

CHAPTER ONE

THE PLACE OF COPYRIGHT LAW IN BOOK PUBLICATION FOR LIBRARY USE

Prof. EMMANUEL Amos Umana, *FNIM, FCI Arb, FCIMC, CFE (USA)*
Vice Chancellor,
Obong University, Obong Ntak,
Akwa Ibom State

AND

Daniel Etim THOMAS, ESQ
Department of Property Law
Faculty of Law
University of Nigeria
Enugu Campus

ABSTRACT

The sole aim of this study was to identify the place of copyright law in book publication for library use, and it was identified that book publication has become an essential attribute of modern information, with copyright remaining the most significant part of it. The aim of copyright law is to guarantee an author's monopoly right of control and ownership of the published material. Publishing is also undertaken by governments, civil societies, and private companies for administrative or compliance requirements, business, research, advocacy, or public interest objectives. In the work it was summarized that the aim and place of copyright law in book publication for library use has been in place for nearly 200 years. Book publication has become an essential attribute of modern information. One of the recommendations made in the paper was that literary industries should create more awareness among the general public about the negative implications of piracy (plagiarism).

KEYWORDS: Copyright Law, Book Publication, Library Use

INTRODUCTION

The truth remains that of all the intellectual property rights relevant to the book publishing industry, copyright remains the most significant. The publisher does this by virtue of a contract in which the author either assigns copyright to the publisher or gives the publisher an exclusive or non-exclusive license. It is generally said that necessity is the mother of invention. In the case of intellectual property, the invention becomes the mother of necessity. According to Hess and Ostrom (2011), in ancient periods, wise people, sages, and seers used to give important ideas and philosophy to the people completely free, apart from their calling, and they never expected any remuneration for that. As ages emerged, there was a need to protect the content of the information gotten either from content creators, publishers, producers, or even distributors' rights to information. On that notion, there was a need for copyright laws.

Copyright was not created to restrict information. The main aim of copyright laws is to guarantee an author a monopoly right to control, for a specific period, the use made of his or her own work, including the sale to the publisher. It also helps to guarantee a publisher a monopoly right to print and sell a work within national boundaries for a specific period (WIPO, 2020).

Financial reports that compensation is best promoted using copyright law to help boost authors' royalties and reward their creative work. Copyright law promotes the growth of a country's art and science, as well as, indirectly, its economy. Various kinds of books for library use were put in place after the books were cross-checked and discovered that there was no form of plagiarism found in the author's works. This is checked as a result of the effectiveness of copyright laws. In the past, there were various conventions and laws for the protection of relevant and neighboring rights that were signed to develop international uniform rules for safeguarding the rights of owners of copyrights. The right and use of the author's literary and artistic works such as books (especially for the library) and other writings, musical compositions, painting, sculpture, computer programs, and films are protected by copyright for a minimum period of years within and after the death of the author. Therefore, the place of copyright law in book publication for use in libraries, homes, institutions, etc. is "absolute protection" of the author's information against piracy. For the author's information to have absolute protection courtesy of copyright law, it literary and intellectual property have to undergo three stages which are to meet the standard; then the copyright law whose top aim is to protect the author's information would work on standards, enforcement and dispute settlement.

THE CONCEPT OF COPYRIGHT LAW

Copyright laws differ between countries and can prevent appropriate payments from being made if one country's law requires the borrower to pay and another country's law requires the leader to pay (Global Resource Sharing 2012). The sole aim of copyright law is to see that the information from the author is in line with the certificate of the authenticity and reliability of the information published or printed as books for use in the libraries.

HISTORICAL DEVELOPMENT OF COPYRIGHT LAW

Geoffrey (2003) explains that the history of copyright law is largely the history of the western development of copyright law. In many eastern nations, there was no need to copy because the government controlled all printing until the late 1800s. Moreover, there was a general lack of interest in economic rewards for literary works. This was because of socio-cultural reasons stemming from the confusion in the value system, which tends to devalue the materialistic compensation of the literati. Most eastern nations began to develop copyright laws late in the 19th century as a result of contracts with the United States and other western unions.

