Sapientia Global Journal of Arts, Humanities and Development Studies (SGOJAHDS), Vol.4 No.2 June, 2021; p.g. 1 – 13; ISSN: 2695-2319 (Print); ISSN: 2695-2327 (Online)

INTELLECTUAL PROPERTY: THE NIGERIAN EXPERIENCE AND PERSPECTIVE

AKEEM ADERAYO SARAKI
Kwara State University, Malete.
P.M.B. 1530, Ilorin,
Kwara State, Nigeria.
akeem.saraki@kwasu.edu.ng
+2348067476439

Abstract

The paper accounts for intellectual property from the Nigerian perspective. Experiences, in Nigeria, had shown little or no understanding of the concept of intellectual property rights thereby resulting into its violation, even by the educated elite. Stiffness in creativity and low interest to invest in publishing business are some of the identifiable consequences. The study, through qualitative analysis method, discusses the general concept of intellectual property, and examines its legality, enforcement, as well as challenges. It also identifies the major areas of intellectual property rights in the Nigerian publishing industry. The study conclusively proposes strategies and approaches to encourage the respect for intellectual property rights towards reshaping the structures of the Nigerian publishing industry.

Keywords: Intellectual Property, Tangible and Intangible Creations, Rights, Legality and Enforcement, Nigeria, Publishing Industry

1.1 Introduction

Intellectual property is to some extent an abstruse specialism thanks to some sophisticated legal techniques preventing people from the use of others' ideas and information especially for commercial purpose and advantage. The most valuable assets of a creator or an intellectual outfit are those that will continue to generate income when the land, property or equipment or even the warehoused books it owns, have long been emptied. These are the rights such creator or outfit owns or controls. They include the patents, trademarks, registered design, copyright, confidence (Cornish, Llewelyn, & Aplin, 2013), contracts with authors which grant the publisher the right to publish and sell their works; the titles in the publishing house catalogue and its backlist; the potential revenue streams from sub-licensing arrangements; and the potential to publish for other and different readers through digital means like print-on-demand, or in digital format (i.e. by way of the Internet) (Seeber, M. and Balkwill, R., 2008).

No doubt, intellectual property rights are central to the promotion of cultural advancement and the flow of knowledge and information. It is a kind of regulation that safeguard some of the best manifestations of human progression. As forms of intellectual property law, patents give temporary protection to technological inventions and registered designs to the innovative presence of mass-produced goods, and copyright gives longer-lasting rights to literary, artistic and musical creations, while trademarks are protection against imitation in trade (Seeber, M. and Balkwill, R., 2008, (Cornish, Llewelyn, & Aplin, 2013).

Nigeria use to have a vibrant book publishing industry, and perhaps had the largest number of publishing houses in any African country. At one stage, prospects for the book industry in Nigeria appeared rosy.[1] With an elaborate plan that was intended to achieving self- sufficiency in the production of books for all tiers of the education system, the Federal Government established paper and pulp making industries. Unfortunately, all that, or most of it, collapsed following the nation's economic downturn of the 1980s. Hence, book famine descended on Nigeria.[2] This decline, arguably, was brought about by prolonged military rule, underdevelopment, inability and unwillingness of the government to give quality leadership (Adedapo and Adedapo, 2014). This state of affairs generated the brain drain syndrome; and led to the disillusionment and despair in the Nigerian publishing community consisting mostly of the academics who were also distracted from their primary assignments of teaching, research and supervision of students (Amusan and Olanisimi, 2011)

Aside the decline in economic and bad government, one major reason for the dearth of intellectual publications in Nigeria is the violation of rights in the publishing industry. Generally, it is a well-established fact that most Nigerians do not know their rights, while those who know are not bold to act, creating gaps for their rights to be constantly violated unchallenged. For the publishing industry, however, the violation of copyright by publishers may be seen as deliberate because of its intellectual composition. They are aware of the existence of the copyright law set to protect against the misuse of other people's original works but may not be wary of the detrimental extent of their actions to themselves, the copyright owners, and the publishing industry as a whole.

Obviously, there is the Copyright Act promulgated in 1988 as the Copyright Decree (No. 47) of that year.[3] The Act has since been amended by the Copyright (Amendment) Decree (No. 98) of 1992 and the Copyright (Amendment) Decree (No. 42) of 1999. It is an Act to make provisions for the definition, protection, transfer, infringement of and remedy and penalty thereof of the copyright in literary works, musical works, artistic works, cinematograph films, sound recordings, broadcast and other ancillary matters.[4] Also is the Nigerian Copyright Commission (NCC) established to be responsible for all matters affecting copyright in Nigeria; monitor and supervise Nigeria's position in relation to international conventions and advise government theorems; advise and regulate conditions for the conclusion of bilateral and multilateral agreements between Nigeria and any other country; and enlighten and inform the public on matters relating to copyright (Kenneth, 2013).

