

Behavioral Tendencies behind Online Piracy

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Introduction

We are told stories as young children about the stingy pirates who attack other ships for the riches aboard. These pirates are committing criminal acts of violence by stealing. So what is the difference between pirates at sea versus the pirates online? What drives these online pirates to commit the act of software and media piracy? There are seven reasons behind consumers' intentions to pirate: product diffusion, ethics, accessibility, social conformity, demographics, perceived consequences, and the consumers' past and future intentions. And because piracy has become more and more rampant in our society the focus needs to be placed on what drives the consumers' decision making.

Research

The rate of diffusion is very important when introducing a new product whether in this case it may be software or even a song. By illegally downloading the material it is allowing the consumer to try the product before actually purchasing it. The consumer may not be fully aware that they are actually aiding in the diffusion process. The trial of products is important because it determines the consumer's potential to purchase and the future use of the product (Gupta, Gould, & Pola, 2004). In terms of music, piracy is actually promoting the song to others. So, if consumers are illegally downloading songs then actively sharing these songs with their peers, it is in fact helping promote the musicians work which results in more purchases. Although the consumer is not completely aware of their active participation in the diffusion process they are aware of promoting media which drives the consumer to make the decision to pirate (Chiou, Huang, & Lee, 2005).

Whenever illegal activities are in question ethics are sure to be drawn into the conversation. Ethically speaking there are two main ideas that drive consumers' ethical behavior, teleological and deontological considerations. The teleological aspects focus on the consequences of a person's actions. Deontological ideology presides over what is right and wrong. Both considerations shape the behavior of people who tend to pirate. Those that feel piracy is wrong will most likely not pirate and those who feel the consequences of their actions will result badly will also most likely not pirate (Gupta et al., 2004). Even though some people see pirating as an ethical dilemma, most consumers tend to ignore it and pirate regardless. Many students also believe pirating is an acceptable and normative behavior (Phau & Ng, 2009). Piracy tends to not attract the same amount of ethical attention as someone physically shoplifting from a store, yet the behavior is exactly the same, theft. This leads to the idea of the "distancing effect". Consumers who pirate media from the internet feel removed from the personal involvement of the criminal act. The consumer feels as though they are not personally hurting anyone because it is behind closed doors and with no person to person contact (Gupta et al., 2004). Pirates tend to justify their unethical behavior by excusing themselves from blame and projecting that blame onto the manufacturers of the products. In most cases, pirates accuse the manufacturers for charging unfair prices and ripping them off (Phau & Ng, 2009). Interactions online have redefined personal relationships. People are separated by time and space, and this distance and anonymity has lightened the criminal act of piracy.

Social norms are bent in the sense that they are not equally associated in person as they are online. In addition to bent social norms, there are less institutional and active legal restrictions where the threat of opportunism runs high. Opportunistic behavior is defined as “self-interest seeking with guile that hinders exchange” (Ching & Ellis, 2006). With one time exchanges where information is shared opportunism is high, however with repeated transactions the threat of opportunism is low (Ching & Ellis, 2006).

Opportunism only remains because accessibility remains. Accessibility to obtain illegal software and or music is a major factor in whether consumers tend to pirate material (Gupta et al., 2004). If a person knows the interworking of the internet, acquiring illegal material will come with ease. Also, the amount of peer-to-peer networks has increased which has opened more windows of opportunity (Janessens, Vandaele, & Vander Beken, 2009). Peer-to-peer networks are making downloading media more tempting and create a platform for consumers to illegally download (Lysonski & Durvasula, 2008). However, if the accessibility of the product is low then consumers see this as a game where they can jump loops and circumvent the constraints. Channel restraints increase the psychological desire to commit piracy. Such channel restraints may be the lack of technology available at the time, scarcity of the material, limited availability, high prices, and even legal constraints. Distribution will also limit access. Such services as iTunes and Rhapsody make its customer's pay for music and also have a limited selection of music available, so those who are not satisfied with those terms search elsewhere (Miyazaki, Rodriguez, & Langenderfer, 2009). Not only is the accessibility online a determining factor in piracy behavior, but also the physical location of where the pirate may be. For example, the internet providers in college campuses are aware of students' internet behaviors, which may make it difficult to pirate due to the constant monitoring. The same may pertain to a person pirating while on an employer's internet connection where the employer can monitor the employee's activity.

