

# **Artists, Musicians and the Internet**

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**They have embraced the internet as a tool that helps them create, promote, and sell their work. However, they are divided about the impact and importance of free file-sharing and other copyright issues**

December 5, 2004

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**Mary Madden, Research Specialist**

# Summary of Findings

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## Unique surveys assess how artists and musicians use the internet, what they think about copyright issues, and how they feel about online file-sharing.

A national survey of self-described artists and an online survey of 2,755 musicians find:

*Artists and musicians on all points of the spectrum from superstars to starving singers have embraced the internet as a tool to improve how they make, market, and sell their creative works. They use the internet to gain inspiration, build community with fans and fellow artists, and pursue new commercial activity.*

*Artists and musicians believe that unauthorized peer-to-peer file-sharing of copyrighted works should be illegal. However, the vast majority do not see online file-sharing as a big threat to creative industries. Across the board, artists and musicians are more likely to say that the internet has made it possible for them to make more money from their art than they are to say it has made it harder to protect their work from piracy or unlawful use.*

In a period when thousands of lawsuits have been filed against those who are alleged to have shared files illegally and there is daily discussion about the possibility of changes in law, the Pew Internet & American Life Project undertook this work to survey a wide array of artists and musicians to hear about their views and experiences.

Three core research instruments were employed for this report: First, we conducted a random and nationally representative telephone survey of 809 American adults who said they are artists. Second, we administered a non-random online survey of 2,793 musicians, songwriters and music publishers distributed through musician membership organizations that was conducted on the Web. Our analysis focuses on 2,755 musicians and songwriters within that sample. The sample is self-selecting and not projectable onto the entire U.S. population of musicians. These online respondents are likely to be more

This Pew Internet & American Life Project report is based on the findings of three separate surveys on internet use by artists, musicians and the general public. All numerical data on artists was gathered through telephone interviews of adults who consider themselves artists. The Pew Internet & American Life Project Artists Callback Survey was conducted by Princeton Survey Research Associates International (PSRAI), between November-December 2003 among a sample of 809 self-identified artists. Margin of error is  $\pm 4\%$  for results based on the total sample. All numerical data on musicians was gathered through the Pew Internet & American Life Project Musician Web Survey, conducted by WebSurveyor between March-April 2004. Results are based on a non-random sample of 2,755 musicians and songwriters recruited via email notices, announcements on Web sites and flyers distributed at musicians' conferences. Since the data are based on a non-random sample, a margin of error cannot be computed, and the results are not projectable to the entire population of musicians and songwriters. Data on the general public was gathered through a Pew Internet & American Life Project Tracking Survey, fielded November-December 2003 by PSRAI among a sample of 2,013 adults. The margin of error is  $\pm 3\%$  for results based on internet users.

Pew Internet & American Life Project, 1100 Connecticut Avenue, NW, Suite 710, Washington, DC 20036  
202-296-0019, <http://www.pewinternet.org>

enthusiastic about the internet and more knowledgeable about policy issues than other musicians. Still, this extensive and wide-ranging survey brings thousands of new voices from a broad range of experiences and levels of income into the debate about online file-sharing. Third, questions about copyright and file-sharing were included in a nationally-representative, random-digit-dial survey of 2,013 American adults (18 and older).

The Pew Internet & American Life Project undertook this work to gain a deeper understanding of the views of musicians and other artists and in order to bring more voices from the arts community into the national discussions about copyright and online file-sharing. Below are some of the key findings.

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**32 million Americans consider themselves artists and about 10 million of them get some kind of compensation for their creations and performances.**

There are 32 million Americans who consider themselves artists and more than three times as many who pursue some sort of artistic endeavors in their lives, according to a survey fielded in November-December 2003 by the Pew Internet & American Life Project. The Pew Internet Project survey suggests that up to 10 million Americans earn at least some money from their performances, songs, paintings, videos, sculptures, photos or creative writing.

These are the people on the front lines in the Digital Age. Their passions, and in many cases their livelihoods, depend on public policies that encourage creativity and reward creation. They are the ones whose work is most directly affected by the technology that allows works of art to be digitized and sold online – from music to movies to books to art – and allows for easy copying and free sharing of those digitized files.

Throughout this report we refer to several groups and often focus on those who are online. “Artists” are those who described themselves as artists and were interviewed in our artist callback survey. “Paid Artists” are musicians, writers or filmmakers in our artist callback survey who get compensation for their art. “Digitized Artists” are those whose artwork (e.g. music or pictures or words) has been digitized. “Musicians” are those self-identified musical performers and songwriters who responded to our online survey (and are further divided for analysis into four subcategories in Part 3).

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**American artists have embraced the internet as a creative and inspiration-enhancing workspace where they can communicate, collaborate, and promote their work. They are considerably more wired than the rest of the American population.**

More than three-quarters of all artists, 77%, and 83% of Paid Artists use the internet, compared to 63% of the entire population. Many site specific gains in their careers from their use of the internet.

- 52% of all online artists and 59% of Paid Online Artists say they get ideas and inspiration for their work from searching online.
- 30% of all online artists and 45% of Paid Online Artists say the internet is important in helping them create and/or distribute their art.
- 23% of all online artists and 41% of Paid Online Artists say the internet has helped them in their creative pursuits and careers.
- 4% of all online artists and 8% of Paid Online Artists say the internet has made it much harder for their work to get noticed.
- 3% of all online artists and 6% of Paid Online Artists say the internet has had a major deleterious effect on their ability to protect their creative works.

Two-thirds of the musicians in our online survey say the internet is “very important” in helping them create and distribute their music. Fully 90% of these respondents use the internet to get ideas and inspiration; 87% use it to promote, advertise and post their music online; 83% offer free samples online and notable numbers report benefits from that such as higher CD sales, larger concert attendance, and more radio play; 77% have their own Web site; 69% sell their music somewhere online; 66% use the internet to collaborate with others. Many independent musicians, in particular, see the internet as an alternative way to bypass traditional distribution outlets.

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### **Notable numbers of artists say the internet has been a boon to their marketing efforts.**

- 23% of all online artists and 45% of Paid Online Artists report using the internet or email to promote, advertise or display their art.
- 23% of all online artists and 41% of Paid Online Artists say they personally use the internet or email to keep in touch with fans of their art.
- 21% of all online artists and 44% of Paid Online Artists use the internet to schedule performances and other promotional events.
- 20% of all online artists and 38% of Paid Online Artists say they have used the internet or email to provide free samples or previews of their art to the public.

The online musicians who responded to our survey are even more likely than the larger artistic community to use the internet to schedule and coordinate performances. Two-thirds of these respondents report that the internet has had a big effect on improving their ability to communicate with their audience and fans. Some 72% of musicians in our survey report that the internet has helped them to make more money from their music and 83% have provided free samples or previews of their work online.

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### **For some artists, the internet has had a helpful social impact as they network with other artists, communicate with their fans, and stay in touch with loved ones and friends when they are on the road.**

- 23% of all online artists and 36% of Paid Online Artists report the internet has had a big effect on their connection to the local arts community.
- 27% of all online artists and 51% of Paid Online Artists keep in touch with family and friends via the Net when they are on the road.
- One in six (17%) online artists and one in four (26%) Paid Online Artists say they are a member of an email list-serve, online forum, or other online community or organization geared specifically towards artists.

Fully 56% of the musicians in our sample use the internet to keep in touch when they are traveling. And 79% of the musicians in our survey report the internet has had a “big effect” on their ties to other artists.

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### **Artists are divided, but not deeply concerned about the file-sharing that happens online. They want control over their creations, but most do not say internet piracy is a big threat.**

Artists say the current copyright laws do a good job of protecting the rights of creators and most have no qualms about the length of copyright protection that the law currently allows. Under current law, the copyright for a creative work lasts for the length of the artist’s lifetime, plus an additional 70 years.

- 64% of all artists and 67% of Paid Artists think that the copyright owner should have complete control over the use of that work.

They also are clear who benefits most from current law: Half of all artists say that copyright regulations generally benefit purveyors of art work more than the original creators. Musicians echo those views.

Still, just 28% of artists consider file-sharing to be a major threat and 30% of Paid Artists say this. Among the musicians in our online survey, two-thirds say file-sharing poses a minor threat or no threat at all.

- 19% of Digitized Artists say unauthorized copies of their works have been posted online.

Most musicians in our online survey, even those who make a career out of music, have not experienced problems with others posting their work online.

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### **Artists think unauthorized peer-to-peer file-sharing should be illegal, and most would go after the companies, rather than individual file-sharers.**

- 52% of all artists and 55% of Paid Artists believe it should be illegal for internet users to share unauthorized copies of music and movies over file-sharing networks, compared to 37% of all artists and 35% of Paid Artists who say it should be legal.

When asked about the Recording Industry Association of America's lawsuits against individuals who are accused of sharing large numbers of music files online without permission from the copyright holder, close to two-thirds of all artists felt that the companies that own and operate file-sharing networks would be a better target to bear the burden of responsibility. Just 15% think that the individuals who are sharing the music files should be the ones held responsible, and 15% think both the individuals and the file-sharing companies should share the responsibility equally.

The musicians who took our online survey have somewhat different views: 37% say that both those who run the services and individuals who share files should be held culpable. Only 17% single out the online services and 15% single out individuals as the primary culprits. But most (60%) believe that the RIAA campaign will not benefit them.

In the final analysis, artists are evenly divided in their assessment about whether file-sharing programs are a net good or a net bad for their colleagues, while the musicians we surveyed are more likely to see the positive aspects of file-sharing.

- 47% of all artists agree with the statement that “file-sharing services are bad for artists because they allow people to copy or use an artist’s work without getting permission or compensating the artist.”
- 43% agree that, “file-sharing services aren’t really bad for artists, since they help to promote and distribute an artist’s work to a broad audience.”

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### **Artists are split about what constitutes fair use of digital material.**

Artists and the musicians we surveyed firmly agree that people should not sell copies of others’ works without permission. They also agree that copying material for private use is generally permissible. But there is much less consensus about some types of digital copying and sharing of files online. In every scenario, respondents were asked to assume that the person did not have permission from the copyright holder.

- When asked about burning a copy of a music or movie CD for a friend, artists’ views become sharply divided; 46% think it should be legal, and 48% say it should be illegal. Paid Artists are marginally more likely to consider CD burning to be an infringing behavior.
- 46% of artists believe that it should be legal to send a digital copy of music over the internet to someone they know, but 49% say it should be illegal.
- The musicians we surveyed were similarly divided over burning a CD for a friend; 47% think this should be legal while 41% think it should be illegal. However, most say that sending a digital copy of music over the internet to someone they know should be permitted.

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**Like most internet users, online artists are also active consumers of media content online. But most who download files say if they get content for free, they usually support the artist or author in other ways.**

Half of all online artists in our sample say they listen to music online at a radio station, music store, recording artist or music service Web site, and 58% of Paid Online Artists say this. That number is significantly higher when compared to our recent measure of all online adults; just 34% of internet users say they listen to music online.<sup>1</sup>

Of those artists who download music files (n=118), most think that downloading has not really changed the total amount they spend on music purchases like CDs, concerts, or other music products (58% say this). Another 29% say they think downloading has actually increased what they spend on music purchases overall, and 13% say it has decreased their purchases. Likewise, among artists who either download music or video files (n=139), 86% say that when they download files for free, they usually end up supporting the artist or author in other ways, such as buying a CD or book or going to a performance. Just over half of all artists who download music or video files say they can't always tell if it's legal or illegal to download media files from the internet. More than two-thirds of the sample said they don't currently pay to download any type of media files, but they would if the price, quality and choice they want become available.

<b>Artists, Musicians and the Internet: Summary of Findings at a Glance</b>
32 million Americans consider themselves artists and about 10 million of them get some kind of compensation for their creations and performances.
American artists have embraced the internet as a creative and inspiration-enhancing workspace where they can communicate, collaborate, and promote their work.
Notable numbers of artists say the internet has been a boon to their marketing efforts.
For some artists, the internet has had a helpful social impact as they network with other artists, communicate with their fans, and stay in touch with friends when they are on the road.
Artists are divided, but not deeply concerned about the file-sharing that happens online. They want control over their creations, but most do not say internet piracy is a big threat.
Artists think unauthorized peer-to-peer file-sharing should be illegal, and most would go after the companies, rather than individual file-sharers.
Artists are split about what constitutes fair use of digital material.
Online artists are also active consumers of media content online. But those who download files say if they get content for free, they usually support the artist or author in other ways.
Source: Madden, Mary. <i>Artists, Musicians and the Internet</i> . Washington, DC: Pew Internet & American Life Project, December 5, 2004.

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<sup>1</sup> This question was last asked in the Pew Internet Project May-June 2004 Tracking Survey.

# Contents

**Summary of Findings**

**Acknowledgements**

**Part 1. Introduction**

**Part 2. Findings from the artist callback survey**

**Part 3. The musicians survey**

**Part 4. What the general public believes**

**Methodology**



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The Project would also like to thank leaders of the Future of Music Coalition for their partnership in helping us draft the Online Survey of Musicians and promote it widely within the music community. Kristin Thomson and Jenny Toomey acted as liaisons between the Project and the many musicians' organizations that agreed to spread word about the survey to their members. Ms. Thomson and Wendy Harman also helped to code and organize the open-ended responses from the survey and contributed to their presentation in the report.

Finally, the Project is grateful to the following music organizations that allowed us to promote our Online Survey of Musicians to their members: Future of Music Coalition, Just Plain Folks, the American Federation of Television and Radio Artists, CD Baby, the Nashville Songwriters Association, Garageband.com, and the American Federation of Musicians. This survey would not have been possible without their involvement. The views expressed by those who responded to our Online Survey of Musicians do not necessarily represent the views of these organizations or their members. None of the above-mentioned organizations formally endorses the findings of this research.

The Future of Music Coalition: FMC is a not-for-profit collaboration between members of the music, technology, public policy and intellectual property law communities. The FMC seeks to educate the media, policymakers, and the public about music / technology issues, while also bringing together diverse voices in an effort to come up with creative solutions to some of the challenges in this space. The FMC also aims to identify and promote innovative business models that will help musicians and citizens to benefit from new technologies. Visit FMC online at: [www.futureofmusic.org](http://www.futureofmusic.org).

About the Pew Internet & American Life Project: The Project is a nonprofit, non-partisan think tank that explores the impact of the Internet on children, families, communities, the work place, schools, health care and civic/political life. The Project aims to be an authoritative source for timely information on the internet's growth and societal impact. Support for the project is provided by The Pew Charitable Trusts. Visit the Project online at: [www.pewinternet.org](http://www.pewinternet.org).

