COURSE INFORMATION

Course Code: LIS 413
Course Title: **PUBLISHING AND BOOK TRADE**

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Course Edition: First

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Ice Breaker

Upload your passport and introduce yourself by stating your names, what you do for a living, your hobbies, your expectation in this course and the name you would prefer to be called during this course.

NATIONAL OPEN UNIVERSITY OF NIGERIA

ISBN:

LIS 413: PUBLISHING AND BOOK TRADE

INTRODUCTION

Publishing and Book Trade is a second semester course with 2 credit units which will last for a minimum duration of one semester. The course is one of the compulsory/elective courses for all the students offering Library and Information Science in National Open University of Nigeria. It is also a suitable course ware for library students who wish to acquire the needed knowledge on publishing and book trade. This course will further help students to take up publishing and book trade as a vocation. This is in the spirit of entrepreneurship education, aimed at preparing students to be self-reliant upon graduation. It provides the conceptual definitions of publishing and book trade. The course examined an overview of publishing and book trade, paper and paper making, the nature and scope of publishing and book trade, editing and quality control, ownership and author's right, legal implication of selling document, piracy and plagiarism, intellectual property, copyright and patent as well as application of ICT.

Course Aim

The subject of publishing and book trade has become an interesting area of study in the recent times. This is because students should acquire sound theoretical and good background in publishing and book trade; they are expected to acquire theoretical knowledge in publishing and book trade that will eventuallly equip them and enable them to take up publishing and book trade as a vocation upon graduation. This is in the spirit of entrepreneurship education aimed at preparing students to be self-reliant upon graduation.

This course therefore provides the essential information about publishing and book trade in developing countries especially Nigeria. The areas covered in the course include an overview of publishing and book trade paper, and paper making, nature and scope of publishing, editing and quality control, ownership and author's rights.

The course consists of five modules and eleven units of study. In this course, you will also learn about piracy and plagiarism, intellectual property, copyright and patient, information and communication technology application in publishing and book trade as well as legal implication of selling document.

COURSE OBJECTIVES

In order to attain the goal, there are objectives that must be considered Each unit in this study material has specific objectives which will guide you in checking on your progress while you do your study. At the completion of this study the student can be able to:

- Define publishing

- Define book trade

- Identify types of publishers

- Narrate the history of publishing in Nigeria

- Discuss the general characteristics of the Nigerian publishing industry

- Understand types of publishing

- Identify varieties of papers

- Paper making and paper making process

- Basic elements in book publishing

- Understand the nature and scope of book publishing

- Understand editing and quality control in publishing and book trade

- Outline the general duties of editors

- Define copyright, right author and ownership

- Enumerate types of ownership

- Define Author's Right

- Define piracy and plagiarism

- Outline and examine what could cause piracy

- Identify the effects/consequences of piracy

- Find out suggestions on how to reduce book piracy in Nigeria

- Discuss the consequences of plagiarism

- Provide the definition of intellectual property

- Understand the nature of intellectual property

- Define copyright

- Know the brief history and evolution of copyright

- Identify and explain different conventions and legislations that are available for the protection of the intellectual property.

- Explain infringements and enforcement of intellectual property.

- List and discuss the various models of electronic publishing.

- Enumerate and discuss the benefits and challenges of e-publishing

- Explain the Legal Implications in publishing and selling documents

WORKING THROUGH THIS COURSE

To complete this course successfully, you have to go through the modules and carefully read the study units, do all assessments and also open and read through the recommend books and other materials available to you. Always participate in the online facilitation and facilitation, going on

in your study centre. Each unit of study has an introduction, objectives you should achieve at the end of the study, a conclusion and summary informing you in a nutshell what you studied in the unit. Above all there is the Tutor-Marked Assessment (TMA) to evaluate what you have learnt. You can download the courseware into your device so that you can study it whenever you are offline.

ASSESSMENT

Two major types of assessment such as formative and the summative will be used. The first will be employed at the end of every unit. The university uses the summative assessments to evaluate your academic performance in the courseware you studies. The summative assessment which is a Computer-Based Test (CBT) is made up of objectives and sub-objective questions. There are 3 continuous assessments, 10% each and final examinations are based on 70%. The student is expected to attain the entire online based test and the final written examination.

STUDY UNITS

This course is made up of eleven (11) study units, which was broken into five modules. They are presented in the following order:

Module 1: Overview of Publishing and Book Trade in Nigeria

Unit 1:   Concept, Overview Publishing in Nigeria

Unit 2:   Paper and paper making

Unit 3:   Nature and Scope of Publishing and Book Trade

Module 2:   Editing, Quality Control and Ownership/Authors Right

Unit 1:   Editing, Quality Control and their Significance

Unit 2:   Ownership and Author's Right

Module 3:   Piracy and Plagiarism

Unit 1:   Concept, Forms, Factors Responsible for Piracy in Nigeria

Unit 2:   Concept, Cases, Consequences of Plagiarism

Module 4:   Intellectual Property, Copyright and Patent

Unit 1:   Nature and Definitions of Intellectual Property

Unit 2:   Copyright Concept, History, Nature and Challenges

Module 5:   ICT and Legal Implication of Book Trade

Unit 1:   Various Models of e-publishing, Benefits and Challenges if e-publishing

Unit 2:   Legal Implication of Selling Document

HOW TO GET MOST FROM THIS COURSE

In other to benefit maximally from this cost, acquisition of a personal laptop and access to the internet is paramount. This will help you to be able to carry out your study anywhere at any time. The unit objective is for your personal guidance. As much as possible, try to evaluate yourself after going through each unit by doing the teacher marked assignment. Try to involve yourself in most if not all facilitations put together for this course in your own interest for enhanced understanding Always consult your facilitator or the librarian at the E-library for more clarifications. In order to achieve the best from this course, adhere strictly to the under-mentioned:

- Read the course guide thoroughly

- Develop a study schedule whatever method you choose to use, you should decide on it and write out dates for working on each unit.

- Always adhere to study schedule, the majority of the students fail because they do not have a study schedule or that they have but do not follow it religiously.

- Read the introduction and the objectives of any unit you want to study before going into the content of the unit.

- At the end of the unit, review the objectives and see how many of them you have achieved.

- Attempt the self-Assignment Exercise

- Do the same in every unit throughout the course

SUMMARY

Publishing and book trade is intended to help you understand the subject of publishing and book trade and most importantly to prepare you to take up publishing as a vocation. At the end of the course, you will achieve the objective if you follow the instructions and do what you are asked to do. We wish you success as you abide very well to the regulations and the advice given to you for this course.

MAIN COURSE

CONTENTS

Module 1: **Overview of Publishing and Book Trade in Nigeria**

Unit 1:   Concept, Overview of Publishing in Nigeria

Unit 2:   Paper and Paper Making Process

Unit 3:   Nature and Scope of Publishing and Book Trade

Module 2: **Editing, Quality Control and Ownership/Author's Right**

Unit 1:   Editing, Quality Control and their Significance

Unit 2:   Ownership and Author's Right

Module 3: **Piracy and Plagiarism**

Unit 1:   Concept' Forms, Factors Responsible for Piracy in Nigeria

Unit 2:   Concept, Cases and Consequences of Plagiarism in Nigeria

Module 4:   Intellectual Property, Copyright and Patent

Unit 1:   Nature and Definition of intellectual Property

Unit 2:   Copyright Concept, History, Nature and Challenges

Modules 5:   ICT and Legal Implication of Publishing and Book Trade

Unit 1:   Various Models of E-Publishing, Benefits and Challenges of E-Publishing

Unit 2:   Legal Implication of Selling Document

<p style="text-align:center">**MODULE 1:**</p>

<p style="text-align:center">**OVERVIEW OF PUBLISHING AND BOOK TRADE IN NIGERIA**</p>

This module gives an overview of publishing and book trade in Nigeria, concept of publishing and book trade, paper and paper making as well as nature and scope of publishing and book trade

Unit 1: Overview of Publishing and Book Trade in Nigeria

CONTENTS

1.0   INTRODUCTION

2.0   OBJECTIVES

3.0   MAIN CONTENT

3.1   Concept of Publishing

3.1.1. Types of Publishers

3.1.2   Brief History of Publishing in Nigeria

3.1.3   General Characteristics of the Nigerian Publishing Industries

3.1.4   Types of Publishing

4.0   CONCLUSION

5.0   SUMMARY

6.0   TUTOR-MARKED ASSIGNMENT (SAES)

7.0   REFERENCES/FURTHER READING

1.0   INTRODUCTION

The definition of publishing, types of publishers, brief history of publishing in Nigeria, general characteristics of the Nigerian publishing industries as well as types of publishing forms the introduction of this unit.

