

**ASSESSING THE ROLE OF DEMAND AND SUPPLY ASPECTS IN BOOK PIRACY:
CASE OF NAIROBI CITY COUNTY, KENYA**

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DECLARATION

This thesis is my original work and has not been presented for a degree in any other university.

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DEDICATION

I dedicate this thesis to the Almighty God and to my loving parents Wilson and Trusilah and my loving family for their never ending support and encouragement.

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OPERATIONAL DEFINITION OF TERMS

- Piracy:** Refers to a deliberate infringement of copyright on intellectual property and an absolute disregard to authorship of literacy works.
- Copyright:** Refers to giving authors of books exclusive legal rights to their original work for a period of time.
- Counterfeit:** Refers to an appropriation or reproduction (of the work or invention of another) without his/her authority for one's benefit.
- Demand side factor:** Refers to consumer driven behavior pertaining to product that can be pirated.
- Supply side factor:** Refers to manufacturer/ supplier's driven behavior in the market environment pertaining to pirated products.
- Intellectual Property (IP):** The intellectual property is the set of rights pertaining to authors and other holders (artists, producers, broadcasters) for works and other fruits of his creation

ABBREVIATIONS AND ACRONYMS

ACA	Anti-Counterfeit Agency
ANOVA	Analysis of Variance
GDP	Gross Domestic Product
IPR	Intellectual Property Rights
KAM	Kenya Association of Manufacturers
KCB	Kenya Copyright Board
KENASVIT	Kenya National Alliance of Street Vendors and informal Traders
KOPIKEN	Reproduction Rights Society of Kenya
KPA	Kenya Publishers Association
KSHS	Kenyan Shillings
MOEST	Ministry of Education, Science and Technology
PICC	Print Industries Cluster Council
SDGs	Sustainable Development Goals
TRIPS	Trade Related Aspects of Intellectual Property Rights
UONP	University of Nairobi Press
WIPO	World Intellectual Property Organization

ABSTRACT

Piracy is a willful theft of intellectual and creative efforts of others due to increased demand for academic books in our learning institutions. It is a social and economic menace that involves the outright reproduction and distribution of the creative works of others, for commercial purposes, without the consent of the copyright owner. The general objective of the study was to establish the determinants of book piracy in Nairobi City County. The specific objectives were to determine the practices and patterns and to investigate the demand side, supply side and legislative/ legal side determinants of book piracy in Nairobi City County. This study employed descriptive design. The target population for this study street vendors, secondary school teachers and parents, book shop owners and consultant firms' employees. A sample consisted of 170 respondents. The quantitative data were collected using semi-structured questionnaires while qualitative data were collected using Key Informant Interview (KII) guide. The tools were pre-tested for reliability and validity. Statistical Package for Social Sciences (SPSS) was used to analyze data. Descriptive statistics were used to summarize the results. Chi-square (χ^2) was used to determine the relationship between independent and dependent variables. Significance level 0.05 was used. Approval to undertake research was granted by the graduate school of Kenyatta University and permission obtained from National Commission for Science, Technology and Innovation (NACOSTI). Informed consent was sought from all participants. The results indicated that 41 (27.3%) of the respondents agreed to have photocopied and sold hardcopies of original books, followed by printing at 40 (26.7%), then scanning at 37 (24.7%) and the least was downloading and distributing online at 28 (18.7%) without authorisation. Chi-square was used to ascertain the association between education level and engagement in book piracy. The analysis revealed a significant relationship $\chi^2=10.205$, $DF=3$, $P=0.017$ with an effect size of 0.31 based on Cramer's V. Further, descriptive analysis used revealed that 43.5% of the supply side respondents had access to internet, 34.8% had access to scanners and printers and the least (21.7%) had access to photocopy machines. The relationship between access to technology and book piracy was sought. According to Chi Square analysis, access to technology had a significant association with book piracy ($\chi^2=6.955$; $DF=2$, $P=0.031$) with an effect size of 0.43 based on Cramer's V test. Finally, the findings on the law of enforcement revealed that 129 (88.4%) of the respondents indicated that the enforcement was not efficient or adequate. Only 17 (11.6%) respondents indicated that enforcement of the law on book piracy was sufficient. The results of chi-square also indicated that there was a significant relationship between lack of law enforcement and the level of engagement in book piracy ($\chi^2=5.293$; $DF=1$, $P=0.021$) with effect size of 0.19. In conclusion the research findings showed that demand side, supply side and legal/legislation side have positive and significant effects on book piracy in Nairobi City County. The research recommends among others that there is need to supply cheaper books to local readers to discourage buying of pirated books. The right holders should protect their works by putting special copyright features. Kenya Copyright Board should create awareness to all stakeholders on the legal issues associated with on book piracy.

CHAPTER ONE: INTRODUCTION

1.1 Background to the study

Piracy is a willful theft of intellectual and creative efforts of others. It is a social and economic menace that involves the outright reproduction and distribution of the creative works of others, for commercial purposes, without the consent of the copyright owner. According to Okwilagwe (2001), piracy is the theft of copyright which occurs for reasons of want, scarcity and inaccessibility of books. This, indeed, is an aberration that amounts to infringement of the copyright of others. It not only reduces the standard and quality of the original work, it also denies creators the desired earnings that should accrue to them. Book piracy is the illegal trading that involves the unauthorised production and distribution of books without the knowledge of the author. Such books share certain characteristics that distinguish them from the original books: poor quality paper, blurred prints, poor picture quality and weak binding. In spite of the poor physical characteristics of pirated books; they remain to be the most common in the Kenyan market.

The piracy of printed works affects both paper and digital copies. In some developing countries, the trade in pirated books is often superior to the legal market. Educational institutions represent a primary market for those engaged in piracy. Digital technologies have brought a sharp drop in the cost of reproduction of many books. This has consequently controlled how producers circulate new books because of easy technology (Balázs, 2011).

But a longer historical lens suggest that the crisis of copyright, piracy and enforcement has much in common with earlier periods as suggested by Balázs (2011) who argues that markets of book trade are shaped by deals within the publishing trade and with political authorities over who could reproduce works and on what terms. Furthermore, printers and publishers

alike sought protection from competition with churches and state authorities who wanted to control the circulation of texts. Regulations designed to serve these goals led to a highly centralized printing trade in most European countries, in which state-favoured publishers monopolized local markets. Accordingly, pirates do not cover any expense comparable to the production of original cultural goods, because the initial investment for illicit reproduction and distribution is limited. Therefore, the possibility of obtaining considerable and easy profits is another reason that explains the extension and persistence of piracy (Witt, 2004).

Consequently, from a global perspective, there appears to be loose “laws” of book piracy at work in markets. These include persistent gaps between supply and demand due to artificial constraints on price or supply that is filled by pirate producers (Balázs, 2011). For example, it argues that demand and supply side pressure create a situation that requires a certain level of competence from the legal justice system. Certainly, public pressure on publishing industries might prevent any implementation of policies to deter book piracy (Safner, 2015). In some situations, pirates even look for state protection. The latter explains why censorship of texts in pre-modern England and France was continually undermined by pirate networks (Ibid).

In South Africa, it is estimated that 40-50% of the R400-million textbook market is lost to piracy and illegal photocopying (Wafawarowa, 2002). The foregoing takes the form of both illegal commercial photocopying, as well as print piracy, and electronic piracy of books and other printed material in digital form. A growing problem to book publishers is the increasing numbers of illegal downloads of online journals, as well as the unauthorized digitisation of collections by libraries, together with a marked rise in the sharing of such digitised versions of works.

Book piracy in South Africa is a legacy of the academic and cultural boycotts of the apartheid era, when large-scale copying of academic texts was condoned in university campuses (PICC 2004:55–56). State censorship also played a role where numerous books and articles banned by the apartheid government circulated widely via photocopies and private desktop publishing. For many opponents of the government, book copying was an act of political opposition rather than a crime (Berger, 2002:532).

In Nigeria, the creation, production and distribution of cultural goods are costly and the multiple costs that are added before the product reaches the consumer increase the price of the final product. Consequently, poverty is considered to be an important factor contributing to the spread of piracy. Because the prices of original products are often very high for the public, there is a permanent market for pirated goods, which are cheaper. In Nigeria, the publishing Industry discussion of piracy as digitalisation is becoming more important, publishers have to face issues that other industries already know quite well since years (Okafor, 2002). Various forms of piracy take place in Nigeria. Nothing that is reproducible is spared both electronic and paper base. The problem of piracy is enormous in Nigeria and has attracted a great deal of attention. Virtually all Nigerian publishers have been victims of piracy, pointing out that of more than 30 publishing companies in the country, about 50% have had many of their titles pirated, while about 20% of annual turnover is lost to the pirates by affected publishing houses (Akinwumi, 2003; Adegbola, 2008) The expansion of book piracy started in the 1960s, and increased through the 70s and 80s. Technological improvements in the offset of printing and binding equipment have been put to use by pirates to reduce their production cost (James-Iwu, 2011).

Ahmadu (2017) while reporting on copyright protection and enforcement in South Africa, put the trade loss to book piracy in the year 2004, 2005 and 2006 at \$ 4million, \$ 6million and \$ 8million respectively. This indicates that there is a proportionate increment in the loss rate.

A study carried out on the copyright law and the menace of book piracy in Nigeria by Nwogu (2014) highlighted that the creativity of a nation, is protected by the copyright Law, but this right has been constantly infringed upon by unauthorized acts of reproduction and distribution on a commercial scale, called book piracy.

According to Nyariki (2009), book piracy is attributed to fact that the price of new textbooks has tremendously gone higher in terms of pricing making it difficult for students to afford. On an average daily income for a Kenyan is about \$1 and the price for a new textbook is approximately Kshs 3,500 or Kshs 2,000. This affects many book users since they are unable to afford original textbooks hence resort to using pirated materials. Supporters of book piracy claim that buying original copies is too expensive hence people opt for pirated ones (Kuntz, 2001; Daily Nation, April 25, 2008; Ngunjiri, 2010; Muteti, 2013).

According to Mbengei *et al.*, (2009) the book publishing industry in Kenya experienced enormous growth in the last decade owing to liberalization of the industry through the implementation of a textbook policy by the Ministry of Education, introduction of free primary education and development of a vibrant Kenya Publishers Association (KPA). This growth of the publishing industry was, however, accompanied by a continuous rise in book piracy which hindered authors and publishers from realizing their royalties and revenues respectively. In their efforts to deal with piracy publishers started to carry out campaigns to sensitize publics on the impact of book piracy on the development of the publishing industry

and to discourage them from buying pirated books. Two organisations, KPA and Reproduction Rights Society of Kenya (KOPIKEN) have been the main faces of the communication campaigns with the later focusing mainly on reducing mass photocopying of copyrighted materials especially in colleges and universities. However, in spite of the spirited campaigns by KPA and KOPIKEN, book piracy has continued to thrive year after year.

1.2 Statement of the problem

A significant progress has been made in increasing book publishing companies and protecting of authors' Intellectual Property rights in Kenya. However these gains are undermined by book piracy which has become almost the norm (Ngunjiri, 2010). In Kenya, only 2 of every 10 books sold are pirate products costing publishing industry and its authors of Kshs. 1.25 billion loss per year (Mbugua, 2008). Book piracy contributes to the erosion of tremendous percentage of the total earnings of the industry which can result to serious effects on economic development as well as make the publishing industries to collapse (Obidiegwu, 2007; Nyariki, 2009). It causes financial and human resource wastage hence failure to attain the overall objective of transforming Kenya into developed society and a failure to eradicate illiteracy/poverty from the nation (Okutoyi, 2011). Book piracy has been attributed to want, scarcity, inaccessibility, weak regulatory system and unregulated high number of distributors of books who end up supplying pirated books or make copies of original books illegally (Trainer, 2004). This study therefore sought to establish demand, supply and legal/legislative factors impacting on book piracy in Nairobi City County.

1.3 Study objectives

1.3.1 Broad objective

The broad objective of the study was to establish the determinants of book piracy in Nairobi County.

1.3.2 Specific objectives

- i. To determine the practices and patterns of book piracy among consumers and suppliers in Nairobi City County.
- ii. To investigate the role of demand side factors on book piracy in Nairobi City County.
- iii. To establish the role of supply side factors on book piracy in Nairobi City County.
- iv. To assess the efficacy of the legislative frameworks in place to curb book piracy in Nairobi City County.

1.4 Research questions

In achieving the objectives of the study, the researcher was guided by the following research questions:

- i. What are the practices and patterns of book piracy among consumers and suppliers in Nairobi City County?
- ii. What are the roles of demand side determinants of book piracy in Nairobi City County?
- iii. What are the roles of supply side determinants of book piracy in Nairobi City County?

- iv. What is the level efficacy of the legislative frameworks in place to curb book piracy in Nairobi City County?

1.5 Hypotheses

- i. There is no significant relationship between demand side determinants and book piracy in Nairobi City County.
- ii. There is no significant relationship between supply side determinants and book piracy in Nairobi City County.
- iii. There is no significant relationship between efficacy of the legislative frameworks and book piracy in Nairobi City County.

1.6 Justification of the study

There are persistent gaps between supply and demand due to artificial constraints on price or supply that is filled by pirate producers (Balázs, 2011). Since the inception of book publishing, many public and private agencies have lost their outright intellectual rights to pirates leading to low loyalties (Trainer, 2004). Book piracy has been found to have a far reaching implications like financial and human resource wastage; tremendous loss of earnings of the industry which can result to serious effects on economic development economy of the country and lack of attainment of major development goals of the country such as vision 2030 which aims at promoting science, technology and innovation through protection of intellectual rights of innovations in industries and tertiary institutions including universities. Vision 2030 aims to create and deepen in social sphere support initiatives to develop scientific, technologic and innovative solutions to address current and future development problems (Republic of Kenya, 2007). This study is in line with Sustainable

Development Goals (SDGs)-Goal 9 which emphasizes the need to promote sustainable industries and investing in research and innovation which are important ways to facilitate sustainable development (Osborn *et al.*, 2015).

1.7 Significance of the Study

This study, while highlighting the practices and patterns of book piracy and examining the extent to which the sector can become an impetus towards the Kenyan goal to industrialize by 2020, has contributed to knowledge and literature on the demand, supply and legislation factors and their impacts on book piracy in Kenya. The findings of this study may also form a credible basis for future research in related areas. The findings may also be adopted and used by policy makers, especially Kenya Copyright Board, in devising interventions to curb book piracy crimes and respect for intellectual property. The findings may also assist policy makers to come up with improved ways of investigating, regulating and prosecuting offenders.

1.8 Limitations of the study

The generalizability of the study findings may be hindered by the fact that it was carried out in Nairobi City County. It may not apply in other set ups. Inability to access information from some key respondents for fear of their security would as well affect the accuracy of the study. This was overcome by assuring the respondents that any information provided will be treated with utmost confidentiality. The study was carried out in a short period which limits time for doing a wider research. Lack of sufficient funds to cater for travelling expenses coupled and cost of stationery also limited the researcher from accessing all publishing companies to collect relevant data for the study.

CHAPTER TWO: LITERATURE REVIEW

2.0 Introduction

The literature review focused on what other researchers, scholars and educationists have found and said about book piracy and its challenges to book industry. The literature was therefore reviewed based on piracy, trends and patterns, key determinants of book piracy and the theoretical framework of the study.

2.1 Piracy, Trends and Patterns

Book piracy is a great challenge to creative industry worldwide and Kenya in particular. It may be said to be a hindrance in the growth and development of intellectualism. It affect virtually everybody. To creators, including authors and holders of related rights, since illicit sales affect their main source of income, which is derived from royalties from licit sales. It also affects workers of all cultural industries, because book piracy replaces the production of original products and jobs. To the State, since the activities related to piracy are always carried out, at least partially, outside the established system and, consequently, no taxes are charged that would be reinvested in cultural development. Book piracy can lead to the exodus of talented creators, depriving countries of the wealth represented by local creativity. For example, the increasing piracy in most of the countries of Africa has led many artists to leave their country to create and present their works in Europe, where they are better paid, thanks to the current copyright system. Book piracy destroys the foundations of local cultural enterprises and negatively influences their relations with foreign partners. In addition, book piracy undermines the legal industry, which cannot compete fairly with low prices derived from illicit activity. In this way, it hinders not only the development of cultural industries, but also

economic development in general, since companies cannot grow and expand in a sustainable manner.

