

Analysis of infringement problems and countermeasures of news reprinting in the new media environment

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Abstract: In the new media environment, the massive increase of users, the laxity of platform supervision, coupled with the imperfections of laws and regulations, make the phenomenon of news reproduction occur repeatedly. It has seriously damaged the media ecological environment, brought about the decline of media credibility, homogenization of network news information, serious waste of media resources and the enthusiasm of practitioners diminishing and other problems. Therefore, in order to regulate the news dissemination behavior and create a good cyberspace, we should timely start from the law, the public and the platform to rectify the problem of news reprinting.

1. Introduction

The rapid development of mobile network technology and the lowering of the threshold for entering the Internet have made it easy for people to enter the Internet platform and have their own place. According to CNNIA data, as of June 2023, the number of Internet users in China reached 1.079 billion, and the number of mobile Internet users reached 1.076 billion, an increase of 11.09 million compared with December 2022, with the Internet penetration rate reaching 76.4%. Everyone has a microphone, everyone is a mobile media network crowdsourcing era is no longer a virtual scene. At the same time, the technological progress of the Internet has made the speed and scale of information collection, release and dissemination reach an unprecedented level, and the information explosion and information flood have swept the world. In this context, most news and information are often arbitrarily reproduced and misappropriated in the absence of network gatekeepers and the protection of national laws and regulations.

In our country, except for current affairs news and simple factual news which have no copyright and are not protected by copyright law, all other news works are protected by copyright law. Article 18 of the Copyright Law stipulates that authors of works created by employees of newspapers, periodicals, news agencies, radio stations, and television stations have the right to attribution, while other rights of copyright are enjoyed by legal persons or non-legal person organizations. Therefore, the copyright of original works published by news media belongs to the news media organization and the creators. When news media WeChat public accounts reprint works from other media, they must legally indicate the author and source of the work; when reprinting individual works, they must also legally indicate the author. ^[1]Therefore, on the network without the consent of the copyright holder, arbitrarily reproducing and pasting other people's news has seriously damaged the Internet media ecological environment, disrupting the normal order of production, causing dissatisfaction of the

news creators, and all walks of life on the news reproduced the discussion of the news more and more intense.

2. Forms of reproduction of news

The all-media development of new media and self-media makes it possible for people to reprint the news works of news copyright holders arbitrarily according to their own needs by using a variety of forms. After in-depth analysis and research, it is found that in the new media environment, there are several ways and methods of news reproduction:

2.1. Reproduced in full press work

Article 53 of the Copyright Law stipulates that it is an infringement to copy, distribute, perform, show, broadcast, compile, or transmit his or her work to the public through an information network without the permission of the copyright holder.^[2] However, on the Internet, the simplicity of the thumb movement of copying, pasting and forwarding on the fly, while convenient, makes journalistic works more susceptible to plagiarism. Some news practitioners and self-publishers, seeing another news website releasing a news article with superior topic and content, directly copy and repost the entire article from another website in order to reduce reporting costs. Although this reprinting practice can expand the dissemination scope and influence of news information to a certain extent, and give full play to the cumulative effect of the dissemination of news information. However, this practice of reproducing news without the permission and authorization of the copyright holder and without indicating the source of the news and the name of the copyright holder constitutes plagiarism, which seriously infringes on the legitimate rights and interests of the news copyright holder.

2.2. Tampering with journalism

Some news websites and self-media people in the reproduction of other people's news works, in order to cover their ears and create the network illusion of their own originality, they will tamper with the design of other people's news works or the editorial department information as well as the specific information of the news content, and in the short video platform is the secondary editing of the news video released by other people. For example, modifying the layout order of the news content, adjusting the wording of the news content, editing the supplementary content of the short news video, and so on. Although the reproducer of the news has deleted and modified the news information of others, it has not caused any substantial changes in the news information, and the news information released by tampering is not its original information, and at the same time, it does not clearly point out the source of citation of the news information, and there is still the problem of illegal reproduction of other people's original news works, which is also an infringement on the owner of the news works. Since June 2015, today's headlines have not been authorized by the authorization from Modern Express, it republished articles signed by journalists from Modern Express. In September of the same year, Modern Express Media Co. Ltd. sued Beijing Byte Jump Technology Co. Ltd. which belongs to today's headlines for copyright infringement. In October this year, the case final judgment, Jiangsu Higher People's Court rejected the appeal, byte jumping company for unauthorized reproduction of the "modern express" four articles, must compensate for economic losses of 100,000 yuan, and need to compensate the "modern express" for the right to defend the reasonable expenses of 10,100 yuan. After three years, this case of news work infringement case settled, and is also the highest amount of damages awarded for the reproduction of news articles.