2.0   OBJECTIVES

By the end of this unit, you will be able to:

➢   Understand the meaning of publishing

➢   Explain the meaning of book trade

➢   Identify the types of publishers

➢   Narrate the history of publishing in Nigeria

➢   Outline the characteristics of the Nigerian publishing industry.

➢   Enumerate the types of publishing

3.0   MAIN CONTENT

3.1   Concept of Publishing

Publishing has been defined by Wikipedia (2021) as the skeleton production and circulation of written matters. It noted the publishers function as, to seek out or accept to publish good manuscript and having produced the works in print to promote and market them.

Publishing could also be defined as the business of issuing books, music, photographs, maps and other printed materials for sale to the public which includes negotiating contracts with authors and their library agents, editing the authors manuscripts, designing the physical items (typography, layout etc.) producing the finished product (printing, binding etc.), marketing the work, and making arrangements for its distribution through regular market channels.

3.1.1. Concept of Book Trade

Book Selling/Book Trade

Book trade is the activity of a publisher or his agents to distribute or market reading materials or intellectual material through the proper marketing channels which will make them availabl to the public. **Probleof Problems of Book Selling/Book Trade**

1. Lacking of reading habit

   In Nigeria, we read only for utilitarian purpose, we rarely read for pleasure. Even the educated ones read little of African literature or the sort of literacy material that actually elevates the mind. The typical African educated elite prefer the literature that stimulate his latent sensual appetite for e.g. Lagos weekend, Dennis Robins, Hardly Chase etc. He reads the Daily Times and some magazines that treats trivial matters. The result of this is that the book seller must accept that he does not have a reading public like in Europe and North America.

2. Most book sellers treat book selling with lack of seriousness. Very often they don't show effort to "push" the books in order to stimulate demand. Most rural areas have no book shops and those that exist are under stocked and ill managed. Book selling in Nigeria is not yet professionalized.

3. Education authorities have not done enough to encourage book ownership among young people. Facilities must be created to stimulate reading for pleasure. This includes establishing public libraries not only in urban but also in rural areas.

4. Ironically very few educated Nigerian parents rarely or ever give books to their children for Christmas or birthday gifts. Most parents chose to buy costly and flamboyant dresses instead of books that can stimulate reading habit.

5. Book selling in Nigeria is a seasonal affair mostly at the beginning of academic year. After this period most book sellers slow down or wait until the next season.

6. Book sellers accuse publishers of selling directly to the public. The book sellers lose their gain as a result and also there is lack of advertisement needed to get these books across to the public.

Problems of Book Selling and Book Trade

1. Lack of capital book selling is capital intensive business. Most Nigerians don't have access to big capital. Those who have the money are not willing to invest in book trade because it is a low return business or investment.

2. Book selling seems to have less social responsibility. People in this business feel shy to be address as book sellers at any public functions.

3. Some of the personnel manning bookshops are untrained and frequently under paid. Without skilled staff, intelligent service is difficult. Some book sellers cannot tell at what level a book is written. At best, they know the titles.

4. Lack of knowledge of stock control, publicity and human relations are serious problems militating against book selling in Nigeria.

5. Book sellers are not united. There is rivalry among them. They often operate in isolation and sell above publishers prices.

6. Nigerians import most of her books from overseas. Only a few from other African countries. Consequently, book selling in Nigeria is affected by a rising cost of production in these countries.

3.1.2   Types of Publishers

Publisher

A publisher is any person, group of individuals, or corporate organizations, engaged in the business of producing and sells of books and other printed materials to the public. According to the Society of Children's Book Writers and Illustrations (2014), there are many types of publishing such as follows:

1. Traditional and Trade Publisher

Traditional publishers contract with an author, ideally offering an advance against royalties. A few traditional publishers offer a flat fee only. Smaller publishers might offer a royalty without advance. Whether the terms are an advance against royalties or a flat fee, the author owns the copyright and his/her name is on the book. Trade books are marketed by publishers' sales representatives and wholesalers to bookshops, libraries and schools.

2. Mass Market Publishers

Mass market publishers offer similar contracts to trade publishers though sometimes the copyright may be in the publisher's name or a joint copyright. Mass market books are handled by publishers' sales representatives and wholesalers and are stocked primarily by bookstores and discount retailers.

3. Book Packagers.

Packagers or book developers generate story and series concepts, which they sell to traditional and mass market publishers, then find writers and Illustrations to produce the work. Their contracts range from offering advance against royalty to a flat fee. Copyright is sometimes joint, but is often in the packager's name.

4. Small Presses

Some small presses publish books for young readers. Small publishers generally produce few titles and may offer a contract with advance against royalties, a royalty- only contract, or a flat fee contract. Review media occasionally cover small press books and distribution is usually through direct mail catalogues and/or wholesalers.

5. Educational publishers publish curriculum- related materials geared for use primarily in schools. Marketing is generally accomplished through a force of sales representatives who present the material to educators (in their offices/schools and at conferences) and educational supply stores throughout the nation.

6. Self- Publishers.

Self publishing requires the author to oversee all of the details of book production, from total cost to marketing and distribution. A self- published book almost never gets review media attention. If you are writing a book just to share with your children or grandchildren, a local printer may be able to help you self- publish several copies, or a desktop computer publishing programme may give you the book you want.

Other types are:

7.Foreign or Non-Indigenous Publishers

This is a publishing house where a non-Nigerian parent corporation holds a majority ownership interest.

Examples of foreign publishers in Nigeria are Macmillan, Longman, Thomas Nelson, Oxford University Press etc.

It is pertinent to state that the indigenization policy of the Federal government has forced these foreign publishers to sell out more and more shares to the Nigerian public than ever before.

8.Indigenous Publishers

This is an indigenous publishing house in which the Nigerian firms are the controlling body. It can be government, state or privately owned corporation. Examples of indigenous publishing companies are Ethiope Publishing Corporation, Africana, Fourth Dimension, Spectrum, Varsity Press, Detta Press, Summer Press, Tana Press etc.

In publishing, there are three main actors involved usually called the participants viz: Authors, Publisher and the Book seller.

- The author is responsible for presenting the ideals in the work.

- The publisher accepts the authors work, edits it, prints it and puts it out for sale.

- The book seller gets his items of trade from the publisher. He usually keeps abreast of the latest that is being published. Usually the librarian buys from the book sellers.

- Thus a common factor to the author, publisher, book seller and the librarian is the book.

- The printer is usually responsible for the physical nature and production of the book. The publisher usually employs the printer to do the work and he also decides how much the author should earn per copy of the book but there are nowadays author-publishers. These people write and take the book to the printer straight.

3.1.3 Brief History of Publishing in Nigeria

In Nigeria, book publishing is a relatively new trade. The first significant publishers in the country were christened printing presses and were found in areas like Calabar and Lagos. These presses

turned out religious books and catechism. Gradually, as the need arose for circular education, publishing went beyond religious works.

After this came European publishing houses to scout for markets for their products. With the increase in literacy in Nigeria and the emphasis on education, these foreign publishing houses established branches throughout Nigeria and West Africa in general. They include Longman, Oxford, Macmillan, Heinemann etc.

