

*Full Length Research*

# Copyright Law Compliance among Library Personnel in University Libraries in South-East, Nigeria

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This study investigated copyright law compliance among librarians in university libraries in South-East, Nigeria based on the provisions of the Copyright Act, 2004. The purpose of the study was to find out aspects of library personnel's practices that constitute copyright infringement and determine practices that constitute fair dealing of copyrighted materials. The study adopted the descriptive survey design, and the population of the study comprised all the 227 librarians in the 10 federal and state university libraries in South-East, Nigeria. The instrument for data collection was the questionnaire adapted from the Copyright Act provisions. Data collected were analysed using simple percentages and mean for the research questions while Chi-Square was used to test the null hypotheses. The study revealed that 70.1% of the librarians in the library attest that reproduced copyrighted materials for educational purposes are not destroyed in their library and 53.3% of the librarians indicated that duplication of an information material is allowed in their libraries if there were inadequate funding for acquisition of library materials unfortunately. The null hypotheses tested at 0.05 level of significance showed that copyright law violation practices and the doctrine of fair dealing for copyrighted works in the libraries differ significantly from federal and state owned universities; therefore, the null hypotheses were rejected. The study concludes therefore that the university libraries engage in copyright law violation. The study strongly recommends that the university libraries should engage a copyright expert/librarian who will provide copyright guidance based on the Copyright Act 2004.

**Keywords:** Compliance, Copyright law, Fair dealings, University libraries, Librarians, personnel

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## INTRODUCTION

A university, as an example of an educational institution, is a citadel of learning and a community where students live and study, and the community is usually responsible for the students' academic progress through teaching, learning and research. The usual mission of a university is the creation and dissemination of knowledge to achieve excellence in education, research and innovation (Alemu, 2018).

The quality of library collections and services in the university has a huge role to play in the output of the institution (Nworie, 2018, 2022). This is why libraries are established alongside universities to support the teaching, learning and research (Eze and Uzoigwe, 2013). The American Library Association (2010) defined libraries as collections of

resources in a variety of formats that is organized by information professionals or other experts who provide convenient physical, digital, bibliographic, or intellectual access and offer targeted services and programs with the mission of educating, informing, or entertaining a variety of audiences, and the goal of stimulating individual learning and advancing society as a whole. Libraries attached to higher educational institutions are called academic libraries and amongst academic libraries are the university libraries. University libraries as the academy units of universities support the threshold mandate of universities in fostering teaching, encouraging research and community service. In effort, there should be a relationship between the quality of services at university libraries and the quality of output. According to Eruvwe (2015), university libraries play vital and varied roles in the life of library users to a large extent guiding students and faculty at the reference desk, instructing library research sessions, and developing library collections. It is a truism to say that librarians in all sectors of an academic library wear many hats and provide numerous services to patrons. The library plays a great role in overall development of an individual and nation as a whole and has an important place in universities especially in the field of research. Hence, the need for a trained, qualified and an adequate number of staff are required to run and administer the library, and who would be able to provide effective services based on set guidelines.

A library cannot function well without efficient and qualified personnel. The success of a library largely depends upon the persons who are responsible for the effective use of a good collection of resources in the hands of the users. The role of personnel in a library, for successful organisation and administration cannot be overemphasized just as the need for a library in an academic institution like universities cannot be overemphasized. According to Librarians' registration Council of Nigeria (2014), it is required that university libraries like other academic libraries be staffed with a mix of various categories of library personnel for efficient and effective information service delivery. The personnel in the library are divided into three broad categories, the professional librarians, the paraprofessionals and the support staff. Professional librarians are usually the graduates from the universities who acquire undergraduate or postgraduate degrees in library and information science, who have acquired the knowledge of librarianship both in theory and practice. Usually, they provide leadership in the library administration and their tasks are usually intellectual and require them to use their expertise to exercise independent judgement in problem-solving. They are the managers of the library as an organisation and are also assisted by other para-professional librarians who are in charge of divisions, departments and sections (Ogundipe, 2015). The LRCN (2014) provided that professional librarians should have a minimum of first degree in library and information science or a first degree in another discipline with masters in library and information science. Additionally, they must have certification with the Librarians' Registration Council of Nigeria, evidence of publications of scholarly works and competencies in Information and Communication Technologies. The paraprofessional is the staff who is trained to assist the professional librarian in the discharge of his or her roles, and performing tasks. Usually, they are referred to as library officers and they hold diploma certificates (NCE, OND and HND) in addition to having relevant ICT competencies (LRCN, 2014). The tasks of the paraprofessional staff are not to handle complex aspects of librarianship but they are responsible for service delivery and operations. The library support staff are involved in tasks that may not be directly related to library activities but complementary to the library activities. They include the clerical staff who perform non-library tasks such as finance, system analysis, security, cleaning, accounting amongst others.

