IP Survey Results

10 Most Wanted

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Contents

1.   Background

The 10 Most Wanted project develops a game-based approach to crowd-sourcing aspects of curatorial research concerned with the discovery and verification of previously undocumented facts about collection items. As players' contributions in 10 Most Wanted are used to create a publicly available evidence trail for newly discovered facts about collection items, an important research aspect of the project relates to the intellectual property (IP) of user contributions.

Of particular interest in this context are potential user's mental models of ownership and reuse of contributed content and their views on whether informed consent is necessary and how it can be obtained without unduly over-emphasising copyright issues. Answers to these questions directly inform the design of the 10 Most Wanted platform including the presentation and attribution of contributions, the formulation of suitable terms and conditions for the game and the mechanism to obtain informed consent from participants.

This document reports on a survey exploring potential users' views on IP related issues. Assuming a culturally interested target audience for 10 Most Wanted, the survey involved a total of 104 visitor interviews at three different museums and galleries between May and December 2013. Locations includes the Fabrica Art Gallery in Brighton, the Tate Modern in London and Brighton and Hove Museums.

2.   Instrument

The IP related aspects in the survey here were part of a larger study exploring museum visitors' mental models, expectations and preferences when contributing information, comments and feedback to cultural heritage institutions (the complete instrument is available in Appendix A2).

The survey involved structured interviews designed to last between 15-20 minutes. Actual duration of interviews was 26 minutes on average. The interviewer followed a script and note-taking was supported by an interview form. Participants were informed about the context and purpose of the study and signed a consent form before the interview took place.

Interview questions relating to IP issues included:

Q7a   The question explores visitors' views on how content can be used by museums. It presents six specific (fictional) uses of user-generated content and asks participants if it is *"OK for a museum to"* use content in this way. The purpose of this question is to sensitise participants to IP related issues with concrete examples and to find out which aspects of re-use and re-mediation are important to them and why. Standard follow-up questions probed whether it made a difference if the contribution included their name and whether there should be a notice at the point of submission explaining IP issues and possible uses.

Q7b   Following on from specific use cases, this question asks visitors *"Should you have the right to request removal?"* if their contribution were used in any of the ways discussed above. The question shifts the emphasis from fairness and permissibility of potential uses towards ownership of content and rights towards controlling its use.

Q7c   Picking up on the Q7a follow-up question whether there should be a notice at the point of submission explaining IP issues and how content might be used, this question asks participants *" If there was a notice explaining how comments might be used, would that put you off from submitting a comment?"*. The purpose of this question is to assess to what degree participants think of such a notice as informative or as a spoiler of the good-will context in which contributions are made. This question is particularly relevant in the context of games as an activity "connected with no material interest" and "standing quite consciously outside ordinary life"[1] where the artificial context created by the game might be destroyed with a reference to real life IP issues.

Q7d   This question prompts participants to summarise their views discussed in responses to previous questions by asking who in their view *"should own comments submitted to a museum / gallery?"* and who they think *"actually owns comments submitted to a museum / gallery?"*. The purpose of this question is to tease out participants' views on moral and legal ownership of content and whether there is a difference between the two.

In addition to IP related questions, the interview included questions about museum visitors' communication habits during and after visits, their preferences regarding commenting mechanisms, types and meta-information, their expectations regarding the audience, impact, storage and moderation of contributions as well as demographic information.

3   Sampling

As the questionnaire does not aim for quantitative demographic data but instead for qualitative data describing museum visitors' thoughts and attitudes towards contributing content and how this content can be used by the organisation, there is no need for probability sampling. Instead, the survey employs convenience sampling: it includes museums and gallery visitors most easily approached and willing to take part in a structured interview.

This method has several advantages in the context of this study:

- including local and reasonably close museums and galleries as interview locations keeps costs low
- including as many visitors as possible instead of disregarding some for methodological reasons maximises response rates

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[1] Huizinga, J. (1950). Homo Ludens. The Beacon Press, Boston

In order to maximise the range of views and insights, several aspects of the employed (non-probability) sampling method have been informed by common strategies to address biases in probability sampling.

- With respect to coverage[1], a range of different museums and galleries have been selected as they are likely to draw different audiences, including organisations of different sizes and environments (city / metro). Interviews were carried out on different days of the week, including work days, holidays and weekends, which are likely to vary in audience composition.

- The interviewer kept a response tally to document how many visitors were approached and which proportion agreed to take part in the interview[2].

- Visitors attending in groups might be proportionally under-represented in the survey[3] as the interviewer usually interviewed only one group member when approaching groups. While this has no bearing on the validity of the study, which seeks qualitative information instead of representative quantitative results, the information is recorded nonetheless to document the sample composition and support the interpretation and analysis of the collected data.

4. Findings

4.1 Participant characteristics
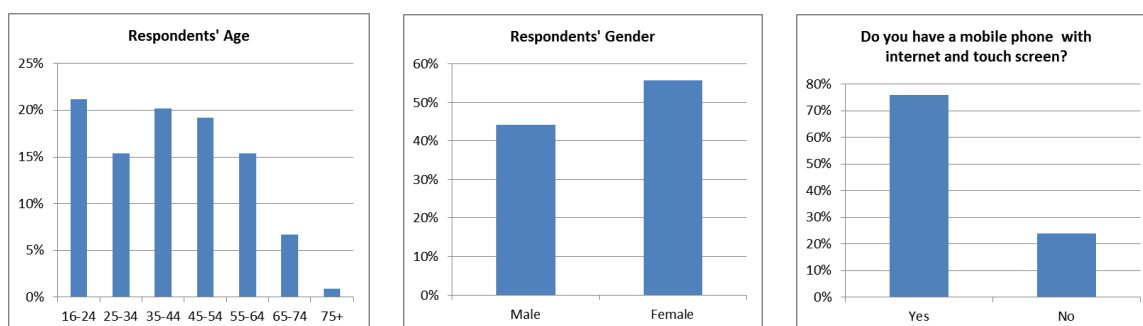
Figures 1, 2, 3: Participants' age, gender and smartphone ownership

Participants in the study were 44% male and 56% female with all age ranges present (Figures 1, 2). A large majority (76%) of respondents own a smartphone with internet access (Figure 3) indicating familiarity with online media and working knowledge of commonly used designs, conventions and interaction patterns on mobile devices and the Web.

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[1] *Coverage bias* occurs when the sample deviates from the population due to differences between covered and non-covered units, e.g. households without telephones are a well-known source of coverage bias in telephone surveys.

[2] *Non-response bias* occurs when the sample deviates from the population due to differences between respondents and non-respondents

[3] *Selection bias* occurs when some units have a differing probability of selection that is unaccounted for by the researcher, e.g. households with multiple phone numbers in a telephone survey.

4.2   Fairness of use

To start off the discussion of IP issues and make the topic more concrete for participants, they were presented with six scenarios of how a museum might use submitted content and asked to answer with Yes or No depending on whether they thought of the use permissible or not. The scenarios were designed to successively push the boundaries with regard to re-mediation and commercialisation to find out where respondents would draw a line (Figure 4).
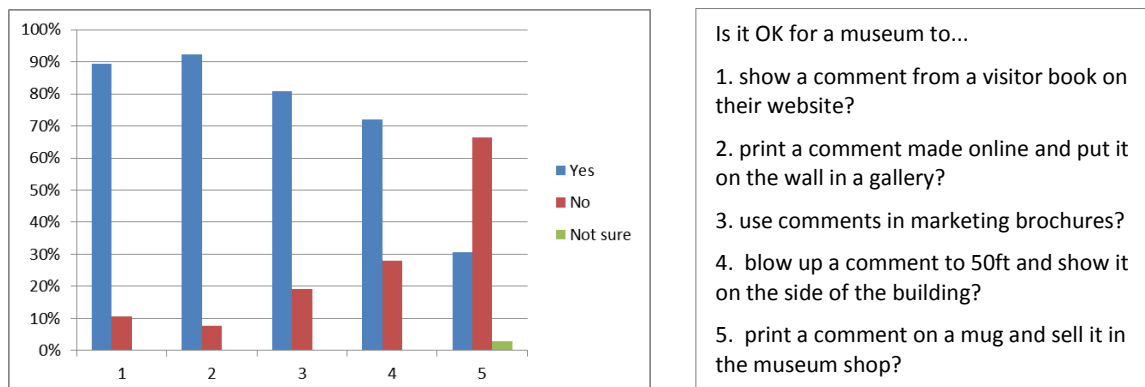

Is it OK for a museum to...

