

**Nigerian
Copyright
Commission**



PROGRAMMES, ACHIEVEMENTS AND CHALLENGES OF THE NIGERIAN COPYRIGHT COMMISSION *in* 2014



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Table of Contents

1. INTRODUCTION	3
1.1 VISION.....	3
1.2 MISSION STATEMENT	3
1.3 STRATEGIES.....	3
2. POLICY INITIATIVE	3
3. ACHIEVEMENTS/ PROGRESS MADE IN YEAR 2014.....	4
4. CHALLENGES.....	15
Human Challenges.....	15
Economic	15
Fiscal	15
Infrastructure	16
Enforcement.....	16
Prosecution.....	16
5. CONCLUSION.....	16



1. INTRODUCTION

The Nigerian Copyright Commission (NCC) was established in August 1989 as the Nigerian Copyright Council by the Copyright Decree No.47 of 1988 now codified as **Copyright Act (CAP. C28 Laws of the Federation of Nigeria 2004)**. Sequel to the copyright amendments of 1992 and 1999, the statutory mandate of the Commission was expanded to include the administration, enforcement, protection, promotion and regulation of copyright in Nigeria.

1.1 VISION

To harness the potentials of creativity for national development

1.2 MISSION STATEMENT

To advance the growth of the creative industry in Nigeria through the dissemination of Copyright knowledge, efficient administration and protection of rights.

1.3 STRATEGIES

- Strengthen the policy and legislative framework for a more effective Copyright protection
- Increase the level of Copyright awareness
- Promote effective and proactive enforcement of rights
- Strengthen human resource and institutional capacity for better service delivery
- Maintain a policy of strategic engagement with stakeholders

2. POLICY INITIATIVE

Beginning from year 2012, the Commission adopted **a Medium Term Corporate Plan and Strategy (MTCPS, 2012-2014)**, which it developed in line with the thinking of the new management of the Commission. The MTCPS document, which outlines a three-year



roadmap for the Commission, identified ten (10) sub-goals that will set the Commission on the path to achieving its vision and mission.

These are:

- Improving the Policy and Legislative Framework for Copyright Protection
- Enhancing Copyright Awareness and Education
- Promoting Effective Rights Management and Regulation of Copyright Industries
- Proactive Enforcement Interventions
- Strengthening Prosecutorial Activities
- Strengthening Human and Institutional Capacity for Better Service Delivery
- Deepening Strategic Engagement with Stakeholders
- Expanding International Cooperation
- Strong Public Private Partnership
- Enhancing the Funding Profile of the Commission

3. ACHIEVEMENTS/ PROGRESS MADE IN YEAR 2014

The Commission in 2014 planned and executed strategic programmes which resulted in the achievements highlighted hereunder.

S/N	STRATEGIC GOAL	ACHIEVEMENTS/ PROGRESS MADE
1.	Proactive Enforcement Interventions	<p>i) Conduct of ninety five (95) anti-piracy surveillances by the operatives of the Commission in piracy endemic locations across the country.</p> <p>ii) Carrying out of thirty eight (38) strategic anti-piracy operations against book, software, broadcast and audio-visual piracy in different piracy hotbeds across Nigeria, including Alaba International Market, Ajegunle, Oshodi, Mushin and Ijora in Lagos; Abuja Federal Capital Territory and environs; Ariara Market Aba; Onitsha; Kano; Kaduna; Warri</p>



and Benin City; Uyo; Calabar; Gboko and Makurdi; and so on.

iii) Arrest of seventy two (72) suspected pirates

iv) Removal of three hundred and twenty three thousand, eight hundred and sixty (323,860) quantities of assorted pirated copyright works, comprising of books, software, DVDs, CDs, MP3 and contrivances from different piracy outlets and seaports across Nigeria with estimated market value of **three hundred and eight million, eight hundred and nineteen thousand, six hundred Naira (N308,819,600.00).**

v) Confiscation of a total of three (3) containers of pirated books, musical and film works of local and foreign titles at different seaports in Lagos in collaboration with the Nigerian Customs Service.

vi) Periodic compliance checks on approved Collective Management Organizations (CMOs) and optical disc manufacturing plants to guard against possible abuse.

vii) Attraction of more investments in the copyright-based industries as a result of the good enforcement regime thereby creating employment and reducing poverty.

viii) Enhanced protection for foreign copyright works and other legitimate copyright-based investments of foreign companies in Nigeria.



