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The Property in Intellectual Property: Reputation Is Harder to Share Than Ideas

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Abstract

Intellectual property (IP) law is designed to protect the ownership of ideas and stimulate innovation, yet pervasive non-compliance suggests a deep divide between legal mandates and public moral intuitions. We argue that this divergence is primarily driven by the fact that moral intuitions about IP are driven by reputation misattribution—situations in which rightful creators are denied due credit while undeserving parties receive undue recognition. In Study 1, we experimentally manipulate key dimensions of reputation misattribution within plagiarism scenarios and find that even subtle changes in reputation misallocation lead to significant shifts in moral judgment. In Study 2, we extend these findings to a range of IP-related contexts, including pseudonymous publication, ghostwriting, and AI-generated content, demonstrating that reputation misallocation consistently predicts moral evaluations regardless of the legal status of the act. These results clarify why some IP violations are condemned more harshly or excused more readily than the law would suggest and highlight the potential for aligning legal frameworks with intrinsic moral expectations rooted in reputational fairness to enhance compliance and legitimacy in IP governance.

Keywords: Intellectual property; Reputation management; Moral Intuition; Psychology of Ownership; Legal Compliance

1. Introduction

Intellectual property (IP) has become increasingly central to modern life, influencing everything from technological innovation to creative industries. Yet IP might be the legal area in which the law differs the most from moral intuitions: For example, many people who would

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never steal a physical object illegally download copyrighted materials, and people routinely post online illegal covers (Krawczyk, Tyrowicz, Kukla, & Hardy, 2014; Lysonski & Durvasula, 2008; Wingrove, Korpas, & Weisz, 2011). While 78% of Americans consider physical property infringement a serious offense, only 40% hold the same view for IP (Poltrack, 2013). By contrast, behaviors that would likely be deemed morally dubious, such as falsely claiming to have independently discovered a published scientific result or taking credit for the work of a ghostwriter, are, at least in most jurisdictions, legal. Here, we present and defend an explanation for the many divergences between IP law and moral intuitions about IP. We start by briefly reviewing the evidence for these divergences and explaining why they matter. Building on existing theories, we offer an arguably more comprehensive account of the factors that affect moral intuitions about IP, and why they diverge from the law. In two studies, we then test whether the hypothesized factors influence moral judgments about IP (Study 1) and look at specific situations in which moral judgments diverge, or converge, with IP law (Study 2).

1.1. The divergences between IP law and moral intuitions about IP, and why they matter

Many illegal behaviors with respect to IP law do not seem to be judged negatively by people, leading to frequent low compliance with IP law (Barnett, 2005; Bechtold, Gertsch, & Schonger, 2019; Krawczyk et al., 2014; Manesh, 2006; Lysonski & Durvasula, 2008; Rhode, 2018; Wingrove et al., 2011; Tyler, 1997). For example, 51% of European adults (72% of minors) engaged in illegal downloading or streaming in 2014 (European Commission, 2014). A study by Svensson and Larsson (2009) reveals that young people feel almost no social pressure to refrain from illegal file sharing. Even those who do not practice illegal file sharing do not do it for personal or technical reasons rather than moral disapproval (Svensson & Larsson, 2009).

While economic incentives or deterrence-based factors (e.g., lower odds of being apprehended for downloading, compared to shoplifting) likely play a role, they cannot fully explain this low compliance. For instance, anti-piracy enforcement efforts do not appear to reduce software piracy (Athey & Stern, 2013), suggesting that people's behavior is informed by considerations extending beyond narrow calculations of risk and punishment. In particular, compliance with the law depends on broader attitudes—such as beliefs about the law's legitimacy and value (Braithwaite, 1989; Braithwaite, Murphy, & Reinhart, 2007; Ostrom, 1990; Tyler, 2006). In the case at hand, IP infringement is seen as less morally objectionable than the theft of physical property (Hergueux & Jemielniak, 2019; Krawczyk et al., 2014; Lysonski & Durvasula, 2008; Wingrove et al., 2011), and these lenient moral judgments likely contribute to the low rates of compliance.

Conversely, many legal behaviors appear morally condemnable. If both the law and people tend to condemn IP theft when it leads to financial losses (Nucci, 2004; Robinson & Kurzban, 2006), people, but not necessarily the law, condemn plagiarism even when it does not result in financial harm or when it lacks a clear victim (Mandel, Fast, & Olson, 2015; Olson & Shaw, 2011). Moreover, these condemnations of "legal" plagiarism appear to be cross-culturally recurrent (Mandel, Olson, & Fast, 2019; Olson & Shaw, 2011; Shaw & Olson, 2015; Yang,

Shaw, Garduno, & Olson, 2014) and to emerge early in development (Olson & Shaw, 2011; Shaw & Olson, 2015; Yang et al., 2014).

Why does it matter that IP law and moral intuitions about IP diverge so sharply? From a theoretical perspective, this gap is significant because legal frameworks have often been viewed as cultural artifacts that evolved to broadly mirror shared moral intuitions. In areas like contract and tangible property law, general legal principles tend to align with evolved notions of reciprocity, harm avoidance, and rightful ownership (e.g., Boyer, 2023, for property law; Sznycer & Patrick, 2020; Wee, Sznycer, & Krems, 2025, for criminal law; and the review by Tobia, 2022, for more examples). This alignment between the law and moral intuitions has been used to make claims about the importance of "cognitively sophisticated human nature" in shaping legal institutions (Sznycer & Patrick, 2020). If there are good reasons to believe that moral intuitions play an important role in shaping the law, why would IP law be an exception?