The public often sees book piracy as a way to achieve cheaper access to versions of a work of equal quality than the original, but ignores the repercussions that this activity exerts on creativity, the creative industries and related sectors. In addition, book piracy lacks the negative social stigma that would sensitize the public to the fact that it is a criminal activity. Often, the public does not realize that buying pirated products or engaging in illicit activities may be contributing to the proliferation of illegal practices. The Internet has provided an important new platform for increasing sales. Pirates do not cover any expense comparable to the production of original cultural goods, because the initial investment for illicit reproduction and distribution is limited. Therefore, the possibility of obtaining considerable and easy profits is another reason that explains the extension and persistence of book piracy.

Olsen (2005) states in his report that international trade in counterfeit and pirated products could have been up to USD 200 billion in 2005. This total does not include domestically produced and consumed counterfeit and pirated products and the significant volume of pirated digital products being distributed via the Internet. If these items were added, the total magnitude of counterfeiting and piracy worldwide could well be several hundred billion dollars more.

Counterfeiting and piracy are illicit businesses in which criminal networks thrive. According to Prendergast (2002) in his paper understanding consumer demand for non-deceptive pirated brands he explained that pirated products and distribution are often substandard and can pose health and safety risks that range from mild to life-threatening. Economy wide, piracy destroys the foundations of local cultural enterprises and negatively influences their relations

with foreign partners. In addition, piracy undermines the legal industry, which cannot compete fairly with low prices derived from illicit activity. In this way, it hinders not only the development of cultural industries, but also economic development in general, since companies cannot grow and expand in a sustainable manner.

Onyeje (2012) states that piracy of intellectual property is Nigeria's greatest challenge, which cuts across software development, movie production, music production and book publication. Further he states that piracy would put people out of business and drain Nigeria of her economic gains, if it is not put under control.

In a study on the effect of book piracy, Enang and Umoh (2013) noted that books have suffered from piracy for centuries; it is nothing new rather the question is how can we curb this biting problem? Piracy has remained a massive problem in the developing world and it is thriving very high (Cohen, 2009). In Kenya, school going pupils and students are expected to purchase their textbooks to supplement those provided by the government, so it is common place to see quite sophisticated and good quality printed and bounded copies available for purchase. Interestingly, the general public whether wealthy or poor prefer buying of pirated books instead of original ones. It's therefore deduced that book piracy is not an issue of poverty but an option to spend more on other commodities (Anctil, 2002).

Available literature on the subject of piracy favoured the proposal to intensify police investigations and legal jurisdiction as the overwhelming approach to combat book piracy, (Petrovich, 2001; Kuntz, 2001; Stackpole, 2000). Moahi (2004), noted that, plagiarism and book piracy are major concerns for people working in the creative field. He added that both phenomena occur, they are extended and, in spite of everything that is done against, there will

always be dishonest people who steal the creations of others.

The essence of copyright laws was to prevent unauthorised reproduction and distribution of works already published by other publishing companies thereby robbing the authors of profit (Black, 2012). Ever since, the law has moved from only regulating publishers and other commercial entities to a law that no longer distinguishes between republishing someone's work on the one hand and building upon or transforming that work on the other (Lessig, 2004). According to Schweidler and Constanza-Chock (2006), the battle against piracy is being fought in the realm of commoditized knowledge and the law and rhetoric of illegitimate use, distribution, and production of goods revolves around increasingly protectionist policies governing intangibles, such as trademarks, patents, and copyright.

According to Nwogu, (2014), piracy of books is mainly as a result of improvement in technology. He suggested that, book publishers are faced with technology threats as such there is increasing concerns from authors and publishing industry in Kenya over illegal book trade. This is because, pirates do not bear origination of published materials yet they sell and profit from fake products in the markets depriving the publishers and authors of the benefits of their works. Copyright piracy is a global problem, although more prevalent in developing countries like Kenya. According to Vaidhyathan, (2001) the holders of rights do not always fully know the large number of prerogatives and resources that are at their disposal. But even when they know them, they are often reluctant to resort to the enforcement mechanisms of laws and regulations, due to lack of means and confidence in the judicial system. In addition, the lack of a clear strategy and a solid coordination of the central authorities lead to the increase in book piracy. The management of copyright and the measures to enforce it are generally divided among numerous entities, from legislative bodies to ministries, from

registration offices to the courts, and from customs to the police. In some cases, the corruption and local protection enjoyed by the illicit industries contribute to the persistence of the problem.

Gaps in the literature

Literature on Trends and Patterns in book piracy has indicated that book piracy is a global problem. It has further indicated that the problem afflicts both the wealthy and poor, as both prefer pirated books due to their relatively lower prices. While this is the case, literature on this subject has not clearly captured the kinds of books commonly pirated. In addition, there is lack of information on the levels of education that suffer the most from this vice.

2.2 Key Determinants of book piracy

Many studies have explored a variety of practices involved in the production and trade of counterfeit goods. Few studies have discussed book piracy in terms of demand, supply and legal/legislative determinants at both individual and aggregation levels. The following section reviews the demand, supply and legal /legislative factors of book piracy. Demand-side factors include product attributes and consumer characteristics; supply-side factors include market characteristics, profits, market size, technology and logistics of distribution and legal/legislative factors include legal frame work and enforcement.

2.2.1 Demand-side Determinants

It is clear that consumers play an important role in creating a large demand for pirated books trade. Most consumers, according to different demand side studies tend to go for the pirated books because they appear cheaper (Bloch *et al.*, 1993; Chakraborty *et al.*, 1997; Cordell *et al.*, 1996; Gentry *et al.*, 2006; Grossman and Shapiro 1988a, 1988b; and Wee *et al.*, 1995).

Additionally, the consumers' attitudes toward the purchase of pirated books is also influenced by institutional and cultural factors influence

2.2.2 Product Attributes

Studies have shown that consumers associate various attributes with a particular product or brand. Product attributes include prices and quality. In general, the variation between the values that clients get from the genuine products and the one they receive from the fake ones is linked to quality, price, and image. Customer satisfaction generally depends on the functionality of an item as well as its accessibility. Wee (1995), conducted a research that revealed that high-quality goods of special demand carry the characteristics of innovation, and exclusivity. He concluded that product selling points and features were critical in helping to explain purchase intentions than demographic factors. Similarly, a study conducted by Staake and Fleisch (2008) revealed that selling stolen and counterfeit goods can occur in the market where the consumer is being deceived, and the market where the consumer consciously buys counterfeit products. They found that in most cases, prices in the market of the first type, as a rule, are much higher than the prices of the second kind, and, most likely, the quality of counterfeits will be higher. However, both of them "parasitize" on the value of goods sold legally, as their value is due to the brand's fame and the means spent on winning this reputation

2.2.3 Pricing of books

Studies have shown that several kinds of counterfeits are defined according to the potential for deception of your potential customers. Thus, the experts talk about low quality piracy when the buyer knows about its illegality, but considers that the low price merits risk (Bloch *et al.*, 1993). The use of prices to merit risk is also supported by different other researchers

(Albers-Miller 1999; Bloch *et al.*, 1993; Dodge *et al.*, 1996; Prendergast *et al.*, 2002). They all concluded that price of the book has significant influence on consumer's decision (Gentry *et al.*, 2006). Moreover, Staake and Fleisch (2008, 54) explained that the price often depends on the knowledge of the buyers. This means that some products may be of higher prices but because the buyers lack knowledge, they will still buy. Harvey and Walls (2003) concluded that there are the fakes of medium quality, where people who are not very knowledgeable acquire the products thinking that they are originals. In this case, the sellers fix the price based on the degree of knowledge of the buyer: the greater the ignorance of the original product, the higher the price. In addition, the cost of obtaining pirated products further influences piracy. Penz and Stottonger (2005) argued that the prices of buying for pirated products is a major factor that determines the consumption of fake books. Experimental research has also proved that the high prices of books plays a role in increasing consumers' intentions to buy pirated ones. Iseme *et al.*, (2008) argued that the ease and speed of photocopying of book increases book piracy.

2.2.4 Income of the consumer

Like prices, income of the consumer has significant influence on the consumption of pirated books. The perception of a significant price difference between the original and its copy is a decisive factor in the attitude towards counterfeiting, an original brand whose price is deemed abusive justifying the purchase of counterfeit books. In addition, the lack of perceived quality difference between moose and its copy increases the likelihood of buying pirated books. For example, Swee *et al.*, (2001) states that it's not just the price. According to Swee *et al.*, (2001), some people actually buy fakes for the simple reason that they cannot afford an original. Prendergast *et al.*, (2002) suggested that there has been an increase in the

quality of products that are often manufactured by the companies responsible for manufacturing the original products. It is then very difficult to distinguish counterfeits from originals. This type of counterfeit product causes indisputable prejudice to manufacturers, especially since these products are sold at less than half the price of the original. Prendergast *et al.*, (2002) suggested that the phenomenon of the marketing of counterfeit products at the national level can be explained by the difficult socio-economic context that has an impact on people's attitudes and behaviors. Beside the economic aspect, it should be noted that this phenomenon can also be favored by the dysfunctions and failures of the structures responsible for control and repression but especially because of the ignorance of the texts. Prendergast *et al.*, (2002) added that as the national GDP increases, one would expect counterfeiting and piracy to decrease. Holm (2003), for example, reported a strong negative relationship to that exists between wealth and the rate of counterfeiting and piracy. He demonstrated that counterfeit books favor most of the low income customers because such products are relatively cheaper. This is because counterfeiters do not bear the costs of product development or compliance with safety standards and cheat on wages, taxes and VAT, which aims to reduce the profits of companies "virtuous", a decline in wages, job losses, a decline in growth and a deterioration of tax revenues, the cost of unemployment engulfing most of the funds devoted to other social priorities.

Gaps in the literature

Foregoing literature has identified key determinants of book piracy and how they play out to bolster it. While most literature has approached these determinants from a demand-supply side dimension, other factors such as business and legislative environment have not been

sufficiently explored hence a gap in knowledge. In addition, the scale at which these factors determine book piracy has not been established.

2.3 Supply-side Determinants

Most supply-side research appear to focus more on different anti-counterfeit approaches that can protect the original brand company. David J. Starkey Maritime historian, has said on several occasions that piracy was caused by inefficiency in the markets. This inefficiency caused by a disconnect between supply and demand allowed the flowering of pirates in the seventeenth century. He clearly talks about the Pirates of the Caribbean, but I think we can make an analogy with piracy of this post, especially because as the economy of that time was strong enough to withstand the assaults, but too weak to remove them, also in the current times something similar happens. Book piracy, like any other piracy requires the indulgence of the markets to be able to exist and this indulgence is given because they are filling an offer that would otherwise be non-existent. An offer for certain sectors, an offer that is not willing to pay controlled or overvalued prices, an offer that has been neglected. In general, it is the solution to a problem of mispricing. While there is a demand for this type of offer and while the rewards outweigh the risks will piracy and this will be until it reaches a balance, until the legal supply is so large and with a correct valuation that can supply illegal.

2.3.1 Market Characteristics

This study will focus on market characteristics that influence production and supply of pirated books: profit, size of market, technology, logistics of distribution and ability to conceal counterfeits and deceive consumers.

2.3.2 Profits

Firstly, it should be noted that in most cases, the available options do not satisfy the demand in the way that book piracy does. In addition consumers have very little bargaining power against the big industries of entertainment and fashion, piracy is giving in a certain way more power the buyer, is leveling things. Book piracy is a kind of punishment or claim to companies for their precarious and onerous offer. Consequently, most pirates are sure that they will profit because the consumers will be lured by their “good” terms. Other incentives originate from the choices of low cost materials and production processes as well as from reduced labor costs and tax evasion (Albers-Miller, 1999). The reason why piracy is profitable is that today's piracy is satisfying needs and tastes that the industry has not been able to, either for lack of vision and investment or for simple disinterest. It is also clear that deceptive counterfeits based on trademark and copyright infringement mainly target the primary markets (Bloch *et al.*, 1993).

2.3.3 Size of Markets

In the global piracy market, all works are unpacked without paying a cent. If all areas are affected, that of the book is the most threatened. One of the main problems in dealing with book piracy, similar to drug trafficking, is that whenever there is a large consumer market for this type of product, crime will continue to be profitable for criminal organizations (Panethiere, 2005).

According to Nwogu, (2014) some of the causes of book piracy are poverty, book scarcity, ignorance of the copyright laws by the public and the uncooperative attitude of some countries in endorsing international treaties on intellectual property rights. Book piracy has been identified as an international battle that should go beyond the frontiers of national

boundaries. Countries that have been labeled the bastion of the illegal trade should do something to stop it in their respective domain.

2.3.4 Technology and Logistics of Distribution

The publishing business is where there has been a greater boom of online book piracy. Technology has made it easier to for pirates to produce exact copies and circulate them favorably in markets with genuine books, and have large profits by selling them significantly in lower price than the original publishers' products, which bear the cost of royalties to author and other overhead cost (Bodó, 2014). It is in this regard that Kolawole (2005), opines that pirates take major shares of the publishing industry in Nigeria.

2.3.5 Ability to Conceal Counterfeits and Deceive Consumers

That pirate books are sold notoriously in the country is not a secret. Unfortunately illegal copies can be found in the streets, in cheap and poor quality editions, damaging the work of writers and publishers. In some cases the texts are sold as reliable copies, and not everyone can recognize an original edition of a pirate. It has been estimated that 45% of the scam pages and methods used by cyber hackers on the Internet are quite credible, and 14% of the scams are not so worked, but even so people fall for them (Penz and Stöttinger, 2008).

Gaps in the literature

While the reviewed literature has explored the market characteristics including profit size of the market, technology and ability to conceal counterfeits and how these factors determine book piracy, little has been documented on these factors in Kenya.

2.4 Legal/legislative determinants

Using legal protection of intellectual property forms the fundamentals of every anti-counterfeiting approaches. Europe and its Member States have hardened their legislative arsenal accordingly. As a result, they have experience noticeable decrease in pirated books (Veloutsou *et. al.*, 2008, Marron and Steel, 2000). A study by Marron and Steel (2000) suggests that countries with tougher criminal penalties for cases of counterfeiting and piracy, an extension of the powers of customs officers and the appointment of specific officials to combat counterfeiting often experiences fewer cases of counterfeit or pirated books.

2.4.1 Legal Frameworks

The lawful and control systems designed to deal with piracy issue can affect pirates significantly. They give the original brand companies the necessary instruments to bring lawsuits against book piracy and to seek to recover their losses from pirating (Wako, 2007). Where the strong legal framework and systems work to prevent book piracy, the weaker ones can be perceived to be too tolerant in curbing the issue. Thus, leaders should enforce penalties because they may have a strong impact on the activity of piracy. The impact of law enforcement on the piracy of books may also differ greatly depending on the severity of the punishments. Because of their weaker legal controls for Intellectual Property Rights (IPR) and lower levels of enforcement, the developing nations, especially Kenya, have increased rates of piracy than the industrialized nations of the West (Okiy, 2005).

2.4.2 Effectiveness of Enforcement

It is clear that the competence for enforcing anti-piracy strategies is much more important than the simple introduction of legal frameworks. Irrespective of the rapid increases in the

violations of Intellectual Property Rights (IPR) statutes, most WTO members have adopted legislations that aim to implement minimum approaches of Intellectual Property Rights (IPR) enforcement. Vigorous implementation of legislation is important for curbing counterfeit and piracy issues, however this alone is not sufficient in helping to eradicate the problem. For example, while the intellectual property laws in China have recently approached the standards set by TRIPS, the implementation of these laws remains insufficient in helping to deter counterfeiting and piracy (Idris, 2001). In addition, cultural characteristics and high levels of corruption may hamper the effectiveness of the implementation of these laws in some countries. Moreover, bribery rates related to piracy and counterfeiting activities weaken the effectiveness of public institutions. According to Egbunefu (2011), book piracy explicitly is part of the hallmarks of a corrupt society, where personal interest overrides commitment to the values of the nation. He posits that many people go for these pirated books because they cannot afford because original books expensive. However, it should be noted that poverty is not a justification for low moral rectitude. A standard must be maintained irrespective of economic recession.

