*‘Digital Piracy, New Media and Consumer Choice'*

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This chapter aims to critically assess the ontological, cultural and industrial implications of the notion of ‘digital music piracy.’ Starting from the position that there is a lack of precision surrounding each element of this concept, chiefly, ‘digital,’ ‘music’ and ‘piracy’ we thus make a first assertion that ‘digital music piracy’ has become a kind of straw man for the various elements within the music, legal, and creative industries, many of whom have attributed declines in revenue and changes in consumer behaviours to the digital music piracy bogeyman rather than take more proactive and future-facing steps to understand and engage with the evolving practices, interests and activities of contemporary music fans and consumers. In many respects, we mirror the views of Jeremy Wade Morris (2015: 5), who shares our apprehension about:

… how heavily weighted public discussion around digital music has been toward piracy and economics. Driven largely by the major record labels and the major industry associations, the campaign against ‘piracy’ has created a heated rhetorical ground around digital music. … (However,) piracy and the availability of ‘free’ digital music is only one factor driving the current shift in the music industries. There are bigger changes taking place with the form and function of cultural commodities in the current moment.

Such obvious disdain for the varying levels of user consumption, interaction and ‘connectiveness’ within the wider digital-media environment of everyday life can be regarded as a culture in which rights owners and their representatives refuse to engage with for fear of adding further to the widely held belief that contemporary copyright legislation is an anachronism that is more relevant to works of Dickens than it is to an artist like Drake.

To support this argument, in the second half of the chapter we draw on several illustrative examples intended to counter the predominant music industries narrative warning of the ills of digital music piracy in an aim to demonstrate not only the limitations of the term ‘digital music piracy’ but also to highlight the fact that if major music industries stakeholders continue to cling onto outmoded business models reliant on centuries-old interpretations of copyright law, they will continue to miss out on both new opportunities for the production, distribution and consumption of music by their artists. Furthermore, and perhaps even more significantly, they will also continue to fundamentally misunderstand and ultimately alienate passionate music fans and consumers who increasingly see major record labels and publishers in an oppositional light. Ultimately, the discussion to follow will endeavour to endorse Sinnreich’s view (2013: 17) that:

Instead of supporting or embracing exciting new platforms that allow people to enjoy music to the fullest extent possible, the industry has attempted to squelch innovation at every turn, using copyright laws, security technologies, and propaganda as their weapons.

In attempting to pursue this claim, we recognise that there is insufficient space within the scope of this chapter to closely scrutinise the many intricacies of copyright legislation to the same extent as other key sources (such as Stokes, 2014). We therefore apply a caveat that our broad-brush analysis of copyright serves to focus instead on the way in which current content ownership laws function to demonise and inconvenience ordinary music fans by imposing needless restrictions on habitual forms of consumer usage, sharing and re-appropriation in an era of media convergence culture, where connectivity, sociality and participation all trump misguided presumptions that originated in the eighteenth century about how music content should be consumed in the twenty-first century.

Problematizing ‘digital’

Of obvious note, the notion of ‘digital’ and what it symbolises within the current media environment lies at the heart of the conflict that we address. In this respect, ‘digital’ is problematized by its fragile links with ‘copyright’ in the 21st century. Within this realm, rights owners attempt to maintain their fragile grip on copyright and the key economic value that it represents, principally in order to bolster their long-term business agendas. Plácido Domingo, chairman of the global record industry body, the International Federation of Phonographic Industries (IFPI), proclaimed in a report (2014: 4), that:

Investment in music cannot be taken for granted. Like the creativity of the artist, it is something that needs to be supported and protected by a secure legal environment. That is why a safe, adequate copyright framework for artists and labels is so crucial. It is more crucial than ever before in today’s digital world, where copyright is fighting for its place against those who would have music and culture disseminated for free or who would erode copyright protections in the name of “copyright reform”. It is copyright that makes investment in music possible. It is copyright that allows the industry that helps artists gain a return on its investment, and therefore plough back new funds and resources into the next generation of talent.

