

# Issues Related To Intellectual Property And Copyright Of Students' Art Works In Digital Transformation Of Education

**Dr. Tran Nguyen Cuong<sup>1</sup>, Dr. Vu Thanh Nguyen<sup>2</sup>, MBA. Dinh Tran Ngoc Huy<sup>3</sup>  
, Dr. Nguyen Trong Diep<sup>4</sup>**

<sup>1</sup>University of Industrial Fine Arts Pham Hung Nhan - Political School of Ca Mau  
Province, Vietnam (corresponding)

<sup>2</sup>Institute of Development Strategy, Ministry of Planning and Investment

<sup>3</sup>Banking University HCMC Ho Chi Minh city, Vietnam - International University of  
Japan, Japan (corresponding)

<sup>4</sup>University of Law, Hanoi National University (corresponding)

---

## Abstract

This study examined the factors affecting the copyright of students' applied art works during online learning due to Covid-19.

The research results show that there is a relationship between the teacher's reminders about copyright issues and the control of copyright infringement for applied art works. That means that when the activity of reminding teachers about copyright issues increases, the control of copyright infringement and students' awareness increase.

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

## 1. Introduction

Smart education integrates new technologies and new learning models. The attractiveness and adaptability of the technologies of Industry 4.0 have promoted the digital transformation in education that has been taking place in most countries and territories around the world (Sirikka Freigang). Lars Schlenker and Thomas Köhler, 2018; Tore Hoel and Jon Mason, 2018). Contemporary trends are being mentioned frequently such as augmented reality, virtual reality and mixed reality; Classroom set of devices; redesigned learning spaces; Artificial intelligence; personalized learning; Gamification has become the focus of education because of the way in which these trends are impacting teaching and learning activities of teachers and students (Mettler Tobias and Pinto Roberto, 2018).

The coronavirus has had a major impact on employment, education, energy, agriculture and many other sectors of the global economy, taking a heavy toll on humanity physically and mentally (Banks et al., 2020; Thompson, 2020; Tripathi & Amann, 2020). The outbreak of the Covid-19 pandemic has changed our habits, face-to-face contact is replaced by indirect. During the COVID-19 outbreak, school closure policies in different countries took place consecutively, rapidly and massively. During the first week of April 2020, the United Nations Educational, Scientific and Cultural Organization reported that 195 countries had enforced school closures, affecting nearly 91.3% of students worldwide. world (UNESCO, 2020). Online learning is the most appropriate adaptation measure in this period. But it also poses certain obstacles and challenges. For teachers, this transformation forces them to adapt to new techniques without adequate training and preparation (Dwivedi et al., 2020). The brief transition of offline to online lectures also requires instructors to have varying degrees of readiness to use different teaching methods with certain competencies (Marioni G., 2020). . Students must adapt to the use of learning technology and online lectures.

## **2. Theoretical basis and research model**

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. The Anne Act (1709) was the first copyright act to provide for an individual's right to print. Previously, the British Royal Family regulated access to print information by granting selective royal privileges to craft associations that respected royal censorship standards (Drahos, 1996). .

## **3. Research data and methods**

The study examined the personal experiences of 460 university students studying applied arts at a public university in Hanoi with a history of more than 70 years of applied arts training. These students belong to 08 classes, are in the 8th semester, studying in different programs in the following majors: graphic design, fashion design, interior and exterior decoration design, industrial design, design jewelry design and painting (textile art, lacquer painting). To protect the privacy of the participants and allow them to speak freely, their identities and university names were kept private. We used the class name (18A,18B,18C,18D, 18E, 18F, 18G, 18H), followed by a number to identify each individual in the analysis and data discovery. Before data collection, we clarified the nature and purpose of the study, and informed consent of all students participating in the study. If they feel uncomfortable, they have the right to withdraw from the study without questioning.

This study examined the factors affecting the copyright of students' applied art works during online learning due to Covid-19.

## **4. Research results**

### **4.1. Evaluate the reliability of the scale**

### Result of factor analysis

Considering the correlation between factors together in Promax rotation seems to be more suitable for Principle Axis Factoring extraction to discover latent structures, while Varimax rotation is more suitable for Principle Component Analysis extraction with The purpose is to reduce the number of observations about the representative factors with the largest extracted variance.