This act has also proved very problematic in Kenya as the official bodies have either been too passive or have inadequate resources. According to Irura (1992), this distinction is not very clear from a legal standpoint, and it has been reported that even in cases of pure copyright infringement, pursuing the matter through the Anti- Counterfeit Agency is faster and penalties more punitive (value-based) than under the Copyright Act hence creating loopholes. In his seminar paper entitled “The Copyright Law: legal position in Kenya”, he pointed out that the Kenya’s copyright laws lacks a provision for a central collecting authority on behalf

of authors and publishers. Effective enforcement involves multiple measures such as public campaigns, organization, empowerment, and incentives.

Nankuiharrison (2015), has analysed the introduction and development of copyright and piracy laws in Kenya very well. He expounded the copyright law in both the colonial and post-colonial era. However, he argues that, duplicity and a generally unclear delineation of roles between the newly established Anti Counterfeit Agency and the Kenya Copyright Board have been reported, as both these bodies have powers to raid, cease and prosecute for copyright infringement. Copyright law is important because it boosts creativity and accelerates economic growth. Despite this, it is not clear whether information users are aware of the law. It is argued that in Kenya, the copyright law is not as effective as expected since no proper mechanisms have been put in place enforce the law.

The foregoing discussion on the state of piracy and copyright laws in the country shows that there is an urgent need to implement the laws in order to protect intellectual property rights hence give room for new research, knowledge, creativity and innovation in the book industry.

Gaps in the literature

Reviewed literature shows that when law relating to book piracy is not well enforced, book piracy occurs at an increased scale. However, literature on this trend and in Kenya is scanty. There is little documentation on how the Kenyan situation is like when it comes to enforcement of the law on book piracy. Furthermore, not much literature is available on status of cases filed under copyright law in Kenya.

2.5 Gaps Identified in Literature Reviewed

Studies conducted previously in relation to book piracy mostly concentrated on causes' of book piracy in the book industry. Most literature reviewed (Holm, 2003; Kuntz, 2001; Prendergast *et al.*, 2002 and Swee *et al.*, 2001) among others, all focused on book piracy in developed economies. However, few evaluations have been done in developing economies such as Kenya where little has been done in regard to book piracy. Little has been done to investigate the influence of consumer characteristics, product distribution and institutional risks factors on book piracy. This study therefore sought to shed light on the factors of demand, supply and legislative/ legal factors on pirated books. The study focused mainly on street vendors, secondary school teachers and parent, Consultancy Firms employees and bookshop owners on whether there were consumer, supply and legislative factors that influence their decision to buy pirated books.

2.6 Theoretical Framework

This study will be guide by the systems theory, which suggests that the publishing industry presents itself as a linear production process where inputs are converted to outputs. But this model of an organization is expanded to include throughputs which act as basic ingredient for control. The publishing industry outputs and outcomes generate products, services, information and other recourses in order to transact with the environment. They also provide performance information necessary to sustain the organization through the development of knowledge. Just like other large complex organizations, the publishing industry system has multiple and overlapping levels where each level can be described as a system that involves input, processing, and output. At each system level, the publishing process obeys the general rule that output is equal to input (Rapoport, 1986. From the literature review it was evident

that most of the problems facing the publishing industry are production, distribution and marketing which include inadequate policies, poor management and control among others. Therefore, there was need to review system in order to understand why the underlying problems were occurring and how they can be solved. System theory was reviewed to give in depth understanding on how it functions in a publishing environment.

2.6.1 Systems Theory

Systems theory is a framework for elaborating increasingly complex systems across a continuum that encompasses the person-in-environment. The General Theory of Systems was conceived by Ludwig von Bertalanffy in the 1940s with the aim of providing a theoretical and practical framework for the natural and social sciences (Rapoport, 2003). The book publishing industry is a system with a set of interlocking elements that acquires inputs inform of products that are processed for distribution. Modern distribution systems are often characterised by a great deal of variety, both in customer demands and options for organising the system. One way of looking at a supply /distribution chain, legal/legislative and demand systems is that it must connect the manufacturer to the consumer. This connection can become quite complex when it is not clear what firm is the original manufacturer. The focus here is on distribution, e.g. finished products from manufacturer to consumer. Therefore, this study adopted the system theory because demand side, supply side and legal/legislative side form a system within which the systems interact. This interactions created room for book piracy or increased the space within which pirates operate. The publishing industry outputs and outcomes generate products, services, information and other resources in order to transact within the system. They also provide information necessary to sustain the organisation through the development of knowledge.

The book unit can be likened to a subsystem within the overall publishing system operates; meaning that if anything goes wrong within the publishing industry, it will definitely affect all the subsystems. According to this theory, the problems facing publishers and book authors can be traced back to the production, distribution and marketing stages. Therefore, for one to analyze and understand the problems, they need to examine the organizational context and compare with features of the environment under which the book industry operate.

Bernard & Engel (2001), theorized that throughout the system, the progressive narrowing of processing capacity encourages publishing companies at each stage to exert pressure in production at earlier stages, but demand for cheap books may make consumers to opt for purchase of pirated books.

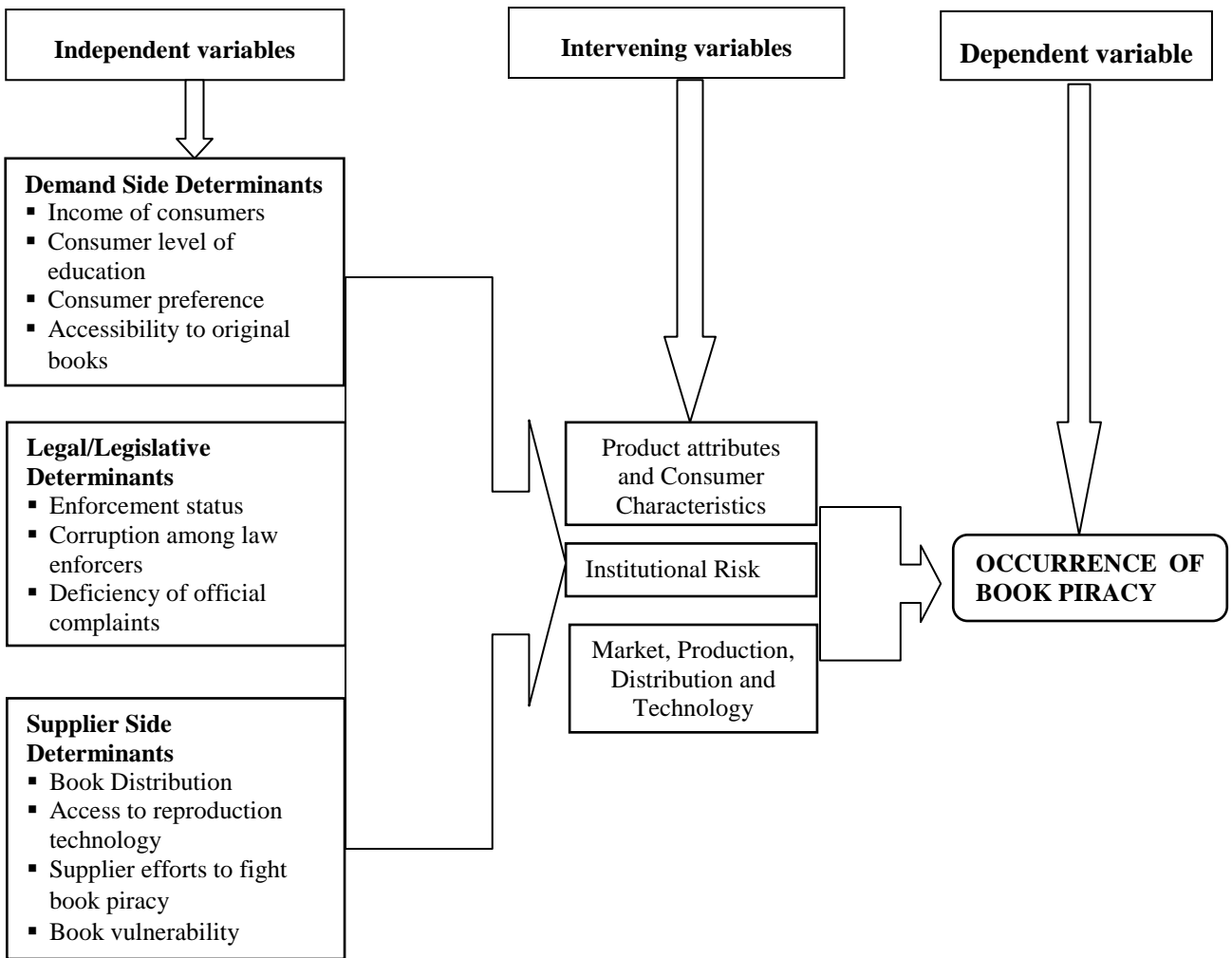
Even though systems interact within the same unit (publishing environment), absence of proper policies, poor enforcement and lack of awareness on matters of copyright may contribute the production of pirated books. For any particular criminal justice system, an attempt to resolve book piracy problems may be hindered by low risk of detection, weak legal and regulatory framework, weak enforcement systems and weak penalties (Kraska, 2004).

The application of systems theory in this study raises some interesting and unexpected insights. For example, it argues that demand and supply side pressure create a situation that requires a certain level of competence from the legal justice system. Certainly, public pressure on publishing industries might prevent any implementation of policies to deter book piracy. Nevertheless, this research aims at determining the determinants of book piracy within the system created by demand factors, supply factors and legal/legislation factors. Further systems theory has shortcomings in that it does not specify when and how

collaboration with the organization needs to take place, nor what to do when the analysis suggests that there are existing or potential conflicts between the publishing environment, work environment, work, and the structure of the organization. These are issues that relate to uncertainty and thus challenge the organization to identify appropriate responses. The theory also gives little guidance as to which aspects of the system of interest should be manipulated to achieve policy objectives.

2.7 Conceptual Model

According to Print Industries Cluster Council (2004), the demand side determinants of book piracy included; income of consumers, consumer level of education, consumer preference, accessibility to original books In addition there are legal/legislative determinants of book piracy which include enforcement status, corruption among law enforcers, deficiency of official complaints, where else the supplier side determinants included book distribution, access to technology, Supplier efforts to fight book piracy, book vulnerability. In this model the intervening variables were found to be product attributes and consumer characteristics; institutional risk, market production / distribution and Technology occurrence of book piracy (Figure 2.1).



Source: Modified from PICC (2004)
Figure 2.1: A conceptual model

CHAPTER THREE: RESEARCH METHODOLOGY

3.0 Introduction

The study examined the determinants of book piracy in Nairobi County. This section gives an in depth description of the research design, the location of the study, target population, the sample size and the sampling procedures used, a description of research instruments, data collection procedures and instruments, data analysis and ethical considerations.

3.1 Research Design

According to Saunders *et al.*, (2007) research design is the general plan of how the researcher will go about answering the research questions. It constitutes the blueprint for the collection, measurement and analysis of data (Cooper and Schindler, 2006). Thus research design can be divided into three categories namely, explanatory research, exploratory research and descriptive research. As Cooper and Schindler (2006) asserts, explanatory research design aims at establishing causal relationship between variables, for instance, one could seek to establish the relationship between book piracy and demand side, supply side and legal and legislation factors. On the other hand, Robson (2002) argues that exploratory research design aims at finding new insights and assesses the phenomena while descriptive research seeks to find out who, what, where, when, why or how much is the problem situation at hand.

Based on these three categories of research design, the design that fits our study is descriptive and explanatory research design. This study therefore employed descriptive research design to assessing the role of demand and supply aspects in book piracy in Nairobi County in Kenya. To achieve the objectives of the study, a survey design was employed to collect data from publishers, secondary school teachers and parents, consultant firms' employees,

3.3 Study Population

A population is defined as a group of individuals, cases or objects with some common observable characteristics (Mugenda and Mugenda, 2003). The study population in this study consisted of publishers, secondary school teachers and parents, consultant firms' employees, bookshop owners, street vendors and law enforcers. According to the Nairobi County Ministry of Education, there are 60 secondary schools all of which were included in the study. The bookshop owners were 20 and approximately 80 street vendors (Source, KENASVIT) from Nairobi County were considered in this study. Only 95 employees from different consultant firms dealing with matters of education were included. It is this total population that was used as the basis of estimating the sample size. Table 3.2 summarizes the target population.

Table 3.1: Study Population

Category	Target Population
Street vendors	80
Secondary School teachers and parents	60
Consultant firms' employees	95
Bookshop owners	20
Total	255

3.4 The Sample Size and the Sampling Procedure

The Fisher *et al.*, (1998) formula was used to determine sample size. Since the Fisher formula adopted is applicable when the population is greater than 10,000, a second formula was applied to further reduce the sample because the population was less than 10,000. Nairobi County was purposively selected due to its concentration of industries, publishing

firms and book distributors. The study also adopted proportionate to size sampling to come up with a representative sample per category as shown in 3.2 below. Simple random sampling was used to identify the specific respondents on whom the questionnaires were administered.

$$n = Z^2 * p * (1-p) / d^2$$

Where:

n = Sample size for large population

Z = Normal distribution Z value score, (1.96)

p = Proportion of units in the sample size possessing the variables under study, where for this study it is set at 50% (0.5)

d = Precision level desired or the significance level which is 0.05 for the study

The substituted values in determining the sample size for a large population are as follows.

$$\begin{aligned} n &= \frac{1.96 \times 0.5 \times 0.5}{0.05^2} \\ &= 384.16 \\ &= 384 \end{aligned}$$

However, since the population is less than 10,000, another formula will be used to adjust the sample size further.

$$n_0 = n / (1 + ((n - 1) / N))$$

$$n_0 = 384 / (1 + ((384 - 1) / 255))$$

$n_0 = 155$ is the desired sample size.

$$N = 255 \text{ (KNBS, 2015)}$$

Desired sample size is $155 + (10\% \text{ of } 155) = 170$

To cater for incompleteness and nonresponse the sample was increased by 10%. According to Israel (2012) a sample can be increased by 10% to 50% where a researcher may not reach some respondents or in anticipation to nonresponse.

Table 3.2: Sample Size

Category	Target Population	Sample Size
Street vendors (suppliers)	80	53
Secondary School Teachers and parents (demand)	60	40
Consultant firms' employees (demand)	95	63
Bookshop owners (Suppliers)	20	14
Total	255	170

The sample population of this study was 170 as shown in the table 3.2 above. The study sampled employees of 53 Street vendors, 20 parents and 20 teacher from the secondary schools, 63 employees of consultant firms and finally 14 bookshop owners. Therefore, a total of 170 questionnaires were administered in this study.

3.5 Research instruments and validation

The study used both primary and secondary data. Primary data was collected using researcher-administered questionnaire and Key Informant Interview (KII) guide. The questionnaire was used to collect quantitative data while KII guide was used for qualitative data. The instruments were reviewed with the help of the research experts. They were organized in line with the study objectives. Triangulation of data collection techniques enhances validity and reliability of the findings. Secondary data on the other hand, was utilized to put the study in the context. Government documents and other published work were used.

3.5 Piloting

Pilot testing is an important step in testing the reliability and validity of the research instruments. A pilot study based on 10 book users (two from each category) was conducted in Kawangware Sub County since it has similar characteristics as the study area and for the

purpose of avoiding recall bias. This was to enable the researcher ascertain the suitability of the questionnaire before administering it in the study (Mathiyazhagan and Nandan, 2010). Kerlinger (1986) argued that it is important to test for reliability of these types of variables in order to minimize errors of single items. Reliability can be measured in terms of stability or consistency.

3.6 Validity and Reliability

3.5.1 Validity

According to Gall and Borg (2003), validity is the degree by which the sample of test items represents the content the test is designed to measure. Bashir (2008) defined validity as the extent to which a test measures what it is supposed to measure and the extent to its truthfulness, accuracy, authenticity, genuineness, or soundness, whether the means of measurement are accurate and whether they are actually measuring what they are intended to measure. Creswell (2017) outlined three forms of validity namely: content, constructs and criterion-related validity.

Among these forms of validity emphasis should be put on construct validity. Construct validity was tested by soliciting for valid concepts from key informants prior to construction of the questionnaire. Content validity which was employed by this study was a measure of the degree to which data collected using a particular instrument represented a specific domain or content of a particular concept. Mugenda and Mugenda (2003) contended that the usual procedure in assessing the content validity of a measure was to use a professional or expert in a particular field. To establish the validity of the research instrument, the researcher sought opinions of consumers, suppliers and law enforcers. This facilitated the necessary revision and modification of the research instrument thereby enhancing validity.