About Princeton Survey Research Associates International: PSRAI conducted the survey that is covered in this report. It is an independent research company specializing in social and policy work. The firm designs, conducts, and analyzes surveys worldwide. Its expertise also includes qualitative research and content analysis. With offices in Princeton, New Jersey, and Washington, D.C., PSRAI serves the needs of clients around

the nation and the world. The firm can be reached at 911 Commons Way, Princeton, NJ 08540, by telephone at 609-924-9204, by fax at 609-924-7499, or by email at [ResearchNJ@PSRA.com](mailto:ResearchNJ@PSRA.com). Visit PSRAI online at: [www.psra.com](http://www.psra.com).

# Part 1.

## Introduction

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### **This is the first large-scale study that looks at artists' and musicians' use of the internet and their views on copyright.**

The Pew Internet & American Life Project's interest in studying artists and musicians grew out of our previous work studying internet users' consumption of music and other creative content online. Through a series of reports on music downloading and file-sharing, we have observed and documented the changing behaviors and attitudes of an American public learning to negotiate the ever-changing copyright landscape of the digital world.<sup>2</sup>

However, over the course of observing the explosive growth and persistence of peer-to-peer networks, and following the entertainment industry's ongoing efforts to police these activities and promote licensed digital music services, we found that there were few sources of quantitative research directed at understanding how these issues affect both musicians and the greater creative community. We found ourselves hard-pressed to answer some of the most basic questions about artists and the internet. For instance, how many artists have access to the internet? How many promote and sell their work online? How are they using the internet to develop their work, their connections to other artists, or their connections to audiences and the world-at-large? How do they feel about controversies over copyright and fair use of creative material in the heyday of peer-to-peer systems like the original Napster and the current Kazaa and BitTorrent?

The debate about copyright in the digital era has primarily centered on the recording industry's opposition to unauthorized file-sharing and downloading, a stance that has been both lauded and criticized by popular musicians. This clash over new technology grows out of a long history of disputes between business and artists about the proper balance between creators, the people who pay for and market creations, and consumers who want access to large catalogs of digital music files and argue that there are many

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<sup>2</sup> Please see the following reports:

- 1) "14% of Internet users say they no longer download music files"  
[http://www.pewinternet.org/PPF/r/124/report\\_display.asp](http://www.pewinternet.org/PPF/r/124/report_display.asp)
- 2) "Sharp decline in music file swappers" [http://www.pewinternet.org/report\\_display.asp?r=109](http://www.pewinternet.org/report_display.asp?r=109)
- 3) "Music Downloading, File-sharing and Copyright"  
[http://www.pewinternet.org/PPF/r/96/report\\_display.asp](http://www.pewinternet.org/PPF/r/96/report_display.asp)
- 4) "The Music Downloading Deluge" [http://www.pewinternet.org/PPF/r/33/report\\_display.asp](http://www.pewinternet.org/PPF/r/33/report_display.asp)
- 5) "Downloading Free Music" [http://www.pewinternet.org/PPF/r/23/report\\_display.asp](http://www.pewinternet.org/PPF/r/23/report_display.asp)
- 6) "13 Million Americans 'Freeload' Music on the Internet"  
<http://www.pewinternet.org/topics.asp?page=3&c=4>

## Part 1. Introduction

non-infringing uses of peer-to-peer. While music has been at the forefront of this discussion, the movie industry has also recently begun suing individual downloaders.

The U.S. Copyright Office Web site defines “fair use” as a limitation on copyright that allows for certain reproductions of copyrighted works for purposes such as criticism, comment, news reporting,<sup>3</sup> teaching, scholarship and research.

In our surveys between 2000 and 2003, we found growing numbers of music downloaders who said they didn’t care about the copyright on the files they were acquiring. Technology firms accommodated this demand by creating and marketing an ever-widening array of devices to copy and store music files. Moreover, the growth of home broadband connections has made it progressively easier to share and download MP3 files.

The recording industry’s response to this apparent apathy towards copyright and the ease of getting free files online was to file more than 7,000 lawsuits directed against alleged file-sharers since September 2003. After the first legal actions by the RIAA, the number of people who said in our surveys that they downloaded music files dropped dramatically but has since rebounded to a degree.<sup>4</sup>

Economic analysis of recorded music sales data and its relationship to music file-sharing activity is ongoing. At the same time, there is much to be learned from studying developments on the ground level. In the end, the future of any industry whose content can be digitized hinges on the creativity and innovation of artists.

But there are strong concerns within the artistic community, and by prominent legal scholars, about the effectiveness of current copyright terms and their enforcement in the online world. Some argue that our understanding of copyright law has strayed far from its original purpose and that the internet calls for an inherently different interpretation of what constitutes copyright infringement and what qualifies as fair use of digitized works. Furthermore, many have raised concerns about the practical difficulties of the permissions process for creators and that too few new works are passing into the public domain.

Artists are avid consumers as well as creators of online content. They often borrow from previous works and use that for inspiration for their own creativity. They represent the leading edge of media consumption online. Yet artists’ perspectives and first-hand experiences with the internet – both those of musicians and the larger creative community – have rarely been examined at the national level.

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<sup>3</sup> Please see the U.S. Copyright Office Web site for a more detailed discussion of fair use: <http://www.copyright.gov/fls/fl102.html>

<sup>4</sup> Please see: “14% of Internet users say they no longer download music files” [http://www.pewinternet.org/PPF/r/124/report\\_display.asp](http://www.pewinternet.org/PPF/r/124/report_display.asp)

## Part 1. Introduction

There are good reasons for this apparent gap in studying artists as consumers as well as producers. They are a notoriously difficult group to define with objective measures and are often prohibitively expensive to contact in large numbers. Musicians, in particular, are often required to travel extensively, which makes them difficult to reach with traditional telephone survey methods.

The Pew Internet & American Life Project has undertaken several research initiatives to begin to probe these issues of how musicians and artists use the internet and how they feel about the copyright issues that have emerged in the digital age. There were three core research instruments for this study: First, a random and nationally representative telephone survey in December 2003 of 809 American adults who said they are artists. Second, a non-random online survey of 2,793 musicians, songwriters and music publishers distributed through musician membership organizations was conducted on the Web from March 15-April 15, 2004. Our analysis focuses on 2,755 musicians and songwriters within that sample. The survey is self-selecting and non-projectable onto the general population of musicians. It is the first survey of its kind and brings many new voices and perspectives into the debates about copyright and file sharing. The third instrument was a nationally-representative, random-digit-dial survey of 2,013 American adults (18 and older) fielded between November 18-December 14, 2003.

The findings from these three surveys, while covering similar themes, are discussed in separate sections of the report in order to emphasize the important methodological differences between the samples. Additionally, each sample serves a different purpose, so we anticipate that some readers will appreciate having the data presented discretely in the sections that follow.

The national sample of self-identified artists allowed us to ask questions of a broad, random, and representative sample of self-identified artists from around the country, to gather baseline data on internet use by a wide range of artists in the U.S. and probe their opinions on copyright issues online. However, reflecting both the well-known challenges of recruiting artists for research purposes and the conventional wisdom about the small number of career artists in the U.S., this sample was limited in its ability to include a large number of artists who rely almost exclusively on artistic work for their livelihood.

The sample of online musicians, while not representative, allowed us to reach several thousand respondents, including a substantial portion of career musicians (those we define as “Success Stories” and “Starving Musicians” in the report) who have a considerable stake in discussing both the positive and negative effects of free downloading online. The musician survey, because it was administered online, also gave us a chance to ask a more thorough list of questions about the internet that was uniquely catered to musical performers and songwriters.

Finally, the random and nationally representative sample of American adults provided a glimpse of how the views and experiences of average consumers compare to those of the creative public.

## Part 2.

### Findings from the artist callback survey

The artists who responded to our survey were self-identified. This method of locating and questioning artists was modeled after an identification method used in an Urban Institute study of support structures for artists in the U.S.<sup>5</sup> We recruited for the artists survey through several general population surveys throughout 2003. Respondents to our general population surveys were asked if they “study, practice, or do” any of the following activities: drawing or painting, creative writing, music, acting, dancing, filmmaking, or any other type of artistic activity. The six general categories included in this question were identified as the most popular artistic activities in the U.S., both in the 2002 Urban Institute study and throughout the 2003 Pew Internet Project Tracking surveys that were used to recruit self-identified artists for the callback sample.

This list of activities is less extensive than the eleven occupational categories included in the decennial U.S. Census and the U.S. Bureau of Labor Statistics’ Current Population Survey.<sup>6</sup> The broader list of eleven arts occupation categories has been used by the National Endowment for the Arts (NEA) to analyze artist employment in the U.S., but it does not represent an official NEA definition of artists per se.<sup>7</sup> For the purposes of our telephone survey, we prompted respondents with an abbreviated version of this list, while being careful to not exclude artists from other artistic occupations. In every instance of recruiting in a general population survey and in the final callback survey, the respondents were given the option to choose an “other” category and specify the type of artistic activity they engage in.

Those who indicated that they engaged in at least one artistic activity were then asked, “Thinking of all the kinds of artistic activities I just mentioned, do you consider yourself an artist?” All respondents who participated in our callback survey replied “yes” to this question when it was asked in a general population survey. Additional questions about employment, the amount of time devoted to artistic activities and the percentage of annual income that is attributable to being an artist were used to learn more about the artists’ reliance on creative work.

The random sample that was gathered for the callback survey is a national sample of self-identified artists in the U.S. While this self-identification method does not yield a sample that is representative of all artists in the U.S., it was gathered without the influence or

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<sup>5</sup> The Urban Institute Study, “Investing in Creativity: A Study of the Support Structures for U.S. Artists” is available at: <http://www.usartistsreport.org/index.asp>

<sup>6</sup> For more information, please visit the U.S. Department of Labor’s Bureau of Labor Statistics at: <http://www.bls.gov/cps/home.htm>

<sup>7</sup> <http://www.cpanda.org/arts-culture-facts/artists/defterms.html>

## Part 2. Findings from the artist callback survey

selection bias that is sometimes associated with population identification through artist membership organizations.<sup>8</sup> Accordingly, our sample includes both professional and amateur artists from many different artistic disciplines.

**Paid Artists** are musicians, writers or filmmakers who earn at least some income from their art.

This section of the report includes findings from the total artist sample, as well as focused analysis on a subgroup of working artists referred to as “Paid Artists.” Paid Artists are musicians, writers or filmmakers who earn at least some income from their art. While all types of artists arguably have an important stake in the public debate over copyright and the internet, the subgroup of Paid Artists are on the front lines because of the ease with which their works can be circulated online and the visible involvement of their respective industries in lobbying and other legal battles. For these reasons, we have separately analyzed the responses of 215 Paid Artists in our sample when there are notable comparisons to be made with the total sample. Additionally, we often refer to the 184 “Paid Online Artists” in our sample.

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### 57% of Americans study, practice, or do some type of artistic activity.

Our November-December 2003 general population survey of 2,013 people showed that more than half of all American adults say they engage in some type of artistic activity. Projecting the results onto the entire U.S. population, this finding means that roughly 114 million Americans play musical instruments, sing, do creative writing, draw, paint, dance, act, make films and engage themselves in many other forms of artistic pursuit.

About 28% of this creative group--32 million people--consider themselves artists.<sup>9</sup> Some 32% of those who say they are artists (about 10 million people) say they get some form of compensation from their artistic endeavors.

The 809 self-identified artists who were included in our callback sample come from a wide range of artistic disciplines and backgrounds. Most of these artists are involved in more than one creative field, though music, drawing, painting, and creative writing are the most common pursuits. The final sample of 809 respondents was weighted to match the demographic characteristics of the entire artistic population (more than 3,000 people) from the original general population surveys we conducted through 2003.

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<sup>8</sup> Butler, Donnell. “Studies of Artists: An Annotated Directory” Princeton Center for Arts and Cultural Policy Studies. June 2000. Available at:

<http://www.princeton.edu/culturalpolicy/workpap/WP12%20-%20Butler.pdf>

<sup>9</sup> Pew Internet and American Life Project Survey, June 10-24, 2003.

## Part 2. Findings from the artist callback survey

Similar to the gender parity that exists within the general adult population in the U.S., male and female artists make up equal portions of the artist sample. However, unlike the general population, the artist sample is much younger. Fully 32% of artists are aged 18-29, compared to roughly 19% of the general population. Likewise, artists are more likely than the general public to have attended college. However, they are also more likely to

<b>Demographic Makeup of the Artist Sample</b> <i>How artists compare to the general population.</i>			
	<i>All artists</i> N=809	<i>Paid Artists</i> N=215	<i>GP</i> N=2013
<b>Gender</b>	%	%	%
Men	51	54	48
Women	49	46	52
<b>Age</b>			
18-29	32	27	19
30-49	42	51	40
50-64	17	17	23
65+	8	5	16
<b>Race/Ethnicity</b>			
White, non-Hispanic	66	75	73
Black, non-Hispanic	12	10	11
Hispanic	12	7	10
Other	7	4	5
<b>Education</b>			
No College	42	29	50
Some College	30	27	24
College Grad+	28	44	26
<b>Income</b>			
< \$30K	44	35	29
\$30-49,999K	20	30	21
\$50-74,999K	12	13	14
\$75K+	12	14	19

Source: Pew Internet & American Life Project Artists Callback Survey, November 3 – December 7, 2003 and Pew Internet & American Life Project Tracking Survey, November 18 – December 14, 2003. Margin of error is  $\pm 4\%$  for the total artists sample,  $\pm 8\%$  for Paid Artists and  $\pm 2\%$  for the GP sample. In some cases, totals are not equal to 100% due to rounding or non-response.

fall into the lowest income bracket – those living in households earning less than \$30,000 annually. This is likely a consequence of artists' age -- younger Americans tend to earn less money than older Americans.

One-third of self-identified artists say they receive income from their artistic pursuits. However, just 7% earn all of their annual income from art. That translates into roughly 2 million people who are fully able to support themselves with their artistic work. This estimate is similar to those derived from annualized data on artists employed in primary jobs collected in the 2001 Current Population Surveys.<sup>10</sup>

All of the Paid Artists in our sample earn some income from their art, and a fifth of them get 100% of their annual income from being an artist. The Paid Artists are more likely to be men than women. As a whole, they are younger than the general population, but older than the total artist sample. Half of Paid Artists are aged 30-49 and 27% are aged 18-29. Their racial and ethnic composition closely resembles that of the general public, though they are more likely to be white when compared to all artists.

The most striking demographic characteristic of the Paid Artist sample is their education level; fully 44% of these artists have at least a college degree. Yet, despite this high level of education, the data suggests they may still earn somewhat less than the adult population at large.