In addition to reiterating the historical and often sacrosanct trope about the record industry’s control over all aspects of copyright (and rebuking those who would question their position), Domingo serves to confirm Tschmuck’s (2017: 63) assertion that the record industry must rely on regularly extended copyright terms in order to minimize levels of uncertainty within their business models, with this functioning to provide a “kind of long-term insurance against poor business decisions.” Notwithstanding the fact that very few, if any, industries rely on a 90% failure rate (Jones, 2012: 35) to facilitate a 10% megastar tier, the IFPI fail to acknowledge that the record industry’s global dominance in the latter half of last century was ultimately a ‘historical blip’ (Williamson and Cloonan, 2013: 13), thus greatly marginalizing any claims about their ongoing control of copyright and our consumption habits. Indeed, the ‘copyright’ that Domingo refers to represents a bygone analogue age, where audiences merely read fixed, tangible goods, whereas now the reading-*writing* of cultural goods represents the normal everyday practice of consumer life, with the author-audience distinction becoming blurred (Sinnreich, 2013: 196). Such a trajectory leads Boon (2010: 6) to claim that the ‘copyright,’ as applied in the twenty-first century “… itself sounds a little desperate, as though one had to actually suture the words ‘copy’ and ‘right’ together in order to associate consistency.”

The main issue at stake here is the aforementioned intangibility and flexibility of creative texts that circulate within the digital environment. Of course, as Ginsburg (2001) and numerous others (Lessig, 2008; Knopper, 2009; Morris, 2015) have all clearly demonstrated, the record industry has, throughout its relatively long history, been reliant on locking down innovations within audio technology and the dissemination of music, restricting consumer choice within this process, in order to sustain their grip on copyright.

Whilst limitations of space do not allow us to cover the historical development of the record industry’s reluctance to embrace new technology in order to maintain their control over both copyright and how music should be consumed in any great depth, a useful means of condensing their strategy can be garnered through a short analysis of an IFPI promotional video, which was commissioned in 2014 for their Music Remains initiative (Music Remains, n.d). Entitled ‘A history of recorded music in 90 seconds’ (IFPI, 2014), the video uses an array of recorded formats, which appear in chronological order from over the last one hundred-plus years. Starting with a gramophone and ending with an iPad, selected songs are used to soundtrack the specific format within the chain, with the 1970s being represented by ABBA’s ‘Dancing Queen’ and vinyl albums (despite the song’s key existence as top selling single) and Run-DMC and Aerosmith’s ‘Walk This Way’ and the 1980s being symbolized by a Sony Walkman. Lyrics performed by a ‘rising artist’ Pepstar (DJ/Producer Ian Opuko) relate to the artist’s personal experiences with recorded music, ending with the lines (ibid):

Look at you, you’re still beaming

 No CDs but you’re still streaming

 Years have passed, and nothing’s the same but

 You’re the one thing that always remains

 Music

Intended as an amusing reminder to viewers and consumers about the continuing significance of music despite ‘frequent’ format changes, the video serves to expose the fallacy of the record industry’s approach to technology, with only three basic physical formats (variations of vinyl discs, tape and Compact Disc) being introduced over a period stretching past one hundred years. However, at the 1:01 mark in the video, at the point of transition between the CD and MP3 formats, we witness the moment where the record industry lost control of both technology and the physical manifestation of copyright. Whilst both Pepstar and Moore may suggest that music ‘remains’ the same despite such technological changes, this serves to ignore the fact that the production, storage and retrieval of music were profoundly changed by the conversion from a predominately analogue to predominately digital marketplace (Taylor 2001:3). Thus, by downplaying such implications, the Music Remains leads the viewer-consumer to assume that the connection between recording format and intellectual property connotes a copyright continuum, remaining intact despite this clearly evident digital paradigm shift. Certainly, this resultant dematerialization of copyright (Barlow, 1994) and the ‘temporary’ nature of digital format technology requires further analysis.

Sterne (2012: 194) considers digital music a, ‘container technology,’ representing a materiality that only exists within hard drives. Similarly, Kernfield (2011: 201) suggests that digital songs have become transparent, where, ‘Only the invisible part remains, the electronic representation of a string of numbers. Popular songs have been removed from their containers and packaging.’ In short, the music may remain, but its invisibility within the digital realm problematizes record industry notions of physical control of copyright. As Morris (2015: 2-3) reminds us, whilst the CD may have relied on the same industrial infrastructure as the music formats that emerged beforehand, the consumption of music thereafter relied upon a range of digital technologies. It therefore asks us to reconsider “… issues of ownership, cultural value and aesthetics, particularly as they relate to objects that are digital rather than tactile, abundant and infinitely reproducible rather than scarce and available in limited runs …” (ibid: 8). As such, as Morris (2015: 14) suggests, where music’s value was previously inscribed within its physical manifestation, its immateriality in the digital environment removes many of its defining attributes, and its link with the past associations, its physical aura in general, more so its associations with format-related intrinsic copyright.