		<p>ix) Favourable perception of Nigeria in the global fight against piracy</p>
2.	<p>Enhanced Prosecutorial Activities</p>	<p>i) Filed 17 new charges against suspected copyright pirates at the various Federal High Court jurisdictions across the country.</p> <p>ii) Secured 9 criminal convictions against copyright offenders across various genres of copyright works at different Federal High Court jurisdictions in Nigeria.</p> <p>iii) Research, compilation and publication of resource materials as practice notes such as “Selected Copyright Cases of the Nigerian Copyright Commission”.</p>
3	<p>Strengthening Human and Institutional Capacity for Better Service Delivery</p>	<p>i) Deepened the investigative skills of forty five (45) staff members on transnational and organized Intellectual Property (IP) crimes through their enrollment and participation in the Online International IP Crime Investigators College (IIPCIC), co-organized by INTERPOL and UL University.</p> <p>ii) Upscaled the investigative, intelligence gathering and enforcement skills of nine (9) staff of the Commission by their participation in a-four-day training on Intellectual Property Theft Enforcement organized by the Government of United States of America in Accra, Ghana from February 10 -14, 2014.</p> <p>iii) The Commission, during the year, explored new opportunities to build its human and institutional capacities. To this end, the Commission initiated</p>



		<p>correspondence with the National Planning Commission (NPC), the International Federation of Phonographic Industries (IFPI), Korean International Cooperation Agency (KOICA), and the United States Government under the Trade and Investment Framework agreement (TIFA), through collaborative proposals. Consequent on these efforts, the Commission’s staff will soon begin to benefit from capacity building opportunities within the framework of the NPC and foreign governments/ International Development Agency collaborations.</p> <p>iv) The Governing Board of the Nigerian Copyright Commission was inaugurated in Abuja by the Honourable Attorney-General of the Federation and Minister of Justice, Mr. Mohammed Bello Adoke, SAN on 10th July, 2014 to supervise the activities of the Commission.</p> <p>v) Boosted the skills of one hundred and fifty (150) staff of the Commission on copyright enforcement in the digital environment through a Capacity Building Training on Digital Literacy Programme organized by Google Nigeria Global Services in Abuja from 8th to 10th December, 2014. The training was fallout from the sustained and strengthened collaboration between the Commission and Google Nigeria.</p>
4	<p>Enhancing Copyright Awareness and Education</p>	<p>i) The Commission in March, 2014 organized an anti-book-piracy stakeholder sensitization meeting in Makurdi, Benue State.</p> <p>ii) Publication and dissemination of information materials such as, “<i>Survey of Public Perception of</i></p>



the Nigerian Copyright Commission”; and *“Selected Copyright Cases of the Nigerian Copyright Commission”*, as well as pamphlets and leaflets on copyright.

iii) Developed a website tagged Creative Kids Club, which is a virtual copyright Club created by the Commission to encourage our children to engage more in creative activity.

iv) The Commission hosted students of the Federal University of Technology, Minna, who were on a study visit to the Commission and the students were enlightened on the subject of copyright. In addition, a Copyright Lecture was organized by the Commission at Baze University, Abuja.

v) Copyright Sensitization Workshop was organized by the Commission in selected secondary schools in Abuja, namely Baptist High School, Deo-Gratis Secondary School, Kingsville School and so on. The students were exposed to the rudiments of copyright and were given a handbook published by the Commission entitled "Copyright at Glance".

vi) The Commission intensified its advocacy visits to the prints and electronics media houses in Abuja. The visits covered The Guardian, Punch, Vanguard, Daily Trust, Thisday, Daily Sun, Champion, Blueprint, Nigerian Pilot newspapers, Channels Television and Nigerian Television Authority. As a result of its efforts in engaging the media, the Commission enjoyed sustained media presence through consistent reportage of its activities within



the year. In addition, the Commission's activities received media attention so much so that Aljazeera, an international news agency, featured activities of the Commission in its media coverage in the month of April, 2014.

vii) The Commission in collaboration with the National Action Committee on Read Campaign of the Federal Ministry of Education and the International Community School (ICS) Abuja organized a Copyright Sensitization Programme on April 23, 2014 for secondary schools in Abuja in commemoration of the 2014 World Book and Copyright Day, as well as a centenary of Nigeria's literary achievements. The event which was attended **by over 1500 students**, was designed to encourage the students to discover the pleasure of reading, stimulate their creativity, increase their understanding of Copyright and instill in them respect for the copyright of others. The Commission's commemoration of the World Book and Copyright day generated both local and international interest which resulted in the Commission being featured on Aljazeera, an international news agency and NTA Dateline

viii) Similarly, the Commission participated in the UNESCO organized World Book and Copyright Day celebration in Port Harcourt, Rivers State on 23rd April, 2014. The highpoint of the celebration was the designation by UNESCO of Port Harcourt, Rivers State, as the World book capital for the year 2014.

