Youth shaping future of online TV, movies, music

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In this Monday, Jan. 30, 2012 photo, Drake University law school student Srikant Mikkilineni stands with his laptop computer in the school's law library in Des Moines, Iowa. Some observers say that instead of focusing on punishing youth for stealing music, TV and movies, the entertainment industry should be more innovative in the delivery of content, making it more easily available and cheaper. “I do think people would pay for this content if it's reasonably priced and it's available when they want to watch it,” Mikkilineni says. Not wanting to mar his law school record, he pays for the songs, movies and TV shows he downloads. But he does so grudgingly. “Right now, they want us to pay multiple times for the same content,” he says, complaining that that's not reasonable. (AP Photo/Charlie Neibergall)

(AP) -- Young people want their music, TV and movies now - even if it means they get these things illegally.

A recent Columbia University survey found, in fact, that 70 percent of

18- to 29-year-olds said they had bought, copied or downloaded unauthorized music, TV shows or movies, compared with 46 percent of all adults who'd done the same.

With such an entrenched attitude, what can be done about widespread online piracy?

Certainly law enforcement has gone after scofflaws like these, hitting them with fines and, in some cases, even jail time. Congress is considering controversial anti-piracy bills that would, among other things, forbid search engines from linking to foreign websites accused of copyright infringement. And there are lawsuits pitting media heavyweights against Internet firms - notably Viacom's billion-dollar litigation against YouTube.

But here's a radical notion to consider: What if young people who steal content weren't viewed as the problem?

What if they and advocates for maximum online access could persuade the entertainment industry to loosen its tight grip on its coveted, copyrighted material - quite the opposite of what the industry is trying to do right now?

"The real problem is not pirates downloading illegally, but a failure to innovate on the part of the content providers," says Steven Budd, a law student at Drexel University in Philadelphia.

Like it or not, that's how a lot of people of his generation view the situation. And some experts think they're gaining clout, as they insist on easy access to music and other content while the Internet world loudly protests anti-piracy legislation that it says unfairly puts the responsibility of policing piracy sites on search engines and other sites.

"We've seen the emergence of a real social movement around these issues," says Joe Karaganis, vice president of The American Assembly, a public policy institute at Columbia University, which oversaw the recent survey, funded by a grant from Google.

He's talking, in part, about "blackouts" staged by popular Internet sites that included Wikipedia, the user-generated online encyclopedia, and Reddit, the social news website. With support from Google, Facebook and Twitter, they were protesting the proposed federal anti-piracy bills.

But here's the surprising part - a lot of young people don't necessarily expect to get movies, TV shows and music for free.

"I do think people would pay for this content if it's reasonably priced and it's available when they want to watch it," says Srikant Mikkilineni, a law student at Drake University in Des Moines.

Not wanting to mar his law school record, Mikkilineni pays for the songs, movies and TV shows he downloads. But he does so grudgingly. "Right now, they want us to pay multiple times for the same content," he says, complaining that that's not reasonable.

If he buys a DVD, for instance, it's $15. He can watch it on his laptop - but it's illegal for him to copy it in order to watch it on his iPod or smart phone.

Many young people point to Apple's iTunes service as a model that could be replicated by other entertainment companies.

"iTunes changed the landscape for music because it made it far too convenient and much easier than downloading music through alternative methods (even illegal ones)," says Matt Gardner, an information technology student at Rochester Institute of Technology in New York.

But even more than convenience, a recent study at Duke University found that cost was the major factor that drives college students to copy entertainment content illegally. Researchers there found that the lower the students' income, including their parents' income, the more likely they were to search for free, illegal options.

To address the issue of cost, the study's authors suggested that universities consider making licensing agreements with services that sell entertainment content so that students could get a discount.

Cornell University is one institution that has experimented with this. From 2004 to 2006, an anonymous donor paid for two years' worth of Napster service for Cornell students, but students ultimately declined to have their student activity fees raised to continue the service because the music couldn't be played on all devices, according to the Duke study.

There are those who doubt that students would pay for content they can pirate, especially when the habit has become so ingrained.

"Nobody's going to pay you for something they can get for free," says Glenn MacDonald, an economics professor at the Olin School of Business at Washington University in St. Louis.

So he asks: What if you gave music and movies to consumers for free, or asked them to pay what they thought the content was worth?

Some bands such as Radiohead are already doing that - in essence, using their songs to build a following and entice people to pay to see them in concert and, once there, to buy their merchandise.

The song becomes the ad, MacDonald says. Or a movie on the small screen becomes the driving force for a line of merchandise or drives the wish to see it again on a big screen in 3-D or at a special theater event. A

free clip from a TV show seen online draws viewers to the show.

"It's like a bar. They give you the peanuts so you buy the beer," MacDonald says.

He notes that music companies already take a cut of money made from concerts, merchandise and endorsements. So he thinks that should, at the very least, offset the cost of the recorded music to consumers, who've been increasingly willing to pay big prices to see artists live.

"Music companies would be better served by increasing their focus on how to make artists' music, and especially their concerts, even better," MacDonald says.

Nice thought, but not realistic, says Thomas Carpenter, general counsel for legislative affairs for the American Federation of Television and Radio Artists, a union that represents people working in the entertainment industry.

As it stands, he says 90 percent of the earnings that a musician currently makes under a recording contract is tied directly to royalties from sales, including lawful downloads. For actors, he says, it's about 50 percent.

"There's a lot at stake - much more than most people realize," Carpenter says.

And he adds, "You have to be paid in order to be good. You have to use the funds from your projects to fund your future creativity."

Still even some people who've spent their careers defending copyrights say it's time to find some middle ground.

"It really is a failure to come up with practical, reasonable models for

sales and distribution," says Michael R. Graham, a Chicago attorney who specializes in trademark and copyright law. "There's a real disconnect."

Like many, he thinks iTunes has set the standard for the future.

Another possible approach: licensing agreements - with online services, for instance, paying a fee to content creators so they can provide it to consumers for free or for a monthly subscription fee.

Popular options, so far, include online music streaming services such as Spotify and Pandora. Others point to movie and TV services such as Netflix, though some complain that content on Netflix's online streaming service is still too limited. Hundreds of thousands of people also quit Netflix last year after it started charging more to those who wanted both the streaming service and DVDs sent to them in the mail - another indication of just how much impact the public can have in these matters.

A major lawsuit now before a federal appeals court has put a spotlight on these issues.

Viacom Inc. is appealing a lower court ruling that found YouTube, Google Inc.'s popular video sharing service, is protected from copyright infringement claims. Viacom claims that YouTube is making millions when people post copyrighted videos -including some shows Viacom owns. YouTube says it forces people to remove the content when discovered, as the law allows.

During October proceedings before the 2nd U.S. Circuit Court of Appeals in Manhattan, Judge Roger Miner asked, "How in the world can damages be computed here?"

"The number could be quite large," said Viacom attorney Paul Smith.

Miner responded: "Maybe what you're really looking for is a license agreement."

Smith said that was possible - an outcome that some would consider a win for those who want greater access to content on the Internet.

Whatever happens, college student Omar Ahmad says the entertainment industry has to realize that people his age aren't likely to change their piracy habits, even with the threat of more serious punishments that Congress is considering.

"They're going to continue doing it - that's the truth," says Ahmad, a senior at Seton Hall University who's also manager of the New Jersey school's radio station.

Karaganis at Columbia agrees that young people and the Internet community in general have proven they can influence the entertainment industry, whether it likes it or not.

"Change is inevitable," he says. "The question is how quickly will it happen - and how much of a fortress will be built around intellectual property in the meantime.

"Now, I think all bets are off."

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