Problematizing ‘music’

Of course, there is a converse side to music’s invisibility in the digital environment. Its representation as a series of ones and zeros requiring electronic conversion (Katz, 2010: 157) continues to raise questions about its tangibility, leading Sterne (2012: 186) to ask, “Either music has dematerialized, or its materiality exists on a different scale. … Is music a thing? If it was, is it still?” Indeed, music can be seen to be subsumed within digital media that “… combine and integrate data, text, sounds, and images of all kinds” (Flew, 2005: 2). The ‘different scale’ of materiality that Sterne refers to was initially, and most readily, realized through the example of music videos, where the physicality of music – for instance, the array of packaging, images and written notes contained within a typical album or CD – was materially and aesthetically apart from the sensorial and environmental experiences of *watching* music. In addition, the introduction of MTV in the early 1980s not only signified new working relationships between music and mass media (Goodwin, 1993: xvii), but further detached the record industry from the source of its global dominance and its traditional business model based on its longstanding oligopoly of production, distribution and promotion. These developments led Anderson (2015: 568) to conclude that popular music is now more effectively analysed through the modes of its production and consumption: “A new mode of popular music requires a multi-institutional reorientation around new sets of practices to replace what has been lost.” Thus, MTV and music video culture can be seen as early examples of an emerging convergence culture, defined by Pool (1983: 23) as an environment where different types of media interact on new platforms, eroding the individual’s direct relationship with the previously isolated text.

Ultimately then, where the record industry previously relied on the imposition of unfair recording contracts (Greenfield and Osborn, 2007) and regularly expended terms of copyright to monetize the star economy (Toynbee, 2004: 133-134), the MTV era foreshadowed that of the digital music economy a generation later, where mixed and converged media outputs replaced recorded music as the central popular music product. As a result, record companies lost control over how its core business, sound recordings, were now being used and were compelled to regroup and restructure. As Tschmuck (2017:63) notes, the vast range of mergers, acquisitions and takeovers that have materialized within the music and media industries since the 1990s demonstrates how record companies have frantically attempted to reconfigure and consolidate their media rights empires, ultimately leading to the current three remaining major music companies (Vivendi, Sony and Access Industries) to assume increasing levels of creative copyright within the wider digital economy, consequently enhancing the oligopolization of music as media content.

Problematizing ‘piracy’

Continuing our discussion of terminological problems and limitations, we now turn our attention to the notion of ‘piracy.’ In short, our position remains that, as applied to the digital music environment of the twenty-first century, ‘piracy’ is not only an inappropriate term, but is one which is further encumbered by the rhetorical contexts in which it is normally articulated, which often serve to demonise the everyday practices, connectivity, interaction and diverse ways that ordinary consumers interact with media content. First applied in the late 1920s to designate the activities encapsulating the illegal reprints of song sheets ‘against’ the wishes of music publishers, the term piracy has endured, despite paradigm shifts in music dissemination technology, format and consumer practice, since its inception. However, as Marshall (2013: 196) highlights, piracy is not an absolute, neither is an economic concept; more so it remains an ideological issue, being ‘socially mediated’ between rights owners and the public.

Indeed, the term piracy is becoming increasingly vilified, applied to everyday music consumption activities like sharing music on social media or ‘ripping’ a CD , where these kinds of quotidian acts of music fandom and engagement have challenged outdated record industry notions of how media *should be* used, as Tehranian (2011: 1) notes:

Copyright’s growing ubiquity, when combined with the particular way in which our legal regulations have been written and interpreted, has put us in constant danger of running afoul of the law. In the twenty-first century, we have become, technically speaking, a nation of constant infringers.

Inevitably, the blurring and conflating of various and expanding definitions of piracy only generates further *anti-*piracy crusades by marginalising – if not also alienating – the most ardent music consumers and fans:

The content industry calls some things that are unquestionably legal ‘piracy’ … They’ve succeeded in persuading a lot of people that any behavior that has the same effect as piracy must be piracy, and therefore must reflect the same moral turpitude that we attach to piracy, even if it is the same behavior that we all called legitimate before (Litman 2000:8).

Similarly, for Fairchild (2008: 77), these expansive definitions of piracy are both legal and ethical attempts to compel users to use content in the ‘right way.’ Naturally, however, these attempts have proven deeply problematic as consumers have progressively grown more inventive in their everyday practices and more independent in their beliefs as the digital economy expands.