According to Reddy and Aswath (2016), libraries are the key intermediaries in providing information to the users, and librarians are the managers to provide different types of information resources through different channels. These information resources that make up library collections are copyrighted works, which are described as the right granted to an individual against reproduction of his intellectual creation or work (Korlety, 2014). In Nigerian jurisprudence, the law that governs copyright is the Copyright Act, Cap 28 Laws of the Federal Republic of Nigeria 2004. Although the law did not expressly define the term copyright, the meaning of the term can be appreciated in the provisions of section 5 of the Copyright Act, which provided that: copyright in a work shall be exclusive right to control the doing in Nigeria any of the following acts, that is- or authorise the doing of any of the acts restricted to the copyright owner.

The Copyright Act recognises six broad categories of works eligible for protection under the copyright law, and they are literary works, musical works, artistic works, cinematography works, sound recordings and broadcasts (section 1(2)). When a work is eligible for protection under the Copyright Act, an author does not require any kind of registration, for copyright to be conferred. Once the work is created and is fixed in a tangible form, the author automatically assumes copyright protection subject to the term of the copyright. Once conferred with copyright in Nigeria, the author of the work would be vested with exclusive rights to do the following; reproduce the work, prepare other works based upon the work (that is derivation work), distribute other copies of the work by sale or other transfer of ownership or by lease, perform the work publicly, display the copyrighted work publicly and authorise others to do all the above (section 10(1). For Reddy and Aswath (2016), copyright is a bundle of rights given to an author by statute and it includes the statutory rights, the economic rights and the moral rights.

Statutory right is an exclusive legal right conferred by the Copyright Act on the original author on the creation of his work which imposes a negative duty on others, prohibiting them from using or getting benefits from the work without the

consent of the prior author. Economic right has to do with the right of the author of an original work, to make profit or enjoy financial benefits in respect of his work. The author can be the copyright owner or he can assign the right to another person, organisations or collecting societies (either fully or partially), to help manage and administer his or her copyright and in turn earn royalty by such assignment. Moral right is an inalienable right that ensures that an author is duly acknowledged whenever his/her work is being used by affixing his or her name in such a manner to show that he is or she is the originator of the work, who has expended intellectual prowess to create the work. This entails that no matter where the economic right lies, the owner of the work still retains his moral rights (Okwilagwe, 2015 and Korlety, 2014). However globally, the issue of intellectual property rights, copyright and plagiarism have gained huge prominences as copyright owners are interested in protecting these categories of rights and willing to seek redress in court for huge amounts of money in damages, especially when it involves established institutions like the university or its library.