1. show a comment from a visitor book on their website?

2. print a comment made online and put it on the wall in a gallery?

3. use comments in marketing brochures?

4. blow up a comment to 50ft and show it on the side of the building?

5. print a comment on a mug and sell it in the museum shop?

Figure 4: Participants' views on specific scenarios of content uses

The results suggest that while most participants are fine with moderate re-use and re-mediation of content, extreme and unexpected uses that could be seen as exposing the visitor or exploiting the contribution judged more critically. While soft commercialisation in the form of marketing materials is still tolerated by most respondents (79%), downright commercialisation in the form of reproduction on merchandise is seen by the majority of respondents (64%) as crossing a line.
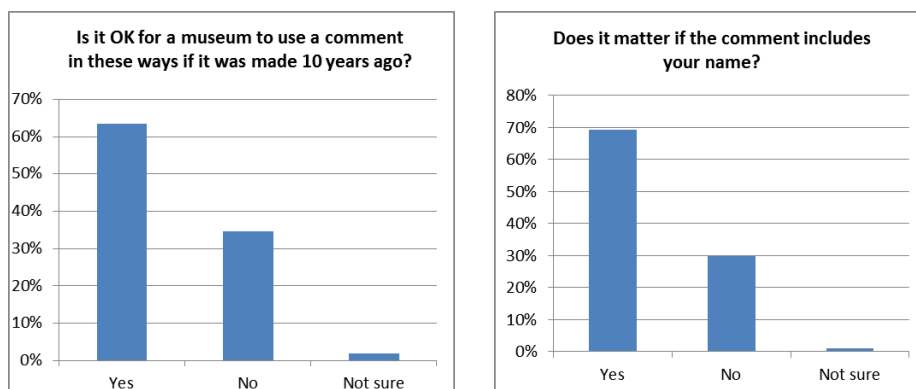
Figures 5, 6: Influence of temporality and attribution

In addition to commercialisation and extreme forms of re-mediation, follow-up questions (Figures 5, 6) reveal other critical factors influencing respondents' views on what constitutes acceptable use of user-generated content.

One factor relates to the temporal context of use, with many respondents expressing surprise at the possibility that contributions could be stored and used many years later. A large proportion of respondents (34%) answered No to the question whether it would be OK to use a comment in the

above ways 10 years after it was submitted, further supported by a significant proportion Yes votes qualifying their answer with the requirement that the contribution must still be relevant (12% of Yes) and used anonymously (27% of Yes).

Another important factor is attribution. 69% of respondents think it matters if a comment is used with the name of the contributor, and 69% [sic] of these point out that all uses including a name require the contributor's prior consent.

In summary, responses suggest four critical factors influencing people's perception of fair use:
- Use of content should relate to the original purpose and time in which it was submitted
- The presentation should be proportionate and not unduly expose the contributor
- Content should be used anonymously unless there is prior consent to use a name
- Commercial uses always require the contributor's express consent

Open comments (see Appendix A.1.1) broadly support these findings, with many respondents appealing to common sense and arguing that comments should be used with "decency" and "honesty" in the context they were contributed.

A significant proportion of comments take a pragmatic stance, suggesting that people submitting content in a public space should know that they cannot control how it is used and in fact might like the idea of their contribution acquiring some sort of fame when published by the museum.

Consolidating these positions, some respondents suggest a 3-tiered system where basic and anonymous uses of comments are fine, uses out of context or including a name require consent and commercial uses require express permission (in addition to ordinary consent).

4.3   Informed consent

Informed consent was mentioned by many respondents when discussing how content can be used by the museum and the interview naturally moved on to the question how organisations can inform contributors and obtain their consent, and whether this potentially would have a negative effect on participation by turning a "spur of the moment" contribution into a contractual interaction (Figures 7, 8).
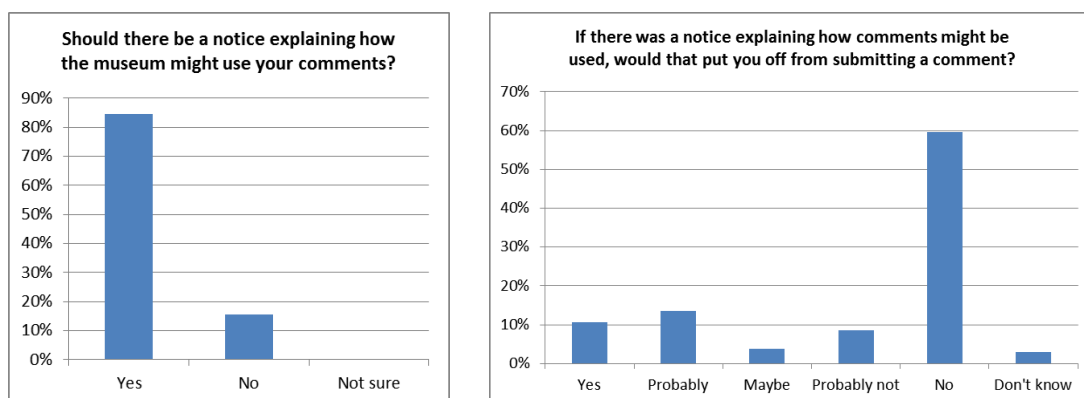
Figures 7, 8: Visitors' views on informed consent and potential effects on participation

A vast majority of respondents (84%) agreed that there should be a notice at the point of submission explaining how comments might be used by the museum. With respect to the content and style of such a notice, open comments (Appendix A.1.2) indicate that respondents are aware of the trade-off between keeping the notice brief enough to be read and understood yet detailed enough to be meaningful and comprehensive, with one interviewee suggesting that the notice should explain possible uses *"not in every detail, but details must be available somewhere"*.

The main argument of respondents who think there should be no notice informing contributors (16%) was that the commenting process should be enjoyable and not overloaded with complicated details or turn into an explicit contract.

Regarding potential effects on the user experience when putting up a notice of terms, a follow-up question asked interviewees whether it would put them off from submitting a comment. The majority of respondents answered No (60%) or Probably not (9%) to this question. Of these, a significant proportion (10%) point out however that a notice might put off others, suggesting awareness of potential negative effects on the user experience. Balancing this view, however, the same percentage (10%) suggest that a notice might encourage contributions as it clarifies IP issues and shows consideration on the museum's part (see Appendix A.1.4).

4.4   Ownership

Following on from sensitising questions about fairness of use and informed consent, interviewees had an opportunity to summarise their views on IP issues in a two-part question asking who should own comments submitted to a museum and who they think actually owns them. The results suggest a marked difference between respondents views on moral ownership and their conceptions of current realities in legal ownership (Figure 9).

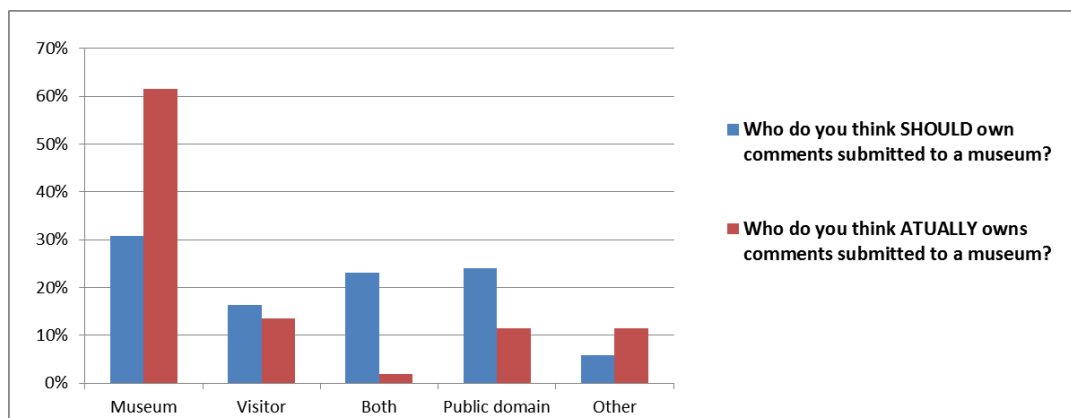*Figure 9: Visitors' views on moral ownership and current realities in legal ownership*

While only 31% of respondents think that submitted comments should be owned by the museum, 62% think that the museum has actual ownership. Even more pronounced, 23% of respondents think that ownership of content should be shared between the museum and the contributor, but only 2% think that ownership is actually shared.