Most evidently, the pragmatic and cultural limitations of labelling unwanted consumer activity as acts of ‘digital piracy’ is most clearly evidenced by the fallout from 1999 RIAA v Napster lawsuit. The lobbying organisation, and by extension, the artists and record labels it represented, hastened to make an implicit connection between loss of control over consumer behaviour and loss of sales revenue. As Fairchild (2008: 68-69) relates, a somewhat ‘hysterical’ report by the IFPI echoed the RIAA’s claims, suggesting that P2P activity was said to disrupt if not also challenge the record industry’s own manufacturing competencies. Furthermore, the report also stated that such unsupported assertions failed to recognise that the consumption of an unauthorized musical text is not necessarily equivalent to a lost sale of one that is authorized (Kernfield, 2011: 3). More directly, the RIAA failed to acknowledge that this unauthorized practice of ‘try before you buy,’ might not have harmed sales at all, and indeed may actually have increased the likelihood of many P2P users to purchase the music they first heard and downloaded for free (Sinnreich, 2013: 77). Simply put, for where a number of allegedly negative outcomes of piracy are regularly articulated, there are also a number of analogue positive developments, which are less often discussed or acknowledged. It is an inconvenient truth that many inventive and ‘disruptive’ technologies and practices first labelled as acts of piracy (with the recorded music industry itself once labelled as a pirate by music publishers), have long since been assimilated into the ‘normal’ music industries, with yesterday’s ‘pirates’ becoming the establishment of today (Sinnreich, 2013: 35). Charges of ‘piracy’ therefore can be seen as having diminishing impact within a digital environment where antiquated laws mean little or nothing to a new generation whose practices and activities operate squarely beyond the bounds of traditional copyright law.

Collaborative Digital Culture: Prosumers

Now that we have identified inherent problems with each constituent element, we can now present a more holistic analysis of why traditional copyright law and its concomitant concept of ‘digital music piracy’ are chronically out of step with the way many of today’s cultural consumers engage with music. In their investigation into copyright and creation in the twenty-first century, Cammaerts, Mansell and Meng (2013) note that new and emerging digital media have meant there are more channels for the recorded music industry to realise profit than ever before: streaming, online and satellite radio, and gaming amongst them. Yet by remaining focussed on ultimately futile attempts to prevent music consumers from engaging with these new forms of media, the RIAA and major record labels missed their opportunity to innovate rather than litigate. More substantially, this enduring and belligerent truculence towards their most passionate and enthusiastic consumers underscored the fact that major record labels had fallen critically, if not fatally, out of touch with how music fans interact with music in the digital age. As noted above, one of the most self-evident changes between the analogue and digital eras has been the rise of ‘prosumption,’ a practice which involves, “*both* production and consumption rather than focusing on either one (production) or the other (consumption)” (Ritzer and Jurgenson 2010: 14, emphasis original). Paralleling this blurring and merging of two formerly discrete activities has been the emergence of prosumer-oriented industrial practices like crowdfunding or music patronage, where in lieu of record company investment, a large number of private individuals provide collective support for independent musicians, music projects or events. Read together, what becomes clear is that traditional copyright law is both uneasy about and ill-suited to the grey areas created by these types of cultural and industrial digital prosumption. Rather than remain hampered by the limitations of copyright, prosumer-entrepreneurs have developed innovations and traditional copyright ‘work-arounds’ allowing them to collaborate and share creative work with like-minded individuals, thereby claiming back some of creative practices once labelled as digital music piracy.

One needs to look no further than YouTube for examples of just how fully participatory and shared online music activity has become enculturated into everyday life. Now five years after its original upload date, the music video ‘Gangnam Style,’ by South Korean performer Psy, remains YouTube’s most-viewed clip. Originally created and released without the aid or benefit of major-label support, at the time of writing, the video has had over 2.7 billion views (billboard.com 2017). Yet in addition to the original release itself, the track has also spawned over 2.5 million adaptations and remixes (YouTube.com 2017), evidencing Cammaerts, Mansell and Meng’s (2013: 10) assertion that:

Insisting that people will only produce creative works when they can claim exclusive ownership rights ignores the spread of practices that depend on sharing and co-creation and easy access to creative works; this insistence privileges copyright owners over these creators.