The history of western copyright law is largely that of England and the United States. From the printing of the Gutenberg Bible in 1456 to the statues of Anne in 1710, there was no law protecting the rights of authors. In fact, as in other European and Eastern nations, laws regarding printing in England were most often passed by the crown to control access to printing and to control its contents. Only those with royal licenses were permitted to print. If the printed works displease the crown, then they

find their licenses terminated and are then subject to punishment. By 1700, the licensing scheme had fallen into disarray and the printers, or stationers, as they were known, found that the abundance of printing presses was leading to increased piracy. They pleaded the case of authors and their own predicament to convince Parliament to pass the Statute of Anne, the first copyright law. The law states that the rights belong to the authors and to printers and book sellers that have received the right to print for the authors. Thus, recognizing the essentiality of the commercial nature of the printing industry, whereas the authors created the work, it was the printers that were able to commercially exploit the work. For the printers to succeed, they had to be protected from unauthorized reproduction. They released the first edition to the public. This established a pattern for the expansion of copyright law. As new kinds of work were invested in or became commercially viable, the interested parties lobbied their government for protection. The more commercially important, the more likely the work or right will be protected. This trend is evident from the statutes of Anne to the world intellectual property organization (WIPO) copy right treaty and its provisions on distribution and protection for internet providers. According to WIPO (2020), for nearly 200 years after the statutes of Anne, most nations protected only the works of their own citizens, but works for neighboring nations were often printed at will, and the copyright owners had no recourse. In 1886, the Berne convention for the protection of Literary and Artistic Works marked the first significant agreement among a group of nations that they should protect copyright access borders. Even as late as the 1950's, the United States did not protect rights in works by nationals unless there was a specific trade treaty with the nation or unless the nation was from the Western Hemisphere and was a member of the only significant multinational copyright treaty the United States had signed, the Buenos Aires Convention in 1910. Only when the United States joined the Universal Copyright Convention (UCC) in 1995 did Congress abandon the requirement that all English-language versions of books be sold in the United States.

CONCEPT OF BOOK PUBLICATION

Publishing is the activity of making information, literature, music, software, and other content available in the library or to the public for sale or for free (Alison 2020). Traditionally, the term refers to the distribution of printed works, such as books, newspapers, and magazines. With the advent of digital information systems, the scope has expanded to include electronic publishing such as e-book academic journals, micro publishing, web sites, blogs, video game publishing, and the like. Publishing a book may provide private, club, commons or public goods and may be conducted as a commercial, public, social or community activity. The commercial publishing industry ranges from large multinational conglomerates such as Bertelsmann, RELX, Pearson, and Thomson Reuters to thousands of small independents. It is divided into several divisions, including trade and retail fiction and nonfiction publishing, educational publishing, and academic and scientific publishing. Publishing is also undertaken by governments, civil societies, and private companies for administrative or compliance requirements, business, research, advocacy, or public interest objectives. This can include annual reports, research reports, market research, policy briefings, and technical reports. Self-publication of books has become very common. However, "publisher" can refer to a publishing company or organization, or an individual who needs a publishing company, in print periodical or newspaper for use in libraries. Books, publisher's works of literature or scholarship, are a term defined by UNESCO for statistical purposes as non-periodical printed publications with at least 49 pages excluding covers. We can also

define a book as a number of pieces of paper, usually with words printed on them, which are fastened together and fixed inside a cover made of stronger paper or cardboard. Books contain information, stories, or poetry. On that notion, the publication of a book or magazine is the act of printing and sending it to libraries, shops, or bookstores for it to be sold (HarperCollins, 2020).

THE LIBRARY CONCEPT

This is a building or room containing a collection of books (authentic), periodicals, and sometimes films and recorded music for use or borrowing by the public or members of an institution (ALA 2019). According to the librarian's book of lists, George Eberhart defines a library as a collection of resources in a variety of formats that are organized by information professionals or other experts by information professionals or other experts who provide comment on physical, digital, bibliographic, or intellectual access and offer targeted services and programs with the mission and goal of stimulating individual learning and advancing society as a whole (Golden, 2020). The library is a fortress of knowledge. A library is also a place where books and other sources of information are stored. They make it easier for people to get access to them for various purposes. The Online Dictionary of Library and Information Science (ODLIS) defines a library from its roots; a library from the Latin word "Liber" meaning "book". In Greek and the Roman languages, the corresponding term is "bibliotheca" (Ejiroghene, 2019). The library is categorized into two headings, namely;

