

THE LEVEL OF AWARENESS, KNOWLEDGE AND INFRINGEMENT ON COPYRIGHT AT THE UNIVERSITY OF IBADAN, NIGERIA

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ABSTRACT: *The encouragement of intellectual creation is one of the basic prerequisites for social, economic and cultural development of any nation. Copyright was instituted to inspire authors towards more creativity by enabling them to harness the full benefit of their works; however there are issues associated with the compliance on copyright rules. There is a dare need to stem the overwhelming tide of copyright infringement activities going on across the globe. This study examines the level of awareness, knowledge and infringement on copyright at the University of Ibadan. Questionnaire instrument was used for data collection. The population used in the study comprises 150 academic and senior staff of University of Ibadan, Nigeria. The study found that there is low level of awareness and knowledge on copyright matters, as many of the respondents were unfamiliar with matters relating to copyright. The study identified a high level of infringement on copyright in University of Ibadan. The study further advocated for intensive sensitization on copyright matters and enforcement of copyright law within University of Ibadan community in order to strengthen copyright protection.*

KEYWORDS: copyright, awareness, knowledge, university of Ibadan, Nigeria

INTRODUCTION

The issue of Intellectual Property protection has exerted much conflict in academia. Intellectual property (IP) is a term referring to a number of distinct types of creations of the mind for which a set of exclusive rights are recognized. Copyright is an aspect of IP which deals with the exclusive right granted an author and other creative artists to authorize the use of their works in any way. It is a universal concept and a form of protection provided by the laws of any sovereign state (U.S. Copyright Office, 2000). According to the Copyright Act, the recognized categories of works eligible for copyright includes literary works; musical, aesthetic works, cinematography film, sound recordings and broadcasting (Ayanyemi, 2007).

In any case where there is non-compliance to the rules of copyright, it becomes copyright violation or infringement. Copyright infringement refers to the abuse, violation, piracy or theft of a copyright holder's exclusive rights through an unauthorized usage of copyrighted materials (United States Copyright Office, 2012). According to the United States Copyright Office, fair use is the limitation on the copyright holders' exclusive rights. It is an exception to the rule of copyright infringement which permits the reproduction of small amount of copyrighted material when the copying will have little effect on the value of the original work. In essence, the concept

of fair use as a doctrine allows limited use of copyrighted material without necessarily seeking or requiring permission from the rights holders, such as in scholarship or review. Examples of fair use include the quotation of excerpts from a book, poem, or play in a critical review for purposes of illustration or comment; quotation of short passages in a scholarly or technical book to illustrate or clarify the author's observations; summary of a speech or an article, brief quotations in a news report; and reproduction by a teacher or student of a small part of a work to illustrate a lesson. WIPO (2014) again reported that the concept of fair use gives room for limited use of copyrighted materials for the purposes of research, news reporting, educational and private study, provided that there is an acknowledgement of the title and authorship of the work and it is by way of fair dealing.

So many researches have proved that there is a high level of infringement on copyright as many copyrighted materials are being used without the acknowledgement of the title and authorship of the work. This may be caused by lack of adequate knowledge on copyright matters. For instance, Chao, Wilhelm, and Neureuther (2009) reported that forty percent of students involved in their research admitted that they copied text from other sources and used it in their own works, without citing the original authors. Okiy (2005) ascertained that more than 50% of the respondents in his study admitted photocopying whole books and journals, a scenario which contradicts the concept of fair use. Wahab Akanmu Aboyade, (2015) affirmed that majority of infringers on copyright engage in random photocopy of published works unchallenged, and many still claim ignorance of the Nigerian copyright statute and the existence of the Nigerian Copyright Commission. Though, the finding of Omoba and Omoba (2009) contradicts the finding of Wahab research. It states that most of the users of information resources appear to be aware of copyright statute. Okiy (2005) collaborated Omoba that more than 65% of the respondents indicated their awareness of the copyright law, but in spite of their awareness, more than half of the respondents still engage in acts which contradicts the concept of fair use.

