

Authors Rights in Nigeria – The Journey with REPRONIG

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Not many Nigerians are aware that there is body licensed by the Federal Government of Nigeria through the Nigerian Copyright Commission to take care of the rights of authors, photographers, computer programmers, columnists, brand designers, script writers and essayists hence this article.

The Reproduction Rights Society of Nigeria (REPRONIG) is a collecting society licensed in 2001 by the Nigerian Copyright Commission to cater for the rights of authors of literary works. Literary works here include but not limited to books (fiction and non-fiction), journals, articles, photographs, computer programmes, periodicals, magazines, and newsletters and so the use of the word ‘authors’ is not limited to writers of books. Also, the word ‘authors’ is not limited to individual authors alone; it also includes associations of literary right holders and corporate owners of literary works.

Reproduction Rights Society of Nigeria (REPRONIG) represents the interests of authors not only in Nigeria but in most countries of the world. This is possible because of its bilateral agreement with the International Federation of Reproduction Rights Organizations (IFRRO) and other various foreign collecting societies who represent reproduction rights of authors in foreign nations. The responsibilities of REPRONIG as mandated by the Federal Government of Nigeria include but not limited to:

- Negotiation of royalty payments on behalf of authors,
- Grant of licenses on behalf of members to users,
- Collection of royalties on behalf of members,
- Distribution of collected royalties to members, and
- Institution of civil legal action against any violation of copyright of authors who are its members.

Membership of REPRONIG is not automatic. Any author interested in being a member of the organization is required to fill out a membership form and submit same to REPRONIG’s office. The registration form can be filled and submitted online by visiting its website: www.repronig.ng or sending a mail to jasein@repronig.ng

Being a member of REPRONIG comes with a lot of benefit and top on the list of those benefits are:

- No more worries about the illegal reproduction or piracy of your literary works as REPRONIG has put some measures in place to forestall same.
- Legal representation of members' rights in courts against copyright violation and illegal reproduction of members literary works.
- Free consultancy on effective distribution and commercialization of members' works and other myriads of benefits.

REPRONIG has been on Nigeria's Intellectual Property industry scene for more than a decade, yet its effect as a collecting society has been felt a little, no thanks to paucity of funds and expert manpower skill to drive and power its statutory mandates. However, with the recent appointment of the new executive director in the person of John Asein (a former director at the Nigerian Copyright Commission), the organization's deficit of expert manpower to manage its affairs has been cured consequently positioning REPRONIG as a one- stop shop for everything on support for authors rights in Nigeria.

To avoid a repeat of the same old problems that bedeviled the organization from its inception till of recent when John Asein was appointed as the executive director, it is pertinent to remind the management of the organization (REPRONIG) that its resurgence on the Nigerian Intellectual Property industry scene must resonate energy, vibrancy and lots of action for it to catch up and recover the losses of whatever advantages it once held.

Just as Copyright Society of Nigeria (COSON) has realized, REPRONIG must also recognized that its destiny is tied to the destiny of the development of the Intellectual Property industry in Nigeria. However good or bad the Intellectual Property industry is, will determine the level of its success. For the avoidance of doubt, factors that will determine REPRONIG's success include:

INCREASED AWARENESS OF THE EXISTENCE OF INTELLECTUAL PROPERTY RIGHTS BELONGING TO AUTHORS, WRITERS, COMPUTER PROGRAMMERS, COLUMNISTS ETC

Ignorance of the knowledge of existence of copyright in various categories of literary works and the remedial options available to owners against their violations have been the bane of the development of intellectual property industry in Nigeria. Therefore, the new management of REPRONIG must make it a priority to continuously 'make noise' about authors' rights and modalities for enforcement of such rights. Because of the low level of knowledge of authors on the existence of REPRONIG as the sole licensed body appointed by government to act on their behalf, REPRONIG must engage itself in continuous and effective advertisement of their mandates. Such advertisements could be in form of regular airing of radio and television jingles, active and constant involvement in radio and

television talk shows on authors' rights and the awesome engagement of the power of social media. In addition, REPRONIG must draw close to popular authors and owners of copyright in various categories of literary works for the purpose of leveraging on these authors' popularity to effectively send home the message of its fight against piracy. Furthermore, established local and international authors must be appointed as ambassadors to help lobby for the interest of the association and that of the Intellectual property industry.

READINESS TO UNDERTAKE LEGAL ACTIONS ON BEHALF OF MEMBERS AGAINST COPYRIGHT INFRACTIONS

Until authors and members of the general public begin to see copyright violators being punished for their wrong acts according to law, REPRONIG's copyright awareness campaigns will be viewed with lots of suspicion and disinterestedness. REPRONIG must therefore have robust legal and enforcement teams ready to undertake efficient private investigations into illegal reproduction of authors' works and to take prompt legal actions where necessary on behalf of its members.

Generally speaking, campaigns for the development of the Intellectual Property industry in Nigeria can only be meaningful when violators of intellectual works of others are made to face the consequences of their actions. And for REPRONIG, these violators can only face the consequences of their actions if and only if REPRONIG has a dedicated legal team (comprising of lawyers and private investigators) whose sole job will be to track down unlawful activities of these pirates and to further take the fight to their doorsteps by dragging them before the law courts in civil actions and before relevant government enforcement agencies for possible prosecution. In as much as there are relevant government agencies saddled with the task of investigation and prosecution of copyright violations, REPRONIG cannot afford to leave these responsibilities for the government agencies alone to tackle for obvious reasons of partial attention given by the federal government to issues of Intellectual property administration and enforcement.

IMPROVED COLLABORATION WITH RELEVANT GOVERNMENT AGENCIES TOWARDS EFFECTIVE POLICING OF THE COPYRIGHT ACT

Despite the lackluster attention paid to the Intellectual Property industry by the Federal Government of Nigeria, REPRONIG must endeavour to engage the support of relevant government authorities especially the Nigerian Copyright Commission (NCC), the Economic and Financial Crimes Commission (EFCC) and the Nigeria Police Force in its enforcement and court related actions. In addition, it must join hands with other collecting societies in the Intellectual Property industry to push for the creation of desk officers in

these relevant government enforcement agencies so that intellectual property violations will be curtailed to the barest minimum.

About the Author



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