Background

Currently more than 33,650,000 copyrighted works are registered through the United States Copyright Office with 556,000 new copyright claims registered annually.1 Pharmaceutical industry employees routinely disseminate copyrighted materials (e.g., journals, articles, images, posters and slides) internally to colleagues and externally to customers, with the rate of information forwarding on the rise.2 This is essential for companies to establish policies and procedures regarding intellectual property (copyright) to ensure compliance with the law. Without proper training and an understanding of copyright regulations, employees working closely with copyrighted materials may be at risk of committing infringement. In 2003 an investment firm Legg Mason was cited for copyright infringement because of their internal distribution of a newsletter published by Lowey’s Reports.3 This copyright infringement led to a $13 million settlement against Legg Mason.

To our knowledge, employee training and corporate procedures in the pharmaceutical industry relating to copyright compliance has not been assessed.

Objective

To describe copyright related practices in the pharmaceutical industry.

Methodology

Survey Design

A web-based, anonymous survey consisting of 42 questions (created through SurveyMonkey®) was distributed to individuals employed at 34 pharmaceutical and biopharmaceutical companies. The survey investigated current copyright practices including policies and training, awareness of copyright regulations, and general perceptions on copyright in the industry. The survey included multiple choice, multiple choice with short answer, true or false and open ended questions.

Evaluation of Survey Respondents

A total of 175 industry representatives were contacted. Of the 59 individuals that started the survey, 55 individuals (31.4%) completed the entire survey.

Results

Current Practice

Awareness

• Sample size (N=55, 31.4%) makes it difficult to generalize findings to all pharmaceutical/biopharmaceutical companies.
• Survey questions were not validated.
• Survey was sent to more than one employee in each company.

A total of 175 industry representatives were contacted. Of the 59 individuals that started the survey, 55 individuals (31.4%) completed the entire survey.

Conclusions

Routine activities of pharmaceutical industry employees often involve the dissemination of copyrighted materials, both internally to colleagues and externally to customers. The majority of survey respondents reported copyright as being a topic of conversation in their office, although only half believe it affects them on a daily basis.

To ensure compliance, it is essential for companies to establish polices and procedures regarding copyright. The majority of companies surveyed have a policy regulating the use of intellectual property with respondents reporting their department as always adhering to the policy. Desperate for a way in place, few respondents reported themselves as being knowledgeable in its details. This finding is similar to a report by Outsell Inc.,6 which stated employees are typically aware of their organization’s copyright policies but do not know the details.

Limitations

• Sample size (N=55, 31.4%) makes it difficult to generalize findings to all pharmaceutical companies.
• Survey questions were not validated.
• Survey was sent to more than one employee in each company.
• Role in current department may reflect respondents' knowledge of copyright.

References


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