**Table 3: Relationship between independent and dependent variables in the model**

|    |      |    | Estimate | S.E. | C.R.  | P   | Label |
|----|------|----|----------|------|-------|-----|-------|
| NT | <--> | KN | .203     | .027 | 7.457 | *** |       |
| NT | <--> | AD | .152     | .022 | 7.041 | *** |       |
| NT | <--> | ĐK | .130     | .024 | 5.548 | *** |       |
| NT | <--> | PT | .127     | .017 | 7.408 | *** |       |
| KN | <--> | AD | .208     | .026 | 7.932 | *** |       |
| KN | <--> | ĐK | .135     | .026 | 5.120 | *** |       |
| KN | <--> | PT | .182     | .021 | 8.590 | *** |       |
| AD | <--> | ĐK | .143     | .022 | 6.466 | *** |       |
| AD | <--> | PT | .130     | .017 | 7.836 | *** |       |
| ĐK | <--> | PT | .113     | .017 | 6.516 | *** |       |

Source: compiled from AMOS software

To evaluate the fit of the factors in the model and test the discriminant validity of all the research concepts considered, a critical model was established. The results of the linear structural analysis show that the critical model is very suitable with the survey data, the values meet the requirements (CMIN = 721.526; df = 360; p = 0.000; CMIN/df = 2.004; GFI = 0.868; TLI = 0.943; CFI = 0.949; RMSEA = 0.56). The coefficients in the model show a good agreement with the actual data. The results are shown in the model of confirmatory factor

analysis (CFA). The correlation coefficients of observed variables  $> 0.5$ , and the relationship between the independent variables and the dependent variable are significant  $< 0.05$ . Thus, it can be concluded that the factors affecting the copyright of students' fine art work have a basis for inclusion in the analysis of structural equation modeling (SEM).

## 5. Conclusions and Implications

For internal regulations and technological measures to monitor copyright infringement.

Legal regulations are rules of conduct that subjects need to perform by their specific behavior when participating in social relationships. Due to the ease of copying and editing, especially in the digital environment, it becomes more difficult to control piracy of fine art works.

The research results show that there is a relationship between the teacher's reminders about copyright issues and the control of copyright infringement for applied art works. That means that when the activity of reminding teachers about copyright issues increases, the control of copyright infringement and students' awareness increase. More than anyone else, lecturers are the ones who directly interact with students during online lessons. At the same time, they are also the ones who check and evaluate the learning process of students. When specialized instructors can become good facilitators, understand student psychology, and fully master the online classroom, students will also prepare their work and make presentations more effective.

## Acknowledgement

Thank you editors and friends to assist this publication

## References

1. Banks, J., Karjalainen, H., & Propper, C. (2020). Recession and health: Long-term health consequences of the response to Coronavirus. *Fiscal Studies*, 41 (2), 337–344. <https://doi.org/10.1111/1475-5890.12230>
2. Berenboom A. (1995). *Le nouveau droit d'auteur et droits voisins*, Bruxelles, Lacier
3. Boddy, C.R. (2016). Sample size for qualitative research. *Qualitative Market Research: An International Journal*, 19(4), 426–432. <https://doi.org/10.1108/QMR-06-2016-0053>
4. Brown, ST, Tai, JH, Bailey, RR, Cooley, PC, Wheaton, WD, Potter, MA, Voorhees, RE, LeJeune, M., Grefenstette, JJ, Burke, DS, McGlone, SM, & Lee, BY (2011). Is school closures due to the 2009 H1N1 flu outbreak worth the cost?: a computational simulation of Pennsylvania. *BMC Public Health*, 11 (1), 353. <https://doi.org/10.1186/1471-2458-11-353>
5. Butler, B. E. (2001). *Internet Encyclopedia of Philosophy*. University of North Carolina at Asheville (re: Legal Pragmatism, G.W.F. Hegel, J. Locke, Right to Private Property). Available at <http://www.utm.edu/research/iep/>.
6. Carolan, C. (2020). COVID 19: Disruptive impacts and transformative opportunities in undergraduate nurse education. *Nurse Education in Practice Journal*, 46(January), 1–3.
7. Caron C (2006) *Droit d'auteur et droits voisins*, Paris, Litec
8. Cornish, W., Llewelyn, D., Aplin, T., 2010. *Intellectual Property: Patents, Copyright, Trade Marks and Allied Rights*, seventh ed. Sweet & Maxwell, London.

