

An Analysis of the Impact of Intellectual Property Rights on Chinese Students

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Dedication

This thesis is dedicated to May Yang,
who gave me the initial inspiration, and her enduring love.

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Abstract

This study examined foreign Chinese students' adaptation to American intellectual property rights (IPR) in the perspective of Cognitive Dissonance Theory (CDT). Previous studies focused on historical, legal and cultural difference between China and the U.S., while Chinese students' cognition remained to be explored. Ten Chinese students from both undergraduate and graduate programs with different lengths of staying in the U.S. were interviewed individually, and interview questions were created according to the three stages of CDT. Results showed that Chinese students had eliminated their cognitive dissonances in the U.S., and some demographic and cultural factors that influenced Chinese students' cognition regarding IPR. Results also showed some motivations and barriers that promoted and prevented Chinese students' cognitive changes accordingly.

Key terms: intellectual property right, copyright, piracy, Chinese student, cognitive dissonance theory, Confucianism, cross-cultural adaptation, Internet, Liberty University.

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Chapter One

Introduction

Intellectual property refers to the intangible items that are typically produced or created as products, processes, expressions, marks, or nonpublic information (“Overview of Intellectual Property,” 2008, p. 1). For example, patents, trademarks, copyrights, and trade secrets are some forms of IPR (Victor & Hillstrom, 2006). Over the past century, intellectual property has increasingly dominated the world economy, and agreements and negotiations in regards to intellectual property rights (IPR) have gradually become the core issues of international trade and commerce. For the purpose of this study, IPR was defined as creating a temporary monopoly on varying types of knowledge, allowing their owners to restrict, and even prevent, others from using that knowledge (Pugatch, 2004, p. 16).

Since the Trade-Related Aspects of Intellectual Property Rights (TRIPs) requirements of the World Trade Organization (WTO) was implemented in 2000, extending and harmonizing IPR had become one of the most significant policy agendas in many countries (Mun, 2003). After implementing the reform and opening-up policy in 1979 in China, China had gone through a tremendous transformation during the recent three decades. This transformation had contributed to a more than tenfold increase in GDP since 1978, and China stood as the second-largest economy in the world after the U.S. in 2008 (Central Intelligence Agency, 2009). Although China stepped into a new era of open market, incomplete laws and policies restricted China’s further development and international trade.

Because China had been playing a more and more significant role in the world under the

trend of globalization, Chinese citizens kept trying to adjust themselves and to cope with western cultures and international economy. To better seek western knowledge and to thoroughly understand western culture, more and more Chinese students chose to study abroad in western countries, especially in the U.S. According to Lewin (2008), in the 2007-2008 academic year, there were 81,127 students from China enrolled in higher education institutions in the US, increased by 19.8% from the year before. And these Chinese students faced severe cultural shock and different social norms than the people in China, and IPR turned to be a significant difference among those many social and academic differences according to Betting's (1992), Diallo's (2003), Mun's (2003), and Shi's (2006) studies. In China, a DVD or a textbook costs much less than in America, and this price difference reflects different perspectives regarding IPR. The intensity of this difference may exist in every aspect of a Chinese student's life in an American university – buying a DVD or a CD, downloading MP3s, and buying textbooks. In this study, Chinese students' adaptation to this difference was studied and analyzed.

Previous Studies

A large body of studies has been carried out regarding the enforcement of IPR in both the U.S. and China. Scholars studied the history, laws, and people's attitudes on IPR in the U.S. and China, and examined Chinese IPR violation and regulation through historical-cultural, economic, and technical aspects. Bettig (1992), Diallo (2003), Mun (2003), and Shi (2006) provided an overview of the difference between Chinese and American history and culture. Tian (2005) and Swike, Thompson & Vasquez (2008) focused on the economic and legislative difference.

Weinstein & Fernandez (2004) especially focused on the transformation in mainland

China after China embarked on the free-market policy. Bailey (2008) and Allison & Lin (1999) noticed that when China was becoming more and more interrelated and relevant to the global economic and cultural exchanges, new challenges and changes were raised because of the cultural and cognitive difference between the east and the west.

Recently, scholars, like Hulse & Sebenius (2003) and Pang (2005), focused on the U.S.'s criticism and accusation against China regarding IPR in international commerce; scholars, like Anestopoulou (2001), Shen (2005), Tian (2005) and Rawlinson & Lupton (2007), focused on the digital copyright and other technical issues and debates related to IPR in this Internet era.

Pang (2005) mentioned that as the leading intellectual property exporting country, the U.S. encountered the problem of piracy in China. Shen (2005) reported the cheap price of pirated CDs in China, and Anestopoulou (2001) noticed the prevailing use of unauthorized MP3s. Tian (2005) summarized that many IPR conflicts were solved between China and the U.S. because of China's domestic copyright need and the U.S.'s economic collaboration need with China.

However, although researchers were interested in the dynamics between the U.S. and China on the issue of IPR, no studies have actually been conducted on how Chinese students understand, view, and react to IPR when they study in the U.S. How this particular group of people – Chinese students in America – perceive and adapt to western norms is an interesting subject that demands further studies.

Rationales

Rationale for Current Study

Communication and legal scholars had long been aware of the important role that IPR

played in shaping communication, culture, and access to information (Jackson, 2007). Conflicts emerges when the United States, the world's leading producer of intellectual property, traded with developing countries which have a different perspective regarding IPR, such as China. Today's globalization has made IPR a critical global issue, subject to international regulation through the WTO and the World Intellectual Property Organization (WIPO). To better communicate cross-culturally and to solve this dilemma of commerce, it is necessary to pay closer attention to the differences between Chinese and American tradition, and the significance and influence of how IPR increasingly affect China.

From a communication perspective, American culture is rooted in individualism, while Chinese culture emphasizes common or public benefit. This difference brings out different communication patterns and different attitudes toward regulating and transferring copyright protected information. So the process of changing Chinese people's minds about protecting IPR in China is complicated and gradual.

One the other hand, under government control and censorship, Chinese Internet users has increased rapidly in recent years. According to a Reuters report, the number of Internet users in China jumped nearly 42 percent to 298 million by the end of 2008 from the previous year, cementing the country's position as the world's largest Internet population (Wei, 2009). While Chinese Internet users became more and more used to contacting and sharing information with each other, this rapid growth severely threatened international communication norms related to IPR protection.

Furthermore, it is important to study Chinese students' cognitive dissonance regarding

IPR to evaluate their adaptation to American life and culture, and to assist them in recognizing and transforming their inadequate sense of western norms. This study explores and analyzes this cognitive dissonance regarding Chinese students' resistance or adaptation to American IPR norms and their psychological and behavioral changes. So this study brought certain contribution to the entirety of scholarly literature of American communication studies.

Rationale for Qualitative Methods

The purpose of this study is to explore the impact of IPR on Chinese students. At this stage in the research, the impact of IPR is generally defined as how Chinese students, who are from a country with low cognition of IPR, adapt their behavior to American IPR laws and norms.

To fulfill this purpose, this study utilizes qualitative methods as a strategy of inquiry, because the purpose of qualitative research is to understand and explain participant meaning (Morrow & Smith, 2000). Creswell (1998) defined qualitative research as "an inquiry process of understanding based on distinct methodological traditions of inquiry that explores a social or human problem." So the researcher's responsibility is to build a complex, holistic picture, analyzes words, reports detailed views of informants, and conducts the study in a natural setting (p.15). Thus, in this research, using a qualitative methodology allows the researcher to study the impact of IPR in a naturalistic setting. Qualitative research tends to be a relatively appropriate tool in this inter-cultural research.

Statement of the Problem

This study explores the misuse of IPR among Chinese students studying in the U.S., how Chinese students adapt themselves to IPR laws and norms in America through the lens of

Cognitive Dissonance Theory, and to discover the tendency for Chinese students to seek consistency among their cognitions regarding the IPR differences between China and the U.S.

Research Questions

The central research question that this study aims to answer is what the impact of IPR on Chinese students, when they are studying in United States. This study also addresses the following sub-questions:

RQ1: Do Chinese students resist or adapt to American IPR norms?

RQ2: If any, what are some psychological and/or behavioral changes Chinese students make regarding American IPR norms?

Outline of Thesis

This thesis is divided into six chapters and an appendix section. The first chapter provides an introduction to current study. Chapter two presents a comprehensive review of the literature. The third chapter describes the research methods including strategy of inquiry, theory use, settings of the research, data collection procedure, data analysis procedure, data validation procedure, and the researcher's background. Chapter four presents and highlights the results of interviews. In this chapter, interview results are evaluated and analyzed through the light of Cognitive Dissonance Theory, demographic influence, and cultural influence. In this chapter, some motivations and barriers influencing interviewee's cognitive and behavioral changes are also summarized. The last chapter discusses the results, some practical implications, limitations of current study, and possible suggestions for future researches. The three appendices include the informed consent form, the interview protocols, and ten interview transcriptions.

Chapter Two

Literature Review

This literature review is divided into four sections. The first section describes the basics of IPR. This section highlights the definition, goals and development of the terms. The second section of this literature review focuses on IPR's development in the U.S, including American IPR history and legal evolution. The third section emphasizes IPR's development in China, including Chinese IPR history, Chinese Culture and Confucianism, legal evolution, change in Chinese people's attitude under the influence of globalization, and international trade conflicts or critics concerning IPR laws and policies. The fourth section explores IPR's economic roles and impacts, and issues regarding digital copyright and software piracy, which raised in this Internet era in both the U.S. and China. And the last section explains the Cognitive Dissonance Theory.

Basics of IPR

Definition

According to WIPO, intellectual property, very broadly defined, means the legal rights which originated from intellectual activity in the industrial, scientific, literary and artistic fields (WIPO, 2004, p. 3). So, intellectual property law aims at safeguarding creators and other producers of intellectual goods and services by granting them certain time-limited rights to control the use made of those productions. Those rights do not apply to the physical object in which the creation may be embodied but instead to the intellectual creation as such. Intellectual property is traditionally divided into two branches, "industrial property" and "copyright."

WIPO concluded in Stockholm on July 14, 1967 that intellectual property shall include

rights relating to (1) literary, artistic and scientific works, (2) performances of performing artists, phonograms and broadcasts, (3) inventions in all fields of human endeavor, (4) scientific discoveries, (5) industrial designs, (6) trademarks, service marks and commercial names and designations, (7) protection against unfair competition, and (8) all other rights resulting from intellectual activity in the industrial, scientific, literary or artistic fields (WIPO, 2004, viii).

Following are some major types of intellectual property and their brief definition according to Nair (2009):

Copyrights

A copyright is a right conferred on the owner of a literary or artistic work. It is an exclusive right to control the publication, distribution and adaptation of creative works. The right lies with the owner-cum-copyright holder for a certain period of time. As time lapses, the work can be republished or reproduced by others. Usually, the time span of a copyright extends through the entire life of the owner and lasts up to a period of about 50 to 100 years after death. In case of anonymous works, the right lasts for 95 years after publication or 120 years after the creation.

Trademarks

A trademark is a symbol, which is generally used to identify a particular product, indicates its source. A trademark can be a combination of words, phrases, symbols, logos, designs, images or devices, used by an individual, legal entity or business organization to distinguish their products from that of others. For example, one can identify the products of Nike Inc., through their logo, which is embossed on their products. Once registered, trademarks are

protected legally and the owners can sue persons who misuse their trademarks.

Patents

Patents are rights related to new inventions. This right is conferred on persons who invent any new machine, process, article of manufacture or composition of matter, biological discoveries, etc. In order to grant a patent, the invention should fit into certain criteria, which may differ from country to country. In general, the invention must be new, inventive and should be useful or can be applied in industries. The person who receives a patent for his/her invention has an exclusive right to control others from making, using, selling, or distributing the patented invention without permission. Generally, the time limit of a patent is 20 years from the date of filing the application (for the patent).

Industrial Design Rights

These rights also come under intellectual property and protect the visual design of objects that are not purely utilitarian, but have an aesthetic or ornamental value. It can refer to the creation of a shape, color, pattern, or a combination of all these things. It can be an industrial commodity or a handicraft. The design can be either two-dimensional (based on pattern, colors and lines) or three-dimensional (as per shape and surface). An industrial design right is conferred after considering factors like novelty, originality and visual appeal. The person who has an industrial design right has the exclusive right to make or sell any objects in which the design is applicable. The right is conferred for a period of 10 to 25 years.

Trade Secrets

Trade secrets are the designs, practice, formulas, instrument, processes, recipes, patterns

or ideas that are used by a company to gain economic advantage over its competitors. The owner of a trade secret does not possess any right over anyone who gains access to that secret independently, but he can prevent the use of trade secret by anyone who has learned it through the owner. For example, an employer can protect trade secrets through contracts with his employees. It differs from other types of intellectual property, because it is the responsibility of the owner to keep the secret and it is not protected through government policies. Once the trade secret is leaked, it can be used by any person.

Development of the Terms

The term “intellectual property” can potentially be glimpsed in early Jewish law. According to Schneider (2006), Jewish law included several considerations whose effects were similar to those of modern intellectual property laws, although the notion of intellectual creations as property did not seem to exist – notably the principle of *Hasagat Ge’vul* (unfair encroachment) – until the 16th century. Gupte (2005) mentioned that the Talmud contained the prohibitions against certain mental crimes (further elaborated in the *Shulchan Aruch*), notably *Geneivat da’at* (mind theft), which some have interpreted as prohibiting theft of ideas, though the doctrine was principally concerned with fraud and deception, not property.

In Section 1 of the French Law of 1791 stated, “All new discoveries are the property of the author; to assure the inventor the property and temporary enjoyment of his discovery, there shall be delivered to him a patent for five, ten or fifteen years” (Ladas & Parry, 2009). Then, the concept of intellectual property made its first appearance after the French revolution: in an 1818 collection of his writings, the French liberal theorist, Benjamin Constant, argued against the

recently-introduced idea of “property which has been called intellectual.” Afterward, the term intellectual property can be found used in an October 1845 Massachusetts Circuit Court ruling in the patent case *Davoll et al. v. Brown* (Mass. 1845. Case No. 3662), in which Justice Charles L. Woodbury wrote that “only in this way can we protect intellectual property, the labors of the mind, productions and interests are as much a man’s own...as the wheat he cultivates, or the flocks he rears.”

The modern use of the term intellectual property as a common descriptor of the field probably traces to the foundation of the WIPO by the United Nations. It did not enter popular usage however until passage of the Bayh-Dole Act in 1980 (Lemley, 2005). As nations move toward a global informational economy, governments are responsible for ensuring that IPR conforms to the challenges imposed by information technology and digital media (Lopez & Duggan, 1997). So under such economic and juristic influence, IPR and other relative notions will be developed and completed continuously among companies and nations.

IPR in the U.S.

Throughout western history, notions of intellectual property and associated rights have reflected cultural values. Bettig (1992) indicated that the concept of a property right related to intellectual production has its roots in the rise of capitalism and the development of the printing press. The U.S. copyright law descends directly from the legal theory and practice established in Britain, and the General Court of the Massachusetts Bay Colony granted the first recorded copyright in the colonies in 1672 in response to a petition by John Usher, a wealthy merchant-bookseller. Twelve of the original the U.S. states (all except Delaware) passed

copyright laws between 1783 and 1786. Congress followed up on the constitutional mandate adopted in 1789 and passed the first federal copyright law in the Act of May 31, 1790 (Bettig, 1992; Bugbee, 1967).

