Appropriation under weak intellectual property regimes: the role of communities in the online adult entertainment industry

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Abstract

Online adult entertainment industry (or online pornography) was developed with the introduction of the Internet and is at the intersection of several sectors: pornographic content, dating sites, sexual services and accessories. As stressed by Darling (2014) this industry provides another case of a weak intellectual property regime, i.e. intellectual property rights are mostly inefficient in order to prevent massive copying of contents. Content providers must therefore find alternative business models to recoup their investments. In this paper, we focus on the role of users’ online communities and explore how those communities may contribute to solving the incentive problem in online pornography. In particular, we argue that online user communities can help content providers to absorb some of the sunk costs linked to content production and distribution. Our main conclusion is that, although users’ communities cannot solve alone the incentive failure in online pornography, they can complement and reinforce other strategies which enable content producers to make money out of unprotected content.

Keywords: intellectual property rights, patents, weak IP regime, online adult entertainment industry, online pornography
1. **Introduction**

In a context of lower appropriation opportunities, where the Internet and digitisation make it increasingly difficult to enforce intellectual property rights (IPR in the following), the issue of incentives to create and innovate is central in many sectors. In such a context, one important question is obviously to understand whether or not it is possible for investors to develop business models alternative to IPR, i.e. how to make money without relying on exclusive IPR. As to this question, insights from the literature on weak intellectual property regimes (weak IP regimes in the following) may be useful.

A growing literature has indeed developed recently which analysed sectors where, for various reasons, it is difficult for creators and innovators to be protected by formal IPR, but where creative and innovative activities did not vanish (on the contrary, they sometimes flourish). Sectors such as gourmet cuisine (Fauchart and von Hippel, 2008), magic (Loshin, 2007), tattoos (Perzanowski (2013), stand-up comedy (Oliar and Sprigman, 2008) were identified as being such weak IP regimes. One important lesson of this literature is that IPR may not always be absolutely necessary in order to provide actors with a minimum level of incentives to innovate. Alternative elements, such as informal norms, complementary assets (trademarks for instance), offering a live experience rather than a product, can sometimes enable innovators to generate profits out of their innovations even though the latter are not protected by formal IPR.

In this paper we focus on another case of weak IP regime, namely the online adult entertainment industry (or online pornography), which is judiciously defined by Zook (2002) as a set of “adult-oriented websites that are accessible to the entire Internet community and offer pornographic images, audio, video, text, and chat to visitors. The content of these websites reflects the wide variety of sexual interests of Internet users and for the most part these websites are commercially driven”. The online adult entertainment industry was developed with the introduction of the Internet and is at the intersection several sectors: pornographic content (e.g. audio, video, pictures...), dating sites, sexual services (escorts, erotic dancing, prostitution), accessories (clothing, sex-toys) (see Figure 1).

Boldrine and Levine (2008) in their book *Against intellectual monopoly* briefly mentioned (p. 22) the case of this industry as typically being one which does not seem to need IPR in order to be innovative. And, indeed, for many reasons, legal, technical but also moral, it is very difficult for producers of adult content to enforce their copyrights and prevent massive illegal copying on the internet. Yet, despite this apparent appropriation failure, production of original content has not vanished (even though its nature may have evolved over the last few decades). An important question is hence to understand the business models which enable
producers of adult content to secure appropriation over this content in order to profit from of their production.

Figure 1. The adult entertainment industry

Darling (2014), in a pioneer study, showed that producers have increasingly moved towards the distribution of contents because this enabled them, not only to sell content (which is less profitable because it is easy to copy), but also to sell a live experience and a convenient access, things which are more difficult to copy. The content producers’ strategy is thus to sell interactive movies, games, live shows, live chats, etc. and to offer them with as much comfort as possible (secured websites, high quality videos, ratings, tagged videos, and so on). In other words, Darling stresses one fundamental element of business models and incentives in the online adult entertainment industry: sources of competitive advantage for producers are shifting from production to distribution. However, production remains important, since in order to be profitable in the distribution, companies need content to distribute, i.e. they need to continue to produce new and original content even though it will be widely pirated.

The aim of this paper is to complete the analysis of Darling by emphasizing the role of online communities (such as the queers, the fetishists, the pro-sex feminists) in order to complement and reinforce the value provided by live experiences and convenience as mentioned above. In order to discuss the role of online users’ communities we mobilize literature not only in economics and management (we combine three streams of literature on digital business models, on appropriability and IPR, and on communities of practice) but also in sociology, linguistics, media and film studies, and law. This allows us to provide some elements of understanding on how and why online communities contribute to solving the incentive problem in the online adult entertainment sector.

In particular, following the abundant literature on knowledge communities which stresses the role of the communities in order to produce and distribute knowledge (Amin and Roberts,
2008; Lave and Wenger, 1991; Cohendet et al., 2003; and others) we argue that online user communities can help to absorb some of the sunk costs linked to media production and distribution. In particular, communities contribute to structure a demand for particular niche contents, to the testing of new content or devices, to their advertising and diffusion; they increase the value of produced contents by adding comments, complementary information, enabling real life meeting and dating, etc. In other words, the existence of these communities contributes to the production of creative content and to give them some value.

The next section reviews the literature on weak IP regimes. Section 3 presents the case of the online adult entertainment industry as a weak IP regime and describes how the value has moved from production to distribution in this industry (Darling, 2014). Section 4 puts forward a mechanism for appropriation and creation which so far hasn’t been identified in the literature: that is the involvement of user communities. Section 5 concludes.

2. Incentives to create and innovate under a weak IP regime: a review of the literature

A recent literature has studied the issue of incentives to create and innovate under weak IP regimes, i.e. in situations where formal intellectual protection via IPR (such as copyrights or patents) is not possible or is difficult and/or costly to obtain (Raustiala and Sprigman, 2012). The main focus of this literature is to understand the mechanisms which ensure intellectual production. If new creations are not protected by IPR, what are the incentives to invest in creation? This question is sometimes referred as to the problem of IP without IP, i.e. “information production without intellectual protection” (Darling, 2014). Sectors such as gourmet cuisine (Fauchart and von Hippel, 2008), magic (Loshin, 2007), tattoos (Perzanowski (2013), stand-up comedy (Oliar and Sprigman, 2008) have been identified as being such weak IP regimes in which creation and innovation nevertheless still exist and are sometimes vibrant due to alternative value appropriation mechanisms (Table 1).

