

Kluwer Copyright Blog

HADOPI survey on French Internet users' practices

Catherine Jasserand (Institute for Information Law (IViR)) · Monday, March 14th, 2011

The HADOPI Agency, in charge of protecting author's rights on the Internet, has presented the results of its first [survey](#) on French Internet users' practices and perceptions concerning their legal and illegal consumption of cultural goods on the Internet. 2687 persons of 15 years and more were interviewed between 25 October and 5 November 2010. The purpose of the study is to establish an inventory of their practices and assess their knowledge of the HADOPI law and the role of the Agency.

Almost half of the French Internet users (49%) have already illegally consumed cultural goods (defined as music, films, video games, books, TV series, pictures and software). The percentage seems to be quite high but the question does not specifically target the illegal downloading of music or films but broadly concerns the illegal consumption of cultural goods. However, only 13% declare doing it regularly. It is interesting to note that a quarter of the Internet users who illegally consume cultural goods have started during the last six months, i.e. after the introduction of the HADOPI law.

According to the HADOPI law, Internet users have the duty to secure their Internet access to prevent its use for copyright infringements (i.e. for illegal downloading). If they have failed to do so, they will receive two warnings from the HADOPI Agency (via the Internet access providers) before being prosecuted for gross negligence and disconnected from their Internet access. One of the questions of the survey relates to the security means. 70% of the interviewees are aware that they must secure their Internet access. However, the survey fails to ask them whether they know how to efficiently secure it. At the time of the survey, the HADOPI Agency had not set up the procedure to evaluate and deliver quality-labels for security means. Therefore the Agency was not in position to propose efficient security measures.

The survey reveals that the Internet users who are illegally consuming cultural goods are also the ones who spend the most on cultural goods or services. Most of the users who declare legal consumption of cultural goods (32%) do not spend any money on cultural goods or services on the Internet. 83% of the interviewees cannot identify the legal offer from illegal offers: they believe that paying for a service or good is a good indicator of its legality or they do not even know whether services or goods bought are legal.

Finally, more than half of the Internet users who illegally consume cultural goods do not plan to change their habits despite the HADOPI law. An interesting question would have been to ask them whether they would shift from P2P to streaming websites as the HADOPI Agency mainly monitors

illegal P2P downloading.

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