The discrepancy between IP law and moral intuitions is also problematic from a practical perspective. Law enforcement relies on public cooperation and voluntary compliance, which is more easily secured when citizens perceive the law as legitimate and congruent with their own moral judgments (Jackson et al., 2012). IP law is particularly salient in this regard, given its ubiquitous influence on everyday life. As the average global consumer now spends nearly seven hours per day on the Internet (Digital 2024; Global Overview Report, 2024), a substantial chunk of which engages with IP-protected content, the rise of the knowledge economy has made intellectual capital the cornerstone of growth (Aghion & Howitt, 1992; Lucas, 1988; Powell & Snellman, 2004; Seetharaman, Zaini, & Saravanan, 2002; World Bank, 2012). Patents, trade secrets, and copyright have been championed as vital tools for incentivizing innovation and sustaining economic development (Aghion & Howitt, 1992; Arrow, 1962; Kitch, 1977; Langinier & Moschini, 2002; Lemley & Burk, 2003; Moore & Himma, 2022; Nordhaus, 1969; Scherer, 1972). If these essential legal infrastructures are widely misaligned with moral intuitions, their legitimacy and their effectiveness may be undermined, with potentially deleterious effects on both innovation and social cohesion.

Given these theoretical and practical stakes, legal experts contend that applying cognitive and experimental jurisprudence to IP law is critical, as conventional IP regimes fail to engage the cognitive processes that underpin our sense of ownership and rule compliance (Goodenough & Decker, 2008).

1.2. A reputation-based model of moral intuitions about IP

Intellectual works differ from physical property in ways that matter for moral psychology: intellectual works are non-rivalrous, as they typically admit lossless facsimiles—copying creates a clone and leaves the original unchanged—and digital reproduction has near-zero marginal cost (Hettinger, 1989; Moore & Himma, 2022). Traditional psychological models of ownership, built for rivalrous, excludable physical property risks therefore mapping poorly onto IP disputes.

If moral evaluations of idea ownership integrate concerns similar to physical ownership, such as respect for labor (Locke, 1967 [1690]), effort, economic harm, and incentives (Lemley, 2015), we isolate here a dimension that is arguably specific to idea ownership: reputation. Indeed, unlike the ideas themselves, reputation for authorship and credit is rivalrous: audiences can allocate full credit only once, so any undue credit to a copier necessarily subtracts deserved credit from a creator and misleads observers (Barclay, 2013; Silver & Shaw, 2018).

Silver and Shaw (2018) have argued that our moral response to plagiarism stems from the need to accurately assess the reputation of potential partners: If someone falsely claims another's work as their own, it distorts the information used to evaluate individuals, leading to moral condemnation—even if the original creator does not suffer direct harm. This theory explains the findings presented above, showing an early developing and cross-culturally robust moral condemnation of plagiarism, even when it appears to be a victimless crime, since the plagiarist still accrues an undue reputational boost. Reputation is, in fact, at the core of theories about the evolution of cooperation and moral judgment (André & Baumard, 2011; Barclay, 2013, 2016; Baumard, André, & Sperber, 2013): People attend to a variety of subtle cues in order to gauge the value of potential partners and convince others that they are valuable cooperators in turn (Karabegović & Heintz, 2025). We take this fine-grained nature of reputation-management mechanisms into account and refine the theory by Silver and Shaw (2018), specifying the two main ways in which ideas (and thus IP) can relate to reputation and, as a result, the factors that should influence moral intuitions about IP.

Keeping track of reputation, through often very complex systems, is especially relevant when it comes to ascertaining whose information we can trust in the domains we know little about otherwise (Origgi, 2020). The two main factors that come into play here are the same dimensions that are invoked in most of the literature on social perception: warmth (benevolence) and competence (e.g., Fiske, Cuddy, & Glick, 2007; Sperber et al., 2010; Wojciszke, 2005). In the conceptualization we use, competence refers to the ability to achieve one's goals, while warmth refers to "other-profitable" traits such as one's inclination to confer benefits on others, including their honesty and trustworthiness (Barclay, 2013; Fiske, Cuddy, Glick, & Xu, 2002). In this sense, the warmth dimension subsumes both benevolence (generalized goodwill, e.g., toward society) and integrity (honesty and adherence to a set of principles), two facets that have sometimes been treated as distinct when it comes to epistemic trust (e.g., Hendriks, Kienhues, & Bromme, 2015) but which are often referred to under the umbrella of warmth or prosociality.

When evaluating competence, one of the cues people use is the quality of one's ideas (e.g., the solution to problems, Altay, Majima, & Mercier, 2020; explanations, Mercier, Garsmeur, Mercier, 2025; knowledge, Dubourg, Dheilly, Mercier, & Morin, 2025). This evaluation depends on who the creator of the idea is: Because Isaac Newton made many new discoveries, we deem him more competent than a contemporary physics teacher, even though the latter knows more physics than the former (Altay et al., 2020). As a result, plagiarizing someone's good idea could lead the audience to believe the plagiarist more competent than they are and the idea's discoverer less competent than they are. In such a situation, not only is the plagiarist unduly benefiting, and the discoverer being wronged, but the audience is also being wronged since they misattribute competence—too much to the plagiarist and not enough to the discoverer. The harm to the audience and to the discoverer, as well as the undue benefit

to the plagiarist, which can be conceived of as a form of cheating (Cosmides, 1989), should trigger moral judgment.

People also use the transmission of information to appear warm (e.g., Altay, Majima, & Mercier, 2023). In particular, when an individual provides a receiver with information that benefits them, the receiver is epistemically grateful toward this individual (Karabegovic, Wang, Boyer, & Mercier, 2024). Gratitude is a prosocial emotion in that it tracks the benefits acquired on the basis of somebody else's investment of time or effort (a cost) on one's behalf and motivates the recipient to reciprocate in kind (McCullough, Kimeldorf, & Cohen, 2008). It is thus inherently linked to perceptions of prosociality—if we feel grateful toward someone, we are assigning a motivation to benefit us to that person, which is central to warmth judgments. Information often only provides benefits the first time it is transmitted. As a result, people can attempt to gain undue gratitude by transmitting information that someone has worked hard to obtain before they have a chance to transmit it themselves. This should be deemed morally wrong, and more so when the original source of the information would have derived more gratitude from transmitting it (e.g., if they had expanded more effort to acquire it or if it was meant for a given audience in particular, see McCullough et al., 2008) or when the plagiarist derives more gratitude from transmitting it (e.g., if the information is more beneficial to the audience, see Karabegovic et al., 2024).