Furthermore, the study assessed the responses and non-responses per question to determine if there was any technical dexterity with the questions asked.

3.5.2 Reliability

Moser and Kalton (2017) argued that stability is the comparison of the same measure for the same sample at several points in time while Cronbach (1951) argued that internal consistency is a reflection of homogeneity of several items that comprise a scale. Cronbach (1951) developed a measure of testing internal consistency that is known as Cronbach alpha coefficient. Nunnally (1978) reinforces the importance of Cronbach alpha as a measure of reliability and noted that Cronbach alpha values ranging between 0.8 and 1.00 implies considerable reliability, values ranging between 0.70 and 0.80 indicates an acceptable reliability and values below 0.70 are unacceptable. If the Cronbach alpha is less than 0.7 then it implies that the questionnaire should be reformulated.

The data from the pilot study was analyzed and Cronbach alpha was estimated to test for validity of the questionnaire. The questionnaire was structured in such a way that it collected data on demographic characteristics of the respondents, data on demand side variables, supply side variables and legal and legislative determinants of book piracy. With the exception of demographic characteristics, other variables were measured as constructs. These variables had several items that measure the same concept or phenomenon.

The reliability results for each measurement construct are presented in table 3.2. The result shows that constructs for demand side and supply side had Cronbach alpha of 0.725 and 0.756 with 7 each. Legal and legislative and book piracy constructs had Cronbach alpha values of 0.905 and 0.757 respectively. These values of Cronbach alpha are greater than 0.70 implying that the questionnaire is reliable and that the items included in measuring demand

side factors, supply side factors, and legal and legislative factors constructs are indicative of the same underlying disposition.

3.5.3 Scale Reliability Results

The Cronbach alpha was calculated in a bid to measure the reliability of the questionnaire. This was done during the pre-testing of the research instrument. The questionnaire was subjected to ten respondents that were not in the final sample. All the variables were reliable since their Cronbach alpha was above 0.7 which was used as a cut-off of reliability test for the study. Therefore, all items measuring the variable were maintained in the final data collection instruments used to collect data.

Table 3.3: Reliability Test Results

Variable	No of Items	Respondents	α =Alpha	Comment
Demand side factors	7	10	0.725	Reliable
Supply side factors	7	10	0.756	Reliable
Legal and legislative factors	6	10	0.905	Reliable
Book piracy	5	10	0.757	Reliable

3.6 Data Collection Procedure

The study used primary quantitative data which were collected using semi-structured questionnaires from the field. According to Mwiria (2006) questionnaires are devised for securing answers to questions using a form which the respondent fills in himself or herself. The questionnaires were administered to the respondents through drop and pick methods. The questionnaires format were standardized with a balanced mixture of both open ended

and close ended questions and were guided where necessary. Primary qualitative data was collected from the Key Informants (KIs) mainly the chief executive officers of the publishing companies and copyright personnel using Key Informant Interview (KII) guide

3.7 Data Analysis and Interpretation

The study intended to examine key determinants of book piracy in Nairobi County. To achieve this, the study relied on cross sectional data tabulation since the primary data is collected at a point in time. The collected data was examined to make inferences through a series of operations involving editing to eliminate repetitions and inconsistencies, classification on the basis of response homogeneity and subsequent tabulation for the purpose of inter-relating the variable under study. Statistical Package for Social Sciences (SPSS) was used to analyze quantitative data. Descriptive statistics including the percentage, means, mean rankings, frequency distribution and cross tabulation were used to express the data based on objectives. Chi-square is a statistical procedure used to determine the relationship between independent and dependent variables. Significance levels 0.05 was used. Any independent variable with a P-value equal or less than 0.05 then will be considered to have a statistical significant relationship with dependent variable. Chi square (χ^2) was calculated using the formula below;

$$\chi^2 = \sum \frac{(O_i - E_i)^2}{E_i}$$

χ^2 - Chi Square value

O_i -Observed value

E_i -Expected value

Qualitative data was analysed thematically based on study objectives.

3.8 Data Management and Ethical Considerations

An approval of the research proposal was given by the school of graduate studies of Kenyatta University. The research permit was granted by the National Commission for Science, Technology and Innovation (NACOSTI) (appendix III). All selected participants including book publishers, textbook users and law enforcing agents were contacted through a covering letter requesting them for their voluntary participation in the study (Appendix I). The researcher received express consent from all participants after making known the nature, purpose, objective, benefits and risks in participating in the study to the respondent and other key stakeholders. The information provided by the respondents was treated and guarded with utmost confidentiality throughout the research and the researcher was responsible for the work and contribution to the whole study. The researcher had undertaken reasonable measure to protect data collected and administered in data analysis and presentation. This was done by ensuring data on hard copy was kept under key and lock while the ones on soft copy was secured by password. Full disclosure, fair treatment and privacy were guaranteed by ensuring interview was done on one-on-one basis. Courtesy, honesty and professionalism were observed at all times to all the participants. Participants were assured absolute right of divulgence of information without interference and tampering of the same. The desire and decision by any respondent to withdraw at any stage of the research was guaranteed.

CHAPTER FOUR: PRESENTATION AND DISCUSSION OF FINDINGS

4.0 Introduction

This section presents the results of the study which aimed at examining the determinants of book piracy in Nairobi County. It covers the determinants in three categories: determinant side, legal/legislation, and supplier side determinants.

4.1 Response Rate

A total of 170 questionnaires were administered in this study. Table 4.1 below shows the response rate which was at 88.2%. According to Mugenda and Mugenda (2003) this is acceptable since it is above 50% for a descriptive study.

Table 4.1: Response Rate

Category		Returned Questionnaires	Unreturned Questionnaires	Total
Demand side	Teachers	18 (90.0%)	2 (10.0%)	20 (100%)
	Parents	14 (70.0%)	6 (30.8%)	20 (100%)
	Consultant firms' employees	58 (92.1%)	5 (7.9%)	63 (100%)
Supplier side	Bookshop owners	14 (100%)	0 (0.0%)	14 (100%)
	Street book vendors	46 (86.8%)	7(13.2%)	53 (100%)
Total		150 (88.2%)	20(11.8%)	170(100%)

4.3 Socio-Demographics Characteristics of Respondents

4.3.1 Respondents Age Group

The respondents' ages were analyzed based on three categories: ages 19-30 year, 31-40 years and 41 and above. As shown in figure 4.1, majority (36%) of the respondents were aged between 19 -30 years, followed by 35% of those aged 31-40 years and the least (29%) of those aged 41 years and above (Figure 4.1). This clearly shows that the sample was representative of all the age groups of possible book users, publishers, and copyright employees.

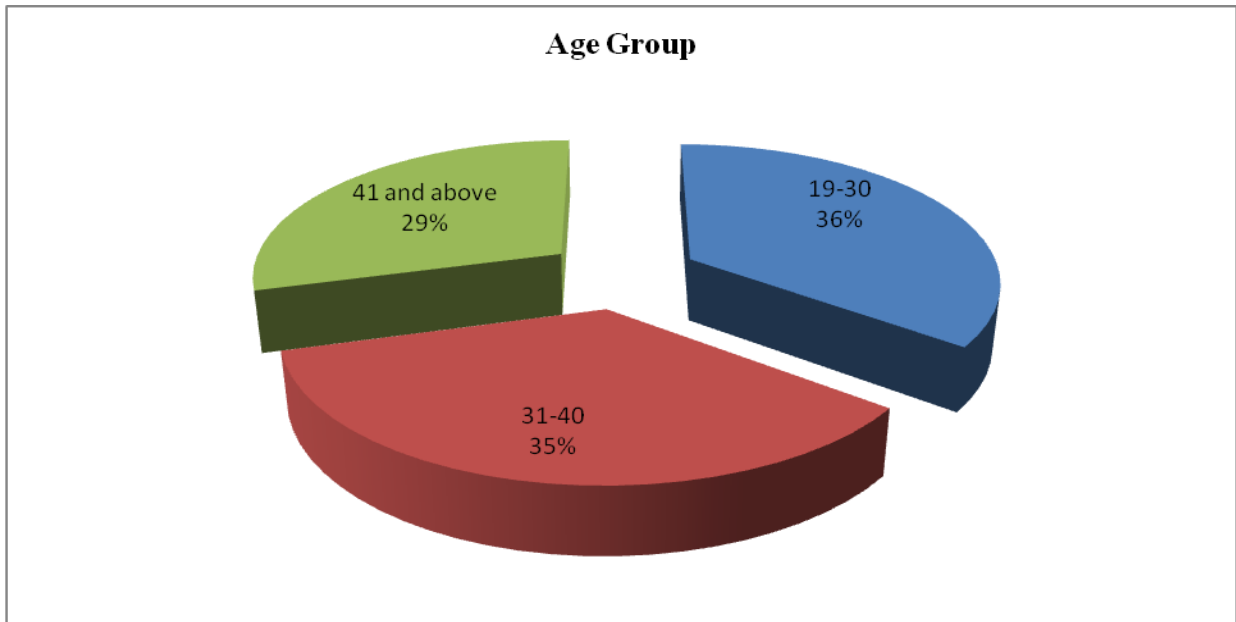


Figure 4.1: Age Group of Respondents

4.3.2 Level of Education

The study assessed the level of education of the respondents in relation to book piracy. The level of education was categorized as primary level, secondary level, college/university level and post-graduate level. As figure 4.2 below revealed that those at college/university level are most likely to pirate books at 32.0% followed by 30.7% of the respondents who had

attained post graduate degree, then 22.0% of primary education level and the least was 15.3% represented by secondary education level. These results agreed with that of Vaidhyathan, (2001) who in his study on copyright and copy wrongs found out that higher and tertiary institutions are major stakeholders in the piracy debate because most of the intellectuals in these institutions are authors and editors of books and journals articles as well as other scholarly articles. In addition, students, lecturers and library staff commit acts of book piracy (consciously or unconsciously) through photocopying, scanning and printing of copyright material resulting to book piracy.

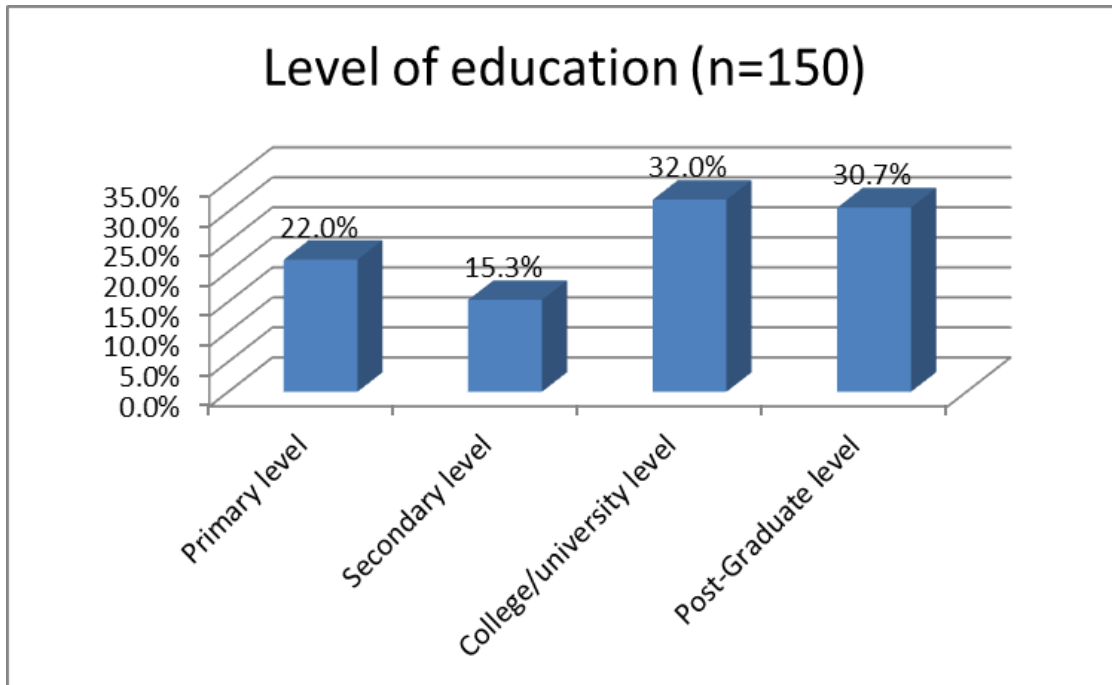


Figure 4.2: Level of education

4.3.3: Income Level

The study investigated income level of the respondents. Income level was measured based on the level of monthly earnings. According to the findings, most (38.7%) of the respondents had an income ranging from Kshs. 20001-30000, 31.3% earned above Kshs. 30000, 16.0%

below 10000 and the least (14.0%) Kshs. 10001-20000 (Figure 4.3). Income level may play a significant role in determining consumer behaviour and purchasing power of books hence the role of income in driving book piracy practices will be determined at a later part of this thesis.

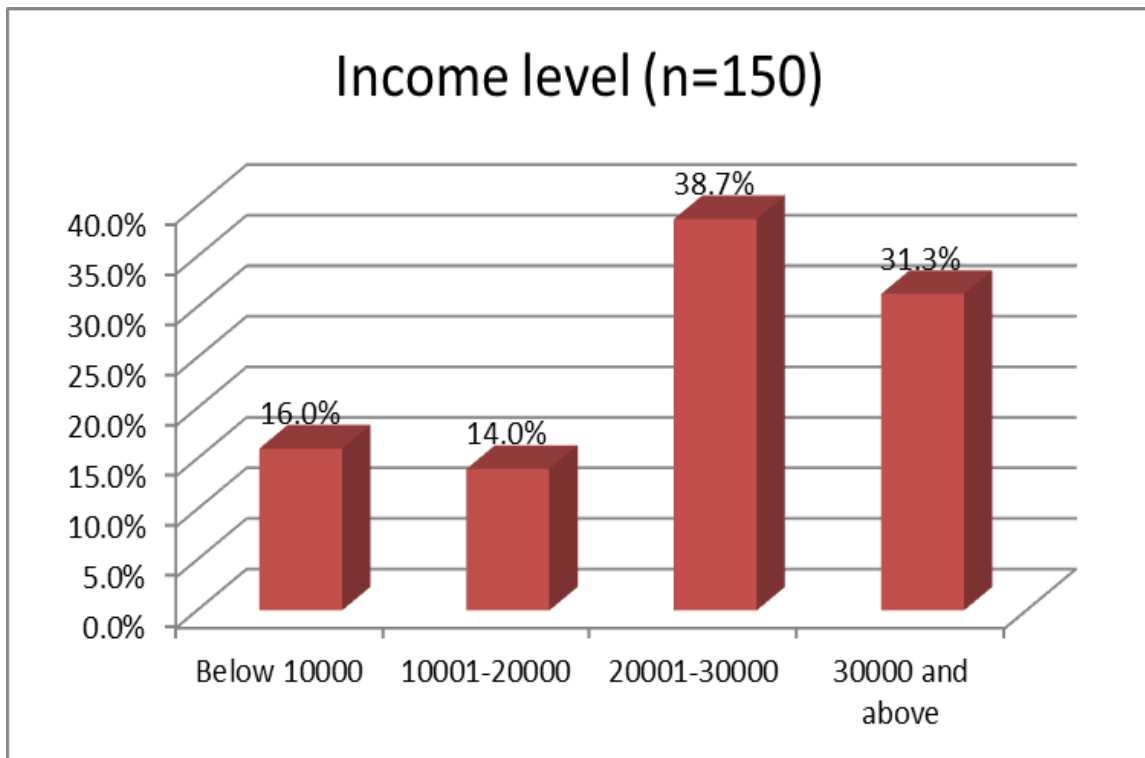


Figure 4.3: Income level

4.3.5 Consumer Preference of Books

The study sought to investigate the consumer preference of books according to whether the books were original, photocopied, downloaded and printed or re-used. Results indicated that most (37.0%) of the respondents preferred original books, 23.9% preferred re-used books, 21.9% preferred downloaded and printed books while 17.1% preferred photocopied books (Figure 4.4). These findings imply that majority (63%) of the respondents preferred pirated books (those who preferred unauthorised photocopied books, downloaded, printed books and

re-used books) over original books. This may be due to easy access of pirated books at a cheaper price.

