ASSESSMENT OF THE CONTRIBUTIONS OF THE NIGERIAN COPYRIGHT COMMISSSION TOWARDS CONTROLLING BOOK PIRACY IN NIGERIA

BY

IBRAHIM AHMADU
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NIGERIA

MAY, 2014

DECLARATION

I hereby declare that this thesis entitled "Assessment of the Contributions of the Nigerian Copyright Commission towards controlling Book Piracy in Nigeria" was carried out by me. All literature consulted and cited were fully acknowledged.

AHMADU IBRAHIM - ---------- - ----------

Signature **Date**

CERTIFICATION

This is to certify that this thesis entitled "Assessment of the Contributions of the Nigerian Copyright Commission towards Controlling Book Piracy in Nigeria" has met the regulations governing the award of Master of Library Science (MLS) Degree of Ahmadu Bello University, Zaria.

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Chairman, Supervisory Committee
Dr. K. A. Momoh Date

---------- ----------

Member, Supervisory Committee
Malam Baba S. Aduku Date

---------- ----------

Head of Department
Dr Abdullahi Ibrahim Musa Date----------

---------- ----------

Prof. A. A. Joshua
Dean, Postgraduate School Date

DEDICATION

This research work is dedicated to my beloved parents: Malam Ibrahim Abdulrahaman (late) and Malama Hauwa Abubakar (late) May their souls rest in perfect peace.

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LIST OF ABBREVIATIONS

C D - Compact Disc

EFCC - Economic and Financial Crime Commission

GDP - Gross Domestic Products

ICPC - Independent Corrupt Practices Commission

IIPA - International Intellectual Property Alliance

IP - Intellectual Property

NAFDAC- National Foods, Drugs, Administration and Control

NCC - Nigerian Copyright Commission

NCS - Nigerian Customs Service

NPA - Nigerian Publishers Association

SARO - South African Reproduction Program

SMSs - Small and Medium Enterprises

STRAP- Strategic Action Against Piracy

US - United State

VCD - Video Compact Disc

ABSTRACT

The study investigated the contributions of the Nigerian Copyright Commission towards controlling book piracy in Nigeria. Five research questions were formulated as thus: what are the causes of book piracy in Nigeria? What types of books are being pirated? What measures are taken by the Nigerian Copyright Commission against book piracy in Nigeria? How effective are the measures taken by the Nigerian Copyright Commission to curb book piracy? What are the effects of book piracy on book business in Nigeria? Survey research method was used for this study. The population of this study is made up of NCC offices in Kano, Anambra and Lagos states and the publishing industries in the three selected states. The population of the study is one hundred and seventeen (117). Purposive sampling was used to select the three states as sample of the study. While considering the manageable number of the subjects of this study; the researcher used the whole population. Two sets of questionnaires were used to collect data for this study. The data collected were presented and analyzed using frequency distribution tables and percentages. The findings showed that: high cost of original books, get- rich-quick syndromes, and scarcity of original books as reasons for the piracy in Nigeria. The findings also revealed that educational books, religious books, trade books, recreational books and reference books are the types of books being pirated. However, educational books are the most pirated books while recreational and reference books are least pirated books. It also discovered that publishers were not satisfied with the effectiveness of copyright enforcement comprises of; raids, arrest and prosecution in controlling the menace of book piracy. It also revealed that there was inadequate public enlightenment campaign through the channels of radio, television, print media, and internet among other means of public awareness creation. The study discovered that book piracy affects investment in publishing business; discourage creativity among Nigerians; increased unemployment in publishing sector; lowers profitability to publishing companies and revenue generation to government. Based on the findings of the study, it is concluded that the measures employed by the commission in the selected states did not meet the needs and aspirations of the publishers as such they were not satisfied with the effectiveness of the measures in controlling book piracy. The research recommends among others that public awareness campaign regarding the importance of copyright should be conducted regularly using all possible means of mass media. Publishing companies should make books available to the people so as to prevent the pirates from using any opportunity resulted by lack of stock at the wake of high demand in the markets. Similarly, copyright enforcement such as raids should be strengthen and conducted regularly in order to expose pirates at their hotbeds.

CHAPTER ONE

INTRODUCTION

1.1 Background to the Study

Copyright violation has become a global concern in contemporary Nigeria and the world at large. Book piracy is an offence that poses great threat to publishing as a business in Nigeria for education, government and the society at large. Bot-mang (2006) reveals that piracy destroys creativity, diminishes talents and denies the intellectuals of the rights to the benefits of their property. There have been increasing concerns from authors and publishing industry in Nigeria over illegal book trade. This is because, pirates do not bear origination of published materials yet they sell and profit from fake products in the markets depriving the publishers and authors of the benefits of their works. Adelekan (2011) posits that Piracy is an illegal and illegitimate reproduction of other people's works without their consent and those that engage in this business eat from the sweat of other people who must have invested their intellect, time and resources.

To publish a book takes longer period, energies and a lot of processes for editing, designing, layout, illustration and proof- reading. After this rigorous endeavor the pirates produce exact copies and circulate them favorably in markets with genuine books, and have large profits by selling them significantly in lower price than the original publishers' products, who bear the cost of royalties to author and other over head cost. It is in this regard Kolawole (2005) opines that pirates take major shares of the publishing industry in Nigeria.

Moreover, large scale photocopying by the students and teaching community, who should have otherwise purchased their original copies, also deprive the authors and publishers of their dues. This form of mass photocopying of books is largely prevalent in Nigeria, especially in and around educational institutions. Students borrow books from libraries and then get them photocopied from the photocopier at the institution. While copyright law permits photocopying of literary works for limited private uses such as research, review or criticism, what happens, many a time is that the entire book is photocopied including the cover pages. At the end of this, the students and the photocopy operators' gain, but the publishers lose huge in all respects. Unfortunately, the institutions turn a blind eye to this. The illegal photocopying leads to low sales of the original materials.

Furthermore, in most cases, pirated books do not have the quality of original work. Therefore, the system of education would suffer if students rely on fake copies of text books for their educational pursuits. The overall effect of these discourages scholarship and creativity and hinders cultural and intellectual development in the society. Piracy is a problem in the Nigeria despites Nigeria's active participation in the international conventions.

Copyright was introduced and entrenched in the Nigeria's Copyright Act; one of the most salutary provisions of the Act is the conferment of the body with the responsibility of enforcing copyright laws. The Nigerian Copyright Commission was established to shoulder the responsibility of protecting all matters related to copyright in the country.

The law gives protection to copyright owners with stiff penalties in the event of violation, yet publishers cry out over the increase in book piracy in the country despite the existence of the decree supported the establishment of the Nigerian Copyright Commission. Achebiri (1995)

observes that the whole issue of book piracy has become a source of great concern as it has assumed an alarming rate throughout the country. This assertion has been supported by the International Intellectual Property Alliance (2006), reports that piracy level in Nigeria is nearly 85% for all sections with estimate among the highest in the world. It is based on the aforementioned situations that this study is undertaken to investigate the matter.

1.1.1 Concept of Copyright

Copyright is a legal term describing rights given to creators for their literary and artistic work (Mahmood and Ilyas). It ordinarily means that the creator of the work alone has the right to make copies of his work for himself and others. Copyright piracy is a phenomenon that is prevalent worldwide. It means unauthorized reproduction, importing or distribution either of the whole or a substantial part of works protected by copyright. The author of a copyrighted work, being the owner, enjoys rights to produce, to publish, to adopt, to translate and to perform it in public. The owner can also sell, assign, license or bequeath the copyright to another party if he wishes so (Nair, etal 1999). If any person, other than the copyright owner or his authorized party undertakes any of the above mentioned activities with respect to a copyrighted product, it amounts to infringement of the copyright. Copyright piracy, like any other theft, is a loss to the owners of the property. Besides economic loss, piracy also adversely affects the creative potential of a society as it denies creative people such as authors and artists of their legitimate dues.

Therefore, copyright refers to a body of exclusive rights to protect the works of authors and other creative persons against copying or unauthorized public performance, which may be literary, musical, dramatic, motion, picture, audio-visual work, sound recordings and computer

programs. Copyright does not protect every work of authorship, to qualify for copyright protection; a work must be both fixed and original. The law considers a work to be fixed if it is recorded in some permanent format. To be original, the work must not be copied from previously existing material and must display at least a reasonable amount of creativity (Schechter, 2009). In addition, copyright only protects the words, notes, or images that the creator has used. It does not protect any idea or concepts revealed by the work.

1.1.2 Historical Background to Copyright

Almost every nation has some form of copyright protection laws for its authors and artists. Several important international treaties also deal with copyright law among the nations. The invention of printing press predates the copyright law. However, with the invention of printing press in the mid 15th century, books had become cheaper and more widely available in Europe. To reduce the risk of rivals printing of politically dangerous books, the royal government of England granted a publishing monopoly to group of publishers, all of whom belonged to a guild called the stationers company (Schechter, 2009). The publishers published materials that were not offensive to the royal authority. When ever, a member of the guild obtained the right to publish a book all other members would refrain from publishing the same book. This private arrangement was an early form of copyright. It was replaced in 1710 when the British parliament passed a law called the Statute of Anne, named for Queen Anne, who reigned in England from 1702 to 1714 (Schechter, 2009). This was the first real copyright law in modern history. The law granted authors the exclusive right to authorize the printing or reprinting of books for a limited number of years.

The Constitutional Convention Delegates who drafted the U.S constitution in1787 were familiar with the statute of Anne and with the importance of copyright as an incentive for authors to create new works. Article 1, Section 8 of that constitution gave the Congress of the United State the power to promote the progress of science and useful arts, by securing for limited times, to authors and inventors, exclusive right to their respective writings and discoveries (Beatrice, 2011). This provision gave the federal government the power to enact copyright and patent statutes. The Congress adopted the first U.S copyright law in 1790. The copyright law underwent series of amendment, often in reaction to new inventions.

1.1.3 History of Copyright in Nigeria

Copyright law is a universal concept and a form of protection for ideas created which is provided by the laws of any sovereign state. According to Agudu (1992) the copyright law in Nigeria dated back to the colonial era, with its source in the copyright Act of 1911. Nigeria continued to apply the English Act of 1911 until 1970. In agreement with this, Ocheme (2000) remarks that despite Nigerians attainment of self rule in 1960, the British statutory law that is the copyright Act of 1911, the common law and the doctrines of equity of England remained the major sources of copyright law in Nigeria.

In 1970, the English Act of 1911 was repealed by the Nigerian copyright Decree. This seems to have put to rest the ghost of the 1911 Act which, despite being abolished in England since 1956, had continued to strife in Nigeria for over half a century. This signifies that Nigerian government hardly understood the essence of the copyright law and therefore was careless about it. It was generally recognized that this old law contained a number of inadequacies. Odunowo

(2002) opines that the law recognizes the rights of copyright owners but failed to provide adequate remedies to the violation of those rights.

1.1.4 Nigerian Copyright Commission

Nigerian Copyright Commission was established in 1989 by the Copyright Council with a mandate to oversee copyright administration. Adewopo (2006) maintains that the Nigerian Copyright Commission was established as a Council pursuant to the Copyright Act (Cap 68 Laws of the Federation of Nigeria, 1990) in 1998 and inaugurated in1989 as a Federal Government parastatal with the sole mandate for the administration of all matters pertaining to copyright in Nigeria, and latter upgraded to the status of a Commission. The Copyright Act was amended twice by the Copyright (Amendment Decree No 98) of 1992 and the Copyright (Amendment Decree No. 42) of 1999. It was established with a statutory mandate to administer, protect promote and regulate copyright in Nigeria (Adoke, 2012). The statutory amendments enable the commission to appoint copyright inspectors with powers of investigation, arrest, seizure and prosecution in the enforcement of the copyright law. The Nigerian Copyright Commission is the statutory body charged with the administration of all copyright matters in Nigeria. The commission runs seminars and workshops to educate the general public and authors on copyright. Above all, the Constitution of the Federal Republic of Nigeria 1999, Part I, item 13 of its second schedule classifies copyright on the exclusive legislative powers of the federation**.**

1.1.5 Rationale for the Creation of the Nigerian Copyright Commission

Creativity is a key stone of progress and development, it is generally considered proper that authors and other artists should have a reasonable return for their work. It is in this regard, Ocheme (2000) opines that no property can be compared with man's creative production. This

signifies that a man's brain work should be protected more than all other tangible property, to enable him enjoy the benefits of his creativity. Copyright ensures certain minimum safeguards of the rights of authors over their creations, thereby protecting and rewarding creativity. Creativity being the keystone of progress, no civilized society can afford to ignore the basic requirement of encouraging the same. Economic and social development of a society is dependent on creativity. The protection provided by copyright to the efforts of writers, artists, designers, dramatists, musicians, architects and producers of sound recordings, cinematograph films and computer software, creates an atmosphere conducive to creativity, which induces them to create more and motivates others to create. No nation can develop where creativity and intellectual property are susceptible to damage and destruction instead of being protected and rewarded.