The Copyright Act of 1976 provides protection to the author or originator of literary or artistic creations that fall within specified categories, i.e., literary musical and dramatic works, pantomime and choreographic works, pictorial, graphic and sculptural works, films and other audiovisual works and sound recordings. Under the Computer Software Copyright Act of 1980, amending the 1976 Act, computer programs are also included under the category of literary works. Therefore the creation of software, manuals and websites fall within the protection of the copyright law as long as they are fixed in a durable medium from which they can be perceived, reproduced or communicated (Apke & Parry, 2007).

To conclude, Mark Twain (i.e. Clemens [1889]) wrote, “a country without a patent office and good patent laws was just a crab and couldn’t travel anyway but sideways or backwards (p. 68).” The protection of intellectual property facilitates personal innovation and motivation, and it is essential to country’s healthy development and steady growth. IPR has been developed rapidly after the establishment of the U.S., and this rapid development was attributed to the inheritance of British laws as well as the capitalist influence. Mark Twain’s remarks were reflection and embodiment of Americans’ cultural awareness on protecting individual capital, both tangible and intangible one.

IPR in a Cross-cultural Setting

Throughout the history, notions of intellectual property and associated rights have

reflected cultural values. Bettig (1992) indicated that the concept of a property right related to intellectual production has its roots in the rise of capitalism and the development of the printing press. For practical reasons, oral cultures have less facility for preserving verbatim transcripts and accordingly have provided fewer records of individual authorship.

For example, the Greek oral poets saw their work as a “collective achievement, the common and indivisible possession of the school, guild, or group” (Hauser, 1951, p. 87), rather than the work of an individual who could personally own it. In the Hebrew tradition, additions to the Talmud had to identify the authors of any new principles that contributed to that body of civil and religious law; however, it appears that such requirements had the purpose of contributing greater authority to the content rather than preserving a historical record of scholarship (Bettig, 1992). Medieval Europe, also with an oral culture, did not contribute to the development of property rights. Again, Europeans of that age saw themselves as a part of a corporate structure rather than as individuals, so literary ownership was not a significant issue (Garmon, 2002). Ancient India, with an early history of caste groups and peoples rather than individuals and with anonymous literary and philosophical masterpieces, is another early oral culture. In such cultures, who said what was not as important as what was said (Oliver, 1971, p. 21).

Even in modern times, group-oriented cultures do not focus on personal ownership of new ideas or techniques as do individual cultures. For example, Bettig (1992) noted that very recently, cultural production in Bali remained anonymous, directed toward and involving the entire community rather than expressing individual ideas, and Balinese intended their art to reflect collective rather than individual ideas. Until 1991, the People’s Republic of China did not

have a copyright system. Ploman and Hamilton (as reported in Bettig, 1992) attributed the discrepant concepts of copyright in Europe and the East to different cultural attitudes, social organization, and legal conceptions.

A “Roll of Dishonour” (1992) in the *Far Eastern Economic Review* lists the nations that violate IPR and cause the greatest losses due to piracy of IPR (Table 1). Asian nations lead the list, including China, Japan, South Korea, India, Thailand, Indonesia, Taiwan, and the Philippines. And most of these countries possess collectivist cultures rather than individualistic ones.

Table 1 *Survey indices of perceived strength of IPRs*

Country	1990	1995	Percent change
Industrial countries (selected)			
USA	69.2	80.8	16.8
Japan	70.2	66.3	-5.6
Canada	58.4	72.3	23.8
Germany	70.6	78.9	11.8
France	67.2	72.9	8.5
Spain	40.4	58.1	43.8
United Kingdom	59.7	74.4	24.7
<i>Average of 21</i>	<i>59.0</i>	<i>70.5</i>	<i>19.4</i>
Developing countries			
Brazil	36.3	35.3	-2.9
Hong Kong	52.1	63.1	21.1
India	44.3	40.6	-8.4
Indonesia	35.4	45.3	27.9
South Korea	57.1	54.2	-5.1
Malaysia	52.1	62.0	19.0
Mexico	42.0	56.1	33.6
Singapore	71.9	78.8	9.6
Taiwan	53.9	63.8	18.4
Turkey	35.8	25.3	-29.5
Venezuela	32.5	32.1	-1.2
<i>Average of 11</i>	<i>46.7</i>	<i>50.6</i>	<i>8.4</i>

(continued)

Country	1990	1995	Percent change
Other developing countries			
Argentina		47.1	
Chile		61.8	
China		33.6	
Egypt		60.0	
The Philippines		37.3	
Russia		15.8	
Thailand		52.1	

Source: Maskus, 2000.

Also, different countries with different development status had different views regarding IPR protection. According to Garmon (2002), because innovative activity forms a major component of technological and economic development, most economically advanced nations favor strong IPR protection. In the contrary, less developed countries (LDCs) cite the need for wide dissemination of new information and resist IPRs protection. Debates over IPRs demonstrated divisions of North and South or rich and poor nations. IPR advocates suggested that trademarks benefited the society by encouraging the development of new products and increasing product quality and variety, and they largely represented the rich countries. In contrast, critics, mostly from poor countries, said that IPRs imposed costs by protecting monopoly profits in certain brands and encouraging excessive spending on advertising and differentiation of products. This discrepancy can be seen in Table 1, for 21 industrial countries, the average perceived rise in IPRs protection was 19 percent; while for 11 developing countries the average perceived rise was 8.4 percent; and the third section of the table shows the indices for certain developing countries in 1995. However, Helpman (1993) questioned the validity of imposing tight IPRs on LDCs because in the absence of foreign direct investment this imposition moves the terms of trade against poorer countries in favor of richer ones.

IPR in China

History

China holds a different legal system other than the western countries, and IPR was not paid enough attention in Chinese history. China didn't establish its IPR legal system until the early twentieth century, so China is conventionally seen as one of the main offenders in the international intellectual property arena due to its legislative shortfalls (Shi, 2006). The patent system was adopted in 1897 under the Ching dynasty and the first copyright law was promulgated in 1930 in order to identify goods that came from various sources. For various reasons China did not enforce the legislation, until the beginning of the 1980s, when a patent system was reintroduced (Diallo, 2003). Under post-1949 Chinese Communist Party rule, the quest to create even a socialist legal system was virtually impossible. In Mao Zedong's China, internal policy directives ruled the day (Berkman, 1996) and all proposals concerning IPR ended. Efforts to protect not only intellectuals but also intellectual properties floundered under Mao's anti-intellectualism. The Cultural Revolution sealed that fate of IPR for almost two decades (Lam, 1995) until Deng Xiaoping set the country on a course of profound economic reform, which embraced an open door policy. New legislation, as a platform for protecting IPR, was rebuilt "virtually from scratch" as China emerged from its self-imposed legal exile in the late 1970s and early 1980s. The daunting task of creating a transparent and modern legal environment to foster FDI became an urgent commission (Pun, 1996).

In last decade of twentieth century, China eagerly embraced IPRs reform. In response both to domestic need and to considerable external pressure, China was undertaking a dramatic

reform of its intellectual property laws. Beginning from a situation of near absence, China established laws covering patents (including pharmaceutical patents), trademarks, integrated circuits, plant varieties, unfair competition, and copyrights from 1992 to 1993 (LaCroix & Konan, 1998; Maskus, Dougherty, & Mertha, 1998). China joined nearly all the major international IPR conventions, including the Paris Convention in 1984, the Madrid Protocol and the Washington Treaty in 1989, the Berne Convention and the Universal Copyright Convention in 1992, the Geneva Phonograms Convention in 1993, and the Patent Cooperation Treaty in 1994. China is also a member of international agreements on the classification of patents and trademarks and the deposit of microorganism. The country is still in need of further minor revisions to conform to TRIPs, and those revisions are under consideration. China has also made considerable progress in establishing education and training programs in IPR and in upgrading its administrative and legal enforcement systems (Maskus, Dougherty, & Mertha, 1998). Nonetheless the economy continues to experience massive product counterfeiting, suggesting that enforcement of IPR has a long way to go.

Current Situation

As early as the fifties, one astute observer of China noted that the ingenious nature of Chinese enterprise was such that locals would produce and perfect most things to the extent that these counterfeited goods were impossible to differentiate from the original European products (Fernandez and Underwood, 2006, p. 140). China apparently has a long history of reproducing many different products quite accurately. Estimates of the current cost of the piracy of intellectual properties are alarming and could be as high as 90 percent across all sectors in China

(Committee on the Judiciary, 2005). Maskus, Dougherty, & Mertha (1998) reported the following estimates of percentage piracy rates for copyright goods in China in 1997 as follows: motion pictures (75 percent), recorded music (56 percent), business application software (96 percent), and the entertainment software (96 percent). Fernandez and Underwood (2006) referred to US Department of Commerce data to suggest that between 15 and 20 percent of all consumer goods in China are counterfeit. Other estimates of the total cost of intellectual property piracy in China are in the order of \$2 billion annually in lost revenues for the US holders of IPR (Yu, 2001), and this number may increase annually.

One of the factors working against the protection of IPR is the unparalleled success of the Chinese economy, which has grown at an annual real GDP growth rate of about 9 percent on average since the late 1970s (Lieberthal and Lieberthal, 2004, p. 3). Therefore, local officials frequently used economic success as a means of promotion and exercised considerable local flexibility in their office, even within the highly centralized system of authority that characterized the structure of the Chinese political economy (Berrell & Wrathall, 2007). Flexibility thus emerged as the preferred *modus operandi* of the local official. In this sense, while local officials had well-developed laws at their disposal to protect IPR, the mechanisms of enforcement were particularly weak – local officials shied away from disturbing the economic growth of their particular patch, which often relied on the infringements of IPR as a business model (Lieberthal and Lieberthal, 2004, p. 15).

Chinese Culture

Various cultural principles resided at the bottom level of Chinese society and held the

cultural architecture of IPR. These cultural principles, by definition, required no elaborate rationale because they consisted of timeless and self-evident truths, which were relevant to the formation of essential ideas about society, culture and religion (Hall, 1976). The anthropologist, Levi-Stauss (1977), referred to the pervasive power of these principles by suggesting that the surface level information of any society was only a mediated representation of such deep-seated beliefs. IPR remains problematic in China because these deeply embedded ideas in the cultural architecture often surpass the well-developed regulatory measures concerning IPR (Carver, 1996). Confucianism is the concept most frequently cited by commentators, and the literature criticizing Confucian philosophy, as the root of China's IPR enforcement problems (Alford & Bourdieu, 1995, 19-22). The residual influence of Confucian values is often put forward as a particularly influential factor regarding IPR protection. Such values are believed to be inconsistent with the principles underpinning the concept of IPR.

By promoting propriety and morality, the importance of family and the use of education and persuasion as a means of encouraging people to behave correctly, Confucian notions influenced the formation of Chinese attitudes to IPR (Berrell & Wrathall, 2007). Confucian notions of self-improvement through ritual, meditation and tangible actions as well as the ideal of accomplished people living harmoniously in a society governed by benevolent, righteous and moral leaders permeate Chinese culture at all levels (Chinnery, 1996). Thus, the principles of harmony, stability and hierarchy are particularly treasured and reflected in the cardinal relationship between father and son and reinforced through filial piety. In addition, giving appropriate deference, respect and loyalty to one's parents is a cornerstone of a harmonious

society (Chinnery, 1996). In such an environment, the necessity to engage formal laws like those related to IPR in order to resolve conflict is significantly reduced. Morality becomes a means of maintaining the social order – the prevailing moral and social codes viewed negotiation, mediation and compromise as ideal processes regarding IPR (Chen, 1993). Therefore, the processes of yielding and compromising are treated as virtuous traits, and are promoted as the “most effective form of persuasion” in many Chinese business settings (Folsom & Minan, 1989). In this environment, the traditional Chinese legal system utilizes the networks of social capital and praised exemplary behaviors as interventions to prevent anti-social desires (Lazar, 1996).

Confucianism also influenced Chinese attitudes to IPR that it despised the profit motive at the expense of benefits to the wider society (Kolton, 1996). Chinese people tended to accept a prevailing phrase “to steal a book is an elegant offense (qie shu bu suan tou),” which indicated that in traditional Chinese culture, a person will not be considered guilty even his or her behavior impaired others’ benefits, as long as this behavior was related to sharing knowledge and intelligence. Under the dominating theory of this point of view, Confucianism was a cultural predisposition leading to a lack of consciousness of intellectual property, and the creed of “elegant offense” was likely to have a continuing and significant influence on Chinese attitudes to IPR protection (Yonehara, 2002).

The Taoist vision of rustic, self-contained simplicity with a focus on the individual was another cultural tradition in China. Although Confucianism and Taoism contradicted in nature, Chinese possessed capacities of tolerating ambiguity and harmonizing contradiction, so both

ideologies coexisted as motivating forces in China (Berrell & Wrathall, 2007). For example, Confucian values could be embraced in work and family affairs while Taoist values could be embraced in artistic and leisure pursuits (Chinnery, 1996). However, both traditions contradicted with Western norms, and both were “inherently antithetical” to IPR (Lam, 1995). Buddhism, another Chinese spiritual tradition, was also at odds with blatant industrious behavior and entrepreneurship. Therefore, the values of Buddhism did not actively embrace complex legal systems that designed to support IPR on protecting and promoting personal economic interests (Berrell & Wrathall, 2007).

Furthermore, due in part to China’s culture, educational system, language, and the origins of its extraordinary book culture in imperial China (221 B.C. – 1912), concepts like plagiarism and copyright developed quite differently than in the West. For example, where a classical Chinese historian found precision, people in the West might see only copying from unidentified sources. Where a student in the traditional Chinese educational system found valuable instruction, Westerners might see only rote memorization. From the western vantage point, sometimes it seems that the concept of intellectual property did not develop in China at all: in the case of classical history, for example, it was possible to publish a work comprised almost entirely of unidentified verbatim quotations and still be celebrated as a great historian. Verbatim copying was in some genres the norm, not the exception. It was one way to produce accurate scholarship and was not automatically regarded as an infringement of the rights of others. Thus, when the issue of intellectual property is viewed from China’s perspective, it is perhaps more appropriate to appreciate how quickly China has attempted to implement Western conceptions rather than

lament that it has failed to achieve compliance as efficiently as we would prefer (Stone, 2008).

Legal Evolution

Over the last two decades, China has established a full panoply of IPR legislation and institutions. However, in China today, the enforcement of IPR is contrastingly fragile, and it has emerged as the essential issue to be resolved when reviewing China's IPR. It is no longer persuasive for the Chinese government merely to point to the existence of legislation as proof of China's compliance with its WTO commitments (Shi, 2006).

In 1993 the Patent Law of China was amended to extend patent protection from 15 years to 20 years in accordance with TRIPs. The amendments made to the Chinese Patent Law in 2001 included making an unauthorized "offering for sale" a violation of patent holder's rights as required by TRIPs. China amended its Trademark Law in 2001 and amended its Implementing Rules in late 2002. Under these amendments, "geographic indicators" or "indicators of origin" are now entitled to protection. Also, this amendment extended the right of judicial review to the final decisions of Trademark Review and Adjudication Board (Weinstein & Fernandez, 2004).