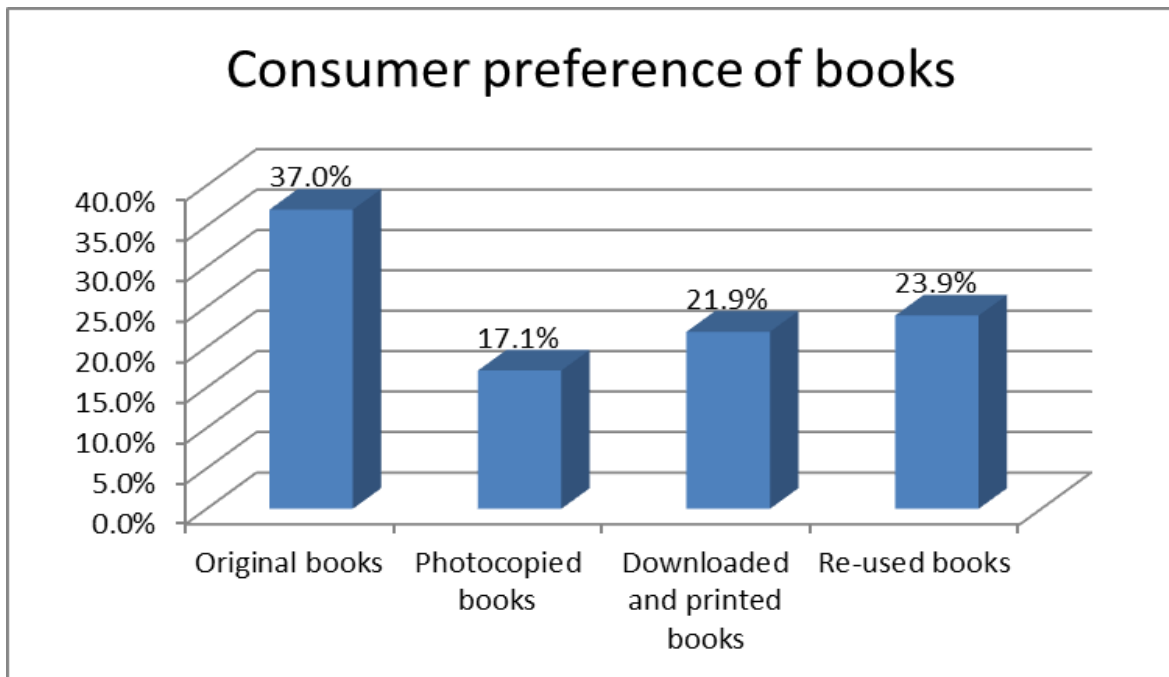


Figure 4.4: Consumer preference of books

4.3.4 Approximate Spending on Books per Year

The study assessed the amount of money respondents spent on books per year. The findings show that 6% of the respondents indicated that they spent more than Kshs 10,000 on books per year. Another 20% spent between Kshs. 5,001-10,000 on books, while another 42.7% spent between Kshs. 2,001-5,000. Those who spent less than Kshs. 2,000 were 31.3% (Figure 4.4). This is a possible indication that book buyers in Nairobi County go for less costly books which could influence their intention to buy pirated materials. The findings of this study corroborate with those of Staake and Fleisch (2008) who summarized key reasons for and against purchasing counterfeits in terms of product characteristics. He established a significant relationship between book piracy and price of counterfeits material.

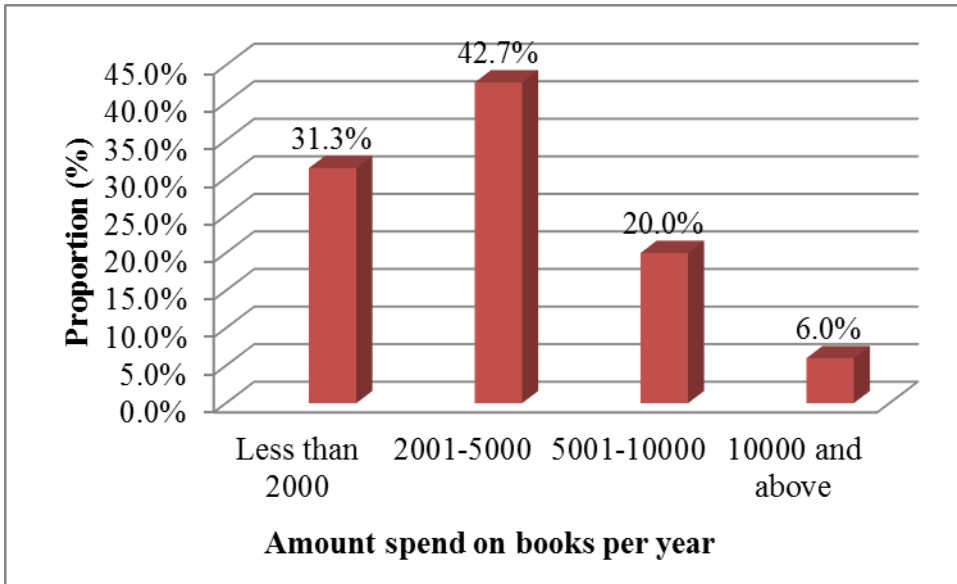


Figure 4.4: Amount of Money spent on Books per Year

4.3.5 Source of Reading Material and Books

The study sought to find out where the respondents bought their reading materials and books. The results indicate that 32.7% of the respondents bought their reading materials and books from street vendors. Those who indicated that they bought their books from bookshops were 31.3% whereas 21.3% indicated they bought from supermarkets. Those who bought directly from publishers were the least (14.7%) as shown in figure 4.5 below. According to Siwek (2004), books sold on the streets are likely to be pirated. In this case, most (32.7%) of the books distributed by the street vendors may be pirated.

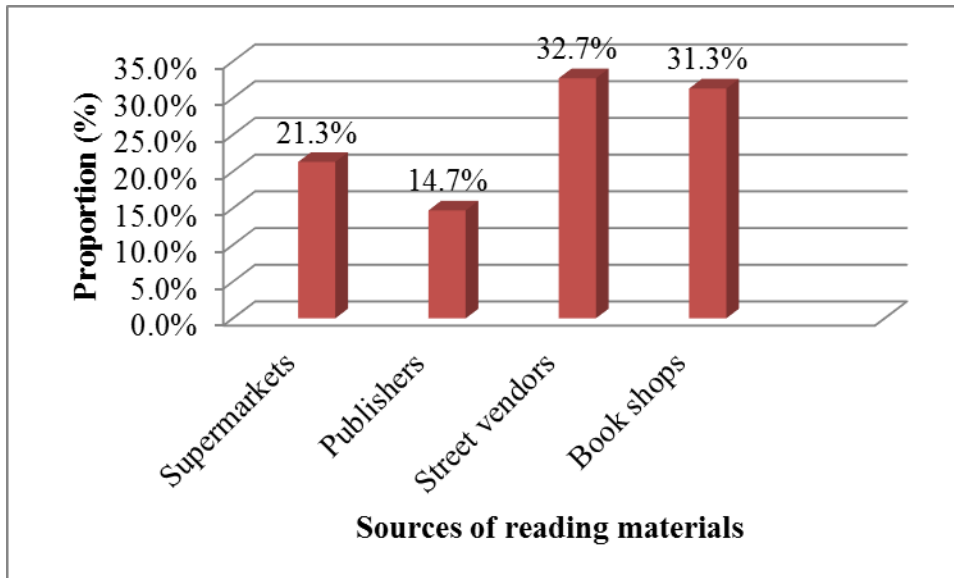


Figure 4.5: Respondents' Source of Reading Materials and Books

4.4 Practices and patterns of book piracy in Nairobi County

The study sought to establish the practices and patterns of book piracy in Nairobi County. The practices of book piracy was measured based on whether the respondents engaged in book piracy and in what form.

4.4.1 Engagement of book piracy by respondents

The respondents were asked whether they engaged in production of unauthorized copies of protected books, distributing counterfeited copies of copyrighted books, replicating the labels of copyrighted books and finally produced and sold books that resemble other people's copyrighted books. The results indicated that 41 (27.3%) of the respondents agreed reported to have photocopied and sold hardcopies of original books, followed by printing at 40 (26.7%), then scanning at 37 (24.7%) and the least was downloading and distributing online at 28 (18.7%) (Table 4.2). This findings imply that majority of the respondents had engaged in practices that can be categorized as book piracy.

Table 4.2 Book Piracy Practices by the Respondents

Respondent Type	Respondent Category	Book piracy practices	Book Piracy	
			No	Yes
			n (%)	n (%)
Demand side	Teachers/parent/ consultant firms	Downloading and distributing online	1 (1.0)	20 (19.2)
		Photocopying and selling hard copies	0 (0.0)	27 (26.0)
		Scanning	2 (1.9)	25 (24.0)
		Printing	0 (0.0)	29 (27.9)
Supply side	bookshop owners	Downloading and distributing online	0 (0.0)	4 (28.6)
		Photocopying and selling hard copies	0 (0.0)	5 (35.7)
		Scanning	0 (0.0)	1 (7.1)
		Printing	0 (0.0)	4 (28.6)
	Street vendors	Downloading and distributing online	1 (3.1)	4 (12.5)
		Photocopying and selling hard copies	0 (0.0)	9 (28.1)
		Scanning	0 (0.0)	11 (34.4)
		Printing	0 (0.0)	7 (21.9)
Total			4 (2.7)	146 (97.3)

4.4.2 Engagement in Book Piracy

The study sought to establish the level of engagement in book piracy. The data analysis indicated that majority (97.3%) of the respondents engaged in book piracy. Those who never engaged in book piracy were the least at 2.7% (Figure 4.6 below). These findings imply that the book piracy practices are high in Nairobi County.

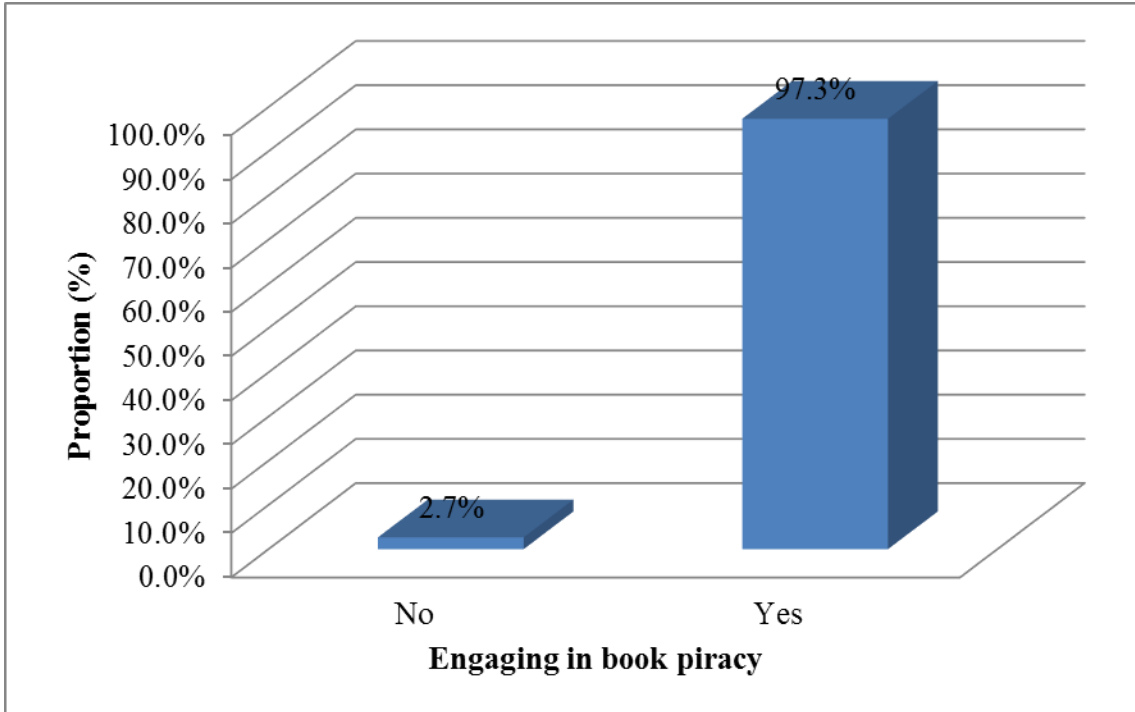


Figure 4.6: Engagement in Book Piracy

4.4.3 Level of Engagement in Book Piracy

The level of engagement in book piracy was further established using a Z- Score method. A ‘yes’ response to the practice of any forms of book piracy was scored as 1 while any ‘No’ response was scored as 0. A score of 2 and below was categorized as low level while a score of 3 and above was categorized as high level. According to analysis, 69.9% of the respondents engaged highly in book piracy compared to 30.1% as shown in figure

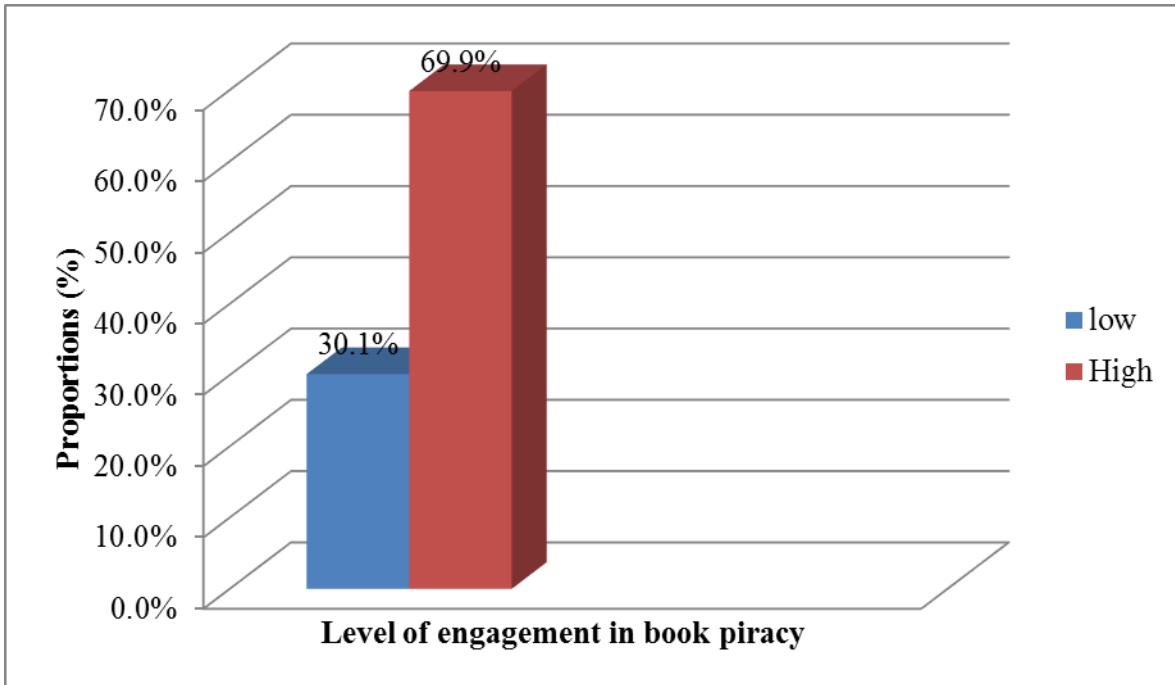


Figure 4.7: Level of engagement in book piracy

4.4.4 Ways in which Respondents Engaged in Book Piracy

The study further sought to find out ways in which the respondents engaged in book piracy. The results indicate that the most common way of engaging in book piracy was photocopying and selling hard copies at 27.3%, followed by printing at 26.6%, scanning at 26.0% and the least was downloading and distribution online at 20.0% as figure 4.7 below shows.