Nigerian Copyright Commission was not established in order to restrict information. It was created to ensure common justice for individuals and to encourage authors for the general good of the society, without authors there could be no publishing for education and social enrichment, and without the protection of copyright, the world would never have had the explosion of knowledge that has come through the books. The universal declaration of human rights from which many modern copyright statutes derive their inspiration state that everyone has the right to the protection of the moral and material interest resulting from any scientific, literary, or artistic production of which he is the author (Ibrahim,2002). The law of the copyrights rest on every clear principle that anyone who by his skills and labor creates an original of whatever character shall, for a limited period enjoy an exclusive right to copy the work. No one else may for a season reaps what the copyright owner have sown (Kelvin & Gillian, 2002). It is based on

this that the Nigerian Copyright Commission was established to encourage creative people to produce works of culture and to provide incentive for the dissemination of these works.

Therefore, the rationale for the Nigerian Copyright Commission is to encourage authors to invest effort in creating new works of arts and literature. Dauda (2000) observes that the Commission also aims at protecting the authors' idea from abuse and illegal exploitation by others. Copyright is the right of authors to control the reproduction of his intellectual creation. It confers on the author the authority to control his creation after disclosure and prevents others from reproducing his personal expression without his consent. In this sense, copyright is usually regarded as property of unique kind. Odonowo 2002 maintains that such rights have become components of existing legal culture of most countries including Nigeria, enforceable by courts and respected by society. This is because intellectual creativity in whatever form is an essential pre-requisite for all social, economic and cultural development of a nation. A complementary objective of Copyright Commission is to foster the growth of learning and culture for the public good. Ibrahim (2002) remarks that "a creative work is a product of mind and accordingly is regarded as a manifestation of the authors' personality as well as his economic benefits. The authors' right over his work is, therefore, viewed as entirely personal." He further states that, the purpose of the copyright systems is the protection of the authors' interest and creation of a favorable climate for the actualization of their creation potentials. It can therefore, be said that the success of any copyright system depends also on its ability to provide for authors needed incentive by way of adequate remuneration.

It seems quite obvious that Nigerian Copyright Commission is mainly designed to protect an author, an artist and all creative productions from the unlawful reproduction of his works. The creative writer has full and unfettered protection of that which he had created and should be able to reap full benefit there from (Agudu, 1992). Therefore, the copyright system offers and gives the needed protection so that the creators may use their intellect for the betterment of our nation. Perhaps the most important aspect of a copyright is the economic right which enables the creator to earn a living from his work. Ocheme (2000) posits that the justification for copyright commission is primarily anchored on the necessity to encourage creative activities locally without much dependence on foreign arts and culture.

1.4 Statement of the Problem

The Nigerian Copyright Commission was established as the sole Government agency responsible for copyright administration in Nigeria, pursuant to the Copyright Act (Cap. C28 Laws of the Federal of Nigeria, 2004). Assein (2008) states that the mandates of the Commission are copyright enforcement; public enlightenment and the regulation of the copyright activities in Nigeria. The Commission also initiated a scheme called Strategic Action Against Piracy (STRAP) which intends to combat all forms of piracy. It seems that the mandates of the Nigerian Copyright Commission as well as the STRAP initiative's target has not lived up to expectations; because pirated books are everywhere in Nigerian markets.

Adegbola (2004) maintains that "40% to 50% of the publishing business has been taken over by the pirates as a result of the importation of pirated books from far East" This claim has been confirmed by many people in the publishing industry. Obidiegwu (2007) reveals that Longman lost $ 1.5 to $ 2 million, constituting 50% of its potential yearly turnover to book

piracy". This signifies that the activities of pirates have consistently led to the erosion of tremendous percentage of the total earnings of the industry. Invariably if allowed to flourish it will have serious effects on economic development as well as make the publishing industries to collapse. The International Intellectual Property Alliance, (2009) while reporting on copyright protection and enforcement in Nigeria, put the trade loss to book piracy in the year 2004, 2005 and 2006 at $ 4million, $ 6million and $ 8million respectively. This indicates that there is a proportionate increment in the loss rate. Moreover, book piracy is pervasive in Kano state. The Nigerian Copyright Commission stated in the 2006 second quarter of the year's report that Kano state has highest number of seizures of pirated books across the country. Madueke (2004) remarks that over 300,000 printed flat sheets of titles belonging to various publishing houses and contrivances were seized in Anambra state. Then why has the commission achieved less in combating book piracy? The study will provide answers to the questions by assessing the contributions of the Nigerian Copyright Commission against book piracy in Kano, Anambra and Lagos states. These states are selected to represent the respective regions in the country, namely; Northern, Western and Eastern regions, represented by Kano, Lagos and Anambra states respectively. Furthermore, the Nigerian Copyright Commission (2008) survey report on copyright piracy in Nigeria revealed that, the general piracy rate in Nigeria, particularly of books, music and video movies has seriously increased remarkably in Lagos, Port Harcourt, Bauchi, Anambra and Kaduna states.

1.3 Research Questions

This research seeks to provide answers to the following research questions:

1. What are the causes of book piracy in Nigeria?

2. What types of books are being pirated?
3. What measures are taken by the Nigerian Copyright Commission against book piracy in Nigeria?
4. How effective are the measures taken by the Nigerian Copyright Commission to curb book piracy in Nigeria?
5. What are the effects of book piracy on book business in Nigeria?

1.4 Research Objectives

The specific objectives of this research are:

1. To determine the causes of book piracy in Nigeria.
2. To determine the types of books being pirated.
3. To determine the measures taken by the Nigerian Copyright Commission against book piracy in Nigeria.
4. To determine how effective are the measures taken by the Nigerian Copyright Commission to curb book piracy in Nigeria.
5. To determine the effects of book piracy on book business in Nigeria.

1.5 Significance of the Study

The study will be of enormous value towards supporting the publishers with relevant data on ways to prevent the recurrence of book piracy by looking at the avenues of reducing the price of the original books which will enable the public to afford the original copies other than the pirated ones, and this will in turn favors the publishers to sell their book in large quantity and reap the benefit of their labor.

It will also benefit the publishers as they will be encouraged in using security features in the production of books which will prevent pirates from duplicating the original books by providing an image that will help the buyers to differentiate the original books from the pirated ones.

Similarly, the research will also serve as a mechanism for public enlightenment and mobilization by exposing the debilitating impact of book piracy on individual and national interest. Finally, the study will be a useful document for researchers and students studying copyright piracy, publishing, law and library science as it will add to the number of literature in their research work.

1.6 Scope of the Study

The study covers three selected states in Nigeria. These are: Kano, Anambra and Lagos states and all the publishing companies as well as the NCC offices in the states. The works protected under the copyright Act in Nigeria includes literary works, musical works, artistic works, sound recordings, broad casts, live performances and expressions of folklore. The subject of the study comprise of the managers of the publishing companies and the NCC Copyright Inspectors in the selected states.

1.7 Limitation of the Study

The assessment of this study is limited to book piracy within the confine of Kano, Lagos and Anambra state. These states were selected to represent the respective regions in the country, namely; Northern, Western and Eastern regions, represented by Kano, Lagos and Anambra states respectively. This selection is based on the fact that the selected states are the centers of book

trade in the country and also the breaking point of book piracy in Nigeria as Kolawole (2008) confirms that, major hotspots of book piracy in Nigeria are: Alaba, Onitsha, Ajegule and Kano state. This also support the Nigerian Copyright Commission (2008) survey report on copyright piracy in Nigeria revealed that, the general piracy rate in Nigeria, particularly of books, music and video movies has seriously increased remarkably in Lagos, Port Harcourt, Bauchi, Anambra and Kaduna states

1.8 Operational Definition of Terms

The following terms are defined as they are used in the study:

Nigerian Copyright Commission: The government agency responsible for the protection of copyright in Nigeria.

Book piracy: Copying, selling, distributing or translating of protected books without the permission of the right holder.

Controlling: It is the process of regulating the recurrence of book piracy from the unscrupulous publishers.

Assessment: Examining the piracy situation in Nigeria based on the findings of the study.

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CHAPTER TWO

REVIEW OF RELATED LITERATURE

2.0 Introduction

This chapter reviews relevant literature that relate to the topic of this study. The literature review discusses the state of copyright in Nigeria and the effects of book piracy on book business in general and Nigerian economy in particular as well as the measures taken by the Nigerian Copyright Commission in controlling the menace. The review is presented under the following sub-headings:

2.1 Piracy and Copyright Law in Nigeria

2.2 Piracy

2.3 Book Piracy

2.4 Measures Put in Place to Control the Menace of Book Piracy

2.5 Effectiveness of the Measures in Controlling Causes of Book Piracy

2.6 Type of Books being Pirated

2.7 Causes of Book Piracy

2.8 Effects of Book Piracy on Copyright Owners, Publishing Industries and the National Economy

2.9 Challenges of the Nigerian Copyright Commission

2.10 Summary of the Review

2.1 Piracy and Copyright Law in Nigeria

Piracy is an act of reproducing movies, music, books or other copyrighted works without permission from the copyright owner. Akinbola (2000) states that piracy is an act by which producers, writers, actors and musicians are oppressed, impoverished and cheated. It is an illegal production or reproduction of the copyright works like phonograms, books, paintings, architectural drawings, films, broadcasts, computer software and many more for commercial purposes.

Section 1 (1) of the Nigerian Copyright Act (1999) states that subject to this Section, the following shall be eligible for copyright:

a) Literary works;
b) Musical works;
c) Artistic works,
d) Cinematography films;
e) Sound recording; and
f) Broadcasts.

The section provides the different categories of works that the copyright law in Nigeria protects which include literary works such as books and other items of literary documents.

1. A literary, musical or artistic work is not eligible for copyright unless sufficient effort has been expended on making the work to give it an original character. To be original, the work must display at least a reasonable amount of creativity.

2. The work has been fixed in any definite medium of expression. The law considers a work to be fixed if it is recorded in some permanent format, like writing it down, storing it on a computer floppy disk or recording it on videotape. Oluwa (2011) translates section 18, of the Copyright Act which indicates that piracy is committed if any person who, without license or authorization of the copyright owner:

- Carries out, or causes any other person to carryout, an act that is controlled by copyright;
- Imports or causes to be imported in to Nigeria any copy of a work that, if it had been made in 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;
- Distribute by way of trade, offers for sale, hire or otherwise or for any purpose prejudicial to the copyright owner any articles in respect of which copyright is infringed;
- Makes or has in its possession plates, master tapes, machines, equipment or contrivances used for the purpose of making infringing copies of works;
- Permits a place of public entertainment or business to be used for a public performance of the work where the performance constitute copyright infringement, unless the person permitting the place to be used for the performance was not aware, and had no reasonable ground to suspect, that the performance would be an infringement of the copyright ; or
- Performs or causes to be performed, for the purposes of trade or business, any work in which copyright subsists.

The aforementioned implies that if any person performs any of the above to the copyright righted works commits piracy. Therefore, the authors has the exclusive right to control certain actions in respect of the whole or a substantial part of a work, either in its original form or any form recognizably derived from the original.

However, in order to strike a balance between the society's need for access to knowledge and the need to rewards creativity, limited uses of the copyright protected works are allowed without the authors consent. The limitations that are subject to certain statutory exemptions include carrying out a specified act for research purposes, private use, criticism or review and for use in prescribed educational institutions. The law provides some exemptions from copyright control under its second schedule, section 5 (i) (h) (k).the right conferred does not include the right to control the following:

(i)The doing of any of the acts mentioned in the said section 5 by the way of fair dealing for the purposes of research, private use, criticism, or review or the reporting of current events, subject to the condition that, if the use is public, it should be accompanied by an acknowledgement of the title of the work and its authorship except where the work is incidentally included in a broadcast,

(h) any use made of a work in an approved educational institution for the educational purposes, of that institution, subject to the condition that, if a reproduction is made for any it shall be destroyed before the end of the prescribed period, or if there is no prescribed period, before the end of the period of twelve months after it was made;

(k) any use made of a work by or under the direction or control of the government, or by such public libraries, non-commercial documentation centers and scientific or other institutions as may be prescribed, where the use is in the public interest, no revue is derived there from and no admission fee is charged for the communication, if any, to the public of the work so used.

The permission granted by the law to the public libraries and non-commercial documentation centers and other allied institutions to reproduce any work where the use is in the public interest and especially where such a book is not available for sale in Nigeria. Dada (1998) criticizes the degree as unrealistic and unhelpful to the prevailing book famine in the country, although he acknowledges the situation that made the promulgation of such legislation inevitable. In agreement with this, Ajidahun (1998) states that;

> If a particular text is prescribed for a set of students in an educational institution and the students in the whole institution happens to have just a copy of the text or none at all, the legislation under this section perhaps allow the institution to reproduce a copy of the text for the students. What if the educational purposes that institution which warranted the reproduction of such text is prejudicial to the owner of the copyright according to the Section 14 (I) (d) of the copyright law? In addition to this, who will destroy the reproduced copies in accordance with the provision of the law, the institution or the students? Perhaps the interpretation of this section of the law is wrong.

Then the question is how many relevant foreign and national books are available for sale in Nigeria? What prevents the government from using its position to make such books available to libraries and documentation centers? It is not only Nigeria that allows libraries and other nonprofit service oriented to make reproduction of information materials to the public but also other countries do provide such law. South Africa also provides some leeway in reproducing materials, but to limit the use of copied material where no payment is made to its developers. But

Seeber (2000) criticizes the amendment of this section as these regulations are poorly expressed and unworkable.

