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The first legal issue is whether the Ghanaian had protection under the Nigerian Copyright Act. The second legal issue for determination is whether the plaintiff was entitled to damages.

The requirement for copyright protection in Nigeria is primarily there must be a nexus between the Author and Nigeria, this could be in respect of Nationality, or domicile of the author which means that he is supposed to be a citizen of Nigeria or permanently resides in Nigeria which can be seen in Section 25-27 of the constitution. Also the place of first publication is important, but if it is seen in the place of first publication can also be considered, reference to international agreements or government works can be proved it would be protected. Which can be found in Section 4 and 5 of the Copyright Act respectively. Ghana is a member of the ECOWAS which Nigeria is also a member of so he would be protected under the Copyright Act,

In relation to this John's case, He would be granted Copyright protection in Nigeria because it is supported in Section 5 of the Copyright Act that whether a country arises as a part member of an International organisation, he would be granted access in a member states country, or If he can prove to be a domicile of Nigeria, Also Ope's defence of unoriginality would be debunked if he can prove that he applied creativity, ingenuity, skill and originality in the expression of his work. *University of London Press V University of Tutorial Press*, states that Copyright seeks to protect the expression of an idea and not an idea in itself, if he can prove that he was original and creative, and put in work into the creation of an idea he would be protected under the Nigerian Copyright law, and Ope can be sued for infringement to recover damages or order an injunction from further publication of his work or both.