Scanlations: Copyright Infringement for Literature and Art Fans Brought to You by the Internet Part III

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Description
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Scanlations: Copyright Infringement for Literature and Art Fans Brought to You by the Internet Part III

By Nicole Nowlin

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This is the last article of a three part series on scanlations. The project as a whole was fascinating and enjoyable, part of my Berglund Student Fellowship project. Part I provided an overview of scanlations and the copyright issues related to them. Part II covered the users of scanlations, and the authors, artists, and publishers harmed by scanlations. Part III reviews the current issues affecting scanlations in 2010 and offers suggestions to publishers.

Issues in 2010

In April, Japanese publisher Shueisha took the first step against scanlators with an open letter requested the cessation of all scanlating activities and usage, as seen to the right. [1] The letter reminds readers that the scanlations and their usage is illegal and asks for support as they handle uploads “severely.” [2]

The letter can be found here.

In May, HTMLComics, a purveyor of posted materials supposedly numbering over 6.6 million pages, was charged with copyright infringement in a joint operation by the FBI, a comics publisher coalition formed mostly of American comics publishers, and an entertainment legal firm Katten Muchin Rosenman LLP. With the first serious legal action against a site related to the scanlation subculture, fans have been made aware of the impending legal assault on copyright infringement. [3]

On June 8, a coalition was formed to combat “scanlation aggregators,” large websites who earn
money through memberships, donations, or advertising while providing scanlations, and occasionally officially translated manga, for free online. Thirty sites were targeted for action which may result in charges being filed by the Justice Department’s anti-piracy division, by local law enforcement agencies, as well as requests for damages. The group includes Japan’s Digital Comics Association, a group of 36 publishers [4], additional Japanese publisher Square Enix, American publishers Viz Media, TOKYOPOP, Vertical, Inc., Yen Press, and legal entity the Tuttle-Mori Agency. [5] OneManga, the largest aggregator, shut down in July. Their closing letter to their readers may be seen here.

Kurt Hassler of Yen Press spoke on scanlations in an article published in Publisher’s Weekly about the new coalition, pointing out that the early scanlations were all about availability where none existed and would remove materials when licenses were obtained by a publisher. He insists that is no longer the reality of scanlations. “Go back 2 years and track these sites and you’ll find an inverse relationship between the rise of traffic on these scanlation sites and the decline in U.S. manga sales. These sites are run as businesses and include direct scans of licensed English-language manga editions. Some even include our copyright notices. We don’t want to have to do this but publishers are now focused on this problem.” [6]

In some cases, cease and desist letters are sent to scanlators only to find that they have already yanked the licensed manga from their own sites or servers. However, that doesn’t stop the manga from being distributed – the Internet is famous for viral distributing. [7] Manga scanlations are as viral as anything else on the ‘net, making cease and desist letters almost as pointless as fans suggest the assault on scanlations is. If those to whom the letters are addressed have already stopped, how does the company halt the dissemination of their materials in a space as wide as the net?

In response to the recent coalition against scanlations, fans on forums have made the following unimpressed comments.

- “They think they can stop us. All they can do is shut down these easy access sites. We’ll just turn to IRC and Torrents instead.”
- “It does nothing at stopping the scanlations, which are usually done by low-key groups anyways.”
- “Aw, boo. These organizations need to STFU and let us enjoy their dam mangas.”
- “If you know the scanlation group then you can visit their websites for the scanlations. They can’t stop scanlations and they STILL can’t stop anime fansubs.”
- “I wouldn’t even of discovered manga and buy your damn volumes if it wasn’t for the scans D:.” [8]

They have even gone so far as creating an online petition to gather signatures in protest of the actions against scanlations. One petition, “This is madness,” was created July 22nd and has only 59 signatures to date. [9] A second petition, “Don’t stop scanlation sites!,” also created July 22nd, has nearly 2,500 signatures. [10] Both are still a far cry from the 1,000,000 signature goal.
The Google search for these petitions brought up several more are on various sites.