From many aspects, these works meet the insights of the older literature on collective invention (Allen, 1983; Nuvolari, 2004) and, more recently, on open source software. Open source software can indeed be considered as a specific case of a weak IP regime in which the actors have decided to waive their intellectual protection by using special licenses such as copyleft, i.e. a case of an endogenous weak IP regime (Pénin, 2011). Yet, this absence of exclusive rights did not prevent actors (individuals and firms) from massively investing in the production of new and reliable software. Motivations were characterised as a mix of intrinsic and extrinsic elements (Lerner and Tirole, 2001; Bonaccorsi and Rossi, 2003). Individual developers contribute because they love to solve problems and to produce codes but also because it is a way for them to signal their competences to potential employers and to benefit from software which they actually need. Furthermore, the incentive power of intrinsic motivation is boosted by the limited cost required in order to contribute to open source projects (it only requires a computer and an internet connection). Similarly, firms contribute because it enables them to benefit from reliable software which they can use at a low cost.
Also, these firms are often protected by complementary assets. Many companies involved in the open source business have hence moved from a product business model (to sell software) to a service business model (to sell services associated to the software).

The situation is more or less similar in many sectors which have a weak IP regime. In this case, a service business model often enables creators to make money from their creation, i.e. provide creators with some degree of incentives to create. For instance, in the case of gourmet cuisine, famous chefs cannot protect their new recipes. This means that they cannot directly sell the recipe (the product). However, they sell (sometimes at a very expensive price) services associated with the recipe. For instance, they can sell excellent dishes in their restaurants, write books, be invited to appear on TV shows, etc. In other words, they capitalize on the live experience which is practically impossible to copy. When people go to Michelin starred restaurants they pay primarily for the experience of an excellent meal. In addition to this effect, Fauchart and von Hippel (2008) also emphasized the role of informal norms which exist in the top chef community and which enable them to avoid the pure imitation of their new recipes. Also they show that copying may not always be harmful for creators because it usually does not contribute to stealing customer (on the contrary, it may attract more due to the augmentation of prestige). The restaurant having a limited capacity and usually being full, the revenue stealing effect of copying is clearly limited.

Table 1 Incentives to innovate under weak IP regimes

<table>
<thead>
<tr>
<th>Industry</th>
<th>Origin of low IP regime</th>
<th>Main incentive mechanisms</th>
<th>References</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gourmet cuisine, Cooking recipe, top chefs</td>
<td>No legal protection on recipes</td>
<td>Norms to secure appropriation of new recipes; marginal impact on economic regime; live experience</td>
<td>Fauchart and von Hippel (2008); Cunningham (2009), di Stefano et al. (2014)</td>
</tr>
<tr>
<td>Open source software</td>
<td>Endogenous, copyleft licenses</td>
<td>Mixed of intrinsic (pleasure to write code) and extrinsic motivations (reputation effect, the need for specific software); complementary assets (for firms)</td>
<td>Lerner and Tirole, (2001); Bonacorsi and Rossi, (2003); Dalle and Jullien, (2003)</td>
</tr>
</tbody>
</table>

1 Whether or not this level of incentives is optimal is another issue which we do not wish to treat in this paper. What we observe is that under low IP regimes innovative and creative activities persist. Whether or not the level of this activity is higher or lower than in the case with formal IPR, although obviously a critical question, is neglected here.

2 It would be interesting to see what would happen if new recipes could be protected via IPR. In this case, it would be possible to see top chefs leaving their restaurant in order to specialize into the creation of new recipes which they could sell to restaurants. In other words, due to IPR, they would not need any more to sell a service (a dinner in a restaurant) but they could sell the product protection directly by IPR.
<table>
<thead>
<tr>
<th>Magic</th>
<th>No legal protection</th>
<th>Secrecy, norms, live experience, complementary assets, reputation</th>
<th>Loshin (2007)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tattoos</td>
<td>Legal protection, copyright</td>
<td>Norms (among tattoo artists but also with clients)</td>
<td>Perzanowski (2013)</td>
</tr>
<tr>
<td>Jokes and stand-up comedy</td>
<td>No legal protection</td>
<td>Norms, live experience (complementary assets), reputation</td>
<td>Oliar and Sprigman (2008)</td>
</tr>
<tr>
<td>Fashion, haute couture</td>
<td>No (US) or weak legal protection (design in Europe)</td>
<td>Piracy paradox: anchoring and positional good, i.e. copying may encourage innovation</td>
<td>Raustiala and Sprigman (2006); Scruggs (2007); Schutte (2011)</td>
</tr>
<tr>
<td>Living art, choreography, dance, stage direction</td>
<td>Difficulties to fix the creation on on a tangible support, collective dimension of creation</td>
<td>Live experience, reputation</td>
<td>Hammarén (2002); Sadtler (2012)</td>
</tr>
</tbody>
</table>

The same can be observed in the case of magic (Loshin, 2007), stand-up comedy (Oliar and Sprigman, 2008) or for most types of live shows such as circuses, stage direction, dance, etc. Here creators sell a performance, i.e. a live experience, they don’t merely deliver a joke or a magic trick. Also, informal norms in the magician and comedian communities usually enable a minimal level of appropriation for new creations to be ensured. These norms (or codes) state that magicians should not disclose the secrets behind a trick to the general public or that a comedian should not steal a joke from another comedian. Those who do not respect these norms are excluded from the community, an outcome which often comes at important expense and permits the enforcement of the norm. As concluded by Loshin (2007): “The magic community has developed a unique set of informal norms and sanctions for violators, which protect intellectual property in the absence of law. Hence, in the magic community, innovation does in fact need intellectual property. But it does not necessarily need intellectual property law”.

In conclusion and although the situation is obviously different across sectors, the growing literature on weak IP regimes suggest that formal IPR are not always absolutely necessary in order to provide a minimum level of incentives to create and innovate as long as an

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3 Interestingly, in the case of magic, secrecy sometimes enables magicians to sell some of their new tricks to other magicians. However, the risk in this case is that the buyer may reveal the trick to general public, thus breaking secrecy. This illustrates the importance of informal norms among magicians in order to avoid such situation.

4 Similar norms can be observed in scientific communities where scientists usually give credit to previous discovery made by other researchers (through citations) not because they are legally constrained by copyrights rules, but because it is one important norm of science.
alternative exist. These alternatives, such as offering a live experience, which is more difficult to copy, securing complementary assets (a reputation for instance), or developing informal norms, often enable creators to secure revenues from their creations.