ix) The Commission organized a copyright sensitization



		<p>lecture at the Nigerian Law School Bwari, Abuja and subsequently opened correspondence with six other campuses of the law school across the federation, for the dissemination of copyright knowledge. The Commission also opened correspondence with the Nigerian Law Schools campuses with a view to securing the inclusion of Copyright Law and Administration in the school's orientation programme.</p> <p>x) Copyright awareness training was organized by the Commission for officers of Entertainment and Creative Services Department, a newly created Department in the Federal Ministry of Tourism, Culture and National Orientation.</p> <p>xi) The Commission disseminated anti-piracy information through outdoor media by erecting billboards with anti-piracy message in strategic locations in Lagos and Port Harcourt</p>
5	<p>Promoting Effective Rights Management and Regulation of Copyright Industries</p>	<p>i) A total of 1,243 Copyright Notification acknowledgements were issued under the Copyright Notification Scheme within the year under review.</p> <p>ii) The Nigerian electronic Copyright Registration System (NeCRS) was developed by the Commission and launched via a public presentation on 25th July, 2014. The platform effectively became operational in August, 2014 and is running side by side with the paper based Copyright Notification Scheme. The NeCRS, which is first of its kind in Africa, provides an online platform for copyright registration by the copyright owners from across the world interested in</p>



registering their work in Nigeria. In addition, in-house training was organized for staff of the Commission on the use of the e-copyright registration platform within the year.

iii) The Commission in collaboration with the National Broadcasting Commission (NBC) facilitated the settlement of historic dispute between the Copyright Society of Nigeria (COSON) and the broadcast industry in Nigeria over payment of royalty by broadcasting organisation on the music content members of the organisation uses in their broadcast. Consequently, a Memorandum of Understanding (MOU) on music copyright royalty agreement was signed between COSON and the entire broadcasting industry in Nigeria at Eko Hotels, Lagos on 21st May, 2014. The event brought to an end the prolonged disagreement between the music and broadcast industries in Nigeria spanning over 30 years which culminated in a major crisis in the last quarter of 2013, when Broadcasting Organisation of Nigeria (BON) and Independent .Broadcasting Association of Nigeria (IBAN), announced the suspension of the broadcast of the music of nearly all the best known members of COSON on radio and TV stations across Nigeria.

iv) A new Collective Management Organization (CMO), Audio-Visual Rights Society (AVRS), was approved for the audiovisual industry. The official public presentation of the certificate of approval to the Society took place on 20th November, 2014 in Abuja. This brings the number of approved CMOs in Nigeria to three (3), namely: Copyright Society of Nigeria for



		<p>music and sound recordings; and Reproduction Rights society of Nigeria for literary works.</p> <p>v) Oversight activities were carried out on an Optical Disc Replicating Plant (Corart Ventures Ltd) in the period under review.</p>
6	<p>Improving the Policy and Legislative Framework for Copyright Protection</p>	<p>i) The Commission, in the period under review, continued to participate actively in inter-agency committee assignments such as, Committee on Transition from Analogue to Digital Terrestrial Broadcasting and Committee on Reform of Investment Laws and Policies with Federal Ministry of Industry, Trade & Investment (FMIT&I), Department for International Development (DFID) and J4A.</p> <p>ii) The Commission has continued to maintain a desk at the One-Stop-Investment-Centre of the Nigerian Investment Promotion Council (NIPC).</p> <p>iii) As part of the efforts to fulfill our international obligation in the area of copyright to ensure that our teaming creative talents fully benefit from the global copyright system, the Commission is championing a process to ratify some strategic copyright treaty Nigeria is signatory to, namely:</p> <ul style="list-style-type: none"> i. WIPO Copyright Treaty; ii. WIPO Performances and Phonogram Treaty; iii. Beijing Treaty on Audio-visual Performances; and iv. Marrakesh Treaty on exceptions and