**Suggestions for Publishers**

Pricing is a big issue for manga publishers as it is a constant complaint of fans. “Companies really need to re-think their prices if they want people to support the official copies instead of just downloading scanlations,” wrote one fan on a Tokyopop forum. “Most people I know who read scanlations either can’t afford the official manga, don’t have it in their area, or don’t want to pay 10+ for a manga. And now manga prices are rising even higher! It’s gotten to the point where I won’t even buy a manga unless I’ve already read it and have a coupon.” [11] Of fans who read scanlations, nearly 22% read a few times a week, and 17% read daily. 21% of fans rarely or never read scanlations. [12] Another believes that “jacking prices up on most of [their] titles during the worst economic downturn in history had something to do with declining sales.” [13]

Fans suggest that pricing increases lead to more illegal scanlation usage, a detriment to publishers. As previously mentioned, that is hard to prove as it is hard to track. A fan did summarize the possible lost revenue succinctly, stating, “If you averaged 8 chapters and $10 a volume, then even (extremely) conservatively I’ve read $2,500 worth of free manga. This bothers me a little, but it’s countered by the fact that without scanlations (and aggregator sites) I’d never have read (or even known) them in the first place. I’m almost driven to buy a little of my favorite series to support them a bit, but when it’s available for free [and] you throw out the ethics issues, it’s like throwing away money. Leading to only wanting to throw away money for the really really good ones.” [14] It is important to note that price is relative to the consumer; smaller American comics may be more expensive. A volume of manga at 221 pages for $9.99 compared to a volume of an American comic at 140 pages for $15.99 suggests that the price of manga is not as much a detriment to the average fan as it may be to the niche fan purchasing from an imprint or small publisher.

Fans also want to read manga in its true form; uncensored or edited. Manga was initially flipped to read left to right for Western readers, then eventually changed to be traditionally Japanese as right to left. When an industry employee says, “…knowing full well the accusations of unprofessionalism and manga-industry-treachery I’ll get for saying it — I’d rather read scanlations than pay for censored manga,”[15] there is something to be said for the desire for authenticity and quality displayed by the fans. When those same fans overwhelmingly prefer traditional Japanese style for their manga when surveyed on reading preferences (see below), it is an even more obvious requirement to meet their tastes. [16]
Note: Respondents were allowed to choose multiple styles. Traditional was selected by 80% of respondents.

Other frequent complaints against publishers are poor translations and long breaks between released volumes – from two to three months to a year or more, depending on the publisher and the release. It may be in the publishers best interest to speed up releases, as evidenced by the success of One Piece, a manga that has traditionally been held in less regard when compared to series like Naruto and Fullmetal Alchemist. When five volumes were released at once, all five made the New York Times Bestseller List. [17] Fans have a surprisingly high regard for the quality of translations in scanlations, with 29% grading quality as an 8/10 and less than one quarter of respondents citing scanlations as low or below average in quality. [18]

Former Go! Comi creative director Audry Taylor provided a valuable action plan for ailing publishers to consider for encourage their customers to buy more manga and read less scanlations.

1. Make a story available world-wide simultaneously in all major languages.
2. In a digital format.
3. With perks for pre-orders.
4. And goodies that digital pirates can’t reproduce. (And yes, that’s possible. Goodies they can’t compete with, like author chats.)
5. Rip off business model 4 pirate sites & one-up them. They offer a Wii raffle for a subscription to a dl site, u offer author-signed Wii
Use the assets YOU have that pirates CAN’T have to compete with free. [19]

Publishers have access to authors and artists on a scale no fan or scanlators can hope to match. Incentives of additional art, autographs, interviews, and updates may make the difference between reading a grainy JPEG online and purchasing a pristine copy of a manga filled with fan-delighting goodies direct from their favorite mangaka. Publishers have ignored the problem too long and it has blossomed into something potentially beyond their control.

Conclusion

With the recent developments of coalitions and increasing cease and desist letters, the liberal age of scanlations is drawing to a close. A new chapter is in the works for the history of the manga subculture – look for the next volume.

Terms

- Anime – Japanese animation; previously Japanimation
- Manga – Japanese comics or graphic novels
- Mangaka – artist/author of manga
- Manhwa – Korean comics or graphic novels
- Manhua – Chinese comics or graphic novels
- Scanlation (scanslation) – a scanned translation of a work originally published in another language
- Scanlator – the person(s) who scan and translate the works
- IRC, BitTorrent – downloading and file sharing services
- Sensei – literal translation is “teacher” or “doctor” but is also used as a formal term of respect for mangaka
- Shoujo – girls comics
- Josei – older girls comics
- Shounen – boys comics
- Seinen – older boys comics
- Yaoi – homosexual male/male comics for women, also called BL (Boys Love)
- Fansubs – anime with fan translations as subtitles

Endnotes


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43 THOUGHTS ON “SCANLATIONS: COPYRIGHT INFRINGEMENT FOR LITERATURE AND ART FANS BROUGHT TO YOU BY THE INTERNET PART III”

kickers torrents
on January 30, 2014 at 7:20 AM said:

Get accustomed to net marketing and you can get the superb quality lobsters at the great price. Just download the Gossip Girl TV episodes you missed through the leading torrent internet search engine in the web, Torrents – HQ.

