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The  issues of determination

1 Whether the novel will be eligible for copyright

2.whether he is entitled to copyright protection in Nigeria as a ghanian

3.whether it passes the requirement of originality

4.whether john can sue ope for copyright infringement

PRINCIPLE OF LAW

Copinger and skone james defined copyright as one main branches of Ip law which gives the owner the exclusive right to authorise or prohibit certain use of his work by others.copyright is an exlusive right given to the originator for a fixed number of years to print,publish,record literary,artistic,or musical material.copyright seeks to protect the novel and not the storyline itself.However copyright is not a right that encompasses on everything. in reference to the scenerio,will the work be eligible for copyright?

According to section 1(1) of the copyright act,the works eligible for copyright are:literary works,artisticworks,musical works,cinematograhph films,sound recording and broadcast.focusing on literary works,in the case of University london press V University tutorial press literary works can be defined as a work that is expressed in print or writing. the important question is whether the work meets the requirement of copyright.This is provided for in section 1(2) of the CA These requirementa are originality,fixation and qualification of the author. it has been defined in section 51 as the fixation of a sequence of sound capable of perceived,orally and may be reproduced.Originality is a very essential reqirement it does not mean that the work has to be new or novelty as a result from inventive activity.it will bw considered to be original where wheree sufficient time and skills has been expended on the workby the author.originality therefore means that the work must have originated from the author.It is however limited to literery works,musical and artistic work.Fixation is anoher requirement by virtue of section1(2) literary musical or artistic work would only be eligible if it has been fixed in a medium of expression that it can be perceived,reproduced or otherwisae communicated and through fixcation.

before a person can have a copyright protection under the nigerian law, there must be a connection between the author and nigeria in respect to whether he is a nigerian or is just domiciled here.the place of first publicationand by virtue of international agreement therefore where the author is a nigerian or domiciled here.such work will be eligible for copyright.

john work passes the requirement of originality and he is entitled to copyright under the nigerian law on the grounf that he is domiciled in nigeria and for the fact that his work is eligible and copyright is a property right by nature,and can sue ope on the ground of infringement.it is irrevelant because it is puyblished because copyright requires no registration.

coclusion

He is entitled to damages