2.1.1 Piracy

The term piracy is generally used to describe the infringement of copyrighted works without the permission of the right holder. According to the Schechter (2009) piracy is the reproduction, distribution, performance, or display of any copyrighted works without the permission of the copyright owner or without a compulsory license. This implies the stealing of the creativity of others with flagrant disregard 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 is an unauthorized reproduction, translation, adaptation, arrangement or distribution of the copyrighted works by any means without consent of the copyright owner or without compulsory license.

2.1.2 Book Piracy

There are various categories of work that are eligible for the copyright protection. These include literary works, artistic works, musical works, cinematography films, sound recordings, and broadcast. The Copyright Act (2004) interpret the concept Literary works which consist of books, letters, encyclopedias, table of compilations, lectures and computer programs. Therefore, book piracy has its place from literary works. Book piracy means illegal reproduction of books and other printed materials and distribution/selling of these for profit. Book piracy according to Nair (1999) generally takes place in three principal ways; wholesale reprinting of text and trade books, unauthorized translations and commercial photocopying of books. Book piracy is the reproduction of another person's book, just for one's own profits (Egbunefu, 2011).

Book piracy is part of the hallmarks of a corrupt society, where personal interest overrides commitment to the values of the state. It is a crime which not only adversely affects the creative potential of the society by denying the creators their legitimate dues, it also causes economic losses to all those who had invested their money in bringing out the books for use by end-users. Book piracy leads to loss of revenue to publishers in terms of low sales, nonpayment of royalty to authors and non-payment of income tax and other levies payable by publishers to the government. The commercial exploitation of copyrights also yields income to the creative persons in the form of royalties. The government gets income in the form of excise duty, sales tax, income tax which pirates do not pay. Therefore, book piracy brings in losses for all involved in the legitimate production and distribution of books. The International Intellectual Property Alliance (2007) attributes the rise of book piracy to the government's decision in 2003 to cut all funding for university and library purchases. This decision has created a climate fostering illegal photocopying, which plagues the academic market.

The cost of production for pirates is relatively low in comparison to that of publishers, making it a very profitable business to engage in. Unlike publishers, pirates are not saddled with the cost of resources and human capital involved in the development of a book from inception to print. Therefore the original books are expensive when compared with pirated ones in the markets, so to save pockets people prefer to compromise with quality and they patronize the pirated copies. Majority of the people cannot afford to buy genuine books in such away; book piracy provides the escape route, because a pirated book can be as cheap as less than the original price. This in turn dilutes the money invested in creating original books, and glut condition appears in market of original items. So book piracy ultimately discourages the publishing industry by rationalizing their hard works. Books are pirated both locally as well as globally.

Egbunefu (2011) describes the nature of locally pirated book that they are sometimes pirated with laxity such that the words in them are different from the words in the original copies. Also, the books do not last. Their ephemeral nature is interpretative of their binding and the inferior materials used for their production. In contrast with those pirated abroad, they look alike or even better than the original. The crux of the problem with books pirated overseas is that it becomes more difficult to identify if it is not detected at the point when it is brought into the country. This is because the consumer's ability to discern between an original and pirated copy of such book is almost impossible as Kolawole (2005) laments that it becomes difficult to distinguish between pirated and original book, because the pirated copy printed abroad with the best of technology looks better than the ones that are printed here in Nigeria.

2.2 Measures Put in Place to Control the Menace of Book Piracy

The Nigerian Copyright Commission involves various measures to ensure the commission lives up to expectation in terms of their activities of protecting copyright in the country. The measures serve as a strategy that aid the protection of copyrighted works as provided by Adewopo (2008) that the Nigerian Copyright Commission adopted the use of effective copyright enforcement and creating public awareness campaign about copyright for the attainment of the desired objective. The measures provide efficient action against any act of copyright infringement and also provide expeditions remedies to prevent infringement. The following are the measures put in place in order curb the menace of piracy:

2.2.1 Enforcement of the Copyright

The Commission's enforcement program is part of the measures geared towards fighting piracy and giving the right owners due returns on every creative investment. The enforcement

efforts is in accordance with the powers of the Commission under the Copyright Act through surveillance, investigation, anti-piracy raids, public destruction of confiscated pirated products, arrests, seizures and prosecution. Unesco (2009) provides some developments and perspectives that the Nigerian Copyright Commission has with regard to the enforcement of copyright law. As thus:

1. Provisions relating to criminal liability and penalties;
2. Powers to apply to courts to destroy seized infringing materials vested in the Commission's Copyright Inspectors and right owners;
3. Provision on punishment for corporate bodies to include winding up.
4. Provision relating to simultaneous criminal and civil action to include proviso to allow the commission to apply to courts to stay civil proceedings initiated against it by a suspect;
5. Inclusion of provisions for registration of copyright by the establishment of a copyright register; and
6. Provision on prohibition of importation of infringing copies of works vested in the Commission.

Enforcement led to the reduction in activities of pirates, prosecution of more copyright offenders in the earnings of right owners, confiscation and burning of infringing copyrights in the fight against piracy.

2.2.2 Public Enlightenment (Copyright awareness)

Public enlightenment is aimed at providing the knowledge of intellectual property rights among users, and encouraging creativity. This involves embarking on a sustained and aggressive anti-piracy public enlightenment program using a multi media approach, namely, electronic, print and outdoor. Ibrahim (2002) states that "for effective enforcement, there is need for an integrated

long term, and continuous enlightenment and education programmed for all involved in the use, administration and enforcement of copyright". This signifies the need by the Nigerian Copyright Commission to carry out more enlightenment campaign to educate the society as well as the creators of copyright and encourage the public to desist from illegal copying of works and the need to only purchase original copies of works to avoid litigation cannot be over emphasized. It is in this light the Nigerian the Nigerian Copyright Commission state that:

> It is part of the Commission's functions under the Copyright Act, wherein the Commission is enjoined to enlighten and inform the public on matters relating to copyright. There is great need for a massive public enlightenment of both the copyright-protected family and the end-user-public of the works protected. Most infringement activities flow from a total lack of knowledge and information on the principle of copyright. It is essential that a purchaser of a copyright-protected work knows that while he retains only possession of the work, the copyright therein still resides in the owner or author of the work. The purchaser cannot replicate, lend, dub or otherwise deal with the goods without the express permission of the author, first sought and obtained. There is therefore, need for an aggressive media mass enlightenment initiative in that regard. Indeed, all modes of dissemination of the message should be employed.

The need to carry out more enlightenment campaign to educate the society as well as the creators of copyright and encourage the public to desist from illegal copying of works and the need to only purchase original copies of works to avoid litigation cannot be over emphasized. Ekpo (2002) argues that "there cannot be an effective administration of the Nigerian Copyright Act without adequate information on the state of our creative industries".

2.3 Effectiveness of the Measures in Controlling Book Piracy in Nigeria

The enforcement entails intensifying of the enforcement activities, such as inspections, anti piracy raids, arrest, seizure and prosecution. Enforcement led to the increased level of

copyright awareness, reduction in activities of pirates, prosecution of more copyright offenders in the earnings of right owners, confiscation and burning of large volumes of infringing copyrights in the global fight against piracy. The Nigerian Copyright Commission intensifies effort in enforcing the copyright law at various parts in order to control the menace of piracy. The report of the raids conducted across the country between July and September 2003 from the various copyright related offences reveals that over 230 suspected pirates were arrested. The breakdown of this indicates that 143 were arrested for suspected book piracy while 92 were arrested for piracy of musical and are being prosecuted while over 70 copyright cases are pending at the various Federal High Courts across the country (Adewopo, 2006). Moreover, about 3000 copies of pirated textbooks worth over N3 million belonging to various publishers were confiscated (Yahuza, 2005).

In another development, from May, 2005 to may 2007 strategic action against piracy activities was initiated and sustained in which over 115 operations were carried out against book, music, film, software, and broadcast counterfeiters. Here are the outcomes:

- ✓ 373 suspects arrested
- ✓ Seizure of 8,346, 815 pirated works;
- ✓ 15 new copyright cases brought to court, resulting in four convictions: two in the Federal High Court for counterfeiting books and two for broadcast piracy; the public destruction of seized pirated products with and estimated market value in Nigeria of 1,236,000,000;
- ✓ 15 optical disc plants were brought under regulation through the new optical Discs plant regulation (Asien, 2008)

Moreover, the table below illustrates the effort made by the Nigerian copyright Commission in checkmating the menace of book piracy.

Table 2.5 Achievement of the NCC in Lagos

S/N	Date	Place of raids	No of seized books	Est. market value (₦)	No of arrests	No of Prosecutions
1	21/7/5	Ajegunle	44 copies of new Jerusalem Bible	14,993,000	2	
2	28/7/5	Ajegunle	25,000 copies of Macmillan books	10,000,000		
3	19/8/5	Ajegunle	300,000 copies of different books	15,000,000		
4	26/8/5	Oshodi	70,000 copies of different books	6, ooo,ooo	3	
5	29/8/5	Ijora/Bodija			1	
6	6/9/5	Surulere	200,000 loose & unbinded pirated copies of books	1,000,000	1	1
7	9/9/5	Ajegunle	1,000 pirated copies of books	280,000	1	
8	22/9/5	Mushin	80,000 unbinded various books	1,000,000	1	
9	30/9/5	Somolu				
10	6/10/5	Yaba	1pirated copy of verbal & quantitative text book	280	1	
11	12/10/5	Ofada Mushin	220,000 pieces of pirated text books of several publishers	1,200,000		
12	19/10/5	Oshodi	5,010 copies of various text books	750,000	2	
13	31/3/6	Ikorodo	700 assorted titles of	280,000		

			literamed publications			
14	18/1/6	Ajegunle	948 copies of different books	284,000	1	
15	2/4/6	Lagos			1	
16	15/8/6	Yaba	250 Lantern books	125,000	4	
17	16/8/6	Agboju	120 copies of literamed & Macmillan books	60,000	4	
18	28/8/6	Shomolu	304 printing Plates and 2,600 books	1.51,908,000	2	
19	1/10/6	Ajegunle	1,500 books	750,000	4	
20	20/1/7	Surulere	9,976 books	4,988,000	2	
21	25/3/7	Lagos Island	1 book	500	1	
22	23/4/8	Ikeja, Ketu	31 copies of Daily Cold Treasures	15,500	2	

Extracted from STRAP 1, 2 & 3 Reports (2005-2006, 2006-200, 2007-2008)

Table 2.5 Achievement of the NCC in Kano State

S/N	Date of raids	Place of raids	No of sized books	Est. market value (₦)	No of arrests	No of prosecutions
1	21/10/5	Sabon Gari market	1,500,000 text books	10,420,000	8	

Extracted from STRAP 1, 2 & 3 Reports (2005-2006; 2006-2007; 2007-2008).

In performing its mandates, the commission intensifies efforts every year to look at nooks and crannies where piracy takes place and to inspect various places such as local industries, markets, and any place where suspected pirates could be found in order to eradicate the menace from the society. It is in this light that, Adewopo (2006) remarks that the commission's STRAP campaign has within two month, confiscated over 2 billion naira worth of

pirated products throughout the country. As a practical demonstration of its commitment to combat piracy in all areas of copyright, the commission publicly burnt pirated books, CDs, and VCDs impounded in most of its anti piracy operations in Abuja, in which over N 500milion worth of pirated products were set ablaze(Adewopo, 2006). Over 100 suspected pirates have been arrested while pirated copyright products like books, music and movie products and computer software valued at over 250 million were impounded (Adewopo,2006).

The operations carried out by the men of the commission in various states of the federation and the Federal Capital Territory signifies the commitment of the commission towards protection of the copyrighted products. To ascertain these efforts Adewopo (2006), gives the analysis as more than one million worth of pirated products were confiscated and seven suspected pirates arrested at different locations of the Federal Capital Territory, Abuja. While in Enugu state, pirated works valued at over 10 million were seized and 35 pirates arrested. In Katsina state, 80,000 pirated copies estimated at ₦10, 000,000 (million) were impounded and three suspects apprehended. In addition to this, in Kwara state six suspected pirates were nabbed and confiscated works worth 5 million naira. The situation was almost the same in Akwa Ibom state, in which 5 million worth of pirated products were seized. Also, in Yola, Adamawa state, 6,900,000 (million) worth of pirated books, computer software, music and movie products were impounded along with nine arrests. Moreover, in Benue state, 11 arrests were affected with seizures worth 3 million naira. In Oyo state N2.5 million worth of pirated works were confiscated and seven suspects arrested, finally Kaduna state, four suspected pirates were apprehended while infringing products estimated at over N2 million were impounded.

The Commission has stepped up the tempo of its anti-piracy operations and prosecution, resulting in the seizures of the huge consignments of the infringing products. Adewopo, (2008), states that "intensive prosecution has been going on instantly over 60 different cases of copyright violation are currently being prosecuted in Federal High Courts nationwide. A total of four convictions were secured out of which two were against book piracy". The state of affairs is the same in Kano in which textbooks, printing plates, and other materials impounded during the anti piracy operations carried out by a combined team of copyright inspectors, right owners and the police as Ezekude (2011) describes that the Nigeria Copyright Commission has impounded suspected pirated products worth N22 million during raids across the country. The copyright inspectors also arrested 27 suspected pirates during the operations in four sub- sectors of the industry. He further discloses that in the publishing industry, one suspected pirate was arrested during raid in Sabongari market, Kano, while 6062 infringing books of various title, authors and publishers worth 3,300,000 million were confiscated.

