



# Can the Fansub Group Avoid Copyright Censorship? Take the Case Study of YYets Fan-sub Group

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**Abstract:** The fansub group is called by New Weekly Magazine as China's greatest cultural exchange and educator in nearly half a century. The New York Times also referred to China's fansub group as "a group that breaks cultural barriers." It is such a group in the gray area of copyright that has become a special and popular platform to provide netizens with translation of foreign film and television dramas to meet the needs of the audience, but can the fansub group escape the censorship of copyright? This article reflects on disputes between fansub group and copyright, Taking YYets Fan-sub Group as an example, analyze the historical development process and future development direction of the fansub group in China, and explain whether the translation of the fansub group's copyright constitutes piracy. Where should fansub group as a pioneer in breaking cultural barriers go? The purpose of this study is to explore the current situation of fansub group and the impact of copyright monitoring. Therefore, this study hopes to illuminate the influence of fansub group as a carrier of cross-cultural communication in Chinese society, and to sort out and analyze the process of legalization of fansub combination so as to make it a potential in the market.

**Publication date:** December, 2020

**Publication online:** 31 December, 2020

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## 1 Introduction

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in nearly half a century. The New York Times also referred to China's fansub group as "a group that breaks cultural barriers." It is such a group in the gray area of copyright that has become a special and popular platform to provide netizens with translation of foreign film and television dramas to meet the needs of the audience, but can the fansub group escape the censorship of copyright?

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## 2 Fansub group

The fansub group refers to a group of amateurs who match foreign movies with national fansubs. In addition, Cintas (2005) Indicates that compared with the previous translation methods, the translation practice activities carried out by the fansub group composed of fans are more innovative and more democratic. YYets Fan-sub Group

As the most extensive and representative group

in the fansub group, it has experienced all stages of the development of Chinese fansub group, YYets Fan-sub Group was established in 2003. It originally originated from the fan community of the film and television forum and translated a large number of English drama resources. Popularization of the Internet push the translated works provided by traditional translation groups can not meet the spiritual needs of the audience. Then a group of people who love overseas film and television works and have the ability to translate appeared. They were scattered around the forums at first, and then gradually gathered together through the online platform to form fansub groups.

The facts of the case are easily explained. In 2009, the fansub group was asked to shut down for rectification, and the transformation of the website began. Instead of downloading videos, it only provided video services. In 2014, the fansub group website was officially closed under copyright pressure. In the transition period, YYets Fan-sub Group has also been divided into video for everyone and video for everyone in the process of development and transformation. Due to the huge divergence in evolution concepts and values, the two branches have completely broken down and become independent.

The transformation of YYets Fan-sub Group to the American drama community changed its name to Renren American drama. It mainly provides the schedule and review of American drama gathering information, and get investment support from a third party.

On the other hand, Renren Video mainly focuses on the import and export of genuine videos, and is committed to building overseas video content communities. It is not only limited to American dramas, but also Japanese and Korean dramas. However, the biggest difference compared to Renren American drama is that the team is mainly a non-professional fansub group project for users to share, exchange and learn. Hence, YYets Fan-sub Group's development and transformation, as well as the various products that have been derived from the split, represent the development status and direction of the fansub group in the long-term Chinese local environment. Studying the significance of its universality can better grasp and understand the copyright in China.

### **3 Can Fan-sub group escape the censorship of copyright?**

fansub series because of its free interest driven and non-profit purpose should not be punished as piracy, especially the translation itself also produces its own copyright. However, some opponents believe that arbitrary dissemination without the permission of the publisher is an infringement. YYets Fan-sub Group as the leader of Chinese fansub group, is a network translation group formed. Its members take the hobby as the link of mutual connection and joint efforts, pushing the whole group from the enthusiast to the producer (Yuan, 2018). In addition, the members of YYets Fan-sub Group are all using their spare time for the translation works, they do not make a living from the translation of the fansub group. This evidence can be seen in their public recruitment announcement.

YYets Fan-sub Group clearly stated in its translation and its official website: "Only for learning, commercial profit is prohibited." Not only the fansub group for YYets, but all fansub groups that exist in the country are as stated. Which means this is determined by the nature of the "public interest" or "nonprofit" organization at the beginning of the fansub group. And the translation work done by the members of the fansub group is unpaid. Furthermore, translation has independent artistic value as the original (Xie, 1999; Bielby, 1999). Because film and television translation is also a form of film and television creation, as well as a form of existence of film and television works. Therefore, this kind of groups describe as interest groups, due to not for profit and has not caused commercial behavior, and translation compositions by fansub group also have translation copyright, so Fan-sub Group for a long time in the unregulated gray area is not considered as copyright infringement by some Intellectuals.