3. The case of the online adult entertainment industry

3.1 The online adult entertainment industry as another case of weak IPR regime

As to IPR protection the situation of adult films is somewhat different from the sectors described in the previous section. Indeed, in most of these latter cases IPR are irrelevant or do not apply. For instance, the law does not allow the protection of a new cooking recipe or a new choreography; similarly to the fashion industry. A new garment in the US cannot be protected by IPR (trademark excepted). Yet, a new film can be protected (and usually is) by copyrights law in most of the countries in the world as long as it is original and can be fixed (i.e. recorded, printed) on a tangible medium. Copyright law does not discriminate according to the nature of the content. Although an adult film could be (and often is) considered as immoral this doesn’t prevent it from being copyrighted.

The problem of weak appropriability hence does not come from the absence of IPR but rather from the difficulty to enforce those IPR, in particular on the Internet. Enforcement is made prohibitively costly for both technical and legal reasons (in addition, it is also possible that legal actions are not taken due to the questionable morality of the industry, which may prefer to remain discrete and to avoid public litigation). From a technical point of view, similarly to many other digital industries, the Internet has opened a space of easy and widespread copying and diffusion of digital content, which is almost impossible to control even though creators benefit in theory from copyright protection. Illegal sharing most often takes place through peer-to-peer file sharing, torrents or by posting content on content

Footnotes:

5 Fauchart et al. (2014) put forward 5 conditions in order to make formal IPR absolutely necessary to provide incentives to invest into innovation: 1) innovation requires important investments; 2) cost of imitation and copy are low; 3) imitation and copy are costly for the innovator; 4) There is no alternative way other than IPR in order to appropriate the innovation and; 5) IPR efficiently prevent imitation and copy. Yet, in most of the cases of weak IP regime mentioned here those 5 conditions do not hold altogether. For instance, in the case of gourmet cuisine, innovation do not require much more investment than imitation (skills and know-how are necessary to imitate and to innovate); chefs can be protected by informal norms and complementary assets; and imitation is not necessarily costly for innovators (due to capacity constraints in restaurants).

6 This section is largely based on the work of Darling (2014)
aggregators (the so-called tubes), in which individuals illegally exchange or upload copyrighted content without authorisation.

In both cases it is technically very difficult for right holders to prevent such exchanges. It is obviously very costly to sue each and every one infringer individually. Similarly, to sue a small group of users, as an example in order to deter other users, has proved largely inefficient in other industries where right holders have much higher financial and social weight (music or film industry for instance). Right holders could thus target content aggregators rather than individuals. Yet, in most countries those aggregators are protected by the law and cannot be considered as liable insofar as they are unaware of the content which is exchanged in their platform. The only thing that content producers can do is to signal the presence of illegal material on the website of the aggregator. Once notified of the illegal content, the intermediary must remove it from its website as soon as possible. However, this usually takes a minimum of 24 hours, during which the content has already been massively viewed and shared. Also, although the content is removed, it rapidly appears elsewhere thus undermining the efficiency of this type of actions.

From a legal point of view, a second element, more specific to the adult entertainment sector, highlights the inefficiency of copyright. A copyright holder has the possibility to file a civil lawsuit in the case where they are able to identify an individual infringer. Due to the high cost of the procedure, copyright holders will usually try to obtain a settlement for the case out of court and negotiate an appropriate amount. This is usually a legal and even often a necessary strategy in order to keep the cost of the lawsuit reasonable. However, in the case of adult content such settlements are usually not accepted by the court. Indeed, Darling (2014) explains that, because of the high value granted to privacy by people involved in such cases, alleged infringers may be willing to settle the case and to indemnify the copyright holder even though they are not guilty, simply in order to avoid a public litigation.

To summarise, in the adult online entertainment industry, if copyright protection is theoretically possible, it is in practice prohibitively costly to enforce. Consequently, copyright infringement has become both common and pervasive, thus inducing content producers to develop alternative strategies and business models. As stated by Darling (2014, p. 37 and 38):

“Copyright protects adult content. But infringement has become technologically easy and commonplace online. […] Because of the barriers to, and ineffectiveness of, copyright enforcement, both producers and industry specialists confirm that the industry cannot rely on the copyright system as it was originally intended to function. In the absence of the economic incentives provided by copyright law, simply attempting to prevent copyright infringement within a traditional business model of creating and selling content is deemed a losing strategy. Producers are therefore moving to adopt other methods of recouping investment costs”.

3.2 The switch towards alternative business models

The decrease in reproduction and diffusion costs for digital contents enabled by the new technology has enhanced piracy but it has also reduced costs of production and distribution
costs and allowed for more privacy and diversity which are sought after by consumers of adult entertainment. These changes, combined with new business models can provide a sufficient level of incentives for content producers (this effect is still reinforced by the fact that in the adult industry a culture of copy, parody and diffusion has always existed and sometimes valorised). Indeed, as it has been observed in the past, copy technology (e.g. VHS, DVD) allowed for new market opportunities. As legal and technical means to protect digital content from online piracy often proved inefficient, firms had to adapt. On the one hand, they often did so without considering enforcing their intellectual property rights on their contents and on the other hand, they found innovative ways to make their business model sustainable as summarised in Table 2.

In parallel to the inevitable reorganisation of the industry (through mergers and acquisition) which usually takes place after a radical change, Darling (2014) also showed (based on in-depth qualitative interviews with content producers in the USA) that content producers have oriented their strategy along two important dimensions: providing a convenient use for consumers and focusing on users live experience.

With regard to the first dimension, content producers can focus on elements such as high quality format and definition of films, easy browsing of the content of the website, privacy, location of the materials (stored in the cloud for instance), interoperability between different supports (mobiles and PC for instance), 3D home viewing on screens without glasses, etc. All the above may provide content providers with a strong competitive advantage over pirate websites even though the latter are available free of charge. According to Darling (2014):

“While it may be possible to find all of the posted material through unauthorized sources shortly after a release, the producer sites provide reliability, convenience, more tailored aesthetics; are able to cater to individual tastes through a more narrow categorization of content; and provide consumers with descriptions, trailers, crowd-sourced ratings, and more. Teasers and links to “more from this performer” or “more from this genre” are apparently of value to the average consumer, who will rarely be looking for a very specific product.”