<sup>10</sup> For more information on estimates of the artist population in the U.S., please see, "How Many Artists Are There?" a quick facts publication of Princeton University's Cultural Policy and the Arts National Data Archive. Available at: <http://www.cpanda.org/arts-culture-facts/artists/artistemploy.html>



## Part 2. Findings from the artist callback survey

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### **Artists are more likely than other Americans to use computers.**

The artists in our sample are experienced computer users relative to the general public. While just 72% of all American adults say they use a computer at their workplace, school, at home, or anywhere else, 84% of artists and 95% of Paid Artists use computers.

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### **Artists are also considerably more wired, particularly among older generations.**

Likewise, internet use has been woven into artists' lives at greater levels than in the general population. While roughly two-thirds of all adults polled reported internet use in our regular November-December 2003 Tracking Survey of the general public, 77% of all artists polled and 83% of Paid Artists reported use of the internet in our Artists Callback Survey.

Among the total artists' sample, men and women report internet access in equal numbers—a finding that is consistent with the general public. Another trend that mirrors what we have found among all Americans; the younger the artist, the more likely he or she is to go online. However, while the young adult segment of the general public and the young adult artist population are equally wired (83% of all American adults aged 18-29 use the internet compared to 85% of all artists aged 18-29), the relative predominance of the internet in artists' lives is evidenced among those aged 30 and older. For example, 73% of American adults aged 30-49 go online compared to 80% of artists who are aged 30-49; 59% of all Americans aged 50-64 go online compared to 73% of all artists aged 50-64; and 26% of all Americans aged 65 and older go online compared to 38% of artists who are 65 and up. Internet access does not vary as greatly according to income for artists as it does for the general public.

When compared to the total population of internet users, Paid Online Artists also appear to have adopted the internet somewhat earlier in their lives; 49% of all adult internet users had been online for six years or more in our regular Nov-Dec 2003 Tracking Survey, compared to 58% of Paid Online Artists who participated in our Nov-Dec 2003 Artists Callback Survey.

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### **Artists use the internet as a creative workspace.**

One consequence of the intersection between creative content and the Web has been the newfound ease with which artists can search for and acquire the materials or personal connections they need to produce their work. This could mean purchasing painting supplies or equipment online; finding text, images or audio that provide inspiration for a film; educating oneself about creative techniques like using Flash video software to present an art installation online; or connecting with other musicians to work on a collective project. The internet, in short, can be a useful place to get answers to the

## Part 2. Findings from the artist callback survey

practical day-to-day issues that arise when people are generating creative work and preparing it for display or distribution.

A substantial segment, 42% of all online artists, says they order art supplies or equipment online. In comparison, 65% of Paid Online Artists say they order supplies or equipment online. Equal numbers use the internet to keep track of what other artists in their field are doing; 42% of all online artists say they follow other artists on the internet and 64% of Paid Online Artists say this.

From asynchronous email conversations to real-time collaboration software, artists are using the internet to organize, pool resources, and carry out common goals. When asked if they ever use the internet or email to collaborate with other artists online, 33% of all online artists and 51% of Paid Online Artists who go online say they do so. And one out of every five artists we spoke to say they have posted creative content on a Web site. One out of every three Paid Online Artists says this.

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### **The internet has greatly improved connections between artists, art communities and audiences.**

The ease with which information and creative works can be circulated online has been cause for alarm for many artists and other copyright holders. However, paradoxically, the same insuppressible sea of digital information that permits widespread copyright infringement can also enable creators to communicate, collaborate, produce and promote their own work. The internet provides new opportunities to reduce the time and money they spend on production and promotion. It also can obviate the need for intermediary distribution support for some artists.

As is the case with other professional and hobby-oriented communities, artists tend to thrive on the social and professional networks built around their art. Different artistic pursuits rely on varying types of offline opportunities to sustain these connections (workshops, performances, supply stores), but the internet can host common meeting places for even the most obscure or solitary types of artistic work.

The online artists in our sample engage with internet-based community networking to a modest degree. One in six (17%) say they are a member of an email list-serve, online forum, or other online community or organization geared specifically towards artists. And one in four Paid Online Artists (26%) say this. However, when asked whether the internet had improved their connections with others in the art community, 23% of all online artists report a big effect in this regard, and 36% of Paid Online Artists report this level of improvement. Of the many potential internet impacts we queried, the internet's role in improving connections to others within the art community was one of the most broadly observed effects.

Artists are also recognizing the internet's capacity to help broaden their fan base. Posting artist information and creative content online provides a way for audiences to discover

## Part 2. Findings from the artist callback survey

and follow the work of artists from anywhere in the world. Additionally, the Web affords artists the opportunity to engage fans and followers of their work, despite their location or level of notoriety. In our artists sample, 23% of all online artists say they personally use the internet or email to keep in touch with fans of their art. Nearly twice as many Paid Online Artists (41%) say they communicate with their fans online.

Of course, conveying information to one's audience is not always a task that is carried out by the artists themselves. When asked more generally about the impact of online communication, 17% of all online artists say that the internet has had a big effect on improving their *ability* to communicate with their audience and fans of their art. About the same number, 15%, report a small effect and 64% report no effect. Among Paid Online Artists, 31% say the internet has had a big effect on improving their ability to engage with their audience, 24% report a small effect, and 44% report no effect.

A more personal and somewhat more widely-used function of the internet is for keeping in touch with family and friends while touring or traveling for promotional events. Some 27% of all online artists use the internet for this purpose, while 51% of Paid Online Artists keep in touch with family and friends on the Net.

However, a much smaller segment of all online artists, 12%, say they will use the internet to keep in touch with an agent or management staff. 27% of Paid Online Artists say this.

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### Artists are liberal borrowers of others' work.

Close to half (45%) of all artists say they get ideas and inspiration from searching online. That compares to just over half (54%) of Paid Artists who say this. At the same time, most artists rely on offline resources to help them develop their creative work. Various media, like books, recorded music, pictures or images that are either bought or borrowed from a library rank the highest; 82% of all artists and 88% of Paid Artists say they seek inspiration or get ideas for their art from these sources. Nearly as prevalent, 76% of all artists and 84% of Paid Artists say they get ideas from attending performances, shows, museums or galleries. Less common are those who get ideas or inspiration from participating in an artists' group or workshop; 54% of all artists and 61% of Paid Artists say they do this.

However, when we asked artists about the *last* time they had incorporated material from other sources into their art, they were equally as likely to say they found the content online as they were to say it originated from performances, shows, museums and galleries or from an artists' group or workshop. About one in seven artists who incorporated material used one of these sources (15% got material from performances, shows, museums or galleries, 13% from an artists' group or workshop, and 13% from the internet). By contrast, borrowed or bought media like books or recorded music were the most popular resource in that most recent borrowing episode. Some 50% of artists said they drew from those media the last time they incorporated others' work in their own art.

## Part 2. Findings from the artist callback survey

In these instances of incorporating material, the vast majority of artists, some 77%, say they didn't secure permission to use the material they incorporated. Of those who did not get pre-authorization, 58% say their main reason was that they did not use the material in a way that required it. Another 23% say that the work they used was part of the public domain. Another 11% say they didn't feel they should have to ask permission to use the material, and 7% say they weren't sure how to seek permission from the copyright holder.

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### Some artists use the internet to figure out what material is in the public domain.

Few artists rely exclusively on the internet as their primary source of inspiration, but there are other practical online applications that can help to facilitate the creative process. For example, artists can use the internet to locate creative work from the public domain or to find out if another artist's work is legally available for them to use. This can be a crucial component to the production of an artistic work, as works in the public domain do not require the licensing fees and permissions typically associated with copyrighted works. Close to one-quarter, 24%, of all online artists say they use the internet or email to locate work from the public domain or otherwise investigate works they can use, and 37% of Paid Online Artists say this.

According to the FAQ page on the U.S. Copyright Office Web site, "A work of authorship is in the 'public domain' if it is no longer under copyright protection or if it failed to meet the requirements for copyright protection. Works in the public domain may be used freely without the permission of the former copyright owner."<sup>11</sup>

Legally, while all original work has copyright protection once it is placed into a fixed form, it is much easier to enforce the protection of a creation if the copyright is registered with the U.S. Copyright Office. In an attempt to expedite the registration process, the Copyright Office has taken steps in recent years to create an online registration system that electronically accepts filings for literary texts, serials, and musical works and receives deposits in HTML, PDF, ASCII text, or MP3 format.<sup>12</sup> A limited number of copyright holders have been authorized to submit applications through the CORDS system (Copyright Office Electronic Registration, Recordation, and Deposit System); however, the system is still under development and is currently unable to accept new applications until 2005.

Although creators and rights holders cannot currently complete all steps of the registration process exclusively online, the U.S. Copyright Office Web site does provide all of the information and forms needed to register their works via mail. Other private

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<sup>11</sup> <http://www.copyright.gov/help/faq/faq-definitions.html>

<sup>12</sup> Please see: <http://www.copyright.gov/cords/> for additional information on the CORDS system.

## Part 2. Findings from the artist callback survey

companies offer “online registration” services that allow some types of creators to submit the required application materials electronically using a software program, after which time the company takes over the physical submission process and acts as a liaison for further communications with the Copyright Office.

However, our research suggests that a fairly small segment of the artist population has been able to take advantage of any form of online registration; 6% of all online artists say they have registered the copyrights for their art online, and 10% of Paid Online Artists have done so.

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### Many artists promote their work online.

The internet provides a venue for artists to promote their work around the world at a small fraction of the cost artists typically incur with traditional marketing methods. For many artistic disciplines—whether it’s music, theatre, dance, or other arts—audiences are turning to the internet to find information about artistic events and products online.<sup>13</sup> However, as artists and their agents become increasingly internet-savvy, it can be harder to differentiate an artist’s work from the growing roster of other artists with an online presence. Additionally, for some arts disciplines, the mass proliferation of unauthorized copies of digitized works on the internet can threaten the demand for authorized copies. These are new and significant challenges for those who are working to develop an effective promotional strategy that uses the internet.

When we asked online artists if the internet had made it harder to get their art noticed because so much other work is offered online, 14% reported some effect (4% reported a big effect and 10% reported a small effect). And nearly twice as many Paid Online Artists, 27%, said it was harder to get their work noticed because of the competition they faced online (8% reported a big effect, while 19% reported a small effect).

The Paid Online Artists in our sample are also twice as likely as those in the overall artist population to use the internet or email for various promotional purposes. Among Paid Online Artists, 45% report using the internet or email to promote, advertise or display their art. When looking at the larger pool of all online artists, 23% say they use the Web to promote their art in this manner.

Finally, there is a group of artists that is best-positioned to utilize and benefit from the internet: those Paid Online Artists whose work has been digitized. There are 106 of them in our sample, and we call them Paid Digitized Artists. A dramatically larger portion of them, 61%, have used the internet or email for promotional purposes.

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<sup>13</sup> In the 2002 Survey of Public Participation in the Arts, funded by the National Endowment for the Arts, 19% of all respondents (one-third of all Internet users identified in the survey) said they had explored at least one arts topic on the Internet. The most frequently searched arts topics reported included: music (13%), literature (9%), visual arts (6%), theater (4%), dance (2%), and opera (1%). A summary of the survey is available at: <http://www.nea.gov/pub/Notes/81.pdf>

## Part 2. Findings from the artist callback survey

Similarly, Paid Digitized Artists are also the most likely to say they have used the internet or email to provide free samples or previews of their art to the public. Just over half, 52%, say this. In comparison, 38% of all Paid Online Artists say they use the internet or email to help provide free samples or previews, while 20% of all online artists say this.

When it comes to scheduling performances or other promotional events, 44% of Paid Online Artists say they use the internet or email to do this, and 21% of all online artists do so. However, for many artistic professions, artist management or other support staff might carry out these tasks in lieu of the artists themselves.

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### The 16% of artists who have Web sites are the most likely to report that the internet has helped them reach a wider audience.

In addition to understanding how artists employ the promotional applications of the internet, we also wanted to examine the perceived impact of these new capabilities. Not surprisingly, those who have reaped the most benefits in terms of audience reach are those who have been poised to do so. Some 63% of Paid Digitized Artists report that the internet has had some impact on their audience reach, with 37% saying the internet has had a big effect and 26% saying it has had a small effect. In comparison, 50% of Paid Online Artists say the internet has allowed them to reach a wider audience, with 28% reporting a big effect. And 33% of all online artists say the internet has helped in this way, with 17% saying it has had a big effect.

<b>What artists do with their Web sites</b>	
<b>16% of artists have a Web site. N=100</b>	
<b>Activity</b>	<b>Percentage</b>
Provide free samples of their art	57%
Link to other artists' sites	39
Sell their art	37
Provide free samples of others' work	15
Make other artists' work available for sale	11
Sell merchandise promoting their art such as T-shirts or posters	9

*Source: Pew Internet & American Life Project Artists Callback Survey, November-December 2003. Margin of error is  $\pm 11\%$  for results based on online artists who have a website.*

The impact of the internet on audience reach is even more evident when we look within the segment of online artists who have their own Web site (either built by themselves or someone else). Some 75% of this group says the internet has helped them reach a wider audience, with 39% reporting a big effect.

Still, while there are many repositories of artist information online, most of the artists we surveyed do not yet have their own Web site.<sup>14</sup> Just 16% of online artists in our study say they have their *own* Web site, compared to 24% of Paid Online Artists. Surprisingly, the likelihood that an artist will have his or her own Web site does not vary according to age,

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<sup>14</sup> Some of these artists may not have their own exclusive Web site, but still provide information about their work online through other types of Web sites, including artists' organizations, galleries, museums, etc.

## Part 2. Findings from the artist callback survey

except among the oldest of users (those aged 65 or over). But twice as many wired male artists report having their own Web site, compared to wired female artists.

Looking at the larger sample of all online artists, 5% say they sell their art online at someplace other than their own Web site. This might include Web sites like Amazon.com, eBay.com or any number of art gallery Web sites, for example. In comparison, 14% of the Paid Online Artist segment reported selling their art online through someplace other than their own Web site.

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### **Nearly half of all Paid Online Artists and the majority of those whose work is digitized think the internet helps them create and distribute their work.**

Many artists feel that the internet plays an important role in facilitating the creation and distribution of their creative works. Their feelings about the internet vary according to how much time and money is invested in an artistic pursuit, as well as whether or not the artist's work lends itself to digitization. Among our total artists sample, 13% of online artists say the internet is very important in helping them create and/or distribute their art, and 17% say it is somewhat important.

Among Paid Online Artists, a much larger portion, 26%, of those who use the internet in a way that is related to their art, say the internet is very important for creation and distribution, while 19% say it is somewhat important. 22% say the internet is not too important in helping them to create and distribute their work, and 31% say it is not important at all.

Paid Digitized Artists are the most likely to say the internet helps them create and distribute their work. Some 40% of Paid Digitized Artists say the internet is very important for these purposes, 18% say it is somewhat important, 23% say it is not too important, and 18% say it is not important at all.

