

**SAFEGUARDING AUTHOR'S COPYRIGHT
ON INTERNET-BASED CREATIVE WORKS IN NIGERIA: CHALLENGES AND PROSPECTS**

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ABSTRACT

This paper focuses on the challenges and prospects of safeguarding copyright on Internet-based creative works in Nigeria. It observes that the advent of the Internet has posed a new form of challenge to copyright implementation. The paper, therefore, contends that to meet this challenge, a change of strategy that will address the peculiarities of the Internet is called for if Nigeria would live above board in copyright implementation in the Internet-permeated world. To this end, the nation would require to put in place a holistic legal framework and an implementation mechanism that would capture the particular demands of Internet-based creative works. She should as well ensure adequate mass education to carry everybody along in the new era of online copyright implementation. All these will be geared toward better realising copyright protection in the face of the "Internet challenge".

Key words: Internet-based creative work, Author's Copyright, copyright protection.

INTRODUCTION

The right of an author of a creative work to exclusively control its reproduction, circulation, distribution, adaptation and other related dealings is what is covered by the law of copyright. Nwogu (2014, p.24) sees copyright as "an intangible, incorporeal property, which guarantees the owner the exclusive right to deal with his/her work within a stipulated time as provided under the law." *The Black's Law Dictionary* (quoted in Faga and Ole, 2011) gives its definition of copyright as:

The right of literary property as recognized and sanctioned by positive law. An intangible incorporeal right granted by statute to the author or originator of certain literary or artistic productions whereby he is vested for a limited period, with the sole and exclusive privilege of multiplying copies of the same and publishing and selling them.

Doing anything that negates an author's copyright is what constitutes copyright infringement. Thus, unauthorised reproduction, duplication for commercial purpose, distribution, sale, and exhibition in public would amount to infringement of an author's copyright (Nwogu, 2014). This is what is also known as piracy; a practice that has become rife the world over with Nigeria ranked among countries where piracy is prevalent; 82% in 2007, 83% in 2008, 83% in 2009, 82% in 2011 and 83% in 2012 (Nwogu, 2014).

Controlling piracy in Nigeria is both a cultural, moral and economic imperative. On the economic front, the statistics are compelling. Nigeria's copyright-based industries contribute up to 1.2 trillion naira (US\$ 7.5 billion) each year to the economy, and they have the potential to contribute between 5 and 10 percent of the nation's annual GDP. Therefore, if the full potential of the nation's creative industries is to be realised and if the citizens are to reap the benefits that proceed from these, "we need to create an environment in which the rights of creators are respected – an environment with zero tolerance for piracy" (Ihenven, 2013, p.1).

Against this backdrop, this paper focuses on the challenges and prospects of safeguarding copyright on Internet-based creative works. This subject is important for two major reasons. First, the Internet has become a common and influential medium for expressing creative works in our electronic technology-permeated world. Secondly, the Internet as a bearer of creative works raises some new questions and challenges vis-a-vis safeguarding author's copyright (Karaganis, 2013; Ihenvenm 2013).

AN OVERVIEW OF COPYRIGHT SITUATION IN NIGERIA

Copyright infringement has become a formidable canker eating deep into the fabric of the Nigeria's creative industries, ranging from the book sector to entertainment industry. This situation has constituted a special challenge to makers of creative works and other stakeholders as evident in the following submission of Ezekude (2012, p.3):

In spite of ... (its) enormous growth potential, widespread piracy is undermining the growth of Nigeria's creative sector. Right owners who have invested enormous energy, time and money in producing sound recordings, films, books and computer programs suffer huge losses in revenue. As a consequence, creators of genuine copyright-protected products are discouraged from setting up their operations in the country. The government loses much-needed tax revenue to fund public services, and the country as a whole loses out on its ability to attract foreign direct investment, and to harness opportunities for technology transfer.

In view of these multi-faceted problems posed to the nation by copyright infringements, Ketefe (2015) rightly observes that it is an important responsibility of the state to ensure that the intellectual products of her population is not hindered by the untoward activities of pirates. He however laments what he terms an "apparent lackadaisical attitude" of the government and her agencies towards confronting the anomaly.

Whether one agrees with Ketefe on his verdict on the Nigeria's government response to copyright infringements or not, what most stakeholders seem to agree on is that piracy has become a very disturbing phenomenon which ought to be dealt with if creative industries in the country are to survive and afford the nation their full economic and cultural benefits. It is against this backdrop that one begins to appreciate the imperative of paying attention to copyright control in relation to online-based creative works.