The Copyright Act (2004) was enacted to ensure that there is compliance to best practices and standards and thus the need to find out if librarians in university libraries in South-East, Nigeria comply with copyright law provisions. In order to achieve this, unacceptable practices that violate or infringe on the right of author like photocopying, duplication, reproduction, piracy, plagiarism of text amongst others, which are restricted or prohibited by the Copyright Act (2004) should be clearly spelt out in the university libraries to ensure compliance. This is so because globally and domestically, the issue of copyright, plagiarism and intellectual property rights have gained a huge prominence among researchers, authors and the common man, to the extent that one is ready to approach the court for redress or damages when his/her right is being infringed, with prominent individuals and institutions like university libraries as targets. Furthermore, managing rights and protection of users whose treatment of an author's work is with genuineness and with reasonable purpose by identifying uses of copyrighted materials that fall outside the control of the copyright owner (research, private use, criticism or review of current reporting of events) in accordance to the copyright Act (2004) should be spelt out. This should also include statutory defenses for the protection of individuals, institutions and for the benefit of the public.

University libraries like other types of libraries are set up to provide information resources and services to its patrons. It is important to note that a good number may run a risk of negating the whole essence of copyright and intellectual property of encouraging creativity and ingenuity as well as protection of the economic and moral rights of copyright owners if proper precautions are not taken to ensure compliance. Again, non-compliance can lead to drastic consequences of legal actions in court against individuals and institutions like the university libraries if the practice of compliance with the copyright is not observed based on the Copyright Act 2004. Thus, concerted efforts are to be made by librarians in the university libraries to ensure copyright law compliance.

## **Statement of Problem**

Copyright law matters to libraries because it affects issues that are central to everyday library activities and services. This is because the stock-in-trade of libraries is information resources which are subject to copyright law. However, despite the subsistence of the Copyright Act, there seems to be evidence of large-scale violations and infringement of copyrighted works in Nigeria. The library personnel in the university libraries, like other types of libraries, acquire and handle works subject to the copyright law for the satisfaction of users. It is expected that librarians as handlers of copyrighted works in the library do so in line with instant provisions of the copyright law legislation. Copyright law Compliance is beneficial to libraries because it will not be worthwhile to have a university library where unauthorised practices and use of copyrighted materials which may be damaging to the rights of the copyright owners are witnessed because it will stifle creativity, innovation and development. Moreso, copyright law is important to libraries as everyday library activities and services are affected by its provisions and therefore it is expected that the university libraries should have a copyright librarian who has acquired the knowledge to inform and advice other librarians, students and faculty member about copyright polices. The literature on copyright law indicates that copyright law in Nigeria is treated with levity and carelessness in the library as evidenced in the rate which illegal photocopy of library books occur in the libraries without restriction. In this era of information explosion, production of information resources have doubled and most of these resources are copyrighted materials in the university libraries, it is expected that there should be a balance in both protection of the right of the authors, and accessibility of information resources to library patrons. For this balance and other incidentals to be maintained across institutions like university libraries globally, there are internationally treaties and agreements on intellectual property and copyrights like the Berne Convention and World Intellectual Property Organisation (WIPO). It is from these treaties that The Nigerian Copyright Act (2004) was enacted by the National Assembly to regulate copyright in Nigeria vis-a vis, the University libraries. The questions that therefore begs for answer is: Are University Libraries in South-East, Nigeria complying with the Copyright Act (2004) Provisions? It can be presumably stated that university libraries in South-East, Nigeria do not comply with the Copyright Act provisions as observed by the researcher from literature, thus the need for this study.

### **Purpose of the Study**

The purpose of this study was to determine Copyright Law Compliance among librarians in South East, Nigeria based on the Copyright Act, LFN, 2004, Nigeria.

The Specific objectives are to:

1. find out practices that constitute copyright violation in university libraries in South-East, Nigeria based on the Copyright Act Cap C28 L.F.N, 2004.
2. determine what practices that will amount to fair use of copyrighted materials in university libraries in South-East, Nigeria based on the Copyright Act Cap C28 L.F.N, 2004.

### **Research Questions**

The following research questions guided the study

1. What are the practices that constitute copyright violation in university libraries in South-East, Nigeria based on the Copyright Act Cap C28 L.F.N, 2004?
2. What are the practices that will amount to fair use of copyrighted materials in university libraries in South-East, Nigeria based on the Copyright Act Cap C28 L.F.N, 2004.

