Research on the Copyright Protection of Online Animation from the Perspective of the Internet

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Abstract: *For a long time, Chinese animation under the monopoly of TV channels is experiencing the innovation of this new technology of the Internet, creating a new platform economy and ecosystem, but it is undeniable The Internet is a double-edged sword for the Chinese animation industry. Based on the openness of the network operating environment, the problem of network infringement has become increasingly prominent, and the phenomenon of online copyright infringement is particularly serious.Under the Internet environment, the weak power of animation industry in the link of animation copyright protection is one of the important reasons hindering its sustainable development. This article analyzes the difficulties of online animation copyright protection in my country's Internet environment and proposes corresponding protection measures, which has certain reference significance for the establishment of copyright protection, content payment and other Internet ecosystems.*

Key words: *Internet; Online animation; Copyright protection; Copyright law*

Introduction

Online animation refers to the collective name of animation works that use the Internet as a dissemination platform to realize the dissemination of animation content. The guidance of the State Council on actively promoting the "Internet" was issued on July 4, 2015, which formally put forward the development concept of the "traditional Internet industry" in the opinion.Driven by the industrial development concept of "Internet +", the new format of "Internet + animation" provides a new platform and new carrier for the domestic animation industry. In recent years, many are similar to "Beep Bilibili" and "Quick Read Manga". The emergence of online animation platforms such as "Tencent Animation" has made the digital economy represented by the animation industry gradually become an important driving force for the development of the cultural industry. According to statistics, the output value of China's animation industry may exceed 210 billion yuan in 2020. At the same time, the contradiction between the timeliness of the Internet network technology update iteration and the lagging nature of national legislative activities is threatening the copyright protection of animation, and it also poses a huge challenge to the protection of traditional intellectual property rights. Copyright is the core of the animation industry. Correctly understanding and facing up to the problems of online animation copyright protection in the current network environment and proposing corresponding countermeasures will

help protect animation copyright, enhance users' awareness of copyright protection, and promote healthy and stable development of the industry.

Online Animation Copyright Protection Dilemma

Animation industry products have the characteristics of easy duplication. Infringers openly spread the copyrighted products of others through online platforms such as forums, document sharing platforms, WeChat official accounts, etc., which will undoubtedly bring huge economic losses to the animation industry. . Infringement can easily break the virtuous circle of animation industry development, endangering the survival and development of the entire industry.

The Form of Infringement is Concealed, and it is Difficult for Infringers to Identify

The Internet is an open platform, and anyone can enter it without complicated identity verification. The intensive information dissemination causes information redundancy, which makes the virtualized cyberspace present information in the operation process Dissemination disorder, chaos and other issues have also increased the difficulty of obtaining evidence for infringement.

When the victim filed a lawsuit, he needed to prove the infringer's login user name and the detailed address of the infringing work, but the network IP address is difficult to trace (Chen, Liu, Yang & Zhao, 2020). Zhu Wei, deputy director of the Communication Law Research Center of China University of Political Science and Law, once said that the difficulty in cracking down on online piracy and rights protection lies in the lack of registration and filing of online piracy websites, and no contact information. Some even servers are set up. foreign.

The Cost Gap between Infringement and Rights Protection is Large

In the Internet environment, the cost of infringement by infringers is greatly reduced, and the carrier of infringement is no longer limited to pirated printed products, but turned to virtual electronic goods. For example, in August 2014, the defendants Ye Moumou, Jiang Moumou, Hu Moumou used the self-established "Love Comics" website to collect a large number of comic works from Japan, the United States, South Korea and other countries through various channels, and they did not have the author's permission. In the case of, after sorting, editing, uploading to the site for visitors to watch for free, using the site's visitor traffic to provide paid advertising services, from August 2014 to April of the following year, the company collected a total of more than 1.82 million advertising fees Yuan.

Criminals use simple electronic devices and network links to copy, download, and disseminate other people's works privately and illegally, and profit from them, resulting in copyright owners unable to obtain due returns with their own works, and seriously infringing the legal rights of copyright owners. However, due to the case involving a large number of overseas works, the difficulty of obtaining evidence, and the inconsistent identification system of the ownership of the work, the case handlers contacted relevant agencies in Japan and South Korea to assist in the investigation of the case during the processing process, which cost a lot

of manpower and material resources. , Until January 2017, the case was officially judged in the Wenjiang District People's Court of Chengdu.

Legal Theoretical Defects

Copyright is often in a state of "free" in the network environment. Only works that meet the legal characteristics of originality and reproducibility can be protected by "Copyright" (Yan, 2020). With the popularization of the Internet, the dissemination of works has changed from the dissemination of "copy" to the dissemination of "information".