9. Chisum, D. and Jacobs. M. (1999) Understanding Intellectual Property Law, Mathew Bender, page 4-76.
10. Creswell, J. W. (2007). Qualitative inquiry and research design: Choosing among five approaches (2nd ed.). Sage Publication.
11. Deazley, R., 2004. On the Origin of the Right to Copy: Charting the Movement of Copyright Law in Eighteenth-Century Britain (1695–1775). Hart, Oxford, UK and Portland, OR.
12. Desbois H. (1996), Le droit d’auteur en France, Paris, Dalloz, 2nd edition.
13. Drahos, Peter, 1996. A Philosophy of Intellectual Property. Ashgate, Aldershot.
- Eisenberg, R., 2002. Why the gene patenting controversy persists. Academic Medicine 77 (12), 1381–1387.
14. Dwivedi, Y. K., Hughes, D. L., Coombs, C., Constantiou, I., Duan, Y., Edwards, J. S., Gupta, B., Lal, B., Misra, S., Prashant, P., Raman, R., Rana, N. P., Sharma, S. K., & Upadhyay, N. (2020). Impact of COVID-19 pandemic on information management research and practice: Transforming education, work and life. International Journal of Information Management, 55, 102211. <https://doi.org/10.1016/j.ijinfomgt.2020.102211>
15. DT Tinh, NT Thuy, DT Ngoc Huy. (2021). [Doing Business Research and Teaching Methodology for Undergraduate, Postgraduate and Doctoral Students-Case in Various Markets Including Vietnam](#), Elementary education Online 20 (1)
16. DTN Huy, PN Van, NTT Ha. (2021). [Education and computer skill enhancing for Vietnam laborers under industry 4.0 and evfta agreement](#), Elementary education Online 20 (4)
17. DTN Huy, TH Le, NT Hang, S Gwoździewicz, ND Trung, P Van Tuan. (2021). [Further researches and discussion on machine learning meanings-and methods of classifying and recognizing users gender on internet](#), Advances in Mechanics 9 (3), 1190-1204
18. DTN Huy, NTT Hanh, NT Hang, PTH Nhung, NTP Thao, LT Han, DT Sang. (2021). [General solutions for enhancing quality of teachers during globalization in emerging markets including Vietnam-and some pedagogy psychological issues](#), Psychology and Education Journal 58 (4), 2343-2349
19. DVT Thuy, DTN Huy, VTK Anh, NN Thach, HT Hanh. (2021). [Quality of education of ethnic minority communities in vietnam-problems and recommendations](#), Elementary education Online 20 (4)
20. Đậu Dung (2021), Vi phạm bản quyền và “khoảng trống” trong công nghiệp sáng tạo. Tạp chí Giáo dục. <https://www.phunuonline.com.vn/vi-pham-ban-quyen-va-khoang-trong-trong-cong-nghiep-sang-tao-a1450348.html>
21. Phan Đức (2021), Vi phạm về sở hữu trí tuệ ngày càng tinh vi. Tạp chí Công an nhân dân. <https://cand.com.vn/Thi-truong/vi-pham-ve-so-huu-tri-tue-ngay-cang-tinh-vi-i632902/>
22. Vĩnh Hà. (2017). Sinh viên cần được giáo dục Luật sở hữu trí tuệ ngay trong trường học. Tạp chí Thanh niên Việt. <http://thanhnienviet.vn/2017/12/14/sinh-vien-can-duoc-giao-duc-luat-so-huu-tri-tue-ngay-trong-truong-hoc/>
23. Kessie, F-K. (1999) “Developing Countries and the World Trade Organization—What Has Changed?” World Competition 22(2):94.
24. MacLeod, 1988. Inventing the Industrial Revolution: The English Patent System, 1660–1800. Cambridge University Press, Cambridge.

