

“STOLEN!”: Categories of In-Context Response to Unauthorized Reuse of User-Generated Media

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ABSTRACT

In this poster, we describe the current findings of a work-in-progress that seeks to understand the normative climate that arises within user-generated media communities when contributions are interpreted as stolen or otherwise misappropriated. We outline our data collection on the photosharing service flickr.com and then briefly discuss the emergent categories of user response to perceived unauthorized reuse that appear within our sample.

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INTRODUCTION

The past decade has seen an explosion of opportunities for technologically-facilitated amateur creativity, from the access to powerful tools of production to possibilities for online digital dissemination. One domain in which these acts of creativity are particularly visible is in user-generated online media spaces (such as YouTube, Flickr, and so on). Media spaces such as these create venues for public display of photographs and videos while simultaneously providing an interactive environment that encourages an ethos of sharing and comment. For amateurs, the presentation of media plays distinct social and biographical functions [3] and possesses goals and standards distinct from artistic/aesthetic professional display of media [2].

However, with these production and dissemination opportunities, new sets of concerns have arisen, including a growing debate on topics surrounding the ownership of intellectual and creative property. Techno-social contexts such as commons-based peer production have brought discussions of licensing, duplication and reuse into both public and academic discourse. We enter this discussion motivated by the following research question: how do amateur users engaged in non-commercial/not-for-profit media production respond to unauthorized reuse of their work? Using a qualitative methodology of image and textual content analysis, we highlight a set of emergent response tactics by amateur producers.

DATA AND ANALYSIS

Our project draws on a sample of cases from flickr.com, a popular photosharing site owned by Yahoo! Each flickr.com post is comprised of a webpage that contains a single photograph, a description and title field, a comments field, and various automated (e.g., photo capture date, photo upload date, # of times viewed) and human-applied metadata (e.g., semantic tags). After piloting several data collection strategies (including various keyword and tag searches, as well as focusing on self-organized user groups that address image theft), we constructed an initial data pool of individual flickr.com pages by searching within the complete corpus of photographs posted on flickr.com, using the keyword phrase “stolen photo.” We delimited the results returned by selecting the first 100 photographs in each of the three search algorithms provided by the system: most relevant, most recent, and most interesting. This approach enabled us to retrieve items that users *themselves* perceived as stolen (and labeled as such) and assisted us in focusing our analysis specifically on *in-context* responses.

We further delimited the sample by applying the following relevancy criteria: 1) Does the post actually reference perceived unauthorized reuse? 2) Does the post reference a specific incident, rather than a generalized boilerplate response (e.g. “don’t steal my photos”)? 3) Does it appear from contextual textual cues (including user profile data) that the post is a not-for-profit photograph? Since we are specifically interested in amateur and everyday photography, we made all attempts to set aside all responses by professional photographers. After applying these filters, we were left with a set of 99 posts.

We analyzed each post according to its imagistic as well as textual elements. We followed a modified version of open coding [4] in which the analyst looks for patterns and tries to understand their association to one another. At the time of this submission, our textual analysis was used mainly to corroborate themes present in the posted images. A complete analysis of both the textual and visual characteristics in the data is still ongoing.

PRELIMINARY FINDINGS

Given the preliminary nature of this work, we eschew any arguments regarding prevalence of activity, either of the response types or levels of unauthorized reuse. Instead, we highlight different categories of response in an attempt to

begin constructing a typology of genres/tactics that will frame further work on this topic.

Emergent Categories of Response

A number of interesting themes are evident in our data. In particular, there appear to be at least four response tactics that flickr.com members used to publicize infringement and unauthorized reuse. These tactics were distinct, though users sometime applied more than one approach simultaneously. We highlight each tactic below, and will present additional details of each in our poster.



Figure 1: Example image posted on flickr, documenting unauthorized photo reuse on another website.¹

Documenting infringement in context

In this category, users typically repost a screenshot of their image in the infringing context (such as another user's flickr page, a blog, newspaper article, etc.). An example of this approach can be seen in Figure 1. The presentation in these cases often takes on an air of "documenting the case," with an accompanying textual description of the entire episode, details regarding how the user discovered the infringement, communications sent to and received from the infringer, and so forth. We infer that this category of response may be an attempt to garner support and legitimization for the user's perception of infringement.

Protest response

In this set of responses, users express their emotional reaction to the perceived infringement, often in the form of text in or on a posted image. For instance, one user reposted her original image with the words "STOP! THIEF!" superimposed in large red text. Our initial reading of this behavior is that it provides the wronged user a chance to share his or her feelings of being violated, communicating in emotional terms, rather than legalistic.

¹ Photo source: http://www.flickr.com/photos/fascinating_girl/330173409. Used under a Creative Commons attribution-noncommercial 2.0 license.

Community call to action

This set of responses focus on user attempts to engage the flickr community at large by providing warnings about a particular infringing user or a class of users, and detailing extended violations on other social and media-sharing sites, such as Orkut, LiveJournal, etc. These warnings and admonitions were often coupled with a call for collective response. These responses raise interesting issues about the interrelationship between different user-generated content systems within larger ecosystems of amateur creative production.

Symbolic image response

In a fourth category of response, we saw users post new images that serve as a symbolic response to the infringement. Examples of this category included images that were intentionally pixilated, pictures of individuals crying and the like. Like protest responses, symbolic images allow individuals to channel their emotions regarding violation, leveraging and perhaps reconciling the violation as an opportunity for another round of creative production.

DISCUSSION AND NEXT STEPS

Ackerman's concept of a socio-technical gap [1], between what collaborative technology can explicitly support and the messy complexities of lived human sociality, informs our understanding of these in-context responses. We preliminarily theorize that these response tactics reveal the existence of a similar gap—in this case between the role of creative content within the moral economies of individual lives and system design which construes issues of reuse solely in terms of legal and policy regimes.

As a class of emergent behaviors in a new technologically-mediated setting, these categories of response interweave questions of production and dissemination, property rights and perceived standards of use, and social norms and boundaries of community. Moreover, these tactics reveal an important distinction between conceptions of user-generated media reuse from a legal perspective (framing the issue in terms of intellectual property) and from individual users' perspectives (framing the issue in terms of localized meaning and identity). Our future work will continue this investigation utilizing qualitative interview data and an expanded sample of salient posts.

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