CHAPTER I

Introduction

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1.1 NEED FOR THE STUDY

Library is a temple, where knowledge is worshiped. Libraries, like any other sectors, are undergoing significant transformation in this rapidly evolving digital environment. Likewise in current days, academic library users viz., students, researchers, and faculty members are too techno savvy and development in technology has helped them in information search and access a click away.

Academic libraries add value to the Institution. Academic libraries and librarians have to find new ways to fulfill the information and related needs of their clientele especially keeping in view the paradigmatic shift in knowledge generation, conservation and management, constant invention of new web technologies, penetration of information and communication technologies availability of open web resources and presence of information search and retrieval giant like GOOGLE (Pandey, 2017)

Importance of the library lies in its services. These are the means through which library clientele get access to information resources. Some of traditional library services are circulation, reference, periodical section, newspaper clipping service, current awareness service, document delivery service, bibliographic service, reprography service, translation service etc. Paradigm shift in current libraries from print media to digital media, have added modern library services like digital library (e-books, e-journals, e-databases), institutional repositories, remote access, Wi-Fi to fulfill the present library patrons (students and faculty) needs and requirements.

Library resources or literature works are governed by copyright law, that is, a good proportion of the everyday activity of these libraries come into contact with copyright law (Fernandez-Molina, Moraes, & Guimaraes, 2017). Literature works are property of a creator. In the case of copyright protection the advancement has posed greater challenges for protection of copyright right from the invention of printing machine by Johannes Gutenberg of Mainz, Germany. With the advent of reprographic technologies like photocopying, etc. it has become more difficult to protect the copyright of the authors (Reddy, 2007).
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The use of digital media such as books or articles in electronic form, e-books, and audio books may have legal implications that are otherwise non-existent with the use of traditional printed materials (Sookman, Glover, 2010). Intellectual Property of digital contents requires wider consideration. Libraries provide access to digital material through variety of legal constructs; license agreement, exceptions under national copyright law, legal deposit, and the public domain (Azmi, 2015) which is not known to the library user.

The cases of plagiarism are the result of lack of awareness about the copyright rules and the ethics related to the use of information (Singh, 2014). Examining the reasons behind why students engage in acts of academic dishonesty and copyright violations, it is clear that education is and will be the main solution to the problem. As academic librarians strive to engage themselves as educators, teaching an understanding of plagiarism and copyright policies to students will greatly influence academic rigor (Kaur, 2014).

The due diligence needed to assert will not only be to respect the intellectual property rights in the resources being managed but also to defend the rights of users to exercise their constitutional and legal rights to make use of these resources (Hombal & Prasad, 2012)

Libraries should keep abreast of international copyright standards and domestic case law to ensure that their interpretation legislation maintains a balance between the “public interest” and the rights of copyright owners to earn a living from their works (Sheat, 2004)

The Indian provisions are limited and must be subject to closer legislative scrutiny and development, if libraries has continue to create positive externalities for the communities in which they operate. In particular, there is a need for clarity in the provisions that already exist through closed definitions of the operative terms and for deliberate attention to be paid the effect of our copyright system on the development of traditional as well as digital libraries (Uppaluri, 2012)
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In these crucial hours librarians have to take control of the situation by educating and equipping themselves to handle the IP and technological crisis (Yaranal, Ramesha, 2012) A nation is known by the quality of its youth, since that is the stage and time during which the productive energy of a human being, both as a factor of production as well as a key shaper of economic demand, is at its optimum (Joshi, 2017). Hence, educating will lead the youth towards awareness and understanding of IPR.

A literature search on LISA (Library and Information Science Abstract), EBSCO, NLIST, Shodhaganga, conference volumes and other printed journals revealed the following

1. There are no specific empirical studies to know the Intellectual Property Rights and Its Implications on library services.
2. No studies are observed regarding awareness of IPR in regard to library
3. There are no studies in context of Higher Education Institutes in Karnataka about IPR and library users understanding of implications in regard to fair use.
4. Some studies related to current study are only doctornal in nature.
5. There is a necessity to find the current situation and propose a suggestions.