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### **Few artists report negative experiences linked to the internet's impact on their careers.**

The Paid Online Artists in our sample were overwhelmingly positive about the impact of the internet on their careers. In fact, 41% say the internet has helped their careers, and less than 1% of Paid Online Artists say that the internet has hurt their career.

Paid Digitized Artists are more likely than others to say that the internet has helped them professionally: 54% say the internet has helped their career, and only 1% say it has hurt. Similarly, 56% of Paid Digitized Artists say that the internet has made it possible for them to earn more money from their art. More than one-third (35%) report a big effect, while one-fifth (21%) report a small effect.

## Part 2. Findings from the artist callback survey

One in four Paid Online Artists say the internet has had a big effect on making it possible for them to make more money from their art, and 22% report a small effect in this regard. The following table summarizes artists' judgments about the impact of the internet on their work and careers.

<b>The Internet Effect on Artists</b>			
<i>Has the internet had a big effect, a small effect, or no effect on you in each of the following ways...?</i>			
	<i>All Online Artists (n=629)</i>	<i>Paid Online Artists (n=184)</i>	<i>Paid Digitized Artists (n=106)</i>
<b>Made it possible to make more money from your art</b>	%	%	%
Big effect on me	10	24	35
Small effect on me	13	22	21
No effect on me	72	52	43
This item doesn't apply to me or my art	5	2	1
<b>Improved your connections with others in the art community</b>	%	%	%
Big effect on me	23	36	47
Small effect on me	22	35	32
No effect on me	52	28	20
This item doesn't apply to me or my art	3	1	1
<b>Allowed you to reach a wider audience with your art</b>	%	%	%
Big effect on me	17	28	37
Small effect on me	16	22	26
No effect on me	63	50	36
This item doesn't apply to me or my art	4	1	1
<b>Improved your ability to communicate with your audience and fans of your art</b>	%	%	%
Big effect on me	17	31	47
Small effect on me	15	24	26
No effect on me	64	44	26
This item doesn't apply to me or my art	3	1	1
<b>Made it harder to protect your art from piracy or unlawful use</b>	%	%	%
Big effect on me	3	6	5
Small effect on me	11	19	20
No effect on me	79	72	71
This item doesn't apply to me or my art	6	3	4
<b>Made it harder to get your work noticed because so much other work is offered online</b>	%	%	%
Big effect on me	4	8	6
Small effect on me	10	19	23
No effect on me	81	68	68
This item doesn't apply to me or my art	5	4	3

Source: Pew Internet & American Life Project Artists Callback Survey, November-December 2003. Margin of error is  $\pm 4\%$  for results based on all online artists,  $\pm 8\%$  for Paid Artists, and  $\pm 10\%$  for Paid Digitized Artists.



## Part 2. Findings from the artist callback survey

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### **Most of these artists have not personally experienced increased problems protecting their work because of the internet.**

When we asked artists whether the internet had made it harder to protect their art from piracy or unlawful use, most artists, regardless of their economic reliance on art, reported no effect. In all, 79% of online artists say the internet has no effect on making it harder for them to protect their art, while 14% report some effect (11% observed a small effect and 3% reported a big effect).

Paid Online Artists were more likely to report some increased difficulty in protecting against piracy, though still only one in four reported this. Just 6% of Paid Online Artists said the internet had a big effect on making it harder to protect their art, and 19% said it had a small effect. Surprisingly, Paid Digitized Artists were no more likely than all Paid Online Artists to observe any negative effect.

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### **However, most say they would be bothered if someone else posted a digital copy of their work on the internet without their permission.**

A majority of artists whose work *can be digitized* (a group that includes those whose work has not yet been digitized, as well as those who have digitized forms of their work), 57%, say they would indeed be bothered if they discovered that someone had placed a copy of their artwork online without prior consent.

Among Paid Artists whose work *can be digitized*, roughly the same portion, 55%, said they would be bothered if others posted content of theirs without permission.

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### **One in five artists with digitized work say they have personally experienced someone posting unauthorized copies of their work online.**

When we asked all Digitized Artists whether they knew of someone ever posting a digital copy of their art on the Internet without permission, 19% said yes. Within the portion of Paid Digitized Artists, roughly the same number, 24%, say they are aware of an instance in which their work was posted online without their authorization.<sup>15</sup>

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### **There is no clear consensus among artists about the use of copy protection mechanisms that would block the unauthorized duplication of their work.**

A majority of artists whose work *can be digitized* (55%) said they would want their art to be copy-protected so that digital copies could not be made without their permission.

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<sup>15</sup> This question was asked both of online and offline Digitized Artists.

## Part 2. Findings from the artist callback survey

Another 40% said they would not want their art to be copy-protected, and 5% said they didn't know or refused to answer the question. The Paid Artists within that group were split down the middle on this issue; 48% of these working artists whose art can be digitized said they would want the copy protection, and 47% said they would not. Another 5% said they didn't know or refused to answer.

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### **Clear majorities of all artists think that copyright owners should have complete control over the use of an artistic work.**

Once a piece of art is produced and copyrighted – whether it is a song, a painting, a quilt or a sculpture – 64% of all artists and 67% of Paid Artists think that the copyright owner should have *complete* control over the use of that work. A little under one-third of both groups think the copyright owner should have some control, and 5% say the owner should only have very little control. The rest say they don't know or refused to answer the question.

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### **Artists' sense of familiarity with current copyright laws varies according to their reliance on their work for the livelihood. But most claim not to know that much about "fair use" provisions.**

Not surprisingly, an artist's self-assessment of his or her familiarity with copyright law varies according to profession and reliance on art. Some 54% of all artists in our sample say they are somewhat or very familiar with current copyright laws and regulations: 14% say they are very familiar, and 40% say they are somewhat familiar. Paid Artists are more likely to claim familiarity than others. In all, 76% of Paid Artists say they are familiar with the existing copyright regulations: 24% say they are very familiar, and 52% say they are somewhat familiar.

Despite their general sense of familiarity with copyright law, most artists say they do not know much about the "fair use" portion of the law. The fair use doctrine, a deliberately vague and notoriously difficult body of law to interpret, allows some free use of copyrighted materials. In practice, fair use is given to those who want to make limited use of a copyrighted work (including such exceptional purposes as educational and journalistic uses, parody or critique, for example) without permission.<sup>16</sup> When asked specifically about this body of copyright law, just one-quarter of all artists and one-third of Paid Artists say they are somewhat or very familiar with fair use (only 3% of all artists and 6% of Paid Artists say they are very familiar).

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<sup>16</sup> For more information on fair use, please see the U.S. Copyright Office Web site: <http://www.copyright.gov/fls/fl102.html>

## Part 2. Findings from the artist callback survey

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### **Artists are very clear that most copying activities for personal use should pass the fair-use test.**

Nine out of ten artists agree that the practice of recording a movie or TV show on a VHS tape to watch at home at a later time should be deemed legal under the fair use provisions of copyright law. Similarly, nine out of ten artists think that making a photocopy from a book or article for personal use is also acceptable. There were no significant variations according to the earning status of the artists.

About three-quarters of all artists and the subgroup of Paid Artists believe that it is permissible to post an excerpt of a story or article online in order to critique or comment on it. And roughly the same portion of both groups say that making a digital copy of music on a personal computer, otherwise known as “ripping,” from a purchased CD should be permissible.

The one exception to this consensus that copying for personal use is acceptable comes in the area of software. Artists were divided in their opinions about copying a Microsoft program or Adobe Photoshop for personal use; 47% say such copying for personal use was fine, and 48% say it should be considered illegal. Paid Artists also lacked consensus over software copying.

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### **Artists are sharply divided about the legality of copying material in order to share it with others, especially when that is done online.**

When asked about burning a copy of a music or movie CD for a friend, artists’ views become sharply divided; nearly half think it should be legal, and another half say it should be illegal. Paid Artists are marginally more likely to consider CD burning to be a copyright-infringing behavior.

Likewise, artists are split about the practice of sending a digital copy of music over the internet to someone they know; 46% think it should be legally acceptable behavior, while 49% say it should be illegal. Again, Paid Artists are marginally more likely to disapprove of this behavior.

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### **Half of all artists say that downloading music or movies on file-sharing networks should be illegal, and majorities think that posting free copies of music online should not be permitted. They firmly draw the line at copying and selling content without permission.**

Those who share files over the internet are seen as more legally culpable by artists than those who download files. Fully 69% of all artists and 75% of Paid Artists believe that those who post files are breaking the law. At the same time, 49% of all artists believe that downloading music or movie files over file-sharing networks should be considered

## **Part 2. Findings from the artist callback survey**

illegal, and 35% say it should be legal. Sizable portions say they don't know how to respond or decline to answer the question. Paid Artists generally echo these views.

Copying for commercial or profit-driven purposes throws up a red flag for nearly all artists. Less than one in ten says it should be legal to make copies of movies or television programs to sell to other people, and fewer than one in twenty Paid Artists says this. A full table of artists' responses about fair use, copying and sharing, appears below.

## Part 2. Findings from the artist callback survey

<b>Artists and Fair Use</b>			
<i>Assuming a person does NOT have permission from the copyright holder, do you think each of the following should be LEGAL or ILLEGAL under the "fair use" portion of copyright laws?</i>			
	<i>Should be Legal</i>	<i>Should be Illegal</i>	<i>Don't Know/Refused</i>
<b>Recording a movie or TV show on a VHS tape to watch in your own home at a later time</b>	%	%	%
Total Artists (n=809)	90	8	2
Paid Artists (n=215)	88	9	2
<b>Making a photocopy from a book or article for personal use</b>	%	%	%
Total Artists	89	10	1
Paid Artists	88	10	2
<b>Burning a copy of a music or movie CD for a friend</b>	%	%	%
Total Artists	46	48	6
Paid Artists	42	51	6
<b>Posting an excerpt of a story or article to critique or comment on it</b>	%	%	%
Total Artists	72	22	6
Paid Artists	76	19	6
<b>Downloading a music or movie file off a file-sharing network like Kazaa or Morpheus</b>	%	%	%
Total Artists	35	49	15
Paid Artists	38	46	16
<b>Sharing a music or movie file from your computer over a file-sharing network</b>	%	%	%
Total Artists	37	52	12
Paid Artists	35	55	9
<b>Making a digital copy of music on your own computer from a CD you purchased</b>	%	%	%
Total Artists	73	23	4
Paid Artists	77	19	4
<b>Sending a digital copy of music over the Internet to someone you know</b>	%	%	%
Total Artists	46	49	5
Paid Artists	42	52	7
<b>Posting or sharing digital copies of music on the Internet for other people to download for free</b>	%	%	%
Total Artists	23	69	7
Paid Artists	18	75	7
<b>Making copies of movies or television programs and selling them to other people</b>	%	%	%
Total Artists	7	91	2
Paid Artists	4	93	3
<b>Making a copy of a computer program such as Microsoft Word or Photoshop for your own use</b>	%	%	%
Total Artists	47	48	5
Paid Artists	43	50	7

Source: Pew Internet & American Life Project Artists Callback Survey, November-December 2003. Margin of error is  $\pm 4\%$  for results based on all artists,  $\pm 8\%$  for Paid Artists.

## Part 2. Findings from the artist callback survey

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### **Artists agree that current copyright laws do a good job of protecting artists' rights, though few agree strongly.**

Half of all artists and half of Paid Artists say they agree that copyright laws are working successfully to protect artists' rights. But just one in ten say they strongly agree. In comparison, just 24% of all artists and 30% of Paid Artists say they *disagree* with the statement that copyright laws do a good job of protecting artists' rights, while less than 5% of both groups strongly disagree. A significant portion of all artists, 12%, say they don't know or refuse to answer the question. And 5% of Paid Artists say they don't know or refuse to answer.

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### **Most do not think that copyright laws unfairly limit public access to art.**

One-third of all artists and the same portion of Paid Artists say they agree that copyright regulations can place some unfair limitations on public access to art. Just 5% of all artists and 10% of Paid Artists say they strongly agree. But half of all artists and Paid Artists disagree with this statement. Less than 10% from each group strongly disagree. Another 13% of all artists and 8% of Paid Artists don't know how to answer the question or refuse to answer.

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### **Just one in five thinks that the current length of copyright terms is too long.**

Under current law, the copyright for a creative work lasts for the length of the artist's lifetime and then for an additional 70 years. Once a copyright expires, the work enters the public domain, and anyone can use it without requesting permission from the copyright holder. When we informed respondents of these terms, and asked about the current duration of copyright, three out of five say they think the length is just about right. Surprisingly, there were no significant differences between the responses of all artists and Paid Artists for this question. About one in five think that the length is too long, and 17% of both groups think it is too short. Less than 5% say they don't know or decline to answer the question.

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### **Many feel that copyright laws do more to protect those who sell art than to protect the artists themselves.**

Half of all artists and half of Paid Artists agree that copyright regulations generally benefit purveyors of art work more than the original creators. Within the total artist population, 15% strongly agree that those who sell art are better protected by copyright laws. Within the subpopulation of Paid Artists, 19% strongly agree. Just 18% of each group disagree with this statement and 5% or less strongly disagree. Again, many

## Part 2. Findings from the artist callback survey

respondents aren't sure how to respond or refuse to; 15% of all artists decline to answer, and 8% of Paid Artists neither agree nor disagree.

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### **Overall, artists are divided, but not deeply concerned about the file-sharing that happens online.**

Just 14% of artists say they are very concerned about the issue of file-sharing on the Internet, and 28% say they are somewhat concerned. Another 31% say they are not too concerned, and 22% are not concerned at all. There were no significant differences between the responses expressed by the total artist pool and those expressed by Paid Artists. Similarly, responses from *musicians within the artists' sample* resembled those of other artists: 17% say they are very concerned, 28% somewhat concerned, 32% not too concerned and 20% not at all concerned.

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### **The vast majority of artists believe file-sharing poses only a minor threat or no threat at all to creative industries like music and film.**

In all, 45% of artists say that file-sharing on the Internet poses a *minor* threat to creative industries like music and movies. In comparison, 28% consider file-sharing to be a major threat, and 22% say they think it poses no real threat at all. Again, the responses expressed by the total artist pool and those expressed by Paid Artists were nearly identical. Musicians within the artists sample are slightly more likely to say that file-sharing poses a serious threat, but a strong majority (69%) think file-sharing is a minor threat or no threat at all.

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### **The vast majority of artists think that file-sharing companies, not individuals, should be the ones held responsible for the infringement that happens online.**

When asked about the Recording Industry Association of America's lawsuits against individuals who are accused of sharing large numbers of music files online without permission from the copyright holder, close to two-thirds of all artists felt that the companies who own and operate file-sharing networks would be a better target. Just 15% thought that the individuals who are sharing the music files should be the ones held responsible, and 15% thought both the individuals and the file-sharing companies should share the responsibility equally. Less than 5% thought that neither group or someone else altogether should be held responsible and less than 5% didn't know how to respond or refused. Paid Artists and the *musicians within the artists' sample* echo these views.