Social conformity also influences a person's desire to pirate. Pirating is not necessarily seen as an individual act but rather an act of “collective violence” (Gupta et al., 2004). Most people have an underlying pressure to conform to a group. In this case when the majority sees piracy as an acceptable or normative behavior others will follow in those footsteps and perceive the same. Social conformity plays a role when the consumer's peers have already obtained illegal material then others are sure to follow suit and obtain their own (Miyazaki et al., 2009). The judgment of peers drives pirates toward their illegal behaviors (Lysonski & Durvasula, 2008).

Demographics are firm predictors in whether a person will tend to pirate or not. Younger people are more inclined to pirate than those who are older. Men are also more inclined to pirate than women (Gupta et al., 2004). These are the same predictors with any new products. Young men are more likely to adopt new products faster because there are more amounts of risk involved. Piracy is a high risk activity therefore young men take part in it. Young men are more likely to pirate because they are usually more equipped to navigate the internet and have more experience with computers (Phau & Ng, 2009). Teens and young adults have revealed that they are confused about the legalities of piracy and what is legal or illegal to download. Not only are teens and young adults more prone to pirate due to confusion but also because they are predisposed by nature. They have not fully morally developed yet. According to the cognitive moral development theory, moral development occurs in stages that are directly linked to ethical growth as well. These stages are positively correlated to one's age. So the younger the individual, the less likely that they have completely morally developed in a way to make correct moral and ethical decisions (Coyle, Gould, Gupta, & Gupta, 2009). Generations vary in terms of their beliefs and values also. Generation Y has been identified as being extremely lenient in terms of piracy. They feel as though they are not harming others and they are victims of being charged high prices by the music industry (Lysonski & Durvasula, 2008).

Household income will also restrain an internet user from legally buying media. The high prices involved with that media will drive the user to download material illegally (Miyazaki et al., 2009). Lastly, demographically speaking, culture plays a significant role in consumer behavior. Although not much research has been done in this area, cultural norms shift from society to society so piracy may not be frowned upon in one culture while it is not in another. Ethics are also molded differently in diverse societies so the concept of right and wrong will vary accordingly (Akman & Mishra, 2009). Consequently, due to the diverse societal norms, laws in each country or nation fluctuate and online these are not significant barriers. For example, a person from the United States will be able to access information provided through Brazil where piracy laws may be different and allowing people to commit online theft (Janessens et al., 2009).

Perceived consequences of pirating actions may push a consumer to illegally download. Many consumers feel as though there is a low perceived chance of getting caught because there is not excessive regulation and low prosecution rates (Phau & Ng, 2009). In most cases it is the responsibility of the manufacturer or the producer of the material to bring civil action toward a pirate. Most of the time, it is more of a hassle for the producer to bring civil action than actually beneficial for them to do so.

The last factor that influences a consumer to pirate information is their past and future intentions to continue pirating. Consumers' past reasoning have been shown to be strong predictors of why they continue to pirate or intend to do so in the future. Legal and ethical concerns have been shown to be the most prominent factors in forecasting past behavior and future intentions (Coyle et al., 2009). "Past behavior is likely to influence future behavior producing a habituation effect making illegal downloading seem routine or inconsequential" (Lysonski & Durvasula, 2008). Also, with the introduction of MP3 players in the early nineties the demand for music was very high and if this demand was not met consumers looked elsewhere for obtaining what they wanted. After the demand leveled off piracy just became routine behavior. Piracy, all in all, is theft; theft, whether it be face-to-face or over the internet. Piracy is one of those unclear subjects where it is clearly illegal, yet it happens every day with little enforcement or punishments. Piracy has happened in the past and is continuing to happen now. By revealing what drives a consumer to commit piracy, such as, diffusion of products, ethics, accessibility, social conformity, demographics, perceived consequences, or past and future intentions, makes it much easier to understand the consumer and predict their future pirating behavior.