Concerning the business realm, the threat of someone stealing intellectual property is simply a cost of doing business in China: this is a sentiment shared by many company executives within China. Some executives actually believe that if a company's products aren't being counterfeited in China, then the company has a marketing problem. Because intellectual property could be in danger, companies develop different ways of dealing with it. China appears to be on the right track regarding IPR laws, but enforcement of the laws and the penalties levied leaves much to be desired. Many executives believe it will take more than just laws to stop intellectual

property theft. As an example, one network equipment company executive stated an opinion that it would take a cultural shift and an entire generation to stop IPR violations. He illustrated this by citing the case of an employee's daughter, who would not purchase a counterfeited CD because she found it morally wrong and rather purchased a legitimate copy. Several executives believe that once China starts to develop its own intellectual property, it will truly make a concerted effort to enforce IPR laws. This is clearly illustrated through 2008 Beijing Olympic merchandise. China has actually passed two resolutions in order to safeguard the Beijing Olympic trademark. According to a U.S. Foreign Service Representative to Beijing, the first resolution was to let people know they were serious about enforcing it, and the second was to let them know they really meant it. This represents an important step in the ongoing enforcement of IPR laws in China (Swike, Thompson, & Vasquez, 2008).

Evolution of Attitude

As Allison & Lin (1999) concluded, China, with the oldest civilization in the world and a tradition of inventive and creative genius, have ancient cultural and legal traditions completely polar to the protection of intellectual products. Confucianism, and then Communism, simply did not countenance the idea of providing property-like protection to products of the individual intellect. However, China's post-Mao leaders have realized that their economy must modernize by adopting fundamental market-based precepts or else face ultimate economic dysfunction of catastrophic proportions. Serious efforts on the part of the Chinese government have made the new patent system more accessible. In addition, specialized intellectual property courts staffed with judges with technical training have been established in the major cities and special

economic zones. China has attempted to make its patent system more accessible to its people.

Trade Conflicts & Critics

The United States is both the leader of world cinema and the owner of global copyright, not only the copyright of products but also the discourse of copyright itself (Pang, 2005).

In 1993, piracy of U.S. intellectual property in China raged. Chinese pirates counterfeited Madonna and Michael Jackson CDs by the millions, bootleg copies of new U.S. software were launched on Chinese PCs across the country, and popular movies like Jurassic Park appeared as DVDs in the back alleys of Shanghai long before their release in theaters in the United States. Growth in China's economy coupled with increasingly sophisticated counterfeiting techniques fueled piracy on a scale never before witnessed, especially in the southern province of Guangdong, widely regarded as the most capitalist oriented and unrestricted Chinese province (Hulse & Sebenius, 2003). Pang (2005) presented a thought-provoking story about the situation in his article:

Holding a pirated DVD copy of Kill Bill: Volume One, U.S. Commerce Secretary Don Evans solemnly warned the Chinese government in his Beijing press conference: "We have been patient but our patience is wearing thin." Evans was on the mission to coerce the Chinese government to further open its markets for American products and services...and Evans chose to attract media's attention...by picking up on a pirated Hollywood film as the ultimate symbol of China's disrespect of fair trade in general and the country's robbery of American wealth specifically...With a pirated film in hand, Evans could praise American creativity, criticize protectionism, defend

globalization, celebrate market liberalization, and curse political authoritarianism all at the same time. The bootlegged Kill Bill DVD effectively condensed a basket of capitalist ideology into one sublime object (p.133).

The intellectual property landscape in China is changing rapidly, and while parallels with Japan, and South Korea can be drawn, the factors at play make predictions risky. In Bailey's (2008) article, he had tried to set out the themes that are shaping this landscape, and have identified some of the lessons to be learned:

(1) Innovation is paramount to China's future. Multinational companies must take stock of this at the highest levels and understand how China's intellectual property ambitions impact on their own plans, not just within China, but globally. Chinese institutions and enterprises are investing heavily in innovation, but have not yet learned how to convert this into commercially valuable intellectual property assets. The era of globally significant Chinese patents and brands is some way off, but it will happen. (2) Foreign rights owners must understand how their own entry strategies impacted the intellectual property situation they face today, and learn how to better use the legal environment to their advantage. (3) Intellectual property must be a board-level responsibility that is integrated strategically within the business. There are still too many intellectual property owners adopting (p. 18).

Economic Roles

Human beings are innovative, and tend to improve their lives by exploring and creating new ideas and materials. But these new ideas and materials need to be recognized and given the

credit to the discoverers and inventors, in order to preserving and provoking further discoveries and invention. In economic perspective, IPR protection is especially considered vital in the integration of world economy.

According to Maskus (2000), there are two central economic objectives of any system of IPR protection. The first is to promote investments in knowledge creation and business innovation by establishing exclusive rights to use and sell newly developed technologies, goods, and services. In absence of such rights, economically valuable information could be appropriated without compensation by competitive rivals. Firms would be less willing to incur the costs of investing in research and commercialization activities. In economic terms, weak IPR creates a negative dynamic externality, and it fails to overcome the problems of uncertainty in research, development, and risks in competitive appropriation that are inherent in private markets for information.

The second goal is to promote widespread dissemination of new knowledge by encouraging (or requiring) rights holders to place their inventions and ideas on the market. Information is a form of public good in that it is inherently non-rival and, moreover, developers may find it difficult to exclude others from using it. In economic terms it is socially efficient to provide wide access to new technologies and products, once they are developed, at marginal production costs. Such costs could be quite low for they may entail simply copying a blueprint or making another copy of a compact disk or video (p. 473-474).

These two objectives of IPR protection have special significance in this information era. After the eras of agriculturalization and industrialization, human civilization stepped into the era

of information, and the goals of IPR protection are to provide a platform, on which companies and countries could have fair competition.

Economic Impacts

Maskus (2000) summarized that IPR protection had both potentially positive and negative impacts on modern economy. On one hand, IPR protection could play a significant role in encouraging innovation, product development, and technical change, by rewarding cumulative creativity and risk-taking among both existing and emerging enterprises and entrepreneurs through protecting patents, copyrights, trademarks, and trade secrets.

While strengthening IPR protection bears potential for enhancing growth and development in the proper circumstances, on the other hand, it might also raise difficult economic and social costs. Some major concerns regarding enforcing IPR protection including monopoly pricing, diminished access to technological information, and costs of administration and enforcement IPR systems.

Pervious analyses claimed that strengthening IPR systems could either raise or lower economic growth, though the relationships would be complex and dependent on circumstances. Two studies have considered this question empirically. First, Gould & Gruben (1996) related economic growth rates across many countries to a simple index of patent strength and other variables. They found no strong direct effects of patents on growth, but there was a significantly positive impact when patents were interacted with a measure of openness to trade. That is, the impact of stronger patents in open economies was to raise growth rates by 0.66% on average, suggesting that market liberalization in combination with stronger IPR increases growth.

Their argument was that open economies tend to experience greater competition, higher amounts of competitive foreign direct investment (FDI), and enhanced needs to acquire advanced technologies for purposes of raising product quality. Moreover, firms in such countries would be more likely to undertake the costs of effective technology transfer and adaptation to local circumstances. However, such innovation would be more prevalent in economies with adequate IPR protection. This finding implies that as countries strengthen their IPR protection, pursuing market liberalization would procure a more affirmative path to economic growth.

Park & Ginarte (1997) studied how IPR affects economic growth and investment. They found no direct correlation between patent strength and growth, but there was a strong and positive impact of patents on physical investment and research spending, which in turn raised growth performance. This result was consistent with Borensztein, De Gregorio, & Lee's (1998) study, in which they found that FDI had a significantly positive impact on growth, but only in countries that had attained a threshold level of secondary education within their populations. In this sense, IPR, openness, FDI, and human capital accumulation work jointly in raising productivity and growth.

Internet Era & Digital Copyright

With the dramatic development of information communication technology, Internet has been playing an increasingly significant role in our society. The growth of Internet not only greatly enhances the development of electronic commerce and Internet economy, but also speeds up the steps of globalization and the formation of the "global village" (McLuhan, 1962).

Ever-improving Internet technology changes the traditional rules of distribution and

dissemination of information and copyright works, and enables users to efficiently access and disseminate online copyright works. However, technology also facilitates copyright piracy, and brings great challenges to traditional business models and copyright protection systems (Tian, 2005).

The media has reported rampant piracy of foreign software in China. According to Shen (2005), buying a pirated version of any software in China perhaps costs around 5–12 yuan RMB each (approximate 1–2 US dollars), with some local variations. The cost of a pirated software copy is only determined by the cost of a blank CD. Pirated software vendors often operate registered businesses to sell goods of information and communication technology (ICT) in shopping malls and/or allocated street markets in cities and towns. While publicly selling licensed and locally produced products, these vendors often stock pirated foreign software CDs under the counter.

The controversy surrounding unauthorized copying of material is centered on the usage of MP3 compression software technology, the most popular format for distributing audio music files over the Internet. As the usage of the MP3 technology allows not only the ability to download music from the Internet in the MP3 format, but also the easy distribution of MP3 audio files over the Internet. Access to high-speed Internet is becoming easy and quick, especially on university campuses, so MP3 technology became the most potent and most convenient method of participating in the new digital music era. Hence, the demand for MP3 music files on the Internet has been growing exponentially, resulting in massive circulation, distribution and downloading of MP3s by the consumer users around the world (Anestopoulou, 2001).

Tian (2005) summarized five reasons why China and the U.S. were able to resolve potential intellectual property conflicts in a relatively peaceful and constructive manner: first, with the growth of economic power, China has increased its ability to cope with threatened trade sanctions; second, with the growth of bilateral economic collaboration, many U.S. companies are starting to hold increasingly positive attitudes toward China; third, globalization has become a current trend; fourth, in the past decade, China has made remarkable progress in improving its copyright legislation; and last, China's copyright policy has become increasingly positive due to the growth of its domestic copyright industries in recent years.

Cognitive Dissonance Theory

Cognitive Dissonance Theory is a theory of human motivation that asserts that it is psychologically uncomfortable to hold contradictory cognitions. The theory is that dissonance, being unpleasant, motivates a person to change his cognition, attitude, or behavior (Carroll, 2003). This theory was first explored in detail by social psychologist Festinger (1957), who described it this way:

Dissonance and consonance are relations among cognitions that is, among opinions, beliefs, knowledge of the environment, and knowledge of one's own actions and feelings. Two opinions, or beliefs, or items of knowledge are dissonant with each other if they do not fit together; that is, if they are inconsistent, or if, considering only the particular two items, one does not follow from the other (p. 25).

Festinger (1957) argued that there are three ways to deal with cognitive dissonance: (1) one may try to change one or more of the beliefs, opinions, or behaviors involved in the

dissonance; (2) one may try to acquire new information or beliefs that will increase the existing consonance and thus cause the total dissonance to be reduced; or, (3) one may try to forget or reduce the importance of those cognitions that are in a dissonant relationship (pp. 25-26).

Kearsley (2010) gave an example of cognitive dissonance:

Consider someone who buys an expensive car but discovers that it is not comfortable on long drives. Dissonance exists between their beliefs that they have bought a good car and that a good car should be comfortable. Dissonance could be eliminated by deciding that it does not matter since the car is mainly used for short trips (reducing the importance of the dissonant belief) or focusing on the car's strengths such as safety, appearance, handling (thereby adding more consonant beliefs). The dissonance could also be eliminated by getting rid of the car, but this behavior is a lot harder to achieve than changing beliefs.

In summary, a large body of studies have addressed IPR protection. Scholars have focused a lot on the different perceptions between the U.S. and China regarding IPR, and law enforcement in these two countries. As China is developing rapidly, and conducting international imports and exports vastly in recent years, more issues regarding IPR will emerge, and these issues and conflicts require more researches and studies. As an outcome of globalization, more and more Chinese students traveled across the ocean, and studied in different and challenging country – the U.S. However, there are no studies in regards to Chinese students to be conducted so far, especially the studies on Chinese students perceive IPR, and how Chinese students confront or adjust this cognitive dissonance. These topics need to be paid more attention to, and

be explored in depth.

So this study is an attempt to examine the problems raised among Chinese students when they face the challenge of American IPR norms and laws. This study also analyzes the cognitive transformation of Chinese students in their American lives. In addition, this study tries to determine the possible solutions to their cognitive dissonance on IPR. The studies conducted by various scholars in this literature review serve as a knowledge foundation in the research of Chinese students' cognitive dissonance. It is necessary to have the basic knowledge on IPR, especially the historical, legal and cultural difference between China and the U.S., to better understand how this cognitive dissonance emerges and how to resolve this dissonance.

Chapter Three

Methodology

This chapter of methodology is divided into five sections. The first section states the use of research strategies and methods for this study, and discusses the theoretical lens used in this study. The second section describes the bounding of the study in details, including settings, actors, events, processes, and ethical considerations. The third section discusses various data collection procedures, and the fourth section discusses the data processing procedures. The last section explains the background and potential biases of the researcher.

Strategy of Inquiry

This study utilizes a case study design to gain an understanding of Chinese students' perception and cognition regarding IPR. As a method of case study, the form of interview is adopted as the strategy of inquiry in this study, in order to gain unique and insightful perspectives of Chinese students. Using an interview strategy, the focus of this study is to identify the perception of Chinese students regarding IPR, and how they adapted or changed their attitudes regarding IPR.

According to Creswell (2009), a researcher could explore a program, an event, an activity, a process, or one or more individuals in depth through interview (p. 13). Stake (1995) explained that interviews were investigated because,

we are interested in them [interviews] for both their uniqueness and commonality. We would like to hear their stories. We may have reservations about some things the people tell us, just as they will question some of the things we will tell about them.

But we enter the scene with a sincere interest in learning how they function in their ordinary pursuits and milieus and with a willingness to put aside many presumptions while we learn (p. 1).

So it tend to be appropriate and necessary to use an interview strategy in the study, in order to determine how target Chinese students tries to avoid international norms and law regarding IPR, and how these Chinese students make transformation within economic and legislative realms to match their conduct with the western standards.

Cognitive Dissonance Theory

Cognitive Dissonance Theory is adopted as the theoretical lens in this study. According to cognitive dissonance theory, there is a tendency for individuals to seek consistency among their cognitions (i.e., beliefs, opinions). When there is an inconsistency between attitudes or behaviors, something must be changed to eliminate the dissonance. There are three ways to eliminate dissonance: (1) reduce the importance of the dissonant beliefs; (2) add more consonant beliefs that outweigh the dissonant beliefs; and (3) change the dissonant beliefs so that they are no longer inconsistent (Festinger, 1957). Self-consistency, a sense of personal responsibility, or self-affirmation can explain dissonance reduction (Griffin, 2008).

As this theory being applied to current study, it was assumed that Chinese students have the notion that it is legally and morally wrong to violate IPR. Therefore, cognitive dissonance emerges when they violate IPR regulations and laws.

Cognitive dissonance could be eliminated by deciding that IPR is not important and that IPR laws do not apply to Chinese students (reducing the importance of the dissonant belief), or

by justifying piracy and focusing on the benefits of violating IPR such as convenience and low price (thereby adding more consonant beliefs), or by changing their existing beliefs and respect IPR (changing the dissonant belief).

Bounding the Study

Settings

Ten face-to-face interviews are conducted on an American campus. The institution where interviews take place is Liberty University (LU). LU is a religiously oriented, private, co-educational, comprehensive institution. The residential enrollment was 11,300 in the fall semester of 2008, including 47% male and 53% female. The student body represents all 50 states (plus DC) and over 80 countries (Liberty University, 2009). Empty offices and classrooms are used as data collection sites to maintain privacy and comfort. Moreover, interviews may be conducted in Chinese to maintain privacy.

Actors

Due to the three stages of eliminating dissonance described in Cognitive Dissonance Theory, different groups of Chinese students with three different time periods of staying in the U.S. are considered to be selected as interview participants: zero to six months, seven month to two years, three years to four years. In addition, Chinese students include both genders, and attend both undergraduate and graduate programs, so in order to better represent and to reflect the real situation, both genders and different education levels are considered in selecting the interviewees.