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### **They are split when weighing file-sharing's impact on artists themselves.**

Nearly half of all artists (47%) agree with the statement that "file-sharing services are bad for artists because they allow people to copy or use an artist's work without getting permission or compensating the artist." However, another 43% agree that, "file-sharing

## Part 2. Findings from the artist callback survey

services aren't really bad for artists, since they help to promote and distribute an artist's work to a broad audience." Just 4% say they agree with both statements equally, 1% don't agree with either statement, and 4% say they don't know or refuse to answer.

Responses from Paid Artists matched those of the total sample, and the differences between the musicians in the sample and all artists were within the margin of error.

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### **Like most internet users, online artists are also active consumers of media content online. But most who download files for free say they usually support the artist or author in other ways.**

Half of all online artists in our sample say they listen to music online at a radio station, music store, recording artist or music service Web site and 58% of Paid Online Artists say this. That number is significantly higher than what we have most recently measured within the general population of online adults, where just 34% of all internet users say they listen to music online.<sup>17</sup>

However, for other media consumption activities, these artists generally resemble the average internet user. The percentage who say they download music files (22%) and those who download video files (13%) are comparable to the general public. Similarly, the portion that says they share files from their computer--such as music, video, pictures, or computer games--with others online (23%) is the same number that we registered from a recent sample of all internet users.

Of those artists who download music files (n=118), most think that downloading has not really changed the total amount they spend on music purchases like CDs, concerts, or other music products (58% say this). Another 29% say they think downloading has actually increased what they spend on music purchases overall, and 13% say it has decreased their purchases.

Likewise, among artists who either download music or video files (n=139), 86% say that when they download files for free, they usually end up supporting the artist or author in other ways, such as buying a CD or book or going to a performance. Just over half of all artists who download music or video files say they can't always tell if it's legal or illegal to download media files from the internet. More than two-thirds of the sample say they don't currently pay to download any type of media files, but they would if the price, quality and choice they wanted became available.

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<sup>17</sup> This question was last asked in the Pew Internet Project May-June 2004 Tracking Survey.



## Part 3.

### The musicians survey

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#### **The musicians we surveyed are highly wired and engaged online.**

The data on musicians referenced throughout this section of the report was gathered through a non-random online sample of 2,793 musicians, songwriters and music publishers, recruited via email notices sent to members of various music organizations, through announcements on those organizations' Web sites and through flyers distributed at several musicians' conferences. Our analysis focuses on 2,755 musicians and songwriters within that sample. The survey was live on the Web from March 15-April 15, 2004.

Musicians are an exceptionally mobile and elusive population, and thus difficult to identify and reach by traditional telephone survey methods. The costs and practical difficulties of doing a phone survey with this population are often prohibitive. In our case, using a non-random sample allowed us to reach a population that we otherwise would not have been able to reach.

The results reported from this survey are intended to provide insight into the behaviors and attitudes of a unique, understudied group. The survey questionnaire was built from a questionnaire that was reliable in two prior random digit dial, national, representative telephone surveys. Non-random samples cannot be projected to the entire population of musicians, songwriters, and music publishers. But they can be valid for giving a sense of the relative proportion of opinion in various segments of populations. Since the data are based on a non-random sample, a margin of error cannot be computed.

The musician sample is composed of those who consider themselves to be either songwriters or musical performers. Some of these songwriters and musical performers are also music publishers. However, those who reported being exclusively music publishers (and not songwriters or performers) were considered ineligible to respond to all but a few of the initial questions of the survey because artists were the central focus of our study. Some 53% of the sample say they are primarily songwriters, 44% say they are primarily musical performers, and just 3% say they are primarily music publishers. However, the vast majority of these musicians are filling multiple roles. Some 94% say they are songwriters, 90% say they are musical performers and 46% say they consider themselves music publishers (in addition to being either a songwriter, performer or both).

### Part 3. The musicians survey

Most musicians in the U.S., according to the U.S. Department of Labor's Bureau of Labor Statistics (BLS), rely on secondary sources of income to supplement their musical work.<sup>18</sup> In the 2004-2005 edition of the *Occupational Outlook Handbook*, the BLS finds that, "The stress of constantly looking for work leads many musicians to accept

<b>Composition of the Online Musician Sample</b>	
<i>Demographic and occupational distribution</i>	
<b>Gender</b>	<b>% of Total</b>
Men	74
Women	23
<b>Age</b>	
18-29	24
30-49	47
50-64	16
65 or older	1
<b>Employment Status</b>	
Full-time	47
Part-time	21
Not employed for pay	9
Self-employed	9
Retired	3
Student	3
Consultant/Freelance	2
Disabled	1
Other	3
Refused	2
<b>Primary Musical Occupation</b>	
Songwriters	54
Performers	44
<b>Percentage of Annual Income Earned From Being a Songwriter or Performer</b>	
100%	8
60-99%	8
20-59%	12
1-19%	41
None at all	25
<small>Source: Pew Internet &amp; American Life Project Musician Survey, March 15 – April 15, 2004. Margin of error cannot be computed since the data are based on a non-random sample.            Note: Table total exceeds 100% due to multiple response</small>	

permanent, full-time jobs in other occupations, while working only part time as musicians." This truth about moonlighting was clearly reflected in our sample. Aside from songwriting and performing, more than three-quarters of our musician respondents, 78%, said they have another job where they work for pay.

Some 8% of the musicians surveyed said that 100% of their annual income is derived from being a songwriter or musical performer (including royalties collected from work done in previous years). Another 8% are in the creative upper crust of those who earn 60%-99% of their total income from music, and 12% get anywhere from 20%-59% of their annual earnings from music. The largest bracket consists of the 41% of respondents who earn less than 20% of their total income from music. One quarter of our sample do not currently receive any money from being a songwriter or musical performer.

For those who do currently receive income from their music, most of their earnings come from touring or live performances. Second to that source are royalties that come from traditional CD sales.

Among the most popular genres of music composed, performed or published by these musicians are independent, pop, folk, modern rock, country and adult contemporary. And while our sample is not representative of all musicians, the demographic makeup of the sample does reflect some trends that are congruent with the musicians in our callback sample, such as the finding that a disproportionate number of musicians are male.

<sup>18</sup> Bureau of Labor Statistics, U.S. Department of Labor, Occupational Outlook Handbook, 2004-05 Edition, Musicians, Singers, and Related Workers, Available at: <http://www.bls.gov/oco/ocos095.htm> (accessed August 24, 2004).

## Part 3. The musicians survey

<b>Online Musician Sample by Genre</b> <i>Categories of music respondents compose, perform or publish</i> <b>All Musicians</b>	
Genre	%
<b>Independent</b>	28%
Pop	27
Folk	25
Modern Rock	23
Country	22
Adult Contemporary	21
Electronic	15
Blues	14
Mainstream Rock	14
Jazz	12
Christian	9
Punk	9
World Music	7
Classical	7
R&B/Hip Hop	7
Soundtrack	6
Top 40	5
Contemporary Jazz	5
Dance/Club	5
Bluegrass	5
Gospel	5
New Age	5
Latin	3
Reggae	2
Rap	2
Other	24

Source: Pew Internet & American Life Project Musician Survey, March 15 – April 15, 2004.

Margin of error cannot be computed since the data are based on a non-random sample.

Note: Table total exceeds 100% due to multiple responses.

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### **Musicians' experiences with the internet are shaped by their individual reliance on music.**

The personal experiences and everyday realities of musicians' lives play an important role in shaping their online behavior and attitudes towards the internet. For example, musicians who are struggling to make a name for themselves may welcome any type of exposure for their work and thus might have very different concerns about copyright protection compared to established artists who have traditionally relied heavily on royalties earned from CD sales. Further, having the capability to collaborate with other artists online or schedule performances using the internet would likely be less beneficial for non-working musicians than it would be for those actively developing their careers.

### Part 3. The musicians survey

We divided our musician sample into four distinct groups to reflect that reality. The groups are: Success Stories, Starving Musicians, Part-time Musicians and Non-working Musicians. “**Success Stories**” (n=296) are those musicians who spend 30 or more hours per week engaged in music-related activities (like writing or composing songs, performing in public, rehearsing or recording in a studio, engaging in music promotion or business activities) and earn 80% or more of their income from music-related work. “**Starving Musicians**” (n=1021) also spend 30 or more hours per week engaged in music-related work, but earn less than 80% of their total income from music. Most Starving Musicians, however, earn less than 20% of their total income from music. “**Part-timers**” (n=578) are working musicians who spend less than 30 hours each week on music-related activities, but still earn some income from their pursuits. “**Non-working Musicians**” (n=851) are those who are either currently inactive or not receiving income from their music. This group could include former working musicians, as well as aspiring artists and hobbyist musicians who are not currently earning money from their music.<sup>19</sup>

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#### **These online musicians have integrated the internet deeply into their musical lives.**

Because we administered our survey online, our entire musician sample is composed of internet users. It is also full of veteran users. Some 72% of our spring 2004 sample say they have had access to the internet for six years or more. That compares to 49% of the general adult public and 53% of adults who self-identify as artists who say they have used the internet for six years or more.<sup>20</sup>

In this highly-wired sample, 88% of the respondents said they go online from home once a day or more, and 57% said they go online from work at least once a day.

In a separate question, 76% of these online musicians reported using the internet or email in a way that is related to their music once or more per day. Digging deeper within the online musician sample, even larger segments of both Success Stories and Starving Musicians report this level of use; 91% of Success Stories and 88% of Starving Musicians report music-related internet and email use at least once a day. Part-timers and Non-working Musicians are less likely to report this; 67% of Part-timers say they engage in this level of daily use and 65% Non-working Musicians say this.

Most of the musicians in our sample feel the internet plays a vital role in their careers. Two-thirds say it is “very important” in helping them to create and/or distribute their music. Another quarter say it is “somewhat important” and just 11% say it is “not too important” or “not important at all.”

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<sup>19</sup> The remaining 9 respondents did not answer the questions about income and time devoted to music, and are therefore considered undesignated.

<sup>20</sup> Figures for the general public come from the November-December 2003 Pew Internet Tracking Survey, and figures for self-identified artists come from the November-December 2003 Artists Callback Survey.

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### Wireless access is already important for some musicians.

Musicians often live lives that require them to travel extensively, so wireless access can be a crucial resource for getting work done while on the road or for staying in touch with family and friends. The findings from our survey suggest that wireless access may become increasingly important and integrated into daily life for certain portions of the musician population. Among the musicians responding to our survey, more than one-third reported using wireless technology – a laptop, PDA or cell phone – to access the internet. That is almost twice the portion of the general population of internet users who say they go wireless. In our February 2004 tracking survey, 17% of all online Americans responded “yes” when asked if they ever “log onto the internet using a wireless device” and 6% said they do so on a typical day.<sup>21</sup> In contrast, roughly 16% of our musician sample said they use wireless technology to go online at least once a day or more.

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### Musicians connect and collaborate online.

Like much of the general public that we survey, these musicians feel better connected to one another, and better able to stay in touch with family and friends because of the internet.<sup>22</sup> While 56% of the musicians in our sample say they use the internet to keep in touch with family and friends while touring, 81% of Success Stories and 72% of Starving Musicians say this. And the majority of full-time, working musicians say the internet has had a big effect on making it easier to stay in touch with family and friends while they are on the road.

Nearly every respondent in our sample also reported some level of improvement in their connections with others in the music community; 70% say the internet has had a big effect on these connections, 23% a small effect, and just 5% reported no effect. Starving Musicians are the most likely to report that the internet has had a big effect on improving contacts (79% say this). Success Stories fall in line with the average at 71%, while Part-Timers and Non-Working Musicians report lower levels of impact (64% and 63%, respectively, report that the internet has had a big effect on improving their music community connections).

Specifically, 89% of all the online musicians in our sample who use the internet or email for their music say they keep track of what other artists in their field are doing online and 66% say they actually collaborate with other artists online.

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<sup>21</sup> The Musician Web Survey and the February 2004 Tracking Survey used slightly different question wording to ask about wireless Internet access. In the March 15 – April 15, 2004 Musician Web Survey, all respondents were asked, “How often do you...use wireless technology - on a laptop, PDA, or cell phone, for instance - to access the Internet?” In the February 2004 Tracking Survey, fielded to a random sample of adults, all Internet users were asked, “Do you ever...log onto the Internet using a wireless device?”

<sup>22</sup> Rainie, Lee. *Tracking Online Life*. Pew Internet & American Life Project. May 10, 2000. Available at: [http://207.21.232.103/PPF/r/11/report\\_display.asp](http://207.21.232.103/PPF/r/11/report_display.asp).

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### **Musicians seek information, tools, and support online to help them create.**

Though much public attention has been devoted to the way the internet has altered the fate of the physical music product, it has also had a formative role in shaping the way musicians create their works. Musicians now have access to a wealth of music knowledge and tools online: music composition and recording software, educational materials, music libraries, other communities of musicians, and music blogs (to name a few). Almost all musicians in our sample (90%) say they do research for their music online and 75% say specifically that they seek inspiration online (by reading, looking at images, or listening to music, for example).

Some 37% of all musicians and songwriters in our sample say they have used the internet or email to help them locate creative work from the public domain that is free to use without permission, or to find out if another artist's work is legally available for them to use, while 63% say they have not done this. But another 32% say they don't generally know whether content is part of the public domain, or know how to go about finding out if it is legally available to use.

Musicians also have unprecedented access to a huge inventory of musical instruments and other musical equipment available for purchase online. Finding appropriate instruments and other specialized audio equipment offline often requires large investments of time and money, particularly for those musicians who do not live in close proximity to musical equipment stores. However, the online marketplace has introduced new opportunities for comparative shopping on a global scale, including access to a growing supply of used instruments and other gear. And while it is likely that many musicians will still want to hear and test out their instruments before making a major purchase, 79% of the respondents who use the internet for their music say they have ordered some type of musical equipment online.

Extensive outreach efforts by various non-profits and arts advocacy groups have successfully utilized the internet to increase access to information about funding sources for artists. Indeed, half of all the online musicians who responded to our survey say they use the internet to look for sources of artist funding. More specifically, our findings suggest that those who need the funding the most, are the most likely to seek it online. For example, 62% of Starving Musicians say they sought funding information online, compared to 51% of Success Stories.