- a) The analog and
- b) The digital library

The analog library is the one that contains physical books printed and published in paper to form voluminous books. It does not need an electronic effort to access it as chapters and pages are opened and accessed by the library patron who needs information for use or research. Here, books written by different authors are seen being stalked on the rails for use. A digital library, which is also known as an online library, an internet library, an e-library, a digital reposition, or a digital collection, is an online database of digital objects that can include text, still images, auto video, digital documents, or other digital media formats, or a library accessible through the internet. Objects can consist of digitalized content like prints or photographs, as well as originally produced digital content like word processor files or addition to storing content. Digital libraries provide a means of organizing, searching, and retrieving the content contained in their collections. It varies immensely in size and scope and can be maintained by individuals or organizations. The digital content is stored locally or accessed remotely via computer networks. This system helps to exchange information with each other through interoperability and sustainability. A library makes use of two classification systems, which are the Dewey Decimal System and the Library of Congress (Golden, 2020). This is to help make provision for all fields of knowledge and covers other divisions. Any book used in the library has undergone a series of checks by the board of trustees in line with the copy right law of the country. This is to help check against plagiarism.

ORGANIZATION OF THE LIBRARY

There are three main sections in the library; these are the lunch section, the reference section, and the serials. The reference helps to locate information very fast. At the reference library, you will find summaries for research purposes. Books allocated to the reference section have very authentic features and arteries that have withstood the laid down statutes regarding copyright laws. Materials in the library range from ancient to current or up-to-date.

COPYRIGHT LAW AND BOOK PUBLICATION

Book publication has become an essential attribute of the modern information age, which is responsible for issuing books, maps, photographs, and other printed materials. Owing to business environment forces the business thrives in different sizes as determined by their capital outlay and operational modalities. Hive (2020), admonishes that for a book publication to thrive smoothly, there is a need for laws to protect the standard as well as sources to which information is conveyed is stored in the library for use or public use, and this statute is termed "copyright law". According to Allsha, Mohana, Strauba and Tiwanab (2003), although the enforceability of copyright laws is questionable in the boundless economy created by the internet and electronic commerce, legal differences, national culture, and differing value systems make it difficult, if not impossible, to enforce a common set of laws across all countries. Some have suggested that much of the changeable value in the case of information products will be in the certification of authenticity and reliability, not in the content itself. If consumer perceived value is maximized, sustainable increasing economic returns can be generated through self-reinforcing positive network feedback loops that characterize information goods. The Economist, Stanley (2019), has also recommended further exploration of the notion of option value – selecting abilities valued by consumers – associated with digital information products that are vulnerable to copyright infringement. The effectiveness of copyright protection on book publication then depends on potent, reasonably enforceable laws and good economic judgments.

LIBRARY APPLICATION COPYRIGHT LAW

Johanna Olson Alexander (2003) explains that copyright laws protect content creators', producers', and distributors' rights to information and payment for content years. New laws have been created to address digital copyright. The 1998 U.S. Digital Act (DMCA), copyright laws of the US and other countries, and world copyright features, information systems that control and facilitate users' access to copyrighted materials, track usage, and provide payment and licensing authority are called digital rights technologies. This system is often integrated into a publisher's or source's websites.

INTELLECTUAL PROPERTY: LEGAL ASPECTS

Mandel (2010) explains that copyright laws promote creativity in book publications like literature and the arts by affording authors and artists. Lengthy terms of protection against copyright laws protect the expensive elements of a broad range of works, including books, choreography, musical compositions, sound recordings, files, sculptures, architectural works, and computer programs, but do not extend to facts, ideas, or utilitarian aspects of such works. Copyright protection in hers upon the creation of original works of authorship fixed in a tangible medium of expression,

Brendan (2013) says by contrast with patent protection, copyright law employs a relatively high legal threshold for protection and sustainability for a longer duration, but the scope of copyright protection is man-made and less absolute. For most categories of works, copyright owners have the exclusive right to make copies and prepare derivative works during the term of protection. Most continental European nations, and to a lesser extent the United States of America and other nations, protect the attributes and artistic integrity of valuable works through inalienable moral rights. In response to the increased vulnerability of digital works to widespread piracy, the World Intellectual Property Organization (WIPO 2016) noted that copyright treaty requires signatory nations to provide adequate legal protection against the circumstances of copy protection and the removal or alteration of valuable works. Other than patent rights, which are essentially absolute apart from anti-trust limitations, the rights of copyright owners are constrained by the fair use doctrine, which permits limited use of protected works for criticism, news reporting, teaching, scholarship, and research.