COPYRIGHT AND THE INTERNET

The advent of the Internet, as earlier stated, creates some peculiar questions and challenges in the sphere of safeguarding the copyright of authors of creative works. This reality is hinged on the nature of the Internet which tends to challenge and circumvent in a number of ways the conventional mechanisms for copyright protection, monitoring and enforcement (Nwogu, 2013; Ihenven, 2013; Karaganis, 2013; Standeford, 2015). Ihenven (2013) expresses this phenomenon as follows:

In the electronic age, digital transfer of information through the Internet has simply become increasingly seamless. This exposes most copyright works particularly with entertainment value such as musical works, movies etc to frequent copyright violation. Upon the digitalisation of works, they are reduced to a series of zeros and ones. In this format, the network of computers forming the Internet can easily copy or duplicate copyright works without affecting the audio-visual quality of such works. In zero time, the digital works can be distributed to any location in the world. Each of these copies can in turn be easily downloaded by the receiver at a zero or near zero cost depending on certain factors.

Thus, the Internet becomes prone to copyright infringement because of a number of factors originating from the very nature of the web. These factors include the anonymity factor, the factor of the complex agency chain and the jurisdiction factor.

- **The Anonymity Factor:** The Internet provides anonymity cover to users such that anyone can do anything without necessarily being identified. Thus, the social risks of Internet anonymity in terms of exposing the society to possible value crisis and insecurity have equally been noted (Dreyfus, 1998; Armstrong & Forde, 2003; Longe *et al.*, 2007; Adeniran, 2008; Mayer, 2009; and Davenport, 2012). Naturally, these risks do not exclude copyright infringement. Unlike with other media of expression of creative works such as book, tape, disc, etc, the Internet offers copyright infringers a wide leverage for veiling their identities, thus potentially evading being caught up with by the law.
- **The Factor of the Complex Agency Chain**
There is also the question of the complexity of the agency in Internet copyright infringement. Thus, it could be difficult to determine and impede the agency of online copyright violation. This is notwithstanding whether such agency is anonymous or not because the agency, many a time, exists in a complex chain, involving multiple users engaged in a web of interaction and sharing. Where then does one begin to identify who started the violation and who continues with it? Karaganis (2013, p. 5) expresses this sentiment in the following words:

And so we face a dilemma. When we download a movie we infringe. But we can also infringe when we forward an e-mail or repost a funny picture to Facebook or upload a video of kids dancing to a pop song. We are safe as paying consumers of our rich audiovisual culture but not as active users of it — and we are all active users now.

Thus, there is a spiralling incident of infringements involving interconnected users located in various geographical locations. This creates a serious technical complexity for anyone intending to confront online piracy.

- **The Jurisdiction Challenge:** Since the Internet transcends national boundaries, there is the challenge of legal jurisdiction. An infringing copy of a Nigerian work posted online in the United States would be read in Nigeria, but the legal jurisdiction to deal with such violation naturally and

primarily belongs to the United States, thus limiting Nigeria's capability to act in such a case. Svantesson (2004, p.50) raises this question of transnational jurisdiction vis-à-vis the Internet:

Imagine a state proclaiming that it will claim jurisdiction over, and apply its laws to, any website that can be accessed from a computer located in its territory. The response would perhaps be outrage from some. Others would point to the ineffective nature of such a rule, and yet others would perhaps view the model as infeasible.

Thus, while a country may make laws related to copyright, the Internet could hinder her capacity to enforce such laws because such laws could be violated from national boundaries within which the legislating nation has no primary jurisdiction.

The above factors underlie the challenge which the Internet represents vis-a-vis copyright protection. The recent and well celebrated *Napster Case* brought to the limelight the dimension copyright infringement has taken on the Internet today. Napster operates servers that allow its users to locate and copy mp3-format digitalised music files for free. In this case, record label owners brought an action against the company for contributory and vicarious infringement of copyright. The Napster system enables web surfers to make information stored on their hard drives available to other people in the Napster community. Napster users are able to swap sound recordings in the form of MP3 files, which are small compression format files that can be easily transmitted over the Internet. To facilitate this, Napster provides its user with fully-integrated technological infrastructure, including a hub of computer servers to which users connect.

This is a continually-updated database of links to millions of media files; and software to facilitate the rapid and efficient identification, copying and distribution of those files. All of these services are at zero cost to the user. This system has been described as one of the numerous new, Internet-based services that form a new generation peer-to-peer computing, facilitating the sharing of books, music and videos etc that have turned the web into a giant free media exchange.