Although the fact that plagiarists are morally condemned is now well established (Altay et al., 2020; Mandel et al., 2015, 2019; Olson & Shaw, 2011; Shaw & Olson, 2015; Yang et al., 2014), the present model makes more precise predictions, which, to the best of our knowledge, have not been tested yet. Our contribution builds on existing reputation-based models of moral judgment by offering both a refinement and an extension. Study 1 refines prior accounts by decomposing reputation into distinct dimensions of competence and warmth (operationalized here as gratitude) and by integrating the role of the audience as a third party across all conditions. Study 2 then extends the existing reputation-based models beyond plagiarism to a broader range of IP-related scenarios, including legally ambiguous and "victimless" cases such as content generated by Artifical Intelligence (AI), thereby testing the limits and generality of the reputational framework.

2. Study 1

Study 1 tests four hypotheses related to how the misallocation of reputation influences moral judgments of IP violations, focusing on the extent to which undue and withheld reputation drives perceptions of wrongdoing. We do not claim that reputational misallocation is the sole driver of moral judgments about IP violations. Other factors, such as economic costs, likely also play a role, though they may be less salient in many contexts. This is why, in Study 1, we adopt a relative approach focused on comparing reputational dimensions rather than aiming to capture an absolute measure of moral wrongness.

Our first two hypotheses focus on epistemic gratitude, stressing either the fact that plagiarism can deprive a creator of the gratitude they would have received (H1) or the fact that the plagiarist derives undue gratitude from their actions (H2). In the case of the misattribution of

competence (H3), since it was difficult to isolate the effects of the plagiarism on the creator and on the plagiarist, they are tested together. Finally, H4 tests the prediction that plagiarizing in front of a larger audience is deemed morally worse as it induces greater reputational misallocation since (i) more people misattribute competence or gratitude, (ii) the creator is deprived of a greater reputational boost, and (iii) the plagiarist receives a greater undue reputational benefit.

These hypotheses were operationalized as follows: for H1, comparing two creators whose work has been stolen, but one of whom could have expected more gratitude from the intended audience than the other, while the plagiarists are described as receiving an equal amount of gratitude; for H2, comparing two plagiarists who receive more or less gratitude, while the creators would have expected as much gratitude from their audience; for H3, two works of different quality are stolen from the same creator and shown to different audiences, which should lead to a higher loss for the creator and higher gain for the plagiarist in terms of competence attribution for the high quality work—by contrast, attributions of gratitude were described as similar for both works; for H4, the size of the audiences to which two different plagiarized pieces of work are shown is manipulated (see Table 1).

All hypotheses, materials, and analyses were preregistered prior to data collection and are available at https://osf.io/9dz86/

2.1. Methods

2.1.1. Participants

A power analysis showed that for a binomial test with an expected frequency of 0.61 (the smallest proportion observed in a pilot experiment), an α-level of 5%, and a power of 80%, we would need a minimum of 162 answers per hypothesis tested. We chose to collect 165 participants for each hypothesis to account for potential failures of the attention check, which led to a total of 667 recruited participants through Prolific, all residing in the United States. After excluding 10 participants who failed the attention check (Instructed Response Item: "*Please select 'Strongly agree' to show you are paying attention*"), the final dataset comprised 657 participants. The mean age of participants was 41.22 years ($SD = 12.48$), and 50% were women.

2.1.2. Materials and procedure

After providing informed consent, participants completed an attention check. Participants then received brief instructions and were randomly assigned to a condition, in a between-participants design.

Each participant saw one screen presenting two instances of plagiarism, and they had to tell which was morally worse. In three conditions (testing H1, H2, and H4), the instances of plagiarism were presented in two different scenarios, involving a different creator and a different plagiarist. In the last condition (testing H3), there was only one scenario, in which a single creator produces two different works, each of which was plagiarized by a different individual. As a result, the two instances of plagiarism were always conducted by different plagiarists, plagiarizing a different work. In all conditions, the two acts of plagiarism were carefully matched except for one reputational dimension—level of gratitude received (by the creator or the plagiarist), competence inferred, or size of the audience reached.