This idea is further borne out through participatory and collaborative applications like SoundCloud and Indaba. Through the use of Creative Commons licenses, SoundCloud allows its users to upload and share their music, retaining any many (or as few) rights as they desire. As a result, other SoundCloud users may download, edit, remix and/or re-upload these new creations, thereby establishing a cyclical creative-collaborative online process that would be a practicable impossibility under traditional copyright law. Perhaps even more progressive than SoundCloud, Indaba defines itself as, ‘a 21st century music community,’ where, ‘we provide people with the resources and opportunities they need to make the songs that people love.’ (Indabamusic.com 2017). Indaba members begin by uploading (or downloading) ‘stems,’ or individual tracks, or components, of songs to the site. Other Indaba users will download the original stem and add their own enhancements and contributions before uploading the new version to the application, again, creating an endless loop of creative collaboration. Significantly, however, beyond just independent and/or unsigned musicians, Indaba is notable for the number of globally known acts who participate in remix events. At the time of writing, musicians including Enrique Iglesias, Aloe Blacc, Usher and Wyclef Jean have all posted stems for other users to remix. Under Creative Commons licenses, these musicians (and their labels) cede any revenue generated from the resulting tracks. Thus, it might be concluded that there is emerging evidence that at least some corners of the recorded music industry are beginning to acknowledge that consumer activity which infringes traditional copyright law is not always, necessarily bad. Collaborative digital culture can not only generate new opportunities for unsigned and local musicians to have their music heard by anyone with a computer and internet access, but also for major labels and their acts to begin to claw back some consumer good will through engagement with the kinds of participatory online music environments afforded by sites like YouTube, SoundCloud and Indaba, which in turn, engender brand loyalty and fan interest in copyrighted, for-profit new music releases.

Democratizing Lip Synching as Performance

As the discussion above has shown, the levels and rates of enforcement shown by rights owners towards infringements of copyright within the digital music era has been consistently inconsistent. When there are multiple copyright stakeholders, for instance, those of an artist’s record label and those of his music publisher, matters become even less straightforward. For example, ‘professional-amateur’ social network covers, such as those featured on television shows like *Glee,* have been called, ‘a licence to print money’ for publishers like BMG, due to the immense value of their synchronisation rights (Cvetkovski, 2015: 120). However, record labels will derive little, if any, direct monetary income from these kinds of uses. At the same time, music publishers have been more vigorous in enforcing copyright protection over other, less financially and culturally valuable activity, such as amateur covers of songs uploaded to YouTube, where record labels and their artists may see both a material and indirect marketing benefit generated through such kind of fan-driven efforts. Furthermore, the risk posed by any non-sanctioned versions of songs and/or sound recordings can pose considerable threats to markets or product lines that have not yet been fully developed by the rights owners (Anderson 2006: 59). Indeed, as Gaines observes, “Copyright protection is always and at the same time (about) circulation *and restriction*.” (1991: 122, emphasis added).

One current music media platform successfully navigating the grey areas of copyright is Musical.ly, a video-music messaging app, providing an online setting for its targeted tween-teenage audience to showcase their aptitude for lip-synching to current hit songs (Hahm, 2016). Uploaded tracks can be edited and filtered, but are limited to a maximum length of fifteen seconds. Launched in 2014 by Chinese entrepreneurs Luyu Yang and Alex Zhu, it has attracted $116 million (USD) in venture capital and presently has over 200 million users, who create 13 million short videos daily (Robehmed, 2017). The app has helped to launch the career of several new artists including Baby Ariel, Jacob Sartorius and the Perkin Sisters, becoming the most popular platform for music discovery by teenagers in the USA. It also serves as a major media publicity platform for new releases by established artists, such as Ariana Grande and Selena Gomez (Rhys, 2017). Perhaps the main attraction of Musical.ly is that, like Indaba, it enables amateur performers to interact with an original, professional track, but also affords them a chance to showcase their own creative flourishes, for instance, adding original dance or performance moves whist lip-synching to current hit songs, resulting in a kind of hybrid amateur-professional artefact.

Whilst the process of lip-synching may be anathema to traditional rock ideology (Frith, 2002: 284), such mimicry is ideal for pop music and its demographic. Representing a cultural change in music consumption that never could be envisaged by rights owners, “It is consumption in its own right, and like we’ve never really seen before. The 15 second hook is the song. The other 3 minutes are unnecessary baggage” (Mulligan, 2016). In this respect, Musical.ly represents a clear evolution from previous music industry-approved formats, one where consumer engagement, not copyright control, drives innovation.