These differences suggest that respondents see ownership of content unjustly skewed towards the museum and that there is a perceived gap between moral and legal ownership.

Taking into account open comments for additional detail (Appendix A.1.5), the results also hint at a perceived power differential between individual and organisation, especially when content is submitted through a medium that is owned or controlled by the organisation. Many respondents argue that because the medium is owned by the museum, it automatically owns the content contributed via that medium.
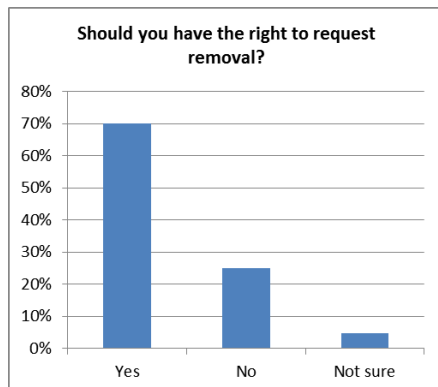

Figure 10: Visitors' views on right to request removal

Regardless of actual ownership, many respondents think that visitors should have a say in how their comments are used and link the issue to informed consent and fair use. A clear majority of respondents (70%) think that contributors should have a right to request removal of their content if they are not happy with the way it is used. Even though open comments (see Appendix A.1.3) suggest that 19% of those who answered Yes to this question think that this right is forfeited if prior consent was given and 7% think that this right should only apply if the comment includes a name, this still leaves a substantial majority of respondents who, regardless of legal ownership, prior consent or attribution would like to see contributors to have more control over how their content is used.

5.   Summary and conclusions

In order to inform how 10 Most Wanted addresses IP related issues when collecting, using and attributing user-generated content, a survey was carried out involving museum and gallery visitors as a representative demographic for the likely target audience of the game. As part of a larger study into visitors' expectations, preferences and mental models when contributing content in museums and galleries, the survey involved 104 structured interviews carried out at Fabrica Art Gallery, Tate Modern and Brighton and Hove Museums.

Participants answered a range of questions covering fairness of use, informed consent and ownership of user generated content. Questions were designed to first sensitise interviewees to IP related issues through a series of increasingly controversial use scenarios before discussing

their views on the necessity and user experience of obtaining consent and probing whether there is a perceived gap between moral and legal ownership of contributions.

With regard to the acceptability of different use scenarios, results suggest that while some participants accept that they cannot control the use of content submitted in a public space, most participants' judgement of what constitutes acceptable use depends on four critical factors:

1. Use of content should relate to the original purpose and time in which it was submitted
2. The presentation should be proportionate and not unduly expose the contributor
3. Content should be used anonymously unless there is prior consent to use a name
4. Commercial uses always require the contributor's express consent

With regard to informed consent, the results give a clear mandate for a notice at the point of submission explaining how content might be used by the museum. The majority of respondents think that a notice would not put them off from submitting content, however, many pointed out that it would make them more cautions, that they possibly would withhold their name or that they might not contribute if they did not agree with the terms of the notice. Interestingly, several respondents thought that while a notice might not put off themselves, it might put off others, indicating that they were aware of its potential to spoil the user experience.

With regard to ownership, the survey found a large gap between perceived moral and legal ownership of user-generated content, with many participants seeing ownership unjustly skewed towards the museum. Furthermore, participants' answers hint at a perceived power differential between individual and organisation as the medium through which content is submitted is usually owned or controlled by the organisation.

The fact that only few participants thinks that legal ownership of content lies with the contributor, while a large majority thinks they should have a right to request removal if they don't agree with the use of their contribution, indicates that projects relying on user-generated content might be well advised to agree mutually acceptable terms that go beyond current copyright legislation and respect participants wish for co-determination, or at least a veto, in how their content is used.

The results have several implications for 10 Most Wanted:

- The workflow of turning user-generated content into evidence trails for meta-data about collection items must ensure that contributions are only used in context and be careful not to include attributions without consent.
- The project must ensure that there is a definite check point when submitting comments, where participants are informed about IP issues and how their content will be used. It is important that this information strikes a balance between simplicity and detail.
- The project should make explicit guarantees towards content ownership and use in its terms of use. Terms should be based on participants' views on moral ownership where possible to redress the perception of ownership being unjustly skewed towards the museum.

With regard to addressing the perceived power differential between individual and organisation based on the ownership of the medium through which content is submitted, the project is well advised to experiment with public platforms that are not under its control.

A.   Appendix

A.1   Open Comments Analysis

A.1.1   General comments on Q7.a.1: Is it OK for a museum to …

In the end you write a comment for people to see it

Basically, comments are there for other people to see

Generally: name included -> need permission; commercial uses -> need permission; extreme uses -> need permission

Generally: name included -> consent; commercial uses -> consent + exp. permission; extreme uses -> consent

Extreme uses (marketing / blow up / print on mug) need extra permission in addition to accepting the Terms & Conditions

Blow up / print on mug / 10 years old -- always needs express permission in addition to consent from notice. Handwriting is mine (feels weird to blow up and show publicly). Purpose is feedback, not advertisement.

Most people see comments as a one-to-one with the artist

[1-2] should be notice explaining use; [3-6] need explicit permission, but not sure how they could get that

In the end it's just a comment, but things are different if somebody exploits it.

Main thing is not having my name on it.

Generally, privacy is overrated in a museum context. Of course one has to be careful with underage / vulnerable people, but generally I see no problems disclosing names / identities

If there is a name, [they] can contact the author and ask if it is OK to use in this way.

All comments should have name/identity attached; makes people think twice about posting offensive/bland comments; e.g. like on Quora (reputation)

Also depends on organisation, e.g. entry to Tate is free, the money has to come from somewhere

Comment not made for marketing, should be used to inform how to make the exhibition better

If you write in a public forum [like a museum] you automatically wave rights, lose all control

Comments made in-situ are more reliable because the person is actually there. If online, it can be anyone, like 3rd person, just writing something.

Should ask for consent first, e.g. put up a notice

People like opinions to be valued, might like it being published.

I would see it as a chance of fame if my comment is published

Digital world is public: can use comments elsewhere

I don't think comments are valued enough (at the moment), they are not used to their full potential

Comment should stay in context

Comment is made in context, should not be reused

Might need permission for some uses?

OK to use comments in these ways if relevant, qualified, true connection

Once you make a comment it's out there

Cannot take comment out of context, honest use

Comments should be handled decently

xxx   Many respondents take the stance that people commenting in a public space know that they cannot control how the comment is used and in fact might like the idea of their contribution acquiring some sort of fame when published by the museum.

xxx   Some respondents suggest a staggered system where basic anonymous uses of comments are fine but consent is required if a comment includes a name or if it is used out of context and express permission (in addition to consent) is required for commercial uses.

xxx   Many respondents appeal to common senses and argue that comments are made in a certain context and should be used with "decency" and "honesty".

A.1.2   General comments on Q7.a.6: Should there be a notice explaining how the museum might use your comments?