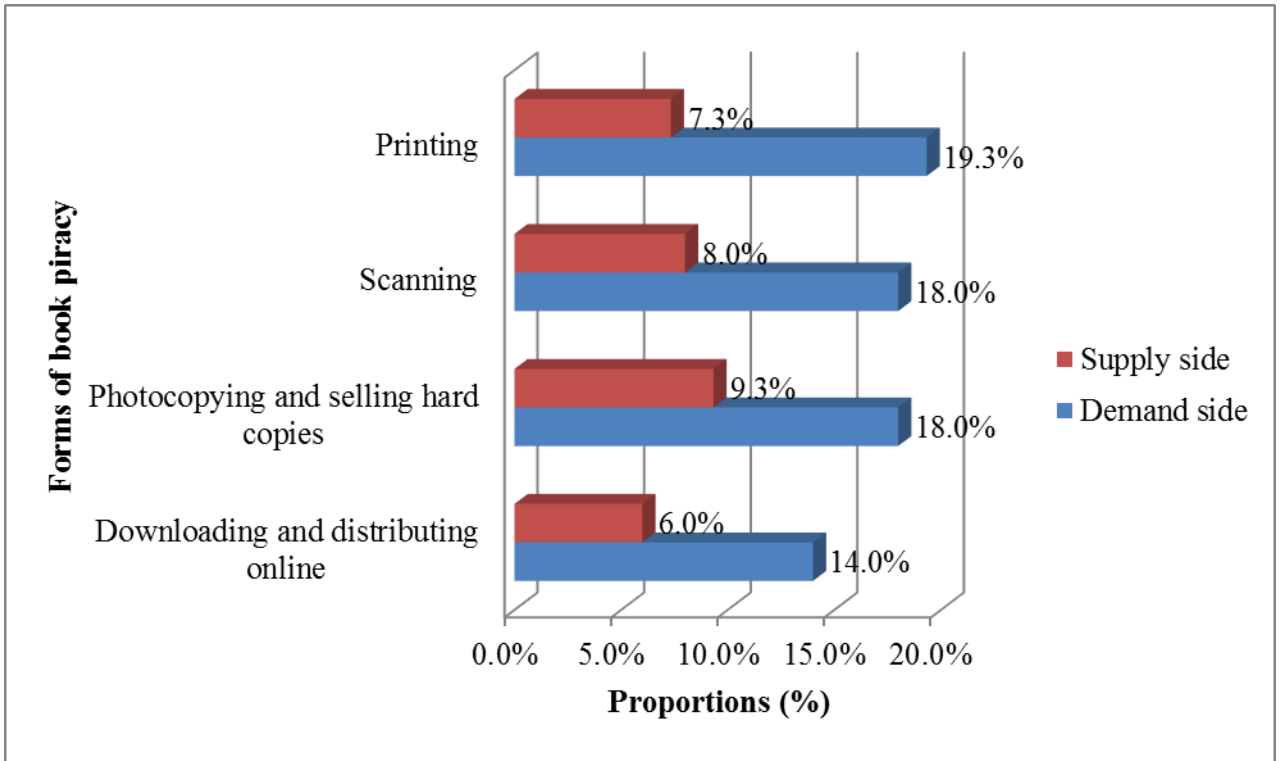


Figure 4.8: Forms of book piracy

4.4.5 Reasons Why Respondents Engaged in Book Piracy

The reasons for engaging in book piracy by the respondents were assessed. The findings revealed that majority (38.6%) of the respondents felt that original books are expensive and that pirated books are cheap, 24.7% of the respondents cited failure by suppliers to protect their contents as the major reasons for engagement in book piracy practices while 22.7% cited easy accessibility to pirated books. The least (14%) felt deficiency in the level of legislation and penalties contributed to book piracy (table 4.5). These findings imply that people engage in book piracy because of a number of reasons which originate from suppliers, book buyers and law enforcers.

Table 4.3 Reasons Why Respondents Engaged in Book Piracy

Reasons Cited by Respondents	Frequency	Proportion (%)
Easy access of pirated books	34	22.7
Perception that original books are expensive	58	38.6
Failure by suppliers to protect their content	37	24.7
Low level of legislation penalties	21	14
Total	150	100

4.4.6 Respondents Opinion on who is responsible for Book Piracy Occurrences

The study also aimed to find out the respondents' opinion on what led to book piracy in Nairobi County. The results indicated that law enforcers (46%), publishers (22%), copyright owners (21%) and book buyers (11%) were responsible for book piracy in Nairobi County respectively (Figure 4.5). We can therefore conclude that all parties involved in book industry were perceived to be aiding book piracy.

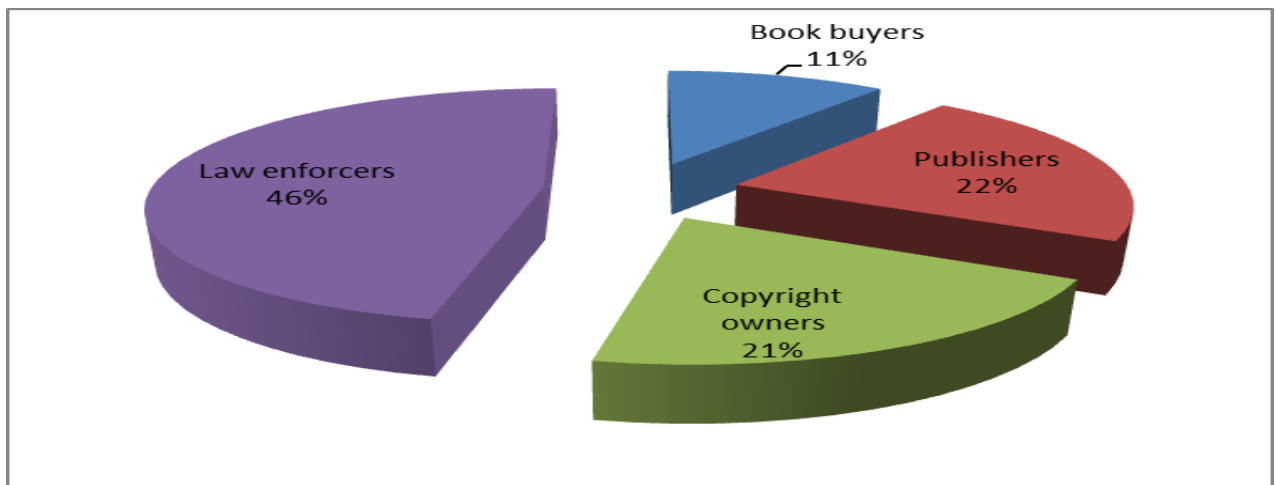


Figure 4.9: Respondent's Opinion on who is responsible for book Piracy

4.5 Role of Demand side Factors of Book Piracy

The study sought to investigate the relationship between demand side factor and engagement in book piracy in Nairobi County. The demand side factors investigated in this study include level of income of the book buyers, their level of education, accessibility to original books and consumer preferences.

4.5.1 Relationship between Level of Income and Engagement in Book Piracy

The study used the cross-tabulation technique to ascertain the relationship between level of income and engagement in book piracy. A cross-tabulation revealed that 18.3% of the respondents earning monthly income below Ksh.10000, 14.4% earned 10001-20000, 35.6% earned 20001-30000 while 28.8% earned more than Kshs. 30000 were involved in book piracy. According to the analysis respondents who were mostly involved in book piracy earned Kshs. 20001-30000 followed by those who earned more than Kshs. 30000.

During an interview with the key informant from a publishing firm who noted that:

“...the government is doing little to assist in the fight against piracy and carrying out advocacy campaigns against piracy in learning institutions”. “...there is a need to reduce the cost of stationeries, by subsidizing import duties on publishing materials which will translate into lower prices of books making books more affordable to majority to discourage piracy.” he added.

However, the relationship between income and engagement in book piracy was determined by Chi-square as shown in table 4.4 below.

Table 4.4: Relationship between the respondents' income and Engagement in Book Piracy

		Engagement in book piracy							
		Frequency		Chi-Square Test					
		Low	High	Low		High			
				O	E	O	E	Σ_r	
Level of Income	Below 10,000	5(4.8)	14 (13.5)	5	4.75	14	14.25	19	
	10,001-20,000	5 (4.8)	12 (11.5)	5	4.25	12	12.75	17	
	20,001-30,000	6 (5.8)	32 (30.8)	6	9.5	32	28.5	38	
	Above 30,000	10 (9.6)	20 (19.2)	10	7.5	20	22.5	30	
				Σ_k	26		78	104	

$\chi^2_{Cal} = 3.0244$; $df=(r-1)(k-1) = (4-1)(2-1) = 3$; using $df=3$ and $p = 0.05$, $\chi^2_{Critical} = 7.815$

The decision rule for Chi-Square: if the calculated value is equal to or greater than the critical (table) value, there is a significant relationship, if otherwise there is no significant relationship.

In this case of income and book piracy the $\chi^2_{Cal} = 3.0244$ is less than the $\chi^2_{Critical} = 7.815$, therefore the study accepted the null hypothesis that there is no significant relationship in their engagement in book piracy across the levels of income. These findings differ with those of Prendergast *et al.*, (2002) who suggested that counterfeits have a distinct price advantage over the genuine product; therefore, consumers will opt for counterfeit over genuine products. He suggested that buyers of counterfeits are not necessarily from lower socioeconomic groups.

4.5.2 Relationship between Level of Education and Engagement in Book Piracy

The study assessed the relationship between level of education and engagement in book piracy in Nairobi County. According to cross-tabulation 12.5% of the respondents with

primary level of education engaged in book piracy, 27.9% had secondary education level, 45.2% had attained college/university education while 14.4% had attained postgraduate education level (Table 4.5). The study further used chi-square to ascertain the association between education level and engagement in book piracy (Table 4.5).

Table 4.5: Relationship between level of Education and Engagement in Book Piracy

Variable	Category	Engagement in book piracy							
		Frequency		Chi-Square Test					
		Low	High	Low		High		Σr	
		n (%)	n (%)	O	E	O	E		
Level of Education	Primary	5(4.8)	8 (7.7)		5	3.3	8	9.8	13
	Secondary	5(4.8)	24 (23.1)		5	7.3	24	21.8	29
	College/university	8 (7.7)	39 (37.5)		8	11.8	39	35.3	47
	Post-Graduate	8 (7.7)	7 (6.7)		8	3.8	7	11.3	15
				Σk	26		78		104

$\chi^2_{\text{Cal}} = 10.205$; $df=(r-1)(k-1) = (4-1)(2-1) = 3$; using $df=3$ and $p = 0.05$, $\chi^2_{\text{Critical}} = 7.815$

The decision rule for Chi-Square: if the calculated value is equal to or greater than the critical (table) value, there is a significant relationship, if otherwise there is no significant relationship.

In this case of level of education and book piracy the $\chi^2_{\text{Cal}} = 10.205$ is greater than the $\chi^2_{\text{Critical}} = 7.815$, therefore the study rejected the null hypothesis, hence there is a significant relationship in their engagement in book piracy across the levels of education. The findings of this study are consistent with those of Xuemei Bian & Cleopatra Veloutsou (2007) who stated that consumers' higher education level is associated with pirated books.

4.5.3 Relationship between Consumer Preferences and Engagement in Book Piracy

The study assessed consumers' preference of books based on whether the books were original, photocopied, downloaded and printed. The results indicated that most respondents preferred photocopying 49.0%. These were followed by those who preferred downloaded and printed books at 31.7% and finally those who preferred original books at 19.2%. These findings imply that most of the respondent's preferred pirated books over original books. The results also revealed that most respondents who indicated to prefer original books had low engagement in book piracy. Those who indicated to prefer photocopied books and downloaded or printed books were found to have high engagement in book piracy. The relationship between consumers' preference of the nature of books and engagement in book piracy was established using Chi Square test (Table 4.6).

Table 4.6: Relationship between Consumer Preferences and Engagement in Book Piracy

Variable	Category	Engagement in book piracy						
		Frequency		Chi-Square Test				Σr
		Low	High	Low		High		
		n (%)	n (%)	O	E	O	E	
Preference	Original books	13 (12.5)	7 (6.7)	13	5	7	15	20
	Photocopied books	7 (6.7)	44 (42.3)	7	12.75	44	38.3	51
	Downloaded and printed books	6 (5.8)	27 (26.0)	6	8.25	27	24.8	33
				Σk	26		78	104

$$\chi^2_{\text{Cal}} = 21.342; \quad df=(r-1)(k-1) = (3-1)(2-1) = 2; \quad \text{using } df=2 \text{ and } p = 0.05, \chi^2_{\text{Critical}} = 5.991$$

The decision rule for Chi-Square: if the calculated value is equal to or greater than the critical (table) value, there is a significant relationship, if otherwise there is no significant relationship.

In this case of preference and book piracy the $\chi^2_{\text{Cal}} = 21.342$ is greater than the $\chi^2_{\text{Critical}} = 5.991$, therefore the study rejected the null hypothesis, hence there is a significant difference in their engagement in book piracy across their preferences.

According to a Key Informant:

“.....Consumer preference makes an important determinant of book piracy; consumers' preference is influenced by their opinions and their budget. Low price of certain goods may increase the preference and consumption of these goods, for instance if you can download a book for free, consumers will download more instead of buying original books. Downloading books make consumers substitute purchasing to downloading free books online”.

These findings imply that consumers prefer cheap and pirated books hence promoting book piracy. Similar findings were reported by Prendergast *et al.*, (2002) and William *et al.*, (2008) who found that counterfeits have a distinct price advantage over the genuine product; therefore consumers will opt for counterfeit over genuine products. The findings were also in agreement with those of (Handke, 2011) who observed that unauthorized copies are seen as inferior goods hence consumers believed that pirated books were sold at lower prices. Egbunefu (2011), further noted that book piracy explicitly is part of the hallmarks of a corrupt society, where personal interest overrides commitment to the values of the nation. He posits that many people go for these pirated books because they cannot afford because

original books expensive. However, it should be noted that poverty is not a justification for low moral rectitude. A standard must be maintained irrespective of economic recession.

4.5.4 Relationship between Accessibility to Original Books and Engagement in Book Piracy

The respondents were required to rate the ease of accessibility to original books. Most (30.8%) of the respondents reported that original books were available in specific towns only, 26.9% reported that original books were not accessible at all, 22.1% reported that original books were available in specific shops only and only 20.2% reported that original books were easily accessible (Table 4.7). According to a Key Informant,

“...it is easy to access pirated books compared to original books. Pirated books vendors sell their products everywhere. We live in a globalised world and modern technology controls our societies. Hence, information technology and communication have made it easier and faster to access counterfeit products. Today we can share and download for instance, music files, books between many computers and easy accessibility has led to piracy. It is easier for buyers to purchase fake branded books while we are on our daily endeavors”.

This implies that original books are not easily accessible to many consumers and that technology has solved this problem by providing easy access to alternative books.

The Chi-square analysis revealed a significant relationship between accessibility to original books and engagement in book piracy (Table 4.7).

Table 4.7: Relationship between Accessibility and Engagement in Book Piracy

Variable	Category	Engagement in book piracy							
		Frequency		Chi Square Test					
		Low	High		Low		High		
		n (%)	n (%)		O	E	O	E	Σr
Accessibility to original books	Not accessible at all	5 (4.8)	23 (22.1)		5	7	23	21	28
	Found in specific towns only	5 (4.8)	27(26.0)		5	8	27	24	32
	Found in specific shops only	5 (4.8)	18 (17.3)		5	5.75	18	17.25	23
	Easily accessible	11 (10.6)	10 (9.6)		11	5.25	10	15.75	21
				Σk	26		78		104

$\chi^2_{Cal} = 10.789$; $df=(r-1)(k-1) = (4-1)(2-1) = 3$; using $df=3$ and $p = 0.05$, $\chi^2_{Critical} = 7.815$

The decision rule for Chi-Square: if the calculated value is equal to or greater than the critical (table) value, there is a significant relationship, if otherwise there is no significant relationship.

In this case of accessibility to original books and book piracy the $\chi^2_{Cal} = 10.789$ is greater than the $\chi^2_{Critical} = 7.815$, therefore the study rejected the null hypothesis, hence there is a significant relationship in their engagement in book piracy across the accessibility to original books. According to Onyeje (2012), piracy is the theft of copyright which occurs for reasons of want, scarcity and inaccessibility of books. Further, Matsika (2012) corroborates the assertion that ease of access to reading materials would reduce the appetite for pirated books. Since scarcity has the propensity of stimulating illegal acquisition, robust library collections would guarantee access to reading materials from genuine sources while discouraging

demand for pirated books. The quality of teaching, learning and research in a country is directly proportional to its learning resource base.

4.6 Role of Supply side Factors of Book Piracy

The study also investigated the role of supply side factors on the level of engagement in book piracy. The supply side factors investigated include, book distribution pattern, access to reproduction technology, suppliers' efforts to curtail book piracy and book vulnerability. The respondents in this section were the book suppliers/distributors.

4.6.1 Relationship between Book Distribution and Engagement in Book Piracy

The study assessed the supply of original books to consumers to establish whether the original books were distributed to all the target markets. The question was directed to supply side respondents only. The results revealed that majority (60.9%) of the respondents indicated that their books were supplied to specific markets only while 39.1% indicated that the suppliers distributed books to all target markets. Further analysis revealed most (97.8%) of the suppliers was involved in book piracy. Of this 45.7% reported low level of involvement while 54.4% depicted high level of book piracy (Table 4.8).