		<p>limitations for the blind, visually impaired or otherwise print disabled persons</p> <p>iv) The Commission, in the period under review, participated in an interactive session organized by the National Institute for Legislative Studies (NILS), to discuss and strategize on ways to improve existing Nigerian laws and come up with a timeline for a wholesome reform.</p>
7	<p>Deepening Strategic Engagement with Stakeholders</p>	<p>i) The Commission participated in some Stakeholders' organized events in the period under review such as the Christian Booksellers Association of Nigeria Book Fair, Google Nigeria Event; Nigerian Stock Exchange event ; launch of "New DVD Replicating and Mastering Facilities and Job Management Alert System (JAMS)" by Transverse Technologies; 2014 edition of Africa Magic Viewers' Choice Awards (AMVCA) organised by MultiChoice and M-Net Africa; Enterprises Solution Forum organized by Abuja Enterprises Agency; and so on.</p> <p>ii) The Commission held meetings with Book Sellers Association, Akwa Ibom State in May, 2014, wherein stakeholders were enlightened on copyright issues and dangers of piracy.</p> <p>iii) A Meeting was held with Bible Society of Nigeria and Literamed Book Publishers in May, 2014 in Lagos. The outcome of the meeting was a pledge by the Bible Society of Nigeria (BSN) and Literamed Book Publishers to be supportive to the Commission in its Enforcement Activities.</p> <p>iv) A meeting was held with Nigerian Publishers</p>



		<p>Association (NPA) in May, 2014 in Ibadan. At the meeting, NPA appreciated the Commission's commitment towards combating piracy in the country and promised to be supportive.</p> <p>v) The Commission supported and actively participated in the 2014 National Creativity Week organized by the Federal Ministry of Tourism, Culture and National Orientation and the United Nations Conference on Trade and Development (UNCTAD).</p> <p>vi) The Commission held an interactive session with Academic Institutions in Yola on book piracy within the month under review.</p>
8	<p>Expanding International Cooperation</p>	<p>i) The Commission actively participated in a series of preparatory meetings for the 8th TIFA Council meeting and also participated in the main council meeting of 8th TIFA Council in Washington DC, held on 10th-11th March, 2014.</p> <p>ii) The Commission has maintained its Relationship with the UK-IPO with exchange of correspondence, particularly in the area of challenges faced by the Commission on enforcement and prosecution. The Commission also actively engaged with the World Intellectual Property Organisation(WIPO), the Switzerland-based UN agency responsible for global administration and promotion of intellectual property, with a view to securing Nigeria's interest in the ongoing norm setting and binding international instrument in the area of copyright.</p> <p>iii) The Commission has continued to follow up on its collaborative proposals with various international</p>



		<p>organizations such as Google Nigeria, International Federation of Phonographic Industries (IFPI), Korean International Cooperation Agency (KOICA), Australian Awards Fellowship and World Bank (GEMS) project, with a view to strengthening its strategic international cooperation.</p>
9	<p>Enhancing the funding profile of the Commission</p>	<p>i) All books of account for the financial year 2014 were successfully closed.</p> <p>ii) Verification, Documentation and update of the Assets register and submission of updated Assets Register as at 31st December, 2014, was accomplished within the year.</p> <p>iii) Audit report on verification of revenue and expenditure prepared and submitted, as required, within the period under review.</p>

4. CHALLENGES

The challenges of the Nigerian Copyright Commission are as follows:

Human Challenges

- Alignment of individual goals with institutional goals

Economic

- Mainstreaming Intellectual Property (IP) including copyright, into economic development agenda of government

Fiscal

- Increasing cost of overhead, operations, etc.
- Serious gap between requirements and appropriation



- Low level of funding
- Developing and funding awareness programmes for different segment of the Nigerian populace to make them understand the negative effect of piracy on our economy

Infrastructure

- Acquisition of standalone Head Office building
- Communication facilities

Enforcement

- Inadequate information and intelligence to support enforcement
- Development of effective regional, inter-regional and international collaboration with relevant agencies/organizations to effectively check the incidence of piracy across national boundaries.

Prosecution

- Non co-operation of complainants
- Dearth of interpreters in cases involving non-English speaking foreign nationals
- Rising cost of prosecution
- Slow pace of the judicial system
- Limited knowledge of copyright by judicial officers

5. CONCLUSION

The execution of the Commission's statutory mandate in the year 2014, has been challenging and fruitful. The Commission will continue to do everything possible within its power to ensure that the copyright system in Nigeria is significantly scaled up to provide good returns on investments to creators of copyright works and other investors in the copyright-based industries and contribute substantially to the growth of our economy.

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