This study, therefore, becomes noteworthy as it focuses on the management of intellectual property from the perspective of copyright violation on publishing using the Nigerian example. After all, it is significantly clear that the understanding of intellectual property and of course copyright cannot be ignored especially in this our current knowledge-based and information-driven age.

[1] Ike, Chukwuemeka (2004)

[2] Ibid.

[3] Copyright Act: Copyright (Amendment) Decree (No. 42) of 1999

[4] Ibid.

2.1 Explaining Intellectual Property – Legality, challenges and enforcement

The study of Intellectual Property encapsulates its various branches namely, patents, trademarks, copyright and other allied rights. These consist of products of the human intellect, innovation and creativity that are mostly legally protected. It is pragmatic to begin the understanding of intellectual property from the perspective of the very organization charged with the promotion of the invention, circulation, use and protection of efforts of human creativity for the progress of all humankind, the World Intellectual property Organization (WIPO).[5] Intellectual property, according to WIPO (2008), "very broadly means the legal rights which result from intellectual activity in the industrial, scientific, literary and artistic fields." Therefore, the laws to protect intellectual property are established for two major reasons namely, "to give statutory expression to the moral and economic rights of creators in their creations and the rights of the public in access to those creations"; and "to promote, as a deliberate act of Government policy, creativity and the dissemination and application of its results and to encourage fair trading which would contribute to economic and social development."

Stim (2007) sees Intellectual property as products of the human intellect that have commercial value and that receive legal protection. It encompasses creative works, products, processes, imagery, inventions and services and is protected by patent, copyright, trademark, or trade secret law. He further stressed that the commercial value of intellectual property comes from the ability of its owner to control and exploit its use. Hence, if the owner could not legally require payment in exchange for use, ownership of the intellectual property would have little if any commercial value. Extending on the economic and commercial value of intellectual property, Poltorak and Lerner (2002) describe it as the "Currency of the New Economy." Though intellectual property is intangible and lack physical substance[6], yet like other tangible property it does have economic value, which is albeit overlooked, underestimated, and underreported. In addition, being one of the most talked about topics in business today, it may constitute either an opportunity or a threat on who owns it.

Charmasson and Buchaca (2008) assert that intellectual property is of two components, namely assets and rights. Intellectual property assets are 'intangible creations, such as the invention, the formula and process, the expression of artist's talents as reflected in a painting, and the brand name', while intellectual property rights are 'the legal protections that secure each IP asset against its unauthorized use by others.' Thus, their chosen best definition – "Intellectual property is intangible creations of the mind that can be legally protected." Interestingly, to facilitate a better idea of what intellectual property is to understand what it is not. Intellectual property is therefore, not 'the new and wondrous machine that you developed in your garage, but the invention embodied in that machine; the marvellously efficient cholesterol-reducing pill you see advertised on TV, but the formula and the process used in manufacturing that pill; the physical portrait that an artist made of you, but the aesthetic expression of the artist's talent reflected by the painting; nor the riding mower you

[5] WIPO is one of the specialized agencies of the United Nations (UN) system of organizations. The Convention establishing it was signed at Stockholm in 1967 and entered into force in 1970; although it is suggested to have its origins with the adoption of the Paris Convention and the Berne Convention in 1883 and 1886 respectively.

[6] This means it has no length, width, nor height; no weight, shadowless, no taste, no colour and colourless.

reluctantly start up every Saturday, but the brand name that embodies the reputation of the product and its manufacturer' (Charmasson and Buchaca, 2008).

