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ABSTRACT

Purpose: This study aims to point out the factors affecting the copyright for applied art works of Vietnamese universities of applied arts during the period of online learning due to Covid-19.

Framework: Intellectual property is considered as a set of rules by which societies have developed to regulate access to cultural and intellectual knowledge dependent on social and technological developments.

Method: The study used quantitative research methods with the voluntary participation of 460 students from a public university in Hanoi. We used purposeful sampling technique in this study. Participants are selected for various purposes, such as access to data on their learning outcomes, their creative process, their works and the program they are studying at the university.

Findings: The obtained results show that there are the following factors that directly affect students' copyright when they make online presentations about their applied art works, which are: (1) Internal regulations and technological measures to monitor copyright infringement; (2) Students' awareness of copyright issues; (3) Activities to remind lecturers about copyright issues; (4) Control of copyright infringement for applied art works. From the research results, we try to come up with solutions to solve the effects of factors affecting copyright on students' applied art works so that they can feel more secure when participating in online learning classes.

Originality values: Digital transformation in education at universities in Vietnam is an inevitable trend, in line with the development of science and technology in the world.

Keywords: digital transformation, education, factors, copyright, artwork, students, online learning

1. INTRODUCTION

In Vietnam, as soon as the Covid 19 epidemic was detected, along with other anti-epidemic measures, most of the time from February 3, 2020 to the end of March 30, 2022, all schools across All provinces and cities have closed and organized online teaching and learning activities according to the Government's policy. In order to ensure the quality of online teaching as well as to ensure the requirements on data, intellectual property, and copyright in the digital environment, on March 30, 2021, the Ministry of Education and Training issued Circular No. Circular No. 09/2021/TT-BGDĐT (here in after referred to as Circular No. 09 for short) stipulates the management and organization of online teaching in general and continuing education institutions.

Currently, in Vietnam, there are 237 higher education institutions, of which about 29 institutions have specialized training in applied arts. Although the university is considered as the cradle of creation of new knowledge and technologies, up to now, the number of applications for registration of industrial property rights, especially inventions, still accounts for a low proportion of the total number of applications registered at the National Office of Intellectual Property (Ha Linh, 2020). In the field of fine arts and painting, with the development of digital technology, the copying and editing of fine art works has become more popular and difficult to control.

2. Theoretical basis and research model

The term "Literary and Artistic Works" includes all works in the literary, scientific and artistic fields expressed in any form. (Clause 1, Article 2 of the Berne Convention). Copyright is exclusive, including moral rights and property rights. Adroit moral allows an author to protect his or her personal imprint in the work he has created (Caron, 2006). Logically, moral rights come before property rights because by the time the work is published to bring the work to the public, the author has exercised one of the first manifestations of moral rights, which is public rights, publish the work (Desbois, 1996). Independent of the author's economic rights and even after such right has been assigned, the author retains the right to claim to be the author of the work and object to any distortion, mutilation or modification of the work alteration or other infractions of the work that may prejudice the honor and reputation of the author. (Clause 1, Article 6 bis of the Berne Convention). The right to name and

title works is provided for in Article 6 bis of the Bern Convention. For the title of the work, this right is also important because accordingly the person whose name appears on the work will not be obliged to prove it in court, but is considered the author to exercise his rights, unless there is evidence to the contrary (Berenboom, 1995). Encryption techniques can be used to protect the right to respect for the integrity of the work (Lucas A, 1998). Property rights are exclusive because exclusivity is an essence of ownership (Caron C, 2006). Any sound or video recording is considered a reproduction of a work (Clause 3, Article 9, Bern Convention). The problem is that when the work is being stored in the memory of someone's computer which can produce countless copies, it will be found in the memory of the recipient's computer via the internet (Lucas A, 1998).

In online classes, students' copyright in their art work is influenced by four factors, including:

- (i) Internal regulations and technological measures to monitor copyright infringement Each part of the work may be the subject of copying, editing or sharing in terms of content and form, color or sound. These actions completely change the public perception of the work significantly and thus affect the author's desire, "I" to be expressed in his work (Lucas A, 1998). Therefore, it is necessary to have internal regulations of the University, sanctioning forms and application of technology to detect copyright violations in order to well control infringing actions and protect copyright for authors in Student art.
- (ii) Students' self-consciousness to comply with copyright regulations With online classes, copyright infringement becomes easier and harder to detect. Therefore, whether to perform the act of copying the work or not completely depends on the consciousness of the students in the classroom.
- (iii) Reminder activities of teachers about copyright In face-to-face classes, student activities in the classroom must comply with the class rules and be under the supervision of the instructor. Therefore, the activities of taking photos and videos of applied art works that you are presenting must be approved by the lecturer and the author himself. All acts of sound or video recording are considered reproductions of the work (Clause 3, Article 9, Bern Convention). Controlling the copying of works is not only through the teacher's reminders, but also accompanied by the "allowing or disallowing" actions of the lecturers and students who are the authors of the applied art works.
- (iv) Control of copyright infringement for works of art