The United States district court for the North District of California on March 6th 2001 gave music-swapping Napster Inc 72 hours to block song titles that the recording industry identifies as copyrighted work. The court in an action brought by record labels and artistes said that the recording industry must provide Napster with notice of copyrighted sound recordings by listing title, name of artiste, name of file available on Napster containing the work, and certification that the plaintiff owns the copyright. Once Napster receives "reasonable knowledge" from the recording labels, it has three business working days to prevent such files from being included in the Napster index, thereby preventing access to identified files (Ihenven, 2013).

Though the above is a US case, Nigeria is by no means immune from such experiences as the Internet becomes increasingly part of the people's culture. Ketefe (2015, p.3) cites the spectacular case of Internet-based piracy on a Nigerian film:

Another case we may all remember is the callous piracy of Tunde Kelani's highly innovative film, *Arugba*, which was criminally reproduced only a few days after release! The scoundrels even went to the extent of uploading the film on the video-sharing website, YouTube, on the internet before the owners of that facility, Google, were contacted and they promptly put it down.

In fact, Internet-based copyright infringement is becoming a canker which is spreading with the Internet; the more the Internet technology becomes part of the people's life, the more online piracy is becoming part of their life's experience. For instance, Google was reported to have received about 130,000 requests per week to remove links to infringing content in July 2011. By December 2012, it was getting 2.5 million such requests per week. And in January 2012, "hundreds of thousands of users of the cloud-storage service

Megaupload lost their files when the Department of Justice shut the site down for hosting infringing materials” (Karaganis, 2013, p.11).

COPYRIGHT AND INTERNET-BASED WORKS IN NIGERIA: CONFRONTING THE CHALLENGE

The imperative of rising to the challenge of copyright protection in our Internet-permeated world should not be lost on Nigeria. First, Nigeria has become largely integrated in the global Internet culture. The International Telecommunications Union (ITU) has it that between 2000 and 2011, Internet users in Nigeria grew from 200, 000 to 45,039,711 amounting to 0.1% and 26.5% of the population respectively. With this, the country has been named among the top 20 countries on the Internet. Nigeria is ranked 11th (by Internet World Stat) immediately after France which stands at 10th position with 50.29 million users (Amaefule, 2012). All this is a vivid testimony to the vibrant Internet culture already existing and growing in the country; and sadly, it is also an indication of how much exposed the nation is becoming to online-based piracy.

Second, Nigeria has a high stake in ensuring the survival of her creative industries which have emerged as a formidable sub-sector in her economic set-up. Thus, Ihenven (2013, p.4) observes:

Particularly from a Nigerian perspective, there is no doubt that today Nigeria boasts of some of the most entertaining stars in the world. With the Nigerian film industry, popularly known as “Nollywood” being rated second biggest in the world after Indian’s Bollywood, there is no gainsaying the fact that copyright infringement on the Internet poses a great threat to the survival and sustained growth of the industry.

Here, we shall identify three broad issues which Nigeria ought to address as a way of successfully dealing with the challenges posed by safeguarding copyright of authors of Internet-based creative works. These are: the need for a holistic legal framework, the need for a stronger mechanism of enforcement and the need for public enlightenment. These issues will now be examined one after the other.

he Need for a Holistic Legal Framework

The current framework of copyright law as anchored on the Nigerian Copyright Act (CAP C28 Laws of the Federation of Nigeria 2004) has been noted to be inadequate in terms of taking care of Internet-based works and digitally expressed works in general. Thus, Oga & Ole (2011, p.211) observe that the Nigerian Copyright Act accommodates certain “inadequacies which account for” its “inability to accord adequate protection to digital inventions in the country.” The authors state that the Act is “skeletal nature... with respect to the rights of innovators of digital technology” and accommodates “other shrewd and manifests ambiguities and contradictions” that hinder protection of digitally based works. It is therefore the opinion of the writers that these and other factors have made it “impossible for our Copyright Act to live up to its mandate.”

More advanced nations such as the United States of America have taken legislative steps to arrest the challenges posed by the Internet technology to copyright implementation. In 1998, the US Congress enacted the Digital Millennium Copyright Act in this regard. According to Jacobs (2011, p.3),

The Digital Millennium Copyright Act of 1998 sought to address some of these concerns by punishing circumventions of technologies controlling access to copyrighted works (17 U.S.C. § 1201) and by protecting “copyright management information,” i.e. the data identifying the author and the terms of use of a copyrighted work (17 U.S.C. § 1202).

