

Survey on Public Awareness of Intellectual Property Right Protection 2020

- Summary of Findings -

香港市民保護知識產權意識調查2020

-調查結果摘要-

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Intellectual Property Department

知識產權署



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Introduction

The Intellectual Property Department (IPD) has been conducting surveys on Public Awareness of Intellectual Property (IP) Rights Protection regularly since 1999, in order to keep track of the public's awareness of IP rights. Consumer Search Hong Kong Limited (CSG) was commissioned to conduct the latest round of the public survey between 12 November and 17 December 2020. A total of 1,000 respondents aged 15 or above were successfully enumerated by telephone. The response rate was 54.3%. This summary highlighted the major findings of the Survey.

Knowledge and attitude towards IP rights

In terms of the knowledge about IP rights, most of the respondents managed to associate with correct terms and concepts. Respondents mostly mentioned “copyright / copyright piracy” (33.0%), followed by “invention / creation”, “patent” and “trade mark / trade mark counterfeiting” (26.2%, 13.1% and 11.2% respectively). Only 3.6% mentioned “design”. Besides, some (23.7%) declared “don't know / hard to say”.

The majority of the respondents were aware of the existence of legislation protecting copyright (89.6%), trade marks (89.6%) and patents (87.4%). Similar to the previous rounds, the awareness levels were kept above 80.0%.

Comparatively speaking, a lower proportion of respondents were aware of the existence of legislation protecting designs (46.8%), which remained stable when compared with the previous surveys.

With regard to respondents' judgement on the infringement of IP rights in different specified

前言

為持續跟進公眾對保護知識產權的意識，知識產權署自1999年起定期進行了多個公眾對保護知識產權意識的調查。精確市場研究中心 (CSG) 受委託於2020年11月12日至12月17日進行公眾調查，透過電話成功訪問 1,000名15歲或以上受訪者，回應率為 54.3%。本摘要概述主要的調查結果。

對知識產權的認識及態度

對知識產權的認識方面，多數受訪者能夠聯想到正確的術語和概念。最多受訪者提及「版權 / 盜版」(33.0%)，其次是「發明 / 創作」、「專利權」及「商標 / 冒牌」(分別為 26.2%、13.1% 及 11.2%)。只有 3.6% 提及「外觀設計」。另外有部分受訪者(23.7%) 表示「不知道 / 很難說」。

大部分受訪者知道香港有法例保障版權 (89.6%)、商標 (89.6%) 及專利 (87.4%)。認知程度與以往的調查相似，維持在 80.0% 以上。

相對而言，較少比例的受訪者知道香港有保障外觀設計的法例 (46.8%)，而這比例與以往的調查相比維持平穩。

對於受訪者就不同特定情況判斷是否侵犯知識產權方面，有 70.3% 的受訪者認為「在沒獲授

scenarios, there were 70.3% of the respondents who considered “using a cartoon character without authorisation for designing and selling the cake” as an infringement of IP rights, which was a higher proportion compared with the previous surveys (2018, 65.6%; 2016, 51.6%).

On the other hand, relatively fewer respondents considered “a student photocopying a whole reference book without authorisation for the purpose of self-study” (58.5%) as an infringement of IP rights. The proportion was about the same as that of the previous surveys.

Similar to the previous surveys, a predominately large proportion of respondents (92.9%) considered that it was very / quite necessary to protect IP rights in Hong Kong. In contrast, only 5.5% perceived the opposite.

A majority of the respondents considered that the protection of IP rights would be very / quite helpful to the development of the local creative industries (77.7%) and attract foreign investments to Hong Kong (79.3%).

Behaviours and attitude towards IP rights protection in a digital environment

Among the respondents having the habit of surfing the internet, the top three categories of frequently browsed websites / smartphone applications were reported to be “social media” (34.3%), “audio-visual” (24.6%) and “search engines” (13.5%).

Among the respondents who had the habit of online shopping, most of them (83.9%) said when they bought products with logo(s) or brand(s), they would pay attention to whether the products were genuine.