Table 1
Hypotheses and vignettes for Study 1

	Hypothesis	Example of Vignette
H1	**Undue loss of gratitude**: A plagiarist who deprives the creator of more gratitude is judged as morally worse than a plagiarist who deprives the creator of less gratitude (controlling for the amount of gratitude granted to the plagiarist).	Luke has written a new instrumental guitar piece. Luke sends the piece to Patrick to get some feedback. Patrick then sends the piece to Bob, claiming that he wrote it. Bob loves it, he is impressed by Patrick's skills, and he listens to the recording on repeat. John has written a new instrumental piano piece for the graduation of one of his friends, Billy, expecting that Billy will be really touched by it. John sends the piece to Kevin to get some feedback, without saying that it was written for Billy. Kevin then sends the piece to Billy, claiming that he wrote it. Billy loves it, he is impressed by Kevin's skills, and he listens to the recording on repeat.
H2	**Gain of undue gratitude**: A plagiarist who receives more gratitude is judged as morally worse than a plagiarist who receives less gratitude (controlling for the amount of gratitude withheld from the creator).	Luke has written a new piano piece. Luke sends the piece to Patrick to get some feedback. Patrick then sends the piece to Bob, claiming that he wrote it especially for his birthday. Bob loves it and is extremely grateful to Patrick. John has written a new instrumental guitar piece. John sends the piece to Kevin to get some feedback. Kevin then sends the piece to Billy, claiming that he wrote it. Billy loves it and is grateful to Kevin.
H3	**Competence misallocation**: A plagiarist who is unduly thought to be more competent (and who deprives the creator of more competence attribution) is judged as more immoral than a plagiarist who is unduly thought to be less competent than the first.	Luke plays and writes for several instruments. He is very good at some, like the guitar, but only knows basic techniques for others, like the piano. Luke has written a new instrumental guitar piece and a new instrumental piano piece. He shares both pieces with some friends, who are really knowledgeable about music. They are very impressed by the guitar piece but find the piano piece quite basic. A couple of weeks later, Patrick, from that friend group, plays the guitar piece for some of his colleagues, saying that he wrote it. At about the same time, Kevin, also from that group, plays the piano piece for his classmates, also claiming that he wrote the piece. Patrick's colleagues and Kevin's classmates both enjoy the piece they listen to, but Patrick's colleagues are much more impressed than Kevin's classmates.
H4	**Audience size**: A plagiarist who benefits from undue reputation and deprives the original creator of reputation from a larger audience will be judged as more immoral than a plagiarist who does from a smaller audience.	John has written a new instrumental piano piece. John sends the piece to Kevin to get some feedback. Kevin then sends the piece separately to six of his friends, claiming that he wrote it. They love it, are impressed by Kevin's skills, and they listen to the recording on repeat. Luke has written a new instrumental guitar piece. Luke sends the piece to Patrick to get some feedback. Patrick then sends the piece to Bob, claiming that he wrote it. Bob loves it, he is impressed by Patrick's skills, and he listens to the recording on repeat.

Table 2
Results of binomial tests for the four hypotheses tested in Study 1

Hypotheses	Percentage of People Judging as Morally Worse the Greater Reputational Misallocation	Confidence Interval	*p*-value	*N*	Hypothesis Verified
H1: Undue Loss of Gratitude	62%	[53.76%, 68.91%]	.0033	169	Yes
H2: Gain of Undue Gratitude	60%	[51.62%, 67.28%]	.0177	161	Yes
H3: Competence Misallocation	63%	[55.55%, 70.79%]	.0007	164	Yes
H4: Audience Size	72%	[64.86%, 79.10%]	< .0001	163	Yes

All scenarios were written in the second person and followed a consistent narrative structure: a creator shares an original work with an individual, who then falsely claims credit to a given audience. After reading about both instances of plagiarism, participants answered the question: "Whose behavior was morally worse?" by selecting one of the two plagiarists.

Each hypothesis was tested using 12 vignettes, systematically counterbalanced for the gender of characters (male or female), the type of creative content (music, text, or images), and the order in which the plagiarists were presented. An example vignette for each hypothesis (in the Male/Music condition) is provided in Table 1. The full set of materials is available in the Supplementary Materials.

2.2. Results and discussion

We performed binomial tests ($H_0 = 0.5$) on responses aggregated across the 12 vignettes testing each hypothesis. All reported analyses are two-tailed.

Our predictions that participants would consistently judge greater reputational misallocation as more morally wrong were confirmed (see Table 2), supporting the idea that different types of reputation misallocation play a role in moral judgments related to IP.

3. Study 2

The goal of study 1 was to understand in more detail how different facets of reputation influence moral judgments related to plagiarism. Study 2, by contrast, seeks to extend models of reputation-based moral judgments to situations besides the simple plagiarism cases on which nearly all of the experimental literature has focused. To do so, Study 2 examines a variety of scenarios in which the predictions of the reputation-based models of moral intuitions about IP diverge, or converge, with IP law. The overarching hypothesis is that IP-related actions involving significant reputational misallocation will be judged as morally unacceptable, while actions that involve the use of others' ideas without any misallocation of reputation (e.g., because credit is granted to the creator) will tend to be deemed morally acceptable. For each scenario, we indicate the predictions of the present model in terms of whether the behavior described should tend to be deemed morally acceptable or morally unacceptable. We also

indicate whether that behavior would be legal or not, at least in the Common Law (see the Supplementary Materials).

All hypotheses, materials, and analyses were preregistered prior to data collection and are available at https://osf.io/9dz86/

3.1. Methods

3.1.1. Participants

A power analysis was conducted to determine the necessary sample size for reliable results. Assuming an expected frequency of 0.61 (based on the pilot studies of Study 1), an α-level of 0.05, and a desired power of 0.80 for a binomial test, we calculated that a minimum of 162 responses per hypothesis were needed. To account for potential exclusions due to failed attention checks, we aimed to collect 165 participants for each scenario, totaling 1320 participants. We recruited 1366 participants through Prolific, all residing in the United States. After excluding 11 participants who failed the attention check, the final dataset comprised 1355 participants. The mean age was 40.90 years ($SD = 13.31$), and 50% were women.

3.1.2. Materials and procedure

After providing informed consent, participants completed the same Instructed Response Item attention check as in Study 1. After brief instructions, participants were randomly assigned to read a single vignette for a single condition, in a between-participants design.

We created a basic scenario to test each of the eight hypotheses (see Table 3 for the list of hypotheses), using custom vignettes similar in structure to those typically used in prior IP research, particularly in studies on plagiarism (e.g., Silver & Shaw, 2018). In each scenario, a protagonist engages in an IP-related behavior that either results or does not result in reputation misallocation. Each of these scenarios had four to six instantiations with different contents: mathematical explanations, musical art, visual art, and text—selected based on their relevance (e.g., the fan fiction vignettes did not use mathematical IP). Additionally, every vignette was created in two versions to balance character gender (all characters were either female or male).