However, it appears Nigeria is now waking up to this reality with the Nigerian Copyright Commission (NCC) having prepared a draft bill to amend the existing Copyright Act with the view to updating it in line with the demands of the present realities. The bill has been vetted by stakeholders and is expected to be laid before the National Assembly in 2016 (Standeford, 2015). Like the US Digital Millennium Act, the bill outlaws

“circumvention of technological protection measures and alteration or falsification of electronic rights management information” and “contains provisions for issuing and carrying out take-down notices for infringing material, and for suspending the accounts of repeat infringers. It addresses internet service provider liability for copyright breaches and permits blocking of access to content in some cases” (Standeford, 2015, p.5).

Thus, section 44 of the draft bill reads:

(1) Subject to sections 20-23, no person shall circumvent a technological protection measure that effectively protects a work under this Act. (2) No person shall manufacture, import, sell, offer to the public, provide, or otherwise traffic in any technology, product, service, device, or part thereof, that— (a) is primarily designed or produced for the purpose of circumventing or is capable of circumventing protection afforded by a technological measure that effectively protects a work under this Act; or (b) has only limited commercially significant purpose or use other than to circumvent protection afforded by a technological measure that effectively protects a work under this Act. (3) As used in this section— (a) —Circumvent a technological protection measure means avoiding, bypassing, removing, deactivating, decrypting or otherwise impairing a technological measure. (b) a technological measure effectively protects a work under this Act if the measure, in the ordinary course of its operation, prevents, restricts, or otherwise limits access to the work.

The essence of the foregoing provision is to prevent people circumventing security measures aimed at protecting digitally based works. Thus, it will amount to an offence, for instance, to hack a website for the purpose of infringing copyright of a work on such website or to produce, import or sell any software or device capable of being used to perform such hack.

Also, section 45 of the bill empowers a person to institute a civil suit in relation with any circumvention of technological protection and the Court may issue order for damages, injunction, etc as may be necessary to address the wrong. There is also a provision for criminal punishment as per subsections 3, 4 and 5 of section 45:

Any person who, in the course of business, makes or imports into Nigeria a technology or device for circumvention of a technological protection measure, knowing that it is likely to be so used is guilty of an offence and liable on conviction to a fine not exceeding N1,000,000.00 or imprisonment for a term not exceeding five years or to both such fine and imprisonment. (4) Any person who, in the course of business, sells, distributes, lets for hire, offers or exposes for sale or hire, a technology or device for circumvention of a technological protection measure, knowing that it is likely to be so used is guilty of an offence and liable on conviction to a fine not exceeding N500, 000. 00 or imprisonment for a term not exceeding three years or to both such fine and imprisonment. (5) Any person who, in the course of business, provides a service to another knowing that the service is to enable or assist that other person to circumvent a technological protection measure is guilty of an offence and liable on conviction to a fine not exceeding N200,000.00 or imprisonment for a term not exceeding two years or to both such fine and imprisonment.

Section 47 of the bill empowers an owner of copyright whose copyright has been infringed on a web site to issue a notice to the relevant Internet service provider (ISP) requesting that the service provider take down or disable access or link to such infringing content as hosted on its systems or networks. Section 48 mandates

the service provider to remove such content or link after making the necessary enquiry as provided in the bill and within a given period of time. Then section 49 provides for suspension of Internet accounts of repeated infringers; in other words, a service provider is expected to suspend an account if it is notified for a second time that the account has engaged in copyright infringement. For example, if a service provider receives a notice that a particular website has illegally published a poetry work, it shall send a warning to such website. If after this warning, another complaint is brought up against this website, the service provider will be expected by law to suspend the account of the web site.

The above provisions of the draft copyright bill which is expected to be laid before the National Assembly in 2016 are in line with the measures already taken by countries like the United States as a way of addressing the challenge of online-based copyright infringement. Hopefully, this bill, when finally passed into law, would make up for the inadequacies of the current Act, this way helping the Nigeria's quest for a more holistic copyright law.

The Need for a Stronger Mechanism of Enforcement

While having a holistic legal framework is very fundamental, putting in place a strong mechanism for enforcing the law is no less vital if Nigeria would realise her dream of effectively protecting copyright of authors of Internet-based creative works. In this regard, Ketefe (2015) contends that the nation's intellectual property law and enforcement mechanism is very lax which allows copyright infringers to be going on with their unscrupulous trade with little or nothing to fear. He laments that enforcement has become so much ineffective that even our ivory towers have become a den of copyright abuses where charlatans continue to pirate theses and easily earning academic awards with them.

