AWARENESS AND EXTENT OF INFRINGEMENT OF COPYRIGHT LAWS AMONG UNDERGRADUATE STUDENTS IN AHMADU BELLO UNIVERSITY, ZARIA, KADUNA STATE, NIGERIA.

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NIGERIA

JUNE, 2016

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BY

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DEPARTMENT OF LIBRARY AND INFORMATION SCIENCE,
FACULTY OF EDUCATION
AHMADU BELLO UNIVERSITY, ZARIA
NIGERIA

JUNE, 2016

DECLARATION

I declare that the work in this Project entitled Awareness and Extent of Infringement of Copyright Laws among undergraduate Students of Ahmadu Bello University, Zaria, Kaduna State, Nigeria has been carried out by me in the Department of Library and information Science. The information derived from the literature has been duly acknowledged in the text and a list of references provided. No part of this thesis was previously presented for another degree or diploma at this or any other institution.

DEBORAH SARAH GADO

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Signature Date

CERTIFICATION

This Project entitled "Awareness and Extent of Infringement of Copyright Laws among Undergraduate Students in A.B.U Zaria, Kaduna State, Nigeria" by Deborah Sarah Gado meets the regulations governing the award of the degree of Master in Library and Information Science of the Ahmadu Bello University, and is approved for its contribution to knowledge and literary presentation.

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DEDICATION

This project is dedicated to the Almighty God for giving me the privilege to undergo this study from the beginning to its successful completion; I say a big thank you.

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I wish to express my profound gratitude to God Almighty who saw me through the completion of this study successfully. I am most grateful to my able supervisors, Prof. Innocent I. Ekoja and Dr. Baba S. Aduku, for their patience and useful advice and corrections, hence making this project a huge success. May God Almighty bless them abundantly.

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Finally, I appreciate Jessica Musa, who helped me greatly in tallying my data and others too numerous to mention, I pray that God of heaven who provides, will supply abundantly their needs in Christ Jesus – Amen.

ABSTRACT

This study was to determine the level of awareness among undergraduate students in Ahmadu Bello University Zaria, Kaduna State and to find out the extent of infringement of copyright laws among them. The researcher used the survey research design to collect data that led to solving the problem at hand. The population of the study was the 30,492 undergraduate students of Ahmadu Bello University Zaria. A total of 379 were sufficient sample according to Krejcie and Morgan table for determining sample size. The study adopted the stratified random sampling procedure to draw from the 12 faculties without bias sufficient respondents. Questionnaire was used as the instrument for data collection. The questionnaire comprised of fifteen questions and divided into six sections. The study employed frequency distribution and simple percentage to analyse the findings of the study. It was discovered that there was a significant level of awareness among the undergraduate students of ABU Zaria. It also discovered that photocopying, plagiarism and copy and paste were the major ways of copyright infringements. The study concludes that copyright infringement is a serious issue with negative consequences on creative imagination of notable Nigerians. Among the recommendations are for stronger legislation, enforcement, awareness and reward for creativity.

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CHAPTER ONE

INTRODUCTION

1.1 Background to the Study

The capacity and ability to think critically, logically and analytically as well as generate novel ideas are among the legacies a university education bequeaths on its recipientsafter graduation. The purpose therefore for attaining university education is to produce creative and original thinkers who can contribute meaningfully to the development of the society (Babalola, 2012). However,beneficiaries (users) of information sources seem not to be aware of regulations guiding such usage, the legal implications,culpability and punishments as a result of infringements. The negative increase in academic copyright infringement is worrisome because it is eating deep into the fabric of university students and making the noble mission of university education a mirage. The act of piracy, violates people's intellectual property rights, undermines the principles of honesty, trust, fairness, respect and sense of responsibility. Furthermore, it devalues the integrity of academic qualifications and discourages creativity and uniqueness.

The academic environment is a place where knowledge is shared, transferred and impactedthrough teaching and learning which must be done in accordance with basic rules, principles and standards. The basic rules areembedded in polices and rules which illustrate and create awareness.There is never a time than now to investigate students' awareness of copyright laws and what constitute copyright infringement, factors responsible for the prevalence of the practice in order to effectively combat it.

Awareness refers to having knowledge of the existence of something; it is the state at which one is well informed about what is going on with regards to the point of interest. The level of awareness of the Nigerian copyright laws among undergraduate students in Nigerian

tertiary institutions vary from one institution to the other. According to Isiakpona (2012), awareness of copyright laws by undergraduate students at University of Ibadan, was considerably high. Though awareness is high, the knowledge on what constitute infringement of the copyrightlaws is low. This is a similar view shared by Korletey and Tettey (2015) in their work on copyright awareness in Kwame Nkrumah University of Science in Ghana.

Copyright infringement refers to the unauthorised use of copyrighted materials in a manner that violates owner's exclusive right. Infringement in this context includes piracy, plagiarism of text, indiscriminate photocopying, duplication of web pages, etc. (Isiakpona, 2012). The common copyright infringement by students in tertiary institutions is plagiarism.

Plagiarism could be described as the violation of copyright law to use all or any part of A's document, either verbatim or with trivial changes, in a document written by B, except as described in the section on fair use.

Piracy is also another means of infringement of copyright law. Piracy as opined by Thomas (1991) as cited by Okwilagwe (2001), is "the unauthorised or illegal reproduction of the work of an author for sale without payment of royalty or other compensation to the owner of the intellectual property so exploited."

Several reasons have been adduced for the rising incidences of copyright infringement in the academia. The most popular is the ease with which information can be retrieved, manipulated and distributed on the Internet. The widespread use of the Internet among students has fostered the 'cut and paste' approach to research. Young (2001) as cited in Babalola (2012), blame the anonymity of the web and the practice of 'downloading' music, software, games, etc. at no cost from the Internet to gradually erode the culture of attribution that is fundamental to academic research. Students generally have the misconception that the Internet is a free source for collecting information without acknowledging the author. The number of paper mills, websites that offer written term papers for a fee, has increased

significantly with the advent of Internet technology. Other reasons for academic copyright infringement include lack of knowledge of rules for citation and referencing, inability to cope with workload and poor time management skills (James, McInnis and Devlin, 2002 as cited in Babalola 2012), pressure to succeed, lack of motivation to excel, laziness, cultural differences in learning and presentation styles and the availability and cheapness of the photocopier is a major factor (Babalola, 2012).

1.2 Statement of the Problem

All degrees awarded by the University on her graduates is as a result of fulfilling numerous requirements, one of which is a project which is approved on trust and certified because of its originality and contribution to knowledge.It is imperative therefore that the university produces great characters that are sound in mind and have the ability to be creative and imaginative, and adhere to the rule of law by respecting the works of others. This has been observed to be infringed upon.

When there is no copyright infringement, creativity and originality will blossom and flourish, this means the work of authors will be protected and royalty will be given to those who deserve and earn it. The growing presence of unauthorised reproduction of copyrighted products inhibits full potential growth and discourages creative activity especially among the youths who are the future.

It is no news that copyright infringement is rife among students in Nigerian tertiary institutions. It is pathetic to see the level and comfortability at which this act is done; it has become a walk in the park. It is destroying the students by making them lazy, with no creative vision and not knowing the strength and depth of their inner minds.The presence of infringement discourages creativity and originality, because there is no protection for literal creation. This situation encourages laziness, forgery, lack of creativity, low self-esteem and

mediocrity.Literature, both recent and past has established that copyright laws are very important for better creativity on the part of the authors and protection of intellectual content of their work (Isiakpona, 2012). However, it isnot certain if information users actually have a reasonable level of knowledge of these copyrightlaws as a means of protecting the intellectual creativity of respective authors. They might havereasonable level of knowledge of these but still infringe on the laws.It is also believed that in Nigeria, the copyright law is not as effective as expected since no propermechanism is put in place to curb infringement.

Various forms of infringement are still practised ona reasonable scale in higher institution of learning despite the copyright laws. Preliminary investigation by the researcher reveals the following forms of copyright infringement in Ahmadu Bello University; plagiarism, duplication, copy and paste, downloading, photocopying, re-printing, piracy among many others.

The concern of this study therefore is to determine the level of awareness among undergraduate students in Ahmadu Bello University Zaria on the issue of copyright law andits infringement.

1.3 Research Questions

The following were the research questions set for this study:

i. To what extent are undergraduates in Ahmadu Bello University aware of the provisions of the copyright law?

ii. What is the extent of copyright infringement of intellectual property by undergraduate students of ABU Zaria?

iii. What are the major ways in which copyright laws are infringed upon by undergraduates of ABU Zaria?

iv. What are the challenges to effective implementation of copyright laws in ABU Zaria?

1.4 Objectives of the Study

The following are theobjectives of the study:

i. To determine the level of awareness of copyright laws among undergraduate students of ABU Zaria.

ii. To assess the level of copyright infringement of intellectual property by theundergraduate students of ABU.

iii. To determine the major ways in which copyright laws are being infringed upon among undergraduate students of ABU Zaria?

iv. To determine the challenges to effective implementation of copyright laws in ABU Zaria.

1.5Significance of the Study

Copyright infringement is a serious problem in Nigeria. The threat posed by copyright infringement among undergraduate students is a thing of concern. Copyright infringement has profound consequences not only for the one whose work is being debased and abused but also for the perpetrators of such act, who in this case are young undergraduates who are expected to come up with great ideas that will address modern problems in the society and also serve as a bedrock for the development of future generation.