The difference between the animation works distributed on the Internet and the traditional animation works is that after the first public dissemination through the network, not only the unspecified majority can be exposed to the works, it can also allow these unspecified majority of people to permanently obtain the work and easily realize the re-dissemination of the work. Therefore, the traditional method of identifying infringers in the network environment has been unable to meet the needs of network copyright transmission.

The "Copyright Law" proposes or supplements in detail. Articles 22 and 23 of the "Regulations on the Protection of the Right to Dissemination through Information Networks" state that "network service providers delete works, performances, or audio and video products deemed infringing by the right holder after receiving a notice from the right holder, according to the provisions of these regulations, No liability for compensation". Observed from various infringement cases, this safe haven principle allows many infringers who are not authorized by digital copyright to take advantage of the loopholes to deal with infringing works in a timely manner, thereby avoiding financial compensation.

Suggested Measures for Online Animation Copyright Protection

In the current network environment, the form of infringement is concealed, the infringer is difficult to identify, the cost of infringement is low, and the current legal theory is not suitable, which are the main reasons for the predicament of online animation copyright protection. Through in-depth exploration of the basic issues of online animation works and copyright protection, innovating copyright management technology, learning from foreign legislative experience, improving laws and regulations, and cultivating the public's copyright protection awareness, it will help improve the ecological environment of online animation and promote the healthy and stable development of the industry.

Innovative Copyright Management Technology

The legal dissemination of animation works in the network environment depends to a great extent on the construction and responsibility distribution of the network and digital technology system. By establishing a unified digital copyright management service platform, the rights of copyright owners can be guaranteed from the technical level (Wu, 2019).

At present, DRM (digital copyright protection technology) has a wide range of applications, involving

business operation models, legal systems, social and cultural habits, and technical mechanisms. Among them, business operation models define digital works transaction forms, and these transaction forms have an impact on intellectual property management. The technical mechanism supports the monitoring and tracking of specific operations of digital rights management based on the characteristics of digital works network transactions (Wang, 2006). For online animation platforms that have purchased copyrights, users can pay for the episodes or become members of the website to watch, or use the technology to restrict web pages, allowing users to watch online, and prohibiting recording Screen, unable to obtain download permissions, etc. These restrictive measures have prevented the viral spread and tampering of the content to a certain extent, and safeguarded the legal rights of copyright owners. This technology also provides functional support for copyright certification, authorization, management, and infringement tracking for such digital products as online animation and e-books to cope with the impact of information network technology on copyright protection.

In addition, for copyright owners, when publishing their own works online, they prefer to choose formal online platforms that provide copyright protection and can file rights protection appeals. They can also use encryption or anti-copying methods themselves, for example, by adding personal exclusives to original videos. Watermarking or closing forwarding, sharing permissions and other methods to reduce the chance of others copying, tampering and disseminating your own work, declare the ownership of the work rights, and protect the individual's exclusive rights to the work.

Drawing on Foreign Legislative Experience

According to the iMedia report, "Analysis of Global and Chinese Animation Industry Status and Prospective Investment Analysis Report in 2019", the current global animation industry is still dominated by the two giants of the United States and Japan, while Korean animation is a dark horse. The trend is developing rapidly. As the world’s largest animation production and animation product exporting country, the United States’ animation industry has become one of the country’s six pillar industries. The prosperity and development of the United States’ animation industry is inseparable from its copyright protection.

At present, for cultural and creative industries, including the animation industry, China mainly uses copyright law to protect them. In contrast, the United States implements comprehensive and integrated protection of cultural and creative industries with copyright as the mainstay (Wang, 2006). The United States enacted its first copyright law in its history as early as the early 1790s. In the absence of a unified copyright law in China, the protection of the rights and interests of online digital products such as online animation is through Realized by many laws and regulations, the decentralized legal protection system model cannot provide a comprehensive and cross-category integrated protection for the animation industry.

In addition, the promulgation of laws and regulations, such as the Computer Software Protection Act, the Anti-Electronic Piracy Act, the Sound Recording Digital Performance Rights Act, and other laws and regulations, is precisely the United States’ integration with the times, enhancing the effectiveness of the protection of digital copyrights and informatization works in the information age.

The 2019 animation industry survey report released by the Japan Animation Association AJA shows that the Japanese animation market has continued to rise for nine consecutive years. In 2018, the Japanese animation market reached 211.4 billion yen, or about 19.9 billion US dollars, and the output value of the Japanese animation industry was six consecutive years. A record high. The prosperous development of Japanese animation industry, Japanese people's love for animation and other factors have further stimulated the country's strong awareness of copyright protection.