At this stage of transformation of library, intellectual property rights have been and will continue to be centre of attraction to the library community. Earlier studies present are felt inadequate. Thus, studying implications of Intellectual Property Rights on library services in the higher educational institutions, gives the broader framework to the librarians, publishers and users of the information. The study will help to frame the IPR policy for library, which balance both library user and creator rights. Hence, the above study was necessitated and undertaken, to give the mirror image of the present situation and to propose the suggestions.

1.2 STATEMENT OF THE PROBLEM

"Intellectual Property Rights and Its Implications on Library Services in the Higher Educational Institutes in Karnataka: A Study"
1.3 OBJECTIVES OF THE RESEARCH STUDY

The main objective of the study is to analyze the Intellectual Property Rights and its implication on library services in the higher educational institutes in Karnataka state. The Objectives are:

1. To identify basic awareness on IPR laws among academic library users.
2. To know, how the intellectual property rights have affected the library and its services.
3. To examine the understanding of library users about copyright issues related to print sources and digital sources in regard to academic library services.
4. To know whether IPR policies regarding to library services are properly implemented.
5. To provide suggestions for the better implementation of IPR policy in the academic libraries.

1.4 HYPOTHESES OF THE STUDY

The following are the framed hypotheses for the study on Intellectual Property Rights and Its Implication on Library Services in the Higher Educational Institutions in Karnataka.

1. Awareness on IPR laws has no bearing on gender category, student level of study, and subject discipline.
2. Awareness on IPR laws has no bearing on frequency of visit to library.
3. Awareness on IPR laws has no bearing on library user category.
4. Awareness level of IPR laws has no bearing on identification of copyright symbol
5. Proficiency level of IPR laws has no bearing on library user understanding on term of their validity.
6. Level of proficiency in copyright law has no bearing on understanding of implication, photocopying the whole book for different purposes is fair use.
7. Level of proficiency in copyright law has no bearing on understanding of implication, photocopying the part of the book for different purposes is fair use.
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8. Level of proficiency in copyright law has no bearing on understanding of implication, photocopying one article from the journal for different purposes is fair use.
9. Level of proficiency in copyright has no bearing on understanding of implication, photocopying the whole journal is fair use.
10. Level of proficiency in copyright has no bearing on understanding of implication, copying the book through electronic media is fair use.
11. Level of proficiency in copyright has no bearing on understanding of implication, sharing the login and password of journal databases of institution, with friends outside the institution is fair use.
12. Level of proficiency in copyright has no bearing on understanding of implication, systematic downloading of articles from e-databases of parent institution is fair use.
13. Level of proficiency in copyright has no bearing on understanding of implication, downloading e-books for different purposes is fair use.
14. Level of proficiency in copyright has no bearing on, user perception towards taking permission from the author, when using copyrighted work.
15. Majority of the librarian working in the higher educational institutions are not clear about the implications of copyright on libraries.
16. IPR laws are not properly implemented in the higher educational institution's library.
17. Existing Indian Intellectual Property Rights laws are not caught up with the technological developments.

1.5 RESEARCH DESIGN AND METHODOLOGY

1.5.1 Research Design

A research design is the arrangement of conditions for collection and analysis of data in a manner that, aims to combine relevance to the research purpose with economy in procedure (Kothari & Garg, 2014). Research study needs a action plans put in a systematic way. Outline of the research design of a research study is shown in the form of flow chart in figure-01.
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Identification of general research problem on Intellectual Property Rights and Its Implications on Library Services

Pre-Literature Review

Research problem: Intellectual Property Rights and Its Implication on Library Services in Higher Education Institutes in Karnataka: A study

Literature Review

Objectives of the Study

Development of Research Tools and Techniques

Pre-test of Research Tools

Redesign of Research Tools and Collected Data

Coding, Tabulation, Statistical analysis of Data

Summary of Findings, Suggestions, and Conclusion

Figure 1: Outline of Research Design
1.5.2 Operational Design

Data collection for the study was done through both primary and secondary sources. Secondary data was gathered through various information sources of library, which helped in outlining and providing insight into the previous studies on IPR and its implications on library services.