Table 2. Business models in online adult entertainment industry

<table>
<thead>
<tr>
<th></th>
<th>Big players: new (&quot;tubes&quot;)</th>
<th>Big players: historic (e.g. Playboy, Dorcel)</th>
<th>Entrepreneurs (photo blogs, webcams)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Strategy</strong></td>
<td>Aggressive marketing</td>
<td>Diversification and branding</td>
<td>Niche market, extremely personalised product</td>
</tr>
<tr>
<td><strong>Revenue stream</strong></td>
<td>Ad banners, scams, freemium offers</td>
<td>Unlimited video streaming</td>
<td>Tips, donation, exclusive content</td>
</tr>
<tr>
<td><strong>Service</strong></td>
<td>Abundance of content</td>
<td>Convenience and quality, interactivity and curated content, niche content</td>
<td>Interactivity, curated content, niche content</td>
</tr>
</tbody>
</table>
In addition to improving users’ access, producers can also make imitation more difficult by increasing interactivity and the live experience of consumers. Indeed, if content (especially a digital content) can be copied, the whole experience which surrounds it is more difficult and costly to imitate. A recipe can easily be copied but the experience in a renowned restaurant cannot. Yet, the experience is sometimes as important as the content itself, thus enabling providers to make money even out of an easily imitable content. As regard to enhancing the experience of users, content providers can therefore invest in order to increase films’ interactivity, for instance by giving consumers more control over the content and scenario (“Chose your own adventure style”, Darling, 2014), they can develop gaming and live chat / live camera / virtual strip clubs, which come as complement to films. All these elements are inherently more difficult to copy than the film and can therefore enable producers to recoup their investments.

“producers are looking to increase immersiveness and interactivity […] They are also trying to engage consumers through gaming and virtual worlds, as well as through real-life community building. All of these methods aim to create an enhanced and more personalized experience for the consumer, while at the same time being inherently difficult to appropriate and copy”

(Darling, 2014)

This focus on the consumers’ convenient accessibility and live experience decreases the dependence of content providers on original content and therefore limits the importance of the protection of this content. However, interestingly it also induces a switch from the production of original content to the distribution of substitutable and not necessarily original content as the main source of competitive advantage. One important question to tackle in the future is therefore whether this new business model is still compatible with the ongoing production of original content or whether it will lead to less investment in the quality of content production.

To summarise, adult content producers are still able to benefit from their investments by providing a service rather than a content valued for its originality or exclusivity which is by essence difficult to obtain in pornography. However, in order to provide such a service, user interaction is an essential aspect of successful business models in digital pornography. Indeed, tubes thrived thanks to their analysis of huge amounts of data collected on the use of their websites and their evolution driven by a constant dialogue with their users. This leads us to explore a feature which is still ignored in the economic literature, namely, the role of users’ communities in the production of online pornography.
4. The role of communities in the production and distribution of online pornography

The role of communities of users (we might even call them communities of sexual practice in the specific case of the pornographic industry) in the stimulation of creativity and innovation is increasingly acknowledged (Amin and Roberts, 2008). In the case of online pornography, users have always been involved. While surfing on pornographic tubes, users are willing to participate (more or less consciously) in providing data on their own tastes. Users also benefit from other users input as the aggregation of ratings and user feedbacks, when they are taken into account, results in a better service for all the users. In the early days of online pornography, the involvement of users in the distribution of contents via peer-to-peer was fundamental to the development of both distribution services but also to the diversification of the content and the ease of its access.

Yet, the implication of users was not acknowledged neither in Fauchart at al.’s 2014 report, nor in Darling’s 2014’s paper. Nevertheless, both articles insist respectively on the importance of norms and interactivity in the appropriation of the product of the mind. In other words, they suggest that the social dynamics play an important part in the appropriation process. The combination of, on the one hand, incentives to produce (which have an important intrinsic part) and, on the other hand, of the value given to pornographic content (which has an important collective dimension), results in a collective production which is representative of its authors and is meant to be shared. Our view is therefore that the existence and emergence of these users’ communities reinforce the appropriation and heighten the value of the digital pornographic content. In the following we are going to focus first on users motivations to contribute, on the collective dimension of the value of pornography and then, more specifically, on the role of communities.

4.1 Incentives for collective production of pornographic content at a digital age

It is important to note that at a digital age, individuals have varying incentives to take part to the production of pornography for a number of reasons. The democratisation of digital

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7 The involvement of users communities has just been mentioned in Darling's study in the following quote: “Finally, companies are searching for ways to build not only virtual, but also real-life social communities around their products […] The concept of building social interaction and community appears to work especially well for more specific content preferences, like niche markets. For example, one of the larger U.S. ‘fetish’ producers has for some time now successfully invested in building a participatory, interactive experience around its community. The business models range from offering tours of its facilities and shooting locations to interested members of the general public, to allowing people to watch live shows in person or even participate in scenes. It is also creating a social network and live webcam community.” (Darling, 2014)
technologies empowered the creative individuals and collectives. Individuals can self-produce, or produce content collaboratively, whether they are part of a community or not. We identify three types of incentives for the creation, sharing and appropriation (i.e. the exploitation of property rights) of pornography that are: extrinsic, intrinsic, and mixed (that is both extrinsic and intrinsic) (Table 3). Extrinsic incentives relate to rational or objective evaluation of the outcome of an action. Such an incentive could be for example a monetary reward. Intrinsic incentives concern the individual’s subjective motivations, in other words they represent each person’s meaningfulness of a task. Furthermore and importantly for us, in the case of the production of online pornographic content, intrinsic motivations can play a significant role. For example, one’s incentive to produce pornographic self-portrait on gay dating sites has been considered to be motivated by many intrinsic justifications such as exhibitionism but also in order to increase the sense of belonging to the gay community with its codes (Race, 2014) and in particular its pornographic imagery. The importance of intrinsic motivation may reduce the role of intellectual property rights in order to offer incentives (as illustrated in the case of open source software for instance).

Participation, which we consider in the context of our study to be a voluntary input in the production, the diffusion and the appropriation of pornographic content, have different purposes and may vary in terms of volume and of benefit to the community. The easiest way for a user or a group of users to participate is by giving information on their preferences by clicking on a link expressly made for user to give their opinion instantly (usually symbolised by a thumb up) and for other users to see the generally anonymous aggregate of appreciation marks. A video which collects a relatively significant amount of green thumbs on Youporn sends several signals. First, it is a signal which can be interpreted by the user as a measure of the value of the video because it is appreciated by many fellow users and consequently the video may be appreciated by the user too. Second, the tube owners can instantly observe the trends in the use of their website but also in the tastes of their users. Looking more closely, giving the thumbs up to a video may also be the expression of a more social behaviour, that is to help other porn consumers with the same tastes (or even to other members of the same community of sexual practice) to find content which suits them: this behaviour can be interpreted as “sharing”. Sharing such content with the intention of reaching to the community can be motivated by the perspective of personal gain, i.e. to show off one’s taste and expertise in pornography, or to increase their sense of belonging to the community. Users can also share and show appreciation of a particular content which features specific types of performance or fetish in order to make them more visible. As a matter of fact, when a content is largely shared, it is more likely to be seen by users but also featured by the content aggregators either as an editorial choice or thanks to the algorithms which tend to prioritise content that are better rated.