Methods

In previous research I found there are seven reasons behind consumers' tendencies to illegal pirate information from the internet including: product diffusion, ethics, accessibility, social conformity, demographics, perceived consequences, and the consumers' past and future intentions. To effectively measure these ideas and concepts and to test new ideas and concepts, I created and conducted a survey of which was released to consumers of multiple backgrounds. So far 78 recipients have responded to the survey. In the demographic field, various questions were asked to gauge consumers' behaviors such as gender, age, and income. Of the respondents, 43.6 percent were female and 51.3 percent were male. Out of the four age categories, 66.7 percent were 15 to 25, 6.4 percent were 25 to 35, 17.9 percent were 35 to 50, and then only 9 percent were over the age of 50. In regards to income, the majority of the respondents had an annual income of \$50,000 to \$100,000.

I have made an assumption that if the respondent is a musician they will be less likely to pirate because they would be harming a fellow musician. Only a marginal 14.1 percent registered that they were in fact musicians themselves and the rest were not. Also, I hypothesized that Mac users would be more likely to illegally download material because Macs have a better built in security system. So, for example, if a person were to download a music file it would be very unlikely that a virus would disrupt the Mac system where if it was a PC this could be questionable. Most people, 65.4 percent to be exact, are actually PC owners. In terms of music genres, respondents were asked to indicate their favorite music genre. The respondents had seven different genres to choose from: classic rock, country, hard rock, hip hop, jazz, pop or indie, or other. The genre with the most respondents was hip hop and the genre with the least respondents was jazz. Some other significant genres were pop or indie listed at 21.8 percent, classic rock listed at 16.7 percent, and other at 12.8 percent.

Instead of illegally downloading material such as music, respondents were asked to indicate how much they would pay for a song. Ten people signified that they would pay .25 to .50 cents per song, four people would pay .50 to .75 cents per song, 35 people would pay .75 to 1.00 dollars per song, 22 people would pay \$1.00 to \$2.00 per song, and seven people said they would pay zero for a song. I believe that those that indicated they would pay zero for a song would most likely be the ones to pirate illegal material.

Next, the respondents were asked to specify the type of downloads they download. This was not saying what types of downloads to you do illegally.

The survey question was to gauge if a person downloaded and if they did what they download. Most people either revealed that they downloaded music or they did not download at all. One of the close followers behind music and none at all was the grouping of music, TV programs, and movies.

Lastly, in terms of descriptive statistics there were numerous questions asked in the survey to inadvertently gauge the respondents' feelings and attitudes toward online piracy. The majority of the responses lie directly in the middle of the 1 to 5 spectrum. First, the majority of the respondents' feelings are undistinguished on whether online piracy is a big deal or not. The mean of their feelings are at 2.73 on a scale of 1 to 5, which indicates that the majority are leaning toward indifference or slightly agreeing that piracy is a big deal. Second, the survey measured how long the respondents listen to music and how many songs are on their MP3 players. Most seem to be listening to music about two hours a day and on average have about 250 songs on their MP3 players. Another question asked on the survey was if the respondents felt as though the music industry was making enough money and by illegally downloading music they would not be hurting the industry. In this category most respondents were indifferent or they slightly leaned toward feeling as though they are hurting the music industry. Also, respondents were asked if they would pirate from their favorite music artists and most actually said they were indifferent or leaned toward the idea that they would pirate. In addition to this, most believe that they are relatively tech savvy and would be able to navigate the internet very well. In terms of affordability, most respondents are revealing that they are indifferent or feeling they are unable to afford to buy music the right way and most lie right in the middle of either being a cheapskate or a big spender. Opportunism should be a very big estimate in a person's inclination to illegally pirate. However, respondents indicated that they were relatively indifferent in their responses whether they would bend the rules once to gain something of importance.