According to one Key Informant,

“...the distribution channels of counterfeits and pirated products are expanding from informal markets to legitimate supply chains, with some pirated products appearing on the shelves of established bookshops”.

Table 4.8 shows the Chi-square analysis results for the relationship between original books' distribution and the level of engagement in book piracy,

Table 4.8: Relationship between Book Distribution and Engagement in Book Piracy

Variable	Category	Engagement in book piracy							
		Frequency		Chi-Square Test					
		Low	High	Low		High		$\sum r$	
		n (%)	n (%)	O	E	O	E		
Book distribution	To all target market	13 (28.3)	5 (10.9)	13	8.22	5	9.78	18	
	To specific market only	8 (17.4)	20 (43.5)	8	12.78	20	15.22	28	
				$\sum k$	21		25	46	

$\chi^2_{Cal} = 8.414$; $df=(r-1)(k-1) = (2-1)(2-1) = 1$; using $df=1$ and $p = 0.05$, $\chi^2_{Critical} = 3.841$

The decision rule for Chi-Square: if the calculated value is equal to or greater than the critical (table) value, there is a significant relationship, if otherwise there is no significant relationship.

In this case of accessibility to original books and book piracy the $\chi^2_{Cal} = 8.414$ is greater than the $\chi^2_{Critical} = 3.841$, therefore the study rejected the null hypothesis, hence there is a significant relationship in their engagement in book piracy across the book distribution. The results imply that poor distribution of books by suppliers accounted for significant amount of variance in book piracy. These findings imply that this construct was good in measuring the supply side determinants of book piracy. This finding was in agreement with Ernest and Young (2015) observation that, counterfeiters find their way to the consumer more either indirectly via “mobile” traders, wholesale and retail traders or directly via the internet.

4.6.2 Relationship between Access to Reproduction Technology and Engagement in Book Piracy

The study sought to establish the role of access to technology in book piracy. Descriptive analysis revealed that 43.5% of the supply side respondents had access to internet, 34.8% had

access to scanners and printers and the least (21.7%) had access to photocopy machines (Table 4.9). During the Key Informant Interview it was reported that,

“....the technology has made it easy to reproduce books and that makes it easy to conceal pirated book. This makes it difficult for consumers to select fake over the legitimate products if both products show a high congruence in terms of physical attributes”.

The relationship between access to technology and book piracy was done using Chi Square (Table 4.9).

Table 4.9: Relationship between Access to Reproduction Technology and Engagement in Book Piracy

Variable	Category	Engagement in book piracy							
		Frequency		Chi-Square Test					
		Low	High	Low		High		Σ r	
		n (%)	n (%)	O	E	O	E		
Access to reproduction technology	Internet	5 (10.9)	15 (32.6)	5	9.1 3	1	10.8 7	20	
	Photocopy machines	5 (10.9)	5 (10.9)	5	4.5 7	5	5.43	10	
	Scanner and Printers	11 (23.9)	5 (10.9)	1	7.3 0	5	8.70	16	
				Σ k	2 1		2 5	46	

$$\chi^2_{\text{Cal}} = 6.955; \quad df=(r-1)(k-1) = (3-1)(2-1) = 2; \quad \text{using } df=2 \text{ and } p = 0.05, \chi^2_{\text{Critical}} = 5.991$$

The decision rule for Chi-Square: if the calculated value is equal to or greater than the critical (table) value, there is a significant relationship, if otherwise there is no significant relationship.

In this case of accessibility to original books and book piracy the $\chi^2_{\text{Cal}} = 6.955$ is greater than the $\chi^2_{\text{Critical}} = 5.991$, therefore the study rejected the null hypothesis, hence there is a significant relationship in their engagement in book piracy across the reproduction technologies. The findings concur with O’Leary’s (2012) findings that suggested that technology has an impact on book piracy because digital publishing continued to expand at a rapid pace to meet readers’ demands. These findings are also fairly consistent with those of Kolawole (2005), who suggested that, technology has made it easier to for book pirates to produce exact copies and circulate them favorably in markets with genuine books, and have large profits by selling them significantly in lower price than the original publishers’ products, which bear the cost of royalties to author and other overhead cost. It is in this regard that opines that pirates take major shares of the publishing industry in Nigeria. Bodó (2014) for instance asserted that the technology has made it easier to for pirates to produce exact copies and circulate them favorably in markets with genuine books, and have large profits by selling them significantly in lower price than the original publishers’ products, which bear the cost of royalties to author and other overhead cost

4.6.3 Relationship between Suppliers efforts to fighting book piracy and Engagement in Book Piracy

The study sought to find out whether suppliers were committed to fighting book piracy in Nairobi County. According to analysis 54.3% of the respondents from the supply side reported that suppliers were committed to fighting book piracy while 45.7% reported otherwise. Due to lack of commitment from the suppliers’, a key informant interviewed also mentioned that,

“....increased competition among the publishers has compromised commitment to fight book piracy hence the acceptance of the risks associated with book piracy”.

This implies that a significant number of book suppliers are not committed to fighting book piracy.

The relationship between the suppliers’ efforts to fighting piracy was established based on Chi Square analysis (Table 4.10).

Table 4.10: Relationship between Suppliers’ efforts and Engagement in Book Piracy

Variable	Category	Engagement in book piracy							
		Frequency		Chi-Square Test					
		Low	High	Low		High		Σ r	
		n (%)	n (%)	O	E	O	E		
Suppliers’ efforts to fight piracy	Not efforts	14 (30.4)	7 (15.2)	4	9.59	7	11.4	1	21
	Efforts	7 (15.2)	18 (39.1)	7	11.4	1	8	13.5	25
				Σ k	2	1	2	5	46

$$\chi^2_{\text{Cal}} = 6.878; \quad df=(r-1)(k-1) = (2-1)(2-1) = 1; \quad \text{using } df=1 \text{ and } p = 0.05, \chi^2_{\text{Critical}} = 3.841$$

The decision rule for Chi-Square: if the calculated value is equal to or greater than the critical (table) value, there is a significant relationship, if otherwise there is no significant relationship.

In this case of access reproduction technology and book piracy the $\chi^2_{\text{Cal}} = 6.878$ is greater than the $\chi^2_{\text{Critical}} = 3.841$, therefore the study rejected the null hypothesis, hence there is a significant relationship in their engagement in book piracy against suppliers’ efforts to fight piracy. Similarly, Wilson and Kinghorn, (2015) were of the opinion that many brand owners

don't consider themselves at risk because they don't believe their products are being counterfeited, or they have taken the position that since they didn't create the counterfeits they are not responsible for correcting the problem.

4.6.4 Relationship between Book vulnerability and Engagement in Book Piracy

The study investigated the influence of book vulnerability on the occurrences of book piracy in Nairobi County. The results indicate that majority (89.1%) of respondents felt that original books are easy to reproduce and distribute while 4(8.9%) of the respondents felt otherwise. This finding imply that majority of the people took advantage of the vulnerability of original books to reproduce and distribute them. One of the interviewee asserted that

“.....some of these book publishers do not have secure systems which make it easy for the pirates to download and distribute their content in the market”.

The relationship between vulnerability and engagement in book piracy was tested using Fisher's Exact Test. Fisher's Exact Test is used as an alternative for Chi-Square where there are cells with counts less than five. Fisher's exact test obtains its two-tailed *P* value by computing the probabilities associated with all possible tables that have the same row and column totals. In this case there were only two 2x2 matrices as captured in Table 4.11..

Table 4.11: Relationship between Book Vulnerability and Engagement in Book Piracy

Table	Group		Low	High	$\sum r$	Probabilities
1	Not vulnerable		0	4	4	0.913
	Vulnerable		1	41	42	
		$\sum k$	1	45		
			Low	High	$\sum r$	
2	Not vulnerable		1	3	4	0.087
	Vulnerable		0	42	42	
		$\sum k$	1	45		

$$P_0 = \frac{4! \cdot 42! \cdot 1! \cdot 45!}{0! \cdot 4! \cdot 1! \cdot 41! \cdot 46!} = 0.913; \quad P_1 = \frac{4! \cdot 42! \cdot 1! \cdot 45!}{1! \cdot 3! \cdot 0! \cdot 42! \cdot 46!} = 0.087$$

Next, one must identify that the probability of table 2 (P_1) is smaller than the observed table (P_0). Table 2 is deemed more extreme and has a probability less than .0913. The final step is to sum the probability of the observed table and table 2 (.913 + .087). Thus, the resulting rounded P value is 1.0, which indicates a very high level of compatibility between the data and the null hypothesis of no relationship. Thus, the study accepts the null hypothesis that there is no significant relationship between vulnerability and engagement in book piracy. Similar finding was reported by Muita (2000) who said lack of special features in original book made it easier for consumers not to identify counterfeited books.

4.7 Legal Factors associated with Book Piracy

The study further sought to establish the influence of legal/legislative factors of book piracy in Kenya. Legal/legislative factors that the study investigated includes enforcement of copy right laws, corruption among law enforcers and lack of official complaints by both book consumers and suppliers. The study used chi-square to establish the relationship between legal/legislative factors and book piracy.

4.7.1 Relationship between copy right law enforcement and Engagement in Book Piracy

The respondents were asked to indicate whether or not the enforcement of copyright laws on book piracy in Nairobi County was adequate. The findings revealed that 129 (88.4%) of the respondents indicated that the law on enforcement was not efficient or adequate. Only 17 (11.6%) respondents indicated that enforcement of the law on book piracy was sufficient (Table 4.14).

According to the senior manager at a publishing firm in Nairobi County,

“...in some cases, book pirates are booked by the police, the clumsy and sluggish judicial system ensures that the culprits remain unpunished for long if not for ever. This demotivates the right holders from involving themselves actively in the battle against piracy. Many of them feel that it is better to tolerate the monetary losses due to piracy than to undergo sufferings involved in reporting to the police and attending court cases with no definite outcomes in the foreseeable future”.

Another Key Informant mentioned that,

“...penalties on criminal infringement as provided under (cap 130) of the copyright Act is too small and may not even be a deterrent to an infringer. This also makes it difficult to convince the police that piracy is a crime that needs immediate and maximum attention.”

The results of Chi-square (Table 4.14) also indicated that there was a significant relationship between lack of law enforcement and the level of engagement in book piracy.

Table 4.12: Relationship between Law Enforcement and Engagement in Book Piracy

Variable	Category	Engagement in book piracy							
		Frequency		Chi-Square Test					
		Low	High	Low		High			
		n (%)	n (%)	O	E	O	E	Σr	
Law enforcement	Enforcement	12 (8.2)	5 (3.4)		12	7.57	5	9.43	17
	No enforcement	53 (36.3)	76(52.1)		53	57.43	76	71.57	129
				Σk	65		81		146

$$\chi^2_{\text{Cal}} = 5.293; \quad df=(r-1)(k-1) = (2-1)(2-1) = 1; \quad \text{using } df=1 \text{ and } p = 0.05, \chi^2_{\text{Critical}} = 3.841$$

The decision rule for Chi-Square: if the calculated value is equal to or greater than the critical (table) value, there is a significant relationship, if otherwise there is no significant relationship.

In this case of vulnerability and book piracy the $\chi^2_{\text{Cal}} = 5.293$ is greater than the $\chi^2_{\text{Critical}} = 3.841$, therefore the study rejected the null hypothesis, hence there is a significant relationship in their engagement in book piracy on the basis of law enforcement. The findings imply that lack of copyright law enforcement leads to increased occurrences of book piracy in Nairobi County. Similarly, According to Kameri (2005) legal/legislative distinction is not very clear from a legal standpoint, and it has been reported that even in cases of pure copyright infringement, pursuing the matter through the anti- counterfeit agency is faster and penalties more punitive than under the copyright act hence creating loopholes. The finding of this study conquers with Albanese, (2011) who suggested that investigations are time consuming and expensive, and, given the complexity of cases, not all are eventually caught and then charged criminally or sued civilly. Further, the penalty levied against those that are convicted or receive a ruling against them may not be as great as the damage caused. Collectively, these circumstance result in low deterrence.

The findings were also in agreement with those of The International Intellectual Property Alliance (2009), reports that piracy level in Nigeria is nearly 85% for all sections with estimate among the highest in the world. The law gives protection to copyright owners with stiff penalties in the event of violation, yet publishers and authors still are affected by the increase in book piracy in the country despite the existence of the decree.

4.7.2 Relationship between Level of Corruption and Engagement in Book Piracy

The study also investigated the influence of level of corruption among law enforcers on occurrences of book piracy in Kenya. The result indicated that 108 (74.0%) of the respondents revealed that there were high rates of corruption among copyright law enforcers. This could be among reasons why the occurrences of book piracy are high in Nairobi County since the book pirates if arrested bribe their way out to further engage in book piracy.

According to a senior officer interviewed at the Kenya Copyright Board agency he argued that,

“...the laxity in enforcement is the result of slackness on the part of the enforcement machinery, the police on one hand and the passive attitudes on the part of publishers on the other. The strength of the force and the enforcement infrastructure are also not adequate to tackle effectively the problems of book piracy. As a natural consequence, low order crimes like book piracy do not receive the highest attention from the law enforcers”.

Another key informant interviewed also alluded that,

“...some of the officials of Kenya Copyright Board who are charged with the responsibility of carrying out raids on infringed works are corrupt, so are compromised by the pirates. The officers at times have private dealings or transactions with the infringers (pirates), and consequently, they deliberately refuse or find it difficult to find them out during their regular raids. By this, these officials close their eyes to the evil being perpetrated by the book pirates”.

The relationship between copyright law enforcement and the level of engagement in book piracy was done using Chi-square (Table 4.15).

Table 4.13 Cross Tabulation Level of Corruption and Engagement in Book Piracy

Variable	Category	Engagement in book piracy							
		Frequency		Chi-Square Test					
		Low	High	Low		High		Σr	
		n (%)	n (%)	O	E	O	E		
Level of corruption among law enforcers	High	54 (37.0)	54 (37.0)		54	48.08	54	59.92	108
	Low	11 (7.5)	27 (18.5)		11	16.92	27	21.08	38
				Σk	65		81		146

$$\chi^2_{\text{Cal}} = 5.044; \quad df=(r-1)(k-1) = (2-1)(2-1) = 1; \quad \text{using } df=1 \text{ and } p = 0.05, \chi^2_{\text{Critical}} = 3.841$$

The decision rule for Chi-Square: if the calculated value is equal to or greater than the critical (table) value, there is a significant relationship, if otherwise there is no significant relationship.

In this case of vulnerability and book piracy the $\chi^2_{\text{Cal}} = 5.044$ is greater than the $\chi^2_{\text{Critical}} = 3.841$, therefore the study rejected the null hypothesis, hence there is a significant difference in their engagement in book piracy based on level of corruption among law enforcers. The finding of this study conquers with Idris (2001) who argued that bribery associated with counterfeiting weakens the effectiveness of public institutions. He suggested that effective enforcement, accountability, transparency and adherence to the rule of law would assist curb book piracy and promote creation of new knowledge.

4.7.3 Relationship between Complaint Mechanisms and Engagement in Book Piracy

The study further sought to test the influence of complaint mechanisms on the occurrences of book piracy. The respondents on both demand and supply sides involved in book piracy were asked whether there were adequate complaint mechanisms for victims of book pirates to report their cases. The results revealed that 104 (71.2%) of the respondents indicated there were inadequate complaint mechanisms for victims of book pirates to report their cases while only 42 (28.8%) indicated that there were adequate complaint mechanisms for victims of book pirates to report their cases (Table 4.16). These findings could imply that some of the victims of book piracy do not report cases of piracy hence encouraged book pirates to continue with their activities. According to one officer at a publishing firm:

“....Even if the complaint on book piracy is made there is no tracking from the enforcers’ side to ensure that the infringers or pirates are brought to book”.

Chi-square test the relationship between lack of adequate complaint mechanisms for victims of book pirates and the level of engagement in book piracy in Nairobi County was computed and the results are as shown in Table 4.14.

