

**Analysis of Key Issues Related To Piracy in India**

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**Abstract**

Despite the vast researches done on technology and piracy, this subject of study becomes more relevant with time because evolution of technology and users are growing at a rapid pace. The purpose of this paper is to describe how the acts of piracy today are viewed by the individuals, and possible measures to control piracy in India. Piracy is a matter of interest because of its impact on the economies. The study of our research encompassed different research papers on Piracy and primary sources such as questionnaire and interviewees. A sample of 260 was selected from different profiles for the study. Data was collected by questionnaires which were analyzed by using correlation, regression and Chi-square with the help of SPSS and 20 interviewees were selected for interviews for reliability of the data collected from questionnaire. Interview data is presented in a descriptive form in the paper. The research reveals several relevant finding such as piracy stands unaffected by the occupation levels of people and there seems a partial relationship between ethics of person and use of piracy. The findings suggest that the government and the users at individual levels should take steps to bring down the demand for pirated products. Finally the measures to eradicate piracy are discussed as well, as to how the government and individuals can correct the situation.

**Key words:** Technology, Piracy, Software piracy, Ethics, Behaviors.

**I. Introduction**

In the global economic scenario, the rapid growth in the technological advancement had brought about many changes in the system of operations. Each and every country is striving for technological advancements, as it is believed that disruptive technological advancements will transform life, business, and the global economy. India being the seventh largest country and second largest in population in the world, has gained much importance for development in all areas. Especially when it comes to technology, India has one of the highest potential for growth and innovation. When we talk about technology there are many grey areas to be addressed today. As India is a fast developing nation, it is surrounded with many problems involved in technology, one among them being Piracy. Our understanding of Piracy has drastically changed over the past decade because technology has in itself evolved over time.

Today many of us are somewhere related to pirated products and the ethical use of computers and information technology has become a subject of great interest. Martin Zimmerman (2010) says, despite all the legal regulations, piracy continues. He indicates in his research saying that there are no such organized crimes but it exists at all the individual levels and the hackers. Rarely does an average person realize the impact of use or sale of pirated products in day to day working. Many of us are not even aware of the legal implication of Piracy in India. The attitudes that individuals have regarding piracy have been the subject of several studies. Robert M. Siegfried (2004) in his study which was a replication of the research done by Eli Cohen in 1998, tried to analyze the change in the student behavior on the software piracy from the previous decade. After the research he said "*Current attitudes toward software piracy are similar to what they were at that time.*" As change in time we should look at the present behavioral patterns regarding Piracy in India to estimate and control the future Piracy rates.

The aim of our research is to bring out the behavior aspects of individuals in the present scenario regarding Piracy and the key factors related to Piracy in India and how it can be controlled.

## II. Review of Literature

**Piracy** is the unauthorized reproduction or use of a software, copyrighted book, recording, television program, patented invention, trademarked product, etc. Amongst all, Software piracy has penetrated the market at a greater extent. **Software piracy** is nothing but the illegal copying, distribution, or use of software. It is such a profitable "business" that it has caught the attention of organized crime groups in a number of countries. Many intermediaries are a part of the trade and few end users are not even aware of the pirated products. According to the Business Software Alliance (BSA), about 36% of all software in current use is stolen. Technology is an important aspect of piracy as people today are at ease to access the products. Robert M. Siegfried (2004) said that there are three general myths surrounding software piracy: (1) the owner is not losing anything, (2) materials available on the Internet are public domain, and (3) that copying is covered by the "fair use" exception to the copyright law. Several factors affect piracy and one of the scholars, Husted (2000) determined that few factors like national culture influenced the probability that someone will engage in software piracy; these factors included level of economic development, income equity and cultural sense of individualism. Apart from the external factors, few individual factors were highlighted by Steven A. Taylor (2012) who tried to bring out the relation between the psychological factors and the digital piracy. Ricky Y.K. Chan and Jennifer W.M. Lai (2011) also on the same grounds conducted a study to learn the relationship between ethical ideologies and software piracy. Their study implies that individuals with higher relativism will have a stronger tendency to reject the use of universal moral rules when making decisions, and vice versa. However, they came to conclusions based on limited ethical ideologies.

