

**STUDY OF THE BENEFITS OF COPYRIGHT PROTECTION
AMONG RIGHT OWNERS IN
FEDERAL UNIVERSITY OF TECHNOLOGY,
MINNA, NIGERIA.**

BY

G. A. BABALOLA

**DEPT. OF LIBRARY AND INFORMATION TECHNOLOGY,
FEDERAL UNIVERSITY OF TECHNOLOGY, MINNA,
NIGER STATE, NIGERIA.**

E-mail: gaboft@yahoo.com

AND

**M. A. ADENIJI
COLLEGE LIBRARIAN,
COLLEGE OF ENGINEERING AND TECHNOLOGY,
IBOGUN CAMPUS, OLABISI ONABANJO UNIVERSITY,
OGUN STATE, NIGERIA.**

E-mail: samadzps@yahoo.com

Abstract

This paper examined the benefits of copy right protection among right owners in Federal University of Technology, Minna, Niger State, Nigeria. The research design used was social survey. The researchers designed self-style instrument tagged "copyright protection questionnaire (COPROTINQ) which was given to experienced academic colleagues for proper scrutiny and moderation to enhance its validity. The data gathered from the retrieved copies of the instrument were analyzed with simple statistical tools like frequencies and percentiles. Amongst the findings of the study is that copyright owners attach high value to their rights and are not discouraged from

embarking on further production inspite of the nefarious activities of the pirate. Moreover, non of the right owners was willing to leave his rights to fate. Part of the recommendations is that the authority of the Federal University of Technology, Minna and all other higher institutions of learning in Nigeria should give all necessary support to researches, workshops, conferences, inventions etc so as to develop hidden talents and that all citizens should gear up to fight piracy to a standstill.

Introduction

Copyright can be aptly described as an integral part of intellectual property laws that guarantee or safeguard the moral and economic rights of those who possess them (right holders). They are laws that ensure that the inalienable rights or privileges of right holders are enjoyed by them maximally and that they are in no way denied nor deprived from enjoying the fruits of their labour through sabotage or any other fraudulent means. They are laws that if properly and carefully implemented suppose to serve as beacon of encouragement and morale booster to right holders to embark on further creative activities. The imperativeness of copyright to sustainable development has been accorded national and global recognition Lawal-Solarin(2005) and Okilagwe (2006) opined that the socio-economic principle that copyright protection encourages individual effort and invariably enriches the society is the guiding principle behind the enactment and enforcement of copyright laws by many nations.

Flint and Thorne (1997), Wall (1993), Okwilagwe, (2001, 2006) and Schechter (2006) identified works that can be protected by copyright amongst which include: literary works, dramatic works, musical works, artistic works cable programmes, typographical arrangement of published edition., films, sound recordings and broadcasts. They added further that before any work is qualified for copyright protection such work must have met some pre-requisites amongst which include the following. Sufficient effort must have been expended on making the work to give it an original character. That is the work must be original in nature. Also, the work must be fixed in a definite medium of expression. It can be inferred from the

above that not all works can enjoy copyright protection. For example, copyright does not protect idea.

Ike (2004), Lawal -Solarin (2005) Okwilagwe (2006) and Larkin (2007) observe that though Nigeria has a well articulated copyright law, nevertheless copyright infringement is thriving in Nigeria. Various forms of copyright abuse go in different formats and forms in Nigeria. Violation of copyright at times take the form of piracy, plagiarism, copying, photocopying etc. Gurnsey (1995), Lawal-solarin (2005), Babalola (2006) and Okwilagwe (2006) observe that the most insidious of all the copyright violation is photocopying.

It should be emphasized, however, that if copyright violation is allowed to continue unabated it will unwittingly unleash devastating suffering on all citizens of the country without exception. When it comes to the abuse of intellectual property rights every one suffer, the person in the street, leaders of business, international trading partners and the Nigerian (national) economy as a whole. It goes without saying therefore that if protection of copyright is properly and carefully enforced, untold blessings await both the leader and the led and the national economy stands to benefit in form of a re-surgence and re-invigoration of its development potentials.