Politically speaking the majority stated that they relatively liberal and they agreed that they take pride in being original and to be the first to try a new thing. The mean of the responses in whether people download free material from the internet lied right in the middle at 2.91 out of 1 being never to 5 being often. Respondents believe that even if rock stars are making enough money if they illegally download their music it will still hurt the rock star regardless. Also, in the future when the respondent decides to download digital media they have indicated unclear responses. Their responses lie in the middle of whether they will pay for it or pirate. Most respondents seem to not be able to resist a thrill and find that most people are trustworthy for the most part.

Conclusions

Upon conducting this survey, correlations have been made between pirating digital media and other behavioral factors. Those factors with a high correlation have an impact on the consumers' decisions whether to pirate. Some demographic indicators that lie behind the act of online piracy are age, gender, and income. When respondents were asked the next time they download media will they pirate it or pay for it, majority of the women responded that they would pay for it and the men would instead pirate it. In terms of gender, younger people from ages 18 to roughly 35 indicated that they would pirate the next time they download while older generations would pay for it. Also, income was proven to play a role in determining the pirating tendencies of the respondents, however, not a drastic role. There was not very overbearing evidence that suggested income played this huge role. Although, when the respondent indicated that they had an annual income of over \$50,000 the likelihood that they would pay for it was much higher. These conclusions found from this portion of the survey supported the earlier stated hypothesis that young males would have the higher tendencies to pirate especially because young males take higher risks than all other consumers. Also, income does play a part in pirating behavior because if the means of obtaining the material is not available people are going to circumvent the restraints and do what they need to do to get what they want.

Other consumer behaviors can predict future pirating behavior and these correlations have been proven through survey research. There is a high correlation between consumers' beliefs that piracy is no big deal and the consumers' decisions to pirate. If piracy is seen as no big deal then most likely the perception of getting caught is also not high and with no perceived consequences people will not fear being caught. This all fortifies the hypothesis that the majority of people believe that piracy is an insignificant crime and because they feel this way piracy may occur more often. A high piracy correlation also takes place with the amount of listening time and the number of songs on the MP3. The amount of listening time and the number of songs that consumers have both play a part in pirating tendencies. Some people see the music industry as a greedy industry that thrives by ripping off its customers and because of this consumers do not see the harm in stealing from the music industry. This exact belief directly affects consumers pirating decisions. Favorite bands also affects pirating decisions but not in the most obvious of ways.

Most people would think that consumers would not want to pirate from their favorite band because it would harm them, however the survey supports the hypothesis and previous statements that in fact consumers want to promote their favorite bands and artists so they pirate and share songs. This actually aids in the product diffusion process by encouraging future purchasing behavior of that band or artist's songs. A piracy correlation was found in connection with a person's indication of describing themselves as tech savvy. This supports the notion that with the ability to navigate the internet in an efficiently, people will then most likely pirate. If a person was unable to do so they would not know where to illegally obtain digital information. Along with the demographic indicator of annual income, respondents were also asked if they had the financial capability to pay for all the media they use. Discussed earlier was the concept of psychological constraints that may push a consumer to pirate and financial ability was one of those. Those who believed that they did not have the financial ability to pay for the digital media they used are also highly prone to having future intentions of pirating. Also, those who consider themselves to be innovators and thrill seekers are more prone to pirate in the future. This indication can furthermore support the idea of young males being the main culprits of online piracy. Young males have been statistically shown to take on higher risk and be the first consumers to adopt new products.