About the same time, Moslems made use of Ethography in centers like Feez in Morocco. Generally Christian presses extended their range and materials from religious works, catechisms to indigenous works for example in Nigeria, A Yoruba publication titled "the Forest of the thousand Demons" by D.O Fagunwa. They also published works of cultural and educational interest in English for example, History of the Yorubas by Samuel Idowu and studies of the African languages.

These publishing activities meant two things

1. A new African elite was being educated by these publications.
2. This African elite was also receiving an equipment by which it could spread its own ideas. Indeed books were being published by foreign publishers to support education in Africa schools.

The period between 1850 – 1930 was one of the outstanding journalism in Africa. Many books were published on Africa nationalism.

There were also many newspapers including the late Dr. Nnamdi Azikiwe's West African Pilot and the Nigerian Outlook. The reason for this period of intense journalism lies in the fact that in the first two decades of the 20th century, foreign publishers would not publish any political matters.

Groups of African writers therefore got together to publish their own materials thus African nationalism was in fact responsible for the development of the first indigenous publishing houses.

In 1947 the first African publishing house Presence Africaine was established in Paris. It was controlled by Africans and it published many books on Black Nationalism in French. Between 1950 –1960s the development of indigenous publishing was associated with creative writing. On the popular, there was the Onitsha market literature for the general public. It dealt with themes like crime, love and fiction. The Mbari club based in Ibadan around 1900 published mainly poetry, drama, and short stories. At this point some European publishers realized that there is a large market for literature and poetry in Africa hence Heinemann Educational Services for Africa-published about 100 titles by various African writers. This in turn encouraged African publishers to publish fiction, poetry, drama etc. as more books were published, a reading public was encouraged and the demand for African literature has been on the increase.

3.1.4   General Characteristics of the Nigerian Publishing Industry

1. Generally, there are very few indigenous book publishers. Typical examples of indigenous publishers are Onibonije Press in Ibadan, Gaskiya Press in Zaria and Africana Press in Onitsha.

2. The works are printed in limited numbers hence they quickly get out of stock. The publishers fear that they may not sell much of their woks, so they publish a few hundreds or thousands of their works.

3. Nigerians book buying potential is great but this has not been fully exploited. Nigerians don't read a lot rather they prefer squandering their money on food and drinks.

4. Publishing is a capital intensive enterprise. On the other hand it is not quick revenue yielding. The number of people who can raise the requisite capital is few. Nigerian publishers don't have enough capital base for large scale publishing.

5. There are cases of author-publishers, who write and publish themselves. This is typical of Onitsha market literature and can also be found in Aba, Ibadan and Lagos.

6. There is the issue of high cost of printing materials such as ink, paper, glue and machinery spare parts.

7. Most Nigerians are illiterate and semi-literates and are unable to exploit the important value of the printed work, thus even if you write any book and are published, there are only few to read them. It is estimated that between 40% of Nigerian cannot read or write.

8. About 80% of books published by indigenous publishers are educational textbooks. A response to a known demand probably caused by education demand.

9. The book trade is a seasonal affair in Nigeria, usually at the beginning of academic year. After this period, most book sellers wait till the next season, some even change their items of trade.

10. There is a poor bibliography control of publications in the country in-spite of a legal deposit laws. Publishers have so many legal deposit laws to obey at federal and state levels. What is perhaps needed is coordinated law- in the National Library could receive all copies and then distributed actual or photocopies to other centres.

3.1.5 Types of Publishing

Publishing is the activity of making information, literature, music, software and other materials available to the public(Wikipedia, 2020). According to Peterson (2019), various types of publishing exist which include:

1. Professional Publishing

Professional publishers create books and databases for professionals who need access to reliable, widely accepted information and standards. These include (but not limited to) accountants, architects, doctors, lawyers and psychologists. Because of the amount of data in these books and the need for regularly updated information, much of this information has moved from predominately book form to online access. An example of a professional publisher is John Wiley.

2. Textbook Publishers and Academic Publishers

Textbook publishers create books for schools and university classrooms, usually with a specific course syllabus in mind. School book publishers are referred to as 'ELHI', a combination of "elementary "and " high school ".

3. Trade Book Publishers

Trade book publishers acquire, edit, produce, and sell the books you're most likely to see in a brick and mortar bookstores. These are traditional publishers creating books for a consumer readership while the internal company structures and organization of conventional trade publishers vary, each generally publishes books in a broad variety of formats (hardcover or trade paperback)

4. "Bargain" Book Publishers

These publishers create low- cost books and book- related products (such as calendars or activity kits that include books) for the "bargain" section of the bookstore. The low- cost nonfiction books are usually highly illustrated; the fiction includes bind ups of several novels from a prominent prolific author or reprints of classics in the public domain.

Other types of publishing include

5. Electronic Publishing (E-Publishing)

This is the publication of books, periodicals (e-journals) bibliographic databases and other information resources in digital format. It could be in CD-ROM or online through the internet, for in-house users, subscribers and/or retail customers with or without a pint counterpart.

6. Desktop publishing (DTP)

In a situation where the microcomputer hardware and software are used for graphic design, printing, page layout to produce professional camera radio copy for commercial printing at a very reduced prices and using the services of a commercial publisher is called electronic publisher. This is mostly used in the production of software newsletters, fliers, posters, in-house brochures among others. Desktop publishing software is a requirement in desktop publishing activities. Equally required is a high speed personal computer with a big monitor and power laser printer.

7.Vernacular publishing

Vernacular publishing is one of the areas one should expect a state contribution for several reasons.

1. Government has the responsibility to preserve traditional culture which is base on language.
2. It has become official policy everywhere to stress adult education and literacy programs which yield the vernacular.
3. It is often the policy to use the vernacular for primary education
4. Finally such programme are not economical and needs to be subsidized.

What Should Be Published

In their effort to enlarge readership, publishers must make effort to produce books in the local languages. School children are often illiterate in their first language because of scarcity of suitable literature. This area requires attention. For adult, the materials needed in this type of publishing is the "bread and butter kind" books and sample manuals that will improve the life of farmers, artisans, and others by helping them to modernize their agricultural practices and by giving instructions on health education, good citizenship and by providing leisure reading.

Writers especially successful ones should ensure that their most important works are made available in vernacular languages. Writers should cub their tendencies to write for oversea markets. They should address themselves to the home audience even if this means foregoing the giggle of foreign exchange and the glitter of foreign fame.

Problems of Publishing Vernacular Books

1. **Too many languages**

   There are too many languages in most African countries and often those used by the smaller ethnic groups have no orthography. It is difficult to distinguish a language from a dialect. One remedy is to concentrate on the major ones or introduce a national language. In Nigeria this is highly impossible and still from a national point of view concentration on several major languages would be ethnically divisive. Mass publication programme in vernacular thus remain impracticable.

2. **Technical difficulties**

   There are also technical difficulties in printing some vernacular languages for example in printing some transliterated languages in Yoruba, it is necessary to use a number of special signs as the language is tonal, example, Owo or ọ has four different meanings depending on the position of the stress. This is a problem for printers, readers and publishers.

22

3. Reading difficulties

There are reading difficulties even for those fully literate in English. They may have to learn to read their own language. Among the Ibos, there are a great variety of dialects and a central Ibo has been adopted, it may have to be learnt especially the written form.

4. Lack of enthusiasm

At various times and places, enthusiasm for reading vernacular publications has not been noticeable because the people want to learn to read English, the language of socio-economic advancement. The nationalists even oppose vernacular publications because they felt this would remove their people from the main streams of history thereby perpetuate their subservient position. In recent times, however, there has been a change in the new leaders but most people would still not read vernacular unless it can be of some value to them. Another cultural factor which still limit official zeal is that if the languages are not national, they may be seen as divisive. This situation cannot be tolerated in emergent African nations where national unity is the watch word.