[Yes] the notice needs to be explicit, e.g. "it might be used on a mug, poster, website,…"
[Yes] Once you make a comment you opt in.
[Yes] Brief, not too much detail
[Yes] Not necessary but would be nice
[Yes] although most people will know (when they make a comment publicly in a museum) that
        they loose control of it
[Yes] something like: "If you put in a name we contact you if we use it for…"
[Yes] there should be a global standard for that
[Yes] if the museum want s to use comments in these ways
[Yes] not in every detail, but details must be available somewhere
[Yes] but nobody would read it
[No] don't overweight the commenting process
[No] People do know what happens to comments
[No] no notice, too complicated, off-putting
[No] not necessary, people should know anyway
[No] not needed
[No] should be enjoyable, no explicit contract

xxx   Some open comments from respondents who think there should be a notice explaining how comments might be used by the museum suggest they are aware of the trade-off between keeping it brief enough to read and detailed enough to be meaningful, with one respondent saying that the notice should explain possible uses "not in every detail, but details must be available somewhere".

xxx   The main argument against a notice explaining possible uses of comments was that the commenting process should be enjoyable and not overloaded with complicated details and an explicit contract.

xxx   Respondents in both camps, for and against putting up notices explaining possible uses of comments, point out that people should know anyway that they lose control of their contribution when commenting in a public space. However, while one side uses this as an

argument against notices, the other argues that it would be a nice gesture to put up notices even if not strictly necessary.

A.1.3 General comments on Q7.b: Should you have the right to request removal?

[Yes] You should be able to retract comments just as easy as you put them down
[Yes] Yes, if no explicit permission was given
[Yes] Not if consent was given
[Yes] Or negotiate profit share
[Yes] Yes, if with name; No, if anonymous
[Yes] potential customer: I would take it down
[Yes] Not if consent was given.
[Yes] Not if consent was given.
[Yes] If they can prove authorship
[Yes] Not if there's a notice / consent
[Yes] Should have right to get paid if comment is used in these ways!
[Yes] But might be difficult to prove authorship
[Yes] Copyright law: IP
[Yes] Only if comment is with name and there was no consent given
[Yes] Not if permission was given; otherwise, museum wants to keep visitor happy so they will
        remove it if someone asks.
[Yes] Not if permission was given
[Yes] If not agreed to that use before
[Yes] If with name
[Yes] But may not be able to prove ownership
[Yes] If includes name (copyright)
[Yes] Guess they would ask for permission first
[Yes] Not if there's a notice explaining use
[Yes] Not if there's a notice explaining use
[Yes] Not if there's a notice explaining use
[Yes] Not if there's a notice explaining use
[Yes] If with name; no if anonymous
[Yes] Not if there's a notice explaining use

[No] Should think about what you write in first place
[No] Anonymous: no; with name and no consent: yes
[No] People might falsely claim authorship to get rid of comments they don't like
[No] If there is a notice, you give permission when commenting. Should have option to be
        credited.
[No] If you put the comment out there (and there is a notice explaining possible uses) then you
        implicitly give permission.
[No] Not if comments are anonymous or if permission was given. But museums should take
        requests seriously.
[No] Not for anonymous comments or if consent was given
[No] Yes, if with name/signature; No, if anonymous
[No] Hard to prove ownership without name

[Not Sure] Yes: if with signature; No: if anonymous

[Not Sure] Yes: if use was not explained; No: if there was a notice
[Not Sure] No if consent given / notice / anonymous; Yes if extreme uses and no consent given
[Not Sure] No if consent was given; Yes if no was consent given
[Not Sure] Not if consent was given. otherwise: comment was made publicly; don't know; grey area

> **xxx** A large proportion of respondents think that visitors should have a right to request removal in principle, but that this right is forfeited if prior consent to the use of their comment was given either explicitly or implicitly by accepting the terms and conditions displayed on a notice where comments are submitted.
>
> **xxx** A significant proportion of respondents think that a right to request removal should only apply to comments that include a name but not to anonymous comments.
>
> **xxx** Several respondents point out that it might be difficult to prove ownership of comments when requesting removal.

A.1.4   General comments on Q7.c: If there was a notice explaining how comments might be used, would that put you off from submitting a comment?

[Yes] If I knew the comment was used 10 years down the line I would never write anything
[Yes] Ruins experience
[Yes] Would be more careful
[Probably] Depends on content of notice
[Probably] Depends on notice; most people don't care
[Probably] Yes, maybe
[Maybe] Could do for some
[Maybe] Would make me more cautious
[Probably not] But makes me think more about my comment
[Probably not] But would not sign with my name
[Probably not] I'm quite frank with my opinions
[Probably not] Probably would comment anonymously then
[Probably not] Public anyway
[No] But I might not give my name
[No] But I would not comment if I don't agree with it
[No] But might not agree
[No] But might not agree; generally I think it would encourage commenting because you know what happens to them
[No] But might not put my name on it
[No] But would not give name, only initials
[No] Can comment anonymously if prefer; notice might encourage commenting
[No] Clarity might encourage comments
[No] I'd like to know
[No] If worded in the right way
[No] May put off others though
[No] Might be restricted in what you say: tone down
[No] Might change comment

[No] Might change what people say
[No] Might not agree
[No] Might not agree
[No] Might not agree with it
[No] Might not agree with terms
[No] Not me but maybe (hopefully) others
[No] Not me but might others (rightly!)
[No] Not me but might put off others
[No] Not me but possibly would put off others
[No] Not me, but might others
[No] Notice itself would not put me off, but I might not agree with the policy.
[No] Openness encourages comments, shows they have thought about it. Might not agree with
        content of notice.
[No] Shows consideration [on the museum's part]
[No] Would be more careful to write something meaningful
[Don't know] It might limit what you write. I would definitely be more careful
[Don't know] Might not agree with what it says

xxx   While the majority of respondents say that a notice explaining how comments might be
        used by the museum would not (60%) or probably not (9%) put them off from commenting,
        many respondents irrespective of their answer point out that reading the notice might lead
        to them being more careful when commenting, not giving their name when commenting or
        not commenting at all if they don't agree with the terms.

xxx   A significant proportion (10%) of respondents who answered that a notice would not put
        them off commenting point out that a notice might encourage commenting as it clarifies
        copyright issues and shows consideration on the museum's part.

xxx   A significant proportion (10%) of respondents who answered that a notice would not put
        them off commenting point out that it might put off others.

A.1.5   General comments on Q7.d: Who do you think should own comments submitted to a museum / actually owns comments submitted to a museum?

[Museum] and the artist
[Museum] When you write a comment in a book which is owned by the museum you give up
        ownership. Perhaps you should keep ownership of online comments where your handle is
        attached.
[Museum] if consent was given then it's the museum's
[Museum] book / media belongs to museum
[Museum] but there should be a notice explaining this
[Museum] If anonymous [it belongs to the museum]. If with name, still owned by museum but
        visitor has some say on how it is used.
[Museum] comment book belongs to the museum. When you write in it you give the comment to
        them. However, visitors should retain some form of ownership.

[Museum] need permission to use
[Museum] has responsibility and ownership
[Museum] there should be notice explaining this
[Museum] if made clear in notice
[Museum] if there's a notice and the visitor knows
[Visitor] visitors always should have a right to come back [on how their comments are used]
[Visitor] if part of artwork: museum/artist; should be possible for alternative formats to exist
[Visitor] creator decides how it is used
[Visitor] unless stated otherwise in notice
[Both] visitors should have a say in how their comments are used
[Both] and the artist
[Both] physical (book, card) -> museum; digital (web, social) -> visitor
[Both] physical -> museum; IP -> visitor
[Both] Visitor should have some say
[Both] for commercial uses notify commenter and seek permission
[Both] if consent was given
[Public domain] Physically, comments should be owned by the artist / museum
[Public domain] exchange between visitor and institution: open transaction
[Other] with consent -> museum; without consent -> visitor
[Other] if consent was given, then the museum owns it; however, if used commercially then the
        visitor should still have a say
[Other] whoever it is useful for
[Other] anonymous -> museum; with name -> visitor
[Other] Depends on medium: ownership of medium, e.g. Book belongs to the museum therefore
        the comment belongs to the museum; Post-it on wall belongs to the museum.