It is only when copyrighted works are protected that the right owners (within and outside the Federal University of Technology, Minna, Nigeria) will be encouraged to continue with the works of creativity. Rather than looking for other greener pastures outside the university environment, the right owners would be encouraged to stay within the system, thereby contributing their own significant quotas (inform of intellectual outputs) to the socio-cultural and economic development of university. If the right owners within and outside the Federal University of Technology, Minna, Nigeria are sure that there is no person or group of people somewhere that are unlawfully appropriating the economic and moral rights of their work, they are most likely to be encouraged to get themselves involved in more researches, discoveries, innovations, publications and other creative intellectual activities.

Personal and organisational benefits are accruable from research outputs and intellectual publications. Right owners would benefit economically, socially and

morally. Apart from getting financial rewards (economic benefits) from the sales of their publications, publication outputs is one of the major criteria that are used for the promotion (social benefits) of the faculty in the university environment. In addition the right owners would enjoy status elevation (social benefits) if they are promoted (Leach,2000, Symonds, 2006, Ibegbulam,2010, Pan and Hovde,2010). Finally, the right owners are most likely to be happy and satisfied (moral benefits) that they are wholly enjoying the fruits of their labour without any rivals hidden or uncovered somewhere else.

The university as an organisation would also benefit as the credibility and the viability of the institution will be unveiled to the outside community through the products of researches that emanate from it. The credibility of the university community (as a centre of excellent intellectual productivity) is measured in terms of the quality and quantity of : inventions, researches, discoveries and innovations introduced. If the university administration encourages right owners to publish, the university's image (in terms of: quality service delivery; quality human and material products; quality human and infrastructural resources) would likely receive positive rapid publicity. In addition, if the right owners are sure that their works would enjoy full protection, they are likely to stay within the university and put in their best (intellectual outputs) thus stemming the tide of brain drain in Nigerian university educational system (organisation benefits).

In carrying out this research, the researchers designed self constructed instrument tagged copyright protection questionnaire (COPROTINIQ) which after thorough validation from experienced academic colleagues. Copies of it were administered in the institution that was selected for this study.

Statement of the problem

The problem of brain drain in Nigerian university educational system and the attendant poor standard of education are part of the teething problem that have bedeviled Nigeria and other developing economies of the world. Many men of intellectual creativity who would have stayed in the nation's university environment have left for other greener pastures. It is possible that many of the creative writers who

have left the university community for other work environment would have remained if their right are fully protected. There must have been some reasons why men of intellectual ability are leaving the university work environment for where they feel is better work environment. There is need to throw more light on why some members of the faculty would prefer other work environments to the university environment. The study therefore, will investigate the benefits of copyright protection among right owners at the Federal University of Technology, Minna, Nigeria.

Objectives

The main objective of this study is to know the benefits of copyright protection among Right Owners in Federal University Of Technology, Minna, Nigeria.

The study is, however, premised on the following specific objectives.

1. To ascertain the degree to which holders of copyright value their rights.
2. To determine the veracity or other wise of the assertion that holders of copyright have been discouraged from further production due to heavy losses incurred from the activities of pirates.
3. To ascertain the degree to which copyright protection would go in accentuating the interest of copyright holders to produce more.
4. To determine the level that an individual's years of experience as a copyright holders affect his zeal to produce more.

Research questions

The following research questions were asked.

1. To what degree do holders of copyright value (appreciate) their rights?
2. To what level can it be ascertained that the holders of copyright have been discouraged from embarking on further production due to heavy losses incurred from the activities of pirates?
3. To what degree would the protection of copyright go in accentuating the interest of copyright holders to produce more?
4. To what level does an individual's years of experience as a copyright holder affect his zeal to produce more?

Significance of the study

The study is significant for the following reasons.