In view of these factors, it is not surprising that vernacular publishing has made little way except with regard to newspaper and religious works.

4.0   CONCLUSION

Publishing is a very important in Librarianship. Insight into the types of publishers, and a history of publishing in a developing country like is very important. Understanding the characteristics of the Nigerian publishing industry and the types of publishing is very desirable for one to understand the state of art of publishing in this part of the world.

5.0   SUMMARY

It is evidence that this unit has been able to discuss the concept of publishing, types of publishers, brief history of publishing in Nigeria, general characteristics of the Nigerian publishing industry and types of publishing.

There are two types of publishers namely; foreign and indigenous publishers. In publishing there are three main actors involved and they are Authors, Publishers and Book sellers.

We have been able to take a look at the history of publishing in Nigeria and it all started as printing presses before full blown publishing outfits realized that there is a large market for published materials in Africa.

Some of the characteristics of the Nigerian publishing industry include printing works in limited number, high cost of printing materials, few indigenous publishers and poor bibliographic control. The types of publishing discussed are electronic, desktop and vernacular publishing.

6.0   TUTOR-MARKED ASSIGNMENT

1. Define publishing?

2. Outline the types of publishers you have studied

3. Discuss briefly the history of the Nigerian publishing industry

4. What are the characteristics of the Nigerian publishing industry?

5. Enumerate and explain the types of publishing you know.

7.0   REFERENCES AND FURTHER READING

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UNIT 2

PAPER AND PAPER MAKING

CONTENTS

1.0   INTRODUCTION

2.0   OBJECTIVES

3.0   MAIN CONTENTS

  3.1   Varieties of Paper

  3.2   Paper Making

  3.3   Paper Making Process

4.0   CONCLUSION

5.0   SUMMARY

6.0   TUTOR-MARKED ASSIGNMENT

7.0   REFERENCES/FURTHER READING

1.0   INTRODUCTION

In the first unit, we looked at the concept of publishing, history of publishing in Nigeria, the characteristics of the Nigerian publishing industry as well as the types of publishing. This unit will be treating varieties of paper, paper making and paper making process.

2.0   OBJECTIVES

By the end of this unit, you will be able to:

- ➢   Enumerate varieties of paper
- ➢   Discuss the sources of paper
- ➢   Describe the process of making paper

3.0   MAIN CONTENT

3.1   VARIETIES OF PAPER

Wove and laid papers

Wove paper when held to the light shows an even blank or characterless surface for eg foolscap sheets. Laid paper shows a series of closely spaced parallel lines with bolder and more widely spaced parallel lines running at right angles. Woven papers are used more frequently in the production of books while laid papers are more common for wrapping and writing papers.

Antigue paper

This is so called because it looks like old handmade paper. It has a rough surface and covers a wide variety of papers. Some are very good quality and other are of very poor quality. Some are

called feather weight because they are very light. They rapidly become dirty. Such antique papers are not good for book production. However, many antique papers are of good quality and may be used for certain types of book production.

Cartridge paper

It is strong and tough with a fairly hard surface. It is used occasionally by students of fine arts for drawing and also for book production.

Super calendered paper

These are papers which are given smooth finishing by rolling the papers between hot and cold rollers. The papers are subjected to pressure in these rollers and this makes them smooth. It is sometimes used for books where line-block or half-tone illustrations are included in the text.

Machine finished papers

These papers have a fairly smooth shiny surface. They print well and can use any of the printing surfaces on the machine and get good results.

Art paper

This is paper which is given a special coating of china clay to give it a very smooth surface on which to print half-tone blocks. You may find this paper used in art books. The problem is that the coating weakens the paper and makes it brittle, so if the paper is folded, it tends to crack.

Indian paper

This is a very thin paper but in spite of its thinness, it is opaque. Often bibles are printed on this paper. In fact most voluminous books are printed on Indian paper to cut down on size.

Loaded paper

Loaded here means adding various substances to the pulp for e.g. clay or French chalk which make the paper more opaque.

According to Wikipedia (2014), other varieties of paper are the following:

Tree-free paper

This is one of the type of paper used in papermaking. This type of paper is gotten from the plants, such as hemp, kenaf and bamboo, that yield fiber faster than trees. It can also got from agricultural waste such as sugar cane, straw from wheat and rice, and by-products from coffee, banana and coconut plants.

Handmade paper

Small amounts of paper are still made by hand for prestigious applications such as letterheads, limited-edition books, and artists' paper, where completely random orientation of fibers is important, particular for watercolor paintings. The process is very slow and expensive, as each sheet has to be hand produced.

Acid-free paper

It has a much longer life expectancy, and is used for books and other publications that are intended to last in good condition. It is treated to neutralize the acid that occurs naturally in wood pulp. Where paper is not acid-free, it can yellow and deteriorate over time.

Mechanical paper

These contain a large proportion of mechanical wood pulp, but also some chemical pulp to increase, strength. It can be produced with a smooth surface by super calendaring, machine finishing, or machine glazing. It is used for offset printing; it is also called web sized offset printing "WSOP". These papers are used for cheaper leaflets and magazines-halftones up to 120 lines ppi??? or more can be printed satisfactorily.

Mold-made paper

This is a high quality grade of paper usually made from cotton rag pulp on a cylinder mold machine rather than a four drinier machine.

Recycled paper

This type of paper contains a percentage of fibers made from either post-consumer waste (waste paper) or pre-consumer waste (cleaner paper waste, known as "broke" from printers or the paper mill itself).

Bulky mechanical (Newsprint)

It is machine finished paper, made mostly from ground wood pulp, or recycled fiber used for printing newspapers and cheap landfills. It discolors, and become brittle when it is exposed to light, due to the impurities contained in and around the fiber, that were not removed in the pulping process.

Shiny plastic paper

These can be expensive but are ideal for production that face "difficult" conditions like children's books and maps.

Free sheet (Wood free)

This paper is still made from wood pulp, but it is produced by the chemical, rather than the mechanical process.

Coated papers

It is used for the printing of half tones and color, and high quality magazines and promotional material. The base paper of cheaper coated papers can contain ground wood or recycled fiber. Gloss art paper is coated on both sides with China clay or chalk and calendered to give a very high smoothness and gloss.

English and smooth finishes

The smoothness of these finishes provides a receptive surface for the reproduction of fine line illustration and photographs.

Board

It is used for covers to catalogues and paperback books, and for the production of cartons. It may be coated or uncoated on one or two sides.

Carbonless copying papers

They are produced by employing a coating of microcapsules that rupture under the pressure of a stylus or printer key, releasing a solution of colourless dye. This transfers to the reactive surface on the sheet below where the dye is converted to its colored form.

Technical paper

Many types of highly specialized papers are manufactured either through medication to the basic paper making process blend of pulps, use of additives. These include papers for currency, photography, filters, electrical cable winding, decorative laminates, security applications, self-adhesive and postage stamps.

Papers for digital printing

Many digital presses use toners instead of conventional offset inks, and these react with heat as the image is fused onto the paper. The moisture levels are more critical in digital printing.

Kfraft

This is a cousin to newspaper made for wrappings and bags. It costs very little, may be hard to find for commercial printing, prints slowly and comes only in the familiar brown and manila.

Plastic paper

It is made completely from plastic or with a plastic, or latex, coating over a base paper although expensive, these products are ideal for the production of some waterproof maps, workshop manuals and books for young children. It is tough and washable. They require special printing techniques and inks.

3.2   Paper Making

Originally, paper was made from Linen rags. Other kinds of rags can also be used. Paper is also made from a special grass called Esparto grass. This is seen in Spanish America. It is a long thin grass.

A third substance which is used today is wood. Until the beginning of the 19th century, paper making was a very slow process because it was done by hand. In 1798, the paper making machine was developed by Louis Robert Essomaes. The machine he developed is called the 4-drinier machine.