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8 Gay (males) dating codes include for example explicit self-portrait which usually shows a worked out body and the phallus.
9 There is no standard definition in the literature on user participation in online communities according to Sanna Malinen (2015).
### Table 3. Incentives for individual and collaborative involvement in making pornography

<table>
<thead>
<tr>
<th></th>
<th>Extrinsic</th>
<th>Intrinsic</th>
<th>Mixed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Produce</td>
<td>new market opportunities (original products)</td>
<td>● Increase the sense of belonging to a community; ● exhibitionism; ● fandom (tribute)</td>
<td>advertisement of sexual skills and performance</td>
</tr>
<tr>
<td>Share (moral appropriation)</td>
<td>advertising contents</td>
<td>● Increase the sense of belonging to a community; exhibitionism ● fandom (sharing the love of a star/genre); ● community visibility</td>
<td>reputation effect (=advertisement)</td>
</tr>
<tr>
<td>Monetise (revenue appropriation)</td>
<td>● Consumption of/ access to customised contents; ● new market opportunities (niche products)</td>
<td>● community visibility ● regulate &amp; allow appropriation through civil right activism, labor rights, health issues</td>
<td>reputation effect (for sex workers/professionals)</td>
</tr>
</tbody>
</table>

However, we can consider that sharing is “level 1” of participation as it is the one level that is the most effortless investment. Production of pornographic content and their commercial appropriation usually require both material and personal investment and have consequences in both areas too, so that the incentive to take part to these two activities arguably need to be stronger. In fact, even though the material costs of producing a video is very low (one only needs a camera and at least one performer), the high substitutability of pornographic content raise both the costs of advertising (differentiation is an uphill battle) and the practical unlikelihood of exploiting the content (due to IP enforcement failure). Moreover, the social stigma borne by pornographers and sex performers can deter new entrants in the industry. As we observe that users often participate to the making, the advertising and the protection of pornographic content have strong intrinsic incentives to do so: they often belong to communities of sexual practice and are actively practicing, as professionals or not, and want to see their practice illustrated for masturbatory purpose, exhibitionism or again, for the visibility of a practice. Numerous fetish communities, then, self-produce or advertise very specific content that is tailored for the community for these reasons. Besides, activist communities have also strong intrinsic motivation for self-producing and promoting their own pornography. Many initiatives of the so-called “ethical pornography” seek to improve working conditions for porn professionals. Interestingly, what we observe is that members who are actively participating in the making of porn often belong to several communities (professional, activists or of sexual practice). Consequently, these active members’ motivations are a combination of the incentives described above (and in table 3) making these multi-community...
members the ones who are most likely to participate more in the production, diffusion and appropriation of pornography both in volume and in terms of benefits to the community.

Individual and collective involvement in making pornographic content is eased by digital tools and is commonplace even though the most valuable user participation demands a personal investment. Community participation, because it is highly motivated, is most likely to give value to certain types of pornographic content, i.e. content that is representative of these communities (sometimes produced by them). In the next section, we will describe how the value of pornographic content can be increased by collective dynamics, not on the production side as we saw in this paragraph, but on the consumption side.

4.2 Elements of value for the consumer in the collective production of pornographic content

Pornographic digital content can be broken down in three elements: first, it is assimilable to a work of art; second, most of its content can be reduced to information which is produced, shared and consumed differently at the digital age as compared to the analog age; third it is masturbatory and helps fantasizing. On top of that, we can subdivide each factors under three categories which characterise the way value is given: whether it is by the individual, by a group of person, or both (“mixed”).

A pornographic film can be seen as a work of art or of entertainment. In both cases, the value given to such a product can be, on the one hand, subjective, linked to the individual’s personal taste or, on the other hand, it can be influenced more or less strongly by the peers’ opinion. In other words, watching a pornographic video can be part of cultural consumption which characterise the social group the viewer belongs to. On the contrary, some consumers can also value differentiation from the crowd and value rare and/or exclusive items the most.

We can observe also such influence of the collective on the value of pornography as an information product, especially when the content is digital. Consuming pornography can be valuable to the individual as information when, for example, the viewer wants to learn about sexual positions, the anatomic possibilities, and so on. However, for an information to be evaluated, it has to be consumed (or disclosed), in this case again, the opinion of peers can help evaluating the information before consuming it. When a content is shared by users, either by expressing their appreciation or literally sharing it (by posting a link to the content or distributing the content itself), the value of the content increases or at least, it is signalled collectively as something of interest.

Most importantly, pornography is masturbatory. It is designed to be representing a fantasy or an act that is sexually arousing to the viewer. As a consequence, pornographic content should be tailored to the consumers’ tastes, and the highly precise categorisation of clips on
tube sites is one illustration of the value of customised content. Besides, customisation is pushed to another level when the pornographic content is interactive. Either through gaming type of contents or live shows, the consumer can influence the outcome of the video he or she is watching. Interactivity brings in realism and this can be a substantial source of excitement for the consumer. Cyber sex (by chatting or with a camera on) is another example of interaction, this time with the concrete presence of another person (consumer or professional). Here again, the intervention of outside users potentially boosts the value of the adult entertainment. We can also mention that value can be given to pornography in the specific case of communities. A pornographic work can embody certain community codes and values. A lesbian video made by and/or for lesbians (as opposed to, for example, heterosexual males) is more likely to be appreciated by members of this sexual community both for masturbatory reasons (it is more realistic in the representation of a lesbian sexual act) but also for political reasons. For certain communities (such as the lesbians, the gays, etc.), being visible on a pornographic website is a step towards social acceptance which has not always been easy for many of them.

As a consequence the value given to a digital pornographic work depends not only on individuals’ but also on collective factors (Table 4). Social interactions are vital to the evaluation of pornographic content: either by basing oneself on peers’ opinion, by the number of shares or on its publicity. Mass consumption of pornography at the digital age is indubitably collective, not primarily in its practice but in the construction of its value.