[Museum] you put it down on paper in their book
[Museum] comment is made on their premises, in their book or on their card, so it's theirs
[Museum] Maybe museum: book is their property
[Museum] Legally, but not morally
[Museum] and the artist
[Museum] It all depends on the situation. There should be a fair use policy that satisfies both
          parties. Also depends on size of the organisation.
[Museum] museum would claim it
[Museum] it's their equipment/media
[Museum] museum owns comment book, their property
[Museum] people should be aware that it's public domain
[Museum] Practically, whoever has the book
[Visitor] because they can always legally fight it on the grounds that they were not properly
          informed [if there's no notice somewhere]
[Visitor] you give a comment openly, but not for marketing/commercial purposes
[Visitor] copyright law: person who writes it
[Visitor] according to US copyright law
[Visitor] liability <-> ownership; visitor might still be liable for what s/he wrote
[Visitor] copyright; but might not be able to enforce it
[Other] I just write a comment in the moment, don't think about these questions. This is the first
          time I heard about ownership of comments.
[Other] anonymous -> museum; name, address -> visitor
[Other] visitor might own IPR but once it's out there it's in the public domain

[Other] museum: physical bit of paper; visitor: IP
[Other] never thought of that; comments are just used, not owned; should ask permission
[Other] nobody owns them; ethical use

xxx   Many respondents think that visitors should have a say in how their comments are used by the museum, regardless of actual ownership, and link the issue to fair use.

xxx   Physicality of medium seems to matter. Many respondents make a distinction between ownership of the medium (museum) and ownership of the IP (visitor). Some respondents argue that because the medium is owned by the museum, it automatically owns content submitted contributed via that medium.

xxx   Many visitors link the museum's ownership of submitted comments to visitors giving their consent when submitting it.

A.2   Survey Instrument

- following pages -

Survey: What happens to visitor comments in museums and galleries?

A survey to find out about museum visitors' mental models, expectations and preferences when submitting comments and contributions to cultural heritage institutions:

Models and Motivations: What happens to a comment submitted to a museum? Who reads it? Does it make a difference?

Conservation: For how long are various forms of comments and contributions kept by the institution?

Accountability: How are decisions made on selecting comments for promotion (e.g. featured by museum) or demotion (e.g. censored)? Who is involved in these decisions?

Ownership, IP: Can the museum remediate visitor comments and reuse them in other contexts (e.g. marketing materials)? Have visitors a say in such issues?

Context

Lead researcher: Marcus Winter
Organisation: University of Brighton
Related projects: 1) Digital Signage for Ubiquitous Annotation: Developing Design Principles
                    2) Ten Most Wanted: Complex Game-Based Crowdsourcing for Collections

Note that parts of this document are confidential and not meant for wider distribution. A public version of the complete instrument will be made available after the data analysis and publication of findings.

Checklist

- □   Interview script
- □   Illustration cards
- □   n * Participant Information Sheet
- □   n * Consent Form
- □   n * Survey instrument
- □   Location description form
- □   Response tally form
- □   Contact form
- □   Name tag, cards
- □   Clipboard, Pens
- □   Folder to collect interview notes

What happens to visitor comments in museums and galleries?

Researcher: Marcus Winter

Project Title: Digital Signage for Ubiquitous Annotation: Developing Design Principles

Invitation

You are being invited to take part in a research study. Before you decide it is important for you to understand why the research is being done and what it will involve. Please take time to read the following information carefully. Talk to others about the study if you wish.

Please ask the researcher if there is anything that is not clear or if you would like more information. Take time to decide whether or not you wish to take part.

What is the purpose of the interview?

The research develops new technologies that can be used by museums visitors to comment on artworks and exhibits. To inform the design process, we need to learn what museums visitors think of existing commenting mechanisms such as visitor books and comment cards.

Why have I been chosen?

You are being asked to take part in the research because you are visiting a museum and might have views on commenting mechanisms in such places.

Do I have to take part?

It is up to you to decide whether or not to take part. If you do, you will be given this information sheet to keep and be asked to sign a consent form. You are still free to withdraw at any time and without giving a reason.

What will happen to me if I take part?

If you agree to take part, you will be asked to answer some questions about to your thoughts and experiences with commenting mechanisms used in museums and galleries.

The interview will take about 15-20 minutes.

What are the possible disadvantages and risks of taking part?

The interview does not involve any risk of physical or mental harm.

What are the possible benefits of taking part?

There are no immediate benefits for you when taking part in the interview. However, you might find the experience interesting and, if you wish, will be notified about results of the study.

What will happen if I don't want to carry on with the study?

You are free to withdraw from the interview at any time without giving any reason. Any information you provided before your decision to withdraw will be deleted.

Will my taking part in this study be kept confidential?

All information collected in this interview will be kept strictly confidential.

The data will be stored in a secure area and not be made available outside the context of this research. It will be held as long as necessary for the research and destroyed thereafter.

What will happen to the results of the research study?

Results of the research may be presented at academic conferences and in academic journals. In some cases the researcher may wish to include verbatim quotes in reports or publications. If this is the case, quotes will be anonymous and you will not be able to be identified.

If you wish to be notified about results, please get in touch with the researcher, who will be happy to provide you with copies of published materials.

What if there is a problem?

If you have any problems or complaints regarding the research you may want to discuss them in first place with the researcher.

If you are not satisfied that your concerns are dealt with appropriately, please contact the Doctoral College Centre for Science and Engineering at the University of Brighton.

<u>**Contact Details**</u>

Marcus Winter (Researcher)
602 Watts Building, Moulsecoomb, Brighton BN2 4GJ
telephone: +44 (0)1273 642476
email: marcus.winter@brighton.ac.uk

Doctoral College Centre for Science and Engineering
211 Mithras House, Moulsecoomb, Brighton BN2 4AT
telephone: +44 (0)1273 641104 or 641105 or 641108
email: s.jenkins@brighton.ac.uk

Consent Form

What happens to visitor comments in museums and galleries?

Researcher: Marcus Winter

Project Title: Digital Signage for Ubiquitous Annotation: Developing Design Principles

<u>Consent</u>

1. I agree to be involved in this research which investigates design aspects of dynamic touchpoints for attaching digital information to physical objects. I give my permission for the researcher to use excerpts from the interview for his research.

2. The researcher has explained the research to my satisfaction. I have been informed of the nature and purposes of the study and have read the information sheet. I understand the principles and processes of the study.

3. I am aware that I will be asked to take part in an interview discussing my views on commenting systems in museums and galleries.

4. I understand that my personal details will remain confidential. Data will be stored in a secure area, not be made available outside the context of this research and will be held only as long as necessary for the research.

5. I understand that my participation is voluntary and that I am free to withdraw at any time without giving any reason.

6. I understand that the data collected will be used as part of a research project. I understand that results of the research might be presented at academic conferences and in academic journals.

7. I agree to take part in the above study.

_____   _____   _____
Name of Participant   Date   Signature

_____   _____   _____
Name of Person taking consent   Date   Signature
(if different from researcher)

Marcus Winter
_____   _____   _____
Researcher   Date   Signature

Interview Script

1. Hello I'm from the **University of Brighton**,   [follow sampling method]
   would you have a few minutes to answer some questions?

   → → →

2. My name is ...

3. I'm working on a **research project** which develops new technologies
   for feedback and commenting in museums and galleries.

4. I'd like to ask you some questions on commenting in museums and galleries.

   It will take about **15-20 minutes**. Would that be ok?

   → → →

5. Do you prefer doing the interview here or would you **rather sit down**?   [if standing...]
   There are some chairs over there...

6. Before we start, I'd like you to **understand** what the research is about.
   - Here's an information sheet and a consent form.   [info + consent form]
   - Please take a few minutes to **read this**; I can read it to you if you prefer.
   - If anything is unclear, **please ask**.
   - If you agree to take part **then sign here**.   [point out where to sign]

7. Thank you!   [check consent form, put away]

   → → →

8. I'd like to **start with a few background questions**...

   ... follow survey instrument...

9. Thank you for your time!   [put away notes]

10. Do you have any **additional comments or questions**?

11. If you'd like to **stay in touch** or get notified about the results of this   [contact form]
    survey, please leave your name and email address here. This is not
    linked to your interview data, which will remains anonymous!

