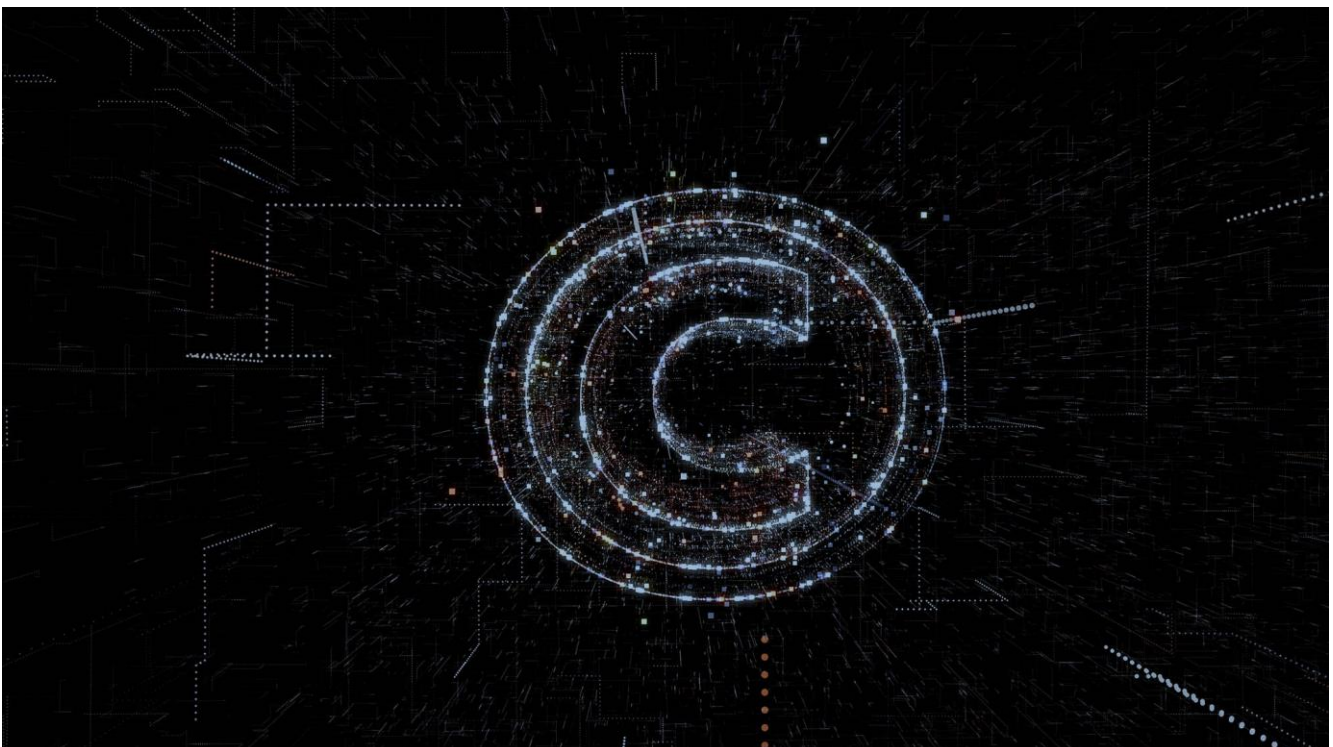


ONLINE COPYRIGHT INFRINGEMENT  
IN THE EUROPEAN UNION  
FILMS, MUSIC, PUBLICATIONS, SOFTWARE AND TV (2017-2022)

EXECUTIVE SUMMARY



# Executive Summary



Copyright infringement in the digital era has become a very serious issue for right holders. Stopping this phenomenon is complex, as piracy evolves with technology. Understanding piracy's underlying mechanisms is essential to adopting effective policies that contribute to reducing it.

This is the third study published by the EUIPO on the evolution of online copyright infringement of films, music and TV content. It has been enhanced in three main respects. First, besides the three types of content analysed in previous studies, it also includes publications and software piracy. Secondly, a new section on live event piracy has been added. Finally, the data covers 2021 and 2022.

Piracy consumption is examined in the EU Member States and the UK<sup>(1)</sup> for TV programmes, music, films, publications and software, from desktop and mobile devices, using diverse access methods such as streaming, downloading, torrents and stream ripping software.

The unit of measure used in this study is the number of accesses to pirated content per internet user per month. The dataset is broken down into several categories, such as the country of residence of the consumer of copyright-infringing content, the access method, the type of content, the genre, the source, and the type of device used.