### **Null Hypotheses**

- 1 The practices that constitute copyright violation will not differ significantly in federal and state owned university libraries in South-East, Nigeria.
- 2 The doctrine of fair dealing for copyrighted materials will not differ significantly in the federal and state owned university libraries in South-East, Nigeria.

### **Significance of the study**

The findings of this study will be beneficial to university management and administrators, Librarians, and various categories of Library users (researchers and students). The findings of this study when deposited in the university library as part of its collections, will expose the copyright compliance practices if any, which every library under study is practicing which will in turn, enable university management and administrators who are the decision making body, to see the need to developing copyright compliance practices in line with the Copyright Act (2004). That will ensure that researchers and authors of original works are protected, yet giving room for fair dealing in handling of materials subject to copyright under their care in the university libraries.

The findings of this study can be presented in conferences for librarians, and it will serve as a guide or manual for librarians to know the best practices in handling copyrighted works in their university library collections, and it will serve as check for compliance and non-compliance practices. The Nigerian Copyright Commission (NCC) who is saddled with the responsibility of managing copyrights in Nigeria will be alerted, when the findings of this work is published, to see the need to formulate achievable rules and regulations that will ensure adequate administration and compliance with the copyright law, which will in turn encourage authors and other copyright owners to have more publications to the benefit of the society.

The result of this study can be presented at conferences and seminars as it would be particularly important to all categories of library users in the area of knowing copyright compliance best practices. They will be fully aware of their rights and also to what extent they are permitted to use copyrighted works in the university libraries which includes understanding the doctrine of fair dealing by balancing the authors' right with the users' right. Finally, this study would be of benefit to the government and its agencies when it is published both in local and international journals, as it will serve as a guide in evaluating the Copyright Act with a view to reviewing it for optimal benefit of all and especially, for university libraries who in one way or the other are involved in creation, use and handling of copyrighted works

## Literature Review

Copyright by definition, is an intangible, incorporeal right granted by statute to the author or originator of certain literary or artistic productions whereby he is invested, for a limited period, with the sole and exclusive privilege of multiplying copies of the same and publishing and selling them. Copyright is a branch of intellectual property right which includes the creations of the human mind, involving the human intellect.

Okwilagwe (2015) asserts that copyright law is based on the assumption that an author is more likely to be motivated to embark on continuous production of intellectual products, if there is the assurance that another individual can claim neither the credit nor the profit economically from the author's efforts, thus the need for compliance with the copyright law.

Generally, compliance means conforming to a rule, such as a specification, policy, standard or law. Therefore, copyright law compliance means obeying and conforming to the terms stipulated in the Copyright Act subject to the exceptions as posited by Adu and Wait (2021). Lewin- Lane (2018) stated that copyright law compliance entails providing awareness, education and consultation to library users, of the extant provisions of the Copyright Act. A person is said to have violated the copyright of an author or owner of copyright if the person does an act or makes an omission not as provided by the copyright law governing the jurisdiction in question and which said action cannot be justified under the provisions of fair use (Nworie, Nworie and Obiano 2019). According to section 15 of the Act, when any person, without the license or authorization of the copyright owner, does or causes any other person to do any of the restricted or prohibited acts in relations to a copyright work, infringement of copyright is said to have occurred. Infringement in this context includes, piracy, plagiarism of text, reproduction, copying with the use of photocopying machines, duplication.

Ajebomogun (2011) pointed out that one of the major ways of violating an author's right is through the means of indiscriminate photocopying of copyrighted resources. This entails making copies of materials that are on sale in the nation or making more copies than required, in cases where copies are allowed to be made. Another form of infringement which forms one of the basis of this research is, where a use is made, of a copyrighted work in an approved educational institution for the educational purposes of that institution, failure to have such work destroyed before the end of the prescribed period, or if there is no prescribed period, before the end of the period of twelve months after it was made (Copyright Act, 2004). Copyright violation reaps an author or owner of a work of the benefits of enjoying the fruits of his or her labour, and Adoki (2002), rightly argues that it is criminal, fraudulent and cheating to do any acts or omission which will deprive an owner of copyrightable work the benefits of his labour and suggests that works of others should not be used without their permission unless the use is within the statutory exceptions provided in the law or the use has been authorized by the copyright owner. In order to promote progress and national development, the terms of the Copyright Act needs to be strictly complied with, subject to the stipulated exceptions of fair use/dealing.