Furthermore, over 230 suspected pirates were arrested in between July and December 2003 for various copyright offences in Adamawa, Borno, Enugu, Anambra, Imo, Kaduna, Abuja and Kwara states (Maduake, 2004).

One of the prominent agencies that help in enforcing the copyright is the judiciary, which has a lot of roles in ameliorating the issue of book piracy in the country. The law is there but the enforcement has not been as strong as it should be, coupled with the court system that is so slow. It is in this respect; Ibrahim (2002) argues that "the success of the copyright law will largely depend on the ability of the courts to speedily dispose of copyright cases". To buttress this, Abdullahi (2005) laments that the judiciary must play its role in the enforcement of the copyright

law in Nigeria. The judiciary should also always plays its role creditably by ensuring that copyright cases brought before it are given accelerated hearing.

The commission has organized several seminars and workshops in parts of the country in order to expose as many people as possible to the basics and subtleties of the copyright administration. Dauda (2000) maintains that the commission has been producing handbills, posters and quarterly copyrights news bulletins for this attribution for the right owners, users, and the general public as parts of its enlightenment campaign program. The commission fails to use other media that can reach every member of the society wherever they are beside the posters and bulletin which can only reach few people. One cannot ascertain the existence of the copyright when listens to the radio and television despite their relevance in dissemination of information to everywhere in the society.

Dauda (2000) states that lack of sufficient awareness and co-operation on the part of right owners, users of the works, administrators and the general public has been a serious inhibition to the total success of the anti book piracy campaign. In agreement with this Adewopo (2008) reveals that "Copyright issue and the whole field of intellectual property have been generally regarded as esoteric in nature because of the level of awareness." There is general lack of awareness of intellectual property laws and regulations. The level of copyright awareness in Nigeria is low and this militates against infringement of books in the country. The situation is also the same in other countries of the world as in India; Nair (1999) explains that the awareness in copyright is rather poor in the country and piracy believed to be wide-spread." There is need for collaboration with practitioners in the industries to embark on an orchestrated campaign aimed at educating its citizenry on the dangers of piracy or copyright theft which is clearly anti-

social and contrary to the public interest. Public condemnation would therefore be mobilized to fight and eradicate piracy.

Copyright infringements are usually dealt with in civil lawsuits in federal court. The law provides several remedies to copyright owners who prove infringements against their work. In such a case, the court may order an injunction against future infringement, which requires the infringing party to refrain from committing further violations of the copyright. The court may also order the destruction of infringing copies, reimbursement for any financial loss suffered by the copyright owner, transfer of profits made from the sale of infringing copies, and payment of specific damages. The principal remedies for enforcement of copyrighted materials in Nigeria as Oluwa (nd) provides are:

Damages: In awarding damages, the court considers the loss of profits caused to the plaintiff by the infringer's diversion of trade from the plaintiff. In addition, the flagrancy of the infringement and any benefit shown to have accrued to the defendant by reason of the infringement are considered.

Injunction: This is the most useful and frequent remedy available to victims of copyright infringement. The plaintiff can seek an interim injection pending the determination of the case and perpetual injunction as a final remedy.

Delivery up or destruction: The infringed materials can be confiscated or destroyed. The destruction extends to receipts, containers, vehicles, ships, aircraft etc. This order is frequently applied in Nigeria, especially with respect to smuggling cases.

Conversion rights: All infringing copies of a work in which copyright subsists, or of any substantial part of the work, and all plates, master tapes, machines, equipment or contrivances

used or intended to be used for the production of such infringing copies, are deemed to be the property of the owner, assignee or exclusive licensee of the copyright, which accordingly may take action to recover the possession or conversion of these articles.

Anybody who commits piracy is liable on conviction to a fine, imprisonment or both. It is in this regard Fabunmi (2007) affirms that infringement of copyright by any person is punishable with imprisonment of up to five years or with a fine of one thousand naira (₦ 1,000) for every infringed copy of a work for which is responsible. All copies of the work, plates, master tapes machines and other equipment in the possession of the infringer are to be destroyed or surrendered to owner of the copyright.

2.4 Type of Books Being Pirated

The publishers publish different kind of books for the benefits of the society. The educational books are meant for educational purposes, such as nursery, primary, secondary and advanced level books, while religious books are publish for religious purposes and trade books are meant for the general readership. Book piracy is primarily depends on two factors, namely, the price of the book and its popularity. These two factors positively contribute to piracy. Piracy generally is confined to both foreign and good indigenous books. The pirates mostly do not pirate any book but when the book is established and successful in the market.

The types of book mostly pirated are curriculum based as Obidiegwu (2007) states when displaying pirated books, the Longman's books found being pirated are new general mathematics, junior English project, Business Accounting, New Method English Dictionary, Brighter Grammar, Students Companions, Romeo and Juliet, Hamlet, Merchant of Venice, Commercial Typewriting, Pitman New Eva Short Hand, Animal Farm, Tales from Shakespeare,

Additional Mathematics and Pitman Shorthand. Moreover, when displaying another pirated books, Adegbola (2008) states that the books included New School Physics for Senior Secondary Schools; New School Chemistry for SSS; New General Mathematics for SSS; Intensive English for SSS; and Nigerian Integrated Science Project, Pupils' Textbook 1. The situation is almost the similar as most of the pirated books impounded by the Nigerian Copyright Commission are educational books as Ukagwu (2012) states that:

> The Nigerian Copyright Commission in collaboration with the Nigerian Customs Service seized three containers containing about 3000 cartons of various pirated Bibles, educational and inspirational books worth over one billion naira. The pirated books belong to various publishers in the book industry like Learn Africa (Longman) Macmillan, University Press, Africana First, Heinemann and others contain educational books on Anatomy, Physiology in Health, Medical Dictionary and other titles. The second container contains 980 cartons of educational books like Mastering English, Oxford Advanced Learners Dictionary, Oral and Basic Technology and other titles. The last container contains 250 cartons of pirated Holy Bible and 425 cartons of other books.

In another development when exhibiting the intercepted containers loaded with pirated books it was found that the containers has about 10,000 cartons of over 30 titles, and are mainly educational books, whose copyright belonged to both foreign and local publishers (Ezekude, 2012). This implies that most of the books the pirates are interested in are merely educational books that are meant for students either in tertiary institutions, secondary or primary school, followed by religious books.

2.5 Causes of Book Piracy

Economic situation in Nigeria makes it clear that majority readers can not afford to buy original books. Aladesuyi (2008) notes that the problems of book piracy was first noticed as a

consequences of the depreciation of the naira, which resulted in shrinking disposable income, Nigerians were forced to search for cheaper alternatives to different items, including books. In such circumstances, piracy provides escape route, because pirated books can be as cheap as possible. The basis of why book piracy exists had been amply illustrated by a number of studies undertaken in the past in various parts of the world including Nigeria. Ovieghara (1992) observes the following as the reason why book piracy persists in Nigeria:

a. The means of reproduction of graphic matter are easily available everywhere today as a result of technological advancements in the field of reprography over the last two decades.

   The cost of the original book far exceeds the cost of reproduction.

b. Legal reproduction is generally either non-existent, lacks force of deterrence or is rendered ineffectually by the slow and expensive process of litigation.

c. The love of money or money or the get–rich quick syndrome which pushes its victims to strive to acquire wealth or material possession by every means .It is a situation in which the means does not justify the end.

d. Piracy generally occurs when unauthorized reprints can improve on the Authorized version in terms of price or immediate availability.

e. A situation where demand far exceeds supply creates an incentive for the pirates to seek to fill the supply by producing fake copies.

Asien (2008) maintains that the bases of piracy are poverty, laziness, poor or inadequate awareness about copyright, piracy, poor distribution network of needed creative products, slow judicial system, poor funding of regulatory agencies and rancorous and uncooperative attitude of practitioners in the creative industries.

2.6 Effects of Book Piracy on Copyright Owners, Publishing Industries and the National Economy

The erosion of the publishing industries has been traced to the prevalence of piracy. The loss to copyright piracy alone, apart from other forms of infringement and sources of unpaid royalties due to copyright owners, is staggering. This amount represents lost investment in the economy, unpaid remuneration of right owners and the unrealized revenue that could have accrued to government for the development of the economy and the provision of necessary incentives to practitioners in the copyright industries.

2.6.1 Effects of Book Piracy on Copyright Owner

Piracy is like any other crime because pirates seek to profiteer from the creative works of others while they deny the real right owners of their deserved benefits. Beyond the economic loss, creators are also subjected to social opprobrium when the public unwittingly purchased poor quality of their works which invariably affects their reputation. It also dampens creativity, erode our cultural heritage, inhibit job creations and hurt the national economy. It is in this regard that Obasanjo (2005) observes that;

> Piracy is evil because it targets not only the economic fortunes of hard working, creative individuals and organizations but also has debilitating effects on the creative energies of our musicians, writers, artists, producers, publishers and performers. In a system where intellectual property laws are perceived as being ineffective and are therefore flouted without fear of meaningful retribution, the frustration becomes even more oppressive. The overall consequences of piracy are the denial and the deprivation of the authors of their rightful reward from their works. Apart from materials loss, the authors whose right is infringed may lose integrity, social acceptability or fame.

The Nigerian authors have been subjected to the most torturous ordeal owing to the indiscriminate poaching of their works by pirates. Are (2008) claims that the pirates are making

two-third of the profit leaving the publishers with a paltry one-third. And the trend's disheartening situation in which someone with good book would not sell it at the cost of production because it has been pirated and sold for one-third of the price. Our society condemns armed robbery or even a small household theft, but when piracy is committed the society does not regards it a crime at all! This is because copyright piracy unlike most other theft may not involve physical product and therefore in many occasions it remain intangible. What is stolen may not be the physical product itself but the intellectual property, which goes unnoticed or ignored in many instances. Piracy continues to evolve in most intractable manner thus denying the creators the full benefit of their creative genius.

2.6.2 Effects of Book Piracy on the Publishing Industries

Copyright piracy is one of the most serious crimes threatening the global creative industries today with annual loss translating in billions of naira. The creative industries suffer huge losses in revenue accruable from their creative production. But from societal angle, the copyright piracy is not always treated as a serious crime, even though it has far reaching consequences, both socially and economically. In stressing the effects of book piracy Obidiegwu (2007) claims that;

> The menace had become major disincentive to original writers, who go through mental and physical rigorous to produce creative thoughts and expressions. Beside that piracy puts publishers at great financial risks. No one would go through all the trouble involved in book writing and publishing, only for such original work to be freely exploited by idlers and charlatans. The magnitude of the economic, social and intellectual calamity that this act of criminality inflicts on the nation is impossible to fathom, considering the fact that no single printing material is produced in Nigeria.

Piracy constitutes a major threat to creativity with dire consequences on the educational system in the country, and it also threatens the survival of the publishing Industry. Nair (1999) provides that "piracy of literary works leads to loss of revenue to publishers, authors and the national exchequer". Among the leading problems of the intellectual property industry in Nigeria is piracy and that the practice of reproducing caricatures of the original works deprives the original owners of the intellectual property from enjoying the fruits of their efforts. Piracy affects every creator including artists, producers, publishers and indeed the society at large. Therefore, very little creativity flourishes in a society where the further expression of idea is inhibited by perversity of illegal producers of work (Tobi, 2006).

Nevertheless, the publishers also need to do something to safeguard their businesses by using latest technological tools such as Water mark papers, glitch pattern, eu mark and macro-text. These security features help to protect the book from being pirated by providing an image which alert the buyer that the book is pirated. If attempted to pirate the book an image will appear and read pirated copy, scanned copy, stolen copy depending on what the publishers want to use as an image. But our publishers failed in doing so, instead they always complain about the activities of the pirates. It is in line with the above that Ocheme (2000) remark that the copyright owners would reduce piracy to the barest minimum if their original copies come in good quality and fitted with sufficient security devices to discourage piracy.

Moreover, in the past, when one puts down the original book and the pirated copy aside, it was very easy to know the difference, because the pirated copy uses to be poorly done. But now, the pirated copy looks better than the original copy. Adekunle (2008) opines that some years back, pirated books were easily identified because they were poor and substandard. The

color details, spellings, and illustrations were often not correct or were mixed up and not properly bound. Now, the situation is beyond that, as it has become very difficult to differentiate between books from publishers and the pirated editions. Obidiegwu (2007) remarks that pirates have become very aggressive in their operations. They wait until a book is well established and successful in the market, then they go out and produce". This indicates that pirates do not produce any book but select from the famous and well accepted books in the market. Initially, they made local production here in Nigeria, but now they have gone internationally, that what makes it difficult to identify the pirated copies in the markets.

Actually, copyrighted works are focused to be very expensive because of the cost of production, while the pirated materials are easily available in market at a very cheap price, largely because of their cheap cost of production buyers prefer to compromise with quality and buy pirated items. This in turn dilutes the money invested in creating original items, and glut condition appears in market of original items. So piracy ultimately discourages the publishing industry by rationalizing their hard works.

2.6.3 Effects of Book Piracy on the National Economy

Copyright and intellectual property development is generally regarded as one of the most important tools for national economic development. Given the demands of such products from within and across the national boundaries, its exports will help to consolidate the country's foreign earnings. The government benefits from the contribution made by these industries in the form of excise duty, sales tax, income tax and many more from the production and sale of copyrighted products.

