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District and County Media Should Also Strengthen Copyright Protection Awareness—A Case Study of Xingsha Times Postprint

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Abstract

Only by strengthening copyright protection awareness and earnestly safeguarding the copyright interests of news reporting can district and county media adequately maintain the continuous reproduction capacity of news reporting, continuously enhance their capacity for producing exclusive content, consistently strengthen the non-replicability of their content, identify suitable profit models amid media transformation, and thereby achieve long-term development.

Full Text

Introduction

As internet technology continues to evolve, traditional media have gradually declined under the impact of new media. Print media worldwide have experienced a cliff-like drop in advertising market share, revenue, and social influence. District and county media urgently need to transform and seek new breakthroughs for development in this environment. As the only print media outlet in Changsha County and the Changsha Economic and Technological Development Zone authorized to publish news, *Xingsha Times* has recognized in its omnimedia integration process that editorial content is increasingly becoming a core resource, and content copyright protection has emerged as a critical issue in copyright law. Only by strengthening copyright protection awareness and effectively safeguarding the copyright interests of news reports can media sustain their capacity for continuous news production, enhance their ability to create unique content, increase the non-replicability of their material, identify appropriate profit models during media transformation, and thereby achieve long-term development.

1. Paper Media Struggle to Identify Viable Profit Models

In recent years, under new media impact, the newspaper industry has experienced a prolonged downturn with continuous advertising revenue declines, posing severe operational challenges. Corporate advertising expenditures have shifted dramatically to the internet, while real estate and automotive advertising have severely contracted, leading to sustained sharp drops in newspaper advertising revenue and substantial profit erosion. Reducing publication size has become the norm. Leveraging the dissemination advantages of new media, transitioning from “coexistence” to “genuine integration” represents an essential path for newspapers seeking long-term development [1]. During this transformation and upgrading process, traditional media face the dual challenge of identifying suitable profit models and keeping pace with technological advancements.

On one hand, to align with the current state of the media industry, public information and content must be made “free” to audiences to ensure sufficient attention and traffic, thereby enhancing brand value, influence, and reader loyalty. On the other hand, media organizations must maintain their capacity for unique content production and recreation, establishing proprietary information platforms. These specialized services and information should not be free, requiring a “paid service” model. However, under the impact of new media, content “sales” have become unsustainable. Many domestic newspapers once implemented paywalls for digital editions, but most have since removed them and reverted to free access, particularly due to the rise of aggregated news applications.

2. Copyright Protection is Imperative for District/County Media

As advertising revenues decline, the creative capacity of traditional print media has diminished year by year. Yet uniquely branded content bearing a media organization’s distinctive style remains the most difficult to replicate and represents the key to future success. *Xingsha Times* currently operates seven core resources: a newspaper, website cluster, WeChat matrix, Palm Xingsha app, electronic reading screens, bus shelter advertising kiosks, and an official Weibo account, publishing substantial daily content related to Changsha County.

As a district/county media outlet, *Xingsha Times* faces infringement disputes not only with portal websites and aggregated information clients but also with local self-media platforms, which constitute a major problem area. In practice, numerous local self-media outlets not only republish *Xingsha Times* news reports without compensation but also alter or take them out of context, creating unnecessary disputes. However, given the relatively high cost of rights protection, which often makes litigation “not worth the effort” even when successful [2], many infringement cases are simply left unresolved. Strengthening copyright protection aims to change this unreasonable situation by fully safeguarding the fruits of media content creation and enhancing the value of media copyrights

[3]. Only through continuous strengthening of copyright awareness and protection can *Xingsha Times* improve its capacity for unique content production and enhance the non-replicability of its content.

A recent copyright protection case involving the *Changsha Evening News*, a fellow member of the Changsha Evening News Press Group, demonstrates swift and lawful action that offers valuable lessons for other media outlets.

3.1 Issuing Anti-Infringement Notices

According to copyright law, using copyrighted works requires obtaining permission from the rights holder and paying appropriate remuneration. To safeguard the copyrights of works published across *Xingsha Times* media platforms (including their new media products), protect the interests of intellectual property rights holders, and standardize copyright cooperation and operations, it is essential to issue anti-infringement notices in advance.