12. Thanks again!   [participant leaves]

    → → →

13. Go over notes immediately, fill in blanks

14. Update response rate tally

1) Background   "I'd like to go over the first part quite quickly..."

a) What brought you here today?

□ facilitator   □ explorer   □ professional/hobbyist   □ recharger   □ experience seeker

b) Do you often visit places like this? How often on average?

___ per week   ___ per month   ___ per year | every _____ weeks / months / years

c) Do you usually come on your own or with friends or family?

□ own   □ friends or family   □ both

d) Do you read labels for exhibits that interest you?

□ always □ often □ sometimes □ rarely □ never

e) Do you talk with friends or family about the exhibition ...

... while in the exhibition space?	□ always	□ often	□ sometimes	□ rarely	□ never
... afterwards (e.g. in museum's cafe)?	□ always	□ often	□ sometimes	□ rarely	□ never
... later on (e.g. evening or following days)?	□ always	□ often	□ sometimes	□ rarely	□ never

f) Do you talk with other visitors in the museum about the exhibition?

□ always □ often □ sometimes □ rarely □ never

g) Do you talk with museums personnel (if present) about the exhibition?

□ always □ often □ sometimes □ rarely □ never

h) Do you tweet, blog or otherwise talk online about the exhibition...

... while in the exhibition space?	□ always	□ often	□ sometimes	□ rarely	□ never
... afterwards (e.g. in museum's cafe)?	□ always	□ often	□ sometimes	□ rarely	□ never
... later on (e.g. evening or following days)?	□ always	□ often	□ sometimes	□ rarely	□ never

□ only if the social channel is advertised somewhere   □ I don't have a smartphone

□ only if free WiFi available   □ I'm not into this, it's a generation thing

2) Preferences - mechanisms   [show illustration cards]

a) Which of these **commenting mechanisms** ...

... have you **seen or heard of** before?

□ visitor book □ comment card □ feedback board □ feedback screen □ website □ social media

... have you **used** before?

□ visitor book □ comment card □ feedback board □ feedback screen □ website □ social media

b) Are you aware of **any other** commenting mechanisms?

c) Which of these mechanisms do you **prefer and why**?

□ visitor book □ comment card □ feedback board □ feedback screen □ website □ social media

Is that the same for reading comments / making comments yourself?

3) Preferences - content   [show comment types]

a) Which **type of comment** ...

... would you be most interested to **read**?

□ greetings   □ feedback   □ interpretation   □ contribution

... would you be most likely to **make yourself**?

□ greetings   □ feedback   □ interpretation   □ contribution

b) When reading a comment, would you be interested in the commenters ...

□ name   □ username   □ age   □ gender   □ background knowledge   □ other:

c) When commenting yourself, would you be willing to give your ...

□ name   □ username   □ age   □ gender   □ background knowledge   □ other:

d) If there is an opportunity, do you **actually** tend to ...

... read visitor comments?

□ always   □ often   □ sometimes   □ rarely   □ never

... write comments yourself?

□ always   □ often   □ sometimes   □ rarely   □ never

4) Audience and Impact

a) When someone submits a comment, who do you think **should read it**?

□ director □ senior curator □ junior curator □ panel/team □ artist □ other visitors

Do you think that's what **actually** happens?

b) Do you think comments make a difference? Do they have an **impact**?

5) Conservation   "OK, we're half way through"

a) For how long do you think museums **should keep comments** in ...

... book format (visitor book)   □ indefinitely   □ ex. end   □ for:
... loose paper format (cards, post-it notes)   □ read + bin   □ ex. end   □ for:
... digital format (feedback screen, website)   □ indefinitely   □ ex. end   □ for:

If you would venture a guess, for how long do you think comments are **actually** kept?

... book format (visitor book)   □ indefinitely   □ ex. end   □ for:
... loose paper format (cards, post-it notes)   □ read + bin   □ ex. end   □ for:
... digital format (feedback screen, website)   □ indefinitely   □ ex. end   □ for:

b) Do you think comments made in paper/book format are converted to a **digital format** at some point?

□ yes □ probably □ don't know □ probably not □ no

c) When someone posts on the museum's social network site or uses the museum's @handle or #hashtag, do you think those comments are **harvested and archived** by the museum?

□ yes □ probably □ don't know □ probably not □ no

6) Accountability   [point out pre- / post-moderation mechanisms]

a) Do you think museums sometimes **suppress** or **remove** comments and feedback?

□ no   □ yes

What do you think would be museums' **criteria for suppressing**/removing comments?

□ offensive □ reflects negatively on museum □ overly critical □ wrong □ irrelevant □ trivial

Do you think that is OK?

---

b) What would be good **criteria for promoting** / featuring comments?

□ stimulating   □ alternative viewpoint   □ constructive criticism
□ provoking discussion   □ new information   □ reflect positively on museum
□ of value to other visitors

---

c) Who do you think **decides** whether comments get censored/removed/promoted?

□ director   □ senior curator   □ junior curator   □ panel/team   □ artist   □ other visitors

Do you think that is OK?

---

d) What happens to comments that are removed or not shown?

□ deleted   □ kept in special folder   □ same as other comments   □ don't know

7) IP / Ownership   "OK, we're on the last page now"

a) Is it OK for a museum to ...

[1] show a comment from a visitor book on their website?   y | n
[2] print a comment made online and put it on the wall in a gallery?   y | n
[3] use comments in marketing brochures?   y | n
[4] blow up a comment and show it on the side of the building?   y | n
[5] print a comment on a mug and sell it in the museum shop?   y | n
[6] use a comment in these ways if it was made 10 years ago?   y | n

□ not if it includes my name / if I can be recognised
□ there should be a notice when you submit the comment that it might be used like this

b) Should you have the right to **request removal**?

□ yes   □ no   □ depends:

c) If there was a **notice** explaining how comments might be used, would that put you off from submitting a comment?

□ yes   □ probably   □ don't know   □ probably not   □ no   □ depends:

d) Who do you think ...

... **should own** comments submitted to a museum / gallery?

□ museum   □ visitor   □ both   □ comment is in public domain

... **actually owns** comments submitted to a museum / gallery?

□ museum   □ visitor   □ both   □ comment is in public domain

8) Demographics   "Just some demographic information"

a) Gender	□ Female □ Male □ Other
b) Age	□ 16-24 □ 25-34 □ 35-44 □ 45-54 □ 55-64 □ 65-74 □ > 75
c) First language	□ English □ Other:

d) Do you have a mobile phone with internet and touch screen?	□ Yes □ No
e) Do you have any inside knowledge of museums or galleries?	□ Yes □ No

Sampling Method

As the survey does not aim for quantitative demographic data but instead for qualitative data describing museum visitors' thoughts and attitudes towards commenting, there is no need for probability sampling. Instead, the survey employs in-situ **convenience sampling**: it includes museums and gallery visitors most easily approached and willing to take part in a structured interview.

This method has several advantages in the context of this study:
- focusing on local or reasonably close museums and galleries keeps costs low
- including as many visitors as possible instead of disregarding some for methodological reasons maximises response rates

In order to maximise the range of views and insights, several aspects of the employed (non-probability) sampling method have been informed by common strategies to address biases in probability sampling.

With respect to coverage[5], a range of different museums and galleries have been selected as they are likely to draw different audiences, including organisations of different sizes and environments (town, city, metro). Surveys are carried out on different days of the week, including work days, holidays and weekends, which are likely to vary in audience composition. In addition, interviewers record weather conditions as they might influence some audience segments' inclination to visit or not.

With respect to visitor sampling, interviewers keep a response tally to document how many visitors were approached and which proportion agreed to take part in the interview[6]. As interviewers are equally likely to approach individuals and groups (while usually interviewing only one group member), visitors attending in groups might be proportionally under-represented in the survey[7]. While this has no bearing on the validity of the study, which seeks qualitative information instead of representative quantitative results, the information is recorded nonetheless to document the sample composition and support the interpretation and analysis of the collected data.

Guidelines for interviewers:

- Only approach visitors 16 years and older. If in doubt, ask!