Opportunism is used as a very considerable indicator of piracy. Opportunism is the idea that a person would bend the rules just once to gain something of importance can predict someone's intentions. As the survey results suggests, opportunism has a very high correlation with piracy. So, those who exhibit opportunistic behavior will also be more expected to take part in pirating behavior. Along with this, there is a small correlation between people's capacity to trust others and their tendencies to pirate. Those who trust others will be less likely to pirate. This fortifies previous assumptions that if people do trust others they would be more willing to pay and provide all their personal information because the transaction would be in the hands of responsible people.

Another sign of piracy is consumers' attitudes toward rock stars themselves. Pirates often try to excuse their unethical behavior and shift blame away from them and onto the manufacturers of the songs. They see the rock star as making enough money as it is so by illegally taking a few songs it will not be harming them. Past, current, and future intentions of piracy have been shown to be strong signal of piracy. The previous prediction was that if consumers pirate now or in the past they will continue to do so. However, there is a high correlation that if they are pirating right now they will then pay for it in the future when they download next. Only two descriptive characteristics did not turn out to be signs of piracy. The first was personal political standings. There was not a high correlation to whether a person was conservative or liberal was resulting in any determining implications. Liberals were shown to have leniency toward piracy but no correlation to pirating itself. The second non-correlating descriptive was the self portrayal as people seeing themselves as a cheapskate or a big spender. Whether people identified themselves as a cheapskate or a big spender had no influence on piracy.

Implications

The implications of this survey and its results are somewhat unclear. Almost every survey descriptive correlated with current pirating. There are not just one or two significant factors that definitively indicate piracy. As denoted by these results, piracy is not an easy illegal activity to track. This may be why piracy has been so hard to monitor and to legally enforce. The survey does provide insight into the many reasons why people commit piracy of which has not previously been investigated.

Further Insight

The survey conducted on this topic supplied insight to many characteristics of a typical online pirate, where it was discovered that some pirates are musicians themselves. The survey revealed that 14.1 percent were musicians. One might assume through common knowledge that musicians would not pirate from other musicians because of the possible adverse effects to the financial success of a fellow musician.

However, the situation is reversed. Musicians may be pirating from other musicians for various reasons: (1) musicians do not greatly benefit from record labels and as a musician themselves, the pirate would know that; (2) pirating actually helps new musicians get their music out into the world; (3) the "famous" musician has provided the typical pirating musician with inspiration and this "famous" musician could be the sole reason that the amateur has begun pursuing music in the first place; (4) musicians, in general, are known to have a high content of music that they listen to, which leads to the conclusion that they consequently have high numbers of illegally downloaded music as well.

Piracy has transformed the music industry in many ways including the industry supply chain. Artists are now gaining more control over their own music and activities. There have been an increasing number of artists who are going about the nonconventional route and creating and distributing their own music instead of pursuing the help of a major record label. This is due strictly to the use of the internet. The internet is allowing artists and consumers to be linked directly to each other which therefore give both parties an increase in bargaining power. There has been a noticeable shift from producers and music labels to the consumers and artists. "Only very few artists make money out of selling records, 85-90 percent of the revenue goes to their record labels." If musicians sold their own music and the overall revenue dropped by 90 percent they would be receiving just as much money as before (Graham, Burnes, Lewis, Langer, 2004). Amateur musicians that responded to the survey are most likely going to know this information about the music industry. So, they would be more willing to pirate from other musicians because the music industry would just be "stealing" profits from the musicians to begin with.

The main agenda of any musician is to have his or her music heard and enjoyed by the most people possible. Musicians need to get their music "out there" for people to hear and this is where piracy comes into the picture. Those who pirate have argued that the positives of piracy outweigh the negatives because the artist's music gets heard "out there" or known. And this is the main goal of any musician when money is removed from the picture (Bonner, O'Higgins, 2010). Piracy has the ability to mass distribute any musician's music. Some music enthusiasts claim that sharing music can help facilitate an efficient market by helping "new" artists enter into the market and distribute their music to their fans. This increase of sharing would potentially increase competition among musicians (Bhattacharjee, Gopal, Lertwachara, Marsden, 2007). However, amateur artists are more likely to reap these benefits than global superstars (Bonner, et al, 2010). Amateur artists rely on word of mouth and acts like piracy to promote their music. Superstars do not need this word of mouth and piracy, necessarily, because they have a record label to promote their music for them. "Online music sharing technologies tend to threaten some superstars and favor the lesser known artists" (Gopal, Bhattacharjee, Sanders, 2006).