When it came to their inclination to pay to

權的情況下使用卡通人物的造型，製作蛋糕出售」是侵犯知識產權，比例較以往的調查（2018年，65.6%；2016年，51.6%）為高。

另一方面，較少受訪者認為「學生在沒獲授權的情況下將全本參考書影印，作為溫習之用」（58.5%）是侵犯知識產權，比例與以往的調查相若。

與以往的調查相若，絕大部分的受訪者（92.9%）認為知識產權在香港非常 / 頗有需要受到保護。只有 5.5% 的受訪者持相反意見。

多數受訪者都認為保護知識產權對本地創意產業發展（77.7%）及吸引外來投資（79.3%）非常有幫助 / 頗有幫助。

在數碼環境中涉及的知識產權保護行為和態度

在有上網習慣的受訪者中，首三類最常瀏覽的網站 / 智能手機應用程式是「社交媒體」（34.3%）、「影音」（24.6%）及「網絡搜尋器」（13.5%）。

在有網上購物習慣的受訪者中，大部份（83.9%）都表示在購買有牌子的貨品時，會留意貨品是否正版。

當受訪者被問及他們對在獲正式授權的網站線

listen to songs, watch movies online or to download songs / movies / computer software / games / e-books from authorised websites, 57.2% of the respondents who had the habit of using the internet said that they definitely / possibly would pay. This proportion maintained an upward trend since 2008 (from 21.0% in 2008 to 57.2 % in 2020).

The top three reasons for “definitely / possibly will” pay were:

- Respect IP rights (35.9%)
- Give support to the creative industries (artists, singers, etc.) (32.3%)
- For better quality (23.4%)

Compared with previous surveys, it is noteworthy that “in line with one’s principle” (15.0%), the fourth top reason, was newly mentioned by respondents in this round of survey.

The top three reasons for “possibly / definitely will not” pay were:

- Do not have a habit of listening to songs / watching movies / playing electronic games / reading (31.4%)
- Other channels for listening / watching online are available (25.3%)
- Not confident of online transaction / Worry about leakage of privacy (12.8%)

Among the respondents who had the habit of using the internet, the respective proportions of involvement (often / sometimes) in copyright infringement activities were as follows:

- Uploading / downloading / watching infringing items such as unauthorised / pirated TV shows, movies, music and e-books from / on online communities, discussion groups or unauthorised websites (10.6%);
- Sharing website links with friends to

上收聽歌曲、觀看電影或下載歌曲 / 電影 / 電腦軟件 / 遊戲 / 電子書的付款取向時，57.2% 有上網習慣的受訪者表示一定會 / 可能會付款。這比例自2008年開始持續上升（由2008年的21.0%升至2020年的 57.2%）。

首三項「一定會 / 可能會」付款的原因是：

- 尊重知識產權（35.9%）
- 支持創意工業（藝人及歌手等）（32.3%）
- 為了得到更佳質素（23.4%）

與以往的調查比較，值得注意的是「符合個人原則」（15.0%）是今次調查中排名第四和受訪者新提及的原因。

首三項「未必會 / 一定不會」付款的原因是：

- 沒有聽歌 / 觀看電影 / 玩電子遊戲 / 閱讀的習慣（31.4%）
- 有途徑免費在線聽 / 觀看（25.3%）
- 對網上付費沒有信心 / 擔心洩露個人私隱（12.8%）

在有上網習慣的受訪者中，經常 / 間中參與以下侵犯版權的活動的比例分別如下：

- 在群組、討論區或侵權網站上載、下載或直接點播各類侵權作品（例如未經授權 / 盜版的電視節目、電影、音樂和電子書）（10.6%）；
- 和朋友分享網頁連結，以下載或直接點播各

download / watch infringing items such as unauthorised / pirated TV shows, movies, music and e-books (8.5%); and

- Re-editing movie posters, comics or pictures without authorisation of copyright owner, and then uploading them to the internet for sharing purposes (2.8%).

96.0% of the respondents seldom / never “re-edit movie posters, comics or pictures without authorisation of copyright owner, and then upload them to the internet for sharing purposes”. The percentage was more or less consistent with the findings of the previous surveys since 2012.

Among the respondents who had the habit of using the internet, the majority agreed that “it is morally wrong to upload or download music / movies / TV shows from online communities / unauthorised websites knowing that it is an infringement of IP rights” (86.4%) and “it is morally wrong to listen to music or watch movies / TV shows online knowing that they were pirated versions” (80.1%). Such proportions were higher than 80.8% and 70.2% in 2018 respectively.