- Approach as many visitors as possible

- If there is a choice, try to balance between

  - male/female,

  - individuals/groups

  - across different ages

- Keep a response tally

---

[5] *Coverage bias* occurs when the sample deviates from the population due to differences between covered and non-covered units, e.g. households without telephones are a well-known source of coverage bias in telephone surveys.

[6] *Non-response bias* occurs when the sample deviates from the population due to differences between respondents and non-respondents

[7] *Selection bias* occurs when some units have a differing probability of selection that is unaccounted for by the researcher, e.g. households with multiple phone numbers in a telephone survey.

Location Description

Briefly describe the location in which the survey is carried out. **Take some photographs**!

Museum/Gallery name:

Type:	museum	|	art gallery	|	mixed
Size:	small	|	medium	|	large
Activity:	quiet	|	medium	|	busy
Environment:	town < 50k	|	city < 500k	|	metro

Date :

Day of week: Mo | Tue | Wed | Thu | Fri | Sat | Sun

Holiday   □ public   □ school

Weather: □ sunny   □ fair   □ cloudy   □ misty   □ rainy   □ windy   □ warm   □ cold

This is usually a   □ busy day   □ average day   □ quiet day   [ask museum employees]

Start time:

End time:

Description of the location:

Response Rate Tally

Keep track of the number of people approached, declined etc. Use ⊥⊦⊦ ||

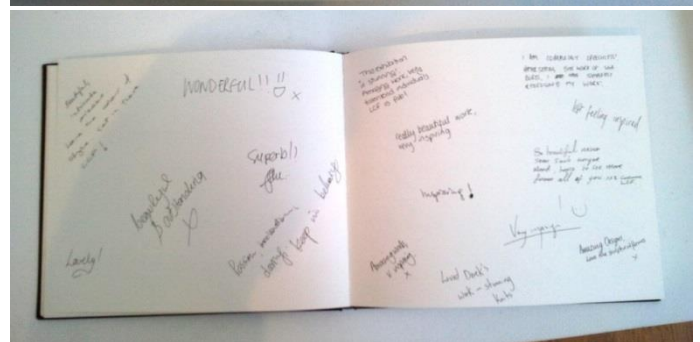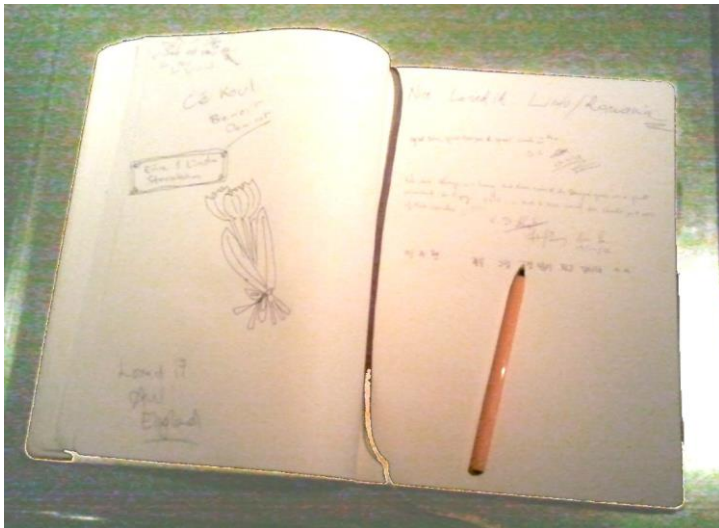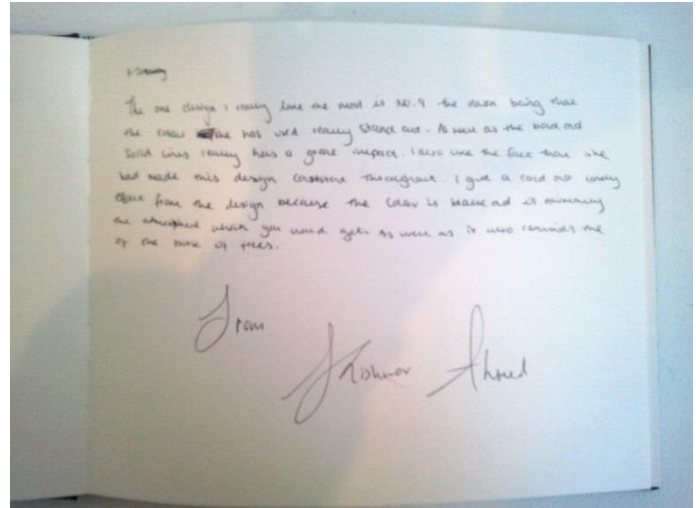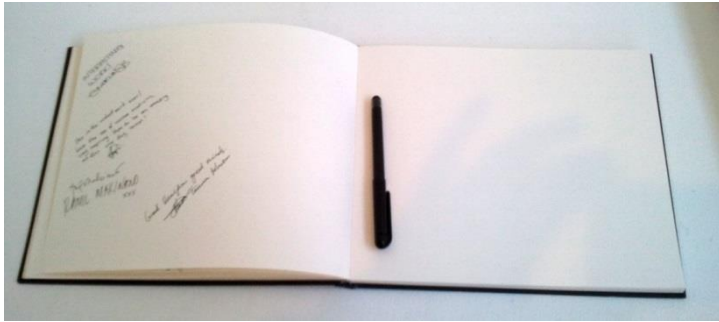| Approached by the researcher: |
| |
| Listened to verbal explanation: |
| |
| Read information sheet: |
| |
| Signed consent form: |
| |
| Completed interview: |
| |
| Offered contact details for follow-up: |
| |

Contact Form
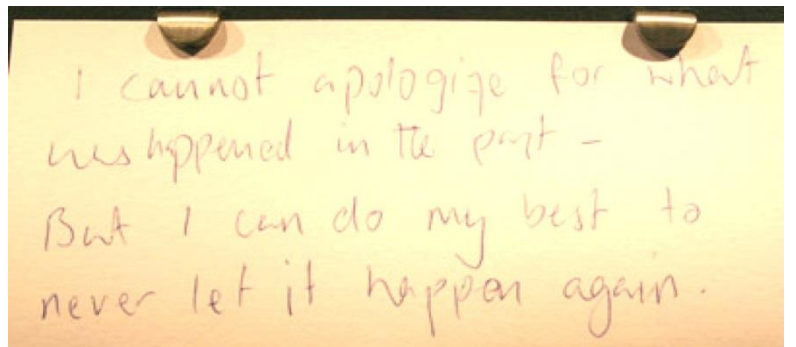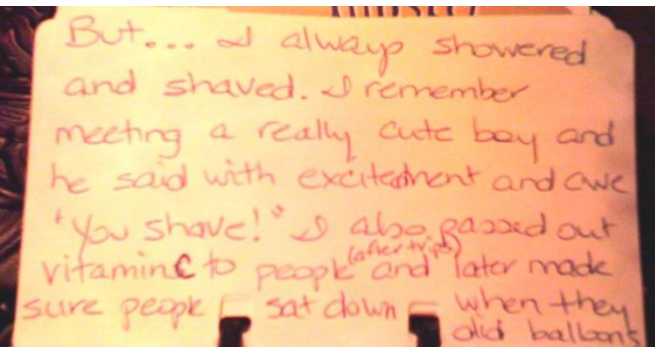
If you'd like to stay in touch / receive results

Name	Email

Comment Book

Comment Cards

Feedback Boards

But... I always showered and shaved. I remember meeting a really cute boy and he said with excitement and awe 'you shave!' I also passed out vitamin C to people (after trips) and later made sure people I sat down - when they did balloons