Therefore, ten LU Chinese students are selected by the researcher to be interviewed in

this study: (1) one male undergraduate student who stayed in the U.S. for one and a half years; (2) one female undergraduate student who stayed in the U.S. for two years; (3) one male graduate student who stayed in the U.S. for half a year; (4) one female graduate student who stayed in the U.S. for one and a half years; (5) one male undergraduate student who stayed in the U.S. for one month; (6) one female undergraduate student who stayed in the U.S. for less than six months; (7) one male undergraduate student who stayed in the U.S. for two years; (8) one female undergraduate student who stayed in the U.S. for two years; (9) one male undergraduate student who stayed in the U.S. for more than four years; and (10) one female graduate student who stayed in the U.S. for five years.

Processes

The participants of the interviews are asked six major questions and approximately eight follow-up questions, which cover their demographic information, their perceptions regarding IPR both in China and in the U.S., their psychological and behavioral changes regarding IPR, and how they justified these changes. A semi-structured interview protocol is used during the interviews.

Ethical Considerations

Research permission is obtained from the Institutional Review Board (IRB) to protect the rights of all the interview participants. In addition, clear description of the study is provided to all the participants of the study, and consent forms are required to be signed by all the interview participants (Appendix I).

The topic of this study is partially sensitive, especially for the students who had violated

IPR, so it is necessary to mask the participants' names as numbers to avoid personal experience of participants from appearing in this thesis. The interviews are recorded by a digital voice recorder, and stored on the researcher's computer; in addition, all the recording files are protected by setting a password, and researcher's computer is also protected by setting a password, and only the researcher has access to this computer.

Data Processing Procedures

Data Collection Procedures

Ten interviewees are identified by the researcher according to their length of living in the U.S., and then face-to-face, one-on-one, and in-person interviews are conducted in this study. Ten interviews are semi-structured with open-ended questions. The researcher takes interview notes, audiotapes the interviews, and transcribes the interviews for later evaluation.

Each interview of one LU Chinese student lasts forty-five minutes to one hour, and it is conducted on campus or on other locations. To facilitate an easier communication without language barrier and to let the interviewees express their feeling more freely, Chinese is used when it is necessary. During interviews, participants are reminded that breaks are allowed if they feel the need to do so. They are also informed that to protect their identity, numbers are used instead of their names. Each participant is provided with a consent form and being told that they had the right to withdraw from the study at any point in the interview process.

An interview protocol is developed and being used during the interviews. This interview protocol contains three sections: planning the interview, conducting the interview, and transcribing the interview (Appendix II).

Data Analysis Procedures

Before the data being analyzed, the researcher transcribes all the interviews. The process of transcribing allows the researcher to become acquainted with the data. The researcher creates Microsoft Word files for the interview transcriptions (Appendix III).

The researcher follows Creswell's (2009) data analysis guidelines. However, according to Creswell, these steps are interrelated and not always visited in the order presented. These guidelines includes (1) familiarizing yourself with raw data, (2) organizing and preparing data for analysis, (3) reading through all data, (4) coding the data, (5) generating a description of the setting as well as themes for analysis, (6) interrelating themes and description, and (7) interpreting the meaning of themes and descriptions.

Validation Procedures

According to Creswell (2009), a researcher needs to convey the steps they take in the studies to check for the accuracy and credibility of their findings. Credibility for this study is achieved by using the validation strategies of member checking and bias clarification.

The researcher takes back the analyzed themes and descriptions to interviewees, and determines whether all the participants felt that these transcriptions were accurate. The interviewees serve as a check throughout the analysis process. Furthermore, the researcher provides a section where he describes his educational and political background, as well as potential biases regarding IPR in this study.

The Researcher's Background

Particular in qualitative research, the role of the researcher as the primary data collection

instrument necessitates the identification of personal values, assumptions and biases at the outset of the study (Creswell, 2009, p. 196). So the research's background, which influences the data collection procedures and data analysis procedures, needs to be considered in a qualitative study. In this cross-cultural study, researcher's cultural background has direct influence on the fairness of study, and also affects the interpretation of the data.

I was born in 1984 – five years after China first opened its free market and transferred its economic and political patterns in 1979, so I did not have experience with planned economy as my parents did. I grew up in a small city of Nanyang in Henan Province, which lies in the central part of mainland China, and in recent years, this city was caught up in the economic freedom that started on the east coast of China. So the notion of IPR is a new concept in many Chinese eyes, including mine. I attended middle school and high school in my hometown, and attended a college in Zhengzhou, the capital of Henan Province. In those schools, I took ideological and political courses related to communism and socialism, which are required by the Chinese government. So I had a background of communist education and a sense of collectivism, which to some extent affected my views on IPR and my research in the study.

There were some other major transformations in my life: through learning language and western culture in my undergraduate program, I realized the fact that IPR played a vital role in western society; and I became a Christian in my sophomore year in college. Therefore, I had embraced the new notion that abusing others' IPR was counted as a kind of "stealing," and understood biblical ethics of using others' property responsibly.

In sum, with the experience of communist education and living in the collectivistic

society, on the one hand, I brought certain biases to this study. Although in current study every effort was made to ensure the objectivity, these biases may shape the way I viewed and understand the data I collected and the way I interpreted the data. On the other hand, my background and transformation may help me be a more balanced and unbiased researcher.

Chapter Four

Results

In this chapter, interview results are discussed in three major themes: Cognitive Dissonance Theory, demographic influence, cultural influence, and motivations and barriers of abiding by IPR related laws and regulations.

Cognitive Dissonance Theory

As discussed in Chapter Three, there are three stages to eliminate dissonance: (1) reduce the importance of the dissonant beliefs, (2) add more consonant beliefs that outweigh the dissonant beliefs, or (3) change the dissonant beliefs so that they are no longer inconsistent (Festinger, 1957). In current study, dissonance could be eliminated by deciding that IPR is not important and that IPR laws do not apply to Chinese students (reducing the importance of the dissonant belief), or justifying piracy and focusing on the benefits of violating IPR such as quality, convenience, and low price (thereby adding more consonant beliefs), or change their existing beliefs and respect IPR (changing the dissonant belief).

Therefore, interview results from ten interviewees are analyzed into three categories under Cognitive Dissonance Theory: (1) reducing dissonant beliefs, (2) adding consonant beliefs, and (3) changing dissonant beliefs.

Reducing Dissonant Beliefs

The first stage of Cognitive Dissonance Theory is to reduce the dissonant beliefs. On the one hand, to eliminate the dissonant beliefs, Chinese students would consider IPR is neither reasonable nor it does not apply to them.

In current study, although majority of interviewees considered IPR was reasonable (one interviewee considered IPR was not reasonable, and another interview considered IPR was partially reasonable), most interviewee considered that IPR does not apply to Chinese people or Chinese student even it was reasonable.

Most interviewees imputed the inability of respecting IPR to financial reasons.

Interviewee 1 mentioned the economic difference between China and America influenced people to buy pirated or genuine copies accordingly:

“Chinese economy is not as good as American. For Americans, the cost of buying a genuine copy is equal to the cost of risk (for) buying a pirated one. So it’s not very hard for them to support genuine copies. However, in China, the gap between rich and poor is huge, and the amount of people who are able to support genuine copies is little.”

Interviewee 5 imputed the piracy purchasing to Chinese people’s low income:

“For me, a Chinese, my parents can earn about 2,000 dollars a month, so my family could not afford my textbook copyright fees. However, in an American’s perspective, it’s a normal thing. My roommate told me that the government will provide some financial subsidy for some low income families. And they can live a very comfortable life also can afford the IPR fees. For me, I would choose pirated copies.”

And Interviewee 9 commented, “in China, there are still some people trying to survive. A lot of people are hungry, so they cannot really think of that (IPR).”

In addition, some interviewees imputed the inability of respecting IPR to cultural reasons.

Interviewee 6 concluded this cultural difference between China and America:

“Americans are more independent, and they focus on themselves very much. But in China, people focus more on sharing the product, and we always talking about uniting and sacrificing, so we tend to share.”

Adding Consonant Beliefs

The second stage is to add more consonant beliefs. Rather than reducing dissonant beliefs, Chinese students may add consonant beliefs to justify piracy and to support their existing behaviors and opinions.

First, quality was first reason that Chinese students chose pirated copies. Some interviewees considered that pirated copies had the same quality as the genuine ones, especially for the digital copies. Interviewee 5 commented that, “... personally I think there’s no such big difference between genuine copies and pirated copies. There is no quality difference; the only difference is that a genuine copy has a trademark which makes it legal...with the same quality, people tend to choose pirated copies over genuine copies.” And Interviewee 7 would like to “watch movie(s) online in high quality through P2P or file sharing (software).” Interviewee 9 commented, “if the quality has no differences, of course people buy the cheap (pirated) one.”

Second, convenience was another factor that Chinese students justified their IPR infringement. Interviewee 7 thought that “it’s a lot easier and more convenient” to download illegally. Interviewee 8 simply believed that “or convenience, you can copy music...I think copying music is ok generally... it’s more convenient to do something if you don’t follow the IPR laws.” Interviewee 9 used an example to describe his opinion:

“...it’s convenient to copy something from someone (in China). For instance, in my church, if we need some books (songbooks) during the worship, we will go onto the Internet and search for the songs, and just download it, or we will just copy some pages from the books. So I think people know IPR, but they just ignore it sometimes, and we don’t really take it very seriously.”

Third, price was always a burden for Chinese students to afford genuine copies, so it became a significant factor to justify themselves to buy pirated copies. Interviewee 5 said:

“I know most of the Americans consider that IPR is very important, but I think most of the Chinese prefer to pirate. Because the living standard is relatively low, so we prefer piracy with low price.”

Fourth, education was a long-term factor that influenced Chinese students to justify their buying or downloading pirated contents. Some of the interviewees believed that due to the lack of IPR education, Chinese student did not need to follow IPR related laws. Interviewee 4 mentioned that “we are not told too much it (buying pirated materials) is wrong, and we haven’t been educated this way.” And Interviewee 5 brought up that even in Chinese schools teachers tended to use pirated contents:

“In China, there’s little education about the area of IPR. For example, when we are in middle school and high school, some teachers tended to buy some pirated books for us, and they are very happy to tell us that we have helped you save that amount of money.”

Fifth, fairness was another overwhelming factor that was used by Chinese student to justify their existing beliefs. With dramatically different income, Chinese students did not think it was fair to charge them the same amount of money as Americans to buy the genuine copies.

Interviewee 7 made a comment on this issue:

“I think it’s reasonable in U.S., because the average salary in US is much higher than in China. So it’s reasonable to charge the relative price for the music and movie, or the copyright. However, on the contrary, the average salary is a lot lower than in America. In that way, if you charge them at the same price as Americans, like one dollar a song, I think it’s unfair. Therefore, what I thought if you can charge Chinese in a relatively reasonable price, that will at least be a way to discuss with Chinese people, and there will be a way to try to not download illegally. But, on the contrary, if an American still tries to charge Chinese people the same amount of money, I don’t think that Chinese stopping downloading will ever happen.”

Last, peer pressure made Chinese students reluctant to change their existing belief and behavior. Other Chinese behavior also justified their belief and behavior. Interviewee 10 said if she followed IPR laws, “people (will) look at you as idiot back home, and they (will) laugh at you.” Interviewee 5 also emphasized the effects of peer pressure:

“...if everyone around me buy pirated copies, and I buy genuine copies, it’s not harmonious, and others may think I am showing off or I am stupid. I would like to buy genuine copies, but I am more afraid people say such thing to me.”

Interviewee 7 said that “downloading is just a way of living. Everyone is doing the same

thing.” And Interviewee 3 mentioned the majority of Chinese behavior of illegal downloading made this behavior a proper behavior:

“It’s very popular to (illegally) download Chinese music from website, and nobody see that it is not right. . . . Chinese has a culture as “if everybody doing that, then it seems fine.” In Chinese, we have an idiom – “Laws against the most are no more laws.” Majority is doing that, and then it is very hard to enforce the law.”

Changing Dissonant Beliefs

The third stage is the most difficult stage, because according to Festinger (1957), removing the existing belief and establishing a new belief is much harder than simply reducing dissonant belief or reinforcing the constant belief. However, there are some of the Chinese students in current study that have changed their previous belief and started to respect IPR after living in America after a certain period of time.

Interviewee 10 agreed with IPR laws and abided by them. Some other interviewees expressed their desires to respect IPR and follow IPR laws. Interviewee 4 mentioned:

“The integrity is very important. Even I am still downloading things, I am willing to change. You realize it’s not something right to do it; it’s just like stealing something from somebody. And Christianity causes you to become more cautious about what you’re doing is right.”

And Interviewee 9 also shared his desire to buy copyright protected products:

“I personally like to buy real (genuine) stuff, because I think they have spent a lot of time to produce the product, so they deserve us to spend our money to buy their

products.”

Demographic Influence

This section discusses the interview results through the perspective of demographic influence: age, gender, major, and length of staying in the U.S.

Age

The interviewees’ ages are distributed from 18 years old to 25 years old. The Table 2 represents the possible influence of age difference on different issues regarding IPR in five categories:

Table 2 *Age and its possible influence*

Issues \ Ages	No. 1* 20	No. 2 18	No. 3 25	No. 4 25	No. 5 19	No. 6 18	No. 7 19	No. 8 20	No. 9 22	No. 10 24
1. Knowing basic concept/ definition of IPR**	Yes	No	Yes	Partly	No	Yes	No	No	Yes	Yes
2. Knowing the difference between China and US	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
3. Misusing IPR***	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
4. Being confronted/ punished	No	Yes	No	No	Yes	No	Yes	No	Yes	No
5. Being willing to change existed belief or behavior	No	No	No	Yes	No	Partly	No	No	Partly	Yes

* Interviewee number

** According to the definition of IPR in Chapter One – Introduction

*** Referring to illegally downloading pirated songs, movies, and software, illegally sharing copyright-protected contents with others

Through the chart above, interviewees tended to know more about the concept of IPR when they grow older, all the interviewees knew there was a certain difference between China

and the U.S. regarding IPR, and all the interviewees had misused IPR content. Older interviewees in this study tended to change their existing belief and behavior. However, being confronted has no relation with age.

Gender

There are five male Chinese students and five female Chinese students participated as interviewees in current study. Table 3 demonstrates the influence of gender difference on different issues regarding IPR in five categories:

Table 3 *Gender and its possible influence*

Issues	Gender	No. 1*	No. 2	No. 4	No. 3	No. 5	No. 6	No. 7	No. 8	No. 9	No. 10
		male	female	female	male	male	female	male	female	male	female
1. Knowing basic concept/ definition of IPR**		Yes	No	Partly	Yes	No	Yes	No	No	Yes	Yes
2. Knowing the difference between China and US		Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
3. Misusing IPR***		Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
4. Being confronted/ punished		No	Yes	No	No	Yes	No	Yes	No	Yes	No
5. Being willing to change existed belief or behavior		No	No	Yes	No	No	Partly	No	No	Partly	Yes

* Interviewee number

** According to the definition of IPR in Chapter One – Introduction

*** Referring to illegally downloading pirated songs, movies, and software, illegally sharing copyright-protected contents with others

Through the chart above, female interviewees appeared to be more willing to change their existed belief and behavior regarding IPR than male interviewees. It showed that female Chinese students tended to be more easily influenced by other people in an unfamiliar environment, and

female students had better adapting capacities. There is no significant relationship between gender and other four issues.

Major

Interviewees in current study are from six majors: Mathematics, Nursing, Communication, Business, TESL, and Biology.