**Table 4. Individual and collective value of online pornography consumption**

<table>
<thead>
<tr>
<th></th>
<th>individual factors</th>
<th>Mixed factors</th>
<th>Collective factors</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Value of a work of art</strong></td>
<td>subjective, personal taste</td>
<td>• rarity</td>
<td>• consensus</td>
</tr>
<tr>
<td>(Caves, 2000)</td>
<td></td>
<td>• exclusivity</td>
<td>(word-of-mouth;</td>
</tr>
<tr>
<td>(Benhamou, 2010)</td>
<td></td>
<td>This depends on the possibility to</td>
<td>bandwagon effect)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>differentiate oneself from the crowd.</td>
<td>• importance of</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>critics and peers’</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>opinion in</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>evaluating a work of</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>art</td>
</tr>
<tr>
<td><strong>Value of information at</strong></td>
<td>knowledge, know-how (educational purpose)</td>
<td>• disclosure is needed to know the value of information</td>
<td>sharing cost is</td>
</tr>
<tr>
<td>the digital age</td>
<td></td>
<td>• citation: easy to find origins of the content</td>
<td>virtually inexistent;</td>
</tr>
<tr>
<td>(cf. econ of information)</td>
<td></td>
<td></td>
<td>reblogging,</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>reposting</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>is a common practice and helps promoting content</td>
</tr>
<tr>
<td><strong>Value of pornographic</strong></td>
<td>representativity</td>
<td>interaction (feeling involved, as a participant,</td>
<td>visibility</td>
</tr>
<tr>
<td>content</td>
<td>(individual tastes</td>
<td>similarities with reality)</td>
<td>(acknowledgement of</td>
</tr>
<tr>
<td></td>
<td>are illustrated)</td>
<td></td>
<td>a community)</td>
</tr>
</tbody>
</table>

10 This categorisation actually corresponds to contemporary way of consuming porn: users type in specific keywords that correspond to a sexual position or performance, to body types and other possible discriminatory criteria, into a search engine and browse the extensive video catalog on “tubes”.

11 i.e. posting a link to a content on blogs or social networks.
The combination of social dynamics in both producing and consuming pornography shows that the involvement of a united collective of users-makers can be beneficial to the vivacity and creativity of the industry. We illustrate this idea in the next section: the specificities of the online pornography encourage the emergence of communities which have an active and self-reinforcing role in producing adult digital content.

4.3 Emergence and role of communities in online pornography

A community of practice can be defined by the voluntary participation of members to producing and sharing knowledge. Members can improve their own skills and knowledge by communicating with each other basing themselves on a common repertory of resources which grows along with the practice (Cohendet, Roberts, Simon, 2011). Communities take many forms. Amin and Roberts identified four types (2008b), i.e. Craft-task-based, Professional, Expert or high creativity and Virtual. We observe all of them in the adult industry sector so that different types of knowledge are produced and different roles are taken by the communities in the collective production of pornographic content.

Communities of (sexual) practice can take many roles, one of them is to produce pornographic content. Usually highly creative and craft-based communities produce original content although the output is marginal. Virtual communities (and craft-based) on the other hand produce collections which are a combination of copyrighted content and sometimes original content. Digital tools allow the basic user to gather content very easily. What defines the value of certain collections is their authenticity and originality (Dubois, 2014) (when created by craft-based communities) and its taste, coherence (when edited by experts communities).

We can also note that the editorial choice of these collection validate certain contents in the eyes of the community it aims (Dubois, 2014). Other members have the possibility to support this editorial choice as they leave their opinion in the comment section of collection blogs. Some of these commentators go as far as providing own criticism on different types of content making them experts in the fields; some are already experts. In this case expert and virtual communities select content and can go as far as promoting content when they particularly appreciate it or when it suits their or any communities' tastes. Virtual and expert communities provide testing, share their experience that is trusted to some extent (some of the tester might have partnerships with brands to promote them). Thus, these experts (recent or not) may be first users and influencers.

Virtual communities act as distributors as they post contents on their own website or share links on forums. However this role is not often carried out by the communities as hosting requires to be able to host content which sometimes can be costly. When compared to the capacity of tubes which are capable to host significantly more content, the impact of smaller scale distribution by the communities' platforms is negligible.
To summarise, online communities act first as influencers, then distributors, and more marginally as producers (Table 5). This can be explained, on the one hand, by the constraining mainstream IP regimes that are hostile to fan-made creations (as opposed to alternative regime such as the creative commons or the copyleft for example), and on the other hand, the lack of returns due to the low number of members in certain communities (not to mention those who are willing to pay). The lack of business connections (e.g. distribution channels and advertising), which are not encouraged by the lack of potential traffic, is often a reason for the short life span of community initiatives. Moreover, we might argue that as the participation to the making and promotion of community porn is voluntary, sometimes amateurish, the possible lack of professional skills of the participants, added to the fear social discrimination does not encourage the creation of content let alone commercial content.

**Table 5. Role communities in the collective production of pornographic content.**

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Production of original content</td>
<td>Highly creative and craft-based</td>
<td>Low production costs</td>
<td>Pro-porn feminists, queer, ethical, alternative porn platforms (ex. Four Chambers, Lust Cinema)</td>
</tr>
<tr>
<td>Production of collections</td>
<td>Virtual, experts and craft-based</td>
<td>Democratisation of digital aggregation and sharing tools</td>
<td>Erotic online photo collections (specific Tumblr pages), selfie posting application (Uplust, former “Pornstagram”)</td>
</tr>
<tr>
<td>Distribution</td>
<td>Virtual, highly creative, experts and craft-based</td>
<td>Hosting content (costly), sharing links on forums (very low cost)</td>
<td>Collective for niche films, specific practice forums (ex. Fetlife), self-distribution</td>
</tr>
<tr>
<td>Testing, selection, validation, promotion, influence</td>
<td>Virtual, experts</td>
<td>Individual and collective comments and ratings. Reviews.</td>
<td>Blogs, any 2.0 platforms: with the possibility to interact with other individuals</td>
</tr>
</tbody>
</table>

Nevertheless, by taking up these roles, communities absorb sunk costs for creative research and development. However, as creative and virtual communities are often not motivated by extrinsic factors, their financial viability may be in danger when they are not managed with

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12 The creative commons licenses allow to grant certain copyright permissions on creative content in opposition to the traditional “all rights reserved” copyright principle (https://creativecommons.org/)

13 Introduced by the GPL licence, copyleft principles stipulate that everybody can modify, copy and distribute the software only if any changes made on the software is protected by the same principle, that is all the improvement must be visible in the source code (Pénin, 2011).
sustainability as an objective. As Amin and Roberts suggest in their characterisation (2008), these often short-lived communities may need support from formal institutions and firms to sustain their creative potential and innovative energy.