Despite not being precise or very accurate, intellectual property is, however, a worthwhile nomenclature for the growing important legal protection given to products of the mind and creativity, which are arguably additional value and importance to the society and are worthy of protection legally especially when commercial or industrial essence are applied. In fact, and for today's Internet society, intellectual property has become a fast growing and essential form of legal protection for trade, national and international, in all kinds of goods and services. Nonetheless, some developing countries have suggested that intellectual property should be diluted to allow easier access, notably on generic drugs. Their proposal was due to their lack of infrastructure which puts them on the wrong side of a growing 'digital divide', but this would be at the detriment of local authors and publishers, who require intellectual property protection, especially on copyright, even more than their colleagues in the West. (Jones and Benson, 2006)

2.1.1 Legality of Intellectual Property

Like other rights such as the fundamental human rights, the main element of intellectual property is it legality. These are entrenched in various international and national legal documents that are binding on all signatories and affiliates. Most countries in the world are signatories to intellectual property treaties that offer members common and mutual rights. It should be noted, however, that it does not translate that what is protected in a country, such as the UK or U.S., will be protected abroad, like in Nigeria. However, intellectual property that is protected in either of the countries may achieve protection abroad under the standardized rules established by the various treaties. For example, the Madrid Protocol has standardized the process for obtaining trademark protection among member countries. Similarly, the Berne Convention establishes international copyright principles, and the Paris Convention and the Patent Cooperation Treaty offer harmonization for owners of patents. Trade secrets may receive international protection under General Agreement on Tariffs and Trade (GATT) (Stim, 2007).

It is noteworthy to mention, from the onset, a few core international statutes on intellectual property. These include, *Paris Convention for the Protection of Industrial Property, 1883; Berne Convention for the Protection of Literary and Artistic Works, 1886; Madrid Agreement concerning the International Registration of Marks, 1891; Rome Convention, 1961; Protocol to the Madrid Agreement, 1989; Agreement on Trade-related Aspects of Intellectual Property Rights (TRIPS), 1994; World Intellectual Property Organization (WIPO) Copyright Treaty, 1996;Paris Union and WIPO Joint Recommendations concerning Provisions on the Protection of Well Known Marks, 1999; Uniform Domain Name Dispute Resolution Policy, 1999; Paris Union and WIPO Joint Recommendations concerning Provisions on the Protection of Marks and other Industrial Property Rights in Signs on the Internet, 2001; and International Classification of Goods and Services under the Nice Agreement, 2007* (Dowie-Whybrow, 2011).

In the legal sense, intellectual property is something that can be owned and dealt with, and most of its forms what are known as 'choses in action' – all personal rights that cannot be enforced by taking physical possession but only exert by action. You, thus, own intellectual property right on a product if you created it, bought an intellectual property rights from the

creator or a previous owner, or have a brand that could be a trade mark, such as a well-known product name. Having the right type of intellectual property protection, therefore, helps you to halt the stealing or copying the names of your products or brands, your inventions, the design or look of your products, and things you write, make or produce.[7]

Stim (2007) explains that the laws of intellectual property do not stop someone from treading upon another owner's rights. Yet, the laws empower an owner with the weapon and power to take a trespasser to court. "This is the most well-known benefit of owning intellectual property: The owner acquires exclusive rights and can file a lawsuit to stop others who use the property without authorization." Hence, the illegal activity of stepping on other person's intellectual property rights may possibly continue where the owner of such rights does not challenge the person or company or who has used the property without prior permission.

2.1.2 Enforcement of Intellectual Property Rights

Despite the fact that most countries, especially World Trade Organization (WTO) members, have adopted legislation implementing and enforcing minimum standards of intellectual property rights, as established and entrenched by the Agreement on Trade-related Aspects of Intellectual Property Rights (TRIPs), yet violations of IPRs have continued to grow, and in recent years have reached industrial proportions. The TRIPs Agreement, which established a comprehensive set of regulations that cover all kinds of IPR, contains an all-inclusive chapter which sets minimum standards for the enforcement of IPR that could be adopted by all its signatories (Acquah, 2017). However, from a survey carried out by WIPO in 2002, it was revealed that the major barriers to ending the violations of IPRs did not exist in the substantive law, it rather subsist in the availability or otherwise of remedies and penalties to control and discourage violations. The survey also attributed the ineffectiveness and inefficiency of the enforcement systems to "a lack of human resources, funding and practical experience in IP enforcement of relevant officials, including the judiciary; insufficient knowledge on the side of right holders and the general public, concerning their rights and remedies; and systemic problems resulting from insufficient national and international coordination, including a lack of transparency" (Blakeney, 2003).

Blakeney (2003) further identified some best practices for the enforcement of IPRs especially as provided in the TRIPS Agreement. These include national cooperation and coordination; international cooperation; public awareness and cooperation; right holder cooperation; judicial enforcement; administrative enforcement; border control; criminal procedures; right to information; deterrent of publicity; specialized courts; accelerated procedures; mediation and arbitration; regulation of optical media manufacturing; contact points and information providers. He argues that a coordinated fight, where all the relevant stakeholders that are dealing with IPRs, against the violation of all various intellectual property rights would influence much greater chances for success enforcement to be achieved. These concerted efforts should include the coordination of enforcement activities; the development of greater expertise; the improvement in general liaison procedures with all national agencies involved in enforcement; the enhancement of contacts with right holders and their representative organizations; and the participation in public awareness campaigns.