1. It will help to identify the need for copyright protection among right holders within and outside the environment of the Federal University of Technology, Minna, Nigeria. If the need for protection and recommendations of the study are identified and implemented, It could go a long way to retain right holders within and outside the Federal University of Technology, Minna, Nigeria.
2. If the right of the holders are protected, they are most likely to be encouraged to produce more. High productivity implies more revenue for right holders and for the government in form of taxation.
3. With protection of copyright comes more intellectual productivity, revival of creative writing, extension of frontier of knowledge, cultural and intellectual development of the Federal University of Technology, Minna, Nigeria and by extension Nigeria community as a whole.
4. Creativity, innovation, inventions and researches are part of the major objectives for which the Federal University of Technology, Minna, Nigeria was established. The viability of the institution will then be measured by the quantity and quality of intellectual output that emanate from the institution. This will happen with protection of intellectual output that emanate from the institution.

Methodology

Population for the study:

The total population for the study is 598. That is, the total number of the academic staff at Federal University of Technology, Minna, Nigeria in 2007 when the research was conducted.

Sampling and sampling procedure:

The research design used was social survey. The researchers designed self-constructed instrument tagged "copyright protection questionnaire (COPROTINQ)" copies of which were randomly distributed to selected academic staff who are

copyright holders at the Federal University of Technology, Minna. 60 copies of the questionnaire were randomly distributed to 598 members of staff at the Federal University of Technology, Minna, which is ratio 1:6.

Validity of the instrument

The instrument was given to experienced academic colleagues for proper scrutiny and correction. It was then that the researchers were convinced that the instrument would measure what it purports to measure.

Data presentation

50 copies (83.3%) of the questionnaire instrument were retrieved out of the 60 copies administered to the academic staff members of the Federal University of Technology who are right owners. The data that are extracted from the copies of the retrieved questionnaire are presented and analyzed with simple statistical tools like frequencies and percentiles.

Table 1: Value (premium) attached to copyright by right holders

Value/Premium attached	No of respondents	Percentage (%)
1. Highest value/premium attached to copyright	30	60
2. Will go to any length or do anything possible to re-claim right	20	40
3. Not so bothered about the right	Nil	Nil
4. Careless about right	Nil	Nil
5. Others	Nil	Nil
Total	050	100

It is obvious from table one, that all the respondents attach high premium (value) to their rights as copyright holders. 30 (60%) respondents claimed that they place high premium on their rights while the remaining 20 (40%) affirmed that they can go to any length and if possible do anything to re-claim their right. There was no respondent that was not bothered about his right neither did any one of them say that they are careless about their rights. In other words, the copyright holders, hold their rights tenaciously as their own privileges and as something that is worth defending and fighting for. Table 2: No of items and cost of materials lost to piracy in recent times

No of items lost through piracy in recent times (class interval)	No of respondents	Average cost of item (#)	Total losses incurred (#)
1-50	Nil	Nil	Nil
51-100	Nil	Nil	Nil
101-150	15	1,500	2,823,750
151-200	25	2,500	10,968,750
201-250	10	1,800	4,059,000
251 and above	Nil	Nil	Nil
Total	50	5,800	17,851,500

Note. To get the total losses incurred from table two, add the lower class with the upper class value (class interval) of the row together and divide by two (two(2) to get the mid-point class average. Then multiply the mid-point class average with the number of respondents and then with the average cost of item. For example, to get the total losses incurred for class interval 101- 150, multiply 125.5 $(101+150)/2$ with 15 and then with 1500 = 2,823,750

From table 2, the class interval 151-200, recorded the highest losses due to piracy with a total of ten million nine hundred and sixty eight thousand seven hundred and

fifty naira (10,968,750 naira) .Class interval 201-250 records (4,059,000 naira) four million and fifty nine thousand naira as losses due to pirated activities. The total losses incurred by all the respondents due to piracy stands at seventeen million eight hundred and fifty one thousand five hundred naira (17,851,500).

Table 3, Discouragement due to piracy (pirate activities)

	No of respondents	Percentage (%)
No of discouraged right holders	4	8
No of right holders t hat are full of zeal to produce more in spite of piracy	45	90
Undecided respondents	1	2
Total	50	100

From table three, it is evident that majority of the respondents are not perturbed neither are they despondent because of the negative effect of piracy on their possession. Forty-five (90%) of the 50 respondents still asserted that they art full of zeal to produce more in spite of the nefarious activities of the pirates on their copyrighted works. Four (8%) respondents are discouraged because of the activities of pirates while one (2%) respondent is undecided.