Table 4 *Major and its possible influence*

Issues	Major	No. 1*	No. 2	No. 3	No. 4	No. 5	No. 6	No. 7	No. 8	No. 9	No. 10
	Math	Nurs	Coms	Coms	Busi	Coms	TESL	Busi	Bio	Coms	
1. Knowing basic concept/ definition of IPR**	Yes	No	Yes	Partly	No	Yes	No	No	Yes	Yes	
2. Knowing the difference between China and US	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
3. Misusing IPR***	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
4. Being confronted/ punished	No	Yes	No	No	Yes	No	Yes	No	Yes	No	
5. Being willing to change existed belief or behavior	No	No	No	Yes	No	Partly	No	No	Partly	Yes	

* Interviewee number

** According to the definition of IPR in Chapter One – Introduction

*** Referring to illegally downloading pirated songs, movies, and software, illegally sharing copyright-protected contents with others

According to Table 3, interviewees in Communication major tended to have more knowledge about the concept of IPR than interviewees from other majors. It showed that maybe Chinese students in Communication major acquired IPR related knowledge in their studies, and they might be more exposed in IPR norms and laws than students in other majors.

Length of Staying in the U.S.

The lengths of staying in American of the interviewees are: zero to six months, seven month to two years, three years to four years. Table 4 indicates that there is no significant relationship between the lengths of staying and those five issues regarding IPR.

Table 5 *Length of staying in the U.S. and its possible influence*

Length Issues	No. 1 1.5 yrs	No. 2 2 yrs	No. 3 6 mon	No. 4 1.5 yrs	No. 5* 1 mon	No. 6 6 mon	No. 7 2 yrs	No. 8 2 yrs	No. 9 4 yrs	No. 10 5 yrs
Knowing basic concept/ definition of IPR**	Yes	No	Yes	Partly	No	Yes	No	No	Yes	Yes
Knowing the difference between China and US	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Misusing IPR***	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Being confronted/ punished	No	Yes	No	No	Yes	No	Yes	No	Yes	No
Being willing to change existed belief or behavior	No	No	No	Yes	No	Partly	No	No	Partly	Yes

* Interviewee number

** According to the definition of IPR in Chapter One – Introduction

*** Referring to illegally downloading pirated songs, movies, and software, illegally sharing copyright-protected contents with others

Cultural Influence

Under the influence of Confucianism, Taoism, and collectivism, interviewees' beliefs and behaviors regarding IPR were revealed in their responses. Only two interviewees considered that public benefit was above individual benefit, and most students recognized that the China's culture was based on collectivism and that IPR was a western notion that related to individualism.

Interviewee 3 thought that copyright was related to individualism in the interview:

“If somebody makes a contribution in writing, music, or film, and the whole society recognize that, he owns the copyright, and everybody respect that...Americans really appreciate individual effort, and they would reward them with the rewards they deserve...all their contribution need to be protected, so it a kind of individualistic thing.”

Interviewee 4 mentioned that “maybe people here consider human rights more important, and in China maybe not. And the atmosphere made people doesn’t take it (IPR) very seriously.”

Interviewee 6 said, “Americans are more independent, and they focus on themselves very much. But in China, people focus more on sharing the product, and we always talking about uniting and sacrificing, so we tend to share.”

Interviewee 10 also mentioned different notions of sharing between China and America, “...because Chinese love to share. So if I get a CD, and it’s really good, I would give friends to burn it or download it. But in America, you mind you own business. I pay for it, and it’s mine. So it’s not so problematic.” These comments reveals that sharing in China is more based on collectivism, and it also reflects Chinese communist values.

Motivations & Barriers

Several motivations that caused interviewees to change their existing beliefs and behavior were suggested by the interviews. These motivations are imposing stricter laws, environment, experience of living in America, religion, quality, and role-shifting.

The first motivation is stricter IPR laws imposed by government, like Interviewee 3 said, “I think Chinese government knows the situation right now, it knows there are several

downloading software programs, but they didn't do (anything) about the situation. I am waiting for government (to do) something first, then I might change my actions."

The second motivation is the environment. Interviewee 5 said, "If all the Chinese people buy genuine copies, I would buy too. If everyone buys pirated copies in China, I would buy too. The whole society and culture will influence me." And Interviewee 6 also mentioned, "in America I will follow the law. The environment, people around you, and their behaviors will affect me."

The third motivation is the experience of living in America. As the time went by, through witnessing others following the IPR laws and being challenged, confronted, or even punished by violating IPR laws, interviewees admitted that their beliefs were changed. As Interviewee 4 simply said that "my experience in the States (changed me)."

The fourth motivation is religion. Interview 4 commented that "Christianity causes you to become more cautious about what you're doing are right."

The fifth motivation is quality. As Interviewee 1 said, "I prefer better picture quality when I watch a movie, so I would buy some genuine DVDs."

The sixth motivation is role-shifting. Interviewee 2 admitted that "if I am the party whose benefit was being infringed, my thinking will be definitely changed." And Interview 8 shared her concern of plagiarism: "(if I) wrote a paper, you (cannot) copy it."

On the contrary, barriers that stopped interviewees from changing their existed belief and behavior can be determined in current study. These barriers are price, incomplete laws, peer pressure, and education.

The first barrier is the price. Most interviewees complained that the expensive cost of buying genuine copies hindered them from buying. Interviewee 1 concluded that “the reason people don’t support genuine copies, simply because they’re expensive.” Interviewee 9 also shared the same opinion: “the biggest thing is fake one is so cheap, and that’s a very realistic problem. If it’s cheap, why buy the expensive one.” Moreover, Interviewee 7 also complained the high price:

“As long as they do charge me one dollar per song, I don’t think I would ever go to buy it. Frankly, there’s no way for Chinese to afford such price just for entertainment. Actually, they still have trouble in normal living. So as long as they charge me with the high price, I don’t think I would change my behavior, until I have a job in America, and I am living in an American living style. As long as I (am) still a Chinese citizen using the Chinese money, I don’t think I would ever change my behavior.”

The second barrier is the incomplete laws. Interviewee 1 said, “the Chinese laws are not complete, (and) the government should have more strict laws.” Interviewee 6 also shared her concern about Chinese legal system: “In China, there’s no clear boundary between trespassing other’s right and not trespassing, so downloading is a very common thing, and becomes a part of life, so it’s very hard to overcome this living style – a living style with no laws.”

The third barrier is peer pressure. Interviewee 5 complained: “if everyone around me buy pirated copies, and I buy genuine copies, it’s not harmonious, and others may think I am showing off or I am stupid. I would like to buy genuine copies, but I am more afraid people say such thing

to me.” Interviewee 10 also commented, “(If you buy genuine copies,) people look at you as idiot back home, they laugh at you, but I think it’s a right thing to do.”

The fourth barrier is education. Interviewee 5 said that his high school teacher encouraged students to use pirated textbooks, and the teachers even bought pirated books for the students. He said, “when we are in middle school and high school, some teachers tended to buy some pirated books for us, and they are very happy to tell us that we have helped you save such amount of money.” He also mentioned that “there are a lot low-educated people in China, and their minds are not civilized and they have no concept about IPR. So they focus on price rather than other things.”

Chapter Five

Conclusion

Current study examines Chinese students' views on IPR through qualitative interviews, and the results of interviews are reviewed through the lens of Cognitive Dissonance Theory. In this chapter, the results of current study are discussed to answer the research questions, some practical implications are presented, limitations of current study are evaluated, and directions of future studies are suggested.

RQ1: Do Chinese students resist or adapt to American IPR norms?

Through analyzing the results of ten interviews, most interviewees chose to resist American IPR norms through their behaviors of illegal downloading or sharing, however, they felt that they were forced to adapt to those norms, even their beliefs were remaining unchanged.

Most interviewees chose to eliminate cognitive dissonances by deciding that IPR was not important and that IPR laws did not apply to Chinese students (reducing the importance of the dissonant belief) or justifying piracy and focusing on the benefits of violating IPR such as convenience and low price (thereby adding more consonant beliefs), and few of the interviewees chose to change their existing beliefs and respect IPR (changing the dissonant belief).

RQ2: If any, what are some psychological and/or behavioral changes Chinese students make regarding American IPR norms?

Chinese students felt frustrated when they were facing IPR difference between China and America, and they had more frustration when they were challenged or confronted by American friends, roommates, or classmates regarding IPR infringement activities, such as illegally

downloading and sharing. Chinese students also felt self-abased when they knew they were violating IPR laws but they could not afford the cost of genuine copies. Overall, interviewees in current study had no significant behavioral change to cope with American IPR norms.

Discussion

IPR is a major culture shock for Chinese students who come to study in the U.S. All the interviewees know that it was wrong to violate IPR in their conscience; all the interviewees know that there was difference between China and America on this issue, and all the interviewees are still violating IPR in different forms in the U.S.

Price is always the first consideration when the interviewees buy IPR-protected contents. It is difficult for Chinese students to adapt to the American prices, especially with the exchange rate of 6.8 Chinese yuan to 1 dollar. Also, Chinese students usually do not have an income or limited income when they study in the U.S., so that when they have the need of entertainment, they would automatically turn to piracy.

Habit is another factor also made IPR-protected products more difficult to be accepted by interviewees. All interviewees in current study are studying either in undergraduate programs or in graduate programs, and their ages are from 18 to 25 years old. Therefore, before they came to the U.S, most or all of the interviewees have lived in China for at least 15 years, and their worldviews and value systems were already formed in China. Living in a country with low level of IPR understanding, it is difficult for the interviewees to adapt them to a country with high-profile of IPR. And the results indicates that there is no significant relationship between the lengths of staying in America and the willingness of changing interviewees' beliefs and

behaviors, so Chinese students are in need of some outside help or pressure to make them adjust to American IPR norms.

Results show that the two older female graduate students are more willing to change their existing beliefs and behaviors regarding IPR than other people. It shows that female Chinese students tend to be more easily influenced by other people in an unfamiliar environment, and female students have better adapting capacities. Results also indicate that interviewees in Communication major know more about the concept of IPR than interviewees from other majors. It is possible that Communication major students have more understanding regarding IPR because Communication subjects may cover the issues of IPR. It is also possible that Chinese students in Communication major have acquired IPR related knowledge in their fields of studies, and they are more exposed in IPR norms and laws than students in other majors.

Implications

After investigating the motivations and barriers when interviewees attempted to change their beliefs and behaviors regarding American IPR norms, several practical implications can be determined from this study.

First, although it is a federal law to infringe IPR, American universities should have stricter policies toward illegal downloading and file sharing to avoid violating this federal law. Chinese students may feel annoyed at first, but these policies would eventually help them to understand the concept of IPR and better cope with American norms and laws. For the foreign websites, especially Chinese websites, some more sensitive filters or censorship methods, such as firewalls, filtering software, precautionary systems, need to be installed to prevent illegal

downloading and file sharing on LU wireless network.

Second, publishers or universities may organize workshops or lectures to educate Chinese student and other international students about IPR and related laws. Chinese students are in need of detailed information regarding IPR issues. Also, cultural education for faculty and staff at American universities is also necessary to provide cultural understanding and assistance in curriculum- or policy-making.

Third, friends, professors, classmates, roommates, and other people who are close to Chinese students should encourage and help them to change their beliefs and behaviors of IPR infringement. Interview results show that only staying in America would not help Chinese students to efficiently change their existed beliefs and behaviors, therefore, people around those Chinese students play important roles to guide and to even provide certain pressures to them.

Third, publishers should provide more quality genuine products to compete the pirated ones. Although in this era of digital information, pirated copies had the same quality as the genuine ones, the publisher could always include more special features or improve the anti-copying features on their products.

Fourth, publishers may drop the prices of books and other products like songs, movies, and software, especially for Chinese students or for students from other third-world countries. Publishers may provide student discount or student rebate to motivate sales of genuine copies among Chinese students.

Limitations

There are several limitations in current study that may restrict the objectivity of

interpreting results and representativeness of current study.

First, researcher influence is the first limitation of this study. The researcher is a graduate student from China mainland. He was born in China and lived in China for 23 years before he came to America. So the researcher may be strongly influenced by Chinese education, culture, and norms. Therefore, the objectivity of this study may be affected by the researcher's own background and experience.

Second, current study adopted a qualitative method as its strategy of inquiry, and only ten interviewees were interviewed. So this single research method and limited sample size restrained the representativeness of research results.

Third, these ten interviewees were aged from 18 to 25, and they were from six majors of graduate and undergraduate programs, and they were studying in a Christian university. All these demographic limitations also restricted the representativeness of research results.

Fourth, this study is conducted through the lens of Cognitive Dissonance Theory, and the purpose of this study is to determine LU Chinese students' cognitive dissonance and their changes in beliefs and behavior regarding American IPR. So the angle of planning and analyzing research data were narrow, and the application of this study was limited in the Communication academia.

Future Researches

To better understand the perspectives of Chinese students on IPR, and to better represent Chinese student body in the U.S. as a whole, several suggestions are raised for future researchers:

First, more research methods should be adopted to study this issue. Quantitative methods are suggested in order to gain a massive description of trends, attitudes, or opinions of Chinese students, and a scientific and numeric sample result could be better generalized to a larger Chinese student population.

Second, a large sample size with demographic diversity should be considered in future studies. More Chinese students from different age groups, majors, school years, and with different length of staying in U.S. need to be involved. Also, to expand the representativeness, more schools with different background from different states even countries should participate in future studies.

Last, future studies need to be guided by other theories, and theories also need to be tested by future studies. For this particular issue regarding international adaptation, more inter-cultural theories from communication studies, as well as from other related academic realms, could be used in future studies.

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Appendix I – Interview Consent Form

CONSENT FORM

An Analysis of the Impact of Intellectual Property Rights on Chinese Students

Bing Yang

Liberty University

School of Communication

You are invited to be in a research study of the impact of intellectual property rights (IPR) on LU Chinese students. You were selected as a possible participant because the length of you living in the U.S. fits the demand of this study. We ask that you read this form and ask any questions you may have before agreeing to be in the study.

This study is being conducted by Bing Yang, Liberty University School of Communication.

Background Information:

The purpose of this study is to determine whether LU Chinese students resist or adapt to American IPR norms, and how they justify their psychological and behavioral changes.

Procedures:

If you agree to be in this study, we would ask you to do the following things:

1. You will be asked to answer approximately ten questions;
2. The whole interview process will be audio-recorded;
3. The length of time for your participation will be 45 minutes to 1 hour;

Risks and Benefits of being in the Study:

The study has two risks: first, you will be asked questions regarding the violation of intellectual property rights; second, your responses will be audio-recorded.

There are no benefits to participate in this study.

Confidentiality:

The records of this study will be kept private. In any sort of report we might publish, we will not include any information that will make it possible to identify your identity. Research records will be stored securely and only researchers will have access to the records.

Your name, dorm number, and interview location will be masked, and any information will reveal your personal identity will not appear in the study. Your name and identity will remain confidential in any publications or discussions. Your name will not appear on any tapes or transcripts resulting from the interview. The interviews will be audio-recorded by a digital voice recorder, and the recording files will be stored on the researcher's computer; therefore all the recording files will be protected by setting a password, and researcher's computer will also be protected by setting a password, and only the researcher and the researcher's thesis chair have the access to this computer. All recording files will be deleted after the completion of this thesis.

Voluntary Nature of the Study:

Participation in this study is voluntary. Your decision whether or not to participate will not affect your current or future relations with the Liberty University or with School of Communication. If you decide to participate, you are free to not answer any question or withdraw at any time without affecting those relationships.