This study is of great significance to authorities and law enforcement agents as it gives an insight to the activities of students, awareness as well as the level of copyright infringement taking place in ABU Zaria. It is also of great significance to the National Universities

Commission and the School's governing body to know what is going on and to come up with possible solution that will reduce and discourage perpetrators. The findings of this study can also be used to generalize on the universities in the North-West zone.

This work is also of great significance as it will add to knowledge, help in further research and also serve as literature now and in the future. The study will also serve as an eye opener or enlightenment to those students who are actually unaware or ignorant of the copyright law or how their activities infringe on the law.

Taking a cursory look at the negativities attached to such an act, it is of great concern that creativity is giving way to mediocrity in such a challenging and competitive era where knowledge is the driving force of every form of development, as such, this research is justifiable.

1.6Scope and Delimitation

Thisstudy covered only theundergraduate students of Ahmadu Bello University Zaria. It lookedinto the level of awareness of copyright provisions in Nigeria, the level of infringement and the provision of copyright law among the undergraduate students of ABU. This study covered both the Samaru and Congo campuses with respect to its 2015 undergraduate population.

1.7 Operational Definitions of Terms

The following terms were operationally defined thus:

Awareness: Conscious or mindfulof copyright laws.

Copyright:The right which an author or creator of original ideas, expressions, words drawings or works has over everyone for the duration of his life time.

Copyright Law: The legal device that gives the creators of original ideas, expressions, words, or works the sole right to publish and sell such works.

Copyright Infringement: The unauthorised use of ideas, expressions or works under copyright.

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CHAPTER TWO

REVIEW OF RELATED LITERATURE

2.1**Introduction**

This chapter was presented under the following sub-headings:

2.2Concept of Copyright Law

2.3 History of Copyright law

2.4 Copyright Law in Nigeria

2.5 Copyright Infringement

2.6 Types of CopyrightInfringement

2.7 Fair Use

2.8 Challenges and Achievement of Copyright Commission in Nigeria

2.9 Undergraduate Students and Copyright Infringement

3.0 Summary of the Review

2.2 Concept of Copyright Law

Copyright can be defined as the right which an author or creator of original ideas, expressions, words, drawings or works has over everyone for the duration of his life time plus 50 to 100 years. These rights include copying the works, making derivative works, distributing the works and performing the works. These rights of the author commence when a work is created (World Intellectual Property Organization, 2008). This means that whatever the author created cannot be used or published by anyone else without the consent of the author.

Copyright is also defined by Isiakpona(2012), as a set of exclusive rights granted by government for a limited time to protect the particular form, way or manner in which an idea or information is expressed. Copyright may exist in a wide range of creative or artistic form or works which include literary works,movies, musical works, sound recordings, paintings, photographs, software and industrial designs. WIPO (2008) also highlighted different types of content that can be protected by copyright laws such as books, poems, plays, songs, films, and artwork. In modern times, copyright protection has extended to websites and other online content. Copyright laws simply explain the legal protection given to authors against unauthorised copying of their work.

Isiakpona (2012) also describes copyright as a property that may be sold, assigned or licensed for use by any other person who has interest in such work. The main reason for copyright laws is to prevent intellectual theft by diverse information users. The effective protection of the intellectual property of an individual's work will dissuade intellectual theft to a minimum level and thus encourage authors to create more excellent works with better standards.

Copyright provides an effective means of protecting original works. It helps to give people credit for the work they create, which is appreciable to all. Whenever you consider copying another person's work, think of how it would make you feel if your original work is copied and published by others as theirs. Each time you use another person's work, make sure permission is taken first, and always give credit where credit is due. The existence of copyright has helped creators of original works receive credit, and encourage new initiative. Bruwelheide (1995) affirms that copyright exists for three basic reasons: to reward authors for their original works; to encourage availability of the works to the public; and to facilitate access and use of copyrighted works by the public in certain instances.

Intellectual Property Institute (2011) also affirms that Copyright is an exclusive right granted to authors and owners (writers, artists, music composers, etc.) on their creations. Such creations are usually described as "works". Copyright is granted in the form of a monopoly to authors (writers, artists, music composers, etc.) on their creations.

Fishman (1997) is of the opinion that copyright is a legal device that provides the creator of a work of art or literature, or a work that conveys information or ideas, the right to control how the work is used. Its intent is to advance the progress of knowledge by giving the author of a work an economic incentive to create new works. Economic incentive here implies that the author of the work is motivated to produce more works since he has a lot to gain monetarily and otherwise. WIPOalso agree with fisherman that copyright owners have the right to control the reproduction of their work, including the right to receive payment for that reproduction. An author may grant or sell those rights to others, including publishers or recording companies.

WIPO (2008) stated that copyright is distinct from other forms of creator protection such as Patents, which give inventors exclusive rights over use of their inventions, and Trademarks which are legally protected words or symbols or certain other distinguishing features that

represent products or services. Whereas, patent protects the application of an idea, and a trademark protects a device that indicates the provider of particular services or goods, copyright protects the expression of an idea. Copyrights, patents, and trademarks are all example of what is known as intellectual property.

Copyright contributes to human creativity by giving creators incentives including recognition and economic rewards. A creator is assured that his/her works can be disseminated without fear of unauthorized copying or piracy. This in turn helps increase access to the works and enhances the enjoyment of culture, technology, knowledge, and entertainment all over the world (IPI, 2011).

2.2.1 Types of Copyright

There are different types of copyright practised as described by Norton (n.d) which include the following: automatic copyright; poor man's copyright; international copyright.

i. **Automatic Copyright:** Copyright is automatic when you have made a finished (not published) version of your work. In this, neither publication nor registration is required to secure copyright. If your work is created over a period of time, the part of the work that you consider completed on a particular date legally constitutes the copyrighted work, as of that date. Using the copyright symbol© is no longer required. A personal notice is up to you, as creator of the work,it is enough to write "copyright" followed by the year of your work's first publication and your name.
ii. **Poor man's copyright**: when you mail your work to yourself in a sealed envelopeand (which must remain sealed), the envelope's postmark constitutes a date of copyright. This is called a poor man's copyright. But the U.S copyright office as attested by Norton (n.d) states that this practice is not covered under copyright law and is not considered a substitute for registration.

iii. **International copyright**: An international copyright (one that automatically protects your work worldwide) does not exist. Protection against unauthorized use depends on individual laws of individual countries although most countries do offer conditional protection to foreign works.

It is important to note that Nigeria as a country agrees with the concept of the copyright law in its totality with laws and measures to help adhere to its principles. It is difficult to say how much of this concept in its context is practiced in Nigerian institutions of learning which happens to be the breeding ground of intellectuals. Undergraduate students of Ahmadu Bello University Zaria are bound by every aspect of the Nigerian system with no exception, but how much of it they know is difficult to ascertain at this juncture. At the end of this study it will be clearer if to what extent.

2.3 History of Copyright Laws

Copyright is a legal concept enacted by most governments, giving the creator of an original work exclusive right to it, usually for a limited time. It is the right to copy, but also gives the copyright holder the right to be credited for the work, to determine who may adapt the work to other forms, who may perform the work, who may financially benefit from it and other related rights. Copyright was at first conceived by government as a way to restrict printing; the contemporary intent of copyright isto promote thecreation of new works by giving authors control of and profit from them (WIPO, 2008). Copyrights are said to be territorial, which means that they do not extend beyond the territory of a specific state unless that state is part of an international agreement. Today, this is less relevant because most countries are parties to at least one such agreement.According to Ike (1992), as cited in Fabunmi (2007), copyright is the right granted to an individual against unauthorized copyright or reproduction of his intellectual creation or work. The concept of copyright explains its usage in the

context of artistic and literary work. Copyright is the right of the owner of a literary or artistic work. It is an intellectual property of a person as recognized by law.

Copyright arose from the idea that anything we create should be protected from use by someone else (Onatola and Dina, 2005/2006). Copyright is a universal concept and a form of protection provided by the laws of any sovereign state. It is a legislation backed right from creation of work (U.S. Copyright Office, 2000).Gleason (1998) as cited in Fabunmi (2007) observed that today's copyright law:

i. guarantees an author a monopoly, or exclusive right to continue the uses made of his orher own (original) work for a specific period;
ii. guarantees a publisher a monopoly right to publish (or arrange to publish) and sell a workwithin national boundaries for a specified period;
iii. provides financial compensation (royalties) to authors to reward them for their creativework; and
iv. Encourages progress in the country's arts and sciences in order to foster its economic,social and cultural development.

Copyright as stated by Ayanyemi (2007) is an incentive for authors to create new works.Fabunmi (2007) defined copyright as the monopoly rights granted to authors and creators in order to make sure that adequate return are made from their work so as to encourage the creation of intellectual works.

Copyright was invented after the advent of the printing press and with wider public literacy. This legal concept originated from Britain as a result of reaction to printers' monopolies at the beginning of the 18th century. The king of England, Charles II was concerned by the rate of unregulated copying of books and passed the Licensing of the Press Act 1662 by Act of the Parliament (Copyright in Historical Perspective, 1968). This Act

established a register of licensed books and required a copy to be deposited with the Stationers' Company, essentially continuing the licensing of material that had long been in effect.The history of copyright law is in some ways connected to the rise of capitalism and the attendant extension of commodity relations to the realm of creative human activities, such as literary and artistic production.