Apart from this, various other sources of piracy were discussed in a report by Organization of Economic co-operation and Development (OECD) 2008, who said that the main sources of Digital piracy are- Local sources, P2P Networks and Other methods of distribution of pirated digital products include more conventional means, such as file transfer protocol (FTP), web servers, Internet Reality Chat (IRC) or Usenet. All this is because of the easy availability of the content and manipulation of the technology. Considering this, Peter Decherney (2009) in his book says, copyright duping which is a form of piracy is popular and film, software and music piracy results from the duping attempts. The filmmaker then in 1903 believed that duping in films was valid. They said it was valid under new laws. But, ultimately, the new laws failed and film piracy clearly challenged the social norms. He sarcastically says, copyright is the battlefield on which media piracy fights are fought. Traditional view of piracy can be drawn and the relativism of the same can be tested in the modern times.

So, to know about the behavioural patterns of individuals various studies on young age groups and students were conducted. Wood and Glass (1995) found that female students were less likely to allow another student to make an illegal copy of commercial software than male students were. The research done by Wood and Glass brought out the demographic behavior with regard to piracy. Their study concentrated on the student population in the campus with daily use of computers. But, the degree of behavioral changes was not analyzed individually. This study was a drawback because only the early adolescents were targeted in piracy activities. Teston and George (2008) purpose was to compare the attitudes, reasoning, and behavior in two groups: early adolescent technology students who say software piracy is ethical, and early adolescent technology students who view it as unethical. These groups were also compared to nontechnology middle school students. The technology education students reported higher rates of actual piracy behaviors. From this Teston and Daniel tend to prove that technology was a cause of piracy. Robert M. Siegfried (2004) also concentrated on student piracy behavior. Robert tried to analyze the change in the student behavior on the software piracy from the previous decade. After the research he said "Current attitudes toward software piracy are similar to what they were at that time." By this we can say that the study did not bring out any major difference between the student behaviors over a decade.

Different individual behaviours are a replica of a nation's administration. Ricky Y.K. Chan and Jennifer W.M. Lai (2011) found that the worldwide average piracy rate in 2008 was 41%. They

dubbed China as ‘the capital of piracy’ due to the prevalence of counterfeits in all of its industries. The wide availability and low price in China appear to be the two most important in facilitating individuals’ software piracy activities. Christoph et al. (1987) found that prior computer experience made no significant difference in their attitudes towards piracy. Kini et al (2000) added to him that attitudes toward software piracy were not affected by experience with computers but were significantly affected by general demographic variables such as age. Apart from that, cost was a major factor inducing piracy. If we look at an traditional research, Conner and Rumelt (1991) had concluded long back that (i) piracy can increase or decrease the optimal price charged by the software developer and (ii) piracy can increase or decrease profits. For certain parameter configurations, price, piracy and profits move in the same direction is their stand. Subsequently, after a decade, OECD (2008) stated a consumer may prefer to pick a legitimate product, as long as its total cost of acquisition (price and transaction costs) is lower than the expected cost of acquisition of a pirated alternative. Once the total costs of acquisition of a given legitimate product become high, the pirated market is likely to emerge. If the expected transaction costs of acquisition of a free copy are high and the legal product is expensive or unavailable, the “paid” illegal market is expected to appear.

Referring to the organizational view of Piracy, Nimmer and Geller (1988) in their book say that “Employees who pirate software, place both themselves and the organization at risk. The organization incurs a potential liability if employees go beyond the limit so the law and infringe on the copyright of the owner of the program. The organization could be held liable for such infringements under certain conditions, such as management knowledge of an infringement. It would almost certainly be held liable in any way aided the infringement.”

No doubt that Piracy has affected a lot to the business and the economic development at ground levels. For a nation to grow foreign business is an essential aspect and the government should take measure to curb piracy so that other publishers can freely enter the country. A comparative study was done by Ram D. Gopal and G. Lawrence Sanders (1998) which focused on U.S and India. Their economic analysis provides a viable strategy to overcome global software piracy. By encouraging and promoting alliances between foreign and domestic publishers, and by undertaking increased copyright enforcement, the government can increase the net welfare of the country and help establish a strong domestic software industry. Conversely, Martin Zimmerman (2010) says, despite all the legal regulations, piracy continues. He continued saying that there is no such organized crimes but it exists at all the individual levels and the hackers. He mainly concentrates on the future threats to the E-book industry as compared to the entertainment industry, but no specific study was done to provide solution for the issue. Martin Peitz (2012) also claims that although the laws are targeted at curbing internet piracy, the fact remains that sites that are innocent may be compromised and be wrongly accused when they are not responsible of the material posted by its users. For example, social media sites such as Face book and Twitter could be shut down due to user-generated content that might be seen as the sharing of copyrighted material. This would be very unfair to the millions of other innocent users on these sites that would be affected just by the mistakes of one of its users. Their research addresses the new age form of piracy in a realistic way.