Table 4: Copyright protection and willingness to produce more

No of respondents	No of respondents	Percentage (%)
Respondents that will be willingly produce more if their right are protected	45	90
Respondents that are already satisfied and are unwilling to produce more	2	4
Respondents that will not produce more even if their rights are protected	3	6
Total	50	100

From table four, three (6%) respondents affirmed that no amount of protection on their work will make them to embark on further production while 2(4%) respondents claimed that they are already satisfied with their present estate and are unwilling to produce more. 45 (90%) respondents asserted that they will be willing to produce more if their rights are protected. In other words, protection of their right will serve as morale booster for them to be willing to embark on further production of intellectual nature.

Table 5: Copyright protection and willingness to suffer and take risk

	No of respondents	Percentage (%)
Respondents that are willing to leave their right to fate (destiny)	Nil	Nil
Respondents that are willing to suffer in a bid to get their right	25	50
Respondents that are prepared to take risk to re-claim their right	25	50
Total	50	100

In table five, none of the respondents was willing to leave his rights to fate or destiny. 25 (50%) respondents are willing to suffer in order to get their rights, while the remaining 25 (50%) are prepared to take all forms of risks in order to re-claim their rights.

Table 6: Years of experience as a copyright holder

Years of Experience	No of respondents	Percentage (%)
1-10	Nil	Nil
11-20	5	10
21-30	35	70
31 and above	10	20
Total	50	100

In table six, there was no single respondent who has between one and 10 years of experience as copyright holders. Five (10%) respondents are copyright holders of between 11 and 20 years. 10 (20%) respondents have been copyright holders for the past 30 years and more while 35 (70%) respondents fall within the years bracket of 21-30 as copyright holders.

Table 7: Effect of years spent as copyright holders on productivity

	Total no of respondents	Percentage (%)
My years of experience as right holders has no bearing on my productivity	22	44
The years I spent as copyright holder has little influence on my productivity	18	36
I have received inspiration and more strength to produce more creative work due to the experience that I gained over the years	10	20
Total	50	100

From table seven, 10 (20%) respondents claimed that their years of experience as copyright holders have strengthened their vigour and have given them more inspiration to want to embark on further production. In other words, experience has been the prime mover and the motivating factor for them to want to embark on further production. 18 (36%) respondents claimed that the years of experience as copyright holders has little or no influence on their willingness to want to produce more. In the same vein, 22 (44%) respondents affirmed that their year of experience has no connection (bearing) with their productivity.

Discussion of findings

Majority of the respondents that were sampled for this research who are copyright holders and who at the same time double as academic staff are active and energetic young men and women. 33 (66%) of the respondents fall within the age

range brackets of 31-40 and 41-50. In other words, the Federal University of Technology, Minna is blessed with men and women who can cause a lot of good things to happen in terms of the physical strength and energy that they have talk less of the intellectual sagacity. If we talk of appointing people into responsible positions like heads of department, commissioners, ministers, chairmen etc such appointments are usually made on selective basis for men and women who have the intellectual sagacity to perform and who at the same time are physically fit. With these crop of energetic intelligentsia, the sky could be the limit for the Federal University of Technology, Minna, Nigeria, if the people in the academia are given enough encouragement by the University administration to perform. This is because, discoveries, inventions, innovations and breakthroughs in academic and scientific circles are only made possible if the affected individuals or groups of individuals are encouraged to do so.

Moreover, it is clear from the findings that all the respondents love, appreciate and are willing to defend their rights. They all place high value and premium on their rights that they are willing to do anything to re-claim their rights if wrongly taken by unauthorized individuals. If need be, they are willing to suffer and also take physical and financial risk to re-claim their rights. It is obvious from these findings that the right owners are not prepared to whisk away or toy with the properties and the fortunes that have taken them years of: Commitment, experience, hard work, diligence, denial, suffering and meritorious services to get. Moreover, all the respondents who are right owners are from the academic ranks of senior lecturership to professorship. It is not out of place to argue that some of them would have something to fall back upon in terms of economic sustenance during the raining days of retirement. Such properties can also be bequeathed to their offsprings.