The world's first real copyright act was the Statute of Anne which came into force in 1710, and gave publishers rights for a fixed period, after which the copyright expired (Ronan, 2006). Copyright has grown from a legal concept regulating copying rights in the publishing of books and maps to one with a significant effect on nearly every modern industry, covering such items as sound recordings, films, photographs, software, and architectural works. In 1787, the United States Constitution's Copyright Clause authorized copyright legislation to promote the progress of science and useful Arts, by securing for limited times to authors and Inventors the exclusive rights to their respective writings and discoveries.By guaranteeing them a period of time in which they alone can profit from their works, enabled and encouraged them to invest the time requiredto create them, and this would be good for society as a whole (Ronan, 2006).

The original length of copyright in the United States was 14 years, and it had to be explicitly applied for. If the author wished, he could apply for a second 14-year monopoly grant, but after that the work entered the public domain so it could be used and built upon by others (Copyright in Historical Perspective, 1968). Most of these copyright laws were territorial in nature and effective only in the respective countries not until 1886 Berne Convention.

The 1886 Berne Convention first established recognition of copyrights among sovereign nations. Under the Berne Convention or Union, copyrightsfor creative works do not have to be declared, as they are automatically in force at creation: an author need not

"register" or "apply" for a copyright in countries adhering to the Berne convention (Panethiere, 2005). Panethiere further stated that as soon as a work is fixed, that is written or recorded on some physical medium, its author is automatically entitled to all copyrights in the work, and to any derivative works unless and until the author explicitly disclaims them or until the copyright expires. As a result of the Berne Convention, foreign authors are treated equivalently to domestic authors, by countries signed into the Convention. The UK signed the Berne Convention in 1887 but did not implement fully until 100 years later. The United States did not sign the Berne Convention until 1989(Correa and Xuan, 2009). Nigeria, according to Odonnayi (1986) is not a member of this Union.

The Universal Copyright Convention (U.C.C.) came into being in 1952 as another less demanding alternative to the Berne Convention and was ratified or adopted by 72 countries. They recognized the principle that a work by a foreign author enjoys the same protection as a work of an author who is a national of a state. It provides for the simplification of formalities which if required by the domestic law ofa contracting state, are regarded as satisfied if, at the time of publication of a work all copies bear the symbol C followed by the name of the Copyright owner and the year of publication and also introduced special provisos to govern translation rights (Correa and Xuan, 2009; James, 1971). Countries that subscribe to both conventions are required to provide a higher degree of protection and relationship and they are not obliged to keep their national copyright laws in line with the provisions of the conventions to which they have become bound(Odonnayi, 1986).

2.3.1 Coverage

The copyright law covers all "original works of authorship" and come in a wide range of creative, intellectual, or artistic "works."Specific forms of intellectual properties differs by jurisdiction which can include poems, theses, plays, other literary works, movies, dances, musical compositions, audio recordings, paintings, drawings, sculptures, photographs,

software,radio and television broadcasts and industrial designs. Copyright law also covers works that have not been published or even made public, such as private letters, diaries, and email messages are all protected by copyright law (Dulong de Rosnay, 2013). Copyright does not cover ideas and information themselves, only the form or manner in which they are expressed. The creativity protected by the copyright law is creativity in the choice and arrangement of words, musical notes, colours and shapes. For example, the idea of taking a picture of a sunset is not protected by copyright. Therefore, anyone may take such a picture, but a particular picture of a sunset taken by a photographer may be protected by copyright. In such a case, if someone else makes copies of the photograph, and starts selling them without the consent of the photographer, that person would be violating the photographer's rights. Copyright law protects the owner of property rights against those who copy or otherwise take and use the form in which the original work was expressed by the author (McDonald and Wasko, 2008).

What is not protected by copyright law according to Norman (n.d) are names and titles, neither are works in progress, improvised speeches, works derived from common knowledge, and performances that are not written or recorded. You can copyright your websites, but not your domain name. An exemption tocopyright law is "fair use", created to allow commentary, parody, news reporting, research and educational uses in reference to copyrighted work, without the author's permission. Short excerpts of the work (usually attributed) are allowed and the commercial value of the work must not be jeopardized.

With the passage of time copyrighted works fall into the public domain either because they are no longer covered by the limited terms of the copyright law or because the creators have donated to the public the right that they might have asserted. The public domain according to Dulong de Rosnay(2013) is the name given to the set of creative works that are not protected by copyright law either because the creators have relinquished to the public the exclusive

rights that they might have insisted on. Copyright, like other intellectual property rights, is subject to a statutorily determined term, once the term of a copyright has expired; the formerly copyrighted work enters the public domain and may be freely exploited by anyone (Ronan, 2006). The public domain, therefore, serves as a pool of creative material from which anyone may draw. It provides authors the raw materials from which the next generation of books, movies, songs, and knowledge can be built (Dulong de Rosnay, 2013).

2.3.2 Copyright Laws in Nigeria

Copyright protection in Nigeria has historical roots dating back to the Supreme Court Ordinance No. 3 of 1863, which made the U.K. Copyright Act of 1842, as well as British common law and rules of equity applicable in Nigeria. Pursuant to these norms, British statutory copyright as well as common law intellectual property (IP) causes of action—such as action for passing off—became enforceable across the country. In 1911, the 1842 Act was repealed and replaced by the Imperial Copyright Act (1911), the applicability of which was extended to Nigeria by virtue of the Order-in-Council No. 912 of 1912. The 1911 Act remained effective until 1970, when Nigeria introduced her first indigenous Copyright Act. This Act was promulgated in the form of a Decree (No. 61) issued after the suspension of the Constitution by the country's Military Government. The 1970 Copyright Act remained in force until the adoption of the Copyright Decree (No. 47) of 1988, which was later codified as Copyright Act, Ch. 68 (1990). Decree No. 47 introduced a number of vital reforms, the most significant of which was the establishment of the Nigerian Copyright Council in August 1989 as the principal body responsible for the administration and enforcement of copyright in Nigeria. During the 1990s, the 1990 Act was twice amended by the Copyright (Amendment) Decree (No. 98) of 1992 and the Copyright (Amendment) Decree (No. 42) of 1999. Adoption of these two decrees eventually resulted in the promulgation of a modernized copyright statute, which sought to bring Nigeria's law into conformity with multilateral standards of

copyright protection contained in the TRIPS Agreement (but not the WIPO Internet Treaties) and which was codified as Copyright Act, Ch. C28 (2004). While not fully implemented, this law remains effective in Nigeria to date (copyright Reform, 2012).

2.3.3 Enforcement Responsibility

The enforcement of copyright as stated by Ronan (2006) is the responsibility of the copyright holder. Article 50 of the Agreement on Trade-Related Aspects of Intellectual Property Rights(TRIPs) requires that signatory countries enable courts to remedy copyright infringement with injunctions and the destruction of infringing products and award damages (Statute of Anne, retrieved 2012). Through theACTA trade agreement copyright holders have started to demand that states act to defend copyright holders' rights and enforce copyright law through active policing of copyright infringement (Dowling v. United states, 1985). Ronan (2006)stated that it has also been demanded that States provide criminal sanctions for all types of copyrightinfringement and pursue copyright infringement through administrative procedures, rather than the judicial due process required by TRIPs.

The focal institution charged with the implementation of Nigeria's copyright law is the Nigerian Copyright Commission (NCC), which was introduced in 1996 as a replacement of the Nigeria Copyright Council established under Section 30 of Copyright Decree (No. 47) of 1988. The NCC is an agency operating under the supervision of the Federal Ministry of Justice and is charged with the following statutory responsibilities of administration and management of all matters affecting copyright and related/neighbouring rights in Nigeria and general enforcement of the provisions of the Copyright Act; Monitoring and supervision of Nigeria's position in relation to international conventions and provision of advice to the Nigerian Government thereon; Advising the Government on the conclusion of bilateral and multilateral agreements on copyright; Granting of compulsory licenses in accordance with the requirements of the Copyright Act, including the establishment and

regulation of the Copyright Licensing Panel; Approval, regulation and oversight on collecting societies in all relevant fields of the creative enterprise; Informing the public on matters relating to copyright and maintaining an effective data bank of authors and their works; and Responsibility for such other matters as related to copyright and neighbouring rights in Nigeria as the Government may direct(Copyright Reform,2012).

The socio- economic development of a country depends on a large extent on the creativity of her people and creative works cannot be encouraged without effective administration of copyright laws. In Nigeria, the copyright laws are not effectively administered. That is the reason violation of copyright laws still persists and this manifests in terms of piracy, plagiarism, and photocopying. The institutional roles of libraries and librarians who are the custodians of most intellectual property made them to be indispensable in the effective administration of copyright law in the world and in Nigeria in particular.

2.4 Copyright Infringement

Isiakpona (2012) defines the infringement of copyright as the unauthorised use of copyrighted materials in a manner that violates one of the copyright owner's exclusive right to produce or perform the copyrighted work, or to make derivative that build upon it. Copyright infringement according to WIPO (2008) is the unauthorized use of works under copyright, infringing on the holder's sole rights, such as the right to reproduce, distribute, display or perform the copyrighted work, spread the information contained within a copyrighted works, or to make derivative works. WIPO further said that infringement is often referred to as copying intellectual property without written permission from the copyright holder.