Present study is an experimental research where primary data is collected during the study, which is used to investigate the problem. Primary data can be collected through observation method, interview method, or by questionnaire method. But for the present study, questionnaire method was found suitable and appropriate for collecting the primary data, to know IPR and its implications on library services in higher education institutes in Karnataka.

1.5.3 Development of Questionnaire

Questionnaire refers to a device for securing answers to questions by using a form which the respondent fills in (Goode & Hatt, 2006). In empirical research, data collection is the eminent part and present study has adopted structured printed questionnaire for collection of the data.

Questionnaire was framed after an elaborate literature review, considering the facets and sub facets to be covered under the objectives of the study, which helps to collect the relevant information to justify the research problem. Questionnaire is divided into four parts depending on requirement of the study, those are A) General information B) Library services C) Awareness on intellectual property rights D) Implications of IPR on library services

1.5.3.1 Reliability of the questionnaire

In order to check for the reliability of the questionnaire, we have used Cronbach alpha. According to (George and Mallery, 2003) alpha value >0.8 is considered as good, a value between 0.7 and 0.8 is considered as acceptable, a value between 0.6 and 0.7 is considered as questionable, a value between 0.5 and 0.6 is poor, and value less than 0.5 is unacceptable.
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The following table 1.1 gives the alpha value that indicates the reliability of the questionnaire. The questions are termed as items in the current study. Usually alpha is calculated by considering the set of items that measures the objectives of the study. In the current study, all those questions that measures the objectives of the study are considered and alpha is calculated for the same. The value of alpha indicates, the consistency of the set of items in measuring that objective, which they share in common. In the current study, there are 34 items that measure a common objective and the value of alpha is computed using the data on these items.

Table 1.1: Reliability Statistics

<table>
<thead>
<tr>
<th>Reliability Statistics</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Cronbach's Alpha</td>
<td>0.928</td>
</tr>
<tr>
<td>No of Items</td>
<td>34</td>
</tr>
</tbody>
</table>

Source: Data analysis

From the above table, one can note, that the value of alpha is very high and this indicates a high consistency amongst the items in measuring the objectives of the study.

1.5.4 Sampling Design

Study population was carefully chosen for the present study, which is representative and adequate. Karnataka state has total 59 universities, in that twenty eight State universities, one Central University, fifteen Deemed Universities, and fifteen Private Universities. Study included randomly selected total twenty four universities which includes, sixteen State Universities, one Central University, five Deemed Universities, and two Private Universities.

Study population comprises of library users from selected twenty four universities in Karnataka viz., Central University of Karnataka, Kalaburagi, KLE Academy of Higher Education and Research, Belagavi, National School of India University, Bengaluru, Akkamahadevi Women's University (Formerly Karnataka State Women's University), Vijayapura, BLDE University, Vijayapura, National
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Institute of Mental Health and Neuro Sciences, Bengaluru, Gulbarga University, Kalaburagi, University of Agriculture Sciences, Raichur, KLE Technological University Hubballi, University of Agricultural Sciences, Dharwad, Karnataka University, Dharwad, Rani Channamma University, Belagavi, Visvesvaraya Technological University, Belagavi, Sri Devaraj Urs Institute of Higher Education and Research, Kolar, Davangere University, Davangere, Mangalore University, Mangalagangotri, Kuvempu University, Shankaraghatta, University of Mysore, Mysuru, Jawaharlal Nehru Centre for Advanced Scientific Research, Bengaluru, Bangalore University, Bengaluru, University of Agricultural Sciences, Bengaluru, REVA University, Bengaluru, University of Horticulture Sciences, Bagalkot, and Vijayanagara Sri Krishnadevaraya University, Ballari.

From each university, 50 users were chosen following random sampling method, to represent the university. Library user represents, under graduate students, post-graduation students, research scholars and also faculty. As the study population is spread over very large user population, stratified random sampling technique is adopted.