Based on the theoretical framework, we propose the following research model

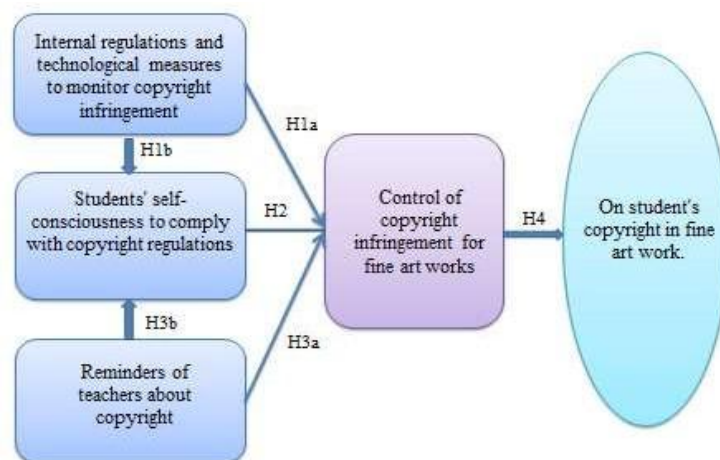


Fig.1: The research model proposed by the authors

On the basis of the research model, we hypothesize about the factors affecting the copyright of fine art works of university students in Vietnam during online learning, including:

Hypothesis H1a: Internal regulations and technological measures to monitor copyright infringement have a positive effect on Copyright Infringement Control for fine art works.

Hypothesis H1b: Internal regulations and technological measures to monitor copyright infringement have a positive impact on students' self-consciousness to comply with copyright regulations.

Hypothesis H2: Students' self-consciousness to comply with copyright regulations has a positive impact on Controlling copyright infringement for fine art works.

Hypothesis H3a: Reminders of teachers about copyright have a positive impact on the control of copyright infringement for fine art works.

Hypothesis H3b: Reminder activities of teachers about copyright have a positive impact on students' self-consciousness of complying with copyright regulations.

Hypothesis H4: Control of copyright infringement for fine art works has a positive effect on student's copyright

in fine art work.

3. Research data and methods

3.1. Research data

Data was collected in two phases, including: (1) phase 1 when Vietnam was still implementing social distancing to prevent Covid-19, the data collection could not be interviewed in person, was done by sending electronic surveys (Google Forms) to 260 students with open-ended questions. The participants answered the survey throughout the period of online learning until the start of face-to-face learning; (2) phase 2, when schools were opened, data collection was done by two face-to-face discussions, each meeting lasted 70 minutes, each meeting was attended by 100 different students. Focus group discussions are also targeted as a membership check to increase the accuracy, reliability, relevance and transferability of the results. The research team also made direct observations at the sessions where students present their work online to see how the students' copyrights are actually exercised and protected during the sessions.

3.2. Analytical methods

This study examined the factors affecting the copyright of students' applied art works during online learning due to Covid-19. The research discussed in the article also aims to contribute to evaluating the results of implementing the organization and management of intellectual products under the program of the Ministry of Education and Training of Vietnam. The study used quantitative phenomenon analysis method. Using a phenomenological approach, researchers understand the subjective interpretations of the underlying object of the analysis by investigating the nature of their experience and identifying specific interpretations below given phenomenon (Casmir, 1983; Mac Dermott, 2002).

4. Research results

4.1. Evaluate the reliability of the scale

After testing the reliability of the scales showing reliable observed variables with the total correlation coefficient from 0.5 to 0.9 and Cronbach's Alpha coefficient from 0.8 to 0.9, it proves that the observed variables are negative reflect well the concept introduced in the study (Table 1). The observed variables are satisfied enough to be included in the factor analysis.

Table 1: Results of testing the reliability of the factor scale

Symbol	Scale Mean if Item Deleted	Scale Variance if Item Deleted	Corrected Item-Total Correlation	Cronbach's Alpha if Item Deleted
Internal regulations and technological measures to monitor copyright infringement: Cronbach's Alpha= 0,923				
NT1	22.8406	9.642	.762	.912
NT2	22.4031	10.176	.717	.917
NT3	23.2781	8.919	.823	.905
NT4	23.3406	8.956	.829	.905
NT5	22.9844	10.404	.642	.923
NT6	23.3531	9.458	.731	.915
NT7	23.4250	9.189	.832	.904
Self-consciousness of students to comply with copyright regulations: Cronbach's Alpha= 0,941				
KN1	15.3125	8.435	.768	.941
KN2	15.4656	8.049	.861	.924
KN3	15.4094	8.330	.855	.925
KN4	15.5250	8.582	.824	.931
KN5	15.5125	8.113	.901	.916
Activities reminding teachers about copyright: Cronbach's Alpha= 0,899				
ĐK1	15.3500	5.137	.669	.894
ĐK2	15.6953	4.735	.757	.876
ĐK3	15.7766	4.562	.789	.868
ĐK4	15.7016	4.303	.822	.861
ĐK5	15.8703	4.583	.724	.884

