

COSON Files New 12 Billion Naira Lawsuit against Etisalat – Joins CEO, Matthew Willsher

March 15, 2017 | by Bob Aroture

The Copyright Society of Nigeria (COSON) is back with new claims against Etisalat. This past Friday, March 10, 2017, COSON filed a new suit at the Federal High Court in Lagos, this time seeking 12 Billion Naira for copyright infringement. Joined in the copyright infringement suit is Etisalat's CEO, Mr. Matthew Willsher.



In Suit no. FHC/L/CS/363/17, COSON has asked the court for different declarations of copyright infringement by Etisalat in its “Experience” or “Flagship” Centers across the country; the different Etisalat Music Concerts, Festivals, Award Shows, Product Activation and Corporate events; the Etisalat Easytunex platform; the Etisalat Cloud 9 Platform, etc.,

COSON is demanding that Etisalat deliver up and forfeits to COSON all infringing copies of the musical works and of any articles or technologies in the possession of Etisalat, their servants, agents and privies, specifically designed or adapted for making such copies, adaptations, distributions, communication to the public, and/or public performance of the musical works or in the alternative a destruction upon oath of all such infringing copies and articles or equipment.

With 14 distinct claims endorsed on the writ supported by a 47 paragraph Statement of Claim, COSON is seeking a perpetual injunction restraining Etisalat, its agents, privies and servants from the continued unauthorized copying, communication to the public, streaming, selling, broadcasting, making available for downloading and permitting the unauthorized performance to the public and infringement of the copyright in the musical works belonging to members, affiliates and assignors of COSON.

Attaching over 100 exhibits to the Statement of Claim and lining up 14 witnesses to testify during the trial of the suit, COSON warned of its concern that in frustration with the lawless behavior of the likes of Etisalat, individual right owners in musical works may be forced to take precipitate actions to protect their rights and this may lead to breakdown in law and order.

Etisalat is no stranger to copyright infringement suits. Last year, COSON filed a suit against Etisalat in Suit No. FHC/L/CS/756/2016 but the suit was struck out. Prior to that suit, Etisalat was sued in 2015 by Musician Paul Play Dairo for copyright infringement.

Speaking on the robust actions being taken by COSON to create a sustainable and strong music industry in Nigeria, Chief Tony Okoroji, the Chairman of COSON said, “We are committed to stamping out the era of “monkey dey work, baboon dey chop” from the Nigerian music industry and establishing a transparent and accountable industry in which everyone who invests his or her talent or resources can rest assured that his or her investment will be fully protected. We will not buckle under pressure from anyone no matter how mighty. We have sued a federal government agency. We have gone to court against a State government. We have had to sue Nigeria’s biggest bank, wrestle in court with Nigeria’s biggest hotels and broadcast networks. At COSON, our belief is that no one is above the law”.

This article was published on Nigerian Law Intellectual Property Watch (NLIPW), now Nooktoria Legal Resource.