The economic importance of copyright cannot be over emphasized, given the rich cultural background and the huge population of the country; it is believed that copyright industries collectively contribute enormously to the economy. Adewopo (2008) opines that "Piracy steals income from right owners; kills creativity; destroys the fabric of the economy; damage national image and pride; encourages intellectual laziness; sustains organized crimes and other social ills; hence a serious threat to the future of any nation'. In stressing the effects of piracy on national and individual level, Kolawole (2010) remarks that "Apart from loss of both direct and indirect jobs, which worsens Nigerian's employment situation, the pirates neither employs anybody nor pay taxes to any of the three tiers of government, unlike the genuine publishers". Besides protecting creative potential of the society, copyright contributes to the nation economic-front as well.

The copyright based industries generate huge employment in the country. But as a result of piracy the creative industries suffer huge losses in revenue accruable from their creative production. Ojo (2007) posits that the promotion of copyright protection spurs economic development. A sound copyright regime facilitates the transfer of technology and distribution of trade and services among nations; it also encourages domestic innovation and commitment to research. Benefits reaped from new creations encourage the expenditure of additional resources, which leads to further innovation. In the process new jobs and industries are created. Indeed, the protection of copyright is a necessary condition for attracting and sustaining national as well as foreign investments.

The effects of book piracy go beyond one country but reach international affair, as Ibrahim (2002) observes that piracy is an international offence and its effects are extra-territorial.

It thrives on the co-operation of identical criminals and recognizes no municipal boundaries. It is based on this; Weining (2005) stresses the need for collaboration and intervention to boast intellectual property protection locally and internationally. He further states that china will partner with Nigeria in the area of exchange of information, training and material resources to ensure that piracy is eradicated globally.

2.7 Challenges of the Nigerian Copyright Commission

The purpose of the Nigerian Copyright Commission is to strengthen the system and make the creative enterprises more competitive and profitable to right owners for the ultimate benefit of the nation. But the Commission encountered many problems in discharging their duties. A lot of literatures have been written concerning the problems and challenges of the commission. Alabi (2009) sees enforcement as the most serious challenge bedeviling the commission, as he opines that;

> The commission's enforcement challenge is far-reaching in the sense that, the commission was established initially as an administrative body without enforcement mandate for many years during which piracy grew into a massive organized industry. Even with the subsequent addition of the enforcement mandate, the commission lacked the requisite human and institutional capacity to facilitate a non-armed and specialized enforcement, as the commission is grossly underfunded, under-staffed, and bereft of basic operational equipment and facilities needed to deliver its mandate.

The above illustrates that, the Nigerian Copyright Commission is facing a series of challenges which stand to be a huddles to the way of controlling piracy in Nigeria even though, the commission was latter re-empowered with enforcement mandate. To this vein, Alabi (2009) further states that, although, the commission has a competent and dedicated staff, its staff strength of less than 200 is grossly inadequate to create awareness concerning the effects of

piracy to the general public. In confirming this Ezekude (2011) maintains that the Nigerian Copyright Commission only had a workforce of 260 employees and is expected to wage a war against pirates all over Nigeria. Also there is need for operational vehicles and better communication but that the agency had not been adequately funded by the government.

The report of the International Intellectual Property Alliance (2009) reveals the following as the challenges of the Nigerian Copyright commission:

- ✓ lack of adequate funding and sufficient manpower;
- ✓ lack of adequate co-operation of police, EFCC, and the Nigerian Custom Service which considers copyright as secondary matters;
- ✓ Lack of adequate transpiration in the enforcement system means right holders are generally in the dark about ongoing investigations and cases.

The Commission also has the problem of inadequate cost benefits, lack of public awareness campaign and lack of inclusion of the copyright course in the law school as Ofidele (2010) identifies six factors that militate against effective copyright protection in Nigeria;

- ➢ Lack of adequate popular or public consultation. The first factor is lack of popular support or public consultation. The Nigerian Copyright Act was adopted in 1988 at the height of military rule in Nigeria without any debate or discussion. Essentially, the Copyright Act, the primary legislative tool for copyright protection in Nigeria today, was adopted without broad-based public discussion on the necessity for copyright protection or the scope of protection that was desirable contrary to paragraph 9 of the Adelphi Charter on Creativity, Innovation and Intellectual Property which states that in making decisions about intellectual property laws, "there should be wide public consultation."

- Inadequate cost-benefit analysis. An effective intellectual property regime must strike an appropriate balance between the monopoly powers of creators and the interest of the consuming public.
- Lack of public awareness. There is little public awareness or understanding of the intellectual property laws in the country. Existing laws are not readily accessible even to the educated class. The average man on the street is also ignorant of touted benefits of intellectual property protection.
- Lack of inclusion of the course in the law school curriculum. Another factor is lack of inclusion of the course in the law school curriculum; structured legal education on intellectual property law must also be part of the equation.
- Corruption and weak custom enforcement. There is need for accountability on the part of agencies challenged with the task of enforcing the country's intellectual property laws.
- Delay in the judicial enforcement. Delays in the judicial system and other barriers to justice also discourage intellectual property litigation and enforcement in Nigeria. Because intellectual property law is not taught in many universities in Nigeria, few judges in the country have knowledge about this area of law. The libraries of most courts in Nigeria are grossly inadequate too.

The problem of inadequate infrastructure in some of the branch offices of the Nigerian Copyright Commission formed part of the challenges as Olatunji (2011) remarks that in some offices of the Nigerian Copyright Commission there is no network to other zonal offices that will help them to avoid registering the same works, and also they don't have buses for the copyright activities. In considering the above, it has been depicted that, they had common views in some of the problems stated, which stand to be the main and biggest problems that hindered the

achievement of the primary aims and objectives of the Commission especially limited awareness on the value and essence of copyright in the context of individual well-being, and national development also constitute a great challenge in tackling the menace of piracy in Nigeria.

2.8 Summary of the Review

The Chapter has reviewed literature related to copyright and book piracy. From the review, it was established that copyright violation has become a global concern in contemporary Nigeria and the world at large. The origin of the copyright is traced to the Berne Convention where many countries of the world signed the various treaties of each convention. The review also revealed the rationale for the creation of the Nigerian Copyright Commission which was to encourage authors and other artists to invest effort in creating new works of arts and literature and also identified different categories of works eligible for copyright protection. The review also revealed that in order to strike a balance between the society's need for access to knowledge and the need to reward creativity limited uses of copyrighted works are allowed without authors consent, but other literatures criticized the provision.

The Nigerian Copyright Commission involves various measures to ensure the commission lives up to expectation in terms of their activities of protecting copyright in the country. The measures serve as a strategy that aid the protection of copyrighted works. The measures provide efficient action against any act of copyright infringement and also provide expeditions remedies to prevent infringement. The literature reviewed pointed out the causes of book piracy which include easily available reproduction mechanism; economic hardship; high demand of the original books; and unavailability of the original books. Furthermore, literature on the effect of

book piracy on the copyright owners, publishing industries and to the Nigerian authors has been reviewed.

The review also pointed out the effects of book as government benefits from the contributions made by publishing industries in the form of excise duty, sales tax, income tax and many more from the production and sale of copyrighted products which the pirates do not pay. And it constitutes a major threat to creativity with dire consequences on the educational system in the country, and it also threatens the survival of the publishing Industry.

The review also revealed that the commission encountered many problems in discharging their duties. The commission's enforcement challenge is far-reaching in the sense that, the commission was established initially as an administrative body without enforcement mandate for many years during which piracy grew into a massive organized industry. Even with the subsequent addition of the enforcement mandate, the commission lacked the requisite human and institutional capacity to facilitate a non-armed and specialized enforcement, as the commission is grossly underfunded, under-staffed, and bereft of basic operational equipment and facilities needed to deliver its mandate. The literature also identified lack of lack of sufficient manpower; lack of adequate co-operation of police, EFCC, and the Nigerian Custom Service which considers copyright as secondary matter; delay in the judicial enforcement; and there is little public awareness or understanding of the intellectual property laws in the country among others.

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CHAPTER THREE

RESEACH METHODOLOGY

3.0 Introduction

This chapter presents the research method adopted, population of the study, sample and sampling techniques, instruments for data collection, procedures for gathering data and data analysis techniques.

3.1 Research Method Adopted

The survey research method was adopted for the study. The survey method is a research commonly used to determine the present state of a given phenomenon (Powell & Lynn, 2004). The researcher employed this method because it has advantage of wider applications as it allows data to be collected not only from a large population but it also involves the processes of obtaining data from a specific population. Osuala (1999) maintains that survey research is a method that studies both large and small populations by selecting and studying samples chosen from the population. Therefore, the method is appropriate to this study.

3.2 Population of the Study

Population of the study is the totality of all items, objects, persons, issues, or observation who shares at least a common attribute or characteristic on which the research is conducted (John, 2007). Sambo (2005) describes population as "a set of all elements, objects or events that are of interest for particular study". The population of this study is made up of Copyright Inspectors of Kano, Anambra and Lagos offices of the Nigerian Copyright Commission and the entire branch managers of the publishing industries in Kano, Lagos and Anambra states. The

total population is one hundred and seventeen (117). The breakdown of the population is as follows:

Table 3.1: Population of the study

Respondents					
NCC				Publishers	
S/N	States	No of Copyright Inspectors	No of subjects	No of Publishers	No of subjects
1	Lagos	43	43	46	46
2	Anambra	6	6	10	10
3	Kano	5	5	7	7
	Total	54	54	63	63

Source: NCC STAFF LIST (2012) Source: NPA (2010)

3.3 Sample and Sampling Techniques

Sampling is a process of selecting some units from the total population to represent the general population under study. Sample is a subset of the general population which represents the entire population in a given study. Samples are chosen because it is often very difficult for a researcher to cover the whole populations under his study.

Purposive sampling was adopted for selecting the states in this study. Purposive sampling is a non-probability sampling based on one's knowledge of the population. This type of sampling

technique is adopted in selecting the units (states) of this study. These states are selected to represent the respective regions in the country, namely; Northern, Western and Eastern regions, represented by Kano, Lagos and Anambra states respectively. The selection was based on the fact that the selected states are the centers of book piracy in Nigeria. Kolawole (2008) confirms that, major hotspots of book piracy in Nigeria are: Alaba, Onitsha, Ajegule and Kano state.

While considering the manageable number of the subjects of this study, the researcher decided to select all the fifty four (54) Copyright Inspectors of the Nigerian Copyright Commission as well as the sixty three (63) Branch Managers of the publishing Companies in the selected states. Lodico (2010) maintains that, when the population of the study is not large enough, the entire population should be sample. It is in this regard that the researcher decides to select the entire population.

3.4 Instruments for Data Collection

The instruments used for collecting date for this study were two sets of questionnaires. These instruments were employed in order to ensure credibility of the research findings. The use of questionnaire also was due to the fact that it helps to gather information in a streamlined manner and also it helps in interacting with the respondents in a more cohesive manner.

3.4.1 Questionnaire

Questionnaire is one of the survey techniques that are used in eliciting information on a particular subject of research using form containing predetermined sets of questions for individual response (Mohammad, 2006). One of this questionnaire was designed for the publishing industries which was structured in such away as to elicit data necessary to answer the

research questions relevant to them. The questionnaire was divided into section "A" to "F". Section "A" deals with bio-data of the publishing companies; Section "B" deals with the causes of book piracy; Section "C" deals with type of books pirated; Section "D" deals with measures taken to control book piracy; Section "E" deals with effectiveness of the measures in controlling book piracy; Section "F" deals with effects of book piracy on book business. Most of the questions were close- ended manner, although in some questions a provision were made at the end for respondents to offer and specify other possible responses not captured by the questions. The second set of questionnaire was designed for the Copyright Inspectors of the Nigerian Copyright Commission that fall within the area of the study. The questions were directed at getting information on the number of raids conducted, arrest made, various enlightenment campaigns conducted, and number of cases prosecuted in courts by the Nigerian Copyright Commission.

3.5 Validity

In order to ascertain the validity of the instrument, the researcher presented the instrument to the research experts and supervisors for validation. Then the necessary corrections, observations, and amendment were made before the researcher administered copies of the questionnaires. This was done to ensure the effectiveness of the research exercise.

3.6 Reliability

In order to ascertain the reliability of the instruments the items in the questionnaires were subjected to the test of reliability using the Split–Half method. Three questionnaires were administered in Zaria city of Kaduna state to the branch managers of the University Press, Learn

Africa and Ahmadu Bello University Press Ltd respectively, whereas another three copies were also administered to Copyright Inspectors in Kaduna NCC office. The reliability coefficient of the questionnaire was found to be 0.87.

3.7 Procedure for Data Collection

The researcher employed self-administration of the copies of questionnaires with the aids of two research assistants to the publishing companies and the Copyright Inspectors with the help of the research assistants. The available responses to the questions were collected on the spot, while those not completed at the spot were visited again days after for the retrieval. The distributions and collections of the questionnaires were done in four working weeks. In all the publishing companies and the Nigerian Copyright Commission offices the researcher and the research assistants took time to explain to the respondents exactly what was required of them and also to explain the content of the questionnaires to ensure that no respondent was left in doubt as to what he /she was asked about.

3.8 Procedure for Data Analysis

The data collected for this research were presented and analyzed using descriptive statistics, in order to obtain answers to the research questions raised. Therefore, frequency distribution tables and simple percentages were used to analyze the data.