Equally lamenting the lax mechanism of copyright law implementation in Nigeria, Ketefe (2015, p.2), indicts the authorities:

The rate of piracy in the land is so pandemic that some musicians and filmmakers have even stopped releasing albums and films with regularity dictated by their star status, preferring instead live performances tinged with occasional waxing of records. The police and other law enforcement agents have all the data on locales where gross violations of IP rights are carried on daily. Alaba market in Lagos is the putative capital of the West African piracy market, while the Onitsha market in Anambra State boasts of multibillion naira piracy industry, yet the marauders are allowed to operate with reckless abandon. We only hear of occasional raids that are few and far between instead of purposeful, well-coordinated and sustained campaigns that would rout the pirates and put them out of business for good.

The Director-General of the Nigerian Copyright Commission (NCC), Ezekude (2012, p.3) list factors that militate against adequate implementation of copyright regime in Nigeria to include "a slow judicial system, poor cooperation in some quarters of the creative sector and inadequate funding of regulatory agencies, including the Nigerian Copyright Commission (NCC)." All these factors need to be considered for Nigeria to rise above her present performance in copyright enforcement.

However, for any copyright law implementation strategy to be successful in this Internet era, it has to be such that will be able to deal with the peculiarities of Internet-based piracy. And one way of achieving this is to ensure that the implementing body is adequately equipped with the skilled human resources for this battle as observed by Nwogu (2014, p.31):

However, to check the above method of piracy which is global and very vast, the NCC officials must be ICT compliant. The commission should train their officers on ICT, so as to use their expertise to curb piracy on the net. Most of the NCC officials are not computer literate. Each of them should have a functional

computer connected to the global network, the Internet, so as to go through the Internet from time to time detecting infringers.

In addition, there is the need for putting in place the requisite technology and other technical support for efficient monitoring of copyright in online environment. For instance, in 2013, the United States launched “a copyright-alert system that enlists U.S. Internet-service providers in identifying, warning, and punishing alleged online infringers” (Karaganis, 2013). No doubt, such technology would be of immense benefit to Nigeria in her quest to implement the sections 47, 48 and 49 of the proposed Copyright Act amendment which require service providers to suspend erring websites.

The Need for Public Enlightenment

Whatever legal framework and its implementation mechanism put in place would still not achieve their full potential if the public among whom the law is to be implemented remain ignorant of it. The following submission of Nwogu (2014, p.30) underscores the place of public enlightenment in the fight against piracy in Nigeria:

Culture is the way of life of the people within a given community. Culture of the people is a strong factor/challenge militating against the enforcement of anti-piracy measures, because the way and manner people behave affect their lives and will definitely determine the extent of the behavior of NCC officials who are on anti-piracy raids. For example, in the hinter-lands where the people patronize and are used to buying pirated copies of works at reduced prices, it will definitely be difficult to convince them about the negative impact of piracy and carry out raids.

However, it is Ojukwu, Onyiuke & Esimone (2015, p.379) who give a more detailed insight into the role of such enlightenment and how the society can go about it:

It seems that the best strategy so far to be adopted in respect to curbing the menace of piracy in Nigeria is through massive morality education which will be geared towards promoting change of attitude in the citizens from childhood to adulthood. Nigerians should be made to understand that piracy is an offence and that no one has the moral justification to indulge in it. This can be achieved through the following agencies: home (parents to children), government (formal school, workshops, seminars, organizations, and public enlightenment), and other advisory channels. The fight would have to start from the grassroots of the society; the family. Parents need to teach their children that it is morally wrong to download music illicitly or purchase pirated works. The children have to grow up with this notion. Intellectual property education content should be incorporated in the civic education and social studies curriculum right from the primary level to the secondary level of Nigerian education system... Copyright clubs should be created in schools to “provide students with bite-size bits of information at a time on copyright and dangers of infringement, so that they feel concerned with copyright issues” (Sylvie, 2008).

There is little doubt that such mass education would go a long way in assisting the task of copyright law enforcers in Nigeria for better performance. More so, when such education is concentrated on the young people who constitute the bulk of Internet users in the country, implementing copyright law in relation to online-based works would be boosted.