After reading the vignette, each participant evaluated the moral acceptability of the protagonist's behavior using a 6-point Likert scale, ranging from "*Completely unacceptable*" (1) to "*Completely acceptable*" (6). Table 3 provides an example vignette for each hypothesis in the Text and Male conditions. All vignettes are available on OSF.

3.2. Results and discussion

We created two response categories from participants' answers on the Likert scale: "*morally unacceptable*" (ratings of 1, 2, or 3) and "*morally acceptable*" (ratings of 4, 5, or 6). We examined whether participants judged actions involving significant reputational misallocation as more morally unacceptable across various scenarios with binomial tests (H0 = 0.5) looking at responses aggregated across all vignettes for each hypothesis. All analyses were two-tailed. We also report each action's mean *Morality Score*, the average morality rating on a 6-point Likert scale (1 = *completely unacceptable*, 6 = *completely morally acceptable*).

Table 3
Hypotheses and vignettes for Study 2

	Hypothesis	Legality	Example of Vignette
H5	**Plagiarism 1**: Participants judge legal plagiarism as morally unacceptable due to reputational misallocation, as the plagiarist gains undue credit while the original creator loses recognition, even when legal protection is absent.	Legal	Alex had spent months carefully thinking through an intricate and emotional plot for a short story. The entire story was clear in his mind—the themes, characters, and twists all carefully crafted. Excited to share his ideas, he sat down with Brian, his coworker, and explained the entire plot in detail. Brian listened attentively, taking notes and offering feedback, seemingly impressed by Alex's creativity. Weeks later, Alex was stunned to discover that Brian had published a short story with the exact same plot under his own name in a literary journal, taking full credit for the idea without ever mentioning Alex's role.
H6	**Plagiarism 2**: Participants judge illegal plagiarism as morally unacceptable for the same reasons as legal plagiarism, given the unfair reputational benefit gained by the plagiarist.	Illegal	Alex had spent months crafting an intricate and emotional short story. After finally completing it, he was eager to share it with Brian, the coworker with whom he shared an office. One day, Alex sat down with Brian, explaining the themes, characters, and plot in detail, even handing Brian a printed copy of the story to read over. Brian seemed enthusiastic, taking notes as they discussed it. Weeks later, Alex was shocked to discover that Brian had published the exact same story under his own name in a literary journal, taking full credit for the work without ever mentioning Alex's contribution.
H7	**Ghostwriting**: Participants judge ghostwriting as morally unacceptable because the credited individual receives undeserved recognition while the actual creator remains unacknowledged.	Legal	Mark, a wealthy businessman with no writing experience, wanted to be known as an author. He hired Tyler, a skilled but relatively unknown writer, to craft a book for him. Tyler put his creativity and effort into the project, writing a compelling story, for which Mark would take credit. Once the book was finished, Mark published it under his own name, with no mention of Tyler's involvement. Though it was not a bestseller, the book achieved moderate success, earning Mark the recognition he sought.

(*Continued*)

Table 3
(Continued)

	Hypothesis	Legality	Example of Vignette
H8	**Pen Name 1—Reputation damaging content**: Participants judge the use of a pen name to conceal authorship of reputation-damaging content as morally unacceptable, as it unfairly shields the creator from reputational harm.	Legal	David Harris had always been passionate about writing. He decided to write a novel expressing his political views. The text was filled with vile rhetoric, violently racist, and justifying terrorism. David decided not to publish it under his real name. Instead, he chose the pen name David Silverwing. When the novel was released, it drew sharp criticism for its dangerous and destructive message, with outrage aimed at "David Silverwing." However, nobody, not even David's close friends, knew who the author really was.
H9	**Dead creators**: Participants judge the appropriation of a deceased creator's work as morally unacceptable due to reputational misallocation, where the claimant unfairly benefits from the creativity and competence of the original creator.	Legal	After discovering an old, forgotten novel in a dusty library archive, Michael stumbled upon something extraordinary. The manuscript, penned over 100 years ago by Arthur Penwick, an obscure author whose works had long faded into history, was a beautifully written and thought-provoking story. Realizing its potential, Michael saw an opportunity. He decided to publish the novel under his own name, never mentioning Arthur Penwick or the true origin of the work. Once released, the novel quickly gained attention for its depth, style, and storytelling, earning Michael praise from critics and recognition in literary circles. As the media celebrated his "talent," no one knew that the real author, Arthur Penwick, had been lost to time. Michael, now enjoying fame and success, kept the secret, allowing the world to believe that the masterpiece was his own creation.
H10	**AI-generated work**: Participants judge falsely claiming AI-generated work as one's own as morally unacceptable, due to the misattribution of competence, leading to undue reputational benefits.	Ambiguous	Michael was testing an advanced AI developed by an external tech company, designed to assist with various creative tasks. During one of its writing sessions, the AI generated a captivating and well-written short story. Michael was amazed by the quality of the narrative and recognized its potential to gain attention. Seeing an opportunity, he decided to hide the fact that the story had been written by the AI. Without making any changes, Michael submitted the story to a literary magazine under his own name. The story quickly gained recognition, earning him praise for his creativity and storytelling. As Michael enjoyed his new fame, no one knew that the true author was an artificial intelligence.