Increasing access to health insurance information for musicians has also been recognized as a critical issue by artist groups. Due to the unstable nature of employment for most musicians, they are typically required to seek and purchase their own health insurance coverage through national insurance networks or artist organizations. However, some research has suggested that many musicians are not aware of these discounted plans. For

### Part 3. The musicians survey

others, even the discounted plans are prohibitively expensive.<sup>23</sup> Relative to other online activities, seeking health insurance information for artists ranked very low among the musicians we polled; just one-quarter of all the respondents said they had investigated health insurance online. However, in previous research conducted by the Pew Internet Project on the general public's use of the internet to seek health information, the same modest portion of all American adult internet users, 25%, said they had sought health insurance information online.<sup>24</sup> Furthermore, within our musician sample, among Success Stories, the number of online health insurance seekers jumps to 38%. Within the Starving Musicians population it climbs to 30%.

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#### **Musicians now book performances and promotional events online.**

The internet has also generally had a positive impact on the day-to-day tasks of scheduling and coordinating performances and other promotional events. Processes that used to require long games of phone tag and expensive press kit mailings can now often be simplified with the use of email and artist and venue Web sites. Among full-time, income-earning musicians who responded to our survey, more than half say that the internet has had a big effect on making it easier to book appearances and coordinate promotional events. Looking within subcategories, 56% of Success Stories and 54% of Starving Musicians say this.

Another 24% of each group of respondents report that the internet has had a small effect on the ease of booking and event scheduling. In all, 62% of musicians who use the internet in a way that is related to their music say they book performances online, and 55% say they schedule promotional events. Not surprisingly, those who work more regularly are more inclined to have done this; 80% of Success Stories and 74% of Starving Musicians who responded to this question say they use the internet or email to book performances. Similarly, 71% of both Success Stories and Starving Musicians say they schedule promotional events online.

Some 42% of all musicians in our sample who use the internet for their music say they keep in touch with an agent or management staff online, but this is strongly influenced by the Part-timers and Non-working Musicians in our sample who may not have active management staff. Among Success Stories, 67% report communicating with their agents and management online, and 54% of Starving Musicians communicate with agents and management electronically.

One respondent summed up the role of the internet this way: "I love the fact that my life doesn't stop when I'm out of town. I don't have to worry about missing a call, I just check my email. I can continue to book shows, stay in touch with the fans, book a flight and hotel without having to pick up the phone."

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<sup>23</sup> "Health Insurance and Musicians: A Preliminary Report." August 26, 2002. Future of Music Coalition. Available at: <http://www.futureofmusic.org/images/FMCinsurancesurvey.pdf>

<sup>24</sup> Fox, Susannah. "Internet Health Resources." Pew Internet & American Life Project. July 16, 2003. Available at: [http://www.pewinternet.org/pdfs/PIP\\_Health\\_Report\\_July\\_2003.pdf](http://www.pewinternet.org/pdfs/PIP_Health_Report_July_2003.pdf)

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### **Two out of three musicians in our survey note that the internet has had a big effect on improving their ability to connect with their audience.**

In addition to the internet's effect on internal communication within the music community, musicians report substantial shifts in their opportunities to connect with fans online. Two-thirds of those in the online musician sample say the internet has had a big effect on improving their ability to communicate with their audience and fans of their music. Another 18% report a small effect and only 6% say they have not observed any improvement in communication. 11% say the question does not apply to them. When asked if the internet had allowed them to reach a wider audience with their music, the same portion, two-thirds say they have observed a big effect. About a quarter say the internet has had a small effect on their audience reach and 6% said there has been no effect. For another 6%, the question does not apply.

Inexpensive and efficient contact with fans via email and Web sites is quickly replacing what was previously a cumbersome and costly reliance on the postal service and the telephone. Several musicians told us that they think of their web pages as "electronic business cards." Email lists provide a convenient way to send fans frequent and personalized news and updates and online fan communities thrive with and without the participation of the artists themselves. Musicians can stay connected to their community of listeners while they're on the road, they can customize email messages and change set lists in response to fan requests, or they can test market a new song, for example. Many popular musicians are also offering advance album and ticket sales online as an exclusive benefit to their fans.

Fully 84% of the respondents who use the internet or email for their music say they keep in touch with fans of their music online and more than three-quarters (78%) say they look for reviews and other feedback from fans online. Among Success Stories and Starving Musicians, 93% of each group say they keep in touch with fans online. Searching for reviews and fan feedback is done by 89% of Success Stories and 87% of Starving Musicians. Of all the musicians who responded to our survey, 44% say that they use email, message boards or chat rooms to communicate with their fans at least once a week. In comparison, 53% of Success Stories say they communicate with fans online once or more each week and 52% of Starving Musicians say this.

In response to an open-ended question, many musicians told us that the most significant impact the internet has had on their careers is the ability to be better connected to fans and other musicians who can offer both encouragement and criticism. One respondent explained: "Being able to get instant feedback has really made me look at my work differently and has helped me grow as an artist." Another musician noted how important the internet has been in enabling her to keep in close contact both with new fans and those reaching back over twenty-five years.



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### Most of these musicians have a presence in the online marketplace.

Of course, connecting directly with fans online is merely one type of promotion that the internet affords. Overall, 87% of the musician respondents say they promote, advertise or display their music online, and 83% provide free samples or previews of their music on the internet.

More than three-quarters (77%) of all the online musicians who completed our survey say they have their own Web site and nearly half all the respondents have a Web site they built themselves. About 85% of both Success Stories and Starving Musicians have their own site, compared to 80% of Part-timers and just 64% of Non-working Musicians. Do-it-yourself Web design is most common among Starving Musicians and Part-timers, who may not have the resources to hire a professional graphic designer or web developer. Still, 40% of all Success Stories have a Web site that they built themselves. 46% of Success Stories have a Web site that someone else built for them, and just 15% say they don't yet have their own home on the Web.

Among all musicians who have their own Web site, 62% say they sell their music directly from the site. Virtually all of these musicians sell their music on CD, and about one in five who sell music from their site offer both CDs and individual songs for sale.

However, there are many other online venues where artists can sell their music. Musicians may have online distribution through their record label, an online music distribution service (like CD Baby or Amazon), or they may set up an online shopping cart using PayPal or a similar service. In all, 69% of the respondents to our survey say they sell their music *somewhere* online. And close to two-thirds of all the online musicians who responded to our survey (63%) say that they sell their music online someplace other than their own Web site; 56% sell CDs through online stores like Amazon.com or CDBaby, 28% sell downloadable files through digital stores like iTunes, and 18% sell their music someplace else online.

For independent musicians, in particular, this newfound ability to bypass traditional distribution outlets and geographic boundaries has been a watershed. One musician explained that having the ability to sell music online was the most significant impact of the internet: "A huge positive benefit is being able to have my music available for sale to anyone in the world who wants it. Ten years ago there was absolutely no way to sell your CD except through major distribution deals or at your own shows."

But until recently, it has been difficult for independent musicians to sell high-quality individual song downloads (as opposed to physical CDs) through popular paid services like iTunes. One musician told us: "A lack of proper distribution of MP3s has an extreme negative impact on me. If there were a site where I could post and charge others for downloads, I'd use it. Too much of my music has been distributed freely with no royalties going to me." Independent labels have leveraged their collective bargaining

### Part 3. The musicians survey

power successfully through alliances like the Independent Online Distribution Alliance (IODA) and the Digital Rights Agency (DRA), but there are few outlets that regularly deal directly with the artists themselves. One such exception is CDBaby, which has added a digital distribution service for artists, allowing independent musicians to designate CDBaby as their exclusive online distributor. This service allows artists to sell their downloads through an array of legitimate online music services, including iTunes, Rhapsody, MusicNet, BuyMusic, and Napster, among others, and receive 91% of the profit.<sup>25</sup>

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#### **Most musicians we surveyed report that the internet generally seems to have a positive, if sometimes only minor, impact on their music sales.**

The majority of musicians we polled felt that the internet's net effect on sales has been positive for them, with surprisingly little variation according to income. When asked to what degree the internet had made it possible to make more money from their music, two out of five income-earning musicians says they have observed a big effect. Looking across income brackets, 43% of online musicians who earn 80%-100% of their annual income from music, 43% who earn 20%-79% from music, and 39% who earn less than 20% from music say the internet has had a big effect on increasing sales opportunities. Similar portions of each income group reported a small positive effect, and about one in every ten income-earning musicians say they have not observed this effect. Overall, 34% of online musicians say the internet has a big effect on increasing the amount of money they could make, 38% report a small effect, and 16% say it has no effect. Twelve percent of all online musicians say the question doesn't apply to their situation.

Still, when asked an open-ended question about the single most significant impact of the internet on their career, a minority of musicians shared stories of very negative effects on sales that they attribute to free music downloading online. One musician told us: "Downloading has caused very significant reductions in my income from CD sales and has caused corporate consolidation and downsizing, resulting in far fewer opportunities for my songs to be recorded." Another musician expressed a similar sentiment: "Free downloading has killed opportunities for new bands to break without major funding and backing. It's hard to keep making records if they don't pay for themselves through sales."

Having online mechanisms in place for artists to track sales and royalties easily is a major development for working musicians engaged in the business of their music, akin to the advent of online banking tools for the general public. However, while the majority of full-time, income-earning musicians who responded to our survey have already tried tracking their sales, charts or royalties online, there is still room for growth in this activity relative to the popularity of other music-related activities online. Looking again at subcategories, 57% of Success Stories say they use the internet or email to track their sales or chart position and 59% of Starving Musicians say this. Likewise, 43% of Success Stories and 42% of Starving Musicians check their royalties online.

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<sup>25</sup> For more information, please visit CDBaby's Web site for musicians: <http://www.cdbaby.net/>

### Part 3. The musicians survey

<b>The Internet Effect – Online Musicians Sample</b>			
<i>Has the internet had a big effect, a small effect, or no effect on you in each of the following ways...?</i>			
	<i>Total Musicians</i>	<i>Success Stories</i>	<i>Starving Musicians</i>
<b>Made it possible to make more money from your music</b>	%	%	%
Big effect on me	34	45	44
Small effect on me	38	45	42
No effect on me	16	8	11
This item doesn't apply to me	12	2	3
<b>Improved your connections with others in the music community</b>	%	%	%
Big effect on me	70	71	79
Small effect on me	23	25	16
No effect on me	5	5	4
This item doesn't apply to me	2	*	*
<b>Allowed you to reach a wider audience with your music</b>	%	%	%
Big effect on me	65	65	75
Small effect on me	23	28	20
No effect on me	6	4	3
This item doesn't apply to me	6	3	2
<b>Made it easier to register copyrights for your music</b>	%	%	%
Big effect on me	28	31	35
Small effect on me	21	25	24
No effect on me	27	30	27
This item doesn't apply to me	23	13	14
<b>Made it easier to keep in touch with friends/family while on the road</b>	%	%	%
Big effect on me	43	57	55
Small effect on me	16	21	19
No effect on me	11	8	10
This item doesn't apply to me	29	14	15
<b>Made it easier to book appearances/coordinate promotional events</b>	%	%	%
Big effect on me	42	56	54
Small effect on me	23	24	24
No effect on me	12	7	11
This item doesn't apply to me	23	12	10
<b>Improved ability to communicate with your audience and fans</b>	%	%	%
Big effect on me	65	74	77
Small effect on me	18	17	16
No effect on me	6	4	4
This item doesn't apply to me	11	5	3
<b>Made it harder to protect your music from piracy or unlawful use</b>	%	%	%
Big effect on me	16	30	20
Small effect on me	21	25	25
No effect on me	41	36	42
This item doesn't apply to me	22	9	13

Source: *Pew Internet & American Life Project Musician Web Survey, March-April 2004. Results are based on a non-random sample of 2,755 musicians and songwriters recruited via email notices, announcements on Web sites and flyers distributed at musicians' conferences. Since the data are based on a non-random sample, a margin of error cannot be computed, and the results are not projectable to the entire population of musicians and songwriters.*

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### Three out of four musicians in our survey seek information about copyright laws online.

Before a song is released to the public, many musicians and songwriters choose first to register that work with the U.S. Copyright Office.<sup>26</sup> Our findings here suggest the internet is playing a considerable role in facilitating copyright education. Two-thirds of all the musicians who responded to our survey say they look for information about copyright laws and regulations online. And within the various subcategories, Starving Musicians are the most likely to seek information about copyright laws online (74% of these full-time, lower income-earning artists do this), while Success Stories, Part-timers and Non-working Musicians are all equally as likely to seek information (64% of each group do this).

Though musicians cannot currently register their works online through the U.S. Copyright Office's Web site (an online registration feature should be available in 2005<sup>27</sup>), they can acquire the forms and find directions there. Legal Web sites such as [www.legalzoom.com](http://www.legalzoom.com) do offer an online copyright registration service that includes assistance in the preparation and mailing of the application, but the copyright owner still must submit a hard copy of the work. When asked if they had used the internet to register the copyrights for their work, 46% of all musicians who use the Web in some way for their music say they have done this. That compares to just over half of full-time income-earning musicians who use the internet to help them register copyrights. But without the online submission feature, the application process is still cumbersome for many. Just over one in four of all online musicians who responded to our survey say the internet has had a big effect on making copyright registration easier.

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### Musicians are divided over downloading.

Echoing the sharply conflicting opinions within the ongoing public debate about file-sharing, musicians are equally divided over file-sharing services' impact on artists. There is no clear consensus regarding the effects of online file-sharing on artists.

Some 35% of our online musician sample agree with the statement that file-sharing services are *not bad* for artists because they help promote and distribute an artist's work; 23% agree with the statement that file-sharing services *are bad* for artists because they allow people to copy an artist's work without permission or payment. And 35% of those surveyed agree with *both* statements. The responses of Starving Musicians resembled

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<sup>26</sup> Though copyright protection in the U.S. is automatic once a work is placed into a fixed form, there are some important advantages to formally registering one's work with the U.S. Copyright Office, should an infringement occur. The U.S. Copyright Office provides a brief summary of these advantages here: <http://www.copyright.gov/circs/circ1.html#cr>

<sup>27</sup> U.S. Copyright Office "Registering a Work" Available at: <http://www.copyright.gov/help/faq/faq-register.html#online>

### Part 3. The musicians survey

those of the total sample, but Success Stories were more likely to agree that file-sharing services are generally bad for artists (35% said this).

Assessing the impact of free downloading on their careers as musicians, 37% of those in our sample say free downloading has not really made a difference, 35% say it has helped, and 8% say it has both helped and hurt their career. Only 5% say free downloading has exclusively hurt their career and 15% of the respondents say they don't know. Not surprisingly, Starving Musicians are more likely to say free downloading has helped and Success Stories are less likely to say it has helped their careers. Still just 13% of Success Stories say that free downloading has only hurt their career and 16% say it has both helped and hurt.

Of the small group of all musicians who say that free downloading has exclusively hurt their career (n=138), a clear majority (61%) identify themselves as primarily songwriters or composers, rather than performers.