Control of copyright infringement for works of art: Cronbach's Alpha= 0,865				
AD1	23.4844	9.222	.664	.842
AD2	23.3969	9.394	.643	.845
AD3	23.6094	9.480	.536	.861
AD4	23.6969	8.983	.649	.845
AD5	23.7000	9.640	.599	.851
AD6	23.7594	9.080	.707	.837
AD7	23.7281	8.995	.670	.841
Copyright in student art work: Cronbach's Alpha= 0,936				
PT1	17.6156	3.337	.759	.864
PT2	17.3920	3.343	.723	.874
PT3	17.3447	3.618	.713	.874
PT4	17.5419	3.680	.686	.880
PT5	17.2508	3.544	.822	.852

Source: SPSS analysis results

4.2. Result of factor analysis

In EFA analysis, the use of rotations helps each observed variable to only strongly load on a few factors, variables with strong loading coefficients in the same factor will be placed in the same factor column. There are two rotations that can be applied: the Varimax orthogonal rotation and the Promax non-perpendicular rotation. After analyzing the EFA exploratory factors, we will conduct a line argression model to test the hypotheses of the research model. Therefore, we use the Principle Axis Factoring extraction method with Promax rotation in the EFA analysis.

4.3. Confirmatory factor analysis CFA

From the hypothetical model, through a loop of transformation indices to finally provide the researcher with an established model, capable of explaining the maximum fit between the model and the fact collected data. The suitability of the entire model is in fact assessed through the following criteria of relevance: P value ≤ 0.05 or $p < 0.1$ is considered a good fit (Arbuckle and Wothke, 1999; Rupp and Segal, 1989). This means that hypothesis H0 (which is a good model hypothesis) cannot be rejected, i.e. no better model than the current model can be found.

4.4. Structural equation modeling (SEM)

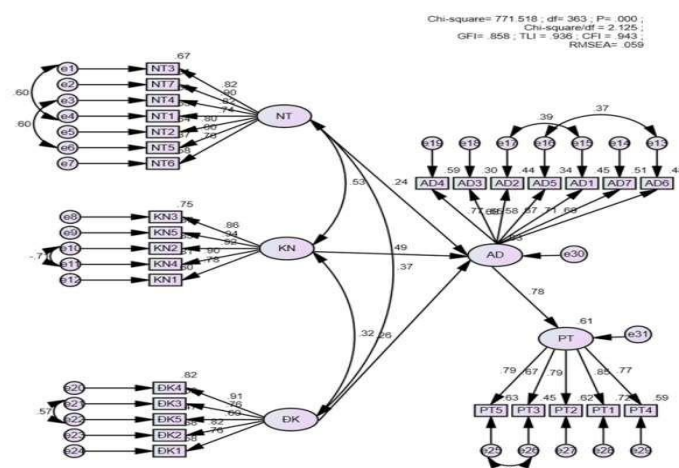


Fig.2: Analysis results of Structural equation modeling (SEM)

Source: compiled from AMOS software

The significance level of the analyzed relationships are statistically significant with $p < 0.001$ significance level, Beta values all carry the "+" sign, showing the factor of Internal regulation and monitoring technology

measures acts of copyright infringement; Self-consciousness of students to comply with copyright regulations; Activities reminding teachers about copyright; Control of copyright infringement for fine art works; Copyright in student's art work has a positive and statistically significant influence on each other. From the above data the following hypotheses have been proved

Table 2

Hypothesis	Conclusion
Hypothesis 1: Internal regulations and technological measures to monitor copyright infringement have a positive effect on Control of copyright infringement for fine art works.	Accept the hypothesis with statistical significance < 0.05
Hypothesis 2: Students' self-consciousness to comply with copyright regulations has a positive influence on Control of copyright infringement for fine art works.	
Hypothesis 3: Reminders of teachers about copyright have a positive influence on the control of copyright infringement for fine art works.	
Hypothesis 4: Control of copyright infringement for fine art works has a positive effect on Student's Copyright in fine art works	

5. CONCLUSIONS ANDIMPLICATIONS

For internal regulations and technological measures to monitor copyright infringement. Therefore, there should be internal regulations and forms of handling for violations in this field. In order for this control to be more effective, higher education institutions providing applied arts training should take the following measures:

- Based on the provisions of the current legal documents on intellectual property rights and copyright of fine art works, the University needs to concretize and develop it into internal regulations that are common to students understand, respect and not infringe the intellectual property rights of others.

For students' self-consciousness to comply with copyright regulations

The research results show that there is a positive correlation between students' self- consciousness of complying with copyright regulations to controlling copyright infringement for fine art works. Specifically, as the impact of students' consciousness increases, the control of copyright infringement also increases.

For control of copyright infringement on works of art

Research shows that the following relationships exist: the link between internal regulations and technological measures to monitor copyright infringement and control of copyright infringement for cosmetic works arts; between students' self-consciousness of complying with copyright regulations and control of copyright infringement; Finally, the middle is with activities to remind lecturers about copyright issues and control of copyright infringement. In particular, the relationship between students' self-consciousness in complying with copyright regulations and controlling copyright infringement is the strongest. Accordingly, when students' awareness increases, the control of copyright infringement increases the highest.

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