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CHAPTER FOUR

DATA PRESENTATION, ANALYSIS AND INTERPRETATION

4.0 Introduction

This chapter is presented under the following sub-headings:

- Response rate of the respondents
- Data Analysis and Discussions

4.1 Response Rate

Table 4.1 Response Rate

	Publishers				NCC		
S/N	States	Distributed Questionnaires	Returned questionnaires	%	Distributed questionnaires	Returned questionnaires	%
1	Lagos	35	32	91.4	35	31	91.3
2	Anambra	10	10	100	6	6	100
3	Kano	6	6	100	5	5	100
Total		51	48	94.1	46	42	91.3

Out of 51copies of the questionnaires distributed to the managers of the publishing companies in the selected states, 48 (94.1%) were returned. While On the part of NCC, 46 questionnaires were distributed to the Copyright Inspectors, and 42 (91.3%) were returned. This

high response rate was achieved as a result of consistent follow-up by the researcher and his assistants.

From table 4.1, it can clearly be seen that there is disparity in the response rate due to the fact that the population size of the Publishing companies and the NCC offices of the study coverage are not of equal proportion. Therefore, the table reveals that Lagos state had the highest number of publishing companies and the NCC personnel, followed by Anambra state whereas Kano state appeared to have the least publishing companies and the NCC personnel.

4.2 Data Analysis and Discussion

This section analyzed and discussed the data collected on the basis of research questions raised for the study. The analysis was done based on the responses received from the 5-point Likert-scale and some were based on multiple choice questions. Frequency tables and percentages were computed and the results were discussed under the following sub-headings:

4.2.1 NCC Offices in Existence in the Selected States

In attempt to find out the year at which the NCC offices were established in the states under this study, data collected revealed that Lagos office of the NCC was established in 1989, followed by Kano and Anambra offices which were established in 2001 and 2012 respectively.

4.2.2: Publishing Companies in Existence in the selected States

In this section, attempt was made through questionnaires to find out the year of establishment of publishing companies in the states studied. The responses are contained in table 4.2:

Table 4.2: Publishing Companies in Existence in the selected States

S/N	Year of establishment in the state	Frequency	Percentage
1	0-5 years	2	4.2
2	6-10 years	12	25
3	11-15 years	13	27.1
4	16-20 years	10	20.8
5	More than 20 years	11	22.9
	Total	48	100

Table 4.2 shows that 13 (27.1%) respondents indicate that their companies have existed for about 11–15 years, followed by 12 (25%) and 11 (22.9%) respondents who said that the publishing companies have been in existence for about 6–10 and more than 20 years respectively. The finding shows that most of the publishing companies in the states studied have been in existence for more than ten years. The implication of this is that the publishing companies have an adequate knowledge and experience over the benefits and challenges that are facing book publishing business as well as the potential roles of the Nigerian Copyright Commission in controlling the menace of book piracy.

4.2.3 Status of the Publishing Company

In order to find out the status of the publishing companies in the states studied, respondents were asked to indicate from the options provided the status of their publishing companies the responses are in table 4.3:

Table 4.3 Status of the Publishing Companies

S/N	Status	Frequency	%
1	Local	39	81.3
2	Foreign	2	4.2
3	Joint venture	7	14.6
4	Total	48	100

Table 4.3, reveals that most of the respondents (39:81.3%) are indigenous publishing companies, and 7 (14.6%) are foreign companies in partnership with Nigerian nationals, while 2 (4.2%) are completely foreign publishing companies. The finding shows that the majority of publishing companies in the states studied are indigenous. This is in agreement with the 1978 Nigerian Enterprises Promotion Decree, which provided that at least 60% equity participation in book publishing must be by Nigerian nationals (Ike, 2004).

4.2.4 Causes of Book Piracy

Respondents were asked to indicate the causes of book piracy; their responses were analyzed and presented in the table below.

Table 4.4 Causes of Book Piracy

Respondents															
	Publishers								NCC						
S/N	Causes of book piracy	A	%	UD	%	DA	%	Total	A	%	UD	%	DA	%	Total
1	`Poverty	32	66.7	1	2.1	15	31.2	100	20	47.6	2	4.8	20	47.6	100
2	Scarcity of original books	25	52.1	-	-	23	47.9	100	19	45.2	-	-	23	54.8	100
3	High cost of original books	36	75	1	2.1	11	23	100	33	78.6	-	-	9	21.4	100
4	Ignorance of copyright law	17	35.4	2	4.2	29	60	100	8	19	7	16.6	25	59.5	100
5	Get- rich-quick syndromes	41	85.4	3	6.3	4	8.3	100	42	100	-	-	-	-	100
6	Lack of confidence on legal system	21	43.8	15	31.3	12	25	100	7	16.7	5	11.9	25	59.5	100

KEY: F=Frequency, A=Agree, UD=Undecided, D= Disagree

NB: Strongly agree and Agree, Strongly disagree and Disagree were merged to Agree and Disagree respectively for easy analysis and clear presentation of responses.

Table 4.4 indicate that 32 (66.7%) publishers and 20 (47.8%) NCC staffs agree that poverty is the cause of book piracy. This reveals that poverty has significant role towards the activities of piracy in the selected states. In ascertaining the level of poverty in the country, National Bureau of Statistics "2010 Poverty Profile" reports that, 112.519 million (69%) Nigerians live in relative poverty condition.

Also, 25 (52.1%) publishers and 19 (45.2%) NCC respondents affirmed that scarcity of original books is a reason for book piracy. This finding corresponds with what Mahmood & Ilyas (nd) found in their research on Copyright and Book Piracy in Pakistan that unavailability of original copies was among the causes of book piracy. In addition, 36 (75%) publishers and 33 (78.6%) NCC respondents also agree that high cost of the original books is the cause of books piracy. The implication of this finding is that, if similar books are available in lower price, the buyers could buy the cheaper ones. It also tallies with the finding of Bankole (2010) on Piracy of some Copyrighted Information Resources among students of Olabisi Onabanjo University, when he discovered that the high cost of the original book was among the factors responsible for book piracy.

Table 4.4 further reveals that 29 (60%) publishers and 25 (59.5%) NCC respondents opined that ignorance of copyright law is not responsible for the activities of book piracy. This finding is agreement with the study of Nair (1999) on Copyright piracy in India, which revealed that most of the consumers of pirated books were fully aware that book piracy is an act of copyright violation.

With regard to the get-rich-quick syndrome, 41 (85.4%) publishers and 42 (100%) NCC respondents agreed that the main cause of book piracy is get-rich-quick. This finding support that of Uvieghare (1992) which state that get-rich-quick is what pushes others to book piracy. The implication of this is that publishers could not continue to invest heavily in publishing business where people freely pirated other people's works in order to get quick wealth.

Moreover, 25 (59.5%) NCC respondents state that lack of confidence on the legal system is not among the causes of book piracy. The response of the NCC in this regard is contrary to the earlier finding of Mahmood and Ilyas (nd), which held that lack of confidence on the legal system cause book piracy. They attributed this to the clumsy and sluggish judicial system that made the culprits to remain unpunished for long if not for ever.

4.2.5 Types of Pirated Books

The respondents were asked to identify the types books pirated in the selected states. A list was provided for the respondents to tick, the responses are in table 4.5:

Table 4.5 Types of Pirated Books

		Publishers							NCC						
S/N	Types of books pirated	Much	%	UD	%	Few	%	Total	Much	%	UD	%	Few	%	Total
1	Educational books	48	100	-		-	-	100	42	100	-	-	-	-	100
2	Religious books	12	25	12	25	24	50	100	36	85.7	4	9.5	2	4.8	100
3	Trade books	15	31.3	9	18.8	24	50	100	27	64.3	4	9.5	11	26.2	100
4	Recreational books	2	4.2	23	47.9	23	47.9	100	-	-	25	59.5	17	40.5	100
5	Reference books	4	4.3	23	47.9	21	43.8	100	-	-	17	40.5	25	59.5	100

NB: very much and much, very few and few were merged to much and few respectively for easy analysis and clear presentation of responses.

From table 4.5, as indicated by 48 (100%) publishers and 42 (100%) NCC agree that educational books are the highest pirated books. The implication of this finding is that educational books are the most demanded books by the customers in the markets. The finding corresponds with the Longman exhibition of pirated books in which Obidiegwu (2007) revealed that educational books such as; New General Mathematics, Junior English Project, Business Accounting, New Method English Dictionary, Brighter Grammar, Students Companions, Romeo and Juliet, Hamlet, Merchant of Venice, Commercial Typewriting, Pitman New Eva Short Hand, Animal Farm, Tales from Shakespeare, Additional Mathematics and Pitman Shorthand are the most pirated books

With regard to frequency of pirating religious books, majority of the NCC respondents (36:85.7%) opined it was frequent while only12 (25%) publishers' respondents agreed in this respect. In addition, 27 (64.3%) NCC respondents and 15 (31.3%) publishers' respondents affirm that trade books are mostly pirated, whereas majority of publishers' respondents 24 (50%) indicate that piracy on trade books are very rare.

Moreover, (23:47.9%) publishers and 17 (40.5%) NCC respondents shows that recreational books are not much pirated, and (23:47.9%) publishers and 25(59.5%) NCC respondents remained undecided, while only 2(4.2%) publishers' respondents agree that recreational books are pirated much. Therefore, the finding shows that piracy on recreational books are very rare.. The finding is quite expected because recreational books have less emphasis on the sight of Nigerians and for this reason the people do not pirate books that are not much demanded. The culture of reading in Nigeria has almost died since the arrival and the use of

social media such as Google, Face book and countless sources of entertainment deemed more attractive and enjoyable by many nowadays.

4.2.6 Frequency of Inviting Publishers to Raids

In this section, attempt was made by the researcher to find out how often the Nigerian Copyright Commission invites publishers to raids in a year. The responses were analyzed in table 4.6 below.

Table 4.6 Frequency of Inviting Publishers to Raids

Respondents					
S/N	Frequency of Raids	Publishers		NCC	
		Frequency	%	Frequency	%
1	Once	7	14.6	-	-
2	Twice	-	-	1	2.4
3	Thrice	1	2.1	2	4.8
4	More than three times	2	4.2	39	92.8
5	None at all	38	79.2	-	-
	Total	48	100	42	100

Table 4.6 shows that 38 (79.2%) publishers' respondents indicate that NCC never invited them to any raid in a year. This is in sharp contrast with the statement by the Nigerian Publishers' Association that properly and coordinated surveillances as well as raids are carried out frequently across the country. Whereas 39 (92.8%) NCC respondents indicated that they invited publishers

to raids more than three times in a year. The response of the NCC does not correspond with the report of Ezekude (2012) when he disclosed that the Nigerian Copyright Commission in the year 2011 undertook twenty six (26) raids across the nation. Added to this, the report of NCC in the year 2012 reveals that the commission carried out fifty-five (55) raids, including Alaba International Market, Ojuelegba and Ijora in Lagos; Ariara Market Aba; Onitsha; Kano; Benin City and so on. Although there is improvement, but if these numbers of raids conducted were to be shared among the states of the federation, there were no raids conducted in some states of the federation in these years. This figure also involved other raids conducted on other forms of piracy not only book piracy, such as software piracy, film piracy, broadcasting piracy among etc.

4.2.7 Suspected Book Pirates Arrested in the Raids

One of the aims of the study is to find out the frequency of arrested suspected pirates in the last five years in the states studied. Publishers and NCC responses are presented in table 4.7:

Table 4.7 Suspected Pirates Arrested in the Raids

Respondents					
S/N	Pirates arrested	Publishers		NCC	
		Frequency	%	Frequency	%
1	1-10	12	25	17	40.5
2	11-20	-	-	1	2.4
3	21-30	-	-	3	7.1
4	More than 30	-	-	21	50
5	None at all	36	75	-	-
	Total	48	100	42	100

Analysis in table 4.7, depicts that 21(50%) NCC respondents who indicated that they arrested more than 30 suspected book pirates in the last five years in the states under study. The report of the commission under Strategic Action Against piracy supports that from May 2005 to May 2007 the Nigerian Copyright Commission arrested three hundred and thirty seven (373) suspected pirates across the country. In addition, whereas the report of the NCC for the year 2012 alone claimed that 84 suspected pirates were arrested nationwide, that 36 (75%) of publishers' respondents disagreed saying that the NCC never arrested any suspected pirates during the period. Therefore, base on the responses of the publishers, it could be argue that the number of raids conducted in the states studied did not meet the need of publishers. This could be connected to the fact that publishers do not lodge complaints to the NCC when found the pirated copies of their books at the markets, which is one of the means through which the NCC could use in arresting the pirates.

4.2.8: Number of Pirates Prosecuted

In order to find out the number of pirates that were prosecuted in the last five years in the states studied, a list was provided for the respondents to select the answer. Table 4.8, shows the responses.