Contacts and Questions:

The researchers conducting this study are: *Bing Yang* and *Dr. Stuart Schwartz*. You may ask any questions you have now. If you have questions later, **you are encouraged** to contact *Bing Yang*, Liberty University School of Communication, (434) 851-2319, or via email at byang@liberty.edu, or contact *Dr. Stuart Schwartz*, Liberty University School of Communication, (434) 592-3712, or via email at sschwartz@liberty.edu.

If you have any questions or concerns regarding this study and would like to talk to someone other than the researcher(s), **you are encouraged** to contact the Institutional Review Board, Dr. Fernando Garzon, Chair, 1971 University Blvd, Suite 2400, Lynchburg, VA 24502 or email at fgarzon@liberty.edu.

You will be given a copy of this information to keep for your records.

Statement of Consent:

I have read the above information. I have asked questions and have received answers. I consent to participate in the study.

Signature: _____ Date: _____

Signature of Investigator: _____ Date: _____

Appendix II – Interview Protocols

- I. Planning the interview
 - A. Arranging the setting
 1. Eliminate surrounding distractions.
 2. Position the furniture/seats to allow a lower power distance.
 - B. Arranging the time
 1. Arrange the duration of the interview: 30 minutes.
 2. Get to know the surrounding events of the interviewee.
 - a. Avoid having interview immediately after a meal.
 - b. Avoid having interview between two major events.
- II. Conducting the interview
 - A. Opening
 1. Greeting
 - a. Give a brief self-introduction.
 - b. Set emotional tone and establish common ground.
 - c. Use positive, open nonverbal gestures.
 2. Orientation
 - a. State the purposes of the interview
 - b. Tell what information is needed and how it will be used.
 - c. Ask for the permission to interview, and the permission to tape.
 - B. Body
 1. Responsibilities of the interviewer
 - a. Control and focus the conversation.
 - b. Listen actively.
 - c. Use secondary questions and silence.
 - d. Take notes.
 2. List of topics to cover
 - a. Perceptions regarding IPR both in China and in the U.S.
 - b. Changes of perceptions and barriers to change
 - c. Collectivism/Individualism
 3. List of major questions
 - a. What is your perception regarding IPR/copyright when you are in China?
 - b. What is your perception regarding IPR/copyright after you living in the U.S. for the certain period of time?
 - c. What are some differences you have experienced regarding IPR/copyright between China and the U.S.?
 - d. In your opinion, what are some cultural aspects influence people behave differently regarding IPR/copyright between China and the U.S.?

- e. If any, what cause you to change your perception and behavior regarding IPR/copyright? Why?
 - f. If any, what are some barriers to keep you from change your perception and behavior regarding IPR/copyright? Why?
4. List of follow-up questions
- a. Gender, age, year if student, occupation, years of living in the U.S.
 - b. Have you ever think about the concept of IPR/copyright before?
 - c. Do you have any experience of buying/downloading pirated movies/songs/software? Or do you have any experience of witnessing others doing so? If any, please describe them. And please do not mention others' names.
 - d. Do you have any experience of being confronted/punished for using pirated materials both in China and in the U.S.?
 - e. Do you think IPR related laws are reasonable or not in the U.S.? Why?
 - f. Do you feel that you are willing to change your thinking or behaviors regarding IPR/copyright or you are forced to? Why?
 - g. Which one comes first, individual benefit or public benefit? Why?
 - h. Please give examples, clarification, descriptive statement, and structural explanation if needed.
- C. Closing
- 1. Ask if the interviewee wants to add more comments/suggestions/critiques.
 - 2. Give a brief review of all the answers and clarify the results.
 - 3. Ask if future results are needed by the interviewee, and leave contact information.
 - 4. Conclude with pleasantries and “thank-you”.
- III. Transcribing the interview
- A. Listen to recording 3 times
 - B. Keep a word-for-word written record.
 - C. Avoid “tidying up” language.
 - D. Verify notes with recording.
 - E. Keep correct date for each interview.

Appendix III – Interview Transcriptions

Interview 1 Transcription

BY = Bing Yang, Interviewer

1 = Interviewee 1 (one male undergraduate student who stayed in the U.S. for one and a half years)

BY: What is your age?

1: 20 years old.

BY: What school year are you in?

1: I'm sophomore.

BY: What major are you in?

1: Mathematics.

BY: How many years you have lived in the U.S.?

1: One and a half years.

BY: Have you ever think about the concept of IPR/copyright before?

1: I have little concept of IPR. I think IPR is the difference between piracy and genuine copies. Genuine copies have IPR, and pirated ones don't have. Buying pirated ones is a kind of behavior of infringing others' IPR. So we should not buy the pirated ones.

BY: What is your perception regarding IPR/copyright when you are in China?

1: I think in this area China is far behind other countries. For example, I am playing with Wii console, and everyone uses pirated discs in China. But here in America, almost all the American players use genuine discs. So from this phenomenon, we can see America is a country of legal rights, and focuses on IPR. So I think what China did is not enough.

BY: What is your perception regarding IPR/copyright after you living in the U.S. for the certain period of time?

1: I think the American IPR is very strict. To have the same entertainment, it's much cheaper in China than in America. But this act protects others' benefit better. So America is more advanced than China in this area.

BY: Do you have any experience of buying or downloading pirated movies, songs, or software?

1: After all it's the difference from paying money and not paying money. Everyone is doing so, so... Because of the technical development, something you downloaded from Internet didn't have good quality. I prefer better picture quality when I watch a movie, so I would buy some genuine DVDs. Plus some genuine DVDs have copy-protection, you cannot copy the content. Now buying genuine DVDs is a tendency, but downloading a book which has the same content as the real one, I would choose the free one, and I won't consider the IPR.

BY: Do you have any experience of witnessing or seeing others doing so? If any, please describe them. And please do not mention others' names.

1: Many people.

BY: What are some differences you have experienced regarding IPR/copyright between China and the U.S.?

1: I think it's rather to say that Chinese people don't respect IPR, but that American laws are stricter. The police will come if they know you're buying pirated products, but in China I have never heard this kind of things happened. So different countries have different ways.

BY: Do you have any experience of being confronted or even punished for using pirated materials both in China and in the U.S.?

1: I think people from different countries have different fears about IPR. People who know you, acquaintances, may not report you to police. However, strangers may report you to police, especially in this country – people treat each other equally. He pays the full price to have the genuine product, but you pay nothing. So it's not fair for him. I am good at hiding stuff, so no one confronted me before.

BY: Do you think IPR related laws are reasonable or not in the U.S.? Why?

1: I think American law is more complete than other countries. I think that if you want all the citizens to buy genuine copies, IPR law is reasonable. In China, some people buy the genuine copies; some people download the pirated copies, so it's unfair for the people who buy the genuine ones. So Chinese law is not reasonable. If there are people buying the genuine copies, the country should establish related laws to prevent other people from downloading pirated ones.

BY: Do you feel that you are willing to change your thinking or behaviors regarding IPR/copyright or you are forced to? Why?

1: I think for American, this is an obligation for follow the laws, like paying taxes, voluntarily. But foreign students who came from different countries, from different legal systems, probably cannot adapt to this environment at once. So I think I am forced to.

BY: In your opinion, what are some cultural aspects influence people behave differently regarding IPR/copyright between China and the U.S.?

1: I think so. It's connected with economic status. Chinese economy is not as good as American. For Americans, the cost of buying a genuine copy is equal to the cost of risking buying a pirated one. So it's not very hard for them to support genuine copies. However, in China, the gap between rich and poor is huge, and the amount of people who are able to support genuine copies is little. I don't think this issue connected with culture.

BY: Which one comes first, individual benefit or public benefit? Why?

1: A lot of companies are not afraid of sharing their product with the public. Most of these companies created lots of demos for the consumer to try. But they're only partial. If I make a product, I would like to send the demo to my friends to try, and then I can make money. Sometimes the public benefit and individual benefit don't contradict each other.

BY: If any, what cause you to change your perception and behavior regarding IPR/copyright? Why?

1: I think the Chinese government should control this part. The reason people don't support genuine copies, simply because they're expensive. The government should provide subsidies to the publishers, so that the publishers could lower down the price, and more people would

support genuine copies.

BY: If any, what are some barriers to keep you from change your perception and behavior regarding IPR/copyright? Why?

1: The Chinese laws are not complete. The government should have more strict laws. And still the price is important. I remember when I was in primary school; one CD only cost 10-20 yuan, and not once CD costs 30-40, almost doubled the price. I think this is not a good phenomenon.

Interview 2 Transcription

BY = Bing Yang, Interviewer

2 = Interviewee 2 (one female undergraduate student who stayed in the U.S. for two years)

BY: What is your age?

2: I'm 18 years old, and I was born in 1991.

BY: What school year are you in?

2: Freshman.

BY: What major are you in?

2: Nursing.

BY: How many years you have lived in the U.S.?

2: Including one year in high school, already two years.

BY: Have you ever think about the concept of IPR/copyright before?

2: I never tried to understand it. I have heard copyright, but I never thought about it before. And I don't think it's related to me very much. So there's no concept.

BY: What is your perception regarding IPR/copyright when you are in China?

2: Because I didn't attempt to understand it, so basically I have not perception regarding IPR, and I have not thought about it. I have heard copyright on TV, but I have no concept.

BY: What is your perception regarding IPR/copyright after you living in the U.S. for the certain period of time?

2: For example, the textbook is so expensive in America, so I have a deep impression about copyright in America. I think I know a little more about IPR than in China, but I still don't know it very well. I know that this area is quite different in America than in China.

BY: Do you have any experience of buying or downloading pirated movies, songs, or software?

2: I use PPS for videos and KuGou for music. I was using them when I was in China, and I am still using them here in America. It's a habit, and everybody is using them for movies and songs.

BY: Do you have any experience of witnessing or seeing others doing so? If any, please describe them. And please do not mention others' names.

2: Everyone. Everyone from China did so.

BY: What are some differences you have experienced regarding IPR/copyright between China and the U.S.?

2: The laws here are very strict, and people have these laws to protect their own interest. But in China, the laws are not so strict. And there are so many pirated copies in China, which affect the genuine ones. But in America, the situation is much different and better.

BY: Do you have any experience of being confronted or even punished for using pirated materials both in China and in the U.S.?

2: I have not been punished, because I didn't use pirated copies too much in China, and in America, I just listen to the music and watch movies. I mostly watch movies in movie theaters, because it's more comfortable. Yes, some Americans have asked me questions like,

“is it a kind of stealing?” At that time, I started to realize something, something I did wrong. And I started to think about issues of this area.

BY: Do you think IPR related laws are reasonable or not in the U.S.? Why?

2: It depends on different people. I didn't make money from it, and I just did it for my own entertainment. Actually, these laws are reasonable, because it can protect the people who own the copyrights.

BY: Do you feel that you are willing to change your thinking or behaviors regarding IPR/copyright or you are forced to? Why?

2: I will be very hard for me to delete the song I have in my computer, but I can do the things like watching movies in movie theaters. I did not make commercial benefit from those pirated materials.

BY: In your opinion, what are some cultural aspects influence people behave differently regarding IPR/copyright between China and the U.S.?

2: America is a big melting pot, and every culture is in it, so it needs a set of clear law system to control all the cultures. In China, all of us have to listen to Communist Party of China, and we are a communist country. But it's too idealistic, we cannot achieve that. In such a one-party autocratic environment, we listen to and obey one person. So it's hard to control the issues in lower levels. People have different opinions, especially there's a lot of corruptions in the party. So much people were under the control of such a small party, such as the freedom of speech, sometimes it's so hard for someone to say their opinions, who they are talking to. A lot of people just want to make money, and they only concern about themselves. So even some people are controlling the piracy and establishing the laws, no one would follow them. One was caught and fined. They are just doing the superficial works.

BY: Which one comes first, individual benefit or public benefit? Why?

2: Public benefit is more important. One should not be selfish. It's not right if your own benefit affect other's benefit.

BY: If any, what cause you to change your perception and behavior regarding IPR/copyright? Why?

2: Right now I am the party who is enjoying. If I am the party whose benefit was being infringed, my thinking will be definitely changed.

BY: If any, what are some barriers to keep you from change your perception and behavior regarding IPR/copyright? Why?

2: No one come to stop me from downloading pirated file. I have no conscience of misusing copyrights.

Interview 3 Transcription

BY = Bing Yang, Interviewer

3 = Interviewee 3 (one male graduate student who stayed in the U.S. for half a year)

BY: What is your age?

3: 25.

BY: What school year are you in?

3: First year in graduate school.

BY: What major are you in?

3: Communication.

BY: How many years you have lived in the U.S.?

3: Half a year.

BY: Have you ever think about the concept of IPR/copyright before?

3: Yes. It's like invention, product of company, book, music, movie, or somebody's work that they own it, and they have the right over that.

BY: What is your perception regarding IPR/copyright when you are in China?

3: Kind of the same, but I think probably China is not very serious about copyright in a lot of areas, so I didn't think it as a serious issue. If I download something, I would think that I commit a crime. But here in America, probably I would think about it.

BY: What is your perception regarding IPR/copyright after you living in the U.S. for the certain period of time?

3: I think copyright is related to individualism. If somebody makes a contribution in writing, music, or film, and the whole society recognize that. He owns the copyright, and everybody respect that. If you steal the copyright, and if you do something that is illegal to the copyright law, probably it's more like a stealing thing.

BY: Do you have any experience of buying or downloading pirated movies, songs, or software?

3: Yes. I have downloaded some movies, songs, and software.

BY: Do you have any experience of witnessing or seeing others doing so? If any, please describe them. And please do not mention others' names.

3: Yes. I've never seen an American doing that. I definitely know Chinese, especially young generations, would use downloading software to download all kinds of things.

BY: What are some differences you have experienced regarding IPR/copyright between China and the U.S.?

3: I think China was criticized by America or other countries for this issue. It seems that Chinese government has been improving this situation by pushing the restricting laws against crimes over copyrights. I noticed before if you watch things online, like a video clip website, they used to have a lot of American movies; but right now they wouldn't put all these movies on their website. They tend to put Chinese movies and TV shows on the website. I don't know if they have a different restriction against the Chinese copyright and American copyright, but they just did this. I do think China has a law there to protect copyright, but I don't know it is

facilitated strictly.

BY: Do you have any experience of being confronted or even punished for using pirated materials both in China and in the U.S.?

3: No. When I was working in China, the school that I was working in used a lot of English materials from other countries. They were very careful of copying these materials in limited amount of pages.

BY: Do you think IPR related laws are reasonable or not in the U.S.? Why?

3: I think it's reasonable, because even though a lot of the products they protected you cannot see, they have the same nature from music to tables that people put effort into.

BY: Do you feel that you are willing to change your thinking or behaviors regarding IPR/copyright or you are forced to? Why?

3: I don't think for now I will change my downloading stuff. But if I am not punished, I wouldn't change right away, because it's very easy to do that, and nobody is watching you. Also, a lot of music I downloaded is Chinese music. I don't know if they have copyright against that. It's very popular to download Chinese music from website, and nobody see that it is not right.

BY: In your opinion, what are some cultural aspects influence people behave differently regarding IPR/copyright between China and the U.S.?

3: Probably I would say two things. One thing I have mentioned before is that Americans really appreciate individual effort, and they would reward them with the rewards they deserve. So all their contribution need to be protected, so it a kind of individualistic thing. The other thing is that Chinese has a culture as "if everybody doing that, then it seems fine." In Chinese, we have an idiom – "Laws against the most are no more laws." Majority is doing that, and then it is very hard to enforce the law.

BY: Which one comes first, individual benefit or public benefit? Why?

3: In my opinion, individual benefit should come first. A lot of times I choose public benefit first, but I believe individual benefit should be in the first place. I believe in sharing, but I would make sure people who invented things, who wrote a book, or who wrote a song, get their benefits.