1.5.5 Statistical Design

Descriptive statistics is helpful to summarise the collected data, whereas sampling statistics can help in the making and evaluation of generalisation (Ghosh, 2006). Study has used appropriate statistical tools that are arithmetic mean and chi-square test.

**Arithmetic mean** is calculated using the formula

$$\bar{X} = \frac{\sum fX}{N}$$

Where 'N' is total number of observations, 'f' denotes the frequency of users and 'X' represents the variable used for the study.
Chi-square test is applied to test the association or significance difference between two variables and is given by

$$\chi^2 = \sum \frac{(f_0 - f_e)^2}{f_e}$$

Where \(f_0\) = observed frequency, \(f_e\) = expected frequency in terms of the null hypothesis.

In the chi-square test, if 'P' value is less than 0.05, we can conclude that there is a statistical significant difference between variables which rejects the null hypothesis and if, 'P' value is more than 0.05 we can say that there is no significant difference between the variables which calls supports the null hypothesis.

1.5.6 Pilot study

Pre-test is, in fact a "dress rehearsal" of the final study (Goode & Hatt, 2006). Pre testing the questionnaire before the actual study will help in knowing the reliability and relevance of the questionnaire. The draft of the questionnaire was pre tested against the small group of thirty-five library users in National Law School of India University, Bengaluru and Indian Institute of Science, Bengaluru. The results of pre-test helped in revising the questionnaire based on analysis of the data collected from draft questionnaire. Questionnaire was modified by reframing some poor questions and adding some questions which were felt missing, considering the pitfalls observed during the pilot study. After the necessary revision of questionnaire final questionnaire was again pre tested before the final study.

1.5.7 Final Survey

Pilot study gave the required suggestions and modifications in questionnaire for the final survey. Twenty four universities all over the Karnataka State of India were selected for the final survey. Final survey in ten universities was conducted, by personally visiting the universities during working hours and data was collected through structured printed questionnaire. Remaining fourteen universities survey was conducted with help University Librarians, where structured printed questionnaires were sent through post and received filled questionnaires through registered post.

Data required for the study was collected in universities through structured printed questionnaire during the period mentioned below.
Table 1.2: Details of Final Survey

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Institution Name</th>
<th>Date of Survey</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Central University of Karnataka, Kalaburagi</td>
<td>02.05.2016 - 28.6.2016</td>
</tr>
<tr>
<td>2</td>
<td>KLE Academy of Higher Education and Research, Belagavi</td>
<td>30.04.2016 - 18.05.2016</td>
</tr>
<tr>
<td>3</td>
<td>National School of India University, Bengaluru</td>
<td>13.05.2016 - 18.08.2016</td>
</tr>
<tr>
<td>4</td>
<td>Akkamahadevi Women's University, Vijayapura (Formerly Karnataka State Women's University, Vijayapura)</td>
<td>28.04.2016 - 16.06.2016</td>
</tr>
<tr>
<td>5</td>
<td>BLDE University, Vijayapura</td>
<td>22.04.2016 - 12.05.2016</td>
</tr>
<tr>
<td>6</td>
<td>National Institute of Mental Health and Neuro Sciences, Bengaluru</td>
<td>03.05.2016 - 16.05.2016</td>
</tr>
<tr>
<td>7</td>
<td>Gulbarga University, Kalaburagi</td>
<td>06.07.2016 - 05.08.2016</td>
</tr>
<tr>
<td>8</td>
<td>University of Agricultural Sciences, Raichur</td>
<td>23.06.2016 - 25.07.2016</td>
</tr>
<tr>
<td>11</td>
<td>Karnataka University, Dharwad</td>
<td>22.04.2016 - 05.05.2016</td>
</tr>
<tr>
<td>12</td>
<td>Rani Channamma University, Belagavi</td>
<td>07.05.2016 - 07.05.2016</td>
</tr>
<tr>
<td>13</td>
<td>Visvesvaraya Technological University, Belagavi</td>
<td>22.4.2016 - 11.05.2016</td>
</tr>
<tr>
<td>15</td>
<td>Davangere University, Davangere</td>
<td>25.04.2016 - 05.05.2016</td>
</tr>
<tr>
<td>16</td>
<td>Mangalore University, Mangalagangotri</td>
<td>10.05.2016 - 10.05.2016</td>
</tr>
<tr>
<td>17</td>
<td>Kuvempu University, Shankaraghatta</td>
<td>27.04.2016 - 06.05.2016</td>
</tr>
<tr>
<td>18</td>
<td>University of Mysore, Mysuru</td>
<td>03.05.2016 - 03.05.2016</td>
</tr>
<tr>
<td>23</td>
<td>University of Horticulture Sciences, Bagalkot</td>
<td>18.05.2016 - 23.01.2017</td>
</tr>
<tr>
<td>24</td>
<td>Vijayanagara Sri Krishnadevaraya University, Ballari</td>
<td>28.04.2016 - 03.05.2016</td>
</tr>
</tbody>
</table>
1.6 SCOPE AND LIMITATIONS