All the above researchers concentrated on the individual behavior, economic condition of the country and the organizational view at their times. A research related to India is not been done in recent times in the relative subject. So, this research paper mainly concentrates on the behavior of the individuals and the main reason of piracy in India with regard to what measures can be taken to eradicate piracy in India.

### **Objectives of the Study**

1. To find out the influence of occupation status on use of Piracy in India
2. To explore the ethical issues related to piracy
3. To find out the main factors leading to Piracy
4. To explore possible methods which can be adopted to eradicate piracy in India

**Hypotheses**

1. **H<sub>0</sub>** There is no significant influence of occupation on piracy in India
2. **H<sub>0</sub>** There is no significant relationship between use of piracy and ethics of an individual
3. **H<sub>0</sub>** There is no association between gender of an individual and the use of pirated products.

**III. Research Methodology**

**Population And Sample Size** The entire group of study is called as population. For conceptualizing purpose, the population for our study is all the people from different sectors in Bangalore. However, it would not be feasible and time consuming to get information from the targeted population. Hence, we go for Sampling. A sample is used when it is not possible or practical to make all possible observations of a phenomenon which is been studied. K. N. Krishnaswamy and Iyer (2009), they further go on saying that measurements are made on sample characteristics and are used to estimate the characteristics of larger population. The sample size of 260 is taken from different respondents constituting from different sectors of population as shown in the table below.

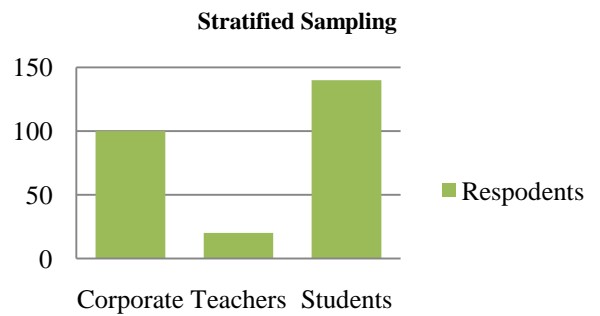


Table 1: Showing the sample distribution of the research

<b>SAMPLE</b>	<b>SIZE</b>
Corporate	100
Teachers	20
Students	140
<b>TOTAL</b>	<b>260</b>

**Sampling Techniques**

For the purpose of the study, stratified sampling method was used by the researcher. In this form of sampling, the population is first divided into two or more mutually exclusive segments based on some categories of variables of interest in the research. It is designed to organize the population into homogenous subsets before sampling called as strata, then drawing a random sample within each subset. Likewise in the study different strata’s were selected like corporate, teachers and students and a random sample was taken with regard to each strata as shown in the diagram below.

Figure 1: Graphical representation of the Sample Distribution of the Research

**Data Collection**

A blend of both primary and secondary sources of data was used by the researcher for accuracy of results. Secondary data was measured through review of literature. Coming to the primary sources, the data was collected from various respondents through questionnaire and few from mail and phone calls. Simultaneously, few respondents were interviewed as the questions were descriptive and a direct response was needed from them as that would help draw accurate inferences. The questionnaire consisted of 12 questions asking about the

causes, effects and solutions of piracy. The dichotomous variable 0 and 1 was introduced in SPSS for gender analysis and Yes/No question. The causes and effects were analyzed using SPSS with the help of different tools such as Correlation, Regression and Chi-Square.

**IV. Analysis And Interpretation**

The researchers are going to present the findings from the data collected, data was collected through primary and secondary sources. Questionnaires were issued to different respondents from different profiles and interviews were taken to backup the questionnaire responses.

**4.1 Questionnaire Analysis**

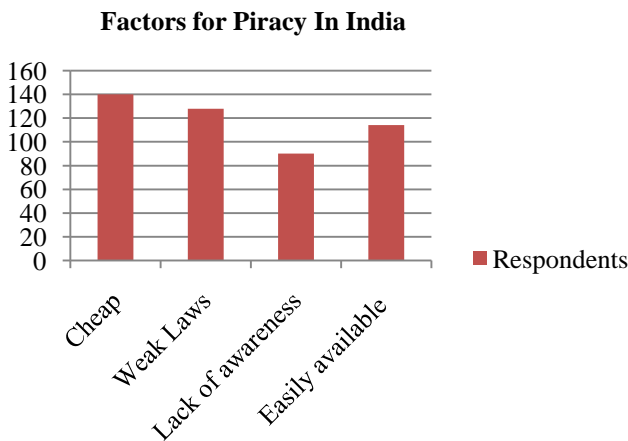
Figure 2: Graphical Representation of the Leading Factors of Piracy

A total of two hundred and sixty (260) people were given questionnaires. Table 1 shows the response rate of the questionnaires.