Recent news have indicated that prosecutions will probably be preferred to people who download files over peer to look networks, which has caused a good stir in communities that count on seedbox servers to access files.

Simpsons Tapped Out Hack
on January 30, 2014 at 11:13 PM said:

I visit day-to-day a few web sites and blogs to read articles or reviews,
but this website presents feature based writing.

**denim jacket**  
on January 30, 2014 at 11:15 PM said:

Think of this as a stuffed animal that has another use, it’s additionally nightlight! Like all of this Belstaff jackets, it’s made in Italy and isn’t cheap at $495, but is undoubtedly unique.

**Florencia**  
on January 31, 2014 at 9:42 AM said:

Hi to all, it’s genuinely a pleasant for me to go to see this web page, it includes useful Information.

**Alexander**  
on January 31, 2014 at 4:10 PM said:

Thanks for one’s marvelous posting! I quite enjoyed reading it, you are a great author. I will always bookmark your blog and may come back in the foreseeable future. I want to encourage you to ultimately continue your great work, have a nice day!

**Bernie**  
on January 31, 2014 at 4:11 PM said:

Greetings! This is my first visit to your blog! We are a team of volunteers and starting a new project in a community in the same niche. Your blog provided us useful information to work on. You have done a wonderful job!
Hello would you mind letting me know which hosting company you’re using?

I’ve loaded your blog in 3 different web browsers and I must say this blog loads a lot faster than most. Can you suggest a good internet hosting provider at a honest price?
Kudos, I appreciate it!

Travis Norman attended and estimates the motor efficiency at between 95 and 125 per. Before many of us into everyone age group, let’s begin by looking at the best gifts for the sum of the family.

The Montana features 1.2 – 1.4mm grade A semi aniline cowhide that looks, feels and smells fine. It will be the most popular jacket that BMG makes, and with good reasons – price, features and reputation.

This is almost a necessity these days, isn’t understand it? This man enjoys the finer things in life and appreciates quality items no matter how small. ScarvesPhoto credit: NYmag.com, Salvatore FerragamoDon’t forget
to accessorize.

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**Edgardo**  
_on January 31, 2014 at 11:38 PM_ said:

After checking out a handful of the blog articles  
on your web site, I really appreciate your way of writing a blog.  
I bookmarked it to my bookmark site list and will be checking back in the near future.

Please visit my website too and tell me how you feel.

---

**Irish**  
_on January 31, 2014 at 11:46 PM_ said:

I was pretty pleased to uncover this page.  
I need to thank you for your time just for this fantastic read!!  
I definitely enjoyed every bit of it and i also have you saved as a favorite  
to check out new stuff in your web site.

---

**chat.ps3pirata.com**  
_on January 31, 2014 at 11:48 PM_ said:

We stumbled over here different website and thought I should check things out.  
I like what I see so i am just following you. Look forward to looking into your web page  
again.

---

**camfilles.com**  
_on February 1, 2014 at 12:19 AM_ said:

For latest information you have to pay a quick visit world  
wide web and on world-wide-web I found this website as a most excellent
Fantastic site. Plenty of helpful information here. I am sending it to a few pals ans also sharing in delicious. And of course, thanks to your sweat!

I spend excellent part of my “gear time” at one booth, British Motorcycle Gear (BMG).

One last note – the Mercury is very, very reflective (see slideshow for the Illuminite reflective shoulders and 3M sleeves).

Hitting the gym then sitting on the recliner all day long isn’t a excellent fat loss tactic. In 1982, Calvin Klein earned the reputation of coming out with under wears that impress. All items are machine washable and made of durable materials.

I guess most of us learn challenging way! There would be a time when jackets were associated with winter. These jackets are easily quickly garment stores and centers.
cazadoras belstaff baratas
on February 1, 2014 at 12:14 PM said:

Leather could be the look for fall/winter 2012. A bit of go wrong with the sweets, people of ages young and old love these people. This would make an excellent gift naturally both fascinating healthy!

cazadoras belstaff
on February 1, 2014 at 2:44 PM said:

Leather is a protective layer concerned with the rider's skin and the asphalt. The very first thing that struck me in regards to the Mercury jacket is it's dual soul. Men love their toys, especially their television kits.

Calvin Klein Underwear Hot Sale Online
on February 1, 2014 at 3:07 PM said:

If the deal falls into place, Dornan will co-star with Dakota Johnson, who will play Anastasia Steele. The Nylon Spandex Stretch Floral Lace Stir Up Legging ($42). Men's bikini underwear, has been around for many, many decades.