Asked whether online music file-sharing has made it harder to protect their music from piracy, 16% say the internet has had a big effect in allowing piracy of their music, 21% say it has had a small effect, and 41% say it has had no effect. Among Success Stories, twice as many say the internet has had a big effect on increasing piracy (30%), while 25% report a small effect and 36% say the internet has had no effect.

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#### **Musicians are split in assessing blame for free file-sharing.**

Who should be held responsible for illegal file-sharing online? Musicians in this sample are most likely to say that both those who run file-sharing services and individuals who swap files through those services should be held responsible; 37% of the total sample say this. But 21% said no one should be held responsible. Some 17% said those that run peer-to-peer services should exclusively bear the legal burden, and 12% said individuals who swap files should exclusively bear the burden. Success Stories are even more likely to say that both the services and individuals should be held responsible (48%) and are less likely to say that no one should be held responsible (13%).

Regardless of how much they rely on music for their livelihood, most musicians and songwriters think file-sharing on the internet poses *some* threat to creative industries that make music and movies. One-third of the respondents to the musician survey say file-sharing poses a “major threat” to these industries while one-third say it poses a “minor threat.” Another third say file-sharing poses “no threat at all” and 7% say they don't know. Success Stories are more likely to say they think file-sharing poses a major threat (45% say this) and less likely to say it poses either a minor threat (26%) or no threat at all (20%).

One in six of the musicians we polled say they have actually been involved in advocacy or lobbying efforts regarding the issue of copyright infringement or music downloading.

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**67% of the musicians in our survey say copyright owners should have complete control over the material they copyright, and most say copyright laws do a good job of protecting artists.**

Two-thirds of respondents say copyright holders should have complete control over a piece of art once it is produced. Some 28% say the copyright holder should have “some control,” and 3% say the holder should have “very little control.”

Fully 61% of those in this sample believe that current copyright laws do a good job of protecting artists’ rights, but 59% also say that copyright laws do more to protect those who sell art than to protect the artists themselves.

Likewise, most of these musicians think that the current length of copyright terms is “just about right.” Some 47% of respondents say this, while 29% say they think it is “too long” and 13% think it is “too short.”

Most of the musicians and songwriters we polled do not believe current copyright laws “unfairly limit public access to art.” Some 46% disagree with this statement and 21% strongly disagree. However, 15% do agree that current laws unfairly limit public access to art, 8% strongly agree, and 10% say they don’t know. Half of the musicians and songwriters surveyed say they would be bothered if someone put a digital copy of their music on the internet without permission (compared to 37% who say they would not be bothered and 12% who say they don’t know). Some 28% of all musicians and 44% of Success Stories say they have experienced this situation firsthand.

When asked if they would want CDs or digital audio files of their music to be copy-protected so that copies could not be made without their permission, 44% said yes, 44% said no, and 12% said they didn’t know. Starving Musicians were equally split, but 59% of Success Stories said they would want their music to be copy-protected compared to 28% who said they would not want this. Most musicians in our sample do not think that people who intentionally break or disable copy protection mechanisms on CDs and DVDs should be prosecuted for copyright infringement; 46% say this, while 35% say that those who disable copy protection should be held responsible, and 19% say they don’t know. However, Success Stories are more likely to believe those who break copy protection devices should be prosecuted.

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**Most of these musicians do not think that downloading or sharing media files on peer-to-peer networks without permission should pass the fair use test. However, a majority think that sending a copy of music over the internet to someone you know should be permissible.**

While just half of our online musician sample thinks they are somewhat or very familiar with the “fair use” portion of copyright law, they agree with many of the practices that are commonly understood as fair uses of copyrighted material. Nearly all of the

### Part 3. The musicians survey

musicians in the sample agree that activities such as recording a movie or a TV show on a VHS tape, or making a photocopy from a book or article for personal use should be allowed. Posting an excerpt of a story or article online to critique or comment on it is also viewed by nearly all the respondents as an activity that should be considered legal, as is act of ripping a digital copy of music onto a personal computer from a purchased CD.

However, when asked about sharing copyrighted content online, the level of tolerance decreases as the potential scope of distribution increases. For instance, most musicians, including Success Stories, think that sending a digital copy of music over the internet to someone you know should be considered legal, but clear majorities do not think downloading and file-sharing on peer-to-peer networks should qualify as fair use of copyrighted material. Similarly, these musicians clearly see copying for commercial use as unacceptable and not within the realm of fair use. Some 95% of our sample says that making copies of music, movies or television programs and selling them to other people without permission from the copyright holder should be illegal.

On the other hand, there is no clear consensus on whether burning a copy of a CD or a movie for a friend should be permissible; 47% think this should qualify as a legal fair use, while 41% think this should be illegal, and 12% say they don't know. They are similarly divided over the prospect of copying a computer program like Microsoft Word or Photoshop for personal use; 40% think this should be legal, 45% think it should be illegal, and 15% say they don't know.

Yet, Success Stories stand out as being wary both of burning CDs or DVDs and copying computer programs; roughly one-third of this group thinks these activities should be legal under fair use provisions, while about half say they should be illegal.

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#### **83% have provided free samples of their work online and significant numbers say free downloading has helped them sell CDs and increase the crowds at concerts.**

Fully 83% of those in the survey say they provide free samples or previews of their music online. Strong pluralities say free downloading has a payoff for them. For instance, 35% of them say free downloading has helped their careers and only 5% say it has hurt their careers. Some 30% say free downloading has helped increase attendance at their concerts, 21% say it has helped them sell CDs or other merchandise; and 19% say it has helped them gain radio playing time for their music. Only a small number cite any negative impact of downloading on those aspects of their work. However, Success Stories are less likely to note positive impacts.

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### **Many of these musicians and songwriters do not think the RIAA campaign against free file-sharing on the internet will benefit them, though responses varied according to one's personal experience with unauthorized downloading.**

Many of the musicians we polled do not think the recording industry's legal efforts to stem the tide of free sharing of music on the internet will benefit those who create and perform music.

Some 60% of those in the sample say they do not think the Recording Industry Association of America's suits against online music swappers will ultimately benefit musicians and songwriters. Those who are working full-time and earn the majority of their income from music are more inclined than struggling musicians to back the RIAA, but even those deeply invested musicians do not believe the RIAA campaign will help them. Some 43% of Success Stories do not think the RIAA legal efforts will help them, while 36% do think those legal challenges will ultimately benefit them.

However, many respondents find this question difficult to answer; 18% of all musicians say they don't know if the legal campaign will ultimately help them and 22% of Success Stories say they don't know.

Furthermore, among the small group of musician respondents who say their careers have only been hurt by free downloading (n=138), 68% say they think the lawsuits *will* benefit musicians and songwriters, 17% do not think they will benefit, and 14% say they don't know.

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### **Musicians download and share, too, but few think that has decreased the amount they spend on music purchases.**

Our highly-wired sample of musicians contains twice as many music downloaders, movie downloaders and file-sharers when compared to our data on artists and the general public. In all, 56% of the musicians and songwriters in our sample say that they download music and 34% say they download video files. Some 43% of these musicians say they share files with others online, such as music, videos, photos or computer games.

However, in stark contrast to the data we have gathered from the general public, the majority of music-downloading musicians in our survey (58%) say they do care whether the music they download is copyrighted. Just 38% of music-downloading musicians say they don't care much about the copyrights on those files.

Half of these downloading musicians say that downloading has not really changed the amount of money they spend on music purchases overall and 42% say they think that downloading has actually increased the amount spent on items such as CDs, concerts or



### Part 3. The musicians survey

other music products. Less than 10% think that downloading has decreased what they spend on music purchases and 2% say they don't know.

We also asked both music downloaders and video downloaders (n=1,595) whether they had paid anything the last time they had downloaded a file, and if not, whether they had permission to download the file for free. More than three-quarters of the sample (79%) say that the file they downloaded was free, and 18% say they paid to download the file. Of those who downloaded a file for free, 40% say the copyright owner had given permission, 13% say the owner did not give permission, and 26% say they don't know, remember, or refused to answer.

More than three-quarters of these music and video downloading musicians say that even if they download media files for free, they usually end up supporting the artist or author in other ways, such as buying a CD or book, or going to a performance. Just one-third of these musicians say that the high price of most media content justifies downloading files from the internet.

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#### **Musicians have a wide range of ideas about how to best address the unauthorized distribution of music online.**

As one of two open-ended questions in our online survey, we asked musicians what they thought would be the best approach to dealing with the unauthorized music distribution of music online. Fully 87% of all musicians and songwriters provided a response to this question. The answers represent a broad spectrum of opinions that reflect the diverse and varied experiences of musicians and music fans, stretching from "all music should be free, so stop worrying about it" to "file-sharers should be put in jail."

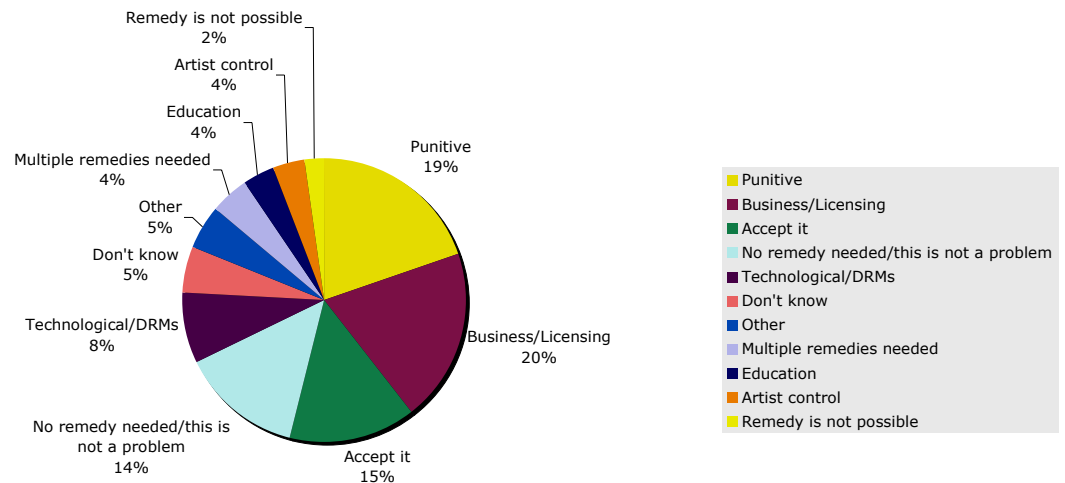
A surprising number of respondents said that peer-to-peer file-sharing is not the problem, but that it is a symptom of bigger structural issues for the major labels. Many respondents suggested that the music industry needed to recognize the changes that peer-to-peer and digital entertainment in general have brought to the music industry, and change its business model to embrace it, instead of fighting it.

Another batch of respondents used this question to talk about the need for artists to control their own music. While negotiating control over content is difficult in a digital environment, many artists suggested that decisions over peer-to-peer file-sharing and digital distribution should be made by the artist, not the label.

Furthermore, there is some confusion among these musician respondents about how peer-to-peer networks function. Many thought that there must be a technological or legal remedy that would allow copyright owners to "shut down" or "limit" P2P sites, thus stopping the piracy at the source. Others thought that there might be a way to "limit" how much copyrighted material an internet user can download. However, peer-to-peer systems are not Web sites at all but a distributed network, so control at the ISP or web hosting level is not feasible.

### Part 3. The musicians survey

Given these challenges, we were able to group the responses into eleven loosely-defined categories, but even these show a significant amount of internal variation, which are expressed in the chart below:



Despite the variation in these musicians' proposals, most responses fell into one of four dominant categories:

The answers in the "Punitive" category range from palpable anger, to joking, to agreement with the RIAA's current legal strategy of suing individuals who are sharing substantial numbers of files. There are also many who suggest that the best approach is to punish the peer-to-peer services that facilitate this kind of trading instead of the consumers.

At the opposite end of the spectrum are those who think that no remedy is needed. These are the respondents who tend to say that file-sharing is good, that it has helped them with their careers, that music should be free so stop trying to crack down on peer-to-peer, or that the biggest victims are the major labels that need to revise their business models.

In the middle are those in the "Accept it" category who are resigned to the inevitability of unauthorized distribution and think it is best to work with it, rather than against it. Others are more positive and see peer-to-peer not as a threat but an opportunity for free promotion. Many in this category thought that the music industry's campaign against file-sharing was not the best approach and that they need to embrace peer-to-peer and

### **Part 3. The musicians survey**

work with it to promote their artists. Finally, many diverged from the discussion of peer-to-peer altogether and talked about structural problems in the music industry – the price of retail CDs, the bottleneck on radio promotion, contract terms – to say that the music industry needs to adapt.

Those who fall into the “Business/Licensing” category say that the iTunes model of a pay-per-play store or the Rhapsody-style subscription service is the best solution – something legal, convenient, robust, and fairly priced. There was also a notable amount of support for Weedshare – an incentive-based system of restricted file-sharing that allows the artist to be compensated as the file gets traded more. This section also includes many respondents that articulate the basic idea of alternative compensation systems – those that track the files, or suggest that ISPs or peer-to-peer services add a monthly user fee and pay the artists based on usage.

## Part 4.

### What the general public believes

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#### Consumers have different views of copyright issues from musicians and artists.

The Pew Internet & American Life Project surveyed the general population on some of these same issues in a poll of 2,013 American adults conducted between November 18 and December 14, 2003.

Among other things, the survey showed that American **consumers are less familiar with current copyright laws and regulations than the creative public**. For instance, while 43% of the general public say they are somewhat or very familiar with copyright laws, 54% of artists from our callback sample say this. Similarly, 18% of the general public say they are somewhat or very familiar with the fair use portion of copyright law, compared to 24% of artists who report this.

**Consumers are more likely than artists to say that the current length of copyright is too long, though almost half of consumers say that the life-of-the-artist-plus-70-years term is appropriate.** Some 29% of consumers believe the term is too long, compared to 20% of all artists in the callback sample. However, artists are more likely than the general public to agree that copyright laws either “unfairly limit public access to art” or “do more to protect those who sell art than to protect the artists themselves.”

**Average consumers also reported somewhat more conservative views about the legality of some well-established fair use practices when compared to artists.** When asked whether or not certain activities, done without permission from the copyright holder, *should be* considered legal or illegal under the fair use provisions of copyright laws, the general public was more likely than artists to say that common practices, such as taping TV shows and movies or making photocopies of articles, should be considered illegal. A table comparing the answers among all the samples on similar questions can be found at the end of this section.

Still, it is true that the vast majority of both groups think that these activities should be permissible. And when asked more complex questions about burning and ripping CDs, downloading music and movies from peer-to-peer networks and making copies to sell to other people, consumers’ views lined up exactly with artists’ views. Consumers do not think people other than copyright holders should profit from the creation.

