NAME: OJINIKA SANDRA

MATRIC N0.: 16/LAW01/156

COURSE NAME: INTELLECTUAL PROPERTY

COURSE CODE: LPB 406

 TEST

Issues

1.)The issue is wether he can sue Ope on the grounds of infringement under the copyrighted law in Nigeria.

2.)if he is domicile in Nigeria

3.)Wether he is entitled to copyright protection in Nigeria.

 John will have the capacity to sue Ope even if he didn’t register or made it available to the public, as every author has a right over his or her work as copyright power is for the author, the moment the work or rather copyright becomes more than an idea like fixed in a medium of expression, no registration is required or even payment before he can enjoy his right as seen in Art 5.2 Berne Convention, the enjoyment and exercise of these rights shall not be subjected to any formality in the case oh Microsoft v. Frankie it requires a certificate that his country is a signatory

 Johns work is Eligible for copyright protection under , originality: does not mean new new ness but for the fact that he has Ade his own addition it is his work for example when someone translates a book

Fixiation he has the right to protect his expression of idea

Reference to country of origin of work, here John will be seen as a domicile of Nigeria and will have a right over his work

 His work is a sound recording found under s7 of the copyright act

John can sue under infringement