2.3. Compilation of public information works

Article 15 of the Copyright Law stipulates that a compilation work, which includes a collection of works, fragments of works, or data that do not individually constitute a work but are selected or arranged in an original way, is entitled to copyright protection. The copyright for a compilation work belongs to the compiler, as long as the exercise of this copyright does not violate the copyright of the original works.

For the compilation of other people's original works, subject to the consent and authorization of others, and to mark the source of the work after their own will cheat over there.^[3] However, on the Internet, especially microblogging, microblogging public number and other self-media platforms, excerpts, excerpts, synthesize a number of news and information, comments, and commentary and other original works after the formation of the compilation work and publicly released, rare labeling information source. Since there is no difference between direct compilation and copying and pasting, it is also an infringement of the copyright of the copyright holder of the news work without authorization and indication of the source.

3. The Real Hazards of News Reprints

The phenomenon of massive news reproduction on the network occurs from time to time, has produced serious negative effects, not only undermines the credibility of the news media, resulting in the homogenization of news information, but also reduces the creative enthusiasm of news practitioners, and undermines the good ecological environment of the media.

3.1. News reprints undermine the social credibility of the media

In the information-exploding cyberspace, some media people do not pay attention to the identification of news and information, summarize and compile all kinds of information, and widely reprint some false news that has not been verified. Secondly, in order to attract the public's attention and gain more economic benefits, they exaggerate and sensationalize the reproduced news, resulting in a large amount of false news flooding the network. For example, on the first of May, various media outlets widely circulated the news about tourists' cell phones being dropped in West Lake and being asked to pay a salvage fee of 1500 yuan, sparking a heated debate across the entire internet. Just as netizens were discussing whether the astronomical salvage fee was reasonable, the news was reversed, and the news was actually a self-organized and self-directed commercial promotion. The initial release of the media list, many provinces, and cities in the authoritative media, without verification, will be "news" with a large amount of forwarding, which is undoubtedly contrary to the basic norms of journalism. News reprinting, especially the reprinting of false news and adapted news, will attract people's attention due to its emotional and dramatic expression, gain more exposure, and crowd out the space for the dissemination of truthful news, which will not only mislead the public opinion, but also increase the social instability, disturb the normal law and order of the society, reduce the people's trust in the news media, and undermine the credibility of the news media.

3.2. News reprints cause homogenization of information and waste of media resources

News information is reproduced in large quantities to the major media platforms, which will cause the undifferentiated information of the media platforms, and a thousand pieces of news information are flooding the network, making a thousand nets one-sided, and the information is seriously homogenized.^[4] At the same time, the news reproduced information flooded network, will greatly occupy and consume people's attention. In the context of fast-paced life, everyone's attention and

energy are limited, and the news media communication resources are also limited, too much attention and dissemination of homogenized information, will lead to the truly useful information is covered up, and then a great waste of people's attention and media resources.

3.3. News reprinting creates bad competition and reduces practitioner passion

In China, news agencies operate as a special model of "public institutions, enterprise operation", and their management needs to follow the operational rules of the media market while also being responsible for their profits and losses. The use of news information products is shared, and economic and social benefits can only be generated through dissemination and widespread use. However, because news works also represent the knowledge products of creative labour, their production process requires significant capital investment.[5] Therefore, for news media to profit and develop, news works must be widely disseminated and circulated in society. However, the problem of rampant news reposting on the internet disrupts fair market competition. In the attention economy era, the more attention one attracts, the more traffic one will receive, leading to higher conversion revenue. Due to the fixed audience scope, the more people compete, the less profit each individual will ultimately gain, resulting in decreasing income for news professionals. Additionally, the cost of safeguarding rights is high, with long periods of time required for the process, and the outcomes often do not match the efforts. As a result, fewer people engage in safeguarding their rights. This leads to a worsening issue of news reposting, with news professionals needing more enthusiasm for original content creation instead of reposting and sharing news information on the internet.

4. Problems in China with respect to the reproduction of news

The emergence of the problem of news reproduction, there are many aspects of the reality of the reasons, but mainly lies in the public awareness of copyright is weak, the existence of the relevant national defects and network gatekeeper laxity caused by. These reasons make the news reproduced this chaotic phenomenon, and the system to deal with more difficult.