The conclusions presented in the descriptive section are at the EU level, and the main statistics are given by member state. A breakdown per country and piracy per content type is available in the annexes. Data shows that accesses to pirated content per internet user per month for all types of content started at about 11.5 in 2017, reached a minimum of about 5 at the beginning of 2021, and increased to 7<sup>(2)</sup> at the end of 2022. Despite this reversal, the number of accesses per user per month in December 2022 was still 40 % lower than in January 2017.

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<sup>(1)</sup> The UK is included in the descriptive section of this study for comparison with the earlier studies. However, the econometric analysis was carried out using data for EU27 only.

<sup>(2)</sup> This excludes software and publications to make the value comparable with those of the period 2017-2020 in which these categories were not available.

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Overall, piracy showed an annual decrease until 2021 and a slight growth of 3.3 % in 2022. The underlying change of trend occurred at the end of 2021.

The recent increase is mainly due to the growth of TV piracy, which represented 48 % of total aggregated piracy (TV, films, music, software and publications) in 2022. Piracy of films and music is still decreasing, while piracy of software and publications showed a significant increase in 2022.

At the national level, there are significant differences, both in terms of habits (e.g. some countries seem to prefer mobile devices when consuming pirated content, while others prefer desktop devices) and the number of accesses per capita. Although piracy on mobile devices had an increasing profile until the beginning of 2020, when it was the preferred option, since mid-2020 accesses on desktop devices have again moved above mobile accesses.

Regarding the method, 58 % of piracy occurs via streaming and 32 % via download. Many of these users seem accustomed to consuming pirated content, as the main source is through direct accesses to the relevant piracy site, with one quarter of accesses coming via search engines.

Moreover, particular attention was paid to trends during the COVID-19 crisis. Different patterns for 2020 and 2021 were found, which were probably associated with the pandemic. The impact of COVID-19 was uneven across types of content. The clearest effect was evident in the consumption of pirated films, which declined in the second quarter of 2020, moderated its decrease until the end of 2020 and, after some growth, stabilised in 2022. This significant decrease occurred in all the EU member states, with a reduction of over 60 % in Ireland and Poland. One possible reason for this phenomenon is that users may have opted for legal platforms as a simpler way to access the type of content they are interested in, coupled with limited opportunities to spend money on outside entertainment. No such behaviour was encountered for TV and music. The impact remained in 2021 and 2022. The patterns for those years were significantly different from those in 2017-2019.

The following are specific observations for each content type.

1. **TV** content is the most pirated content type in the EU, accounting for nearly half of internet accesses. Following the increase in 2021, 2022 seems to have ended on a plateau. In more

than 95 % of cases, TV piracy occurs via streaming. Access from desktop devices is still the main option, although mobile devices are also frequently used. The EU27 average number of accesses for TV content is about 5 per internet user per month.

2. **Film** piracy increased by 17 % in 2022 compared to 2021 and seems to be approaching a flat profile. The EU27 average is about 1.1 accesses per internet user per month. Streaming is the most important access method.
3. **Music** piracy has continued to decline since 2017. The most prominent method is ripping, with mobile devices representing about 70 % of all accesses.
4. **Publications** piracy is the second most important type of piracy after TV. It has a growing profile, which is currently at 2.7 accesses per internet user per month. Manga is the most important pirated genre, accounting for nearly 60 % of accesses. The second most important genres are audio and ebooks. The main method to obtain pirated publications is downloading.
5. **Software** piracy has been slowly increasing and appears to be stabilising at about 0.75 accesses per internet user per month. The main method is downloading and, although accesses from desktop are nearly flat, accesses from mobile devices are steadily increasing. Games and software for mobile devices represent about half of all accesses.

The evolution of pirated accesses to **live sports events** was also analysed for 2021 and 2022 (data was not available for earlier years). As in the other cases, there is a high degree of dispersal across EU member states and an increasing trend, which reached about 0.7 accesses per internet user per month at the end of 2022, representing a growth of about 75 % compared to the beginning of the series in January 2021.

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In addition to the descriptive statistics, an econometric analysis was performed for film, music and TV piracy. The main conclusions of this analysis were as follows.

- **Piracy in each of the three domains studied behaves differently.** The explanatory variables are different and, even when there is a coincidence, the size of the associated coefficient varies.
- **Economic and social factors influence piracy.** The models show that a country's per capita GDP, inequality, population structure and youth unemployment all influence piracy.
- **The number of legal offers contributes to reducing piracy in all three domains.** In addition, for TV and films, the variation of the offer for either type of content has an impact on piracy of the other type.
- **The models confirm that the COVID-19 pandemic contributed to reducing film and TV piracy (but not music piracy).**
- **There is some substitution between pirated and legal content.** The models have shown that there is an inverse relationship between consumption of legal content and piracy in all domains.