**4.2 Factors Leading To Piracy**

From the questionnaire, we saw some of the major factors leading to Piracy in India. The responses of the respondents are represented in the diagram below.

TABLE 2: Represents the response rate of the Questionnaires			
Sources	Questionnaires Received	Questionnaires approached	Response Rate
Corporates	88	100	38.59649123
Students	127	140	55.70175439
Teachers	13	20	5.701754386
<b>Total</b>	<b>228</b>	<b>260</b>	<b>100</b>



Amongst all other factors low costs and weak laws are the main reasons for pirated products in India apart from easy availability and lack of awareness among people.

**4.3 Methods to Eradicate Piracy in India**

One of the objectives of our study was to highlight few measures which can reduce piracy in India. The Figure 3: Graphical Representation of the Factors to Eradicate Piracy in India main reasons being the low costs of pirated software and the piracy friendly laws that exist in the country,

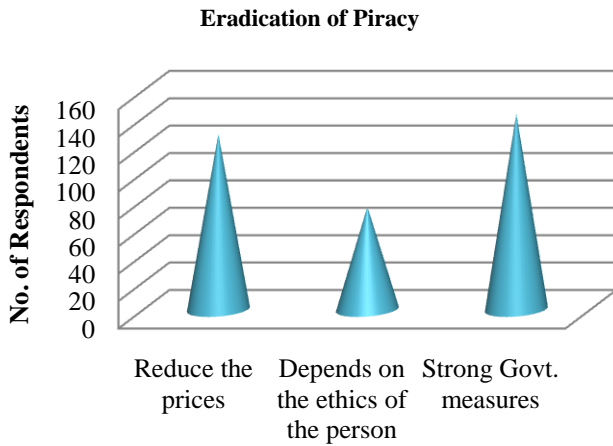
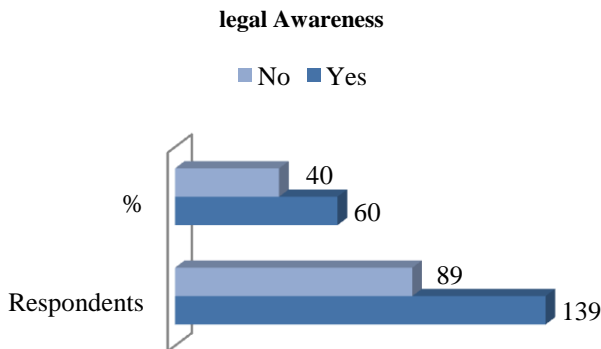


Figure 4: Highlighting the Legal Awareness among Public about Piracy in India measures to curb these are to be taken. The questionnaire responses can be seen in the below stacked cone chart. More than half of the sample said that anti piracy government measures are to be implemented. And a significant number of respondents said that prices of the original products should be reduced so that it becomes affordable. The least importance is given to the ethics of the person because an individual will be influenced by the economic behavior of the country.



Another important measure which is ignored is the level of awareness amongst people of piracy and its legal implications in India. When the researchers conducted the survey, the feedback was analyzed and the following findings were found.

If we look at the above clustered bar chart, we can find out that almost 40% of the sample was not aware of the legal implications of Piracy. People in India should be educated in regards to piracy and awareness among people should be increased to reduce the piracy level in India.

#### 4.4 Testing of Hypothesis

**1. H<sub>0</sub>. There is no significant influence of occupation on piracy in India** Considering the occupation as the independent variable and use of piracy as dependent on it, the linear regression model is adapted to predict the use of piracy based on their occupation status. Using SPSS, the following output of regression is obtained. (Table 3)

Our estimated model is (The estimates of the intercept and slope are given in the 'B' column:

Intercept = Constant = .705

Slope=Occupation of the respondent = - .088

Model		Unstandardized Coefficients		Standardized Coefficients	T	Sig.
		B	Std. Error	Beta		
1	(Constant)	.705	.069		10.209	.000
	occupation of the respondent	-.088	.037	-.155	-2.357	.019

a. Dependent Variable: user of pirated product

The p-value (> 0.01) next to the occupation of the respondent score implies that this variable is not significant in explaining use of piracy. Hence, we accept the null hypothesis on average):

(Use of piracy) = .705+ (-88) x (Occupation of the respondent). This model can be used mathematically to find various values of usage of piracy.