However, Muneja and Ndenje-Sichalwe (2016) found that there is high level of ignorance, and different levels of perception on intellectual Property Right even by the right owners, including the supportive institutions such as the college authorities, the universities and the guilds or associations of business center owners. McCabe, Trevino, & Butterfield (2001) found that although most of the students understood that quoting someone's work word for word demands a citation, they seem to be less clear on the need to cite the presentation of someone else's ideas when the students present them in their own words. Martin (2005) tracked occurrences of plagiarism over a period of five semesters, announcing at the beginning of each course that he would be submitting student papers to TurnItIn for review. By the third, fourth, and fifth semesters, plagiarism decreased significantly. A number of studies have been conducted that explore varying methodologies to curb plagiarism. Landau, Druen, and Arcuri (2002) provided different levels of plagiarism education in the undergraduate classroom, and found that those students given some level of instruction were less likely to plagiarize and were more likely to recognize plagiarism than those who received no instruction. That means that indept knowledge and awareness on copyright matters is still an issue contributing to non compliance to the rules on copyright. There is still need to attain a relatively high level of knowledge on copyright matters to be persuaded on the need to comply. For instance, just being aware that copyright exist will not automatically make much sense

and stop the users from infringements on copyrighted works, rather it is a comprehensive knowledge on the need for copyright, the acts of infringement and the effect of violation of copyright as well as the penalties attached to varying levels of infringement that will actually cause members of the society to see the unflinching need to desist from infringement. Some of the examples of negative effects of copyright infringement have been identified by varieties of authors. Williams, Wu, Choudhury, Khabsa and Giles, (2014) ascertained that copyright protection and intellectual property rights serve as limitations to the distribution and usage of resources in the institutional repository. A research conducted by Foster and Gibbons (2005) reported that faculty members obliged to submit their work to the institutions repository because of worries about copyright infringement. The authors interviewed 25 professors at the University of Rochester on the reason why faculty members never submit their work to the institutional repository, and found out that worries about copyright violation and disciplinary work practices constrained them not to actively contribute to the IRs in their university. Musa, Shittu, and Abdulkadir (2014) pointed out that the responsibilities of university libraries in creating a sustainable institutional repository covers formulation of rules and policies guiding copyright issues.

Egonwa (2005) added that considering the high level of infringement through reprography, a suitable scale should be established for tertiary institutions to pay for the huge licensing fees for the volumes in their libraries so as to take care of photocopying done by the students and staff. That means dictating to the institutions to take responsibility for the photocopying by staff and students, as applicable in most developed nations of the world. Literature shows that the rate of copyright infringement is quite dismay and one major reason may be inadequate awareness and knowledge on copyright matters. There is need to drastically stem the overwhelming tide of copyright infringement activities in Nigeria. Instant literature revealed various aspects of copyright in Nigeria and none actually focused on the level of awareness, knowledge and infringement on copyright in the University of Ibadan.

The main objective of the study is to investigate the level of awareness, knowledge and infringement on copyright at University of Ibadan, Nigeria.

The specific objectives are to:

1. Identify the level of awareness and knowledge on copyright matters at university of Ibadan, Nigeria.
2. Ascertain the level infringement on copyright at university of Ibadan, Nigeria.
3. Proffer solutions to the problem of infringement on copyright.

METHODOLOGY

Survey research design was used for the study. The population used in the study comprised of 150 academic and senior staff of University of Ibadan (UI). The main instrument used in the study was questionnaire. This is in consideration of the large number of users; hence the questionnaire is suitable for gathering enormous quantity of data from large population within the quickest possible time. The questionnaire included open-ended questions, designed to enable the respondents to freely express their views and suggestions. The researcher made use of both primary and secondary data. Various resources and publications in the library relevant to the study formed the secondary

data, while the questionnaire used to gather information from the respondents, formed the primary data. The data collected was reported using simple frequencies and percentages.

RESEARCH FINDINGS

The research findings are discussed under the following headings to meet the research objectives.

SECTION A: Demographic information of the respondents

SECTION B: Level of awareness and knowledge of copyright matters within UI community.

SECTION C: Level of infringement on copyright within UI community

SECTION D: Suggestions to stop infringement and enhance awareness on copyright la

SECTION A: Demographic information of the respondents

Table 1: Sex of Respondents

Sex	Frequency	Percent
Male	70	46.7
Female	75	50.0
Total	145	96.7
Non response	5	3.3
Total	150	100.0

Table 1 indicates that both male and female were well represented in the study. Out of 150 respondents used in the survey, 75 (50%) are female while 70 (47%) are male.

Table 2 highlighted the distribution of the respondents based on their faculty.