BY: If any, what cause you to change your perception and behavior regarding IPR/copyright? Why?

3: I think if the government really follows the law strictly, what I am doing right now contradicts the copyright law. I think Chinese government knows the situation right now, it knows there are several downloading software programs, but they didn't do things about the situation. I am waiting for government doing something first, then I might change my actions.

BY: If any, what are some barriers to keep you from change your perception and behavior regarding IPR/copyright? Why?

3: First, it's very easy and convenient to download. Second, it's too expensive to really do things properly. It's very expensive to buy CD or DVD. Last, it seems it's OK to do that.

Interview 4 Transcription

BY = Bing Yang, Interviewer

4 = Interviewee 4 (one female graduate student who stayed in the U.S. for one and a half years)

BY: What is your age?

4: 25.

BY: What school year are you in?

4: Second year in graduate program.

BY: What major are you in?

4: Communication studies.

BY: How many years you have lived in the U.S.?

4: A little more than one and a half years.

BY: Have you ever think about the concept of IPR/copyright before?

4: Not really. I know basically the concept, but I don't know exactly what it is. It's the right of someone's knowledge and other things.

BY: What is your perception regarding IPR/copyright when you are in China?

4: I was not very aware of IPR. I am not taking it seriously either. I think it's not very enforced in China.

BY: What is your perception regarding IPR/copyright after you living in the U.S. for the certain period of time?

4: Of course people here take it more seriously and they make you to think about it and consider it, and to respect people's knowledge. I think people here are very cautious about it.

BY: Do you have any experience of buying or downloading pirated movies, songs, or software?

4: Yes. In China, every CD and DVD we bought is pirated. I have a lot of experience, movies and songs. Because I am not good at computer, so I didn't use pirated software.

BY: Do you have any experience of witnessing or seeing others doing so? If any, please describe them. And please do not mention others' names.

4: Yes. All of my friends around me are doing the same thing. I don't know about Americans, because maybe I am around with too many Americans. I think they always buy those things with copyright, instead of using pirated ones. Because I got my computer after I got here, and one of my American friends bought the software and install it for me. He bought the software, and it can be installed on three computers, so he let me use once. So I think people here don't use pirated or downloaded software too much.

BY: What are some differences you have experienced regarding IPR/copyright between China and the U.S.?

4: I think the Americans respect the right more than Chinese do, and they even prefer to spend more money instead of breaking the law or steal people's right.

BY: Do you have any experience of being confronted or even punished for using pirated materials both in China and in the U.S.?

4: No. But after I came here, I'm more cautious about it. I don't want people to know, maybe

because I'm afraid someone will confront me.

BY: Do you think IPR related laws are reasonable or not in the U.S.? Why?

4: I am not involved this too much, and I don't usually download things too much. I think it is reasonable. We need to respect the law. But I am not very familiar with the law, like what things are not allowed and what things are allowed. But I think a lot of them are good, because when we are writing a paper, plagiarism is very serious here, we cannot just copy someone's work. But in China, a lot of students are doing that. No one even tells them it's not right.

BY: Do you feel that you are willing to change your thinking or behaviors regarding IPR/copyright or you are forced to? Why?

4: Not forced to. I don't feel anyone is forcing me to. I think I am willing to, but I am not sure once I get back to China. Sometimes the temptation – it's free, and people cannot reject the temptation, especially we are not growing with the conception that piracy is illegal. So it's difficult for me to change if I am willing to.

BY: In your opinion, what are some cultural aspects influence people behave differently regarding IPR/copyright between China and the U.S.?

4: Maybe people here consider human rights more important, and in China maybe not. And the atmosphere made people doesn't take it very seriously. And the cost, people cannot afford to buy those things, because Chinese people are not, comparing to Americans, that rich. And also maybe the education, we are not told too much it's wrong, and we haven't been educated this way.

BY: Which one comes first, individual benefit or public benefit? Why?

4: I think right now it's individual benefit. But several years ago, I would say public benefit. I think I am changing. Right now I think everyone is so important, and everyone is so unique, and everyone's human right is so important. We cannot say that public has the benefit to sacrifice someone else's benefit. It depends on that individual, if he's willing to open it for the public use; it's his right to do it. But we cannot make the decisions for him to disturb him and steal his right.

BY: If any, what cause you to change your perception and behavior regarding IPR/copyright? Why?

4: My experience in the States maybe. The integrity is very important. Even I am still downloading things, I am willing to change. You realize it's not something right to do it; it's just like stealing something from somebody. And Christianity causes you to become more cautious about what you're doing are right.

BY: If any, what are some barriers to keep you from change your perception and behavior regarding IPR/copyright? Why?

4: Temptation. Save money, you just download movies from Internet instead of buying the expensive DVDs, so I think the price is biggest case.

Interview 5 Transcription

BY = Bing Yang, Interviewer

5 = Interviewee 5 (a one male undergraduate student who stayed in the U.S. for one month)

BY: What is your age?

5: 19.

BY: What school year are you in?

5: Freshman.

BY: What major are you in?

5: Business finance.

BY: How many years you have lived in the U.S.?

5: Just one month.

BY: Have you ever think about the concept of IPR/copyright before?

5: I know most of the Americans consider that IPR is very important, but I think most of the Chinese prefer to pirate. Because the living standard is relatively low, so we prefer piracy with low price. For me, personally I think there's no such big difference between genuine copies and pirated copies. There is no quality difference; the only difference is that a genuine copy has a trademark which makes it legal.

BY: What is your perception regarding IPR/copyright when you are in China?

5: In China, there's few education about the area of IPR. For example, when we are in middle school and high school, some teachers tended to buy some pirated books for us, and they are very happy to tell us that we have helped you save such amount of money. In Chinese society, many people tend to buy pirated copy, and it connects with the economy – we are not rich. Rich people might choose genuine copies, but majority of Chinese are poor.

BY: What is your perception regarding IPR/copyright after you living in the U.S. for the certain period of time?

5: The first thing I noticed is that I cannot find pirated copies here, and this is a huge difference. Most people here tend to buy genuine copies. Many people buy genuine copies spontaneously here, but when we buy something, we would first ask for pirated ones. Because we concern money more, and they concern copyright more.

BY: Do you have any experience of buying or downloading pirated movies, songs, or software?

5: Always. I rarely download songs, and I almost don't download movies.

BY: Do you have any experience of witnessing or seeing others doing so? If any, please describe them. And please do not mention others' names.

5: It can be hardly seen here, but in China there are a lot. However, when I was traveling, I always see some foreigners, maybe they are Americans, have a lot of pirated DVDs in their bags.

BY: What are some differences you have experienced regarding IPR/copyright between China and the U.S.?

5: I think it also related to economy. For example, a book costs 40-50 dollars, and Americans

would buy this book, but I don't think there will be a Chinese would buy a book costs 300-400 Chinese yuans. If a Chinese buys this book, he must be a person at the top of Chinese society.

BY: Do you have any experience of being confronted or even punished for using pirated materials both in China and in the U.S.?

5: Sometimes when I downloaded some songs from Internet, my roommate told me that it's not allowed in America.

BY: Do you think IPR related laws are reasonable or not in the U.S.? Why?

5: In my opinion, I think it's not reasonable. For me, a Chinese, my parents can earn about 2,000 dollars a month, so my family could not afford my textbook copyright fees. However, in an American's perspective, it's a normal thing. My roommate told me that the government will provide some financial subsidy for some low income families. And they can live a very comfortable life also can afford the IPR fees. For me, I would choose pirated copies.

BY: Do you feel that you are willing to change your thinking or behaviors regarding IPR/copyright or you are forced to? Why?

5: I have thought about this issue before. In high school, we had discussed with our teachers about the difference of IPR between China and western countries. My teacher said that one or two of us cannot change the situation of IPR; it's the whole society's problem. In China, if a genuine copy has the same price as the pirated one, the pirated copies cannot be developed. But our hearts desire genuine copies than pirated ones. However, if I go back to China and buy genuine copies, it doesn't make any change: first, I am the one who get hurt, because I don't see any difference between pirated copies and genuine copies; second, people will say that I am stupid if I buy genuine copies. So I can change myself, but what I can change is so little, the whole society should do something.

BY: In your opinion, what are some cultural aspects influence people behave differently regarding IPR/copyright between China and the U.S.?

5: Yes, there're some cultural influences. Because China is transforming from poor society to a wealthier society, Chinese tend to calculate small gain or loss. Chinese people tend to choose the 2 dollars product over the 5 dollars product. So it works for IPR, with the same quality, people tend to choose pirated copies over genuine copies.

BY: Which one comes first, individual benefit or public benefit? Why?

5: Of course public benefit. In China, we always say to protect the forest. But people live in the forest with low income have to cut the trees down to make firewood. If the government can give them some money, they will not cut down the trees, and the forest cannot be destroyed. We must see the source of a problem and see in depth instead of from surface.

BY: If any, what cause you to change your perception and behavior regarding IPR/copyright? Why?

5: If all the Chinese people buy genuine copies, I would buy too. If everyone buys pirated copies in China, I would buy too. The whole society and culture will influence me. In China, many people steal bicycles and sell them, and my mom said she will never buy a second-hand bicycle because she said if no one buys the stolen bicycles, no one will steal bicycles.

BY: If any, what are some barriers to keep you from change your perception and behavior regarding IPR/copyright? Why?

5: First, financial difficulties. If I can make four to five thousand dollars a month, I will naturally buy the 30-40 dollars books. Second, my friends and the society: if everyone around me buy pirated copies, and I buy genuine copies, it's not harmonious, and others may think I am showing off or I am stupid. I would like to buy genuine copies, but I am more afraid people say such thing to me. Third, there are a lot low-educated people in China, and their minds are not civilized and they have no concept about IPR. So they focus on price rather than other things.

Interview 6 Transcription

BY = Bing Yang, Interviewer

6 = Interviewee 6 (a one female undergraduate student who stayed in the U.S. for less than six months)

BY: What is your age?

6: 18.

BY: What school year are you in?

6: Freshman.

BY: What major are you in?

6: Communication journalism.

BY: How many years you have lived in the U.S.?

6: Almost half a year.

BY: Have you ever think about the concept of IPR/copyright before?

6: One person invents something, and it belongs to him, and after registering, others cannot use it without his approval.

BY: What is your perception regarding IPR/copyright when you are in China?

6: I just know that we can download anything. People don't care about it too much, or maybe just me who don't care.

BY: What is your perception regarding IPR/copyright after you living in the U.S. for the certain period of time?

6: When writing an article, it must be cited properly if I use someone else's article. And it's not allowed to download stuff on Internet.

BY: Do you have any experience of buying or downloading pirated movies, songs, or software?

6: Yes. All of the three kinds.

BY: Do you have any experience of witnessing or seeing others doing so? If any, please describe them. And please do not mention others' names.

6: Yes. And all of them are Chinese.

BY: What are some differences you have experienced regarding IPR/copyright between China and the U.S.?

6: Maybe China doesn't care about this issue or Chinese people don't care about this issue. We don't have the concept that a thing created by someone and it only belongs to that person. Americans care more about this issue. If you plagiarize, you face serious consequence, but in China, you're not.

BY: Do you have any experience of being confronted or even punished for using pirated materials both in China and in the U.S.?

6: No. But sometimes Americans are very surprised that I can download a movie from Internet, they are a little angry sometimes.

BY: Do you think IPR related laws are reasonable or not in the U.S.? Why?

6: I think it's reasonable, because it can protect the things that you created from being infringed.

BY: Do you feel that you are willing to change your thinking or behaviors regarding IPR/copyright or you are forced to? Why?

6: I think in America, I will follow the law. But in China, because of the environment or lack of laws, I won't care too much about it.

BY: In your opinion, what are some cultural aspects influence people behave differently regarding IPR/copyright between China and the U.S.?

6: Americans are more independent, and they focus on themselves very much. But in China, people focus more on sharing the product, and we always talking about uniting and sacrificing, so we tend to share.

BY: Which one comes first, individual benefit or public benefit? Why?

6: Individual benefic comes first, because what you are pursuing is to make your life better. And the so-called public benefit is too broad.

BY: If any, what cause you to change your perception and behavior regarding IPR/copyright? Why?

6: In America I will follow the law. The environment, people around you, and their behaviors will affect me. Maybe I stay here longer; I will develop this kind of habit.

BY: If any, what are some barriers to keep you from change your perception and behavior regarding IPR/copyright? Why?

6: In China, there's not clear boundary between the trespassing other's right and not trespassing, so downloading is a very common thing, and becomes a part of life, so it's very hard to overcome this living style – a living style with no laws.

Interview 7 Transcription

BY = Bing Yang, Interviewer

7 = Interviewee 7 (a one male undergraduate student who stayed in the U.S. for two years)

BY: What is your age?

7: 19.

BY: What school year are you in?

7: I'm sophomore.

BY: What major are you in?

7: Teaching English as a Second Language, TESL.

BY: How many years you have lived in the U.S.?

7: Two years.

BY: Have you ever think about the concept of IPR/copyright before?

7: I do. When I was trying to find some music or movies, I was thinking about it. But honestly, for me, it's just easier to find it and download it online. So I don't see the need to purchase a song for a dollar. So this is my way of thinking.

BY: What is your perception regarding IPR/copyright when you are in Hong Kong or China?

7: I mean, if I am the director or the music recorder, I would want somebody to pay me the money for the product that I created. But there are 1.2 billion people in China daily downloading music. And the living is too expensive in China. It is just impossible for them to spend extra money on entertainment. So that's a way for them to download music or movie for free, and it's a lot easier and more convenient for them. I think it's a problem, but it's necessary.

BY: What is your perception regarding IPR/copyright after you living in the U.S. for the certain period of time?

7: All my American friends were really angry and explain why music or movie downloading should be charged, when I was trying to arguing to download for free. Almost 90% American people have a serious attitude at downloading music and movie. So I really feel a lot more aware about what happening about IPR and a lot more cautious about what I am doing. So next time when I download a music, I will think about it first.

BY: Do you have any experience of buying or downloading pirated movies, songs, or software?

7: Yeah, daily. Mostly I would watch the movie online instead of downloading the whole file, because it's a lot quicker to watch movie online in high quality through P2P or filing sharing. I personally don't download movie, because it cost me so much time. I can just watch it faster online. For music, it's a lot easier. I have a software, and you can just type the singer's name, and find all the music files' names. So you can it in ten seconds. So I would do that.

BY: What about softwares?

7: Yeah, like Microsoft Office, the authentic ones are too expensive. It would cost one hundred American dollars or more, I couldn't afford it. So you just can find a pirated one for free. It's a lot easier and quicker to do it.

BY: Do you have any experience of witnessing or seeing others doing so? If any, please describe them. And please do not mention others' names.

7: Oh yeah, actually my American roommate, and he's a ROTC military guy, he can know a lot ways to download music. Even an American has a hundred ways to download music for free.

BY: What are some differences you have experienced regarding IPR/copyright between China and the U.S.?

7: Here in America, for example, in Apple store you buy a song for one dollar. But in China, you just type a CD album name, and you got the whole list of the songs. In America, most people are aware and cautious about the copyright, but when I was in Hong Kong, I didn't know anything about it. It's like a daily thing that you can just find music online. I think the biggest difference is that Americans are more serious about the copyright and those laws, and American citizens take this downloading seriously, and consider this is an illegal act. Yet a lot of Chinese people don't aware of this.

BY: Do you have any experience of being confronted or even punished for using pirated materials both in China and in the U.S.?