[7] https://www.gov.uk/intellectual-property-an-overview/protect-your-intellectual-property

2.1.3 Challenges to Intellectual Property

Without doubt intellectual property rights and laws have assisted in protecting innovators, artists, writers, inventors, scientists, as well as other numerous brilliant individuals and creative organizations from ideology thefts. However, the challenges that intellectual property rights and laws face, as the world progressed and become more globalized, interconnected, and interdependence, are consequential and significant. Thus, as the call for the protection of intellectual property increased, so is the height of supposition and criticism. The Law Dictionary identifies a challenge of modern intellectual property rights in that "they may have become too broad in nature and not very well defined." As far as intellectual property deals with ideas, it is believed to be by nature vague, nonetheless having actual impacts on the rights and opportunities of people and businesses. Similarly, it is argued that due to its broad nature, intellectual property no longer functions to protect the rights of innovators, but rather the economic interests of a privileged few. This is evident, for instance, in a situation where innovators have to navigate through a dense network of existing property rights, such as patents, in order to pursue their own inventions and ideas. Such restrictions can discourage innovators from pursuing those ideas in the first place, especially where they cannot afford to pay the necessary required fees (The Law Dictionary, 2018).

As noted by Ganslandt (2007) that though the granting of exclusive rights is to reward innovation and creation, yet the exercise of such rights, in most situations, "is not likely to interfere with competition, for there are liable to be numerous competing products on the market. Thus, in essentially competitive economies the granting of most patents, copyrights, and trademarks amounts to a thin wedge of market power that is unlikely to harm consumers"

Infact, exclusive property right, possibly in combination with other intellectual property rights, market advantages, and technical standards, can support extensive monopoly resulting from anticompetitive conduct or results. This appears in a situation where the creator or owner of products and materials deliberately did not license it or imposes back-breaking conditions such as demand for exorbitant fees to prevent permissible competition, and using tie in sales or other product linkage arrangements, intellectual property rights holders can try to expand their exclusivity to other markets, even where they do not possess formal protection. Interestingly, competition authorities are aware of the challenge, especially prompting the essence of putting measures in place to tackle unduly restrict competition or market access. However, "achieving such a balance is a difficult proposition, for the multiple linkages between IPR and competition policies are complex and depend on market circumstances" (Ganslandt, 2007).

In his discourse on the challenges of intellectual property, Cornish, Llewelyn, & Aplin, (2013) examine the sources for the rise in the level of suspicion and criticism of intellectual property protection. Amongst these is the dilemma of the developing countries, which do not have, or rather, have little intellectual property to work with, and as such are confronted with the "protectionist" laws they inherit from the colonial days. Foreign industries, thereby too easily, seize the opportunity to legalize their exploitation of the scarce resources in a form of royalty payment. After all, there is an actual need to obtain technology from the developed nations, particularly in the run for development, as well as the strong demand for products having the attraction of Western values. In the words of Carlos M Correa as quote by Harms (2012) "IP,

especially some of its elements, such as the patenting regime, will adversely affect the pursuit of sustainable development strategies by: raising the prices of essential drugs to levels that are too high for the poor to afford; limiting the availability of educational materials for developing country school and university students; legitimizing the piracy of traditional knowledge; and undermining the self-reliance of resource-poor farmers.

Another challenge is seen from the perspective of the usage of the term itself. Masnick (2008) inquires "If Intellectual Property Is Neither Intellectual, Nor Property, What Is It?" or "if we don't want to call it "intellectual property" what should it be called?" He argues

> *It's become common language to call it intellectual property, but that leads to various problems -- most notably the idea that it's just like regular property. It's not hard to come up with numerous reasons why* ***that's not true****, but just the word "property" seems to get people tied up. There are some who refuse to use the term, but it is handy shorthand for talking about* ***the general space****. The main reason why I have trouble with the "property" part isn't just the fact that it leads people to try to pretend it's just like tangible property, but because it automatically biases how people think about the concept……..Even if you buy into the concept of property rights for intellectual output, a look at the history of property rights suggests that the laws are eventually forced to reflect the realities of the market.*

He further suggests some relative terminology to include Intellectual Monopoly, Intellectual Privilege, and Imaginary Property.