Copyright is infringed by any person who, without the license or authorization of the copyright owner:

- carries out, or causes any other person to carry out, an act that is controlled by copyright;
- imports or causes to be imported into Nigeria any copy of a work that, if it had been madein Nigeria, would be an infringing copy under this section of the copyright Act;
- exhibits in public any article in respect of which copyright is infringed;
- distributes by way of trade, offers for sale, hire or otherwise or for any purpose prejudicialto the copyright owner any article in respect of which copyright is infringed;
- makes or has in its possession plates, master tapes, machines, equipment or contrivancesused for the purpose of making infringing copies of the work;
- permits a place of public entertainment or business to be used for a public performance ofthe work where the performance constitutes copyright infringement, unless the personpermitting the place to be used for the performance was not aware, and had no reasonablegrounds to suspect, that the performance would be an infringement of copyright; and
- performs or causes to be performed, for the purposes of trade or business or as asupporting facility to trade or business, any work in which copyright subsists(Olowu,n.d.).

Therefore, anybody doing any of the above without permission or license according to Olowu as cited in Fabunmi (2007) is infringing copyright.

Norman (2005) categorizes copyright infringement into two i.e. primary and secondary infringements. Primary infringement occurs when unauthorized copies of a work are made and sold without paying a kobo to the right holders, which is a deliberate act of copyright

infringement for economic gains. The author also said that copyright infringement can occur only when whole or a 'substantial part' of a work is involved.

Secondary infringement involves certain other acts performed without the consent of the rights holder but done by someone knowing or having reason to believe they would be infringing. For example, possessing or dealing with infringing copies in the course of business either for hire or sale or even to exhibit in public or distribute infringing copies to such an extent that rights holders' interests are damaged(Norman,2005).

Other acts that constitute infringement according to the author is providing the means specifically designed for making infringing copies, if it is known or there is a reason to believe that it will be used to make infringing copies. For example making infringing copies on the library photocopier, could have implications for information professionals.

It is believed that copyright infringement exist among undergraduate students of Ahmadu Bello University Zaria. Students have in many ways knowingly or unknowingly violated the owner's right to reproduce, distribute, display or perform the copyrighted work of other content creators. This research will in many way shed light in the activities of students as it relate to copyright awareness and infringements in its diversified formats among the undergraduate students of Ahmadu Bello University Zaria.

2.5 Types of Copyright Infringement

Copyright infringement is the use of another's work in whatever format in a way or manner that violates the owners' right to reproduce, distribute, display or perform the copyrighted work. There are different types of copyright infringement practiced that violate the exclusive rights of the copyright holder, such as: piracy, plagiarism, infringement of copyright when using photocopying machines, duplication of web pages, etc.

Piracy:

Piracy is the illegitimate use of copyrighted materials. Piracy can be seen as the stealing of the creative works of others with no regard to the provision of the copyright law. Waziri (2011) describes piracy as an unauthorized and illegal reproduction or distribution of material protected by copyright law. Therefore, piracy can simply be defined as the unauthorized reproduction, translation, adaptation, arrangement or distribution of copyrighted materials or works by any format without the express permission of the copyright holder or without compulsory license. Boyle (1996) also used the term piracy to refer to the unauthorized copying, distribution and selling of works in copyright.Prytherch (2005) opines that piracy is the publication of a copyright work without the permission of, or payment to, the author or original publisher.

Copyright piracy is a trend that is prevalent worldwide. Hence Article 12 of the 1886 Berne for the Protection ofLiterary and Artistic Works uses the term "piracy" in relation to copyright infringement, stating that "pirated works may be seized on importation into those countries of the union where the original work enjoys legal protection (Copyright in Historical Perspective, 1968).Reitz (2004) opines that piracy is the systematic unauthorized reproduction or use, without permission and recompense, of a work protected by copyright law, usually for the purpose of profiting from such activity. The author sees it as an illegal production or reproduction of the copyright works like phonograms, books, paintings, architectural drawings, films, computer software, broadcasts and many more for commercial purposes.

Piracy in whatever form has a devastating and grave consequences on the individual author and on the nation as a whole. Nalley (1990) as cited in Ajidahun (1998) observed that: "the greatest evil of piracy has always been its debilitating onslaught on creative and intellectual output and pursuit. In this, the Nigerian pirate has been more deadly than his international

counterparts. For though piracy is piracy, the pirate in Hong Kong, Singapore, or Manhattan who pirates Hollywood, is like a man who tries to vandalise a century old oak tree, while his Nigerian counterpart smashes the tendril of the hibiscus (Nalley, 1990)".Piracy like any other crime seeks to profit from the creative works of others thus, denying the real right owners of their deserved benefits. Apart from economic loss, the creators are subjected to social scorn when the public unwittingly purchased the poor quality of their works which invariably affects their reputation. There are some factors responsible for the practice of piracy which includes:

i. high cost of information materials such as books as compared with average income
ii. Scarcity and unavailability of publishing materials.
iii. The devaluation of the local currency (Isiakpona, 2012).
iv. Ignorance can also be a factor, for ignorance is a disease that lives inside you, feed on you and eventually destroys you. Notwithstanding, ignorance is not an excuse before the law because a crime is a crime and the law will not excuse you from punishment on the basis of ignorance

Plagiarism:

The term plagiarism according to Reitz (2004) comes from the Latin *plagiarius* which means "kidnapper." It iscopying or closely imitating the work of another writer or composer, etc. without permission and with the intention of passing the results off as original work. In publishing, copyright law makes literary theft a criminal offense. In most tertiary institutions, plagiarism is regarded as a moral and ethical issue, which is not condoned by instructors, hence, penalties are imposed on students who engage in such acts. Plagiarism can be avoided by expressing ideas, thoughts or concept in one's own words (Reitz, 2004).

Plagiarism is an act of copying another person's ideas, words or works and pretends that they are your own (Hornby, 2000). It is described by Isiakpona (2012) as the violation of copyright law to use all or part of A's document, either verbatim or with trivial changes, in a document written by B. Copying another's ideas, words, expressions and passing it off as yours can be regarded as stealing. Plagiarism is the use of someone else's ideas or words without properly crediting the source (Osman, 2013). Osman believes that plagiarism is not a violation of legal rules, but instead of social norms. The common social sanctions for plagiarism are expulsion or suspension from school, discharge from a job and social disapproval (Osman, 2013). Nevertheless, customs and attitudes concerning plagiarism differ somehow by country, academic disciplines etc.

There is no doubt, the aforementioned types of copyright infringement are presumed to exist among the undergraduate students of A.B.U. Zaria. It is difficult to conclude at this point the rate at which such activities are taken place. The absence of data that defines the details of such activities may be attributed to poor research interest as related to the subject matter under study. The findings of this research will no doubt shed more light even though a mere look at the situation may suggests that plagiarism through the use of photocopying machines and duplication of web pages are rife and more common among ABU undergraduate students.

2.6 Fair Use

Copyright is not against all copying or reproduction; it allows for limited copying or distribution of published works without the author's permission in some cases. These includenon-profit uses, personal uses as well as quotation of excerpts in a review or critique, or copying of a small part of a work for academic purpose. The fair use doctrine, codified by the copyright act of 1976 as U.S.C. section 107, permits some copying and distribution

without permission of, or payment to the copyrightholder (Correa, 2009). Generally, fair use includes portion limitations.

Fair use is any copying of copyrighted materials done for a limited and transformative purpose, such as to comment upon, criticize, or parody a copyrighted work. Such uses can be done without permission from the copyright owner. In other words, fair use is a defense against a claim of copyright infringement. If your use qualifies as a fair use, then it would not be considered an illegal infringement.

Fair Use has no clear and explicit, predefined legal specifications of how much and when one can copy, but proffers four factors to consider in a fair use analysis. These factors include:

1. **The purpose and nature of the use**: All academic purposes and non- profit purposes are more likely to be considered as fair use.
2. **The nature of the copyrighted work**: Application of fair use is relative. For instance, an article from a newspaper would be considered differently from workbook made for instruction. Multimedia materials have different standards and permissions even with other media that include digitized photo, video clip and audios.
3. **The nature and substantiality of the material used**:when criteria to use resource are met, the copying of extracts that are "not substantial in length" when compared to the whole of which they are part, may be considered fair use.
4. **The effect of use on the potential market value of the work**: Any supplants to the normal market value is considered an infringement, but a work does not have to have an effect on the market to be an infringement it could be failure to adhere to rules set to use a resource(Kasa, 2011).

Fair use and Professional Responsibility: Ethics is an important issue in copyright law apart from the legal aspects of it. Copying ones work illegally might seem expedient and not

noticeable yet it is stealing; it means taking another's property without permission. The academics where the issue of copyright is very rampant are morally obligated to practice integrity and trustworthiness as it expects students not to cheat in examinations and taking the belongings of others (Kasa, 2011).

Fair use has no clear and explicit predefined legal specifications of how much and when one can copy, it is even more difficult to determine if the four factors that tend to define the boundaries of fair use are duly observed in an open society like ABU Zaria. It is even yet to be clear if the students are even aware of the boundaries that define the concept of fair use policy. This research will not go into the details of fair use, but it is believed that the academic environment will have the moral obligation to ensure and instil integrity and trustworthiness among its students to respect the work of others as they themselves have great potentials for creativity and originality as authors, researchers and content creators of our tomorrow.