5. Case study

We start our case study by giving the context then detail the methodology and finally provide results highlighting different features in the tables presented in the previous parts.

Pornography is an industry that is mainly managed by men: even though there are far more actresses than male actors, business management and direction are usually carried out by men (Trachman, 2013). As pornography is primarily aimed at men, women who watch pornography are seldom or do not reveal that they do. Often seen as normal for male and vulgar for women, the consumption of porn is still a taboo subject to talk about even though things seems to evolve. It seems that an increasing number of firms aim at women and couples as a niche market. In addition, more and more female entrepreneurs and directors openly operate in the porn sector and we believe that this evolution is one interesting phenomenon to study, especially because it seems that it is a sign of the industry’s recovery. Interviewing women that have contributed to the change of the industry is one aim of the interviews campaign.

It is also important to note however that this shift towards new markets represented by women is done on the one hand on the sex toys market and on the other hand on the content market. As a matter of fact, these contents do differentiate themselves from what we can call mainstream pornography (heterosexual and centered on men’s pleasure) on several criteria, that is to say the aesthetics (music, actors, lighting), the representativity (diversity of sexual acts/fantasies, body types and race), the work and health conditions (do actors wear condoms, is the actress obviously in pain, how much do they earn?) in which the film is made, and even the educational aspect of the content.

The producers, both professional and amateur, who pay attention to the making of this type of content do form a group that have their norms, gatherings and other online platforms for exchanges. We identify them as communities of knowledge and practice; that is why we are purposely studying them, their specific activities and their role in the creative and economic vigor of the adult entertainment industry.

In management sciences, the communities are also acknowledged as a constituting element of the economic dynamics through their role in encapsulating knowledge, in the generation of new ideas and as enablers if innovations. Authors like Amin, Wenger and Cohendet, have insisted on the importance of catering communities (knowing communities and comminities of practice) for the firms’ innovative performance and we align with this argument.

5.1 Context
To define a community simply, we say it is an informal group of people (though it is usually organised), an intermediary level between an individual and organisations. Moreover, Cohendet et al, 2003 precise that “communities (...) are places where local models, shared representations, jargons are built permanently”. We use these latter three elements to identify communities in the adult entertainment sector.

The first idea was to go on communities and specialised websites and try to identify community members by looking at those who post the most, the bigger amount of contents, who have to most followers. Practically, this is a mammoth task, albeit an informative one. Robbins’ work (2015) on the distribution of the purchase of pornographic clips online did result in an inspiring network of tags often corresponding to certain communities of sexual practice (gays, fetish, and so on). However, preliminary interviews with influencial, self-selected consumer allowed us to identify important phenomenon and prominent and emerging communities in the industry. Additionnally, literature is mainly mentionning queer and feminist porn as an alternative to “mainstream” porn. We believe the growing references to these communities both in the literature but also in the interviews confirms the relevance of building our case around them.

**Cartography of the communities- Before the interviews**

<table>
<thead>
<tr>
<th>Models</th>
<th>Controversial communities</th>
<th>Emerging communities</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Alternative, arty, feminists, LGBT...</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Representation</th>
<th>Controversial communities</th>
<th>Emerging communities</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Transgressive, performance of the body, domination/submission</td>
<td>Importance of identification: most women don’t identify with “lesbian” clips that are aimed at a heterosexual and male audience</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Jargon</th>
<th>Controversial communities</th>
<th>Emerging communities</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Pro porn feminist literature, Civil rights arguments</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Remarks</th>
<th>Controversial communities</th>
<th>Emerging communities</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Secrecy and trust are essential stimulates the development of a community with codes and common tools/places for exchange of knowledge and content</td>
<td>importance of representation, creativity as opposed to formalisation of stereotypes and their reproduction</td>
</tr>
</tbody>
</table>

We focus on a specific niche of pornography, some cinematographers would call it a subgenre of pornography (ref), that is to say the post-pornography.

Historically, post-porn differentiate itself from so-called “mainstream” pornography as it does not show a male-centered vision of sexual desire (Landais?, 2014).
Performer and activist Annie Sprinkle and a pro-porn icon said “the solution to bad porn isn’t no porn, it’s better porn”.

The sex-positive or pro-porn feminist movement appeared around 1980-1990 in the United States as an opposition to abolitionist feminists. Both groups had diverging opinions on pornography, feminine pleasure and sex labour. More recently in Europe and nowadays in France, the movement spread and female pornographers publicised their opinion and some of them united to form collectives of feminist porn directors (Lust Cinema, PinkLabel Tv) and arguably looked for taking part to the creative renewal of the pornography industry.

In order to approach interviewees from the pro-porn feminist community a significant work was done in order to understand the language used within the community (ex. opposing terms: BDSM/Vanilla; queer/mainstream; androcentré/féminocentré (in French research particularly). We went through articles from academic literature, specialised websites and newspaper articles on porn, and selected recurrent words manually.

Focused on the French and to some extent the European community, primarily in order to be able to meet as much interviewees personally as possible, we got into contact with the organisers of a Swiss festival which, we believe was an interesting field to study in the context of our work.
Manifestos, artefacts and icons

<table>
<thead>
<tr>
<th>Icons</th>
<th>Feminists</th>
<th>Mainstream</th>
</tr>
</thead>
<tbody>
<tr>
<td>Annie Sprinkle</td>
<td>Some pornstars who had long careers that is, over 10 years (very few male pornstars). Nowadays, a myriad of actresses who have short careers (from a few months to a few years).</td>
<td></td>
</tr>
<tr>
<td>See also: Scarlot Harlot (sex work activist), Maria Beatty (director), Mia Engberg (director and producer), Virginie Despentes (writer, director), Emilie Jouvet (photographer, director), Catherine Breillat (director); Judith Butler...</td>
<td>Historic producers like Hefner (Playboy), and Larry Flynt (Hustler).</td>
<td></td>
</tr>
</tbody>
</table>


| Channels, Broadcasters | Pink TV, Gay, queer culture (broadcasted « Mutantes ») | FrenchLover Mobibase Dorcel |
| (TV and VOD) | | |

| Festivals and Blogs | La fête du slip | Berlin Porn Festival Le Tag Parfait |

| French directors/producers | Ovidie, Lucie Blush,... | Dorcel, John B. Root |

| French Academics | Marie-Anne Paveau (linguistics), Mathieu Trachman (sociology), Florian Vörös (sociology) ... | |

| Associations, lobbies | Strass (french sex workers) | |

5.2 Field

The “Fête du slip” festival is a multidisciplinary festival on sexuality as a part of a “sex-positive” movement (see the Manifesto of the Fête du Slip). It also organises an international competition for pornographic films (shorts). We chose this festival for its deliberate intention to differentiate itself from other events celebrating erotica, pornography and the sex industry (such as the French “salon de l’érotisme” that are erotic fairs, ceremonies rewarding works and professionals in areas such as "Hots d gold "in France or the AVN Awards in the US) categorized" mainstream "by professionals but also by academic literature, particularly that pornography (porn studies) or gender (gender studies).