Table 2: Distribution of respondents by Faculty

Name of Faculty	Frequency	Percentage (%)
African Studies	3	2.1
Agricultural Science	17	11.3
Arts	3	2.1
College of Medicine	3	2.1
Education	36	24.0
ICT	3	2.1
Kenneth Dike Library	8	5.2
Law	5	3.3
Science	43	28.7
Security Unit	3	2.1
Social Science	19	12.7
Technology	4	2.6
University Health Service	3	2.1
Total	150	100.0

Table 2 shows the distribution of respondents based on their faculties. Most of the faculties (13 faculties) in U.I. were represented. The faculties are: Agricultural Science 17 (11.3%), Art, College of Medicine, Security Unit, African Studies, ICT and University Health Service Education 3 (2.1%) respectively. Respondents from faculty of Education are 36 (24%), Kenneth Dike Library 8 (5.2%) and Law 5 (3.3%), while Science 43 (28.7%).

The highest response was from the faculty of science (28.7%), followed by education (24%) while the least were from arts, college of medicine, ICT, Security Unit and the University health Center

Table 3: Level of Awareness and knowledge on copyright matters within U I community.

Statement	Strongly Disagree	Disagree	Agree	Strongly Agree	Non respondent
I am sure there is a copyright law	3 (2%)	9 (6%)	41 (28%)	95 (63.3%)	2 (1.3%)
I am very familiar with copyright laws.	59 (39.3%)	37 (25%)	24 (15%)	27 (18%)	3 (2%)
I am sure there is enough awareness concerning copyright matters.	33 (23%)	41 (28%)	43 (29%)	24 (15%)	9 (6%)
The copyright law is constantly being enforced	11(8%)	76 (51%)	48 (30%)	11 (8%)	4 (2.7%)
In my department, there is a section that handles copyright matters.	79 (54%)	37 (26%)	17 (12%)	11 (8%)	5 (3.3%)
I know of other departments who also handle copyright matters	83 (56%)	29 (20%)	20 (14%)	13 (9%)	5 (3.3%)

with 2.1% respectively.

SECTION B: Level of awareness and knowledge of copyright matters within UI

Table 3 revealed the level of awareness on copyright matters within U.I. community. Virtually all the respondents 136 (91%) noted that they are sure there is a copyright law.

Concerning the respondents degree of familiarization with copyright laws, only 24(15%) and 27(18%) indicated agree and strongly agree respectively to the statement “I am very familiar with copyright laws”. Nevertheless, when summed up the number of the persons that were on the negative side to the statement, which is 96 (64%) far outnumbered those on the affirmative which is only 33%. This shows that many of the academics and senior staff of UI are not yet very familiar with copyright law. Again, in response to the statement “I am sure there is enough awareness concerning copyright matters”, 33(23%) of the respondents indicated strongly disagree, while 41(28%) disagreed to the statement. On the other hand 43(29%) and 24(15%) persons agreed and strongly agreed respectively to the statement. Therefore, a total of 74 (51%) of the respondents are not familiar with copyright matters. That indicates low awareness concerning copyright matters in UI. Again, very few of the respondents were in the affirmative to the statement “In my department there is a section that handles copyright matters” And, “I know of other departments

who handle copyright matters”. While most of the respondents 79(54%) and 37(26%) (which makes a total of 80%) indicated strongly disagree and disagree respectively to the statement indicated. This shows that department(s) that handles copyright matters is lacking within University of Ibadan community.

Table 4 identifies the level of infringement on copyright in University Ibadan.

SECTION C: Level of infringement on copyright within UI community

Table 4: The level of infringement on copyright in University Ibadan.

Statement	Strongly Disagree	Disagree	Agree	Strongly Agree	Non respondent
Copyright is regularly being violated.	2 (1.3%)	3(2%)	58(38.7%)	80(55.3%)	8(5%)
The level of infringement on copyright in UI is very high	11(8%)	14(9%)	76 (51%)	45 (29%)	4 (2.7%)
The various methods of copyright violation UI include:					
a. Indiscriminate photocopying	3(2%)	1(0.7%)	47(31.3%)	67(45%)	32(24%)
b. plagiarism	0	2(1.3%)	34(25%)	73(51%)	41(28.5%)
c. counterfeiting	0	0	11(7.5%)	35(25%)	57 (38%)
d. piracy	0	0	7(5%)	54(36%)	59(39%)

Table 4 shows the views of the respondents on the level of infringement on copyright in UI. Most of the respondents 138 (94%) indicated that copyright is constantly being violated in University of Ibadan community. Concerning the level of copyright infringement in UI, 11(8%) and 14(9%) indicated strongly disagree and disagree respectively to the statement “The level of infringement on copyright in UI is very high”. While the majority 76(51%) and 45 (29%) respectively indicated agree and strongly agree to the statement. That means that copyright infringement in UI is very high.