THEORETICAL FRAMEWORK

The technological determinism theory helps us to conceive the subject of this work from a theoretical viewpoint. This is “a reductionist theory that presumes that a society’s technology drives the development of its social structure and cultural values.” It has been “defined as an approach that identifies technology, or technological advances, as the central elements in processes of social change” (Croteau and Oynes, 2003).

The term is believed to have been coined by Thorstein Veblen (1857-1929) an America sociologist. The most radical technological determinist in America in the twentieth century was most likely Clarence Ayres who was a follower of Veblen and John Dewey.

Strict adherents to technological determinism do not believe the influence of technology differs based in how much a technology is or can be used. They see technology as the basis for all human activity instead of considering technology as part of a large spectrum of human activities.

The theory of technological determinism has been applied to the study of the nature of law and how law operates in the society. It has been employed in understanding how certain laws change, become moribund or even more relevant and more effective (Depoorter, 2009). Commenting on how changes in technology affect copyright law, Depoorter (2009, p.1831) says:

Technological change is characterized by a high rate of innovation and an inherently unpredictable outcome. The unpredictable path of innovation is demonstrated best by the many examples in which the social and economic impacts of a revolutionary technology were unforeseen, even by their own creators... Because innovation is rapid and unpredictable, the adaptation of copyright law lags far behind the introduction of new technological advancements.

Four central factors contribute to the lag that occurs when copyright law responds to a new technology. First, the creation of new legal rules takes time. Lawmaking is a complex process that involves various procedural safeguards and many different institutions and actors. While innovation can also be the result of a long, elaborate, and planned process, many innovative breakthroughs are spontaneous and quick, such as the invention of the Post-it Note, which was accidentally created by a researcher attempting to develop a durable bonding Especially in the age of digital technology, where the distribution of innovative products does not necessarily require elaborate planning and financial investment, the gap widens between the application of innovation and the consolidation of its copyright legal status (Depoorter, 2009).

Second, the dynamic and unpredictable nature of technological innovation makes it difficult for lawmakers to predict or anticipate forthcoming inventions. In other words, it is difficult to reduce delay by writing copyright laws to anticipate coming trends, especially since past innovations are not always reliable indicators of what is to come. This fact complicates efforts to reduce legal delay by acting proactively. Third, the unpredictability of innovation necessitates the deployment of open-ended standards in copyright law. While such rules reduce error costs and enable copyright decision makers to be more flexible, these open-ended standards increase the amount of decision making at the judicial level, which further contributes to legal delay (Depoorter, 2009).

Thus, the change in technology as represented by the Internet presents a formidable challenge to copyright law. For some commentators, it questions the continued relevance of copyright law in human society, while for others, it merely calls for a stronger legal control of copyright. Depoorter (2009, p.1833) captures this discourse:

Two paradigms exist to analyze the existential crisis facing copyright law: the political-economy model and the technological paradigm. In the political-

economy model, the death of copyright law is caused by legislative and judicial capture by copyright owners, which negates the original, true meaning of copyright law. The technological paradigm argues that digital technology has rendered copyright law hopelessly obsolete or, from the entertainment industry's viewpoint, dangerously ineffective. Commentators argue that "digital copyright" requires a type of governance different from the historical straitjacket of copyright law. Interested parties disagree on the appropriate direction of copyright law: namely, does new technology require a stronger legal hold on copyrighted content or does digital technology present an opportunity to release cultural goods from the shackles of copyright law?

However, if we must accept that ensuring the survival of the creative industry is a worthwhile objective in our society, we must equally accept (contrary to the views of those arguing that the Internet has rendered copyright law irrelevant) that copyright law is still a very important goal to be pursued in our society. Consequently, we would adopt the less extreme view as held by those scholars who maintain that the advent of the Internet, rather than renders copyright law irrelevant, only calls for a change of strategy and intensification of effort in copyright control.

CONCLUSION

Ketefe (2015, p.3) argues that for "our nation to progress, we must strengthen our enforcement mechanisms of intellectual property law to ensure the originators reap their due rewards." This is the basic philosophical underpinning of the argument so far made in this paper. The Internet poses a peculiar challenge to our existing copyright regulatory mechanism. Therefore, to meet this challenge, a change of strategy that will address these peculiarities is called for if Nigeria would live above board in copyright administration in the Internet-permeated world. This paper argues that the nation would require to put in place a holistic legal framework and an implementation mechanism that would capture the peculiar demands of Internet-based creative works, as well as ensure adequate mass education to carry everybody along in the new era of online copyright implementation.

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