At the end of the 19th century, Japan compiled and revised the copyright law. In 2002, Japan formulated the strategy of "building a country with intellectual property rights." Japan's copyright law was continuously revised with the development and changes of society. Criminal liability was used to protect the copyright of animation in the protection of the animation industry. . At present, in Japan's "Copyright Law", the upper limit of penalties for copyright infringement crimes is 10 years of punishment, and the maximum fine is 10 million yen. However, the current law in my country is punitive for infringements degrees, penalty standards, The legal effect and coercive force are still relatively weak for infringers and it is difficult to attract social attention. Therefore, the current laws in my country should appropriately increase the intensity of combating crime.

Improving Legal Regulations

The current laws and regulations related to network copyright in my country are mainly composed of one law and four regulations, namely the "Copyright Law", the "Implementation Regulations of the Copyright Law", the "Regulations on the Protection of Information Network Dissemination Rights", and the "Copyright Collective Management Regulations, "Regulations for the Implementation of International Copyright Treaties."

Improve the "Copyright Law" according to the characteristics of the network environment, standardize the content of evidence and infringement determination methods suitable for the characteristics of network communication, fully consider the rights and interests of the two parties, formulate a reasonable amount of compensation, simplify the litigation procedures, and shorten the duration of the litigation to the greatest extent Protect the interests of copyright owners.

Secondly, considering that in the information age, animation products and their derivatives, such as animation videos, electronic games, etc., which use the Internet as their main communication channel, the regulations on the protection of information network communication rights, the civil procedure law, the criminal procedure law and other relevant laws The regulations are revised and compiled to clearly define the scope of copyright infringements that occur on the Internet, clarify the validity of evidence such as network information and data, and clarify the compensation methods and standards for infringements (Wang, He & Yin, 2008).

Cultivate Users' Awareness of Copyright Protection

Take measures from the perspective of perfecting legal regulations, which can help curb infringement. However, if we want to truly solve this problem and establish a healthy online copyright ecological

environment, we must start with the subjects participating in the network,when a large number of network users find network resources, they habitually find and choose free resources first, which is a great harm to the rights and interests of copyright owners. The solution of this problem needs to take measures such as cultivating people's copyright consciousness and popularizing copyright related laws and regulations to the public,increase the education and popularization of the public's copyright knowledge, and let everyone realizes the importance of copyright protection, establishes the concept of payment for knowledge, and develops the habit of paying for content..which-term efforts from all walks of life. In the current renovation induced the dissemination of works, download, and other violations of the various illegal platform is more urgent.

In order to improve public copyright awareness, Japan, which has a history of animation development for hundreds of years, every year its animation association, with the support of government units, organizes an Anime Japan promotional event together with animation companies and private animation companies. It is intended to let everyone get in touch through exhibitions. The animation also realized the importance of maintaining Japanese manga and refused any infringement incidents. In addition, in order to deepen the understanding of copyright and the animation industry, the school offers copyright education courses, and related animation companies also provide students with visiting rights (Xiao & Jiang, 2020).

The "Jianwang Campaign" launched in 2014 to combat piracy in my country has made important contributions to promoting the formation of online content payment patterns. In terms of network supervision, as a large number of P2P software has been banned, software with high market share, such as Baidu Netdisk and Xunlei, has strengthened the monitoring of infringing content downloads and formed the protection of the value of Internet "windows" (Zeng & Zhu, 2020). With the development of the Internet, users have gradually accepted the concept of content payment. According to statistics, 94% of the two-dimensional users are willing to pay for the content, and the student group's animation consumption accounts for up to 21%. With the economic independence of these groups, the animation consumer market will usher in an explosion and will gradually create a new pattern for the copyright protection of animation.

Conclusion

The animation industry with the rapid development of the Internet should not be underestimated. Not only can it become an important way to enhance the soft power of Chinese culture and promote Chinese culture, but it may also become a new driver of China's economic growth (Xu, 2020). Faced with the copyright risk and other infringement issues caused by the technical forces of the network, my country's animation industry should start from multiple social levels such as legal protection, user payment awareness, and network supervision to protect my country's animation industry at all levels and levels. The healthy development of its products in the Internet space.

The "National Animation Industry Development Plan for the "Twelfth Five-Year" Period" issued by the Inter-Ministry Joint Conference of the Animation Industry in 2012 clearly put forward the transition requirements for the animation industry from pursuing "increment" to "improving quality." Driven by China's policy of vigorously developing the animation industry, it is of far-reaching significance to improve and implement the

animation copyright protection system.

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