(*Continued*)

Table 3
(Continued)

	Hypothesis	Legality	Example of Vignette
H11	**Pen Name 2—Reputation-enhancing content**: Participants judge the use of a pen name for reputation-enhancing content as morally acceptable, as no misattribution of credit occurs, and the creator can later reveal their identity.	Legal	David Harris had always been passionate about writing, and after years of work, he completed a book that explored the power of kindness and community. The story was uplifting, filled with hope and humanity. Though he was proud of his work, David felt hesitant to publish it under his real name. Instead, he chose a pen name: David Silverwind. When the book was released, it was well-received, praised for its warmth and depth. Readers loved "David Silverwind's" message, but nobody, not even David's close friends, knew the true creator was David Harris.
H12	**Fan fiction, cover art, and creative adaptations**: Participants judge fan fiction and cover art as morally acceptable when proper credit is given to the original creators, as there is no reputational misallocation, making these acts morally neutral or acceptable.	Illegal	James loves writing in his spare time, especially fan fiction based on his favorite novels. One afternoon, he decided to post a fanfiction story inspired by a popular fantasy series he had been passionate about for years. His story imagined the lives of the characters 20 years after the book's ending, crafting a new and compelling narrative with its own unique intrigue. James wrote the story purely out of passion for writing and the series, and he made it freely available, earning no money from it. After finishing his piece, he uploaded it to a fanfiction website, making sure to give full credit to the original creator and series. In the description, James clearly acknowledged that the characters and world were not his creations. The story gained a modest following, with readers enjoying his fresh take on their beloved characters.

Table 4
Legality, predictions, and results of binomial tests for the hypotheses of Study 2

Name	Legality	Predicted Morality	Intuitions About Morality	Percentage of "Morally Unacceptable" Answers	Morality Score (Standard Deviation)	Confidence Interval	*N*
H5: Plagiarism (legal)	Legal	Morally unacceptable	Morally unacceptable	94%	1.36 (1.05)	[88.72%, 96.73%]	170
H6: Plagiarism (illegal)	Illegal	Morally unacceptable	Morally unacceptable	95%	1.31 (0.99)	[90.19%, 97.55%]	170
H7: Ghostwriting	Legal	Morally unacceptable	Morally unacceptable	85%	2.00 (1.19)	[79.18%, 90.31%]	171
H8: Pen Name 1	Legal	Morally unacceptable	Morally unacceptable	82%	2.07 (1.36)	[75.07%, 87.38%]	168
H9: Dead creators	Legal	Morally unacceptable	Morally unacceptable	93%	1.54 (1.09)	[88.06%, 96.32%]	171
H10: AI-generated	Ambiguous	Morally unacceptable	Morally unacceptable	86%	2.04 (1.22)	[79.70%, 90.90%]	167
H11: Pen Name 2	Legal	Morally acceptable	Morally acceptable	7%	5.33 (1.14)	[3.72%, 12.07%]	169
H12: Creative adaptations	Illegal	Morally acceptable	Morally acceptable	4%	5.55 (0.91)	[1.68%, 8.35%]	169

Note. The legal or illegal tags are explained in the ESM.

All the hypotheses were confirmed (all p values were below 0.01), with over 82% of participants making the predicted moral judgments across all scenarios (see Table 4). These findings confirm that participants consistently judged actions involving reputational misallocation as morally unacceptable, whereas actions without reputational misallocation were predominantly judged as morally acceptable. This was true regardless of the legality or illegality of the actions. Furthermore, as shown in the descriptive statistics reported in the ESM, the dichotomized responses into "morally acceptable" and "morally unacceptable" do not distort participants' judgments, which were overwhelmingly concentrated at the extreme ends of the response scale. This supports the hypothesis that reputational considerations significantly influence moral judgments of creative ownership.

4. General discussion

Our findings indicate that moral judgments of IP violations are systematically influenced by reputational concerns. The greater the reputational misallocation, the harsher the moral judgment.

Study 1 confirmed that actions involving greater deprivation of deserved gratitude, greater attribution of undue gratitude, more substantial misallocation of competence, or amplified reputational gain through larger audiences were judged as significantly more morally unacceptable than actions involving lesser degrees of reputational misallocation, thereby supporting all four hypotheses.

Study 2 extended these results across diverse contexts, including plagiarism, ghostwriting, and AI-generated content. Scenarios involving reputational misallocations were consistently deemed morally unacceptable, whereas actions with proper credit attribution, such as writing fan fiction or using a pseudonym for content that would enhance one's reputation, were judged morally acceptable. These findings underscore the central role of the accuracy of reputational attributions in shaping moral intuitions about IP, at least in a U.S. population. Although other factors—such as economic harm or intent—may also contribute to moral evaluations, the consistent effects observed across diverse scenarios point to the distinctive salience of reputational concerns.

5. Conclusion

People tend to have a much more relaxed approach toward violating IP law than other types of property law (Wingrove et al., 2011). By contrast, they seem to find morally problematic IP-related behaviors that the law does not condemn. Building on earlier work suggesting that cognitive mechanisms related to reputation explain these moral judgments (e.g., Silver & Shaw, 2018), we developed a more detailed model that distinguishes between reputation for warmth (reflected in gratitude) and competence, and which incorporates audience size. We also applied this model beyond cases of plagiarism to a series of other IP-related situations—ghostwriting, fan fiction, and so forth—where it predicted participants' moral judgments, which often diverged from the law. Although our findings only stem from U.S. participants, previous research along similar lines has observed strong cross-cultural regularities (Mandel

et al., 2019; Yang et al., 2014). After briefly addressing the origins of the disconnect between moral intuitions about IP and IP law, we note that legal systems beyond common law appear more in line with moral intuitions and speculate on the consequences of our findings for the philosophical foundations of IP law.

5.1. Intuitions about the use and ownership of ideas and normative systems

Laws often reflect the moral intuitions of a culture, evolving organically to codify widely held beliefs about fairness, harm, and reciprocity, as seen in property law, penal law, and contract law (e.g., Boyer, 2023; Sznycer & Patrick, 2020). Why does IP law deviate from this pattern? Unlike penal and property laws, which have deep historical roots and often emerge organically in traditional societies, IP law is a modern construct, originating only about seven centuries ago. One of the earliest statutes protecting authors' rights was issued in 1421 by the Republic of Florence to Filippo Brunelleschi, and modern IP systems, such as those in the United States, are based on English laws like the Statute of Monopolies (1624) and the Statute of Anne (1710). Notably, there is, to our knowledge, no evidence of IP norms in small-scale societies, indicating that IP law emerged as a top-down framework designed by lawmakers to create economic incentives for innovation rather than evolving from moral intuitions or customary practices. The recent origin of IP law and its distinct functional purpose likely explain why it often diverges from moral intuitions.