Another form of practice that constitutes copyright violation is academic dishonesty, which an arm of it is plagiarism. Meanwhile, Lambert, Hogan and Barton (2003) defined academic dishonesty as the fraudulent action or attempt by a writer or writers to use unauthorized or unacceptable means in any academic work. Academic dishonesty encompasses a number of vices that negate the idea of honesty, trust, respect, fairness, and responsibility that should be upheld by all educational stakeholders. It is the opposite of academic integrity which involves ensuring that in research, teaching and learning, both staff and students act in an honest way. According to Bretag (2013), academic dishonesty includes a diverse range of unfair practices including plagiarism, cheating in exams or assignments, inappropriate collusion, theft of other students' work, paying a third party for assignments, downloading whole or part of assignments from the Internet, falsification of data, misrepresentation of records, or other actions that undermine the integrity of scholarship. However, we will focus on plagiarism as one the practices that constitute copyright law violation in the libraries. Plagiarism is defined as the use of others' words, ideas, or creative work without appropriate acknowledgement, and does not necessarily imply intentional deceit (Bretag, 2013). Moulton and Robison (2002) is of the view that plagiarism can also be seen as depriving authors of profit and credit that is rightfully theirs, which is a form of theft. Accordingly, Shahabuddin (2009) clearly stated that plagiarism is a misconduct considered to be unethical and immoral regardless of who commits it. It is a serious act of academic dishonesty and a breach of academic integrity in that it detracts from the value of original and honest scholarly work. Plagiarism is one of the most vehemently derided breaches of academic integrity because it undermines the premise that scholarly work will make an original and honest contribution to an existing body of knowledge. The act of plagiarism undermines and affects the inalienable moral right of an author as conferred by The Copyright Act.

However, the doctrine of fair use is an exception to copyright in which a person is permitted by law to do some of the acts 'exclusively' reserved for an author or creator of a work. Fair use doctrine under copyright Act creates exception from copyright control. Fair dealing refers to the treatment of an author's work with genuineness and with reasonable purpose. Babafemi (2007), further states that fair use means that the dealing with the work must be genuine and reasonable. The doctrine of fair use, which has been developed over many years, identifies uses of copyrighted material that fall outside the control of the copyright owner. When an individual makes a copy under the fair dealing doctrine, he

or she is not required to get permission from the copyright owner. The Act in Section 6 in conjunction with the Second Schedule of the Copyright Act, Cap C28, Laws of the Federal Republic of Nigeria 2004, specifically stipulated that acts done by way of fair dealing for the purposes of research, private use, criticism, or review of the reporting of current events are exempted from copyright control.

Invariably, this means that the question of whether there has been an infringement of copyright may not arise in cases where a work is used for the purpose of research, private use, criticism or review or reporting of current events. Onoeyan, Okereke, Ogbuiyi and Bamidele (2014) asserts that fair dealing is a defense available only in respect of the infringement of literary, dramatic, musical and artistic works. He insists that the question of substantiality is relevant because it is one of the principal tests in deciding whether the use of a work in fact constitutes fair dealing so that to photocopy the whole of a large work of copyright cannot be justified on the grounds that the purpose of the publication was for research or private study. The doctrine of fair use, in the legal parlance constitutes what is termed as Statutory Defenses for the protection of individuals, community and for the benefit of the public in general. These defenses are aimed at preventing copyright owners from infringing on the fundamental human rights of citizenry. Under the defense of fair dealing, it is necessary that the work be accompanied by a sufficient acknowledgment.