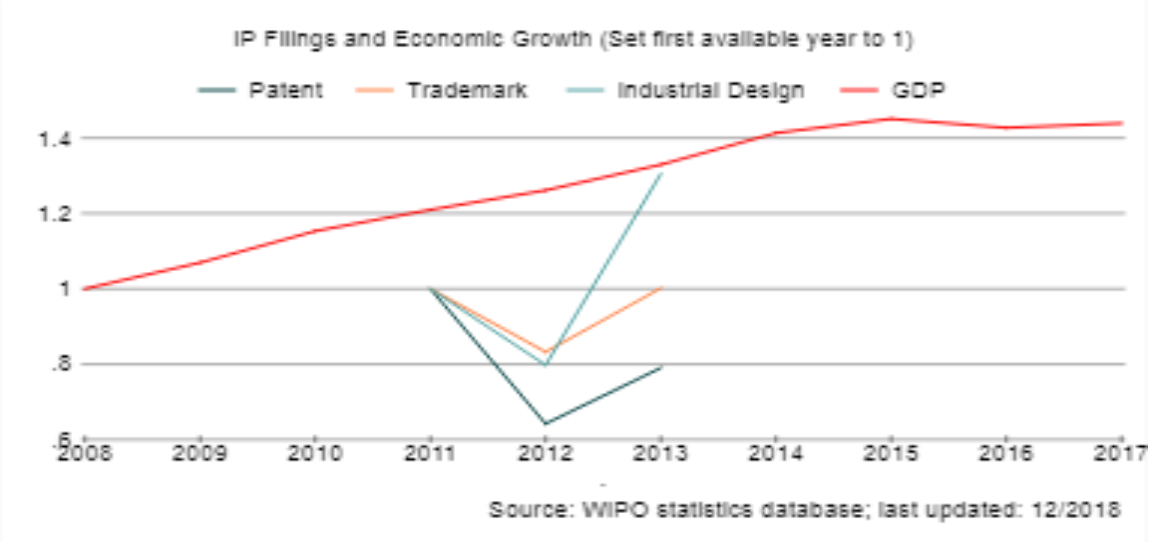
3.1 Nigeria and Intellectual Property Rights

In consonant with the rules of the World International Property Organization on intellectual property protection, Nigeria understands the need to protect the intellectual property rights of creators, owners and investors within the country. With an entrepreneurial, industrious and technological astute population of 190.89 million and Gross Domestic Product (GDP) of US$1,019.04 billion in 2017, [8]Nigeria is endowed with an active and a prolific creative industry encapsulating in a huge literary, artistic, and dramatic legacy, both formal and informal, resulting into a lucrative and flourishing intellectual creativity (WIPO, 2018), although, the World Bank classified Nigeria as a country with lower middle-income (IPRI, 2018). At its national level, an array of intellectual property rights is protected in Nigeria, and these include copyrights, industrial designs, patents and trademarks. However, the most important and more regularly exploited form of intellectual property protection in Nigeria is trademark rights. This relates to the position of the country's extensive and large deals in the importation of technological and 'ready-made' products, thereby facilitating noteworthy gains in form of royalties and licence fees as well as the increase in registration of products at the Nigerian Trademarks, Patents and Designs Registry[9] (Mordi and Okonmah, 2016). Below statistics show registration for intellectual property protection in Nigeria:

[8]WIPO statistics database. Last updated: 12/2018

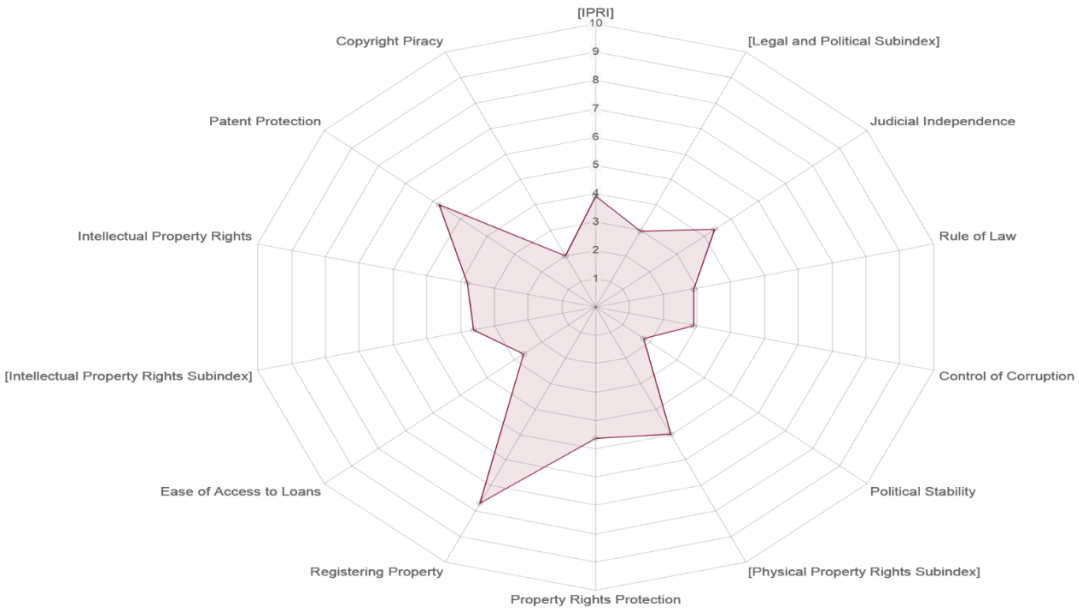
[9]Nigerian Trademarks, Patents and Designs Registry domiciles at the Commercial Law Department of the Federal Ministry of Industry, Trade and Investment. It registers and administers Trade Marks on products towards raising the profile of Intellectual Property protection in Nigeria

IP Filings (Resident + Abroad, Including Regional) and Economy				
Year	Patent	Trademark	Industrial Design	GDP (Constant 2011 US$)
2008				708.22
2009				757.33
2010				816.7
2011	81	20,953	801	856.62
2012	52	17,445	639	893.28
2013	64	20,987	1,045	941.46
2014				1,000.87
2015				1,027.42
2016				1,010.80
2017				1,019.04



On the other hand, recent statistics show a decrease in Nigeria's IPRI protection outcome by -0.02 to 3.923 ranking it overall 23rdout of 26 in Africa and 109th out of 125 in the world. The country's sub-index on Intellectual Property Rights decreased by -0.10 to 3.795 scoring 3.601 in Intellectual Property Protection positioning it 22nd in Africa and 116th in the world; 5.783 in Patent Protection placing it 10thin Africa and 79th in the world; and 2 in Copyright Protection placing it 6thin Africa and 86th in the world (IPRI, 2018).

Nigeria - IPRI Overall Score



Nigeria -Intellectual Property Rights

Statistic	Score	Global	Region	Year
Overall	3.795	109	23	2018
Protection of Intellectual Property Rights	3.601	116	22	2018
Patent Protection	5.783	79	10	2018
Copyright Piracy	2	86	6	2018

Source: International Property Rights Index, 2018.

No doubt, Nigeria is a recognised member of various economic and commercial international organisations like the World Trade Organization (WTO) and the World Intellectual Property Organization (WIPO), as well as appends its signature to couple of intellectual property rights' international agreements and treaties, nevertheless a great number of these agreements are yet to be domesticated into the local laws. This, however, has not affected the consciousness of Nigerian intellectual property owners towards the protection of their works nor understanding of the need to register and protect overseas intellectual property rights Nigeria. Worthy of note is that there exists the allowance for foreign businesses to separately register and protect their intellectual property in Nigeria. Foreign businesses are not forbidden from exercising intellectual property rights in Nigeria, and such protection can be obtained directly or through national subsidiary company or through a home-based partner.

Obtaining separate protection for IP in Nigeria validates national safety for the business because initial protection is limited and valid only within the original foreign territory of the business; prevents such business from imitators, violators and other intellectual thieves; and averts the danger of eliminating genuine IP owners from their businesses where pirates and counterfeiters may have got the IP registered before the real owners. This answers the applied question that arises on how the rights in a work are determined in a country other than its

country of production. Since international intellectual property law making requires the application of treaty regimes and the other tools of public international law, this helps in creating an international predictability in the state-by-state definition and enforcement of private rights. Similarly, the developing internationalization of intellectual goods and services has occasioned a progressively elaborate network of treaty relations amongst nations, and these treaties have equally established an expectedly structure in ensuring that foreign intellectual property owners will be fairly and equitably treated in terms of local intellectual property standards through mechanisms like 'national treatment' (Larrick, 2008).