CONCEPT OF BOOK PIRACY (PLAGIARISM)

Book piracy is the illegal and illegitimate reproduction of other people's intellectual property for economic reasons without prior consent or authorization of another author's language, thoughts, ideas, or expressions in one's own original work, Anderson (2013) admonishes that piracy is a violation of academic integrity and a breach of journalistic ethics. It is subject to sanctions such as penalties, suspensions, expulsion from school or work, substantial fines, and even incarceration. Morality and originality as an ideal emerged in Europe in the 18th century, particularly with the Romantic Movement. AFP (2021) defines plagiarism as being like counterfeiting fraud. It can be punished in a court for prejudices caused by copyright infringement, violation of moral rights, or torts. In academia and industry, it is a serious ethical offense. Some of the causes of book piracy are poverty, book security, ignorance of the copyright laws by the public and the incooperative attitude of some countries in endorsing international treaties on intellectual property rights. Piracy is the most persistent drain on publishing resources and energy. It prevents the growth of the indigenous publishing industry.

COPYRIGHT LAW AND MITIGATION OF PIRACY

Book piracy is becoming a huge problem in Nigeria. It is destroying the thriving publishing industry by depriving legally operating publishers in Nigeria of their rightful claim to intellectual property rights. The repercussions do not stop there. If the government is unable to solve the issue, investors will be discouraged from putting up businesses, which means no government revenue as well. Lisa (2016) cited that in order to find a lasting solution to this problem, government leadership should be serious about implementing the law against piracy. On the other hand, educating people about upholding intellectual property rights as well as making available reasonable-priced original books may help mitigate the problem. Avenues for consulting and interacting with everyone concerned should also be opened. Other ways to stem the tide of the menace that piracy has caused are cost-reduction strategies, national book policy and commissioning of local authorship, awareness and enforcement of copyright laws, revitalization of libraries, section of countries showing complacency towards piracy, special algorithms to detect illegal downloads, security-promoting devices, and moral suasion.

HOW TO SOLVE THE ISSUE OF PIRACY THROUGH THE USE OF COPYRIGHT LAW

According to Menell (2001), it has been discovered that the main reason why book piracy is rampant in Nigeria has been the inadequate and effective enforcement of copyright laws. Despite the fact that Nigeria has in place the relevant legal framework and intellectual property policies, weak enforcement remains one of the greatest hindrances to curbing piracy. Cohen, (2009). The major challenge reported is how to eliminate piracy, and that notion is that prostituted pirates are ingenious and they stay ahead of law enforcement authorities most of the time. Therefore, the solution lies in making the copyright law effective. The government should formulate an effective anti-piracy strategy. And the members of this body should join hands together to reduce piracy, thereby building a thriving legal market place. This will enable the literary business to become more robust, more future-proof, and customers will be treated to a high level of care and quality service that should always be the literary industry's number one priority. The goal should be to protect the creativity and viability of the book industry. Regulation of the relevant legal framework and intellectual property policies must be effective in Nigeria. The government needs to act decisively to reduce corruption and red tape.

SUMMARY

The paper summarized that the aim and place of copyright law in book publication for library use has been in place for nearly 200 years and that book publication has become an essential attribute of modern information. Moreover, that piracy is an illegal and illegitimate reproduction of other people's intellectual property for economic reasons without prior consent or authorization of another author's language, thoughts, ideas, or expressions one's own original work and is a violation of academic integrity and a breach of journalistic ethics. Despite the fact that Nigeria has in place the relevant legal framework and intellectual property policies, weak enforcement remains one of the greatest hindrances to curbing piracy. The solution to curb piracy is by making the copyright law effective. This will enable the literary business to become more robust, more future-proof, and customers will be treated to a high level of care and quality service that should always be the literary industry's number one priority.

RECOMMENDATIONS

1. Literary industries should create more awareness among the general public about the negative implications of piracy (plagiarism).
2. The government should maintain and keep to the standards as well as the source from which information is conveyed and published for public use.
3. For the policy of copyright law to be effective, the government must implement and protect the goal of the law by setting up an effective anti-piracy strategy.

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