類的侵權作品 (例如未經授權 / 盜版的電視節目、電影、音樂和電子書) (8.5%); 及

- 未經版權擁有人同意，將電影海報、漫畫或圖片改圖，然後上載至互聯網與他人分享 (2.8%)。

96.0% 的受訪者很少 / 從來沒有在「未經版權擁有人同意，將電影海報、漫畫或圖片改圖，然後放上網與他人分享」。這項百分比與以往自2012年以來調查所得的結果相若。

在有上網習慣的受訪者中，大部分同意「在明知侵犯知識產權的情況下，仍然在網上社群 / 未經授權網站上下載音樂 / 電影 / 電視節目是不道德的行為」(86.4%)，以及「在網絡上收聽或觀看明知是盜版的音樂 / 電影 / 電視節目是不道德的行為」(80.1%)。這比例較2018年的80.8%及70.2%為高。

Behaviours and attitude towards purchasing pirated / counterfeit goods

購買盜版 / 冒牌貨品的行為和態度

In this round of survey, 3.7% of the respondents often / sometimes bought pirated / counterfeit goods, representing a continuing downward trend since 2012 (8.5%). On the other hand, the great majority of the respondents (92.8%) said they had seldom / never bought such items.

在是次調查中，3.7%的受訪者經常 / 間中購買盜版 / 冒牌貨品，顯示自2012年以來(8.5%)持續下降的趨勢。另一方面，絕大部分(92.8%)的受訪者表示他們很少 / 從來沒有購買盜版或冒牌貨品。

Among those who bought pirated / counterfeit goods, relatively more respondents expressed that the items which they mostly bought were “sound recording / video discs

在曾購買盜版 / 冒牌貨品的受訪者當中，較多受訪者表示他們購買最多的盜版 / 冒牌貨品為「聲音 / 影片光碟 (CD / DVD) 或附有盜版音樂的裝置」(25.8%)，其次是「服飾」(17.2%)

(CD / DVD) / devices with pirated music” (25.8%), followed by “clothing and accessories” (17.2%) and “pirated textbooks / exam questions / tutorial classes notes / reference books” (10.4%).

It was observed that -

- The percentage of buying pirated / counterfeit “sound recording / video discs (CD / DVD)” decreased gradually (from 63.0% in 2004 to 25.8% in 2020).
- The percentage of buying pirated / counterfeit “clothing and accessories” and “toys / stationery / accessories” decreased from 43.1% and 17.2% in 2018 to 17.2% and 9.1% in 2020.
- The percentage of buying “pirated textbooks / exam questions / tutorial class notes / reference books” ranged from 1.0% to 7.5% between 2004 and 2018. The percentage in 2020 (10.4%) reached a new high since 2004.
- The percentage of buying pirated / counterfeit “computer software” ranged from 4.2% to 15.2% between 2004 and 2018. The percentage in 2020 (10.3%) was higher than that in 2018 (4.2%).

The most frequent channel of buying pirated / counterfeit goods was physical “shops / stores” (32.9%), followed by “stalls” (32.4%) and “online shops / auction sites” (24.5%).

Comparing with the findings in 2018, the proportion of buying pirated / counterfeit goods via physical “shops / stores” decreased (from 39.7% in 2018 to 32.9% in 2020), whereas the proportion of buying via “online shops / auction sites” increased (from 21.5% in 2018 to 24.5% in 2020).

For those respondents who said that they had never bought pirated / counterfeit goods, their most stated reason was “poor quality of pirated or counterfeit goods / genuine goods’ quality are guaranteed / genuine goods are in

及「盜版教科書 / 試題 / 補習社筆記 / 參考書」(10.4%)。

調查結果顯示：

- 購買盜版 / 冒牌「聲音 / 影片光碟 (CD / DVD)」的百分比逐漸減少 (由2004年的 63.0%跌至2020年的 25.8%)
- 購買盜版 / 冒牌「服飾」及「玩具 / 文具 / 精品」的百分比，由2018年的 43.1%及 17.2%，下降至2020年的 17.2% 及 9.1%。
- 購買「盜版教科書 / 試題 / 補習社筆記 / 參考書」的百分比，於2004 年至2018 年間介乎於 1.0% 至 7.5%。2020的百分比 (10.4%) 為自2004 年以來的新高。
- 購買盜版 / 冒牌「電腦軟件」的百分比，於2004 年至2018 年間介乎於 4.2% 至 15.2%。2020年的百分比 (10.3%) 較2018 年的數字 (4.2%) 為高。

購買盜版 / 冒牌貨品最多用的渠道是實體「商舖」(32.9%)，其次是「街上攤檔」(32.4%) 及「網絡商店 / 拍賣網站」(24.5%)。

與2018年的結果比較，透過實體「商舖」購買盜版 / 冒牌貨品的比例有所減少 (由2018年 39.7%跌至2020年 32.9%)，而透過「網絡商店 / 拍賣網站」購買的比例則上升 (由2018年 21.5%增至2020年 24.5%)。

表示從不購買盜版 / 冒牌貨品的受訪者中，最多提及的原因是「盜版或冒牌貨品質素差 / 正版貨品質素有保證 / 正版貨品質素較好」(42.8%)，其次是「沒有購買盜版或冒牌貨品的需要 / 對盜版或冒牌貨品沒有興趣」

better quality“ (42.8%). It was followed by “no need to buy / not interested in pirated or counterfeit goods” (29.9%) and “immoral / wrong to infringe others’ IP rights” (19.6%). Compared with the previous surveys, it is noteworthy that “not in line with one’s principle” (11.2%), the fourth top reason, was newly mentioned by respondents in this round of survey.