In this paper, we have mostly focused on divergences between moral intuitions and common law (see the Supplementary Materials). However, IP law varies across systems in how it protects economic versus personal interests. U.S. doctrine largely tracks utilitarian incentives—granting exclusive economic rights—while offering minimal, fragmented recognition of personal and reputational claims. By contrast, Continental systems—especially French law that informed Berne art. 6bis—entrench "moral rights" as inalienable and imprescriptible: a "paternity" right (accurate authorship and role; prevention of false attribution across publications, credits, and metadata) and a right to the "integrity" of the work (prohibition of distortions, mutilations, or misleading contexts liable to prejudice the author's honor or reputation; or mislead audiences about competence or intent), typically enforceable via injunction/restoration and damages (e.g., CPI L.121-1 s.). These levers map tightly onto the rivalrous, positional nature of reputation that our data isolate—correcting undue credit to copiers and withheld credit to creators—without (necessarily) forbidding non-rivalrous uses of the underlying work, which can be authorized. Notably, our U.S. participants displayed intuitions based on reputation despite the fact that their own legal system does not grant them much weight.

Beyond these legal systems, copyleft frameworks are experiencing increasing popularity, which we would argue stems in part from their better fit with moral intuitions about IP. For example, Creative Commons (CC) offers a flexible licensing framework that resonates with these moral intuitions. The Attribution (CC BY) license requires proper credit to creators while permitting broad use, including commercial applications, thereby promoting wide diffusion while protecting reputational integrity. The Attribution-NonCommercial (CC BY-NC) license further addresses intuitions about fairness by allowing sharing and adaptation for non-

commercial purposes only, ensuring creators maintain control over profit-driven uses. Unlike formal IP systems, CC licenses are spontaneously adopted by creators, demonstrating their intuitive appeal. With over two billion works globally licensed, Creative Commons highlights how frameworks prioritizing moral intuitions can achieve remarkable popularity without relying on traditional legal enforcement. However, as Creative Commons provides no direct economic incentives, it cannot replace traditional IP systems, which, according to the functional approach dominant among lawmakers, remain essential for fostering innovation through economic protections, (e.g., Goldstein & Reese, 2008).

Philosophers have developed different theoretical frameworks to justify IP rights, each providing a distinct rationale for their legitimacy (Moore, 2018). Personality theory, rooted in Hegelian philosophy (Hegel, 1991 [1821]), posits that IP is an extension of an individual's personality, asserting that creative works are integral to self-actualization and warrant protection as part of personal freedom. Utilitarian theory emphasizes societal benefits, arguing that IP rights incentivize innovation by enabling creators to recoup investments and fostering the production of intellectual works (Lemley, 2015; Oppenheim, 1951). This view assumes that without such protections, potential innovators would have fewer incentives to create, resulting in diminished social progress. Lockean theory grounds IP rights in labor and merit, asserting that creators acquire rights through their effort, provided this does not harm others' access to equivalent opportunities. Locke (1967 [1690]) maintained that mixing one's labor with an unowned object generates a legitimate claim to it (Moore, 1997), a concept later adapted to intellectual creations (Mossoff, 2012). Last, the prisoner's dilemma-based approach (Moore & Himma, 2022) frames IP rights as a rational solution to free-riding, ensuring collective incentives for innovation. This perspective argues that without protections, creators would face disincentives to produce intellectual goods, leading to suboptimal outcomes for society.

Contemporary IP laws primarily reflect a utilitarian framework that emphasizes economic incentives and functionality. However, empirical findings such as ours suggest that the public tends to find it morally acceptable to use others' creative works as long as proper credit is given, highlighting a prioritization of attribution over exclusive economic control. This view aligns more closely with personality theory, which emphasizes the intrinsic connection between creators and their works, and the moral obligation to acknowledge this bond through attribution. In contrast, utilitarian justifications, which focus on monopolistic rights as incentives for innovation, and Lockean theories, which argue for full ownership of the fruits of one's labor, would likely fail to resonate with laypeople's preference for shared use accompanied by proper credit.

5.2. Generative AI and the breakdown of reputational signals

Our reputational account helps make sense of the backlash against AI-generated creative work (Abel & Johnson, 2025) by shifting attention from output quality alone to how outputs reallocate credit and competence. AI-assisted production can distort reputation in (at least) two ways. Downstream, it changes what audiences can safely infer about an author from the work they see. In our vignette, condemnation is predicted to peak when a person submits an unedited AI-generated story under their own name while concealing tool use: The text invites

readers to treat the performance as diagnostic of the author's skill, so concealment creates maximal misattribution of competence and undue credit. This also clarifies why "AI aversion" is often most visible in stated evaluations (e.g., judgments of quality, fairness, or deservingness) because these are precisely the judgments people use to regulate credit and status, even when private enjoyment is unchanged. Consistent with this dissociation, Abel and Johnson's (2025) incentivized experiment finds that labeling an identical short story as AI-generated depresses subjective assessments, yet does not reduce time spent reading nor willingness to pay or work to finish the story; suggesting that the label primarily updates what the output is taken to reveal about the putative author, whereas engagement tracks consumption value more directly.