However, the statement on the Fan-sub Group website for learning and communication has largely become a kind of rhetoric, even a format for translating videos. Such declarations and rhetoric will not help the fansub group to escape copyright censorship. Although in the early stage of the development of the fansub group, the long silence of the copyright law seems to be a tacit consent to such a folk translation act, it is an indisputable fact that it is transmitted without the authorization of the copyright party (Kawashima, 2010). But can fansub groups

really exist fairly and reasonably without making money? The Internet makes fansub composition an 'extension of digital' (Philip & Tedesco, 2018). The work of fansub group is like the rampant pirated CDs in the last century. At first, it may only be CD-ROM recording between friends, but with the continuous expansion of demand, an illegal industrial chain is gradually formed underground (Cintas, 2005). For example, someone offers to sell Bt seed resources and ed2k links on internet, these people have completely disengaged from the exchange of interests and completely sold unauthorized copyrights, which is a kind of harm to the copyright owner, fansub group and customers.

In terms of the current status of caption groups, completely rely on free labor that is dependent on interest is not completely realistic. current expansion is not entirely a "non-profit" communication organization (Luis, 2007). YYets has its own way of making money. For example, the YYets' website sells teasers, as well as the app's membership system. It also cooperates with many mobile games in a way of doing tasks and saving points to get higher definition and unlock the right to watch more videos by exchanging medals.

However, the trend of the profit-making funds will become an important basis if the profit-making is used as the standard of infringement. As can be seen from the brief description about themselves on the website of YYets Fan-sub Group, their profitable income is not used to pay the members of the translators, but to maintain the daily expenses of platform development, these profitable incomes are needed to maintain (Yuan, 2018). So that from the perspective of individual members of the online translation group, their translation activities are of a public interest nature, because each member does use their free time to do free knowledge sharing activities, but from the entire online translation group, they are indeed using the translated works to make money. Moreover, Jordan & Hatcher (2005) pointed out that although fans in the animation industry violated their copyrights, the behavior of fans has promoted the development of the animation industry. Therefore, the infringement of the fansub group has become an indisputable fact (Zeng, 2019). Although its published works without legal permission greatly enriched the cultural diversity and broke certain cultural barriers, its lack of qualifications for reasonable use still forced

the fansub group to be legal.

#### **4 From enthusiast to producer**

The network brings together the communities who are interested in discussion area, which enables the fans to enter the network's empty space, search for the emotions they know, and form the network fans. Hartington and Bielby (1999) point out that as early as 1994, BBS has increased rapidly, which has become the entrance for soap opera discussion group fans to interact. Similarly, fansub group also belongs to such interest groups. In addition, Mikhail Koulikov (2010) sorted out the changing process of the fansub group's communication method, and analyzed the relationship between the behavior of the fansub group and the development of the cultural industry, which has reference significance for the development of the cooperation between the fansub group and the cultural industry. Moreover, wang (2015) highlights that the fansub group, which is loosely organized and subject to copyright examination, compared with the translation company with high degree of specialization and advantages of enterprise operation and management will be more trusted. From this point of view, only relying on translation and fansub, the fansub group does not have much commercial value, and it is difficult for the fansub group to gain capital favor. Thus, the improvement of the fansub group represents the overseas drama enthusiasts among the Chinese from the audience receiving the information to the producers who actively create and disseminate information. Moreover, it has shifted from a loose amateur producer to specialization under copyright pressure.

#### **5 Conclusion**

This paper analyzes the development of YYets Fan-sub Group, combined with China's social situation, and the problem of legitimacy in the cross-cultural communication of film and television works is the fundamental guarantee to ensure the translation behavior of online translation groups. The guarantee of the legitimacy of the fansub group can not only protect the rights and interests of the original works, but also protect the labor achievements of the online translation group from infringement. Taking YYets Fan-sub Group as the representative is of great significance to the development of other fansub

groups. Therefore, the fansub group is also exploring on the road of legalization transformation. Only when the legitimacy of copyright is guaranteed, can the cross-cultural communication of film and television works be smoother and longer.

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