NAME: AMAKU FAITH INIABASSEY.

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ANSWER

The legal issue is whether John has copywrite of his work. The answer is affirmative and I will be answering it with case and status of law. By virtue of section 1 and 2 of the copyright Act, the work(sound recording ) meet the requirement of copyright .

Which the requirement are:

1.Originality ,2, Fixation 3.Qualification of an author .

Originality means that the works should have originated from an author ,the work expression of the idea must be a result of the author intellectual creation , labor and judgement of the author.

Fixation , a copyright work will not be eligble if the work has not been be fixed.

Qualification of the author . for a person to be qualifaction for copyright protection under Nigerian law , there must be a connection between the author and Nigeria.

According to the scencerio above, John was a student of ABUAD in which the student of a nigerian school ,that means john work passes the requirement of copyright protection cause it passes qualification of author according to section 2 of copyright act and that is because he is domicile of the author, and the first publication was in Nigeria by virtue of his sound recording as seen in section 3 ,therefore john work is an orginal work cause he didn’t copy the novel,he only drew inspiration from the novel.

Therefore , John can sue Ope for infringement of his copyright work because he has copyright in his work, and ope publish and reproduce john work without his consent .

In conclusion , John action for infringement will be successful cause he has economic right over his work and he will given conversion for remedies and then he can also have criminal liability of his work .