Discovered on the blog letagparfait.com dealing with "porn culture ", the festival has become a potential field when its director, Stéphane Morey came to Strasbourg as part of a documentary festival on the theme of pornography. I have contacted him and after a
conversation with him I realized that he had an artistic approach, militant but also looking for a business model allowing the festival to continue.

The organisers set up several crowdfunding campaigns (3 over 3 years), but they have not achieved the expected goals because first, the goal was set under their real needs and secondly, contributors were mostly relatives and stakeholders of the festival. We thought he had an interest in the establishment of a network, a community to persist and, given the nature of the festival, he had potential access to some additional active communities.

We therefore hypothesize that communities are represented in the mainstream events, which we consider more commercial, and therefore, motivated by personal and commercial interest, while the festival (now called FDS) is explicitly artistic and activist. In addition, the festival openly welcomes researchers and several people from the academic organization participated in the previous editions, the access to their event is free. Furthermore, we intuited the field allows us to explore the role of a festival as third place of creativity or as "middleground" on Simon (2009) in the production of post-pornographic content.

5.3 Methodology and limits

Collecting data on the pornographic industry is not an easy task. It is difficult because reliable quantitative data is rare, and if it exists, it is quickly outdated at the internet era where data changes at an exponential rate. Second, qualitative data is accessible and relevant when studying communities, but it takes time to be trusted by the interviewees.

We wanted to aim both professionals and amateurs, with different roles in the industry as distributors, directors, actors but also consumers. We argue that a number of these individuals are part of a community which activity contributes to the appropriation of pornographic content by producing, distributing and advertising it.

5.4 Data

We interviewed and recorded five artists and three professionals on the extended sector of the adult entertainment industry for an average length of 35 minutes per person. Interviews were semi-directive and were focused on both incentive to produce and consume pornographic contents, but also questions on the community that the festival may or may gather.

We collected contacts for follow-up questions, but also for other potential interviewees, and also to track their evolution after the festival and our interview.

We also interviewed eight consumers on their digital contents consumption but also on their consumption of pornography.

We presented ourselves as Phd students in economics working on business models without much more details, even though we did precise definitions for certain key or technical words (such as "communities", “business models”, “costs”, “knowledge”).
5.5 Results

We were able to widen our map of the network of creative practice in post-pornography.

Community members are for the most of them, consumers before being producers or distributors. However, we noted that consumer surveys aimed at gathering quantitative data are difficult to put in place in an one-to-one questionnaire as consumers of pornography do not reveal their preferences or practice easily. Even when asked about the reasons why they do not consume pornographic content, the common interviewees are reluctant to answer. The richer answers were actually given by the artists who are at the same time producing and consuming pornography.

We noticed that even though the administrative and cultural local context is not nurturing for the community of alternative pornography, it seems that the festival manages to attract central members in the community (ex. famous alternative pronographers). However, it appears from the interviews that a favorable ground for alternative pornography (both in terms of creation and business knowledge) is Berlin. The next step in this field research would be to first observe Berlin’s community dynamics.

The interviews also highlight the role of the Spanish upperground as not succeeding to make alternative porn thrive although a city like Barcelona has been labeled as creative and in addition, a hub for pornography. The comparison with the two creative ecosystems would be an interesting step to take in order to actually assert the role of communities and middlegrounds (as in Simon, 2009) , particularly Festivals, in the creativity of alternative pornography.

6. Conclusion

The aim of this paper was to provide a first discussion on the role of users’ communities in the process of production and distribution of pornographic content. Following Darling (2013) we first showed that the online adult entertainment sector is another case of weak IP regime, thus preventing content providers to sell directly copyrighted content and obliging them to switch to alternative business models. These can be an emphasis put on consumers’ ease of access and use or on their live experience. Then we have explored the role of online users’ communities in order to help solving partly this appropriation failure and enabling content providers to recoup part of their initial investments.

We have shown that due in particular to the intrinsic part of users’ motivation and the collective dimension of the usage value, those communities can play a significant role in the production and, most of all, the distribution of pornographic content. They can significantly
increase the value of this content by offering additional, complementary services such as more interactivity, ranking, prescription, advertising, distribution, etc.

In other words, although users' online communities do not have the power to solve entirely the appropriation failure in the adult entertainment sector, in particular because they do not help to produce systematically original content, we claim that they are part of the solution. Their role come in complement to the elements already put forward in the literature such as the focus on convenience and experience. They reinforce the efficacy of those strategies. In particular the experience, for instance the interactivity, may clearly be enhanced by involving communities. Similarly, communities can improve users' access and usage by helping to rank and discuss the contents.

Our paper has therefore important implications for businesses and content producers. In most sectors, the digital era has revealed the importance of social networks and of users' feedbacks in firms marketing strategy, but this may be even more critical in a sector with a low IP regime such as online pornography. Producers which aim at enhancing interactions and improving access can find a valuable partner in online communities. It is therefore critical for them to be capable of harnessing the power of those communities. One way to do so might be in sponsoring communities and in providing them with some resources, like Dorcel (French leader in pornography) did when they decided to invest in Uplust, an explicit photo sharing and social networking app.

However, by looking for communities support, firms should remember to keep the communities alive as a creative fringe: be aware of both their intrinsic and extrinsic motivation. Changing the spirit/goal of the community can kill the community as a creative pool. The example of the “Suicide girls” community illustrates this phenomenon: as the website was gradually monetised and the models and photographs were poorly remunerated, the community felt betrayed and early users of the website which used to be free preferred switching to other free and community-fed picture aggregators.

This paper was only a first step in the understanding of the role of users’ communities as an instrument to support new business models in online pornography. Our conceptual discussion obviously needs to be deepened and, most of all, backed by an empirical study which could offer precious insights as to the motivation of users and producers, their expectations, their relationship, etc. To conduct such a case study will be our next task.

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