2.7Undergraduate Students and Copyright Infringement

Information is usually viewed as very vital to every student and the undergraduate students are not an exception. Learning and knowledge acquisition in schools is built on existing knowledge as such we all need information from other people's work to build our work and knowledge on. People in different spheres of life (including undergraduate students) need information about new developments and techniques to improve existing practices and better their lives (Isiakpona, 2012). The type of information transferred varies from person to person and from society to society with time as a major factor as well as area of interest. Copyright infringement takes place either consciously or unconsciously (Isiakpona, 2012), but ignorance is not an excuse before the law.

Due to the fact that only a reasonable number of undergraduate students can afford to purchase textbooks,they therefore look for alternative means of acquiring these learning resources. Studies have shown that only 5% of students in higher institutions can afford to purchase textbooks needed for learning and research and as a result, majority of students tend to engage in the act of photocopying, lifting and plagiarism, thereby infringing on the copyright of the author (Ogunrombi and Bello, 1999). Research has indicated that poor awareness on infringement and fair use, poverty and the lack of adequate research materials are major causes of copyright infringement in tertiary institutions in Nigeria.

In their study, Ogunrombi and Bello (1999) revealed that photocopying, as a kind of reprographic activity is quite common in higher institutions of learning for reasons such as book scarcity and the cheapness of photocopying services. The study points out that over 70% of students photocopy books rather than purchase them. The researchers also noted that a large number of undergraduatestudents could not afford the prohibitive costs of books, which are mainly from foreign sources. These students go out of their way to search for operators of photocopiers who are of course concerned about their profits and not the author's copyright and most likely unaware of copyright laws. The operators therefore facilitate the violation of the copyright laws by students through the photocopying of major pages of the needed materials (Isiakpona, 2012).

As shown by other researchers quoted above, copyright infringement is common among undergraduate students and varies from place to place, it is obvious, ABU undergraduates will not be an exception especially when it has to do with photocopying of hardcopies and downloading of web contents from the internet. It is likely to be that both perpetrators and enhancers have little knowledge of what they are doing, to most of them, it is business as usual. This research will only help to bring to the fore front the issue of awareness and infringement from the undergraduate perspective, but will not look at the activities of

business centres who happen to be facilitators of such activities in the ABU Zaria academic environment.

2.8Challenges and Achievement of Copyright Commission in Nigeria

Nigeria is a vast country with many institutions of different levels of education. These institutions serve as centres of learning where intellectual materials are created and also used. Researches carried out by Obor (1991), Ngwang (1996), Ojielo, (1997) andOga, (1997) with regards to intellectual property creation, copyright act and infringement and the role of relevant authorities reveal that the Nigerian CopyrightCommission still have much to do in the areas of enlightenment and enforcement of the copyright law especially in tertiary institutions. Ngwang (1996) is of the view that the Nigerian Copyright Commission needs to work much harder.Therefore he recommends that;

i. The efforts being made by the commission towards educating the public should also focus on issues like the use and importance of the bande role, the antonpilar, the benefits of collecting societies and the damage caused by piracy.

ii. Intellectual property law should be as a matter of necessity be taught in all tertiary institutions in the country. The copyright law should, if possible be made either a core course or a compulsory course inrelevant departments like Library Science, Information Science, Communication arts and the Department of Law, to name only a few. If this is done, it will be a significant advancement because it will have multiplier effect on the populace.

iii. Indigenous languages like Igbo, Yoruba and Hausa should be used to reach out to the masses during seminars and workshops. The Commission's Newsletters and foot bills should also be published in the local languages so that a great number of right owners who are not lettered in the English language could be reached too.

However, recent research shows that the National Copyright Commission has been generally effective. Ojielo (1997) notes that theNigerian Copyright Commission (NCC) has been carrying out its statutory functions very effectively. The study alsodiscovered that the most successful operational strategies used by NCC in combating infringement are enlightenment campaign and the accession of Nigeria to international copyright conventions.

The Nigerian Copyright Commission has made tremendous achievements nationally and internationally. The commission has with much candour successfully carried out all the functions assigned to it by Decree 47 of 1988. These achievements were made through unusual innovation, imagination and unprecedented commitment to national course of developing the intellectual sphere of our national life.

On the international realm, the commission has recorded some worthwhile achievements. Apart from its contributions towards the ascension of Nigeria to major international conventions in the field of copyright and neighbouring rights such as the Berne Convention, the Rome Convention for the protection of performers, producers of phonogram and Broadcasting Organizations as well as full membership of the world intellectual property organizations. The organization administers all the multi-factual conventions in the field of intellectual property.

In 1996, through the instrumentation of the Nigerian Copyright Commission the then Nigerian Head ofState and Head of Armed Forces of the Federal Republic of Nigeria, General SaniAbacha, was awarded a GoldMedal by this specialized United nations Agency. This was in appreciation of Nigeria's contributions to the development of copyright in Africa, the Nigerian Copyright Commission was similarly awarded a Gold Medal for its consistent effort at public enlightenment and enforcement of copyright in Africa.

These achievements are a boost to the Commission's effort and a big challenge to all workers of intellectual property in Nigeria. They should ensure that the protection of intellectual property continues to develop in Nigeria. They should through conceived efforts

enhance the recognition of the sanctity of rights of creative artists and ensure fairness, equity and a just society.

2.9 Summary of the review

Infringement is a major issue in the global society but may likely be worst in developing countries like Nigeria. It undermines creativity and encourages laziness as shown by many research works. Although there are laws governing copyright activities in Nigeria, those laws have done little to put an end to this intellectual monster. Research has clearly indicated poor level of awareness among undergraduate students who will eventually become the great leaders of tomorrow, and this is really not good for the future.Infringement among undergraduate students take place in different forms which include photocopying, plagiarism, downloading and piracy among others. It is very important for relevant authorities to consider other options of awareness and impose harsher punishments on culprits in an effort to discourage the act.

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CHAPTER THREE

RESEARCH METHODOLOGY

3.1 Introduction

This chapter was presented under the following sub- headings: Research Design, Population of the Study, Sample and Sampling procedure, Instrument for Data collection, Validity of Instrument, Reliability of Instrument, Procedure for Data collection and Procedure for Data Analysis.

3.2 Research Design

This study adopted the survey research design. Survey research design, according to Asekun and Oluwa (2010), isused to collect data from a defined population using variables under study. According to Ndagi (1999), survey method is concerned with the collection of data for the purpose of describing and interpreting existing conditions, prevailing practices, beliefs, attitudes or on-going processes, etc. It allows the researcher to gather information on a targeted population without undertaking a complete enumeration.

Mohammed (2005) affirms that a research design is said to be survey design if it has no control group. It involves gathering required data and information from the observation of the sample of a given population, devoid of manipulation and of course affects relationship. Survey method enhanced this research as it enabled the researcher to collect a lot of data necessary to tackle the problem under study.

3.3 Population of the Study

The population of this study consisted of the undergraduate students of Ahmadu Bello University Zaria, Nigeria. This population size cuts across all the faculties of the University totalling 30,492 undergraduates.

Table 3. 1: Distribution of Respondents by Faculty

No.	**FACULTY**	**TOTAL**
1.	Administration	3,619
2.	Agriculture	455
3.	Arts	2,638
4.	Education	4,005
5.	Engineering	3,798
6.	Environmental	2,234
7.	Law	1,386
8.	Medicine	1,482
9.	Pharmaceutical Sciences	839
10.	Science	6,280
11.	Social Sciences	3,242
12.	Veterinary Medicine	514
	TOTAL	**30,492**

(Source: 2012/ 2013 Registration Statistics MIS Office, A.B.U., Zaria)

3.4 Sample and Sampling Procedure

Time and financial constraints made it impossible to collect information from the total population. Instead, a smaller subgroup of the target population or a sample was selected for

the purpose of study. Sampling, according to Suleiman (2007) is the strategy of selecting a smaller section of the population that will accurately represent the characteristicsof thetarget population at large. He therefore, identifies the main purposes of sampling as:

1. Economies on the resources required for collecting and managing the data from a smaller sub-group.
2. Improve quality of data by focussing on a smaller group.

Table 3. 2:Sample Size:

No.	**FACULTY**	**TOTAL**	**Sample Size**	**Percentage %**
1.	Administration	3,619	46	12
2.	Agriculture	455	4	1
3.	Arts	2,638	33	9
4.	Education	4,005	49	13
5.	Engineering	3,798	45	12
6.	Environmental	2,234	27	7
7.	Law	1,386	15	4
8.	Medicine	1,482	19	5
9.	Pharmaceutical Sciences	839	11	3
10.	Science	6,280	80	21
11.	Social Sciences	3,242	42	11
12.	Veterinary Medicine	514	8	2
	TOTAL	**30,492**	**379**	**100**

The population of the study was 30,492 undergraduate students and the sample size was379 students for a population that is less than 40,000 using the Krejcie and Morgan (1970) table for determining sample size from a given population. This figure was then broken down into percentages based on the population size of each faculty. This was to ensure a reasonably fair representation for each category or faculty.

3.4.1Sampling Procedure

This study adopted the stratified random sampling techniquebecause the population isdivided into strata.Thestrata here refer to the different faculties. Each stratum was accorded a percentage based on its population size in relation to the total population. The percentage determined the number of questionnaire sent to a faculty for administration to respondents.