25. McKibbin, W. J. & Fernando, R. (2020). Global macroeconomic impacts of COVID-19: Seven scenarios. SSRN Electronic Journal. <https://doi.org/10.2139/ssrn.3547729>
26. Marioni G., L. H. van't & J. T. (2020). The Impact of Covid-19 on Higher Education around theWorld. [https://www.iau-aiu.net/IMG/pdf/iau\\_covid19\\_and\\_he\\_survey\\_report\\_final\\_may\\_2020.pdf](https://www.iau-aiu.net/IMG/pdf/iau_covid19_and_he_survey_report_final_may_2020.pdf)
27. Merriam, S. B. (2009). Qualitative research: A guide to design and implementation. Jossey-Bass. <https://doi.org/10.1097/NCI.0b013e3181edd9b1>
28. Miller, J. C., Danon, L., O'Hagan, J. J., Goldstein, E., Lajous, M., & Lipsitch, M. (2010). Student behavior during school closures due to the influenza A/H1N1 pandemic. PLoS ONE, 5 (5), e10425. <https://doi.org/10.1371/journal.pone.0010425>
29. M Fannakhosrow, S Nourabadi, DT Ngoc Huy, N Dinh Trung. (2022). **A Comparative Study of Information and Communication Technology (ICT)-Based and Conventional Methods of Instruction on Learners' Academic Enthusiasm for L2 Learning**, Education Research International 2022
30. N ThiHoa, NT Hang, NT Giang, DTN Huy. (2021). **Human resource for schools of politics and for international relation during globalization and EVFTA**, Elementary education Online 20 (4)
31. Nguyen Thi Hang, Duong Thi Tinh, Dinh Tran Ngoc Huy, Pham Thi Hong Nhung. (2021). Educating and training labor force Under Covid 19; Impacts to Meet Market Demand in Vietnam during Globalization and Integration Era, Journal for Educators, Teachers and Trainers, 12(1), 179 – 184
32. NT Hoang, DTN Huy. (2021). **Determining factors for educating students for choosing to work for foreign units: Absence of self-efficacy**, JETT 12 (2), 11-19
33. NT Hoa, DTN Huy, T Van Trung. (2021). **Implementation of students's scientific research policy at universal education institutions in Vietnam in today situation and solutions**, Review of International Geographical Education Online 11 (10), 73-80
34. ND Trung, BT Thu, DTN Huy. (2022). **USING ENGLISH TO TEACH STUDENTS WITH SOCIAL SCIENCES MAJOR-VIA A CASE OF SOME VIETNAM NEWSPAPERS WITH THE UK, ITALIAN AND FRENCH APPROACHES and REGULATIONS ON PUBLISHING FAKE NEWS**, Journal of Language and Linguistic Studies 17 (3)
35. Locke, J., 1994 [1689]. Two Treatises of Government. Cambridge University Press, Cambridge
36. Lucas A. (1998). Droit d'auteur et numérique, Pari, Litec
37. Hà Linh. (2020). Thúc đẩy hoạt động sở hữu trí tuệ trong trường đại học, Cục Sở hữu trí tuệ Việt Nam. [https://www.ipvietnam.gov.vn/tin-tuc-su-kien/-/asset\\_publisher/7xsjBfqhCDAV/content/thuc-ay-hoat-ong-so-huu-tri-tue-trong-truong-ai-hoc](https://www.ipvietnam.gov.vn/tin-tuc-su-kien/-/asset_publisher/7xsjBfqhCDAV/content/thuc-ay-hoat-ong-so-huu-tri-tue-trong-truong-ai-hoc)
38. Mettler Tobias and Pinto Roberto, (2018), “Evolutionary paths and influencing factors towards digital maturity: An analysis of the status quo in Swiss hospitals,” Technological Forecasting and Social Change. 133: 7104– 117.
39. Pottage, A., Sherman, B., 2010. Figures of Invention: A History of Modern Patent Law. Oxford University Press, Oxford.
40. PN Tram, DT Ngoc Huy. (2021). **Educational, Political and Socio-Economic Development**

- of Vietnam Based on Ho Chi Minh's Ideology, *Elementary education Online* 20 (1)
41. Sandelowski, M. (1995). Sample size in qualitative research. *Research in Nursing & Health*, 18(2),179–183.<https://doi.org/10.1002/nur.4770180211>
  42. S. haheen, M., Pradhan, S., & Ranajee. (2019). Sampling in qualitative research (pp.25–51).<https://doi.org/10.4018/978-1-5225-5366-3.ch002>
  43. Sirkka Freigang, Lars Schlenker and Thomas Köhler, (2018), A conceptual framework for designing smart learning environments, *Smart Learning Environments*, 5:27
  44. Thompson, M. C. (2020). Impact of the Coronavirus pandemic on the socioeconomic future of young Saudis. *Asian Journal of Middle Eastern and Islamic Studies*, 1–25. <https://doi.org/10.1080/25765949.2020.1808375>
  45. Tore Hoel and Jon Mason, (2018), Standards for smart education – towards a development framework, *Smart Learning Environments* 5:3.
  46. Tripathi, S. K., & Amann, W. C. (2020). COVID-19 and Higher Education: Learn to be open to creating the education of the future. United Nation. <https://academicimpact.un.org/content/covid-19-and-Higher-education-learning-unarn-create-education-future>
  47. TDT Vu, DTN Huy, NTH Trang, NN Thach. (2021). [Human Education And Educational Issues For Society And Economy-Case In Emerging Markets Including Vietnam](#), *Elementary education Online* 20 (2)
  48. VTT Dung, DTN Huy, NN Thach, NT Thuy. (2021). [Enhancing the capabilities of students after graduation-a case study at university of economics and business administration-thai nguyen university, vietnam](#), *Elementary education online* 20 (4), 592-592
  49. UNESCO. (2020). COVID-19 impact on education. <https://en.unesco.org/covid19>