Within this innovative context, music-related apps like Musical.ly serve a multitude of purposes within the digital realm, while rights owners attempt to play catch-up with regard to copyright control within this intertextual digital environment. In Musical.ly’s case, despite its huge popularity, the developers took two years to acquire the appropriate licences on an ad-hoc, provider-by-provider basis (Rhys, 2017). Musical.ly’s circumspect and protracted licensing process stands somewhat in opposition to the experiences of an earlier app, Flipagram. Launched in 2013, Flipagram used music to soundtrack user-generated photo-video uploads. Like Musical.ly, it too proved vastly popular, extending its market to eighty-five countries and frequently acquiring ‘best app’ accolades. However, as their CEO Farhad Mohit clearly admitted, the company was knowingly guilty of massive copyright infringement by failing to acquire any licences during the first few years of its very successful existence (Resnikoff, 2016). History would suggest that such frequent and substantial repeated copyright violations should have led to swift and emphatic legal action by rights owners. Yet Flipagram were allowed to continue to operate unimpeded for years, only acquiring full licences in March, 2016 (ibid). Overall, such inconsistences only serve to underline the fact that rights owners have yet to fully grasp how much music can be reimagined within the digital environment, where prosumer-generated content can both extend and reinvigorate copyrighted materials, simultaneously redrafting the boundaries between performers and audiences, between protectionism and innovation, between creativity and collaboration.

Conclusion

We began this chapter by problematizing both the constituent elements and collective implications of the concept digital music piracy. Doing so allowed us to demonstrate that the lack of clarity around each element inevitably leads to an ontologically, legally and culturally outmoded idea, often invoked by copyright stakeholders more concerned with attempts to prevent new forms of consumer engagement with their works than efforts to understand how music consumption has changed in the digital era. Specifically, we noted that one of the most evident developments of the twenty-first century music industries has been the shift from consumer to prosumer. Inherent within this change is the assertion that consumption of music is no longer a ‘one-way’ process from rights owner to consumer. Instead, through discussion of websites and applications like YouTube, SoundCloud, Indaba and Musical.ly, we have made the case that music consumption in the digital age is often a shared and collaborative activity, which often involves some degree copyright violation, intentional or not (Litman, 2000). From the 1999 RIAA V Napster lawsuit to the recently revised and enacted Digital Economy Act of 2017, it seems to be the case that many traditional copyright stakeholders seem intent on pursuing (seemingly futile) efforts to stem the tide of sharing music on social media and mobile applications rather than embrace the potential and substantial opportunities these collaborations may afford. Scholars and industry analysts both have presented compelling cases that not only are social and collaborative music practices here to stay, but that if incorporated into a strategically managed digital campaign, they can actually create substantial new income and brand-loyalty opportunities, which can offset any losses sustained through stricter copyright interpretation and enforcement (see Sinnreich, 2013 and Caemmaerts, Mansell and Mang 2013).

It is important to note that some musicians and labels are cognisant of the potential within collaborative digital music practices, grasping the notion of music as a kind of ‘taster’ or perhaps even a ‘loss-leader,’ encouraging music consumers (or prosumers) to invest both financially and emotionally in the bigger music/lifestyle ‘brand’ or ‘experience.’ Social media stalwarts like Katy Perry, Lady Gaga and Justin Bieber lend credence to the conclusion that a carefully managed digital music campaign, including tolerance of and interaction with online and collaborative activity, can yield tremendous returns in terms of consumer loyalty and brand engagement. In addition to its brand-building value, more innovative musicians and software developers are constantly finding new ways of embracing the opportunities the collaborative online environment can provide, which in turn, are extending the scope and blurring the boundaries between previously discrete music industries sectors. For instance, in 2014, the Australian electronic music duo Knife Party used Twitter to invite fan submissions of original music compositions the act could use in a live performance the next night. The band received over 300 submissions in a 24-hour period, ultimately selecting 20 tracks which were mixed together as part of the act’s 45-minute set (O’Connell 2017). With seemingly little care or regard for traditional copyright ownership and protection, Knife Party as well as their fans instead privileged the *collaborative experience* of artist-fan interaction to create a unique musical event infused with more emotive power than a traditional album or single release or even live event could offer. For these reasons, it is our position that the ongoing digital music piracy crusade is in fact counterproductive to the creative, technical and industrial realities of the twenty-first century music industries.

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