## METHODS

The research design adopted for this study was the descriptive survey research design. The population of the study comprised of all the 227 librarians in federal and state owned public university libraries in South-East, Nigeria. The federal university libraries are; University of Nigeria Nsukka (UNN) Library (57), Nnamdi Azikiwe University Awka (NAU) library (36), Federal University of Technology Owerri (FUTO) Library (48), Michael Okpara University of Agriculture Umudike (MOUAI) Library (23) and Alex Ekwueme Federal University Ndufu-Alike (FUNAI) Library (3). The state University libraries are; Enugu State University of Science and Technology (ESUT) Library (9), Anambra State University Uli (ANSU) Library (17), Imo State University Owerri (IMSU) Library (9), Abia State University Uturu (ABSU) Library (6) and Ebonyi State University Abakiliki (EBSU) Library (19). The total enumeration technique was used to cover the entire population size, hence no sample was drawn. The data collection instrument used for the study was a structured questionnaire constructed based on a working document, the Copyright Act. The data collected for the study were analysed using the descriptive and inferential statistics. Specifically, the research questions were answered with the use of tables and percentages while Chi-Square was used to test the null hypotheses.

## RESULTS

**Table 1**

**Research question 1:** What are the practices that constitute copyright violation in university libraries in South-East, Nigeria based on the Copyright Act Cap C28 L.F.N, 2004?

**Responses on the practices that constitute copyright violation**

S/N	Copyright infringement	Agreed	Disagreed	$\bar{\chi}$	S.D
1	Photocopy of an entire information material is allowed in my library	87(47.3%)	97(52.7%)	1.53	.501
2	Reproduction of copies of an information material can be made to generate revenue for my library	89(48.4%)	95(51.6%)	1.52	.501
3	Reproduced copyrighted materials for educational purposes are not destroyed in my library	129(70.1%)	55(29.9%)	1.30	.459
4	My library honour photocopying request from individuals and other libraries	132(71.7%)	52(28.3%)	1.28	.451
5	It is an offence to engage in cooperative acquisition and sharing of library resources in my library	49(26.6%)	135(73.4%)	1.73	.443
6	Duplication of an information material is allowed in my library if there are inadequate funding for acquisition of library materials	98(53.3%)	86(46.7%)	1.47	.500
7	Duplication or reproduction of more than three copies of scarce information materials for use in the library is allowed	91(49.5%)	93(50.5%)	1.51	.501
	<b>Weighted Mean = 1.48</b>			<b>1.48</b>	

Table 1 reveals the practices that constitute copyright violation in university libraries in South-East, Nigeria. The decision rule for the scale is 1.30 to 1.40. The result revealed that the weighted mean of the practices that constitute copyright violation in university libraries was at 1.48 which showed that the university libraries engage in practices that constitute copyright violation in university libraries in South-East, Nigeria. Similarly, mean scores of 4 out of the 7 items were found to be higher than the weighted mean justifying the claim that there are practices that constitute copyright violation in university libraries in South-East, Nigeria. Majority of the respondents indicated that it is not an offence to engage in cooperative acquisition and sharing of library resources in their library (mean=1.73), photocopy of an entire information material is not allowed in their library (mean=1.53), reproduction of copies of an information material are not prioritised to generate revenue for their library (mean=1.52), and duplication or reproduction of more than three copies of scarce information materials for use in the library is not allowed (mean=1.63). It implies that the practices that constitute copyright violation in university libraries in South-East, Nigeria exist in university libraries in South-East, Nigeria.

**Table 2**

**Research question 2:** What are the practices that will amount to fair use of copyrighted materials in university libraries in South-East, Nigeria based on the Copyright Act Cap C28 L.F.N, 2004.