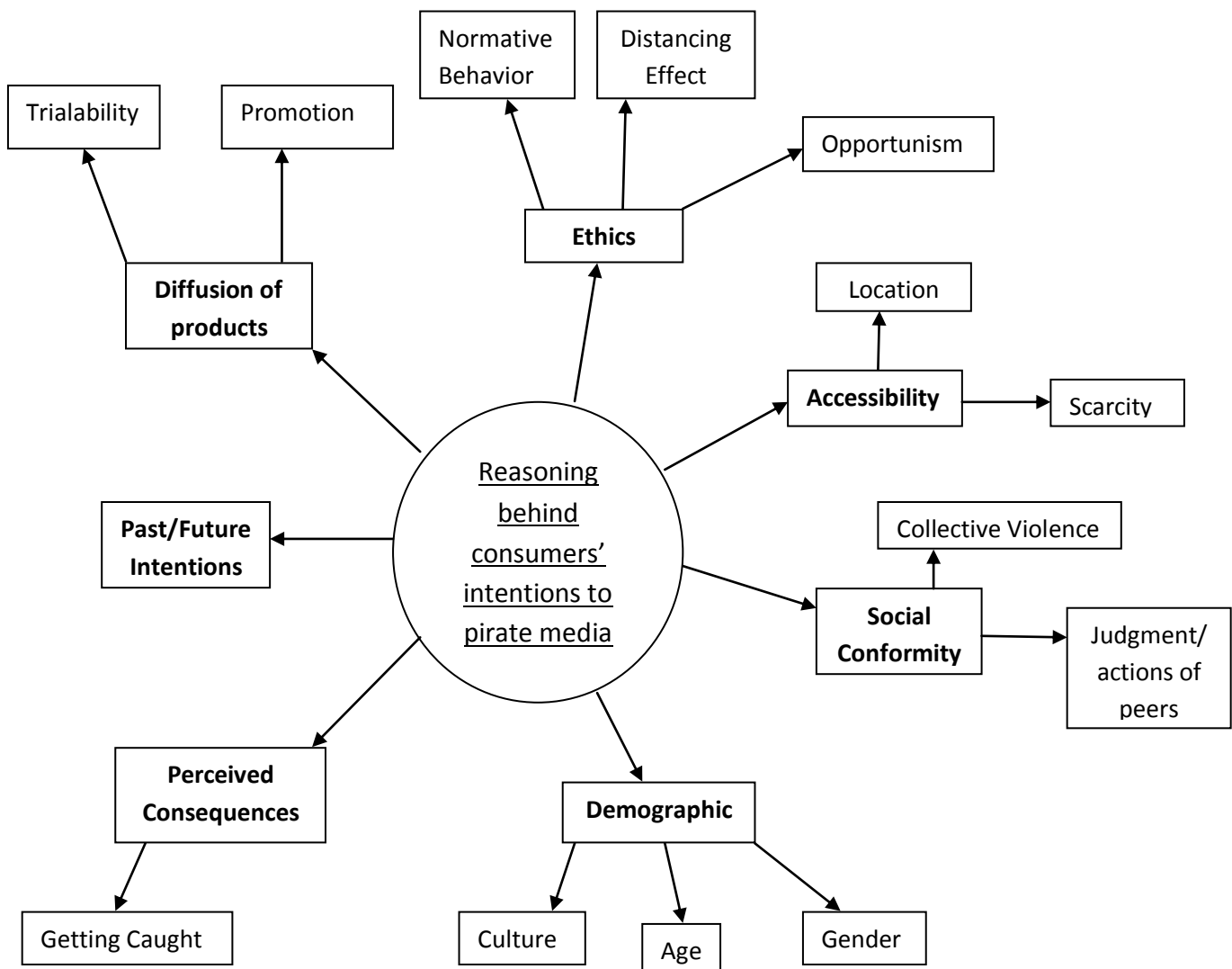
Inspiration as an artist accounts for most of the creativity behind what music he or she produces. Inspiration goes a long way in making an individual the person he or she is today and musicians look for that muse or inspiration to help develop their music. They often will look to other musicians for inspiration and ideas. And to do so, piracy is often the mode of obtaining this inspirational music. When a musician finds this inspiration, he or she will have this feeling of closeness that will directly affect his or her intentions toward music piracy of the idolized artist or band. Musicians may have experienced this closeness with the band or artist they admire and in many cases this closeness is what has inspired them to be a musician or pursue this career themselves. Individuals who exhibit moderate to strong satisfaction when listening to music they like are more likely to pirate. Musicians fall into this category of individuals. Musicians have the greatest listening needs for music and would like to feel that experience of closeness again with the artist's songs they admire. And because they feel this way, they may pirate to obtain this music. Musicians allow their emotions and reactions to the music outweigh any ethical principles in determining if piracy is immoral or even damaging to the artist (Bonner, et al, 2010).