3.5Instrument for Data Collection

The instrumentemployed for this study is strictly the questionnaire.This is in line with the postulation of Akuezuilo (1993) which states that the survey researcher utilizes different instruments such as questionnaire, interviews and observations to carry out investigations. The choice of this instrumentation also took the advantages of this data gathering technique as documented in the works of Ijeoma (1992), Ndagi (1999) of being the most suitable and easiest instrument administered in data collection. It also helps to keep the respondent's mind focused on the subject and facilitate the process of research generalization.

The questionnaire comprises of fifteen questions that were meant to give answers to the research questions. Each question had multiple answers as options for the respondent to pick only one that reflects his or her response to a particular question. The questionnaire is divided into six sections: Demographicinformation which explored the personal characteristics of the respondents such as age and faculties.The second section was to determine the extent of awareness of copyright laws. The third sought to determine the extent ofInfringement of

copyright laws. The fourth sought to identify the Causes of copyright Infringement. The fifth sought to discover the Efforts of Relevant Authorities in Dealing with copyright Infringement and finally to identify the Challenges likely to be faced in Effective Implementation of Copyright laws. An instrument for data collection can only be valued if it is able to elicit the right response from the target population of study. The researcher was of the believe that the questionnaire was adequate to provide the data needed for the study.

3.6Validity of Instrument

Asekunand Oluwa (2010), consideredvalidation of contents of the research instrument by an expert as an adequate and acceptable form of validation. For the researcher to establish the validity of the instrument, copies were made available to the research supervisors, staff and colleagues in the department of library and information science, faculty of Education, Ahmadu Bello University, Zaria. The instrument was critically examined for its adequacy for the purpose of the study. Their opinion, criticism and recommendation were incorporated into the production of the final copy of the instrument.

3.7 Reliability of Instrument

The instrument for data collection was tested for reliability by using the test- retest method. The researcher administered a few copies of the instrument tosome undergraduate student of Kaduna State University, Kaduna to ensure consistency, clarity and relevance to A.B.U issue. The choice of this institution was made because it did not form part of the scope of the study. In order to confirm the reliability of the instrument, test – retest method was established and the statistical package for social sciences (SPSS) of cronbach Alpha coefficient was used to analyze the data collected. The result showed that the instrument has high degree of reliability with 0.87 reliability index. The result of the pilot study was used to find out the reliability of the questions. This is because reliability deals with consistency of

measure and stability. According to Bryman (2008), reliability of instrument is very important as it deals with consistency, stability and detailed treatment of issues using appropriate techniques.

3.8Procedure for Data Collection

The researcher with the help of four research assistants administered thequestionnaires in all the 12 faculties in Ahmadu Bello University Zaria, (Samaru and Congo campuses). The questionnaire was distributed randomly in line with the stratification at the faculty level. The questionnaire was administered to the 379 respondents within a period of 2 weeks after which the researcher retrieved the completed copies.

3.9 Procedure for Data Analysis

The study employed the use of statistical tools such as frequency distribution and simple percentage to show the results generated from the field. The analysis was based on the results generated from the questionnaire through the statistical tools mentioned above.

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CHAPTER FOUR

DATA PRESENTATION AND ANALYSIS

4.1Introduction

This chapter is presented under the following sub- heading:

4.2Response Rate:

A total of 379 (100%) copies of the questionnaire were administered to the respondents out of which, 357(94%) were retrieved while 22(6%) were not retrieved. Out of the 357, only 261(73%) were filled correctly and found usable for the study while 96(27%) were discarded due to incorrect response. Table 4.1 present the response rate.

Table 4.1Response Rate

Faculties of Respondents	Sample Size	Response Rate	Percentage (%)
Education	49	45	17
Administration	46	24	9
Agriculture	4	4	2
Arts	33	27	10
Engineering	45	39	15
Environmental	27	13	5
Law	15	15	6
Medicine	19	12	4.6
Pharmaceutical Sciences	11	9	3.4
Science	80	45	17
Social Science	42	21	8
Veterinary Medicine	8	7	3
Total	379	261	100

4.3 Data Presentation

Data collected from the study are presented in tables in the following order: Demographic Information of the respondents and Research questions one to four.

Section 1:Demographic Data

The demographic data of the respondents in terms of their faculties, age and level of study are presented in this section. Table 4.2 presents the faculties of the respondents.

Table 4.2 Respondents' Faculties

Faculties	No. of Respondents	Percentage %
Education	45	17
Medicine	10	4
Vet. Medicine	5	2
Pharmacy	4	2
Environmental	20	8
Administration	24	9
Law	15	6
Social Science	21	8
Agriculture	6	2
Arts	27	10
Engineering	39	15
Science	45	17
Total	**261**	**100**

Table 4.2 shows that majority of respondents are from the faculties of Education and Sciences with 45(17%) respectively, followed by faculties of Engineering 39(15%), Arts

27(10%), Administration 24(9%), Social Sciences 21(8%), Environmental 20(8%). The next question sought to find out the age distribution of the respondents. Table 4.3 shows the age distribution of the respondents.

Table 4.3 Age Distribution of the Respondents

Age	Response Rate	Percentage (%)
15-25	140	54
26 -35	105	40
36 -45	16	6
46 years and above	-	-
Total	261	100

Table 4.3 shows that majority of the respondents fall within the age bracket of 15 – 25 years i.e. 140(54%), within the age bracket of 26 -35 years have 105(40%) response score and lastly 16(6%) response score of age bracket 36 – 45 years. This distribution shows that the respondents are actually adults who can differentiate between right and wrong as such they are responsible for their actions.

Section 2: level of Awareness and extent of Infringement of Copyright laws

This section presents the awareness level of the respondents, the level of infringement, ways copyright laws are being infringed and the challenges to effective implementation of copyright laws.

Research Question One: To what extent are Undergraduate Students in Ahmadu Bello University aware of the Provisions of the copyright law?

Table 4.4: Are you Awareof the Provisions of the Law on Copyright?

Variables	Response Rate	Percentage(%)
Highly aware	180	69
Slightly aware	81	31
Not Aware	0	0
Total	261	100

Table 4.4 reveals that 180(69%) of the respondents are highly aware of the provisions of the law on infringement. This result indicates a reasonable level of awareness among the students of the provisions of the law on infringement thereby relegating ignorance.

Table 4.5: Level of Awareness of Nigerian Copyright Laws

Variables	Response Rate	Percentage(%)
Highly aware	105	40.3
Slightly aware	129	49.4
Not aware	27	10.3
Total	261	100

Though the level of awareness of the Nigerian copyright laws seems to be significant among the undergraduate students of ABU Zaria as seen in table 4.4, the result in Table 4.5 shows that 105(40.3%) of the students were highly aware of the extent of the provisions of

the Nigerian copyright laws, while 129(49.4%) seem to be slightly aware. The study by Isiakpona (2012) on awareness of copyright laws by undergraduate students at university of Ibadan shows that awareness was considerably high but even though awareness is high, the knowledge on the provisions of the copyright laws on the use of literary materials is low. This is supported by Korletey and Tettey (2015) that the lack of copyright understanding in our academic environments reveal that some people, including lecturers, students and school administrators fail to notice that the use of other peoples, expression of ideas without due acknowledgement is offensive. That some people also think that using copyrighted materials does or does not require permission from the author or the copyright holder at all times.

Research Question Two: What is the extent of copyright infringement of intellectual property among undergraduate students of ABU Zaria?

Table 4.6: Extent of Infringement of Copyright Laws

Variables	Response Rate	Percentage (%)
Large Extent	105	40
Small Extent	99	38
Minimal Extent	57	22
Total	261	100

Table 4.6 reveals that there is a larger extent of copyright infringement of intellectual property among undergraduate students of ABU Zaria with 105(40%) of the respondents admitting to have infringed on a large extent, 99(38%) agreed, that the level of infringement was on a small extent while 57(22%) opined that infringement is on a minimal extent. The result clearly shows an indication towards a higher extent of infringement of copyright laws among undergraduate students of ABU, Zaria. This implies that infringement of copyright

laws is on the high side due to the need for information which is the driving force behind development in any society as affirmed by Isiakpona (2012).

Section 3: ways in which copyright laws are infringed

This section present ways copyright laws are being infringed upon by undergraduate students and the challenges to effective implementation of copyright laws.

Research Question three: What are the major ways in which copyright laws are being infringed among undergraduate's students ABU, Zaria?

Table 4.7: Ways Copyright Laws are being infringed upon.

variables	Response Rate	Percentage (%)
Photocopying	123	47
Plagiarism	84	32
Piracy	9	3
Copy and Paste	33	13
Referencing	12	5
Total	261	100

The result displayed in Table4.7 shows that 123 (47%) of the respondent were of the opinion that copyright laws were more infringed upon through the act of photocopying, while 84(32%) went for plagiarism,33(13%) went for copy and paste, 12(5%) percent suggested referencing while only 9(3%) saw piracy as one of the major ways of copyright law infringement. The result shows a strong indication of the impact of photocopying as a major way of copyright law infringement among undergraduate students of Ahmadu Bello University Zaria.Ogunrombi and Bello (1999), Isiakpona (2012) in their study, all affirm that photocopying is very common in higher institutions of learning. Table 4.8 presents the activities in which the respondents are engaged in.