Most of the respondents (86.2%) agreed that “it is morally wrong to buy pirated / counterfeit goods knowing that it is an infringement of IP rights”. An increasing trend was observed for this proportion since 2014 (from 67.4% in 2014 to 86.2% in 2020).

Opinion towards the “No Fakes Pledge” Scheme

This round of survey recorded the highest awareness of the “No Fakes Pledge” Scheme since 2008 – with over three-quarters of the respondents (77.3%) having heard of the Scheme.

The major channels knowing the Scheme were “government advertisements on television” (73.1%) and “stickers / tent cards in shops” (72.1%), followed by “advertisements on public transport” (19.1%) and “social media / internet / online forums/ smartphone applications” (18.3%).

Among the respondents who were aware of the Scheme, the majority (87.7%) considered that the Scheme was very / quite helpful in enhancing the confidence of consumers and tourists in shopping in Hong Kong, or in strengthening the reputation of Hong Kong as a shoppers’ paradise. This proportion remained stable comparing with the previous round.

(29.9%) 及「侵犯別人知識產權，是不道德行為 / 覺得侵犯別人知識產權是不正確」(19.6%)。與以往的調查比較，值得注意的是「不符合個人原則」(11.2%) 是今次調查中排名第四和受訪者新提及的原因。

大多受訪者 (86.2%) 同意「在明知侵犯知識產權的情況下仍然購買盜版 / 冒牌貨品是不道德行為」，這比例從2014年起持續上升 (由2014年 67.4%增至2020年 86.2%)。

對「正版正貨承諾」計劃的意見

是次調查受訪者對「正版正貨承諾」的認知程度錄得自2008年以來最高，有超過四分之三的受訪者 (77.3%) 表示曾聽過此計劃。

受訪者最普遍的認知渠道是電視上的政府宣傳片 (73.1%) 及店舖內的標貼 / 座檯咭 (72.1%)，其次是透過公共交通上的廣告 (19.1%) 及社交媒體 / 互聯網 / 網上討論區 / 智能手機應用程式 (18.3%)。

在認知此計劃的受訪者中，大部分 (87.7%) 認為計劃對增加消費者及遊客在港購物的信心或鞏固香港購物天堂的美譽非常有幫助 / 頗有幫助。這比例與上次調查結果維持平穩。

Awareness of the IPD and its work

對知識產權處署及其工作的認識

Respondents were asked whether they had encountered any IP advertising or promotional messages from different channels in the past two years. A majority of the respondents (87.9%) had seen / heard of IP advertising or promotional messages.

受訪者被問及在過去兩年間有否在不同的渠道接觸過任何知識產權的宣傳。大多受訪者 (87.9%) 有見過或聽過有關知識產權的宣傳。

Relatively more respondents expressed that they had seen / heard of the advertising or promotional messages on television / radio (64.3%) and movie theatres (42.1%).

較多受訪者表示他們曾在電視 / 電台 (64.3%) 上及戲院 (42.1%) 收看 / 收聽有關宣傳。

Regarding whether the respondents had seen / heard of specific IP promotional videos, nearly half of the respondents (48.6%) had seen or heard of “Supporting Creativity Respect Copyright (featuring Pakho Chau)” / “Selling Infringing Goods on the internet Ruins Your Prospect (featuring Akina Fong)” / “Enforcement - Anti-camcording in Cinemas (featuring Simon Yam)”, followed by “No Fakes Pledge Scheme 2020 (featuring Priscilla Wong)” (34.0%), “Intellectual Property Trading Services (featuring Andrew Yuen)” (17.5%) and “IP Commercialisation (featuring Astrid Chan)” (11.8%). Only 3.8% respondents had seen or heard of “The New Patent System (featuring Professor Dennis Lo)”.