Rags

Rags are first sorted and any buttons, clips, zips, stones etc. are removed. The rags are then cut into small pieces and boiled. They are then bleached in a solution of lime and caustic soda. This process removes dirty and turns the rag white. The rags are washed to remove the chemical and then they are beaten in a machine which separate the fibre and reduces the rag into a pulp in preparation for felting. At this stage other ingredients may be added such as clay depending on what kind of paper is required.

Paper from wood

Wood can either be pulped mechanically or chemically. Mechanical wood is produced by pressing wood against the grind stone revolving in water which reduces it into small pieces until you have a pulp. This pulp is of inferior quality or it is usually used for newspaper (newsprints).

In chemical wood pulp, the wood is first broken into little bits or chips and then chemically treated to produce a pulp. Different chemicals can be used to produce different quality papers.

- ➢ Caustic soda is used to produce soft floor fibre used for various kinds of paper for covering and writing.

- ➢ Calcium bisulphite or Magnessium bisulphite is used for harder and stronger fibers for various kinds of printing papers.

- ➢ Sodium sulphate is used for making paper of exceptional toughness.

Esparto Grass

The grass is cleaned and then placed in a boiler containing caustic soda. This is boiled under pressure. It then goes to a breaking machine which reduces it into fine bits until it becomes a thick pulp. Water is constantly flowing through the machine to remove dirts or impurity. The pulp is now bleached and then as the final stage, it goes into a beating machine where it is reduced further. Here small quality of colouring liquid may be added for effect. When the various ingredients have been reduced into a pulp, the pulp which have been produced goes into a large chamber called stuff chest and here it is checked in continuous movement to make sure the fibers do not settle.

Tray

Deckle
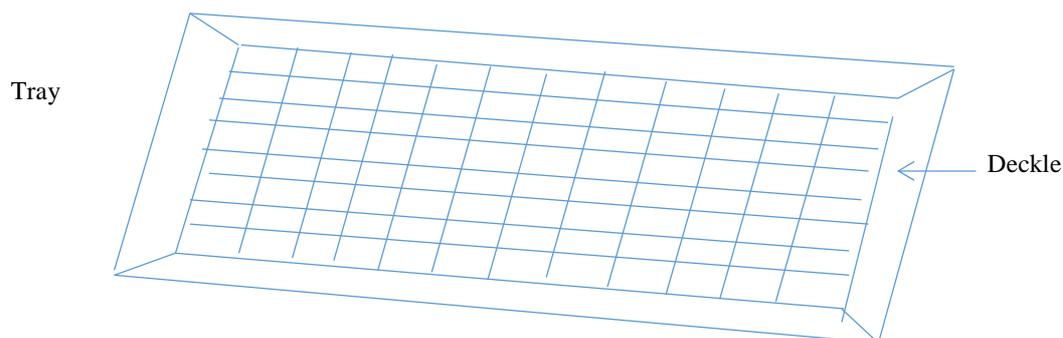
Paper Making Process

Hand making process

A large tank of about 5^1 x 6^1 size is filled with pulp. This is kept always in motion. The man who mixes the pulp is called VATMAN. This Vatman uses a tray or mould which is of the same size as the sheet of paper to be made.

The bottom of the ray is made of parallel wires with other wires running at right angles

These wires form the laid marks on paper. The sides are separated and come apart from the wire bottom because they have to be removed before the paper can be lifted and slide gently on to the slid. The sides of the tray are known as the Deckle.

The tray or mould is dipped into the vat and exactly the right amount of pulp is taken out. This process is laborious, slow and intends considerable training and practice.

The vat man also requires a nice sense of weight or judgment. In other words, the vatman needs to be experienced. He then lifts the tray with the pulp in it and shakes it backward and forward and then from side to side. The water escapes through the wire bottom and the purpose of shaking is to make the fibres cross in all directions. This gives the paper strength. As water escapes from the tray, it gives a matted layer of fibre on the wire. This is the sheet of paper. The tray is now taken apart and paper removed on to a sheet of felt which absorbs dampness.

On the top of the paper, another sheet of paper is kept and this process is repeated until vatman has built up a pile consisting of alternative sheets of felt and sheets of paper. This pile is then placed in a press and subjected to pressure to remove more water. After sometime, the sheets of paper are removed from the felt and separately pressed for a number of hours. Finally, the paper is dried by hanging over a rope. The paper now has absorbent qualities. The paper is then sized by passing it through a solution of gelatin. This gives it its non-absorbent surface. The paper is dried again and glazed. Then you have your sheet of paper ready for use.

Paper made from the hand press varies in quality but it is generally inferior to the machine made paper. Consequently, it has limited uses.
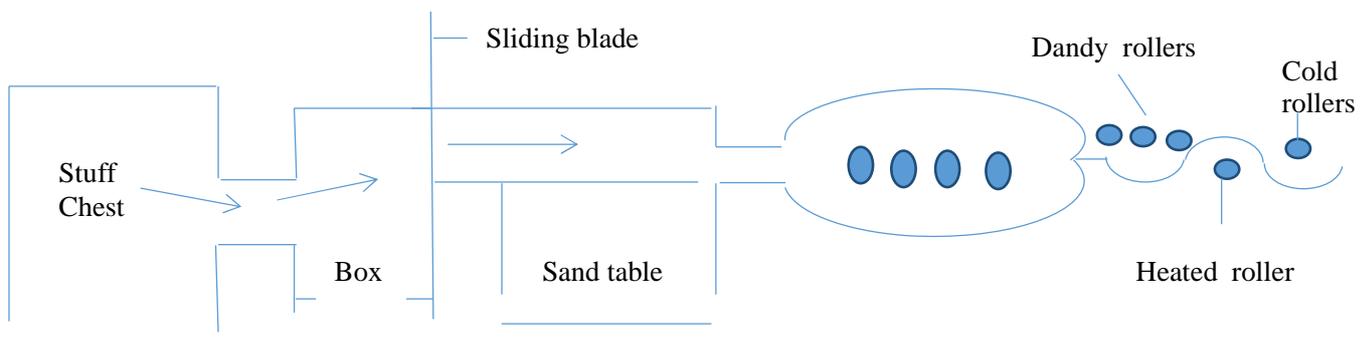
The Machine Process

The machine process is a mechanization of the hand process but the resulting paper is different in texture than other qualities. The machine is composed of many cylinders and a series of endless belts of woven wire and felts. At the beginning of the machine is the stuff chest (just a container). The pulp enters a box from the stuff chest.

From the box, the pulp enters a machine in a stream and the stream is controlled by a sliding blade. The fitness and weight of paper to be made depends on the amount of pulp going into the machine at any one time. As the pulp enters a machine, it first passes over a sand table and this removes impurities. Then the pulp runs into a belt of woven wire. This corresponds to the mould of the hand process but the woven wire belt can only move in two directions not four as in the hand process. So the fibres do not inter lock to the extent that they do in the handmade paper.

When most of the water has fallen away, the pulp begins to look like paper and it passes on the rollers which removes water. It then passes on from the wire belt to a belt of felt and it is tied through more rollers such as sandy, heated and cold rollers.

One of these rollers (sandy rollers0 imprints the paper with a water mark. It then passes over heated cylinders to remove the last of the water and finally between cold iron rollers to give a finished surface.

The paper is then wound into reels which can be anything up to two mile long and nineteen feet wide. Machine made papers is not sized afterwards instead the size is added to the pulp at the beginning because this is a cheaper process.

The machine process is an endless one and as long as you keep powering pulp, paper continues to be rolled out at the end of the machine.

4.0   CONCLUSION

Paper which is utilized mainly for either writing, cleaning or printing has different varieties, paper is made from different materials like rag, wood and grass. There are different processes by making paper which could either be by hand or by machine.

5.0   SUMMARY

This unit has attempted to define paper, examine the varieties of paper, sources of paper, and the processes of making paper.