7: Not punished, but when I downloaded a movie which was not in theater yet and we were watching it, and he was confronting me by saying, "downloading is not right, you know." That's the only time I was confronted by an American.

BY: Do you think IPR related laws are reasonable or not in the U.S.? Why?

7: I think it's reasonable in U.S., because the average salary in US is much higher than in China. So it's reasonable to charge the relative price for the music and movie, or the copyright. However, on the contrary, the average salary is a lot lower than in America. In that way, if you charge them at the same price as Americans, like one dollar a song, I think it's unfair. Therefore, what I thought if you can charge Chinese in a relatively reasonable price, that will at least be a way to discuss with Chinese people, and there will be a way to try to not download illegally. But, on the contrary, if an American still tries to charge Chinese people the same amount of money, I don't think that Chinese stopping downloading will ever happen.

BY: Do you feel that you are willing to change your thinking or behaviors regarding IPR/copyright or you are forced to? Why?

7: If one day I stay in America, and I have a stable job, I might think about it to not download illegally. Until then, I will still do it.

BY: In your opinion, what are some cultural aspects influence people behave differently regarding IPR/copyright between China and the U.S.?

7: I think in America, ever since one was born in America, he was taught by the teacher, parents, and even the church about copyright – "downloading illegally is wrong," "buying pirated CDs is wrong." But in China, on the contrary, on one is talking about the copyright. We don't really have that idea, until we turn to adolescence. It seems that the peer pressure is another thing. In America, if you download some songs, you don't proudly talk about it with your friends. Everyone knows that downloading is wrong, so you won't openly talk about it if you download. If you are in China, on the contrary, downloading is just a way of living.

Everyone is doing the same thing. So I think peer pressure is another thing to prevent Americans from downloading online.

BY: Which one comes first, individual benefit or public benefit? Why?

7: Well, I believe in individual benefit, but I also like sharing. If I made a CD for fun, I, of course, would like to give it to my friends for free. If I would like to be famous in America, I still want to charge for my CDs. In China, when I publish my CD, my friends will also buy my authentic CDs. There are different ways to charge: in America, people can charge the songs, while in China, people can charge the advertisement.

BY: If any, what cause you to change your perception and behavior regarding IPR/copyright? Why?

7: As long as they do charge me one dollar per song, I don't think I would ever go to buy it. Frankly, there's no way for Chinese to afford such price just for entertainment. Actually, they still have trouble in normal living. So as long as they charge me with the high price, I don't think I would change my behavior, until I have a job in America, and I am living in an American living style. As long as I still a Chinese citizen using the Chinese money, I don't think I would ever change my behavior.

BY: If any, what are some barriers to keep you from change your perception and behavior regarding IPR/copyright? Why?

7: Price and living styles.

Interview 8 Transcription

BY = Bing Yang, Interviewer

8 = Interviewee 8 (one female undergraduate student who stayed in the U.S. for two years)

BY: What is your age?

8: 20.

BY: What school year are you in?

8: Freshman.

BY: What major are you in?

8: Business finance.

BY: How many years you have lived in the U.S.?

8: Two years.

BY: Have you ever think about the concept of IPR/copyright before?

8: I've heard of IPR before, I have no clue.

BY: What is your perception regarding IPR/copyright when you are in China?

8: I think it's ok to copy CDs, because in China most people copy the CDs. But I didn't mean someone wrote a paper, and you can copy it. For convenience, you can copy music. So I think copying music is ok generally.

BY: What is your perception regarding IPR/copyright after you living in the U.S. for the certain period of time?

8: Misusing copyright is a kind of cheating, and it's a serious thing. In America, it's not allowed to do that. So if you live in America, you should do what Americans suppose to do.

BY: Do you have any experience of buying or downloading pirated movies, songs, or software?

8: Yes, I do. You can download music from Baidu.com and KuGou.

BY: Do you have any experience of witnessing or seeing others doing so? If any, please describe them. And please do not mention others' names.

8: As long as I know most Chinese students. When I was back in China, we do the same thing. Maybe Americans do it, but I didn't see them doing so.

BY: What are some differences you have experienced regarding IPR/copyright between China and the U.S.?

8: Americans are stricter than Chinese people, and are the laws.

BY: Do you have any experience of being confronted or even punished for using pirated materials both in China and in the U.S.?

8: No. I didn't that's pirated. I mean when I do that, I don't know what I am doing. I don't know it's related to copyright or stuff like that.

BY: Do you think IPR related laws are reasonable or not in the U.S.? Why?

8: It depends. Some important stuff is reasonable, but I think you can just ignore those little things. Like the music, if you think it's good music, and you can download it, and you can spread it to everybody, you can share the music to everybody. Because in one way, it's good for the singers; in the other way, you just shared the good stuff with everybody. If you have

to pay for it, most people don't want to spend several dollars to buy one song online. It's not worthy to do it.

BY: Do you feel that you are willing to change your thinking or behaviors regarding IPR/copyright or you are forced to? Why?

8: It depends. I just mentioned the big cases and little things. If you produce a product, and you have the rights, and it's a big deal if somebody copies yours. But if you listen to a song, I think it's ok.

BY: In your opinion, what are some cultural aspects influence people behave differently regarding IPR/copyright between China and the U.S.?

8: For China, I think we have weak law system, and America does well in that part.

BY: Which one comes first, individual benefit or public benefit? Why?

8: For the big case, I think that individual benefit comes first. Because it's people's rights to have their own rights protected.

BY: If any, what cause you to change your perception and behavior regarding IPR/copyright? Why?

8: I just feel kind of strange why American people have to spend money to get one song. I think the first thing is the law, and people try to behave themselves and they tell their children to do that. From their younger age, they have the basic knowledge, so they will do that and follow the words their parents told them to do.

BY: If any, what are some barriers to keep you from change your perception and behavior regarding IPR/copyright? Why?

8: I just feel it's more convenient to do something if you don't follow the IPR laws. It depends on their thoughts. If a writer wrote a book, a dancer created a beautiful dance, it's a big case. If it is small enough to ignore, I will do that, like downloading the music, maybe not the movies. You should pay for the movies and follow the right way to do it.

Interview 9 Transcription

BY = Bing Yang, Interviewer

9 = Interviewee 9 (one male undergraduate student who stayed in the U.S. for more than four years)

BY: What is your age?

9: I'm 22.

BY: What school year are you in?

9: Sophomore.

BY: What major are you in?

9: Biology pre-med.

BY: How many years you have lived in the U.S.?

9: Over four years.

BY: Have you ever think about the concept of IPR/copyright before?

9: I think this kind of problems have been emphasized in this past ten years. So yes, I have heard about it before. I don't know the definition, but basically IPR means if someone invents something or creates a product, then others cannot copy his ideas or products and use them as their own properties.

BY: What is your perception regarding IPR/copyright when you are in China/Taiwan?

9: I think in Taiwan, the situation is quite different. There are still differences between Taiwanese concept and American concept. I think American people focus this kind of problems more seriously. But in Taiwan, from my understanding, in the big institutions or schools, people might take it seriously. But personally, people don't really take care of it, or sometimes they just ignore it, because, quite frankly, it's convenient to copy something from someone. For instance, in my church, if we need some books during the worship, we will go onto the Internet and search for the songs, and just download it, or we will just copy some pages from the books. So I think people know IPR, but they just ignore it sometimes, and we don't really take it very seriously.

BY: What is your perception regarding IPR/copyright after you living in the U.S. for the certain period of time?

9: I think my perception will be like this: I think in the United States, people take it sometimes too seriously from my perception. Because I believe once people create something or produce something, their purpose is to let more and more people use their products. For instance, a musician wrote a song, because he wants people to listen to his song. However, once they create or product them, it's according to the law of the company; therefore it has something to deal with the money issue. However, there're a lot of people who cannot afford to buy their products, but they still want to listen to this musician's songs. So what do they do? They will find some other ways, for instance, you probably know a lot of people will upload songs or something else on Internet, so people can download it and they can listen to it. So through this kind of ideas or means, they can listen to musicians' songs, and they can get

more information. Sometimes it's hard to say who is right and who is not right, because if you really want to be too demanding about the copyright, it'll be hard to spread out your ideas and your information.

BY: Do you have any experience of buying or downloading pirated movies, songs, or software?

9: Yes, I have done that before. I think I have tried every single one before.

BY: Do you have any experience of witnessing or seeing others doing so? If any, please describe them. And please do not mention others' names.

9: Yes. I don't think they're all Chinese, but I believe there're probably more Chinese people doing that than American people. I have also seen Americans were doing that.

BY: What are some differences you have experienced regarding IPR/copyright between China and the U.S.?

9: For instance, it's easy to copy a book by using a copy machine. You can just go to a convenience store and then you can ask them to copy a book for you. But it's quite different in the States. In the States, people usually don't see a convenience store which copies stuff for others. And you cannot find places like this.

BY: Do you have any experience of being confronted or even punished for using pirated materials both in China and in the U.S.?

9: Yes. One time I share with my dad that it's very cheap to buy DVDs and movies in China, only 2-3 dollars for a DVD. My dad told me that he thinks that's not right, and he thinks I shouldn't do that. I think there's problem related to the definition of IPR, I think this definition is too limited. In China, sometimes you are not able to buy a real one, it's all fake, and so you have to buy a fake one.

BY: Do you think IPR related laws are reasonable or not in the U.S.? Why?

9: I think it's right. We must have some laws to regulate the IPR, so people will not take someone else's right for granted. But it must be very precise. I think the companies have to protect their own properties, because that's their own problem. They cannot ask the government to help them, because sometimes it's the government's responsibility, but the company's.

BY: Do you feel that you are willing to change your thinking or behaviors regarding IPR/copyright or you are forced to? Why?

9: Personally I don't download music or movies, but it depends on where I go. If in the United States, I just want to follow the rules, and I don't want to break the laws. But when I go back to China or Taiwan, there's no definite law, and if I really need something, I think I would still break the law or IPR. Sometimes you know, I said before, it's not my fault, because the environment is different.

BY: In your opinion, what are some cultural aspects influence people behave differently regarding IPR/copyright between China and the U.S.?

9: I don't think it relates too much to culture. I think because maybe China is still not very wealthy, it's hard to force people the law of IPR. People are poor, so they cannot buy expensive real good quality stuff. But in the States, most people are able to buy the real products. Along with the economic situation, when people become wealthier and have better

living quality, they will take care of something else; they will try to improve them. But in China, there are still some people are trying to survive. A lot of people are hungry, so they cannot really think of that.

BY: Which one comes first, individual benefit or public benefit? Why?

9: For governments, they want other investors to come to their countries, and the investors want these countries to be very regulated with very defined laws. For individuals, they prefer individual benefit.

BY: If any, what cause you to change your perception and behavior regarding IPR/copyright? Why?

9: I think it's according to my ability, and it also depends on when I can follow. If someone thinks he doesn't have to buy the real stuff, he just wants to listen to some bad quality music, or watch some bad quality movies; they don't really have to buy the real one. But I personally like to buy real stuff, because I think they have spent a lot of time to produce the product, so they deserve us to spend our money to buy their products.

BY: If any, what are some barriers to keep you from change your perception and behavior regarding IPR/copyright? Why?

9: The biggest thing is fake one is so cheap, and that's a very realistic problem. If it's cheap, why not buy the expensive one. Also if the quality has no differences, of course people buy the cheap one. That's the biggest temptation.

Interview 10 Transcription

BY = Bing Yang, Interviewer

10 = Interviewee 10 (a one female graduate student who stayed in the U.S. for five years)

BY: What is your age?

10: 24.

BY: What school year are you in?

10: First year in graduate school.

BY: What major are you in?

10: Communication.

BY: How many years you have lived in the U.S.?

10: Five years.

BY: Have you ever think about the concept of IPR/copyright before?

10: Yes, I've thought about it before. From what I've learned, copyright means that if I have created something, a song, a movie, whatever, it's my property. So I have to apply for copyright to protect it, so people won't copy or publish it before me.

BY: What is your perception regarding IPR/copyright when you are in Hong Kong or China?

10: I know a lot people back home try to download music or movie. I think you shouldn't do it. Even a lot people doing it, I still try not to. Because I think people's work cost money, if I own it, I should pay for it.

BY: What is your perception regarding IPR/copyright after you living in the U.S. for the certain period of time?

10: I think it makes my belief stronger. Because things in the US are limited, people just cannot download everything online. So I think it's a right thing to do.

BY: Do you have any experience of buying or downloading pirated movies, songs, or software?

10: Yes. Songs mainly. Before there was Napster, and people were sharing songs. I was too young, and I didn't understand anything about it. I thought that was cool, so I shared songs online. I won't buy pirated movies, but some people may share their pirated movies with me. I think someone has given pirated Office, but I didn't install it on my computer.

BY: Do you have any experience of witnessing or seeing others doing so? If any, please describe them. And please do not mention others' names.

10: A lot. Sometimes in America, but back in Hong Kong all the time. Mostly Chinese, I would say.

BY: What are some differences you have experienced regarding IPR/copyright between China and the U.S.?

10: Like I said, US stays more protected, but I think they are going to the same direction now. I think Chinese people are trickier, so they find ways to violate the copyright law without getting in trouble. In America, all the internet accounts are connected, they can find you IP, and they can arrest you by downloading pirated stuff. But in China, I don't think they impose that law that strictly. So I think there are still some differences, and Americans take it more

seriously than Chinese people.

BY: Do you have any experience of being confronted or even punished for using pirated materials both in China and in the U.S.?

10: No. If you watch movies, they have warning in the beginning, saying you shouldn't do this and that, but I was not confronted. I am the person to confront others.

BY: Do you think IPR related laws are reasonable or not in the U.S.? Why?

10: I think it's reasonable. I've seen news before some people tried to download songs illegally, and they got in trouble, they had to pay a lot of money. I think the amount of money may be too much for punishment, but I think it is reasonable overall. If you do it in the beginning, you don't suffer the consequence.

BY: Do you feel that you are willing to change your thinking or behaviors regarding IPR/copyright or you are forced to? Why?

10: I agree with the law, so I am willing to abide by the law.

BY: In your opinion, what are some cultural aspects influence people behave differently regarding IPR/copyright between China and the U.S.?

10: I think it's the individualism/collectivism idea, because Chinese love to share. So if I get a CD, and it's really good, I would give friends to burn it or download it. But in America, you mind you own business. I pay for it, and it's mine. So it's not so problematic. In China, it seems like we have to share, or else would look you as a selfish person. I think that's one of the very big reasons that why Chinese people have this kind of problems, because we feel like we have to share everything.

BY: Which one comes first, individual benefit or public benefit? Why?

10: Public benefit is seemed to come first. But I think if you step back to look at it, why people think they have to share. Because they want friends? Because they want people to agree with them? So if you step back, the individual benefit comes first. They have different motivations behind. It looks like they care about the group more, but actually about themselves too.

BY: If any, what cause you to change your perception and behavior regarding IPR/copyright? Why?

10: I agree with the law, so I don't have to change.

BY: If any, what are some barriers to keep you from change your perception and behavior regarding IPR/copyright? Why?

10: If the law is really ridiculous, I won't agree with the law, and I won't change my behavior. Things get really expensive. If they make things really really cheap, so that everyone will buy and download it in a legal way. If they're making the things cheaper, why would I go to buy and use the fake ones? It's very tempting, especially with the design. I like designing, the program is really expensive, it's like a few thousand dollars for programs, and they update very frequently, so people might use the pirated ones, it's very very tempting. Sometimes I am telling to myself, "just save the money." And people look at you as idiot back home, they laugh at you, but I think it's a right thing to do.