The notice primarily states that any media organization or for-profit entity wishing to use copyrighted works and news information from *Xingsha Times* media platforms on official websites, mobile clients, official Weibo, or WeChat must obtain written authorization from *Xingsha Times* before use or republication. Any media organization or for-profit entity that uses *Xingsha Times* copyrighted works and news information without written authorization will receive a warning, and the infringing websites and media will be publicly identified on the newspaper's official website and Weibo account. For those who fail to heed warnings, *Xingsha Times* will take various measures, including but not limited to reporting to national press administration authorities and filing infringement lawsuits in People's Courts, to protect the legitimate rights of copyright holders, with all consequences borne by the infringers.

3.2 Signing Copyright Contracts with Employees

Many newspapers do not address copyright issues or clarify ownership of works created in the course of employment when signing labor contracts with journalists and editors. This creates difficulties when litigation is necessary to protect staff rights in copyright disputes with websites or clients. Under current labor contract law and copyright law, two remedial measures can be adopted.

First, sign a supplementary copyright agreement—the “Statement of Copyright Ownership for Works Created in the Course of Employment” —with journalists and editors. This statement specifies that copyrights for all works created and completed during employment, including text, art, photography, and video, whether through job performance or utilizing information, material-technical conditions, or other resources provided by the newspaper, shall be exclusively owned by the newspaper. All copyright and enforcement rights shall be fully enjoyed by the newspaper.

Second, add supplementary clauses to labor contracts that explicitly stipulate

copyrights for works created by journalists and editors in the course of employment shall be exclusively owned by the newspaper, with all copyright and enforcement rights fully vested in the newspaper.

3.3 Signing Network Contribution Service Agreements

To protect the newspaper's copyrights, it is essential to sign network contribution agreements with portal websites, aggregated information clients, and self-media platforms. Such agreements must specify the scope and method of contribution services, fees and payment terms, and clearly define the rights, obligations, and liabilities of both parties.

Points requiring special emphasis include:

- (1) The client (Party B) must indicate or specify that the news information products are provided by *Xingsha Times* and retain the original author's attribution. Party B shall use *Xingsha Times* news information products accurately according to the scope and methods stipulated in the agreement, without making substantive changes to the content. If revising article headlines, they must conform to the original intent of *Xingsha Times* articles.
- (2) If Party B uses *Xingsha Times* news information products in violation of regulations and causes reputational damage, *Xingsha Times* will take necessary enforcement measures in accordance with the Copyright Law of the People's Republic of China, which stipulates that "distorting or tampering with others' works incurs civil liabilities including cessation of infringement, elimination of impact, apology, and compensation for damages."
- (3) Party B shall not, without authorization, edit and combine *Xingsha Times* articles with news products from other media and publish them under *Xingsha Times* name. When integrating content from *Xingsha Times* with material from other sources, the respective sources must be clearly indicated at each point of reference.
- (4) Party B bears no legal liability when third parties republish or use *Xingsha Times* news information products carried by Party B without authorization, but shall cooperate with *Xingsha Times* in asserting claims against such third parties. Party B shall assume liability for breach of contract according to provisions on unauthorized use when it permits third-party republication or use without authorization, or when its other faults result in infringement such as unauthorized copying of *Xingsha Times* news information products.

4. Using Legal Means to Safeguard Copyright

In safeguarding its copyrights, *Xingsha Times*, as a district-level newspaper, has opted not to establish a dedicated legal department for cost considerations,

instead retaining legal counsel to handle infringement litigation. Day-to-day copyright protection work involves collecting and organizing original news data published by *Xingsha Times*, establishing a content database, analyzing article attributes and content; monitoring republication across the entire network in real-time; conducting similarity analysis and identifying infringement targets; and regularly providing multi-dimensional republication analysis reports and statistical outputs, including analyses by republishing media, timing, geographic distribution, and media type.

Note: Figure translations are in progress. See original paper for figures.

Source: ChinaXiv –Machine translation. Verify with original.