Scope of present research study is limited to, the study of Intellectual Property Rights and Its Implications on Library Services in the Higher Educational Institutes in Karnataka. In Karnataka, currently there are 28 State universities, 01 Central University, 15 Deemed Universities, and 15 Private Universities (University Grants Commission). Present study is limited to 16 State universities, 01 Central University, 05 Deemed Universities, 02 Private Universities of Karnataka State of India.

In the study, tools of Intellectual Property Rights like Copyright, patent, trademarks, Industrial design and geographical designs are discussed in regards to general awareness. Among the IPR tools, copyright law of India is considered mainly for the study. The purpose of the study is to not to evaluate universities individually as a individual sample in comparison with other universities, but to study them together to give the whole picture of the state in regard to Intellectual Property Rights and Its Implications on Library Services in the Higher Educational Institutes in Karnataka.

1.7 OPERATIONAL DEFINITION

1. Intellectual Property Rights: It is a bundle of rights which includes Copyright, Patents, Trademarks, Industrial Designs and Geographical Indication. Copyright is the law related to library and its services
2. Implication: In this study implication refers to effects of copyright on library services to its users.
3. Library Services: Services of the library referred in the study are photocopy service, inter library loan service, digital library service which includes giving access to e-journal, e-books, e-databases, institutional repository, digitisation, internet access, reference service etc
4. Higher Education Institutes: Study talks about University libraries under the Universities, both single faculty and multi faculty which are recognised under University Grants Commission in Karnataka state.
5. Karnataka: Karnataka is the one among the 29 states of India. It covers an area of 1,91,976 square kilometres or 5.83% of the total geographical area of India. Karnataka has 30 districts.
1.8 CHAPTERIZATION

The entire thesis is divided into the following six chapters. A brief overview of each chapter is given below.

Chapter 1: Introduction

First chapter introduces the problem of the study. It justifies the need for the study and provides the scenario of the problem. It provides the objectives of the study and also hypotheses framed. Scope and limitations of the study are discussed. It also gives the details on research design, operational design, questionnaire development, sample design, statistical design. Further, it presents the overview on pilot study and final study. Chapterization of the thesis is also given.

Chapter 2: Review of Literature

Literature review related to the study on Implications of Intellectual Property Rights on Library Services in Higher Education Institutes is provided.

Chapter 3: Intellectual Property Rights

This chapter covers the Intellectual Property, its definition, origin and development, types of IPR. It also provides details on Copyrights law in India, infringement, and fair use (India, U.S.A. and U.K.)

Chapter 4: Higher Education Institutes of Karnataka: A Brief Profile

This chapter covers the brief profiles of select twenty four universities of Karnataka, details on libraries and their services.

Chapter-5: Data Analysis and Interpretation

This chapter analyzes and interprets of the data collected through structured printed questionnaire from the library users of twenty four universities in respect of implications of IPR on library services
Chapter-6: Summary of Findings, Suggestions and Conclusions

The last chapter covers the findings based on the survey and statistical testing. It also provides the suggestions, areas of further research and conclusion. At the end, bibliography and appendices are given.

1.9 REFERENCES


Chapter 1: Introduction