Upstream, a different kind of misallocation concerns the inputs: large language models are trained on vast bodies of others' work, mostly without consent, so many objections target appropriation and lost remuneration rather than (or in addition to) mistaken competence inferences. This upstream channel is not unique to a reputational account; standard economic arguments about uncompensated use and intensified competition from low-cost substitutes can predict similar resistance. Where our framework adds value is in linking upstream opacity and appropriation to moral condemnation via a shared micro-mechanism: When the provenance of text becomes unclear (who contributed what, and under what permission), both economic credit (payment) and social credit (reputation) become harder to allocate in a way that feels legitimate. This bridge helps connect individual-level reactions to the broader policy climate around training data: In a U.K. government progress statement published December 15 2025, a large majority of Citizen Space respondents favored a permission/payment-based regime (88% preferring licensing "in all cases," 7% preferring no change in current regime), while only small minorities preferred exceptions (3% an exception with rights reservation; 0.5% a broad exception), with 1.5% indicating no preference.

Finally, our framework predicts a boundary problem and, potentially, a path to adaptation. In practice, many creations by humans using Large Language Models are hybrids (prompting, selection, partial rewriting, verification), which makes authorship harder to "see" and turns creative work into a noisier signal of individual skill: As the production chain becomes opaque, credit becomes contestable and competence attribution less reliable. But the same logic also implies that norms can shift as audiences learn to relocate competence from "raw generation" to how the tool is used: eliciting, selecting, revising, and checking can become the new locus of skill, making careful tool-mediated authorship separable from unedited copy–paste. This kind of accommodation is familiar from earlier cultural debates about tools (e.g., photography vs. painting; later, digital vs. analog), where evaluators gradually moved from condemning the mere presence of a technology to crediting the craft and choices expressed through it, suggesting that some backlash reflects a transitional period in which reputational cues and credit-allocation rules have not yet stabilized.

5.3. Limitations

Our studies face a number of limitations. Because Study 1 asked participants to choose which plagiarist was worse, the forced-choice format can exaggerate perceived differences.

This design was appropriate for testing relative rankings of wrongdoing, whereas determining absolute moral severity is left to future work. Furthermore, in Study 1, we did not include manipulation checks to verify whether participants clearly distinguished between loss of gratitude (to the creator) and gain of gratitude (by the plagiarist), and it is possible that both elements were present in each vignette, though asymmetrically. However, the results consistently show that variations along these dimensions influence moral judgments, supporting the broader claim that epistemic gratitude, and the associated reputational stakes play a key role in how people evaluate plagiarism.

Another limitation is that we employed a simplified representation of the law. While our descriptions are accurate, they do not fully capture the nuanced variations in IP law across countries, legal systems, or specific IP categories. Second, our focus was primarily on IP tied to artistic or scientific work—notably copyright—rather than patents, trade secrets, or trademarks. This focus reflects the easier integration of copyright into everyday-life scenarios and its less overt economic salience but limits the generalizability of our findings to other forms of IP with distinct legal and practical implications. In particular, we do not know how participants would trade off economic costs and benefits with reputational costs and benefits in their moral calculations. Third, we focused on works created by single authors, when many creative works are the result of a collaborative effort. It is not clear how people attribute reputation in such cases, and thus what their intuitions about IP rights would be. Finally, we only recruited a sample in one culture, and it would be better to test whether similar results would be obtained elsewhere (although some results suggest that these intuitions are cross-culturally robust, e.g., Yang et al., 2014).

5.4. Perspectives for future research

Future research could address these issues by providing vignettes with more legally relevant context and testing different populations. Cases of potential conflicts between moral intuitions and IP law when economic incentives are at play could be explored. For example, the legal requirement for patent registration, critical for establishing priority, may clash with moral intuitions. People might find it unfair for a later registrant to claim credit over an earlier, more meritorious inventor, depriving them of both reputational and economic rewards. Experiments could also explore the trade-offs between economic and reputational costs and benefits. For instance, if a band generates a lot of revenue playing cover songs, people might feel that they should do more than to acknowledge the authors of the songs and that some of the revenue should be awarded to them. Future research could also query people's intuitions about what is legal, instead of what is moral, testing whether people are aware of the conflicts between these two dimensions.

Furthermore, while our reputation model currently best fits the cases with a single, clearly identified author, many cultural products, like films and theater, are fundamentally collaborative and incremental. In such settings, credit is divisible across roles and depends on how clear the authorship is to observers. When provenance is opaque, audiences often shift from individual attribution to group-level reputations, speaking about "U.S. comedians" or "French authors" rather than naming a single creator. Future studies should therefore manipulate the

divisibility of contribution (solo vs. ensemble, one-off vs. cumulative work) and the clarity of authorship cues, and then measure how these factors, alongside misallocation, shape moral judgments and the acceptable granularity of credit. However, some of our items—like song-covers or fanfiction—provide preliminary evidence that audiences can parse contributions when provenance is explicit, and reliably attribute competence to the correct person for songwriting—melody, harmony, chords—and to a different person for performance and interpretation. A natural extension would be to test analogous decompositions in film and theatre by orthogonally varying who wrote the script, who directed, and who performed, and by making credit signals more or less salient, to examine how partial-credit assignments and perceived wrongdoing shift with the structure of contribution.

There could also be domain variation in attribution norms. A promising line for future work could be to map how attribution norms could vary with the context, for instance, in domains with weak or fluid authorship—jokes, riddles, and general knowledge. A clear hypothesis could be that audience expertise sets default priors about originality: Within professional communities (e.g., comedians), an utterance not explicitly attributed to someone else might be more readily treated as an original contribution, whereas in everyday audiences, the same content might be presumed socially acquired. Ethnography of magicians indicate, for example, tacit rules and vigilant policing of originality claims, suggesting a rich normative ecology to test experimentally (Jones, 2011).

Last, research should test interventions to enhance public compliance with IP laws by highlighting their economic and reputational significance. For instance, emphasizing how IP protections benefit creators financially and through recognition might shift perceptions and behaviors. Experimental studies could evaluate whether such interventions increase respect for IP rights and bridge gaps between legal standards and public intuitions.

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Supporting Information

Additional supporting information may be found online in the Supporting Information section at the end of the article.

Supporting Information