Michael Kors
on February 1, 2014 at 3:45 PM said:

I have my trained eye on a leopard print Mulberry, and in addition it will be mine! Cast a line for celebration at this fishing competition. Since it is dressing ahead can save a involving frustration.
Women

on February 1, 2014 at 7:06 PM said:

A bag made of plastic maintain your belongings safe from everything may harm your valuables. They are full of antioxidants and have been used medically to care for kidneys, fatigue, anemia and weakness.

Beatris

on February 2, 2014 at 12:22 AM said:

Hey there! I just want to give you a big thumbs up for the great information you have got right here on this post. I will be returning to your blog for more soon.

Milan

on February 2, 2014 at 12:34 AM said:

Wonderful items from you, man. I have be aware your stuff prior to and you’re just too fantastic. I actually like what you have received here, certainly like what you are saying and the way in which in which you assert it. You make it entertaining and you still take care of to stay it wise.

I can not wait to learn far more from you. That is actually a wonderful website.

Caren

on February 2, 2014 at 12:40 AM said:

Wonderful beat ! I would like to apprentice whilst you amend your site, how can i subscribe for a blog site? The account aided me a applicable deal.

I have been tiny bit familiar of this your broadcast offered shiny transparent concept
Lillian
on February 3, 2014 at 4:16 AM said:

This is a topic that’s close to my heart… Cheers!

Exactly where are your contact details though?

---

best table saw
on February 3, 2014 at 6:45 PM said:

This is my first time pay a quick visit at here and i am truly impressed to read everthing at one place.

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infrared grill reviews
on February 3, 2014 at 11:01 PM said:

Excellent post. Keep writing such kind of information on your site. Im really impressed by it.
Hello there, You have performed an incredible job.
I'll definitely digg it and individually suggest to my friends. I am sure they will be benefited from this web site.

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scroll saw reviews
on February 4, 2014 at 12:04 AM said:

Hi there mates, how is everything, and what you want to say concerning this article, in my view its actually awesome in favor of me.
best induction cooktop
on February 4, 2014 at 12:48 AM said:

Hi there friends, its wonderful piece of writing about tutoring and fully explained, keep it up all the time.

vacuum sealer reviews
on February 4, 2014 at 1:52 AM said:

Valuable information. Lucky me I discovered your site by chance, and I am shocked why this twist of fate did not happened in advance! I bookmarked it.

best electric tea kettle
on February 4, 2014 at 2:15 AM said:

Thank you for the good writeup. It if truth be told used to be a amusement account it. Glance complicated to far delivered agreeable from you! However, how can we be in contact?

jig saw reviews
on February 4, 2014 at 2:50 AM said:

Saved as a favorite, I really like your blog!

best humidifier
on February 4, 2014 at 3:07 AM said:

Fastidious response in return of this question with firm arguments and explaining all regarding that.
best shoes for crossfit
on February 4, 2014 at 4:28 AM said:

We stumbled over here different web page and thought I may as well check things out. I like what I see so now i am following you. Look forward to looking over your web page for a second time.

band saw reviews
on February 4, 2014 at 4:42 AM said:

This is really interesting, You’re a very skilled blogger. I have joined your rss feed and look forward to seeking more of your fantastic post. Also, I have shared your site in my social networks!

espresso machine reviews
on February 4, 2014 at 1:46 PM said:

I almost never create remarks, but I browsed some of the remarks on Scanlations: Copyright Infringement for Literature and Art Fans Brought to You by the Internet Part III | Interface. I actually do have some questions for you if it’s okay. Is it simply me or do a few of these comments come across like they are left by brain dead people? 😁 And, if you are writing on other sites, I’d like to follow everything fresh you have to post. Would you post a list of every one of all your social community pages like your Facebook page, twitter feed, or linkedin profile?

foods to eat to make you lose weight
on February 4, 2014 at 2:43 PM said:
Hello there! Do you use Twitter? I’d like to follow you if that would be ok.
I’m definitely enjoying your blog and look forward to new posts.

city Database
on February 4, 2014 at 4:49 PM said:

I was pretty pleased to find this page. I need to to thank you for ones time for this wonderful read!!
I definitely really liked every bit of it and I have you saved to fav to check out new information in your website.

best clothes steamer
on February 4, 2014 at 5:20 PM said:

It’s remarkable for me to have a web site, which is useful designed for my know-how. thanks admin

benji bananas hack free
on February 4, 2014 at 7:54 PM said:

Woah your blog will be wonderful i adore examining your content. Maintain the great artwork! You recognize, many persons need around in this info, you are able to help these people enormously.

bankruptcy records
on February 4, 2014 at 10:52 PM said:

Howdy! This post could not be written any better! Reading this post reminds me of my good old room mate! He always kept talking about this. I will forward this article to him. Pretty sure he will have a
good read. Thanks for sharing!