The various methods of copyright infringement as indicated by the respondents include: indiscriminate photocopying, plagiarism, counterfeiting and Piracy. Many of the respondents 107(76%) agreed that photocopying and plagiarism are major ways used by the defaulters to infringe on copyright. While 46 (33%) and 61(41%) of the respondents view counterfeiting and piracy respectively as actions by which infringement are carried out in UI.

Table 10 provides suggestions by the respondents through open ended questions on how to stop infringement and enhance awareness on copyright matters.

SECTION D: Suggestions to stop infringement and enhance awareness on copyright law**Table 10: Suggestions to stop infringement and enhance awareness on copyright matters**

Suggestions	Frequency	Percent
Penalizing offenders	27	18.0
Proper sensitization	25	16.7
Thorough Monitoring	28	19
Awareness campaigns	15	10.0
Dealing with poverty	17	11.3
Liaising with copiers so that only copyright approved works should be copied.	15	10.0
Total response	127	84.7
Non response	23	15.3
Total	150	100.0

Table 5 revealed the suggestions of the respondents in order to stop infringement and to enhance compliance to copyright law. Some of the respondents 27 (18%) indicated that the offenders should be penalized so that others will learn from such acts. 25 (17%) of the respondents proposed proper sensitization on issues relating to copyright within the university community. While 28 (19%) advocated for thorough monitoring to ensure compliance, 15 (10%) of the respondents ascertained that awareness campaign programmes should be put in place. On the other hand, 17 (11.3%) noted that to stop copyright infringement, there is need to deal with poverty, since poverty is one major reason why people get involved in dubious behaviors such as counterfeiting (especially in developing countries). Lastly, 15 (10%) of the respondents were of the opinion that liaising with copiers so that only copyright approved works can be copied will help eliminate infringement.

SUMMARY OF FINDINGS

The level of knowledge and awareness on copyright matters in the University of Ibadan is very low. Though many of the respondents claim that they are aware of the existence of copyright laws, however majority of them are not familiar with matters relating to copyright. More than half of the respondents posited that there is low level of awareness and knowledge on copyright matters within the university. There is a lack of detailed information on the benefits of copyright, the acts of infringement and the negative impact of violation of copyright to the society, as well as the penalties attached to varying levels of infringement. The poor advocacy and awareness on copyright matters could have been the reason for inadequate familiarization on copyright laws and issues relating to copyright. This inadvertently results into high degree of copyright violation in UI. This finding agrees with Muneja and Ndenje-Sichalwe (2016) findings, which state that there

is high level of ignorance, and different levels of perception on intellectual Property Right even by the right owners, including the supportive institutions such as the college authorities, the universities and the guilds or associations of business center owners. The finding also concurs with McCabe, Trevino, & Butterfield (2001) finding that although most of the students understood that quoting someone's work word for word demands a citation, they seem to be less clear on the need to cite the presentation of someone else's ideas when the students present them in their own words. Furthermore Copyright law is not adequately enforced in University of Ibadan., the reason can be partly linked to the non existence of any department given the mandate to handle copyright information matters to ensure adequate enlightenment and the enforcement of copyright laws. This has implications on how the entire university community takes issues relating to copyright violation very seriously. These again accounts for the high level of copyright infringement within the university.

The study identified that plagiarism, counterfeiting, piracy and undue photocopying are the main avenues through which copyright is regularly being violated in UI. This calls for moderation and standards to be set towards ensuring the elimination of these infringement activities. Copyright laws need to be addressed and firmly enforced within UI community. Setting up a department to handle copyright matters is very essential towards facilitating copyright awareness and compliance in the University of Ibadan, Nigeria. This department will liaise with the copyright Commission within the nation to plan and execute programmes that will enlighten the citizens on issues relating to copyright, and the consequences to the infringement on copyright. Such programmes will include seminars/lectures, conferences, film shows as well as conducting more research on copyright-related issues in the entire region. Copyright campaign can equally be enhanced through the use social media platforms, the university website, posters and fliers.

In addition, there is need to penalize anyone that violates copyright law so that others can learn and stop infringement. Dealing with poverty will again aid in alleviating copyright infringement, as part of the reasons why people get involved in fraudulent activities such as plagiarism and counterfeiting is poverty.

CONCLUSION

There is a low level of awareness and knowledge in matters relating to copyright at the University of Ibadan, Nigeria. This has thus occasioned a high level of infringement on copyright. This calls for intensive and proper sensitization, adequate and thorough monitoring and enforcement of copyright laws. This can be achieved through setting up a department to handle copyright-related matters, coupled with dealing with poverty in order to enhance compliance to copyright law.

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