Table 4.8: Number of Pirates Prosecuted

Respondents					
S/N	Pirates Prosecuted	Publishers		NCC	
		Frequency	%	Frequency	%
1	1-10	3	6.2	15	35.7
2	11-20	-	-	-	-
3	21-30	-	-	1	2.4
4	More than 30	-	-	18	42.9
5	None at all	45	93.8	8	19
	Total	48	100	42	100

Table 4.8, reveals that 18 (42.9%) NCC respondents indicate that more than 30 suspected pirates were prosecuted in the last five years. This correspond with the report of the achievement of the NCC for the year 2012, which revealed that the commission has a total number of 78 piracy cases at the Federal High Courts across the country. Although, the number includes the prosecution of other copyright works. Moreover, 45 (93.8%) publishers' respondents shows that none of the suspected pirates of their books were prosecuted, while only 3(6.2%) Publishers' respondents indicate that 1 to 10 was prosecuted. It is clear from the responses of the publishers that they were not satisfied with the number of suspected pirates prosecuted in courts in the selected states of the study. This response is in agreement with the finding of Sarki (2005) which reveals that there has never been any case of book piracy prosecuted in the FCT. This may be connected to the delay in the proceedings in courts, as emphasizes by Ofidele (2010) who said

that the delays in the judicial system and other barriers to justice discourage intellectual property litigation and enforcement in Nigeria. The implication of this is that very few suspected pirates were prosecuted and therefore, the pirates will continue their illegal business as few deterrent punishments were witnessed.

4.2.9 Lodging Complaints to NCC by Publishers when found Pirated Copies of their Books at the Markets.

The researcher attempt to find out how frequent the publishers lodge complaints to the Nigerian Copyright Commission when pirated books are seen in the markets. The responses are contained in table 4.9:

Table 4.9 Lodging Complaints to the Nigerian Copyright Commission by the Publishers when found Pirated Copies of their Books at the Markets.

		Respondents			
S/N	Complaints	Publishers		NCC	
		Frequency	%	Frequency	%
1	Often	8	16.7	39	92.9
2	Undecided	5	10.4	-	-
3	Not often	35	72.9	3	7.1
	Total	48	100	42	100

NB: very often and often, not often and not so often were merged to often and not often respectively for easy analysis and clear presentation of responses.

From the data in table 4.9, 39 (92.9%) NCC respondents confirmed that they were receiving complaints regularly from the publishers. This is in contrast with the opinions by some publishers, ie 35 (72.9%) respondents that complaint of pirated books were hardly lodge, while only 8 (16.7%) respondents said that they used to lodge complaints. The responses of the

publishers indicated that complaints of pirated books were rarely to the NCC despite the fact that the publishers are the victims with responsibility to protect books from being pirated. The implication of this is that, if the publishers failed to inform the commission about the incidences of book piracy, then piracy cases would continue unabated, hence one of the means of alerting the commission is jeopardized.

4.2.10 Response to the Complaints made by the Publishers to Nigerian Copyright Commission

The researcher want to find out whether the NCC respond to complaints made by the publishers about the issue of book piracy and how frequent they respond to the complaint. The respondents were requested to indicate from the options provided in table 4.10:

Table 4.10 Response to the Complaints made by the Publishers to Nigerian Copyright Commission

		Respondents			
		Publishers		NCC	
S/N	Frequency of response to the Complaints	Frequency	%	Frequency	%
1	They respond in time	2	4.2	42	100
2	Undecided	26	54.2	-	-
3	Not respond in time	20	41.7	-	-
	Total	48	100	42	100

NB: responded in time, and responded after some time, responded not in time and responded after a long time were merged to respond in time and not responded in time respectively for easy analysis and clear presentation of responses.

As it is displayed in the table 4.10, 42 (100%) NCC respondents agreed that they respond to the complaints at the right time. Their response tallies with the report by Amodu (2013) which

said that the NCC raided five bookshops and seized pirated books worth 4.5 million following the consistent complaints from the publishers. In analyzing the responses of the publishers, 26 (54.2%) of the publishers' respondents remained undecided. This could be related to the fact that the responses of the publishers on the previous table indicated that they do not lodge complaints to the NCC, whereas 20 (41.7%) publishers' respondents indicates that the NCC does not respond in time to their complaints. In this respect, Sani (2010) laments that the commission do not seize any pirated works unless the sums of money is being paid into the NCC account added to written complaint letter to the NCC headquarters, Abuja, which may spend some months before reply is received.

4.2.11: Using various means of Communications to Enlighten the Public against Book Piracy by the NCC

One of the questions this study is out to answer is how frequently the NCC uses various media to enlighten the public about the danger of book piracy; the responses are as contained in table 4.11:

Table 4.11 Various Means of Enlightenment Campaign used against Book Piracy

Respondents									
Publishers						NCC			
S/N	Media used	Often	Undecided	Not often	Total	Often	Undecided	Not often	Total
1	Radio	6 (12.5%)	11 (22.9%)	31 (64.6%)	48 (100%)	42 (100%)	-	-	42 (100%)
2	Television	11 (22 .9%)	6 (12.5%)	31 (64.6%)	48 (100%)	42 (100%)	-	-	42 (100%)
3	Internet	-	26 (54.8%)	22 (45.8)	48 (100%)	20 (47.6%)	9 (21.4%)	13 (31%)	42 (100%)
4	Print media	10 (20.8%)	11 (22.9%)	27 (56.3%)	48 (100%)	35 (83.3%)	4 (9.5%)	3 (7.1%)	42 (100%)
5	Seminar	3 (6.3%)	5 (10.4%)	40 (83.3%)	48 (100%)	17 (40.5%)	5 (11.9%)	20 (47.6%)	42 (100%)

NB: very often and often, not often and not so often were merged to often and not often respectively for easy analysis and clear presentation of responses

Table 4.11 shows that all the NCC respondents (42:100%) said that they use radio stations frequently to enlighten the public against piracy, while 31 (64.6%) publishers reveal that NCC used radio for enlighten the public campaign but not so often. From the above analysis, it is clearly seen that there is no agreement between the two groups, as the NCC claimed using radio station in enlighten the public, while the publishers claimed otherwise. The implication of this finding taking the responses of the NCC into consideration in using the radio in this regard, one would have been always heard them over the radio warning the public against book piracy as well as patronizing pirated books. Thus, failure to use radio frequently could make most of the people unaware about the implication of book piracy.

Table further exhibits 42 (100%) NCC respondents who indicate that they frequently use television to enlighten the public against book piracy and against patronizing pirated books. In contrast however, only 11 (22.9%) publishers' respondents agreed that the NCC use television broadcast frequently in fighting against book piracy, while 31(64.6%) publishers' respondents said that television stations are not being used frequently to enlighten the public against book piracy. The implication of this is that if they use television for the public enlightenment regularly otherwise they have been heard the way ICPC, EFCC, SMEs and NAFDAC are in the news.

An analysis in the table shows that 20 (47.6%) NCC respondents indicated that they use internet regularly to enlighten the public against book piracy while 13 (31%) NCC respondents and 22 (45.8%) publishers' respondents stated that internet is not always used to enlighten the public against book piracy. This finding is not surprising because during stakeholders' meeting with the Director General of the Nigerian Copyright Commission in Kano, Olatunji (2011) expressed grievances regarding the needs for better publicity and communication which he said

that the Nigerian Copyright Commission has no official website. The implication of this is that at this time of electronic age, ignoring internet as the means of enlightenment campaign is not wise for an organization that wants to fight against piracy. Although, evidences have proven now that the commission have their website as www.copyright.gov.ng and a lot of information are available there.

The analysis further shows that 40 (83.3%) publishers respondents indicate that seminars/ workshops were not organize regularly whereas 20 (47.6%) publishers' respondents who indicate that the NCC use to organize seminars but not regularly. The report of NCC under strategic Action Against Piracy (STRAP3) revealed that the number of public enlightenment conducted by each office from 2007 to 2008 shows that Ibadan had 52, Ilorin 8, Lagos 3, Markudi 2, Uyo 5 and Yola 3 respectively, and that no public enlightenment effort was made in Kano and Onitsha.

4.2.12 Effectiveness of the Copyright Enforcement in Controlling Book Piracy

One of the objectives of this study is to find out the effectiveness of the measures employed in controlling book piracy. Their responses were analyzed in table 4.12:

Table 4.12: Effectiveness of the measures in Controlling Book Piracy

		Respondents					
		Publishers			NCC		
S/N	Effectiveness of measures	Effective	Undecided	Ineffective	Effective	Undecided	Ineffective
1	Copyright Enforcement	11 (22.9%)	8 (16.7%)	29 (60.4%)	42 (100%)	-	-
2	Public Enlightenment	12 (25%)	9 (18.8%)	27 (56.2)	41 (97.6%)	1 (2.4%)	-

Table 2.12 shows that 42 (100%) NCC respondents claimed that the copyright enforcement which comprised raids, arrest and prosecution are effective in curbing the menace of book piracy in the state studied. This was supported by Asien, (2008) who affirmed that from May, 2005 to may 2007 the commission carried out over 115 operations against piracy, in which 373 suspects were arrested; 8,346, 815 pirated works were seized; 15 new copyright cases brought to court, resulting in four convictions; and the public destruction of seized pirated products with an estimated market value of ₦1, 236,000,000. Moreover, the report of the achievement of the commission in 2012 reveals that 55 anti-piracy operations were carried out, 84 suspected pirates arrested in different piracy hotbeds across Nigeria, including Alaba, Ojuelegba & Ijora in Lagos; Ariara Market Aba; Onisha; Kano; and Benin.

While in contrast, 29 (60.4%) publishers pointed out that the copyright enforcement against book piracy in the states under study are ineffective. This is a reflection of their responses on effectiveness of enforcement in curbing book piracy. The implication of this is that commission undertakes raids but still book piracy incidents persistently remained as pirated book are all over in the markets. This could be due to lack of enough staff of the NCC to curtail the problems of book piracy and other necessary infrastructure as the Director General of the Nigerian Copyright Commission, Ezekude (2011) laments that the Nigerian Copyright Commission only had a workforce of 260 employees and are expected to wage a war against pirates all over Nigeria. This is also in conformity with the statement of Alabi (2009) that the commission's enforcement challenge is far-reaching…. as the commission is grossly underfunded, under-staffed, and lacked the basic operational equipment and facilities to deliver its mandate.

As shown in table 4.12 majority of the NCC respondents (41(97.6%) affirmed that the enlightenment campaign against book piracy, using radio, television, internet and other print media are effective in enlightening. This is in line with the report of the Nigerian Copyright Commission's achievement for the year 2012 which said that the commission developed Jingle on DSTV Channels 114 and118. Also, it sustained periodic engagement with the press (Television, Radio Newspapers) on the state of copyright enforcement; and implemented intensive websites that is constantly updated. On other hand, 27(56.2%) publishers indicated that public enlightenment campaigns against book piracy in the states are ineffective. This also corresponds with the statement of Ofidele (2010) who said that, there is little public awareness of the intellectual property laws in the Nigeria. This finding is not surprising because one may not ascertain the existence of commission over the Media. The implication of this is that the public remains uninformed about the menace of book piracy and they will continue to patronize pirated books in the markets.

4.13: Effect of Book Piracy on the Publishing Companies

One of the questions this study was out to answer is the effects of book piracy on the publishing companies. The respondents were provided with some multiple choice questions to choose from. Their responses are in table 4.13

Table 4.13: Effect of Book Piracy on Publishing Companies

Respondents					
S/N	Effects of book piracy	Publishers		NCC	
		Frequency	%	Frequency	%
1	Low investment	41	33.1	39	33.9
2	Loss of in-come generation	41	33.1	39	33.9
3	Discouraged re-investment	42	33.8	37	32.2
4	No effects	-	-	-	-
5	Others (specify)	-	-	-	-
	Total	124	100	115	100

N.B: the responses are more than the respondents is due to multiple choice question

Table 4.13 shows that 41 (33.1%) publishers and 39(33.9%) NCC respondents indicated that book piracy affect the investment of book business, while regarding the loss of income generation the table further reveals that 41(33.1%) publishers and 39(33.9%) NCC respondents indicated that book piracy affect income generation of publishing industry. It is clear from table 4.13 that majority of the respondents from publishers and NCC are saying that book piracy seriously discourages their bid to invest in the publishing endeavor, as it retards their yearly turnovers and by extension profitability. The implication of this finding is that publishing companies may collapse since substantial among of their yearly turnovers is harmed. The response tallies with the finding by Nair (1999) that piracy of literary works leads to loss of revenue to publishers, authors and the national treasury.

4. 14 Effect of Book Piracy on the Nigerian government

The researcher attempts to find out the effects of book piracy on the Nigerian government. Table 4.14 provides the result on such effort.

Table 4.15: Effect of Book Piracy on the Nigerian government

Respondents					
S/N	Effects of book piracy	Publishers		NCC	
		Frequency	%	Frequency	%
1	Loss of in-come generation	43	26.2	31	23
2	Widening unemployment	37	22.6	34	25.2
3	Discouraged creativity	43	26..2	40	29.6
4	Discourage investment	41	25	30	22.2
5	Others (specify)	-	-	-	-
	Total	164	100	135	100

N.B: The responses are more than the respondents is due to multiple choice question

The table 4.15 shows that 43 (26.2%) publishers and 32(23%) NCC respondents indicate that government loss revenue generation to book piracy. The finding reveals that there is agreement between the two groups of respondents that book piracy effect the government income generation as pirates do not pay taxes to the government unlike the legitimate publishers. The implication of this is that the money being lost could have been used by the government for some developmental projects. The table further reveals 37(22.6%) publishers and 34(25.2%) NCC said that book piracy increase unemployment in the publishing sector. The finding support Kolawole (2010) who remark that apart from loss of both direct and indirect jobs, which worsens Nigerian's employment situation, the pirates neither pay taxes to any of the three tiers of

government, unlike the genuine publishers. The table also depicts 43(26.2%) publishers and 40(29.6%) NCC respondents that book piracy discourage creativity among Nigerians and also discourage re- investment in the publishing sector. The implication of this is that publishing companies may collapse and unemployment rate may increase, while writers will be compelled to abandon the writing business to more profitable businesses.