**Responses on the doctrine of fair dealing for copyrighted materials**

S/N	Doctrine of Fair Use	Agreed	Disagreed	$\bar{x}$	S.D
1	Fair dealing create an exception from copyright control of copyrighted material	148(80.4%)	36(19.6%)	1.20	.398
2	Fair dealing permit the use of copyrighted material in a genuine and reasonable manner	158(85.9%)	26(14.1%)	1.14	.349
3	Fair dealing identifies uses of copyrighted materials that fall outside the control of the copyrighted owner	146(79.3%)	38(20.7%)	1.21	.406
4	Fair dealing allows copies of original work to be made without permission from the author	124(67.4%)	60(32.6%)	1.33	.470
5	Acts done by the way of fair dealing for the purposes of research are exempted from copyright control	131(71.2%)	53(28.8%)	1.29	.454
6	Fair dealing require that the use of copyrighted work must be accompanied with acknowledgement of the author	145(78.8%)	39(21.2%)	1.21	.410
7	Fair dealing is a legal defense against a claim of copyright infringement	147(79.9%)	37(20.1%)	1.20	.402
8	Fair dealing encourages innovation against monopoly of copyright owner	149(81.0%)	35(19.0%)	1.19	.349
9	Fair dealing does not permit the making of profits create an from a copyrighted work	149(81.0%)	35(19.0%)	1.19	.394
10	Fair use allows for reproduction of copyrighted work under laid down conditions	157(85.3%)	27(14.7%)	1.15	.355
	<b>Weighted Mean = 1.21</b>			<b>1.21</b>	

Table 2 reveals the doctrine of fair dealing for copyrighted materials in university libraries in South-East, Nigeria. The decision rule for the scale is 1.30 to 1.40. The result revealed that the weighted mean of the doctrine of fair dealing for copyrighted materials in university libraries was at 1.21. Similarly, mean scores of 5 out of the 10 items were found to be  $\geq$  than the weighted mean justifying the position that the university libraries comply with doctrine of fair dealing for copyrighted materials in university libraries in South-East-Nigeria. Majority of the respondents 124(67.4%) indicated that fair dealing allows copies of original work to be made without permission from the author (mean=1.33), acts done by the way of fair dealing for the purposes of research are exempted from copyright control (mean=1.29), fair dealing identifies uses of copyrighted materials that fall outside the control of the copyrighted owner and it require that the use of copyrighted work must be accompanied with acknowledgement of the author (mean=1.21) respectively. It implies that the university libraries in South East Nigeria are conversant with fair use dealing for copyright works in their collections.

**Table 3**

**Null hypothesis 1: Chi-square summary showing the difference between the practices that constitute copyright violation in federal and state university libraries in South-East, Nigeria**

Practices that constitutes copyright violation	O	E	X <sup>2</sup>	df	Sig.
Federal Universities Libraries	133(72.3%)	138.0	13.591	35	1.000
State University Libraries	51(27.7%)	46.0			
Total	184(100%)				

Source: Field Survey. 2023

Table 3 reveals that there is a significant difference between the practices that constitute copyright violation in federal and state university libraries in South-East, Nigeria;  $X^2 (35) = 13.591$ ,  $p > 0.05$ . The table further reveals that 72.3% are from Federal Universities Libraries while 27.7% are from State University Libraries. This indicates that practices that constitute copyright violation in federal university libraries differ from that of the State University Libraries in South-East, Nigeria.

The null hypothesis 1 which state that the practices that constitute copyright violation will not differ significantly in federal and state owned university libraries in South-East, Nigeria was rejected. The result showed that reveals that there is a significant difference between the practices that constitute copyright violation in federal and state university libraries in South-East, Nigeria.

**Table 4**

**Null hypothesis 2: Chi-square summary showing the difference between the doctrine of fair dealing for copyrighted materials in federal and state university libraries in South-East, Nigeria**

Doctrine of fair dealing for copyrighted materials	O	E	X <sup>2</sup>	df	Sig.
Federal Universities Libraries	133(72.3%)	138.0	28.568	36	.806
State University Libraries	51(27.7%)	46.0			
Total	184(100%)				

Source: Field Survey. 2023

Table 4 reveals that there is a significant difference between the doctrine of fair dealing for copyrighted materials in federal and state university libraries in South-East, Nigeria;  $X^2 (36) = 28.568$ ,  $p > 0.05$ . The table further reveals that 72.3% are from Federal Universities Libraries while 27.7% are from State University Libraries. This indicates that federal university libraries adhere more to the doctrine of fair dealing for copyrighted materials than the State University Libraries in South-East, Nigeria.