Nigeria holds membership of and is a signatory to a few of these international statues namely, the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS), the Paris Convention for the Protection of Intellectual Property, the Patent Cooperation Treaty (PCT), the Berne Convention and the World Intellectual Property Organisation (WIPO) (Mordi and Okonmah, 2016). As noted earlier, majority of Nigeria's local laws on intellectual property protection are yet to wholly develop, advance and make even with international changes and advancements. Currently, the *Nigerian Copyright Act (Amended) 1999; Design and Patent Act 1970; and Trademark Act 1965* represent the core local act or statues giving legality to the protection of intellectual property in Nigeria (Ibenegbu, 2017).

The Nigerian Copyright Act (Amended) 1999 validates the prevention of reproducing of another person's artistic or literary work. The Act gives exclusive copyrights to original author of an intellectual work like book, poem, software, paintings, films, and music. Design and Patent Act of 1970 gives legal backing for industrial designs and patents claims ensuring that a design applied to a certain product planned to be manufactured as well as the exclusive rights given for an invention are protected. Trademark Act of 1965 ensures that companies that are not original owners of registered trademarks, even similar or identical trademarks, are prevented to use them (Ibenegbu, 2017).

Locally, civil prosecution or lawsuit is the convectional form of enforcement of intellectual property rights in Nigeria. Administrative mechanism and approaches through a few essential administrative bodies are now employed towards enforcing IP rights. The institutions include the Standards Organisation of Nigeria (SON), National Agency for Food and Drug Administration and Control (NAFDAC), Nigeria Copyright Commission (NCC), the Nigeria Customs Service, among other special administrative procedures (Mordi and Okonmah, 2016).

4.1 Conclusion and Recommendations

The study has analysed the concern for the respect and protection of products of the human intellect, innovation and creativity that are by and large illegally violated. In achieving this, the study has been able to give conceptual and historical analyses of keywords in intellectual property protection, rights and law as well as copyright protection and statutory. This effort solves some misinterpretation especially the differences in the understanding of words like intellectual property and industrial property. It further investigates the workings of intellectual property viz, the legality of intellectual property, the challenges to intellectual property, the enforcement of intellectual property rights, and the challenges face in the application, implementation and administration of intellectual property rights.

The study adequately utilizes its chosen research methodology in the areas of data collection sources and data analysis method. It chooses the secondary data collection source and analyses all collected data through qualitative analysis method. The result is the unambiguous explanation presented in this paper.

The study, conclusively, presents intellectual property as legal rights of the creator, especially as adopted and enforced by the various international and national legal documents that are binding on all signatories and affiliates. It therefore becomes imperative for all concerned stakeholders to recommend and develop more effective methods and procedures to facilitate adequate understanding of the workings of intellectual property in Nigeria, thereby assisting in its protection against all forms of violation.

The study further recommends that the war against the violation of intellectual property will be furthered strengthened and sustained through the involvement and participation of all stakeholders in the publishing and other creative industry as well as the Nigerian government in various projects and activities to engage the conscience of Nigerians towards understanding the risk and danger in the abuse of other people's intellectual and creative works, especially as it affect the general development of the country.

References

Acquah, D. O. (2017). *Intellectual property, developing countries and the law and policy of the European Union: towards postcolonial control of development.* Helsinki: IPR University Center.

Adedapo, AA and Adedapo, AP, 2014. *Scholarly Publishing in Nigerian Universities: The Ibadan University Press Experience* [online] Available at: http://www.culturaldiplomacy.org/academy/content/pdf/participant-papers/2014-biec/Adeolu_Alex_Adedapo_and__Anne_Pauline_Adedapo_-_Scholarly_Publishing_in_Nigerian_Universities-_The_Ibadan_University_Press_Experience.pdf

Adolf, H. (2001). *Trade-related aspects of intellectual property rights and developing countries*. The Developing Economies, XXXIX-1 (March 2001): pp. 49–84

Amusan, A.O. and Olanisimi, D. (2011). *Academic Journal Publishing in Nigeria: Issues, Challenges and Prospects.* Academic Leadership: The Online Journal*:* Volume 9, Issue 2, Article 3. [Online] Available at: https://scholars.fhsu.edu/alj/vol9/iss2/3

Bainbridge, D.I. (2009). *Intellectual Property (7th Ed*.) Essex: Pearson Education Limited.

Charmasson, H. and Buchaca, J. (2008). *Patents, copyrights & trademarks for dummies. (2nd Ed.).* Indiana: Wiley Publishing, Inc.