Model	R	R Square	Adjusted R Square	Std. Error of the Estimate
1	.155 <sup>a</sup>	.024	.020	.49239

a. Predictors: (Constant), occupation of the respondent

Another SPSS output table – see Table 4 – gives a useful value 'R square', or the 'coefficient of determination'. In this example R 2 = 0.024 (or a value 0. 020, adjusted for generalization).

This value can be interpreted as 2% of variation in usage of piracy can be explained by occupation of the respondent. The remaining 98% arises from other variables not taken into account in the analysis. Pearson's coefficient of linear correlation R = 0.155 is also given in the output. It is a measure of the strength of the linear relationship between the predictor and response variable.

**2. H<sub>0</sub>. There is no significant relationship between use of piracy and ethics of an individual**

Assume there is relationship between piracy and ethics of a person. To know the significance of the relationship, a correlation analysis is done on these 2 variables. Since the Pearson Correlation value is .209,(Table 5) we can say that there is partial positive correlation between the variables. And the p value < .001 which means that there is significant correlation between usage of piracy and ethics of that person. Hence, null hypothesis is rejected here.

**3. H<sub>0</sub>. There is no association between gender of an individual and the use of pirated products. The table 6, helps to understand that males are more prone to using piracy than females.**

Here,  $X(1)=10.128$ , and  $p=.001$ . Since the  $p<0.05$ , null hypothesis is rejected. And the analysis concludes that there is association between gender and use of pirated products. Males are more prone to using pirated products than their female counterparts.

<b>Table 5 : Correlations</b>			
		User of pirated product	Is piracy ethical
User of pirated product	Pearson Correlation	1	.209**
	Sig. (2-tailed)		.000
	N	228	228
Is piracy ethical	Pearson Correlation	.209**	1
	Sig. (2-tailed)	.000	
	N	228	228

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

<b>Table 6: gender of the respondent * user of pirated product Cross tabulation</b>					
		user of pirated product			Total
		no	yes		
gender of the respondent	male	Count	39	77	116
		% within gender of the respondent	33.6%	66.4%	100.0%
		% within user of pirated product	39.0%	60.2%	50.9%
		% of Total	17.1%	33.8%	50.9%
	female	Count	61	51	112
		% within gender of the respondent	54.5%	45.5%	100.0%
		% within user of pirated product	61.0%	39.8%	49.1%
		% of Total	26.8%	22.4%	49.1%
Total		Count	100	128	228
		% within gender of the respondent	43.9%	56.1%	100.0%
		% within user of pirated product	100.0%	100.0%	100.0%
		% of Total	43.9%	56.1%	100.0%



Table 7: Chi-Square Tests					
	Value	df	Asymp. Sig. (2-sided)	Exact Sig. (2-sided)	Exact Sig. (1-sided)
Pearson Chi-Square	10.054 <sup>a</sup>	1	.002		
Continuity Correction <sup>b</sup>	9.225	1	.002		
Likelihood Ratio	10.128	1	.001		
Fisher's Exact Test				.002	.001
Linear-by-Linear Association	10.010	1	.002		
N of Valid Cases	228				

a. 0 cells (0.0%) have expected count less than 5. The minimum expected count is 49.12.

b. Computed only for a 2x2 table

Table 7: Hypothesis Testing			
NO.	HYPOTHESIS	RESULTS	TOOLS
1 - H <sub>0</sub>	There is no significant influence of occupation on piracy in India	Accepted	Regression
2 - H <sub>0</sub>	There is no significant relationship between use of piracy and ethics of an individual	Rejected	Correlation
3 - H <sub>0</sub>	There is no association between gender of an individual and the use of pirated products.	Rejected	Chi-square

### Interview Analysis

Through an interview the researcher is able to read facial expressions which are useful in making evaluations. For a thorough evaluation, the researchers carried out random interviews in and around Central Bangalore which included people from different backgrounds, like students, corporate and few dealers. Interviewees were from different backgrounds (Students, Professionals, Corporate and Dealers) which gave us backup for our questionnaire responses.

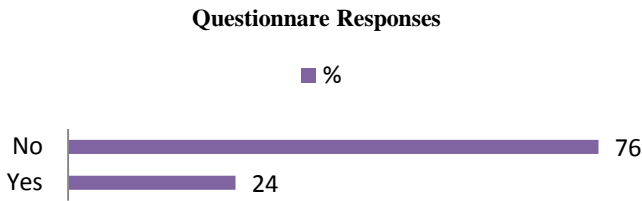
### What type of privacy do you come across daily?