6.0   TUTOR-MARKED ASSIGNMENT

1. Enumerate the varieties of paper

2. Identify the sources from where paper is made.

3. Narrate the process of making paper

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UNIT 3

NATURE AND SCOPE OF PUBLISHING AND BOOK TRADE

CONTENTS

1.0   INTRODUCTION

2.0   OBJECTIVES

3.0   MAIN CONTENT

    3.1   Basic Elements in Book Publishing

1.0   INTRODUCTION

The basic elements involved in book publishing shall be considered in this segment. Also the various publishing organization will be discussed as well as the procedure for publishing a book.

2.0   OBJECTIVES

It is expected that at the end of this segment, you will be capable of:-

➢   Outline the essential elements in publishing a book

➢   Understand various classifications of book publishers

➢   Describe the procedure involved in publishing

3.0   MAIN CONTENT

3.1   Basic Elements in Book Publishing

There are five basic elements that must exist for a book to be produced, namely; the author, the publisher, the printer, the book seller and the reader.

The Author

Information contained in a book reflects the ideas and expressions of an author that is made available to the public by the publisher. He is the creator or formulator of the ideas which are

turned into a book or an article in the newspaper and put in the hands of the readers. Omego (2013) reiterated that the reward of an author is normally determined by the number of people using the book. Author could be single when it is one person that wrote such textbook, but in the case of two or more persons it is referred to as joint authorship. Where a body such as UNESCO, ECOWAS, etc. write a document, it is referred to as corporate author.

Publisher

A publisher is the one who takes the responsibility of publishing a manuscript into a book for the potential readers. A publisher receives the manuscript from an author, source for the capital to publish the book (this usually happens when the parties involved agree) he engages the services of artists, editors, printers, reviewers, designers, directs and supervises the distribution of the booksellers. In summary publishers do not write books, they do not print or bind books but do sell the books published to those who read them as book sellers, rather they distribute to booksellers in large quantity.

From the above it could be said that a publisher is the architect of book production because he makes all the plans and sees that the plans are carried out/executed for the benefit of an author.

The Printer

A printer is actually the one who puts the manuscript work in a readable form. According to Imeremba (2011), the printer relationship with author hinges on the collection of the manuscript from the author, and takes up the composing and printing of the materials, and the binding of the materials for easy handling by the user. He reiterated that he has no business with the contents of the book. The book design, size of the pages, quality of the paper, type arrangement, colour of the ink are solely the concern of the printer based on the instruction of the publisher.

The Bookseller

This is directly linked to book trade which main activity is buying of the published book(s) in large quantity from the publisher and sell to the public who desire to purchase them for their use. They do this for their profit. Their major customers are usually libraries, schools etc.

The last but not the least is the reader. This refers to the consumers of the finished product as Omego puts it. She reiterated that every author, publisher or printer must take the interest of the reader at heart while embarking on the book project. Readers are the reason for whom a book is published. They are seen as the audience in the publishing process.

According to Owuamalam (2010), the audience is the target of every published material. The audience consumes the content of the material and uses the acquired information to understand the expression of its source. He added that it is at the consumption stage that interpretation occurs through the assignment of meaning to the codes as signs and symbols.

From the foregoing, the five key players in book publishing are the author, the printer, the bookseller, the publisher and the reader.

3.2   Classification of Book Publishers

In Nigeria today, there are many types of publishing organizations. George–Otutru (1998), Wilson (1990) and Adesanoye (1991) recognized the following types of publishing/publishing organization. According to these scholars, publishing is classified based on their scope nature and dominance of the types of book they publish and also on the history of their origin. They are classified as follows:

Trade Publishers: This group of publishers, publish books and sale to the general public without any specific examination or audience in mind. Their publications are of general interest. They could be fictions like novels and plays; they could be non-fictions like political, sociological, psychological books etc. this publishers publishes at own expenses. Examples of trade books publishers are; Harper Collins and Random House. Others include Penguim, Frank Cass and Signet. Their books are usually distributed through book stores.

Educational / Scholarly Publishing

This type of publishing basically centers on producing professional books and journals for different professionals in their different areas of interest such as technology, education, medicine, law, sciences, humanities, etc. Ahmadu Bellow University Press, University of Lagos, University Press etc. have been known in all English–speaking West Africa for publishing scholarly publications. The essence of establishing University Press is basically to publish scholarly books and journals that make contributions to knowledge.

Textbook Publishers:

This class of publishers specializes in producing and supplying textbooks to schools, colleges, and tertiary institutions. According to Wilson (1990) who documented that publishers are constantly alert to the needs and growth of education and solicit the services of well-known textbook writers and authors and also fieldsman (i.e. sale and scouts) who will be able to lobby education ministry officials or examination bodies to include their titles among the recommended set of books for their public examination. Omego records that they do this in order to survive in a highly competitive textbook market. Some examples of textbook publishers are Ethiope Publishing Corporation, Gaskiya Publishing Corporation, Idodo Ume Press, Ambit Press etc.

Government Publishing/ Press

These publishing organizations are owned by the government for publication of government gazettes, bulletins, reports, etc. the objective of establishing these presses is not to undertake commercial publishing, their services are subsidized by the government. The reason for this is that most government publications are not meant for sale. For the fact they are owned by the government, they have high quality equipment, most of their publications get to few people, institutions and agencies.

3.3   Procedures for Publishing a Book

The procedure for publishing could be described as the chain of activities which take place between an idea in the mind of an author and publisher. For publishing to take place, an author's manuscript must undergo the various publishing processes which are editing, typesetting, designing, printing, marketing and sales. The implication of this is that teamwork is needed in book publishing and to make the book to get to the generality of the public (ie audience).

Despite the fact that book publishing is a collaborative activity that involves various processes, there are standard procedures that every publisher must adopt in producing a book. The procedure starts by developing a manuscript. Manuscript could be described as the foundation in book publishing and production.

Manuscript, according to Brown (1989), is completed hand – written copy of the author meant to be published. On the receipt of the author's manuscript, the publisher forwards the manuscript to the editorial board. The editorial board constitutes the editors and reviewers. The editors acknowledged the receipt of the manuscript, read and make comments whether the manuscript is publishable or not and edit (grammatical, structural/ technical errors), at this point the document is then forwarded to the next stage which is the reviewing section.

Reviewers are usually subject specialists and normally do not have the knowledge of the authors of the manuscripts to be published. They are expected to determine the state of the manuscript whether it could be published or not, if published will there be market to sell? who are the target audiences? They are expected to pin point grammatical errors, structural arrangement, and make other critical comments. If the publisher is satisfied with all reports, then the manuscript is sent back to the author to effect corrections sported out by the reviewer(s). The author is given a time frame to do the corrections.

Anthony in Omego (2013) provided a checklist to guide authors otherwise the manuscript will be rejected.

1. Is the book worth publishing (why, and who is going to buy it)?

2. Is the book well written if not, can it be improved upon by the author, or by an outside hand?

3. Will it sell? If not, will it be of such literary prestige or importance as to reflect the glory of the publishing house?

4. Did the manuscript come from a reputable source?

5. Will Nigerians (or whoever the audience be) like it? Will the curriculum committee accept or adopt it?

6. What about the author, is it going to be a one-short book?

7. Has the author the stamina?

8. Is he or she well- connected or too connected?

9. If the manuscript is coming through an agent can the publisher afford the price the agent is asking for?

10. Does the publisher want more books that year, the following year, or something?

11. Is the manuscript not on a subject that has been overdone lately?

12. To what extent does the manuscript contain obscene or defamatory issues?

Once the corrections have been effected by the author then the contract for publishing of the manuscript will be signed between the author and the publisher. According to Ike (1991), when a publisher accept manuscript the next important step is to draw up a written contract between the author and the publisher, which is to form the basis of the relationship between the author and the publisher. The terms of the contract or agreement are usually binding on them. On signing the agreement or contract by the two parties, the author submit the final version of his manuscript in hard copy and soft copy to the publisher who then forward it to the editor who reviewed the manuscript to ascertain whether the author effected the corrections in his work.