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CHAPTER FIVE

SUMMARY, CONCLUSION AND RECOMMENDATIONS

5.0 Introduction

This chapter presents the summary of the study and its findings. Conclusions were drawn and recommendations on how to address the identified problems were also suggested.

5.1 Summary of the Study

This study was meant to assess the contributions of the Nigerian Copyright Commission (NCC) towards controlling the menace of book piracy in Nigeria (Kano, Anambra and Lagos states). In order to achieve this, five research questions were formulated. The findings revealed that the commission has devised measures to ensure that its mandates of protecting copyright in the country has become achievable, yet publishers confess the persistence of the incidence of book piracy in the country.

Survey research method was adopted in conducting the study and the population of this study was 117 which constituted the Copyright Inspectors of Kano, Anambra and Lagos offices of the NCC and the entire branch managers of the publishing companies in the selected states. Purposive sampling was used in selecting the states (i.e. one state from each region of the country, namely; Kano, Anambra and Lagos states representing northern, eastern and western regions respectively) of this study. Considering the manageable number of the subjects of this study; the researcher used the whole population. Data were collected using two sets of questionnaires; one of these questionnaires was designed for the publishing companies, whereas the second one was meant for the Copyright Inspectors. The questionnaires were administered

and retrieved by the researcher and his assistants. Descriptive and inferential statistics (namely; frequency distribution tables and simple percentages) were used to analyze the collected data.

5.2 Summary of the Findings

From the data that were analyzed and discussed on the research questions the following findings emerged:

1. That high cost of original books, get-rich-quick syndromes and scarcity of original books are the reasons for book piracy in the states studied.

2. That educational books, religious books, trade books, recreational books and reference books are the types of books being pirated. However, educational books are the most pirated books while recreational and reference books are least pirated books.

3. The commission use public enlightenment campaign and copyright enforcement as measures of controlling book piracy.

4. The publishers revealed that copyright enforcement which comprises raids; arrest, prosecution as well as the public enlightenment campaign through the channels of radio, television, print media, and internet were ineffective in controlling book piracy in the selected states.

5. That book piracy affects investment in publishing business; discourage creativity among Nigerians; increased unemployment in publishing sector; lowers income generation to publishing companies, as it retards their yearly turnovers and by extension profitability and denies revenue generation to the government.

5.3 Conclusions

Based on the findings of the study, it was apparent that the NCC used copyright enforcement strategies and public enlightenment campaigns as control to book piracy in the selected states. However, it was also discovered that the measures employed by the commission in controlling the menace of book piracy did not meet the needs and aspirations of the publishers as such they were not satisfied with the effectiveness of the measures in controlling book piracy.

There is no doubt that if the basic components of the copyright enforcement (raids, arrest, seizures and prosecutions) as well as use public enlightenment campaign medias (radio, television, internet, print media, seminars/workshops) were effective, there would be less incidences of book piracy in the country, and the commission would have lived up to their mandate. Thus, the adoption of the underneath suggestions and recommendations proffered in this study will help to a great extent in enhancing the fight against book piracy.

5.4 Recommendations

In the light of the finding of this study and the conclusion reached, the following recommendations were made:

1. The Federal government should reduce duty on book materials and also provide free interest loan to publishing companies, this will lead to reduction of the cost of production and also it will force down the prices of original books which will enable people to afford. They Publishers should make books available to the people so as to prevent the pirates from using any opportunity resulted by lack of stock at the wake of high demand in the markets. This can be achieve through synergy among publishers especially those that their distribution

capacity of their books could not cover the entire country, so that their books could be found everywhere in Nigerian markets in times of demand. In the agreement, the publishers could sell their copyright to another publisher in another geographical area for a fixed time, during which the publisher would guarantee the availability of the book to the public in their domains, after that period the copyright would revert to the publisher, who could dispose of this right again.

2. To prevent pirates from the activities of pirating books, publishers should use security features in the process of producing their books such as eu mark, glitch pattern, watermark papers and micro text that will prevent the pirates from duplicating their books. These security features help to protect books from piracy by providing an image which will alert the buyer that the book is a pirated copy. Whatever attempt made to pirate the book a written image-sign portraying that the book is pirated copy, scanned copy or stolen copy will appear depending upon what the publishers decided to use as an image-sign.
3. The Nigerian Copyright Commission should also developed additional measures so that they will wipe out the activities of pirates at different locations in their hideout. The NCC should established task force committee on book piracy on the major book markets across the states in Nigeria. This will ameliorate the incidence of book piracy in Nigeria.
4. Similarly, copyright enforcement such as raids should be strengthened and conducted regularly in order to expose pirates at their hotbeds. They should also initiate integrated long term and continuous enlightenment programs of educating the general public over the evils of book piracy on publishers, government and the country at large. In this respect, an extensive use of the print and electronic media should be embarked upon. The sensitization

campaign should also be organized in schools and colleges since students are the major consumers of these books.

5. Finally, the solution to what lies in all those involved in the book chain to work symbiotically, such as Nigerian publishers Association, Association of Nigerian Authors, Nigerian Book Sellers Association, Association of Nigerian Printers, Nigerian Library Association, NCC and federal government have role to play in protecting the books from piracy as the effects of book piracy extends to governments and the society in general.

5.5 Suggestions for Further Reading

1. Further research is needed on the Perception of the Book Sellers towards Book Piracy in Nigeria.

2. Study on the Extent of Photocopying among Students in Nigerian Universities.

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Appendix1

DEPARTMENT OF LIBRARY AND INFORMATION SCIENCE

AHMADU BELLO UNIVERSITY, ZARIA.

QUESTIONNAIRE FOR THE PUBLISHING COMPANIES

Dear Respondents,

I am a postgraduate student of the above named University, conducting a research on assessment of the contributions of the Nigerian Copyright Commission towards controlling book piracy in Nigeria, for my Masters Degree in library and information science. Kindly assist in completing the questionnaire attached, all responses will be considered confidential and used for academic purpose only.

Thank you.

Yours faith fully

Ibrahim Ahmadu

MLS/EDUC/2056/2009-2010

Section A: Bio-data

1. Name and address of the publishing company

   ……....……

   ...……..

2. When was the company established?

   a. 0-5 years { }

   b. 6-10 years { }

   c. 11-15 { }

   d. 16-20 { }

   e. More than 20 years { }

3. What is the status of your publishing industry?

   a. Local { }

   b. Foreign { }

   c. Others (specify)……

Section B: Causes of Book Piracy: S A – Strongly Agree, A – Agree, U D – Undecided, D A Disagree, S D – Strongly Disagree

Q4	Causes of Book Piracy	S A	A	U D	D A	S D
	Poverty is responsible for book piracy					
	Scarcity of the original books are responsible for book piracy					
	High cost of original books are responsible for book piracy					
	Ignorance of copyright law is responsible for book piracy					
	The get-rich syndromes are responsible for book piracy					
	Lack of confidence on the legal system cause publishers to ignore pirates					

Others (specify)……

Section C: Type of Books Being Pirated

Q5	How frequent the following types of books are being pirated?	VMuch	Much	Undecided	Few	V few
	Educational books					
	Religious books					
	Trade books (story books, fictions etc)					
	Recreational books					
	Reference books					

Section D: Measures taken to Control Book Piracy

	Measures taken to control book piracy	Once	Twice	Thrice	More than three times	None at all
Q6	How many times the Nigerian Copyright Commission invite you for raids in a year?					

Q7	How many suspected pirates of your book arrested by the Nigerian Copyright Commission in the last five years?	One	Two	Three	More than three	None at all
Q8	How many prosecuted?					

9. How often do you lodge your complaints to the Nigerian Copyright Commission when you saw pirated copies of your books at the markets?

a. Very often { }

b. Often { }

c. Undecided { }

d. Not often { }

e. Not at all { }

10. How often the Nigerian Copyright Commission responds to your complaints and raided the pirated books you informed them about?

a. They respond at the right time { }

b. They respond after some time { }

c. Undecided { }

d. They respond after a long time { }

e. They respond not at all { }

11. What types of media the Nigerian Copyright Commission use for enlighten the public against book piracy? (Tick as many as are relevant)

a. Radio { }

b. Television { }

c. Internet { }

d. Print Media { }

e. Others (specify)……..

Q12	How often the Nigerian Copyright Commission use this media to enlighten the public against book piracy?	V. often	often	Undecided	Not often	Not at all
	Radio					
	Television					
	Internet					
	Print media					
Q13	How often the Nigerian Copyright Commission organized seminars/workshops for the stake holders (Publishers, authors, book sellers, school proprietors and librarians?					

Section E: Effectiveness of the Measures in Controlling Book Piracy

	Measures	Highly effective	Effective	Undecided	Ineffective	Highly ineffective
Q14	Enforcement (raids conducted, arrest made and prosecution of suspected pirates) how effective are they in curbing book piracy?					

Q15	Public enlightenment (media used) how effective are they in curbing book piracy?					

Section F: Effects of book piracy

(Tick as many as are relevant)

16. What effects book piracy has on the publishing Company?

a. Low investment { }

b. Loss of in-come generation { }

c. Discouraging re-investment { }

d. No effects { }

e. Others (specify) { }

17. What effects book piracy has on the Nigerian economy?

a. Loss of in-come generation { }

b. Widening unemployment { }

c. Discouraging creativity { }

d. Discouraging investment { }

e. Others (specify) { }

Appendix2

DEPARTMENT OF LIBRARY AND INFORMATION SCIENCE

AHMADU BELLO UNIVERSITY, ZARIA

QUESTIONNAIRE FOR THE NIGERIAN COPYRIGHT COMMISSION

Dear Respondents,

I am a postgraduate student of the above named University, conducting a research on assessment of the contributions of the Nigerian Copyright Commission towards controlling book piracy in Nigeria, for my Masters Degree in library and information science. Kindly assist in completing the questionnaire attached, all responses will be considered confidential and used for academic purpose only.

Thank you.

Yours faith fully

Ibrahim Ahmadu

MLS/EDUC/2056/2009-2010

Section A: Bio-data

1. Name and address of the NCC office

   ……...…….

   ...……..

2. For how long is NCC being in operating in the state?

   ……...

Section B: Causes of Book Piracy: S A – Strongly Agree, A – Agree, U D – Undecided, D A – Disagree, S D – Strongly Disagree

Q3	Causes of Book Piracy	S A	A	U D	D A	S D
	Poverty is responsible for book piracy					
	Scarcity of original books are responsible for book piracy					
	High cost of original books are responsible for book piracy					
	Ignorance of copyright law is responsible for book piracy					
	The get-rich –quick syndromes are responsible for book piracy					
	Lack of confidence on the legal system cause publishers to ignore piracy					

Others (specify)…….

Section C: Type of Books Being Pirated

Q4	How frequent the following types of books are being pirated?	Very much	much	Undecided	Few	V. few
	Educational books					
	Religious books					
	Trade books (story books, fictions etc)					
	Recreational books					
	Reference books					

Section D: Measures taken to curb Book Piracy

5. How many times your office conduct raids in a year?

   a. Once { }

   b. Twice { }

   c. Thrice { }

   d. More than three times { }

   e. None at all { }

	Frequency of suspected pirates arrested	1 -5	6 -10	11-15	More than 3	None at all

Q 6	How many suspected book pirates arrested in the last five years?					
Q 7	How many prosecuted?					

8. How often do you receive complaints from the publishers when they saw pirated copies of their books at the markets?

f. Very often

g. Often

h. Undecided

i. Not often

j. Not at all

9. How often you respond to the complaints and raided the pirated books they informed you about?

f. We responds at the right time

g. We responds after some time

h. Undecided

i. We responds after a long time

j. We responds not at all

10 What types of media the Nigerian Copyright Commission use for enlighten the public against piracy? (tick as are many as relevant)

f. Radio { }

g. Television { }

h. Internet { }

i. Print Media { }

j. Others (specify) { }

		V. often	often	undecided	Not often	None at all
Q11	How often do you use these media for public enlightenment?					
	Radio					
	Television					
	Internet					
	Print					
Q12	How often the Commission organized seminars/workshops for the stake holders (Publishers, authors, book sellers, school proprietors and librarians?					

Section E: Effectiveness of the Measures in Controlling Book Piracy

	Effectiveness of the Measures	Highly effective	Effective	Undecided	Ineffective	Highly ineffective
Q13	Enforcement (raids conducted, arrest made and prosecution of suspected pirates) how effective are they in curbing book piracy?					
Q14	Public enlightenment (media used) how effective are they in curbing book piracy?					

Section F: Questions on effects of book piracy

(Tick as many as are relevant)

15. What effects book piracy has on the publishing Company?

a. Low investment { }

b. Loss of in-come generation { }

c. Discouraging re-investment { }

d. No effects { }

e. Others (specify) { }

16. What effects book piracy has on the Nigerian economy?

a. Loss of in-come generation { }

b. Widening unemployment { }

c. Discouraging creativity { }

d. Discouraging investment { }

e. Others (specify) { }