Table 4.8:**In which of these activities have you been engaged in?**

Variables	Response Rate	Percentage (%)
Photocopying	171	66
Plagiarism	27	10
Piracy	6	2
Copy and Paste	39	15
Downloading	18	7
Total	261	100

Furthermore, the study revealed in Table 4.8that majority of the respondents have engaged in copyright infringement through photocopying with 171(66%) response and that piracy is the least form of copyright infringement going on among undergraduate students of Ahmadu Bello University Zaria with 6(2%) response. The study therefore revealed that photocopying is the major way that copyright laws are being infringed upon while Piracy is the least form of infringement among undergraduates of Ahmadu Bello University, Zaria.

Research Question Four:what are the challenges to effective implementation of copyright laws in ABU,Zaria?

Table 4.9: Challenges likely to be faced in effective Implementation of Copyright Laws in ABU, Zaria

Challenges	Response Rate	Percentage(%)
Lack of basic learning materials	96	37
Lack of proper awareness on the use of copyrighted work	81	31
Improper monitoring	39	15
Poor enforcement of the law	42	16
Others	3	1
Total	261	100

On the likely challenges to be encountered in the effective implementation of copyright laws in ABU Zaria, Table 4.9 shows that 96(37%) of the respondents indicated that lack of basic learning materials would pose the biggest challenge;81 (31%) of them were of the opinion that lack of proper awareness on the use of copyrighted work was a major challenge; 42(16%) sees poor enforcement of the law as a big challenge, another 39 (15%)see improper monitoring as the likely challenge while 3(1%) feels, that there are other factors outside the above listed that are likely to be the challenges towards the effective implementation of copyright laws in ABU Zaria.Ogunrombi and Bello (1999) are of the view that the cost of learning materials is too high as against the purchasing power of the students, as a result, these students infringed through photocopying. The researcher is of the opinion that the purchasing power of the students is not an issue today, because most students in institutions of higher learning can afford to buy their printed learning materials but they would rather photocopy.

Table 4.10: **Extent to whichlack of printed learning materials and the Internet contributes to copyright infringement by Undergraduate Students**

Variables	**Response Rate**	**Percentage (%)**
Great Extent	175	68
Little Extent	75	29
No Extent	9	3
Total	261	100

Table 4.10 above shows the opinion of the respondents on the extent to which the lack of printed learning materials and the Internet contributed to copyright infringement by undergraduate students in ABU Zaria. The result shows that 175(68%) of the respondents agreed that the lack of learning materials contributed a great extent to the menace of infringement.Another 75(29%) were of the opinion that it only contributedto a little extent

while the remaining 9(3%) indicated that the lack of learning materials do not contribute in any extent to copyright infringement. The result clearly shows that printed learning materials and the Internet truly have an effect on infringement and Nalley (1990), Isiakpona (2012), both agreed on this.

Section 4: Causes of Copyright Infringement by Undergraduate Students

This section presents causes of copyright infringement, among the students.

Which of the following do you consider as the Cause of Copyright Infringement among the Students?

Table 4.11: **Causes of Copyright Infringement among the Students**

Causes	**Response Rate**	**Percentage(%)**
Lack of awareness	33	13
Lack of learning materials	108	41
Poor enforcement of the law	72	28
Lack of stringent penalty on offenders	48	18
Total	261	100

On the possible causes of copyright infringement, Table 4.11shows that 108(41%) of the respondents saw the lack of learning materials as the major cause of copyright infringement among undergraduate students of ABU Zaria;72(28%) of the respondents viewed poor enforcement of the law as a major cause of copyright infringement; another 48(18%)were of the opinion, that lack of stringent penalty on offenders could be the cause while33(13%) of the respondents considered the lack of awareness as a possible cause of copyright infringement among undergraduate students of ABU, Zaria. Isiakpona (2012) is also of the

opinion that scarcity and unavailability of publishing materials which translates to insufficient and high cost of learning materials, therefore leading to infringement on the part of the students who needed information badly.

Do you think academic bodies have contributed to copyright Infringement among undergraduate Students?

Table 4.12Do you think Academic Bodies contribute to Copyright Infringement?

Variables	Response Rate	Percentage (%)
Yes	192	74
No	69	26
Total	261	100

From the results in Table 4.12,192(74%) of the respondents were of the strong opinion that academic bodies had contributed significantly to copyright infringement among undergraduate students of ABU Zaria and should therefore share the blame while 69(26%) did not agree to the idea of academic bodies contributing to the problem of copyright infringement and exonerating them of such blame.

In what ways have Academic Bodies contributed in promoting Infringement among Undergraduate Students?

Table 4.13: **Ways in which Academic Bodies contributed to infringement among undergraduate Students**

Variables	**Response Rate**	**Percentage(%)**
Through writing seminar papers	21	8
Term papers	6	2
Project/Thesis	75	29
All of the above	159	61
Total	261	100

On the possible ways in which academic bodies might have contributed in promoting infringement, the results from Table 4.13 indicates that 6(2%) of the respondents believed it to be through term papers, 21(8%) felt it could be through writing seminar papers and 75(29%) attributed it to project and thesis writing while a massive 159(61%) respondents believedit was a combination of all the options.

Section 5: Efforts of Relevant Authorities in Dealing with Copyright Infringement

This section presents the efforts of relevant authorities in dealing with copyright infringement.

What efforts are relevant authorities playing in dealing with Copyright Infringement?

Table 4.14: **Efforts of Relevant Authorities in dealing with Copyright Infringement**

Variables	Response Rate	Percentage(%)
Enforcement of the law	99	38
Proper monitoring	75	29
Making policies that will encourage authors and publishers to publish	39	15
Sensitization	36	14
To include copyright law in the curriculum	12	4
Total	261	100

On the efforts of relevant authorities in dealing with copyright infringement, the results in Table 4.14shows that 99(38%) of the respondents were of the opinion that it is on enforcement of the law, 75(29%) consented to proper monitoring as the area of effort of relevant authorities, 39(15%) considered making policies that would encourage authors and publishers to publish more learning materials,36(14%) considered the area of sensitization while 12(4%) of the respondents were of the opinion that copyright law should be included in the curriculum as a compulsory course for all levels of study.According to Obor (1991), Nwang(1996), Ojielo(1997) and Oga(1997) relevant authorities like Nigerian Copyright Commission (NCC) still have much to do in the area of enlightenment and enforcement of the copyright law especially in tertiary institutions. Ojielo also reveal that the most successful operational strategies used by NCC in combating infringement are enlightenment campaign and the accession to international copyright conventions.

How would you rate relevant authority's effort or role in dealing with the Situation?

Table 4.15: Rating of Relevant Authorities Effort or Role in Dealing with copyright Infringement by Undergraduate Students.

Rating	Response Rate	Percentage(%)
Good	27	10
Fair	114	44
Poor	63	24
I don't know	57	22
Total	261	100

Table 4.15 brings to notice how the respondents rated the efforts of relevant authorities in dealing withCopyright Infringement by undergraduate students. The first,27(10%) of the respondents rated the efforts of the authorities as "Good", the second, 114(44%) of them rated the authorities' effort as "fair" while another 63(24%) rated their efforts as "Poor" and the remaining 57(22%) indicated "they did not know" how to rate the efforts of relevant authorities as regards their effort in dealing with copyright infringement.Majority of the respondents rated the relevant authorities' effort as fair and Ojielo (1997) concurred with the respondents.

What in your opinion is the best approach in dealing with Infringement?

Table 4.16: Best Approach in Dealing with Infringement

Best Approach	Response Rate	Percentage(%)
Sensitization	42	16
Proper monitoring	54	21
Strict enforcement of the law	66	25
Proper guidance on the use of copyrighted works	99	38
None of the above	0	0
Total	261	100

On the best approach in dealing with infringement, the results in Table 4.16 shows that 99(38%) of the respondents were of the opinion that it should be through proper guidance on the use of copyrighted works; 66(25%) were of the opinion that it should be through strict enforcement of the law, another 54(21%) considered proper monitoring of students activities as the best approach to dealing with the issue of infringement, while 42(16%) considered sensitization as the best approach. The researcher is of the opinion that copyright should be made compulsory to all level of study. Nwang (1996) believes that copyright law should be made a compulsory or core course in some departments like Library & information Science, communication arts and the department of Law but the researcher believes that if copyright law is made a general course for all students in tertiary institutions and made a core course for the above mentioned departments, it will help create awareness on the ills of infringement on creativity.

What role should institutions play to help curb the problem of Infringement?

Table 4.17:Role to be played by institutions to help curb the problem of infringement.

Variables	**Response Rate**	**Percentage(%)**
a. Massive awareness campaign	93	36
b. Report offenders	21	8
c. Provide basic learning materials	78	30
d. Proper guidance on the use of copyrighted works	69	26
Total	261	100

Table 4.17 Presents the role needed to be played by institutions to help in curbing the menace of copyright infringement, the results shows that 93(36%) of the respondents were of the opinion that massive awareness campaign should be of topmost priority;78(30%) of them believed that providing basic learning materials is what the institutions of learning should

doto help reduce the scourge of copyright infringement among undergraduate students;69(26%) considered proper guidance on the use of copyrighted works should be the focus of tertiary institutions in their effort to reduce infringement while only 21(8%) were of the opinion that reporting offenders to law enforcements was a vital means of solving the problem.