Colston, C. (1999). *Principles of Intellectual Property Law.* London: Cavendish Publishing Limited

Cornish, W., Llewelyn, G. I. D., & Aplin, T. F. (2013). *Intellectual Property: Patents, Copyright, Trade Marks and Allied Rights*. (8th ed.) Sweet & Maxwell

Copyright Act (Cap. 68, Laws of the Federation of Nigeria, 1990 as amended by the Copyright Amendment Decree No. 98 of 1992 and the Copyright (Amendment) Decree 1999)

Dowie-Whybrow, M. (2011). *Core Statutes on Intellectual Property (3rd edition).* London: Palgrave Macmillan

Blakeney, M. (2003). *Enforcement Handbook.* Brussels: EC.

Ehmke, C. and Williams, J. (2004). *Intellectual Property: Obtaining Patents, Trademarks, and Copyrights.* West Lafayette, IN: Agricultural Innovation and Commercialization Center

Ganslandt, M. (2007). *Intellectual Property Rights and Competition Policy*. IFN Working Paper No. 726, 2008. (Online) Available at: http://citeseerx.ist.psu.edu/viewdoc/download?doi=10.1.1.469.1865&rep=rep1&type=pdf

Harms, L.T.C. (2012). *The enforcement of intellectual property rights: A case book (3rd Ed.).* Geneva: World Intellectual Property Organization (WIPO)

Ibenegbu, G. (2017). *Intellectual Property Law in Nigeria* (Online) Available at: https://www.legit.ng/1092394-intellectual-property-law-nigeria.html

IPRI. (2018). *International Property Rights Index – Nigeria.* Available at: https://www.internationalpropertyrightsindex.org/country/nigeria

Jones, H. and Benson, C. (2006). *Publishing law. (3rd Ed.).* London and New York: Routledge Taylor & Francis Group

Kenneth, T.A. (2013), "Legal issues in print and publishing in Nigeria", International Journal of Development and Sustainability, Vol. 2 No. 4, pp. 2368-2382. Available at: https://isdsnet.com/ijds-v2n4-14.pdf

Larrick, A. (2008). *Resource Guide for Researching Intellectual Property Law in an International Context.* Available at: http://library.law.columbia.edu/guides/International_Intellectual_Property

Lowe, C. (2006). *A guide to copyright and intellectual property law*. Brighton: Straightforward Publishing.

Masnick, M. (2008). *If Intellectual Property Is Neither Intellectual, Nor Property, What Is It?* Available at: https://www.techdirt.com/articles/20080306/003240458/if-intellectual-property-is-neither-intellectual-property-what-is-it.shtml

Mordi, M. and Okonmah, N.(2008). 'Nigeria' in RL Baechtold (ed) *The Intellectual Property Review* (5th edition). London: Law Business Research Ltd

Morgan, C. (2006). *Intellectual Property Rights and Book Publishing* [Online] Available at: https://www.accu.or.jp/appreb/10copyr/pdf_ws0601/c2_3.pdf

NLIP WATCH. (2013). *Does the Punishment Fit the Crime? A look at IP Laws in Nigeria.* [Online] Available at: nlipw.com/punishment-fit-crime-look-ip-laws-nigeria/

Oyewunmi, A. O. (2015). *Nigerian law of intellectual property*. Lagos: University of Lagos Press and Bookshop Ltd.

Poltorak, A. & Lerner, P. (2002). Essentials of Intellectual Property. New York: J. Wiley & Sons

Seeber, M. and Balkwill, R. (2008). *Managing Intellectual Property in the Book Publishing Industry: A Business-oriented Information Booklet.* World Intellectual Property Organization (WIPO): Volume 868, Issue 868. [Online] Available at: http://www.wipo.int/edocs/pubdocs/en/copyright/868/wipo_pub_868.pdf

Stim, R. (2007). *Patent, Copyright & Trademark (9th edition).* Berkeley, CA: Nolo

Tarquini, B. (2018). *P65027: International Rights Management lecture slides.* Available at: https://moodle.brookes.ac.uk/course/view.php?id=32890

The Law Dictionary (2018). *Three Challenges for Intellectual Property Law Today.* (Online). Available at: https://thelawdictionary.org/article/three-challenges-intellectual-property-law-today/

WIPO. (2004). *WIPO Intellectual property handbook (2nd Ed.).* Geneva: World Intellectual Property Organization (WIPO)

WIPO. (2018). *Statistical Country Profiles – Nigeria.*[Online] Available at: https://www.wipo.int/ipstats/en/statistics/country_profile/profile.jsp?code=NG