Like artists and musicians, the vast majority of consumers who download music or video files (68%) say that when they download media files for free, they usually end up supporting the artist or author in other ways, such as buying a CD or book, or going to a performance. Just over half of these downloaders (54%) say that they don't currently pay to download any type of media files right now, but they would if the price, quality, and choice they wanted were available.

## A Comparison of Musicians', Artists' & the General Public's Views on Fair Use

*Assuming a person does NOT have permission from the copyright holder, do you think each of the following should be LEGAL or ILLEGAL under the "fair use" portion of copyright laws?*

	Should be Legal	Should be Illegal	Don't Know/Refused
<b>Recording a movie or TV show on a VHS tape to watch in your own home at a later time</b>	%	%	%
March 2004 Online Musicians Survey	90	6	4
December 2003 Artists Callback	90	8	2
November 2003 General Public Random Sample	81	15	4
<b>Making a photocopy from a book or article for personal use</b>	%	%	%
March 2004 Online Musicians Survey	91	5	4
December 2003 Artists Callback	89	10	1
November 2003 General Public Random Sample	77	18	5
<b>Burning a copy of a music or movie CD for a friend</b>	%	%	%
March 2004 Online Musicians Survey	47	41	12
December 2003 Artists Callback	46	48	6
November 2003 General Public Random Sample	43	50	8
<b>Downloading a music or movie file off a file-sharing network like Kazaa or Morpheus</b>	%	%	%
March 2004 Online Musicians Survey	33	48	19
December 2003 Artists Callback	35	49	15
November 2003 General Public Random Sample	33	50	18
<b>Sharing a music or movie file from your computer over a file-sharing network</b>	%	%	%
March 2004 Online Musicians Survey	33	50	18
December 2003 Artists Callback	37	52	12
<b>Posting an excerpt of a story or article online to critique or comment on it</b>	%	%	%
March 2004 Online Musicians Survey	89	5	6
December 2003 Artists Callback	72	22	6
<b>Ripping a digital copy of music on your own computer from a CD you purchased*</b>	%	%	%
March 2004 Online Musicians Survey	90	6	5
December 2003 Artists Callback	73	23	4
November 2003 General Public Random Sample	66	26	7
<b>Making copies of music, movies or television programs and selling them to other people*</b>	%	%	%
March 2004 Online Musicians Survey	3	95	2
December 2003 Artists Callback	7	91	2
November 2003 General Public Random Sample	6	91	3
<b>Sending a digital copy of music over the Internet to someone you know</b>	%	%	%
March 2004 Online Musicians Survey	56	31	13
December 2003 Artists Callback	46	49	5
<b>Making a copy of a computer program such as Microsoft Word or Photoshop for your own use</b>	%	%	%
March 2004 Online Musicians Survey	40	45	15
December 2003 Artists Callback	47	48	5

Sources: Pew Internet & American Life Project Musician Web Survey, March-April 2004. Results are based on a non-random sample of 2,755 musicians and songwriters recruited via email notices, announcements on Web sites and flyers distributed at musicians' conferences. Since the data are based on a non-random sample, a margin of error cannot be computed, and the results are not projectable to the entire population of musicians and songwriters. Pew Internet & American Life Project Artists Callback Survey, fielded November-December 2003 among a sample of 809 self-identified artists. Margin of error is  $\pm 4\%$  for results based on all online artists. Pew Internet & American Life Project Tracking Survey, fielded November-December 2003 among a sample of 2,013 adults. Margin of error is  $\pm 3\%$  for results based on internet users.\*Note that December- November 2003 trend items read: "Making a digital copy of music on your own computer from a CD you purchased" and "Making copies of movies or television programs and selling them to other people."



# Methodology

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## Artists callback survey

The results in this report are based on data from telephone interviews conducted by Princeton Survey Research Associates International from November 3 to December 7, 2003, among a sample of 809 self-identified artists, 18 and older, who were interviewed in past Tracking surveys. For results based on the total sample, one can say with 95% confidence that the error attributable to sampling is plus or minus 4 percentage points. In addition to sampling error, question wording and practical difficulties in conducting telephone surveys may introduce some error or bias into the findings of opinion polls.

The artists who responded to our callback survey were self-identified. Our method of identifying artists was modeled after an identification method previously utilized in an Urban Institute study of support structures for artists in the U.S.<sup>28</sup> We recruited for the artists survey through several general population surveys throughout 2003. Respondents to our general population surveys were asked if they “study, practice, or do” any of the following activities: drawing or painting, creative writing, music, acting, dancing, filmmaking, or any other type of artistic activity.

At least 10 attempts were made to complete an interview at every household in the sample. The calls were staggered over times of day and days of the week to maximize the chances of making contact with a potential respondent. Interview refusals were re-contacted at least once in order to try again to complete an interview. The final response rate was 57.8%.

Non-response in telephone interviews produces some known biases in survey-derived estimates because participation tends to vary for different subgroups of the population, and these subgroups are likely to vary also on questions of substantive interest. In order to compensate for these known biases, the sample data are weighted in analysis. The final sample of completes was weighted to match the demographics of the original callback sample. The weights were derived using an iterative technique that simultaneously balances the distribution of all weighting parameters.

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## Musicians online survey

The Musician Web Survey, sponsored by the Pew Internet & American Life Project, obtained online interviews with a non-random sample of 2,793 musicians, songwriters and music publishers. The interviews were conducted online, via WebSurveyor, from

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<sup>28</sup> The Urban Institute Study, “Investing in Creativity: A Study of the Support Structures for U.S. Artists” is available at: <http://www.usartistsreport.org/index.asp>



## Methodology

March 15 to April 15, 2004. Details on the design, execution and analysis of the survey are discussed below.

### Sample Design/Contact Procedures

Sample was recruited via email invitations to the current membership/subscriber lists of the following music organizations: The Future of Music Coalition, Just Plain Folks, American Federation of Television and Radio Artists, CD Baby, Nashville Songwriters Association, Garageband.com, American Society of Composers, Authors and Publishers, American Federation of Musicians.

Altogether, email invitations to participate in the survey were sent to approximately 300,000 members of these various organizations. These invitations provided a direct link to the survey and contained the following language:

**Dear Members,**

[ORGANIZATION NAME HERE] has been working in partnership with the Future of Music Coalition, the Pew Internet & American Life Project and an array of other musician-based organizations to design a balanced survey that will give musicians, performers and songwriters a chance to speak up about the Internet, file-sharing, and copyright issues. We all know that new technologies have created many complex challenges as well as many new opportunities for musicians, yet we often hear more about how businesses and consumers are responding to these changes at the expense of understanding how artists think and feel about these issues.

Now's the time to make your voice heard.

We invite you to take about 20 minutes of your time to share your opinions and experiences through this important survey.

Visit <http://websurveyor.net/wsb.dll/11719/Music.htm> from March 15 – April 15, 2004 to participate.

Your contribution will have a valuable impact, as the findings from this survey will be widely circulated and discussed.

Don't miss this great opportunity to speak up on behalf of artists!

Sincerely,  
[ORGANIZATION REP]

In addition to sending email invitations to their members, The Future of Music Coalition, Garageband.com and The American Federation of Television and Radio Artists posted a notice about the survey on their websites that provided a direct link to the survey front page. The Future of Music Coalition also printed flyers announcing the survey, including

## Methodology

the URL, and distributed them at several musicians' conferences held during the survey field period. Both the website postings and the flyers contained the following text:

**Musicians, performers, and songwriters: What do you think about peer-to-peer file-sharing and music on the Internet? How has the Internet impacted the way you create, promote, or distribute your music?**

[ORGANIZATION NAME HERE] has been working in partnership with the Future of Music Coalition, the Pew Internet & American Life Project and an array of other musician-based organizations to design a balanced survey that will give musicians, performers and songwriters a chance to speak up about the Internet, file-sharing, and copyright issues.

We've all heard speculations about what musicians are "really thinking" in the changing digital landscape. Yet, from our vantage point inside the music community these projections have always seemed too narrow to represent the complex concerns we regularly experience in our discussions with musicians.

It's time to stop projecting our thoughts and preferences onto musicians and, instead, ask musicians to share their own experiences and opinions.

To that end, CD Baby, Just Plain Folks, Nashville Songwriters Association, AFTRA, and AFM, the Future of Music Coalition and the Pew Internet & American Life Project have designed an online survey that asks musicians a variety of questions about music, technology, copyright, peer-to-peer filesharing, emerging best practices, and the public domain.

We urge musicians, songwriters and performers of all types to take this online survey so we can better understand the complexity of these changes and the diversity of our community.

Visit <http://websurveyor.net/wsb.dll/11719/Music.htm> from March 15 – April 15, 2004 to participate.

When the survey is complete the results will be published and distributed to those who have a critical stake in the current debate. We hope they will open another channel in the discussions about how music will be enjoyed, and how musicians will be compensated in the future.

### **About the Future of Music Coalition:**

The Future of Music Coalition is a not-for-profit collaboration between members of the music, technology, public policy and intellectual property law communities. The FMC seeks to educate the media, policymakers, and the public about music / technology issues, while also bringing together diverse voices in an effort to come up with creative solutions to some of the challenges in this space.

The FMC also aims to identify and promote innovative business models that will help musicians and citizens to benefit from new technologies.

### About the Pew Internet & American Life Project:

The Pew Internet Project is a nonprofit, non-partisan think tank that explores the impact of the Internet on children, families, communities, the work place, schools, health care, and civic/political life. The project aims to be an authoritative source for timely information on the Internet's growth and societal impact. Support for the project is provided by The Pew Charitable Trusts. The project's Web site: [www.pewinternet.org](http://www.pewinternet.org)

### Completion Rate

Based on figures supplied by WebSurveyor, PSRAI has calculated the following completion rate for the Musician Survey:

<b>TABLE 1: Survey Completion Rate</b>		
	<u>Number</u>	<u>Rate</u>
Total Hits	5,702	
Total Starts	3,918	68.7%
Ineligible respondents (not a musician, songwriter, or music publisher)	130	
Total Eligible Starts	3,788	96.7%
Total Completes	2,793	73.7%
<b>Final Completion Rate</b>		<b>73.7%</b>

In Table 1, total hits (5,702) indicate the number of times the survey link was accessed, or roughly the number of potential respondents who reached the survey's title page, though no control was in place to prevent someone from accessing the link more than one time. The link took people to the survey title page, which gave the following brief description of the survey and its sponsors, along with instructions for how to complete the survey:

Welcome to the Pew Internet & American Life Project's musician survey. The goal of this survey is to measure the impact of the Internet on songwriters and musical performers. Thanks so much for taking the time to help us better understand how the Internet affects your music, as well as how you communicate with other artists, artists' organizations, and fans.

Our survey will take most respondents about 20 minutes to complete, though it may be longer or shorter for some people. Most questions give you response categories from which to choose. Others are followed by a blank text area where you can write your answers. The text areas will hold up to 300 words, so feel free to make your answers as long as you like. You must provide an answer to each question in order to move to the next; once you answer a

question and move on, you will not be able to return to that question to change your answer.

Please complete the survey only once.

If you have questions about the survey, or if you'd like to send us additional input later, we'd be glad to hear from you at [Music@pewinternet.org](mailto:Music@pewinternet.org).

### **CONFIDENTIALITY NOTICE**

As with all studies we conduct with our survey research firm, Princeton Survey Research Associates International, all of your answers are completely confidential. Responses are analyzed only in the aggregate, and are never linked to the individual completing the survey. No identifying information is required to complete this survey, other than basic demographic characteristics.

If you have any questions about this survey, or concerns about confidentiality, please feel free to contact **MusicSurvey@psra.com** or the Pew Internet & American Life Project at **Music@pewinternet.org**.

Go to <http://www.pewinternet.org> for more about the Pew Internet & American Life Project, or go to <http://www.psra.com> for more about Princeton Survey Research Associates International.

Total starts (3,918) indicate the number of people who, upon reading the title page, clicked the “next” button to self-select into the survey. Based on screening questions in the survey, 130 of these respondents were deemed ineligible because they were not part of the target population of musicians, songwriters or music publishers, and thus were removed from the final sample. That left 3,788 total eligible starts. Total completes (2,793) indicate the number of eligible respondents who completed the survey. The final completion rate for the survey is computed as the number of eligible completes (2,793)/the number of eligible starts (3,788), or 74%.

### **Questionnaire Development**

The questionnaire was developed by PSRAI in collaboration with staff of the Pew Internet & American Life Project and their partners in the music community. Many questions were originally asked in Pew Internet RDD telephone interviews with previous samples of adults age 18 and older and self-identified artists. Where appropriate, questions were modified to focus on music only (as opposed to artistic work in general), and to reflect the principles of online survey design, which varies in some ways from telephone survey design.

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## **General population tracking survey**

This report is based on the findings of a daily tracking survey on Americans' use of the Internet. The results in this report are based on data from telephone interviews conducted

## Methodology

by Princeton Survey Research Associates between November 18 and December 14, 2003, among a sample of 2,013 adults, 18 and older. For results based on the total sample, one can say with 95% confidence that the error attributable to sampling and other random effects is plus or minus 2 percentage points. For results based Internet users (n=1358), the margin of sampling error is plus or minus 3 percentage points. In addition to sampling error, question wording and practical difficulties in conducting telephone surveys may introduce some error or bias into the findings of opinion polls.

The sample for this survey is a random digit sample of telephone numbers selected from telephone exchanges in the continental United States. The random digit aspect of the sample is used to avoid “listing” bias and provides representation of both listed and unlisted numbers (including not-yet-listed numbers). The design of the sample achieves this representation by random generation of the last two digits of telephone numbers selected on the basis of their area code, telephone exchange, and bank number.

New sample was released daily and was kept in the field for at least five days. This ensures that complete call procedures were followed for the entire sample. Additionally, the sample was released in replicates to make sure that the telephone numbers called were distributed appropriately across regions of the country. At least 10 attempts were made to complete an interview at every household in the sample. The calls were staggered over times of day and days of the week to maximize the chances of making contact with a potential respondent. Interview refusals were recontacted at least once in order to try again to complete an interview. All interviews completed on any given day were considered to be the final sample for that day. The final response rate was 31.3%.

Non-response in telephone interviews produces some known biases in survey-derived estimates because participation tends to vary for different subgroups of the population, and these subgroups are likely to vary also on questions of substantive interest. In order to compensate for these known biases, the sample data are weighted in analysis. The demographic weighting parameters are derived from a special analysis of the most recently available Census Bureau’s Current Population Survey (March 2003). This analysis produces population parameters for the demographic characteristics of adults age 18 or older, living in households that contain a telephone. These parameters are then compared with the sample characteristics to construct sample weights. The weights are derived using an iterative technique that simultaneously balances the distribution of all weighting parameters.