What role should Libraries play in curbing Copyright Infringement?

Table 4.18: Role of Libraries in curbing Copyright Infringement.

Role of Libraries	**Response Rate**	**Percentage(%)**
a. Provide Awareness on usage of copyrighted works	66	25
b. Librarians to guide users on how to use copyrighted works	78	30
c. Copyright warnings to be conspicuously displayed in libraries	36	14
d. Ensure precise citation of any piece of information collected from a given source	78	30
e. None of the above	3	1
Total	261	100

On the role libraries should play in curbing copyright infringement, Table 4.18 shows that 78(30%) respondents were of the opinion that Librarians needed to guide users on how to use copyrighted works. Another78(30%) believed that libraries needed to ensure precise citation of any piece of information collected from a given source if such activity is carried out within the library. On the same issue, 66(25%) respondents advised libraries to provide awareness on the usage of copyrighted works, another 36(14%) considered the conspicuous display of copyright warnings in libraries as a reminder to all users on the issue of copyright laws, while 3(1%)respondents indicatedthat the libraries should look at other means rather than the ones tabulated in an effort to help curb copyright infringement. Fabunmi (2007)also suggested that

librarians who are custodians of most intellectual property are in the best position to help curb copyright infringement through ensuring proper citation, guide users on how to use copyrighted works and conspicuous display of warnings in libraries.

CHAPTER FIVE

SUMMARY, CONCLUSION AND RECOMMENDATION

5.1 Introduction

This chapter is presented in the following sub-headings: Summary of findings, conclusion and recommendation.

5.2 **Summary of the study**

The purpose of the study was to determine the level of awareness and extent of infringement of copyright laws among undergraduate students of ABU, Zaria, Kaduna State. The study sought to find out the extent of copyright infringement and the major ways it is infringed among the undergraduate students. In order to achieve the objectives of the study, four research questions were formulated. The researcher adopted the survey research method. The population of the study consist of the undergraduate students of Ahmadu Bello University Zaria. It adopted the stratified random sampling method to draw a sample from the population. The questionnaire was used as the instrument for data collection. The study employed frequency distribution and simple percentage to analyse the data collected. The questionnaire comprises of fifteen questions and divided into six sections: demographic information; Awareness of copyright laws; Infringement of copyright laws; Causes of copyright Infringement; Efforts of Relevant Authorities in Dealing with Copyright Infringement and Challenges faced in Effective Copyright Laws.

5.3 Summary of Findings

The findings of this study include the following:

1. The extent of Awareness is of the provisions of the Nigerian copyright law among the undergraduate students of ABU Zaria, is very high.

2. The extent of Copyright infringement is high among the undergraduate students of ABU Zaria.

3. Photocopying, plagiarism and copy and paste are the major ways discovered in which copyright infringement is taking place in ABU Zaria. The study further discovered that majority of the students were mostly engaged in the act of photocopying.

4. Lack of learning materials, lack of proper awareness on the use of copyrighted work and poor enforcement of the law are challenges likely to be faced in effective implementation of copyright laws in ABU, Zaria.

5.4Conclusion

Based on the result of the study, the researcher concluded that Copyright awareness is very high among the undergraduate students of Ahmadu Bello University Zaria. The extent of copyright infringement is also high and is attributed to lack of information materials. The major ways the undergraduate students of ABU infringed upon are through photocopying, plagiarism and copy and paste. This research has come to the conclusion that libraries, institutional authority and law enforcement agencies have somehow slipped up in their responsibilities of providing basic learning materials, create awareness, guide users on the use of copyrighted works and proper enforcement of the law as a necessary step needed to help curb the menace of copyright infringement.

5.5 Recommendations of the study

Based on the findings the following recommendations were made.

1. There is need for massive campaign by the Ahmadu Bello University Authority through Libraries on the ills and dangers of infringement on creative ability of the undergraduate students and they should be instructed and guided on the use of copyrighted works.

2. It is very important that students are educated on the future dangers associated with such activities especially their imaginative ability.

3. To minimize thespade of photocopying, the relevant authorities should sensitize the operators of business centres and cafes who provide reprographic services where most of the infringements take place. They should be made aware of the ills of infringing on copyrighted materials and if they fail to comply, they be sanctioned to serve as a deterrent.

4. Stronger legislation, enforcement, awareness, and reward for creativity are vital in the fight against copyright infringement. Necessary action must be taken at this level to ensure that the trend does not continue by publicly prosecuting offenders as deterrence to infringers.There is a stronger need for the relevant authorities to begin to consider collaborating with students and institutions on research to help them come up with adequate data on copyright infringement for future planning, monitoring and enforcement.

5.6 Suggestionsfor future study

The findings and recommendation from this study suggests a future research topic related to this particular area.

1. Copyright Infringement and Fair Use in Higher Institutions in the North West zone.
2. The effect of copyright infringement on intellectual creativity and development in the Nigerian Educational system.

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APPENDIX

Department of Library & information science,

Faculty of Education,

Ahmadu Bello University,

Zaria.

Dear Respondent,

I am a postgraduate student Ahmadu Bello University, Zaria carrying out a research on the topic "Awareness and Infringement of Copyright Laws Among Undergraduate Students in Ahmadu Bello University, Zaria", in partial fulfilment of the requirement for the award of Master Degree in Library and Information science. This research intends to find out the level of copyright awareness and infringement among undergraduate students of Ahmadu Bello University.

The outlined questions are for you to accurately and sincerely answer them as required, as this will enable me to efficiently carry out this research as expected. All responses are strictly for this research work and remain highly confidential.

Thanks for your cooperation.

Yours sincerely,

Deborah S. Gado.

QUESTIONNAIRE

Instruction

For each question, tick(√) the column that reflects your response please.

Section 1: Demographic information:

Faculty: _____

Age bracket of respondents:

(a) 15-25 (b) 26-35 ☐

(d) 36-45☐ (d) 46 and above☐

Level of study:

(a) 100 ☐(b) 200 ☐

(c) 300 ☐ (d) 400 ☐ (e) 500 ☐

Questions below are structured based on the research questions of the study:

Section 2: Awareness of Copyright Laws

1. Level of awareness of the Nigerian copyright law:

   (a) Highly aware☐ (b) Slightly aware ☐ (c) Not aware☐

2. Are you aware of the provisions of the law on copyright infringement:

   (a) Yes☐ (b) No☐

Section 3: Infringement of Copyright Laws

3.What is the extent of infringement of copyright law in A.B.U?

(a) Large extent☐ (b) small extent☐ (c) minimal extent☐

4. In what ways are copyright laws being infringed by undergraduates?

(a) Photocopying ☐ (b) Plagiarism ☐ (c) Piracy ☐

(d) Copy and Paste ☐ (e) downloading ☐

5. Which of these activities have you been engaged in?

(a) Photocopying ☐(b) Plagiarism ☐(c) Piracy☐

(d) Copy and paste☐ (e) downloading

Section 4: Causes of Copyright Infringement by Undergraduate Students

6. Which of the following do you consider are the causes of copyright infringement among the students?

(a) Lack of awareness ☐(b) Lack of learning materials ☐

(c) Poor enforcement of the law☐ (d) Lack of stringent penalty on offenders☐

7. To what extent does the lack of printed learning materials and access to internet contribute to copyright infringement by undergraduate students:

(a) Great extent ☐ (b) little extent☐(c) no extent☐

8. Do you think academic bodies have contributed in promoting copyright infringement among undergraduate students?

(a) Yes ☐ (b) No☐

9. In what ways have academic bodies contributed in promoting infringement among undergraduate Students?

(a) Through writing of seminar paper☐(b) Term papers☐

(c) Project/ thesis☐ (d) All of the above ☐

Section 5: Efforts of Relevant Authorities in Dealing with Copyright Infringement

10. What efforts are relevant authorities playing in dealing with copyright infringement?

(a) Enforcement of the law ☐ (b) Proper monitoring☐

(c)Making policies that will encourage authors and publishers to publish ☐

(d) Sensitization☐ (e) To include copyright law in the curriculum☐

11. How would you rate relevant authority's effort or role in dealing with copyright infringement? (a) good ☐ (b) Fair ☐ (c) poor ☐ (d) I don't know☐

12. What in your opinion is the best approach in dealing with infringement?

(a) Sensitization ☐ (b) Proper Monitoring☐

(c) Strict enforcement of the law☐ (d) Proper guidance on the use of copyrighted works ☐ (e) None of the above☐

13. What role should institutions play to help curb the problem of infringement?

(a) Massive awareness campaign☐ (b) report offenders ☐

(c) Provide basic learning materials ☐(d) Proper guidance on the use of copyrighted works.☐

14. What role should Libraries play in curbing copyright infringement?

(a) Provide awareness on usage of copyrighted works ☐

(b) Librarians to guide users on how to use copyrighted works☐

(c) Copyright warnings to be conspicuously displayed in libraries ☐

(d) To ensure precise citation of any piece of information collected from a given source in the library. ☐ (e) None of the above☐

Section 6: Challenges Faced in Effective Implementation of Copyright Laws

15. What are the challenges likely to be faced in effective implementation of copyright laws in ABU Zaria?

(a) Lack of basic learning materials ☐

(b) Lack of proper awareness on how to use copyrighted works ☐

(c) Improper monitoring ☐(d)poor enforcement of the law ☐

(e) Lack of respect for the creative works of others