP
- D) More than 6000 EGP

Arabic version of the questionnaire

1) هل تقوم بتنزيل (Downloading) أفلام من علي الانترنت؟

- نعم
- لا (انتقل الي اسئله البيانات الشخصية ثم سلم الاستمارة للباحث)

2) ما هو معدل تنزيلك (Download) للافلام من علي الانترنت ؟

- دائما
- غالبا
- احيانا
- نادرا

3) في ظنك ، ما هو عدد الافلام التي قمت بتنزيلها (Downloaded) حتي الان ؟

- من 1 الي 10 افلام
- من 11 الي 25 فيلم
- من 26 الي 50 فيلم
- اكثر من 51 فيلم

أقرأ العبارات جيدا ثم حدد موقفك منها:

مسلسل	الجملة	لا اوافق علي الاطلاق	لا اوافق	محايد	اوافق	اوافق بشدة
1.	عندما تتاح الي الفرصة، ساقوم بتنزيل فيلم					
2.	انا انوي تنزيل افلام في المستقبل					
3.	انا انوي تنزيل افلام خلال السنة القادمة					
4.	تنزيل الأفلام هو أمر ممتع					
5.	تنزيل الافلام هو فكرة حكيمة					
6.	تنزيل افلام هو فكرة جيدة					
7.	انا لا احبذ فكرة تنزيل الافلام					
8.	تنزيل الافلام امر سهل لي					

					9. انا لذي المعرفة و القدرة الكافية لتنزيل الافلام
					10. استطيع ان اجد فيلم اونلاين و تنزيله اذا اردت ذلك
					11. يعد تنزيل الأفلام تحت سيطرتي تماما

أقرأ العبارات جيدا ثم حدد موقفك منها وفقا لمعلوماتك

مسلسل	غير متأكد علي الاطلاق	غير متأكد	محايد	متأكد	متأكد بشدة
1.					
2.					
3.					
4.					

أقرأ العبارات جيدا ثم حدد موقفك منها:

مسلسل	لا او افق علي الاطلاق	لا او افق	محايد	او افق	او افق بشدة
1	عندما يقع شخص في مشكلة بسبب تنزيله (downloading) لفيلم بدون دفع مقابل لهذا الفيلم، فهو خطأ شركات انتاج الافلام التي يجب ان تجعل الافلام اكثر توفرا				
2	لا يجب ان ادفع للحصول علي الافلام في الوقت الذي يقوم معظم الأشخاص الذين اعرفهم بتنزيلها مجانا				
3	شركات الإنتاج هي المسئولة عن تسهيل الوصول للافلام، وان فعلت فالناس لن تقوم بتنزيلها.				
4	لا تتأذي شركات الافلام عندما يقوم الناس بتنزيل افلام مجانا				
5	لا يهم حقا، هذه الشركات لديها الكثير من الاموال				
6	يكسب الفنانون الكثير من الاموال من مصادر اخري ، و لهذا فهم غير متضررين من تنزيل الافلام من علي الانترنت				
7	يجب الحصول علي حماية الكترونية افضل اذا كانت شركات الافلام لا ترغب في تنزيل الافراد للافلام				
8	انا غير مقتنع بفكرة ان شركات الافلام تخسر من تنزيل الافلام ، تنزيل او تنزيل افراد اخرين للافلام لا يضرهم حقا				

أقرأ العبارات جيدا ثم حدد موقفك منها:

مسلسل	الجملة	لا اوافق علي الاطلاق	لا اوافق	محايد	اوافق	اوافق بشدة
1	تنزيل (downloading) الافلام هو فعل لا يؤدي احدا					
2	تسرق شركات الافلام من الناس منذ اعوام ، و لذلك تنزيل الافلام مبرر					
3	ارتفاع الاسعار المستمر وراء تنزيل الناس للافلام من علي الانترنت.					
4	علي الارجح ساقوم بتنزيل فيلم اذا احتاجه فرد من العائلة او صديق او شخص مهم لدي.					
5	علي الارجح ساقوم بتنزيل فيلم اذا كان سيساعدني في مشروع للكلية او الشغل.					
6	اذا قمت بتنزيل فيلم ، معظم الاشخاص المهمين لدي سيرفضون هذه الفعلة.					
7	سيحتقروني معظم الاشخاص المهمين لدي اذا قمت بتنزيل افلام					
8	لا يوجد شخص مهم لدي يعتقد ان تنزيل الافلام امر مقبول					
9	اصدقائي يظنون ان تنزيل الافلام امر خاطئ.					

أقرأ العبارات جيدا ثم حدد موقفك منها:

مسلسل	الجملة	لا اوافق علي الاطلاق	لا اوافق	محايد	اوافق	اوافق للغاية
1	اذا قمت بتنزيل افلام ، احتمالية ان يتم القبض عليك مرتفعة للغاية.					
2	اذا تم القبض عليك بنسخ لافلام محملة من علي الانترنت ، سوف تعاقب عقاب شديد للغاية.					
3	اذا قمت بتنزيل أفلام ، فمن المحتمل ان يقبض عليك.					

البيانات الشخصية:

النوع

(a) انثي

(b) ذكر

العمر:

.....

دخل الأسرة شهريا:

(1) أقل من ألف جنية

(2) من ألف جنية الي أقل من 3000

(3) من 3000 الي 6000

(4) أكثر من 6000