The next stage is to forward the manuscript to the computer typesetting. The computer operator on completion of his work produces the first galley proof. The galley proof is sent to the author and proof reader to peruse through to check for accuracy, at this point the author is permitted to make minor corrections.

This is followed by printing and finishing which includes folding of printed pages, collating, sewing, binding, trimming and packaging. The final stage in book production which is very important is the distribution of the book to ensure that it gets to its potential readers as documented by Ndimele (1999).

4.0   CONCLUSION

Publishing has been still is and will continue to be a sine qua non to the general society in the business of book industry and production. With regards to writing and documenting ideas and

knowledge, authors (purveyors of ideas and knowledge) whether as an individual or cooperate body, cannot do without the publisher and publishing. Publishers make the authors' ideas and knowledge public by publishing them as books. Publishing is a profession that has laid down rules (procedures) which if doggedly followed goes to help make the production of good quality book that should be able to have attractive appeal to the eye and soul for reading, by the readers or evidence.

5.0   SUMMARY

This segment has discussed essential element in book publisher including the author, publisher, the printer and the book seller. The types of publishing organization classification were equally presents and the procedure for publishing was equally described in this unit.

6.0   TUTOR-MARKED ASSIGNMENT

1. Outline and discuss the basic elements in book publishing.

2. Attempt the classification of book publishers

3. Describe the procedures for publishing a book

7.0   REFERENCES AND FURTHER READING

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MODULE 2

EDITING, QUALITY CONTROL AND OWNERSHIP/AUTHOR'S RIGHT

This module provides an insight into editing and quality control in publishing and book trade. In addition it equally discusses ownership and author's right

UNIT 1: EDITING AND QUALITY CONTROL IN PUBLISHING AND BOOK TRADE

1.0   INTRODUCTION

2.0   OBJECTIVES

3.0   MAIN CONTENT

      3.1   Concept of Editing, Editor,

      3.2   Concept of Quality Control

      3.3   The Editing Process

      3.4   Discrepancies of the Editing Process

      3.5   General Duties of Editors

4.0   CONCLUSION

5.0   SUMMARY

6.0   TUTOR-MARKED ASSIGNMENT (SAES)

7.0   REFERENCES/FURTHER READING

1.0   INTRODUCTION

The focus of this unit will be on concept definition of editing, editor, and quality control. Editing process, discrepancies in editing process and general duty of the editor will be covered.

2.0   OBJECTIVES

By the end of this unit, you will be able to:

     ➢   Define editing, editor and quality control.

     ➢   Explain the editing process

     ➢   Identify the discrepancies in the editing process.

     ➢   Discuss the general duties of editors

3.0   MAIN CONTENT

3.1   Concept of Editing, Editor

According to Wikipedia(2020) [Include year], the term editing refers to "The process of selecting and preparing written, visual, audible, and film media to convey information. The editing process can involve correction, condensation organization, and many other modifications performed with the intention of producing a correct, consistent, accurate and complete work". Editing work calls for collaboration between an author, editor/s, and a publishing firm/the publisher. Editing usually begins with the author of a work from the moment he/she begins to create the ideas, and which is somewhat perfected by the publisher before the final product comes out in book form. It involves creative skills, human relations and a defined collaborative service. Editing jobs and services are provided by specialized editing firms or individuals (freelance) editors. Appiah (2009) and Mamishe (2009) noted that "editing firms may employ a team of in-house editors or rely on a network of individual contractors or both. Such firms handle editing jobs in a wide range of topics and genres, depending on the skills of their editors". The services often include proofreading, copy editing, online editing, developmental editing, etc. Freelance editors work directly for patrons like authors and publishers and they offer their services through editing firms or both. Sometimes, they specialize in a particular type of editing (e.g., copy editing) or in a particular subject area. Some of them also work directly for authors and develop professional relationships with them and these are called authors' editors.

Editor

According to Sokanu (n.d****???), "an editor is someone who is a critical reader, and a lover of words. He is someone who prepares an author's manuscript for publication by polishing, refining and enhancing it. "An editor is seen as a gatekeeper between the writer and audience, and they have to take a dual sided point of view in order to keep both parties happy". Most authors know

their stories inside and out and have had a strong relationship with their manuscript for sometimes or years back. On the contrast, the audience (readers) has no such emotional attachment to the books they have not seen or read yet, but they are quick to judge or evaluate any literature they get to read. Therefore, an editor needs to edit a manuscript considering both points and situations. He ensures that changes made are in line with the author's original voice (message) to keep the writer happy with the modified manuscript. At the same time the manuscript may also need modifications that will pull the attention/interest of the audience (readers). To maintain a balance here usually poses difficult challenges to an editor. One way to overcome this challenge is to adhere to established policies and guidelines for quality control. Sometimes an author doubles as editor. However, a professionally trained editor with no previous knowledge of a work usually produces better results. Most knowledgeable editors tend to be perfectionists by disposition. This quality helps them to bring out the best from writers.

3.2   Concept of Quality Control

In publishing and book trade, quality control helps publishers meet both authors and readers' demands for quality and standard literature. Is a way of making sure that the quality of product is significantly improved and maintained. It involves creating an environment in which both management and employees strive for perfection. This can be achieved by training personnel, formulating benchmarks for product quality, and testing products to check for significant variations (Online Invetopedia, 2016). In addition, there is need for the establishment of well-defined job descriptions or controls. These levels of control help to regulate the final end product that will help to meet the audience tastes. It helps to ensure that production activities are undertaken by those qualified to do so. When this is done, errors would be eliminated. Quality control is,

therefore, an essential part in the manufacturing process. Raw materials for book publishing should be certified, the finished product need to be tested.

The extent of quality control in publishing may be determined by the book packaging or outlook. In food or drug manufacturing companies, quality control is highly dependent on the product. Quality control in these firms includes guaranteeing that the product does not make a consumer sick; hence, the company carries out chemical and microbiological testing of samples from the production line. For online Investopedia, "In the automobile manufacturing, quality control focuses on the way that parts fit together and interact and ensuring engines operate smoothly and efficiently." This level of quality control can be applied in publishing companies to maintain standard and secure the interest of users (consumers) of the publishing products.

3.3   The Editing Process

Generally, the word editor connotes a person who spell-checks a manuscript. He is a stickler for grammar. Once an author is ready with a manuscript for publication, changes might take place and decisions have to be made before the work can go to print or be published as book. The possible modifications are made by different kinds of editors. Sokanu (n.d***) outlines different stages editors go through a work in editing process before a manuscript is published as book. These include:

 The acquisition editor: Any work that appears to be lucrative, it searches for the author and tries to promote such work. It ensures that the publishing house accepts the author bearing in mind that he has competitors. There are agent and other writers that bring manuscripts to the acquisition editor. The acquisition editor checks the manuscript and decides if it would be a profitable item for the publishing company. He persuades the publisher to produce the manuscript. He also plans

for the budget, marketing, and the contract decisions. The acquisition editor facilitates communication between the author of the manuscript and the publishing house.

The Developmental editor: One of the assignments of the developmental editor is to assist the writers in the choice of the topics to be covered. He tries to ensure that the work will be relevant and required by the reading public and publishers. He checks the content, organization, and the way the author presented his/her ideas. This editor may recommend additional research to be done by the author to improve, clarify or broaden certain areas of the work for the sake of clarity and better communication. He guides the writer in topics to be covered or areas omitted from the book. He assists a writer develop a book from original idea or outline. He makes sure the book will meet the needs of the publisher and its readers. He comments on the style, structure, and flow of the information. Spellings, grammar, and punctuation are also checked along with URL links, headings, graphics, references, citations, and other technical edit. This type of editing is usually invasive, so the editor always works closely with the author to ensure that changes recommended do not conflict with or alter the original voice of the author. He collaborates with the author to develop the work to be its best.