If just 50 sampled academic staff were able to give an estimate of seventeen million eight hundred and fifty one thousand and five hundred naira (17,851,500) as the losses incurred by them due to piracy in recent times, if all the copyright holders of Federal University of Technology, Minna and all Universities, Polytechnics and Colleges of education in Nigeria were to be given copies of this instrument to fill, one would likely to be disturbed by the type of alarming result that may likely come out of

it. In other words, trillions of dollars may have been lost by copyright holders in Nigeria higher institutions (who are academic staff) annually. But, it is surprising to note that the copyright holders are not perturbed by the activities of pirates. Even though they are fully aware that there are some people somewhere who are illegally appropriating their rights and denying them of their due compensation and royalties, they are nevertheless prepared to continue to produce more. This can be described as an unusual commitment to a just and right course. Majority of the respondents (90%) are still bent on producing more in spite of the nefarious activities of pirates on the fruits of their labour. Majority of the respondents (90%) would also be desirous to embark on further production if they are sure that such works would enjoy full protection.

All the respondents have been right holders for at least a minimum of 11 years upwards. But, it should be emphasized that the years of experience has little or no influence on the productivity of the copyright holders. While it is true that experience as copyright holders is good, but the zeal and the enthusiasm to be productive is the aftermath of unusual skill and commitment of the right holders to a just course.

Conclusion

It is safe to conclude from the study that:

1. holders of copyright attach high premium (value) to the works of their creativity and they can go to any length to re-claim such right.
2. Copyright holders are in no way perturbed by the negative activities of the pirates on the works of their creativity. They are still bent on producing more. However, protection of their rights would still fire their zeal to embark on further production.
3. While it is true that the years of experience as copyright holders can give inspiration to the right holders, it has little or no influence on the productivity of right holders.

Recommendations

The following recommendations are made in the light of the study.

1. The authority of the Federal University of Technology, Minna and all the authorities of the higher institutions of learning in Nigeria should give all necessary backings financial, moral, and infrastructural- to innovative, creative and imaginative men and women of high intellectual sagacity.
2. To solve the problem of brain drain in Nigeria university environments, the authorities of the universities should give all financial, moral and infrastructural support to the faculty and other members of the academia.
3. Moreover, to solve the problem of digital divide, digital dichotomy and to bridge the information gulf between the polarized information rich and information impoverished countries, developed and developing economies is to encourage local creativity by giving men and women of rare intellectual callings all necessary support to give their best to their father land. The problem of digital divide between the advanced and developing countries in this electronically- oriented information society (this millennium) will never be solved until intelligent men and women in Nigeria are encouraged by the government to stay in the country and contribute their quota to the development of their fatherland.
4. The University administration of the Federal University of Technology, Minna and all other higher institutions of learning in Nigeria should willingly encourage and sponsor researches, workshops, conferences, in-service training and development of the academic members of staff. This will go a long way to enhance the productivity of such members of staff and at the same time accentuate the intellectual growth and overall development of the concerned institutions.
5. The government, the private organized groups, the civil community and individuals should join hands together to fight the economic termite piracy. This work should not be left in the hands of the government, the law enforcement agency and the Nigerian copyright commission (NCC) alone. The crusade should be left in the hands of everybody. The campaigns and the fight against piracy and pirates should be a joint effort of all and sundry. No effort should be spared till this "threat" to national economy and this

“insidious economic termite” piracy with all its affiliates are fought to a complete standstill.

6. Courses like citizenship education, patriotism, entrepreneurship skills acquisition and intellectual property laws should be made core courses in all the higher institutions of learning in Nigeria. If these courses are taught and made core courses in the higher institutions of learning, there is every possibility that the students and the members of staff would be exposed to the need to have genuine love for their farther land and rather than embarking on criminal enterprises, they are most likely to have a rethinking, settle down and use their brain and energy to embark on more legal productive enterprises.

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