4.1. Low public awareness of copyright

Low awareness of copyright and wrong perception of copyright are the root of the problem of news reprinting in the new media environment. In the era of new media, people receive information more widely and conveniently, and when they see interesting information, they want to forward, quote or reprint it, basically without any awareness of copyright law. There are two main aspects of this kind of problem: first, the low threshold of the Internet makes a large number of grassroots class have the opportunity to enter the network for self-expression. According to the data of the 52nd CNNIC survey, as of June 2023, the educational structure of China's Internet users in primary and secondary schools and below, junior high school and high school/secondary/technical school Internet users were 19.3%, 40.3% and 20.6%, respectively, and stood at more than 80% of the overall Internet users. These groups of copyright law awareness are relatively weak, and it is very easy to produce network copyright infringement behavior. Second, most people think that all the news belongs to the current affairs news, and belongs to the public product, is not protected by copyright, the copyright cognition has certain errors, so will ignore the copyright provisions of the news works and reproduced arbitrarily. The above two erroneous perceptions create the possibility of news infringement to a certain extent.

4.2. Deficiencies in relevant laws

Although China's laws and regulations have been in the process of updating and changing, in

November 2020, China's latest revision to the Chinese people and the copyright law, although the social emergence of some of the new infringement behavior has been redefined, but did not involve the network of new media space of the provisions. Therefore, in the emergence of network new media platform news reproduced infringement problem, there is no precise explicit provisions to trial, no new media under the news reproduced legal basis.^[6] Although in 2006, China introduced the "regulation on the protection of the right to disseminate information network", which specifies some provisions of the network information reproduction, but its scope is small, and it is only an administrative legal norms, relative to the "copyright law of the People's Republic of China" of the status of the lower. Therefore, the protection of copyright in the new media environment is in a vacuum. This also gives the news reproduced to take advantage of the opportunity to reproduce at will but not subject to legal constraints.

4.3. Poor network gatekeeping

Another very important reason for news reprinting is the lack of network gatekeeping audit. One of the characteristics of network communication is the multilevel and complexity of the communication process; in the case of the proliferation of network information, the rapid production and dissemination of news works, and the mixed situation of netizens, the difficulty in checking the content of information is also increasing, coupled with the fact that some network platforms, in order to gain benefits, reduce the news gatekeeping, the problem of news reprinting even more serious.

5. Countermeasures to the problem of press reproduction

In response to the issue of news reprinting, we must control it in life to improve the legal awareness of citizens and rights awareness, in the law to improve relevant provisions, and in the network gatekeeper strict review. Practical action is needed to reduce the occurrence of news chaos and create a good network environment.

5.1. Raising citizens' awareness of the law and their rights

In the new media environment, we should first focus on improving the media literacy of users. Because media literacy is a skill we must have in the era of new media digital information, in the face of the explosion of network information, we must always keep a rational mind, able to make rational analysis of diversified information.^[7] Secondly, it is necessary to strengthen the publicity of copyright laws and regulations, improve the public's cognition and recognition of copyright laws and regulations, and clearly understand the entries of copyright infringement and related regulations, so as to reduce the ambiguity of concepts. Finally, it is also necessary to enhance the public's awareness of the law, and strengthen their awareness of rights protection, and boldly defend their rights in the face of copyright infringement.

5.2. Improvement of laws and regulations

At present, there are still many imperfections in our country's provisions for the protection of news copyright. First of all for the definition of current affairs news is still a problem, China's "Copyright Law of the People's Republic of China" stipulates that current affairs news is not protected by copyright law, but for what news is considered to be "current affairs", what news does not count, there is no clear legal provisions, which will be in the infringement of the case of the trial of the interpretation of the problem. Secondly, for all kinds of new chaos on the network, our laws and regulations should be quickly defined and quickly introduced corresponding countermeasures to

make up for the legal gaps in the Internet, so as not to give illegal behavior to take advantage of the opportunity.

5.3. Strengthening the gate-keeping and vetting mechanism of online platforms

At present, the major social platforms have shown the IP belongs to the place, in this aspect of network regulation has taken a step forward, but for the chaos of news and information on the network also need to increase the audit.^[8] First of all, the platform should actively assume the corresponding responsibility, increase the manual and technical audit of the content, and strictly prohibit the dissemination of illegal handling information on the platform. Secondly, the platform should control the registered account, and seal the account for repeated illegal operations. Finally, it is also necessary to set up a complaint mechanism, and for the user's complaints, to respond positively, for the complaints of information, timely processing, strict fulfillment of the gatekeeper obligation, and do a good job of information filtering.

6. Conclusions

The rapid development of the Internet, bringing convenience at the same time also makes the phenomenon of news reproduced more and more serious. In the face of the adverse consequences of news reproduction, we need to analyze the underlying reasons for news reproduction and make timely adjustments. We need to actively publicize and improve the copyright laws and regulations, enhance the public's legal awareness, and strengthen the platform's supervision and control to protect the copyright of newsworks and to realize the freedom of speech and copyright protection of the news in the new media environment, win-win symbiosis.

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