The null hypothesis 2 which states that the doctrine of fair dealing for copyrighted materials will not differ significantly in the federal and state owned university libraries in South-East, Nigeria was rejected. The findings found that reveals that there is a significant difference between the doctrine of fair dealing for copyrighted materials in federal and state university libraries in South-East, Nigeria. This indicates that federal university libraries adhere more to the doctrine of fair dealing for copyrighted materials than the State University Libraries in South-East, Nigeria.

## Discussion of Findings

The findings revealed that there are some practices that constitute copyright violation in university libraries in South-East, Nigeria, which are practised in the university libraries as majority of the respondents, 73.4% indicated that it is not an offence to engage in cooperative acquisition and sharing of library resources in their library and also 71.7% indicated that their libraries honour photocopying request from other libraries. However, 52.7% indicated that photocopy or reproduction of an entire information material were not allowed, 51.6% indicated reproduction of copies of an information material are not prioritised to generate revenue for their library, and 50.5 % indicated that duplication or reproduction of more than three copies of scarce information materials for use in the library is not allowed. The finding is in tandem with Akalumhe, Bamgbose, Sulaiman and Gbenu (2019) where it was discovered that the majority of respondents engage in photocopying copyrighted library materials as 72% of the respondents strongly agree that they rely on photocopy of intellectual publication. This finding is also consistent with Ajegbomogun (2011) and Nworie, Nworie and Nwaigbo (2019) who found out that the respondents to a greater extent photocopy library materials for teaching and research



purposes. However, the finding of this study is slightly in disagreement with the study of Sambo, Ahutu and Aworo (2016) whose findings revealed that libraries have not been playing a prominent role in relation to copyright violation deduced from the fact that all the respondents (100%) affirmed that libraries allow users to make copies of materials for research and 81% of the respondents indicate that there is no limit to the amount of photocopies that could be made from library materials. The study also revealed that there is a significant difference in practices that constitute copyright violation in federal and state university libraries based on the Copyright Act Cap C28 L.F.N, 2004.

The findings of this study revealed that 85.5 % of the university libraries allow the use of copyrighted materials without permission of the author in for use made in a genuine and reasonable manner and under some laid down conditions. 81% indicated that fair dealing encouraged innovation against monopoly of copyright owners, and 81% indicated fair dealing will not allow another to make profit from the intellectual ingenuity of another. The findings in this study is in agreement with Onoyeyan, Okereke, Ogbuyi and Bamidele (2014) whose study revealed that 49.8% of the respondents are aware of the doctrine of fair use in copyright law, 45.7% indicated that they are not aware of the fair use doctrine while respondents 4.5% gave no response. Also Chaudhuri (2012) study is in disagreement with the present work as it revealed that only 53 respondents out of 171 indicated that they are aware of fair use of the copyright resources while 118 respondents indicated that they are not aware of the doctrine of fair use as it relates to copyright resources.

## Conclusion and Recommendation

Based on the findings of this study, the study concluded that practices that constitute copyright violation in university libraries are observed in university libraries in South-East, Nigeria even though they are conversant with the doctrine of fair dealing in their libraries. It is worthy to note that the issue of intellectual property rights such as copyright and plagiarism of text has continued to gain prominence globally irrespective of the awareness and knowledge of same, and copyrighted materials are posed with a lot of violations, and that is what the Copyright Act (2004) provisions has addressed. The study recommends that management of university libraries in South-East, Nigeria should ensure that intellectual property rights and copyright issues are given top priority by having an expert in copyright law or dedicated librarian who handles copyright queries in addition to providing guidance to both staff and users.

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