The ideas previously mentioned lead to the cause and effect relation between a musician and piracy. It assumes that musicians listen to a large amount of music which consequently insinuates that they own a great number of songs. It is then presumed that the musicians owning a large number of songs were illegally downloaded. People who download this music, in general, have a greater taste for music and what better example of a person who has a strong taste for music than a musician themselves (Zentner, 2006). As the number of hours listening increases so does the number of illegally downloaded items (Bonner, et al, 2010). This was not only confirmed by secondary research but also through the survey conducted on the topic of online piracy. A correlation was shown that those who pirate have a high number of songs on their MP3 device and also spend a large amount of time in their day listening to music. Musicians have these characteristics exactly. The pirating actions of a musician toward another musician could be analyzed through Immanuel Kant's ethical theories known as his categorical imperatives. One of his categorical imperatives is that an individual should act as if he or she was a member of an ideal kingdom of ends in which he or she was both a subject and a sovereign at the same time. This means that when making a decision an individual should keep in mind that he or she is making the decision themselves as a sovereign but should also consider as if he or she were directly affected by the decision, essentially the subject of the decision. So, as a musician he or she should consider the effects of his or her pirating actions as if the actions were done unto themselves. This also follows the golden ethical rule, "do unto others as you wish they would do unto you."

The idea that a fellow musician would pirate, or basically steal, from another musician is paradoxical. However, with the evidence of secondary research and through the survey conducted it was verified that musicians will pirate from other musicians. There are various reasons that this may happen. Musicians are well aware of the strong hands of the music industry and realize that other musicians are not benefitting from record labels and are actually losing profit. So, if their fellow musicians are being ripped off by the music industry then it doesn't quite matter if they pirate. Also, piracy uses word of mouth to mass distribute music. This allows fellow musicians to help new musicians to get their music "out there" and well known. Not only this, but inspiration will lead a musician to pirate from another musician. Inspiration allows a person's emotions and reactions to piracy to become a blur when he or she feels close to a specific idolized band or artist. And lastly, musicians by nature are defined as music enthusiasts themselves. Music enthusiasts and musicians both are high music listeners and own a large number of songs, which leads to the high number of songs downloaded illegally. With further research such as more surveys, interviews, or focus groups, this topic may become clearer as to why musicians would ironically pirate from fellow musicians.

Future Research

In future research, a larger sample size would provide more definitive results and narrow down the descriptive indicators of piracy. Also, when surveying people asking their own opinions and in regards to an illegal activity, people may answer the questions in a biased manner. Even though the survey is completely anonymous, people are going to respond with somewhat indefinite answers because it is an illegal activity and because they could possibly be reported for their responses.



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