The same question was asked in the questionnaire to get the authenticity, what the researchers found was that there was no new answer apart from the basic products like Software, Entertainment and E-books, we didn't get any new response from the interviewees. So, by this we can say that Software is the highly pirated product in India apart from Entertainment and E-books.

### Why are so many pirated products sold in India?

When discussing about the reasons for the pirated products sold in India, the interviewees had different views. To get a more empirical view, the researchers had an open discussion about the same. Apart from the different options given in the questionnaire the interviewees came out with a few allied reasons like 360 degree of corruption in our country, the level of poverty also is an important aspect. Few of them say that the products have limited use so it's not worth buying and adding on to it, few said that piracy will bring equality in our country as people from poor financial backgrounds can also use the products.

**Is Piracy ethical according to you?**



To get a direct feedback from the interviewees, the researchers had a discussion regarding the most important question of the research. In this regard the researchers got quite different views about the question. Among the 20 interviewees, 4 interviewees said that it is ethical stating that original products were unaffordable and however they pay for pirated products, which they justified to be ethical. On the contrary the rest 16 said that Piracy is unethical because it is absolute stealing of the content and people are misusing the technology to create pirated markets.

The questionnaire responses were almost relevant to the interview responses which gave the researchers

Figure 5: Questionnaire Responses on Ethics of piracy for the comparison with Interview analysis

Figure 6: Interview Responses on Ethics of piracy for the comparison with Questionnaire analysis more accuracy of data and confirmation of the questionnaire responses.

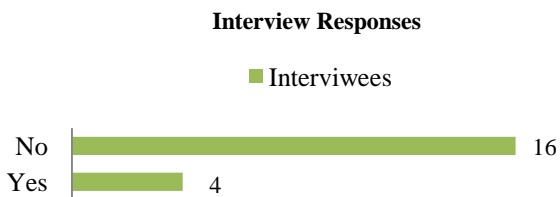
**General views during the discussion.**

When having a general discussion with the interviewees about Piracy, they said that in a country like India, Piracy is unavoidable because of the economic background of people. Price being the main factor for creation of pirated markets and the easy availability makes it more challenging to eradicate piracy in India. And the anti-piracy laws are not implemented by the administration.

**V. conclusion & Recommendations**

The problem of piracy can be eliminated. It will, however, take time, stringent laws, and a combined effort on the part of many people. In this study, the researchers aimed to find out the modern views on the use of pirated products. To understand this in a convenient aspect, this study examined the relationship between occupation and use of piracy in India. Some of the reasons leading to piracy and few measures which can be taken to control piracy in India are also highlighted. For this study, the researchers covered the central Bangalore area with 280 respondents via questionnaire and interviews. The major findings of the study are summarized below:

- Initially it was assumed that there was a relationship between the occupation level and the use of pirated products but the research findings showed that there was no relation between the use and the occupation of an Individual.



- The ethical views of the respondents on the use of pirated products were highlighted. The researchers found out that there were a lot of different thoughts about the same, where few believed that it was unethical to use pirated products, on the contrary we also saw people who argued that piracy is ethical.

- And an association was found between the gender and the use of pirated products. Where, the analysis highlighted that more males are prone to piracy than females.

The study was to analyse piracy behaviour and the factors that may influence piracy. Many reasons like cost of products and easy availability constitute the major reasons for piracy. The use of pirated products in India is at a rise and the users gave a possible explanation rationalizing their behaviour by assuming it was legal. We need to develop a paradigm of legal implications so that it helps eradicate piracy.

A general awareness among people should be created about the whereabouts of piracy and its use or sale. On the basis of the obtained information, potential individuals can make retrospective analysis of their behavior towards piracy and can create a change which can contribute to the nation. Only then India can move forward towards extraordinary technological development.

#### **VI.Limitations And Scope Of Further Research**

The current research is restricted only to the Central Bangalore area. Furthermost, the reasons causing piracy were asked in the questionnaire but were not rated in likert scale, which would have made the analysis simpler. This tool was not used in this study but would be recommended for future research. Also, future in-depth research into the booming internet piracy would be beneficial in furthering the understanding of piracy behaviour.

A study from a larger geographical area can be conducted for further studies to check the validity of the results in a larger area. And at a larger scale, one can try to assess and analyze the potential risk of piracy to an economy and its adverse effect on the original dealers and what measures can be taken to eliminate piracy from India.

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