對於有否曾看過或聽過指定知識產權的宣傳短片，近一半的受訪者 (48.6%) 有看過或聽過「由周柏豪 / 方健儀 / 任達華主演有關版權 / 冒牌貨品 / 戲院盜錄的短片」，其次是「由黃翠如主演關於正版正貨承諾計劃 2020 的短片」 (34.0%)、 「由袁文傑主演關於知識產權貿易的短片」 (17.5%) 及「由陳芷菁主持有關知識產權商品化成功故事的節目」 (11.8%)。另有 3.8% 的受訪者曾看過或聽過「由盧煜明教授介紹關於新專利制度的短片」。

Most of the respondents (78.5%) considered that television / radio was the most effective channel for promoting IP rights, followed by social media / internet / online forums / smartphone applications (72.0%), schools (61.4%) and advertisements on public transport (60.3%).

大多數受訪者 (78.5%) 認為電視 / 電台是宣傳知識產權的最有效途徑，其次是社交媒體 / 互聯網 / 網上討論區 / 智能手機應用程式 (72.0%)、學校 (61.4%) 及公共交通上的廣告 (60.3%)。

In response to the question on which government department is responsible for registration and promotion of IP rights in Hong Kong, two-thirds of the respondents (66.9%) could identify the IPD. On the other hand, 33.1% of the respondents were not aware of

對於香港由哪個政府部門負責註冊及宣傳推廣知識產權，有三分之二的受訪者 (66.9%) 能正確認出知識產權署。而 33.1% 的受訪者則不知道知識產權署是負責此工作 (誤以為是由其他政府部門負責或回答「不知道」)。

the IPD being responsible for such a role (misunderstood that it was other government departments responsible for the role or answered “don’t know”).

Conclusion

The Survey findings showed that most of the public had basic knowledge about IP rights, which was quite consistent with the findings of the previous rounds of survey. Many respondents knew that IP rights referred to copyright, trade marks and patent, and were aware of the existence of legislation in Hong Kong for protecting these IP rights. The majority of respondents were also able to identify specific acts as an infringement of IP rights. Yet, their knowledge about protecting designs was not as strong as that for other IP rights.

The proportion of respondents considering that it was necessary to protect IP rights in Hong Kong remained consistently high. They also agreed that the protection of IP rights would be helpful to the development of local creative industries and attract foreign investments to Hong Kong.

Concerning the public’s behaviour in protecting IP rights on the internet, more and more respondents would pay for listening / watching / downloading copyright works from authorised websites, following an upward trend over the years. Moreover, more respondents who had the habit of online shopping would pay attention to whether the products were genuine.

Similar to the previous surveys, the percentage of respondents who bought pirated / counterfeit goods via physical shops / stores continued to drop. Yet, the percentage of buying via online shops / auction sites increased.

總結

調查結果顯示大部分的公眾對知識產權有基本的認識，與以往調查的整體結論一致。不少受訪者了解到知識產權是指版權、商標及專利，並認知香港有法例保障相關知識產權。大部分受訪者也能夠識別特定行為是侵犯知識產權。然而，他們對保護外觀設計的認識沒有如其他方面的知識產權般了解。

認同有需要去保障香港的知識產權的受訪者維持高的比例。他們認同保護知識產權將有助本地發展創意產業及吸引外來投資。

有關公眾在網上保護知識產權的行為，愈來愈多受訪者會向授權的網站付款以收聽 / 收看 / 下載版權作品，與多年來的上升趨勢一致。此外，愈來愈多有網上購物習慣的受訪者表示會留意貨品是否正版。

跟以往的調查結果相近，從實體商舖購買盜版或冒牌貨品的受訪者比例持續下降。相反，在網絡商店 / 拍賣網站購買盜版 / 冒牌貨品的百分比則趨上升。

More respondents acknowledged that listening to / watching / uploading / downloading pirated copyright works, knowing that it is an infringement of IP rights, was morally wrong. There was a higher proportion of respondents considering that it was morally wrong to buy pirated / counterfeit goods knowing that it was an infringement of IP rights, following an upward trend over the years.

The awareness of IP advertising or promotional messages remained high. Over three-quarters of the respondents had heard of “No Fakes Pledge” Scheme, which is a new high. Besides, a majority of the respondents had encountered IP advertising or promotional messages from different channels.

更多受訪者認同在明知侵犯知識產權的情況下，仍然收聽 / 收看 / 上載 / 下載侵權作品是不道德的行為。有較高比例的受訪者認同在明知侵犯知識產權的情況下，仍然購買盜版 / 冒牌貨品是不道德的行為，延續了多年來的升勢。

受訪者對知識產權的宣傳維持高度的認知。超過四分之三的受訪者曾聽過「正版正貨承諾」計劃，是多年來最高。此外，大多數受訪者也在各種渠道接觸過有關知識產權的宣傳。