Table 4.14: Relationship between Complaint Mechanisms and Engagement in Book Piracy

Variable	Category	Engagement in book piracy							
		Frequency		Chi-Square Test					
		Low	High	Low		High			
		n (%)	n (%)	O	E	O	E	Σr	
Complaint mechanisms	Inadequate	47 (32.2)	57 (39.0)		47	46.30	57	57.70	104
	Adequate	18 (12.3)	24 (16.5)		18	18.70	24	23.30	42
				Σk	65		81		146

$\chi^2_{\text{Cal}} = 0.066$; $df=(r-1)(k-1) = (2-1)(2-1) = 1$; using $df=1$ and $p = 0.05$, $\chi^2_{\text{Critical}} = 3.841$

The decision rule for Chi-Square: if the calculated value is equal to or greater than the critical (table) value, there is a significant relationship, if otherwise there is no significant relationship.

In this case of vulnerability and book piracy the $\chi^2_{\text{Cal}} = 0.066$ is less than the $\chi^2_{\text{Critical}} = 3.841$, therefore the study accepted the null hypothesis, hence there is no significant relationship in their engagement in book piracy based on complaints mechanisms. However, Albanese (2011) reported that investigations are time consuming and expensive and given the complexity of cases, not all are eventually caught then charged criminally or sued civilly.

In conclusion, this study established that all the determinants; demand side factors, supply side factors and legal / legislative factors are associated with book piracy in Nairobi County. These if not addressed, can hurt the authors, drive up book prices, hurt economy as a result of tax evasion and increase cost of rights protection.

CHAPTER FIVE: SUMMARY, CONCLUSION AND RECOMMENDATIONS

5.0 Introduction

This chapter presents summary, conclusion and discussion of findings presented in chapter four. Conclusions based on the discussions of findings of the study are offered. The interpretation and discussion revolves around the objectives.

5.1 Summary of the Key Findings

The purpose of this study was to examine the determinants of book piracy in Nairobi County. More specifically the study aimed at determining the practices and patterns of book piracy, investigating the demand side, supply side and legislative/ legal side determinants of book piracy in Nairobi County. This study was therefore aimed at providing insight understanding of the determinants of book piracy in order to influence policies addressing the vice.

With regard to practice and pattern of book piracy in Nairobi County, the results of the study revealed that majority of the respondents practiced unauthorized production of copies of protected books, distributed counterfeited copies of copyrighted books, produced and sold books that resembled other people copyrighted books as well as replicating the labels of copyrighted books (Table 4.2).

Based on the findings the study established that demand side factors associated with book piracy in Nairobi County included consumers' education level, consumers' preference of the nature of books and accessibility to original books. Income level was however not significantly associated with book piracy as shown in table 4.4 below.

The influence of supply side factors on book piracy in Nairobi County was explored. The results revealed that majority (60.9%) of the respondents supplied to specific markets only.

Further analysis revealed the larger majority (97.8%) of the suppliers was involved in book piracy (Table 4.8). The supply side determinants of book piracy included the distribution of original books, access to technology such as internet, scanners and printers and photocopy machines (Table 4.9) and suppliers' committed to fighting book piracy. Though 45 of the respondents on supply side attributed book piracy to lack vulnerability of original books to piracy there was no statistical significant association based on Chi square analysis (Table 4.13).

The findings revealed that majority of the respondents felt that the law enforcement on book piracy was inadequate. The results of chi-square indicated a significant relationship between lack of law enforcement and engagement in book piracy. Further analysis indicated that majority of the respondents felt there was high rate of corruption among copyright law enforcers. Book piracy was significantly associated with corruption among law enforcers according to chi-square analysis. Despite majority of the respondents reporting there were no adequate mechanisms to address book piracy, the Chi square analysis indicated no relationship between book piracy and inadequate mechanisms.

5.2 Conclusions

It is a fact that no nation can develop when creativity and intellectual property are susceptible to damage and destruction instead of being protected and rewarded. Kenya has strict and clear Copyright and Anti-Counterfeit laws but its implementation is not easy due to certain hurdles. On the demand side, there is lack of awareness regarding the benefits of protection of copyright. The demand of books is highest in Primary, secondary and tertiary institutions of education but their high prices make them unaffordable for poor students. This situation provides room for book piracy. Book pirates are free to fulfill market needs. Supply side

determinants should be put on check to cater for the growing market and the technology should be improved to increase production as well as seal loop holes for counterfeit or copyright. The Kenyan government's failure to protect copyright hence provides the basis for massive pressure from reading community. By taking positive steps towards curtailing book piracy, Kenya can earn a good reputation and trade benefits internationally.

The first of the objectives of the study was to determine the practices and patterns of book piracy in Nairobi County. In this regard, the study revealed that book piracy was done through practices such as photocopying and selling of hard cover books. Printing, scanning and downloading and distributing online. Further the study revealed that these practices were deep-rooted in the residents of Nairobi County with a majority of them, 69.9%, engaging in book piracy. And these practices occur due to reasons that include original books being more expensive than the pirated ones, failure of suppliers to adequately protect their content and the ease of accessing pirated books. In general, piracy is high in Nairobi County and it occurs due to reasons that originate from book supplies and book buyers as well as law enforcers. In this regard, the study concludes that while the cost of buying books is rising as the economy is on the decline, consumers find it more advantageous to pirate books, a situation exacerbated by lack of strict legislation and the subsequent law enforcement. Accordingly, any approach to curbing this illegality must reaffirm the roles of all these stakeholders in fighting book piracy.

Secondly, the study sought to investigate the role of the demand side factors on book piracy in Nairobi County. The study findings have revealed practices such as photocopying, printing, scanning and downloading as perpetrated by teachers, parents, students and consultant firms. Indeed, findings point to a trend where book piracy appears to be directly

proportional to the level of education up to college level (Bachelor's degree). Incidentally, due to increasing prices of books, the demand side (consumers) appears to have developed a preference for counterfeit products, a preference that has been realized through the help of advances in information technology which has made it easier to access such counterfeit products. In the light of such a situation, it is concluded in this study that whereas it is increasingly becoming attractive for consumers to go for pirated books, they do so without considering the long-term negative consequences of such a preference and so, the demand side stakeholders too stand in need of such awareness.

The third objective of the study was to investigate the role of the supply side factors on book piracy in Nairobi County. This side involves the suppliers and even the associated legal apparatus. Findings indicate a general feeling of suppliers distributing books to specific markets and not all alongside an evidently expanding distribution of counterfeit products. At the same time, it has been established that book suppliers are not committed to fighting piracy but rather are more engaged in competition. Possibly, they do not perceive it to be part of their role to fight piracy. On the other hand, legal and judicial systems are rather sluggish in punishing piracy culprits with perceptions of elements of corruption within the law enforcement arm. In this regard, the study concludes that it is not only the demand side but also the supply side that stand in need of proper sensitization on their role in the fight against piracy.

The general conclusion the study draws is that the factors determining book piracy in Nairobi County are multifarious and as such, efforts to address this illegality must also be multifaceted if the efforts are to be effective. The efforts must necessarily target all the relevant stakeholders including those on the demand side, supply side and even the legal

apparatus and the subsequent enforcement of the legal requirements associated with consumption in the book industry.

5.3 Recommendations

The problem of piracy cannot be eliminated until local demand side determinants are put into consideration such as providing local readers with cheaper books, ensuring tax for parental purchase books /course books is reduced and the government should opt to supply schools with books effectively. Since the direct loser due to copyright piracy are the right holders, the prime responsibility of protecting their copyrights lie with the right holders themselves. Firstly, the right holders should take enough precaution to protect copyright works. In case violations come to their notice/knowledge, they should file complaints with the police. They should also help the police in conducting raids and producing evidence e.g. proof of ownership in works during the trial by the court.

The copyright industry associations/copyright societies should launch an extensive campaign through print and electronic media highlighting the adversities associated with the piracy. Lectures, seminars, workshops etc. could be organised in schools, colleges, universities and other places to create a consciousness among people against the evils of piracy. The message should be conveyed in clear terms that in the long run piracy is against the interest of all in the society excepting the pirates. Another public awareness campaign regarding the importance of copyright should be conducted using all possible means of mass media. This campaign might emphasize moral obligations as well as legal provisions of copyright law. The Readers may be informed about disadvantages of pirated books, especially about the bad effect of their printing quality on eyesight and understanding of contents. The national government should sponsor such campaign to its general reading public.

The law enforcement authorities like police needs to be imparted with proper training in copyright fields. Apart from telling them how to differentiate original copyright products from the pirated ones, the various provisions of the Copyright Act are also to be taught. A dedicated institute may be established as a nodal agency to deal with matters of copyright and other constituents of IPR, particularly relating to education and training. The institution say the Kenya Institute of Intellectual Property Rights (KIIPR) should offer regular courses on IPR and organise relevant training programmes for all concerned with copyright/ IPR like the producers and sellers of copyright products, industry associations, the police and the public at large. Besides, the institution should work in close liaison with the government and copyright industry associations and provide guidance in policy matters. The registration of copyright works may be encouraged since it is found that as of now very few cases are registered. While copyright exists on creation and protection of copyright is not subject to any formality like the registration, registering a work helps to establish ownership in a work which, in turn, may be useful for the right holders to prove ownership in cases of litigation. Towards this, Copyright Office may publicize their activities including that of registration to the members of various associations and general public through different media. The software copyright holders should adopt a corporate license system for using. The government should come up with a mechanism for enforcement of copyright laws as there are complaints of corruption on the part of the law enforcing officials and of delayed judicial proceedings. More efficient and vigilant officials and prompt judicial proceedings resulting in strict punishment to the culprits may have a deterrent effect in general. The establishment of the Copyright Board of Kenya an office in the Attorney General Chambers under the Copyright Act 2001 of Kenya and the Anti-Counterfeit Agency established under the Anti-

Counterfeit Act 2008 by the government of Kenya has been a great step in the fight of copyright. These organizations are still waiting for government funding and proper legislation to enable them first resolve this problem of book piracy to achieve positive result from any measures taken to protect intellectual property rights in Kenya.

5.4 Suggestions for further Research

To understand further the determinants contributing to book piracy in the country, further research is recommended in the following areas;

- i. This study was limited to respondents of Nairobi County. Therefore, further research is recommended to cover rural areas so as to establish the extent to which the findings of this study could be generalized.
- ii. Further research with larger sample should be done to determine the extent to which book piracy has affected intellectual property and development of new knowledge in the country.
- iii. Research related to the nature of the present study should be conducted to cover all stakeholders in different geographical areas of the 47 Counties in order to discover problems that impede the implementation of Copyright Laws in Kenya.

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APPENDICES

Appendix I: Letter Requesting Participation of Respondents

Peter M. Igesha
Kenyatta University,
P.O. Box 43844-00200,
Nairobi.

To Text Books Users'/Publishers'/Law Enforcing Agents

Dear Sir/Madam,

RE: REQUEST TO INTERVIEW TEXT BOOKS USERS'/PUBLISHERS'/LAW ENFORCING AGENTS

I am a post graduate student, currently pursuing a Masters of Arts in Security Management and Police Studies. As a partial fulfillment of the course, I am requesting to carry out a research for a thesis paper. The topic of my study is, "Determinants of book piracy in Nairobi County, Kenya."

I am writing to seek permission to interview you on the foregoing issue affecting authors/publishing firms.

The information you give will be treated with utmost confidentiality and in no circumstance shall your name be mentioned in this report. In case of any inquiries please contact me through:

Cell Phone Number: 0724626944

Email address: igeshapeter@gmail.com/igesha@yahoo.com

Let me take this opportunity to thank you in advance for taking part in this study.

Yours sincerely,

Peter M. Igesha (**Student**).....

Dr. Daniel Muia (**Supervisor**).....

Dr. Lucy Maina (**Supervisor**).....

Appendix II: Questionnaire

SECTION A: DEMOGRAPHICS

1. Kindly indicate your age group

Below 18

19-30

31-40

41 and above

3. Indicate your level of income (Kshs.)

Below 10000

10001-20000

20001-30000

30000 and above

4. How do you spend on books per year? (Kshs)

Less than 2000

2001-5000

5001-10000

10000 and above

5. Indicate where you buy your books

Supermarkets

From publishers

Streets/black markets

Others sources (specify)

6. In your view what is the most common infringement of the copyright law in Kenya?

Reprinting of materials

Photocopying of materials

Scanning of the materials

Others (specify)

7. Are consumers sensitized on book piracy laws/copyright laws?

Yes

No

8. Indicate ways in which you obtain reading/reference materials

Buying from book shops

Publishers

Downloading

Printing

Scanning/Photocopying

9. Are buyers aware of rules and regulations governing scanning /photocopying of other people's books

Yes

SECTION B: OCCURENCES OF BOOK PIRACY IN NAIROBI COUNTY

These sections intend to assess the occurrence of book piracy in Nairobi County. Kindly indicate your level of agreement with statements below. Tick according to your opinion

1. How you ever engaged in the following activities
 - a) Manufacturing unauthorized copies of protected books
Yes ()
No ()
 - b) Distributed counterfeited copies of copyrighted books
Yes ()
No ()
 - c) Produced and sold books that resemble other people copyrighted books
Yes ()
No ()
 - d) Replicated the labels of copyrighted books
Yes ()
No ()
2. If yes in the any of the above, how did you carry the practices above?
 - a) Downloading and distributing online ()
 - b) Photocopying and selling hard copies ()
 - c) Scanning ()
 - d) Printing ()
3. Why do you think people manufacture/produce and distribute/sell copyrighted books within Nairobi County?
 - a) Belief that they are cheap ()
 - b) Easily accessible ()
 - c) Perception that original books are expensive ()
 - d) Failure by suppliers protect their content ()

- e) Weak legislation and penalties ()
4. Who do you think is responsible for the occurrence of book piracy in Nairobi county
- a) Book buyers ()
- b) Publishers ()
- c) Copyright owners ()
- d) Law enforcers ()

SECTION C: ROLE OF DEMAND SIDE DETERMINANTS ON BOOK PIRACY

Do the following demand side factors contribute to book piracy in Kenya? Respond to all the questions. Tick according to your agreement.

5. What is your level of education?
- a) Primary level ()
- b) Secondary level ()
- c) College/university level ()
- d) Post-Graduate level ()
6. Indicate your level of income (Kshs.)
- a) Below 10000
- b) 10001-20000
- c) 20001-30000
- d) 30000 and above
7. When you want to buy books, which one do you prefer?
- a) Original books ()
- b) Photocopied books ()
- c) Downloaded and printed books ()
- d) Re-used books ()
8. How do rate the ease of accessibility to original books?
- a) Not accessible at all ()
- b) Found in specific towns only ()
- c) Found in specific shops only ()
- d) Easily accessible ()

SECTION D: SUPPLY SIDE DETERMINANTS OF BOOK PIRACY

Do the following supply side factors contribute to book piracy in Kenya? Respond to all the questions. Tick according to your agreement.

9. How do suppliers of original books distribute their books?
- a) To all target market ()
 - b) To specific market only ()
 - c) To those they think can afford only ()
 - d) Everywhere ()
10. Does access to the following technology make it easy for people to manufacture/produce and distribute copies of copyrighted books?
- a) Internet ()
 - b) Photocopying machine ()
 - c) Scanners and printers ()
 - d) Social media ()
11. Can book buyers differentiate original books from pirated ones
- a) Yes ()
 - b) No ()
12. Do you think the suppliers of books are committed in fighting book piracy?
- a) Yes ()
 - b) No ()
13. How do you rate the level of awareness on book piracy among book buyers?
- a) Adequate ()
 - b) Inadequate ()
 - c) None at all ()
14. Are original books produced by publishers nowadays easy to reproduce and distribute?
- a) Yes ()
 - b) No ()

SECTION E: LEGAL AND LEGISLATIVE DETERMINANTS OF BOOK PIRACY

Do the following legal and legislation side factors contribute to book piracy in Kenya?

Respond to all the questions. Tick according to your agreement.

15. How do you rate the enforcement of copyright laws on book piracy in Nairobi

County?

- a) Sufficient ()
- b) Not sufficient ()
- c) No enforcement at all ()

16. How do you rate the level of corruption among copyright law enforcers in Nairobi

County?

- d) Very high ()
- e) High ()
- f) Low ()
- g) Very low ()
- h) No corruption at all ()

17. Do you think there are adequate complaint mechanisms for victims of book pirates to report their cases?

- a) Yes ()
- b) No ()

18. What do you think is the role of legal/legislations on the occurrence of book piracy in Nairobi County

THANK YOU FOR PARTICIPATING