I cannot apologize for what was happened in the past - But I can do my best to never let it happen again.
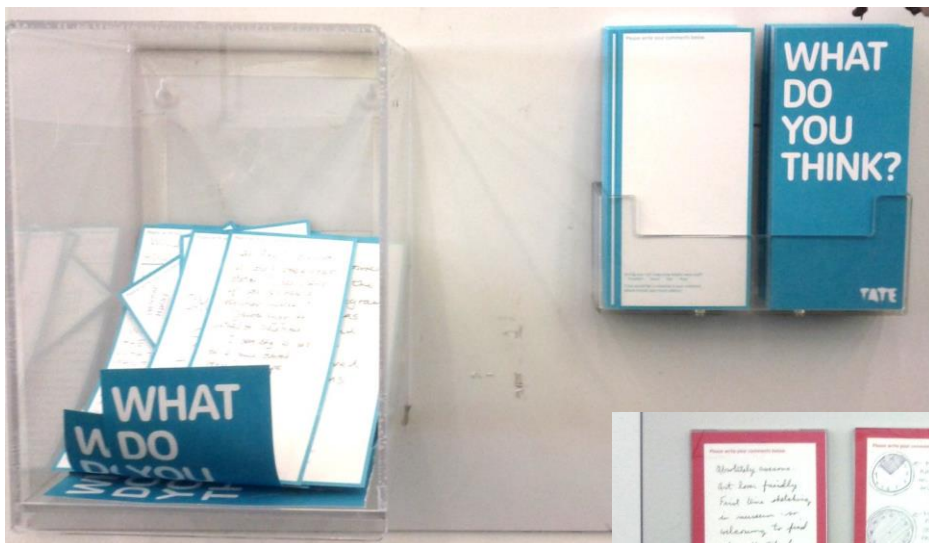
Online Comments

Bush TV22 Bakelite Television Set

What it may have looked like back in the early 50s, watching Queen Elizabeth II's coronation on one of the most popular early television sets. This event

Queen Elizabeth II's coronation was watched on television by around 20 million people in the United Kingdom. It was one of the first mass media events.

Credits:
Image ©Michael Bennett-Levy, Early Technology
Video used under permission from YouTube user 'Medeasbiggestfan'.

created by NationalMuseumsScotland

post comment

There are no comments

I bought this phone when I was on parental leave, via ebay from the US. It was my second mobile phone ever (after a Siemens ......
13 comment(s) created by domeiot2010   . . . See More

I'm thankful for my ukulele because it gives me something to do when I'm bored. I'm also thankful for it because I can play Somewhere ......
11 comment(s) created by pegasusxing   . . . See More

Bye Kerstin! We'll miss ya!...
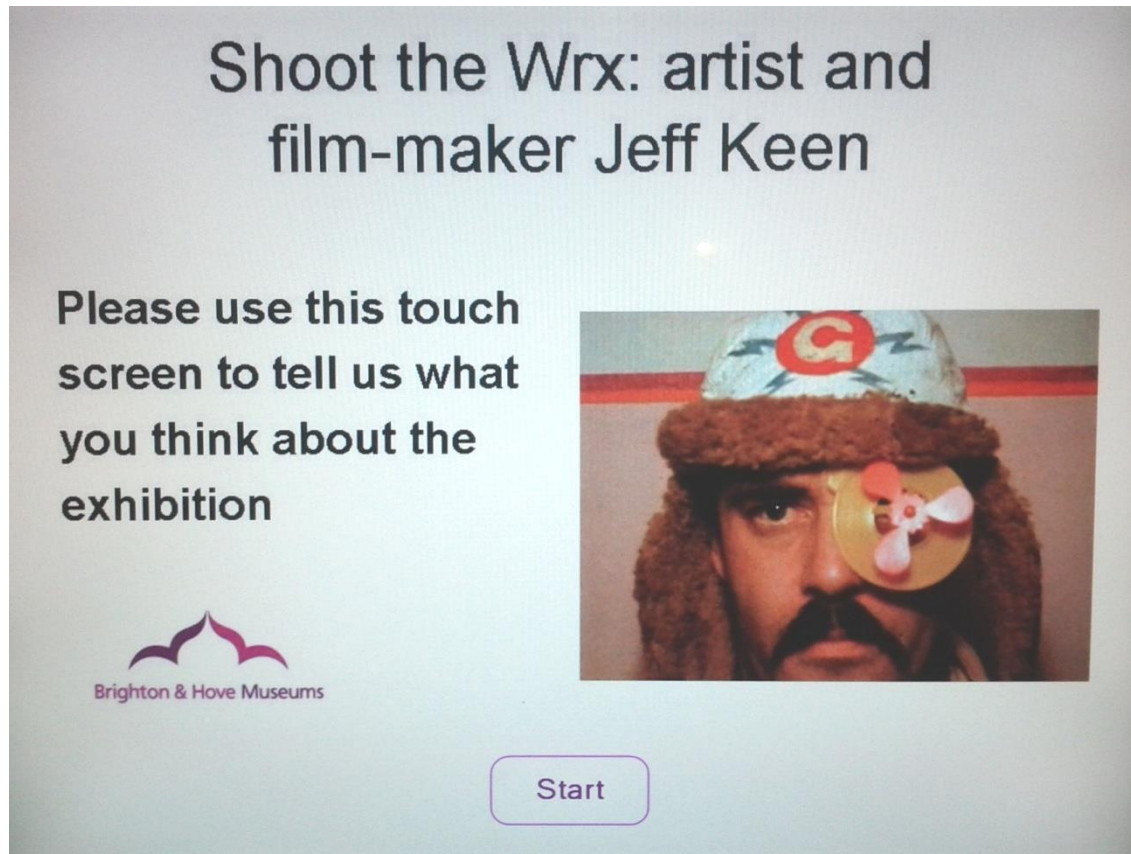6 comment(s) created by priory1   . . . See More

This is Mary's scarf. Mary is my 4 year old daughter. Every morning there is a rush in our house to get a scarf or ......
6 comment(s) created by domeiot2010   . . . See More

Connecting "real world objects" to "cyber world info" :-) This is an example of how each bus stop in the County of Rogaland, Norway, is ......
4 comment(s) created by aejnarr   . . . See More

Feedback Screen

Shoot the Wrx: artist and film-maker Jeff Keen

Please use this touch screen to tell us what you think about the exhibition

Brighton & Hove Museums

Start

Social Network Comments

Science Museum
3 March

He might be 2m tall and be worth $1m, but you can get face-to-face with the Bionic Man here at the Museum http://ow.ly/ibegr

Like · Comment · Share   45

Ibrahim Mohamed Elkafoury, Mauro Marmontel and 182 others like this.

Valdir Melo Valdir que coisa orrivel nunca vai ser feito da mesma maneira que o criador faz
See Translation
3 March at 04:31

Giuseppe Iannoni It looks like there is still a lot to be done.
3 March at 04:33 · 1

Phyll Smith 1 million to build an artificial Sean Lock. You could have had the real one for a tenner...
3 March at 04:39

Fajar Riyanto I'm sure he would not be ill, can not feel love, never hungry. Hahaha...! 😐
3 March at 04:40

Erin @erinatx   Feb 27
Why don't more museums do this? RT @MuseumPlanning: Love it!
Speed Dating at **Science Museum** London @sciencemuseum,
buff.ly/13kZEaK
Expand

Mar @MarDixon   Mar 6
Finally seeing Bionic Man before heading to Museum Showiff w
@w_stanley. (at @sciencemuseum w/ 7 others) [pic]:
4sq.com/ZqjKe1
View photo

martha lane fox @Marthalanefox   Mar 6
Making @r4 prog + am looking at amazing machine Ada Lovelace
worked on - first engine with a memory @sciencemuseum
pic.twitter.com/A03MD9y54X
Expand

Types of Comments in Museums and Galleries

Feedback

"I had a wonderful experience here. Thank you so much!"

"Why do you close so early? We came all the way from Peterborough and only had one hour here."

Interpretation

"Is that art? My 4 year old could have done this."

"I like the vibrant colours in this image. They remind me of the sights, sounds and smells in an Arabian souk."

Contribution

"We bought a lampshade like this in 1968 at Habitat."

"The second person from the left in this picture is my grandfather Jeremy Smith in May 1944 in Lyons."

Greetings

"Stuart was here!"

"Greetings from Abbey, Cathy, Tim, Brandon from Chesterfield, 24 January 2011"

Spam

"F*** everyone!!!!"

"jasdjhkl hlkjhlkn jhcnakdbjnz"

"- / -"