The line editor: As the name implies, this editor checks through the manuscript line by line identify grammatical and other editorial problems that will affects the quality of the work. In some publishing houses the positions and tasks of the line editor and the copy editor are combined. In doing this the line editor may draw the writer's attention to the:

- words or sentences that are extraneous or overused

- run-on sentences

- redundancies from repeating the same information in different ways

- dialogue or paragraphs that can be tightened

- scenes where the action is confusing or the author's meaning is unclear due to bad transitions

- tonal shifts and unnatural phrasing

- passages that don't read well due to bland language use

- confusing narrative digressions

- changes that can be made to improve the pacing of a passage

- words or phrases that may clarify or enhance meaning of the story.

The copy editor: The copy editor goes over a manuscript before it is ready for publishing. Essentially, he examines the document for inconsistencies in the theme, style, and factual information. He ensures that the writing that appears on the page is in accordance with trade standards. Permission is ensured for copyright material. Grammar, spelling, and punctuation are checked again. The main purpose for a copy editor is to make sure the import of the text is clear and will sustain the interest of the reader. This is a higher level of proofreading.

The production editor: The production editor runs the transition between the manuscript and the published book. This is the last person to review the manuscript before publishing or printing it. The production editor manages the typesetting, artwork/graphics, and budgeting. He ensures that quality or standard is met in all other areas of the editing process. Sometimes a production editor acts as a proofreader. A proofreader is not an editor in the traditional sense, but because of a crossover between duties, a production editor may also be the proofreader.

3.4   Discrepancies of the Editing Process

There exist some overlap between the various categories of editors, especially between the line editor and copy editor. Mamishev and Williams (2009); Newland (2014) and excerpts from the Online Invetopedia (2016) noted that many authors do not fully understand the difference between a line editor and a copy editor. Line editor and copy editor pay detailed attention to an author's use of language and other technical editing tasks on the pages of a manuscript. This notwithstanding, line editing and copy editing are completely different from each other in processes. Each is handled by a professional with different skills. Where there are strict rules for standards and quality control, the two occur at different times during the publishing process. The editor checks through the author's work for prose or style, grammar**,** typographical errors and change all spellings with the appropriate standard in use. In editing a manuscript written in English language, for instance, he adapts it to either American or British English as the case may be. A copy editor uses a *style sheet.* A style sheet explains how the rules and principals apply to specific areas in the author's manuscript. A line editor will probably not have the style stored in his memory. In a well-established publishing firm, where quality control and standards rule, the job of a copy editor usually come after that of line editor, never at the same time or before. The page-by-page, sentence-by-sentence checking of the author's manuscript should be totally settled before being passed to a copy editor to fine-tune the work and forward it to the production editor. Consequently, while the job of a line editor is to help the author to tell a better story in a well-articulated and organized method; the job of a copy editor is to make sure the grammar and language used in conveying the story are correct. Where the above differences are controlled, and standards are maintained through quality control measures, the issue and challenges relating to editing and quality control will certainly be minimized if not eliminated.

3.5   General Duties of Editors

According to Hill (2013), the responsibilities of editors, among others, are to:

- bring to a manuscript the elegance, knowledge and skills that a writer might not have, might not know how to use, or might not see the need for in his/her own work,

- ensure that an author's write-up conveys what the author intends in his voice and with the writer's sensibilities,

- serve the work, the author, and the general public

- strikes a balance between the author's the writer's desires with the publisher's standards and the reader's expectation and finds a way to produce a story to satisfy all the three of them.

- go through the work thoroughly because he loves doing that including the millions of stories that can be crafted from them. They enjoy working with and playing with words.

- ensure strict and meticulous compliance to what is right, dogmatic, and determined. They often have a great eye for detail, a strong vocabulary, and knowledge of odd grammar rules.

- enhance the quality of publishable work.

Editors ensure that the work comes out better.

4.0   CONCLUSION

The publishing companies emerged, not just to make books available but to also guarantee that proper information and ideas are harnessed, sharpened and correctly printed and transmitted. To meet the increasing demands of quality information, book publishing companies strive to coordinate the various activities and processes that surround book production. These include the selection and editing of manuscripts, quality control planning, and supervisory duties of transforming the manuscripts into a book. Among the activities involved in publishing and book trade are editing, and quality control.

5.0 SUMMARY

In this unit, we have been able to define the concepts of editing, editor and quality control. Also the editing process and the discrepancies in the editing process were discussed. The general duties of editors were presented in this unit too.

6.0 TUTOR-MARKED ASSIGNMENT (SAES)

i.   Define the term editing and editor

ii. What do you understand by quality control?

iii. Describe the process of editing

iv. Discuss the discrepancies in the editing process

v.   What are the general duties of editors?

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UNIT 2

OWNERSHIP AND AUTHOR'S RIGHT

1.0   INTRODUCTION

2.0   OBJECTIVES

3.0   MAIN CONTENT

    3.1   Concept of Copyright, Right, Author, Ownership

    3.2   Types of Ownership

    3.3   Limitation to Ownership

    3.4   Author's Right

4.0   CONCLUSION

5.0   SUMMARY

6.0   TUTOR-MARKED ASSIGNMENT (SAES)

7.0   REFERENCES/FURTHER READING

1.0   INTRODUCTION

This unit will present the concepts of copyright, right, author and ownership. The types of ownership and limitations to ownership will be covered. In addition, author's right will be discussed.

2.0   OBJECTIVES

It is so that the end of this unit, you will be able to:-

➢ Define the concepts of copyright, right, author and ownership

➢ Mention the types of ownership.

➢ Identify the limitations to ownership

➢ Discuss author's right.

3.0   MAIN CONTENT

3.1   Concept of Copyright, Right, Author, Ownership

(i)   Copyright:

Copyright is an exclusive right granted to an author or a publisher for a period of time to sell, distribute, publish his/her literary, artistic work or musical work. Furthermore, Ifeduba (2004) defined copyright in the context • of book publishing as the exclusive right granted by law for a specified number of years to an author; a publisher, or his assignee to prepare, print, distribute and sell copies of his 'original books. He further explained that copyright is "also the right of an author, a publisher or his assignee 'to prevent others from publishing or reproducing his work without his consent.

Okwilagwe O.A. (2001) defined copyright as the exclusive; legally secured right to publish and sell the substance in the form of literary, musical or artistic work. Also another definition is the one given by Kent (1972) in Okwilagwe (2001) stated that copyright is a right granted or secured by law to authors of literary, dramatic, musical and artistic work to authorize the production or reproduction of such work. Also the Copyright law is designed to ensure that people or public has access to it by protecting the economy and moral right of authors.

(ii) Owner:

It is seen as person that possesses the exclusive right to hold, use, benefit-from, enjoy, convey, transfer or dispose-off it. The owner)f any literary work is the person that created the work; which could be photographs, literary works, artworks, Architectural work etc. the owner is one who owns the copyright of the intellectual property.

According to Webster Dictionary (2003), owner is one who has the legal title or right to or has possession of a thing.

iii) **Right:**

These are liberty or freedom granted to person(s) to undertake certain action in the form writing an article, book, journal, speech or publishing any literary work e.g. poem, prose, poetry etc. Right could civil rights that accrue to call citizens of a country.

v) **Author:**

Author is the person who creates the idea in the work. It could be regarded as the originator, composer, compiler of literature, music and photographs respectively. According to Webster Dictionary (2003), he is seen as the originator of a written work and can thus-be described as a written. He holds the title of author over any literary, musical, dramatic. Artistic and certain other intellectual work. The author of a work is the person who creates it. The copyright is work is vested initially in the author. From the foregoing, the author is the creator, or originator of a work, for instance, the author of work of literature is the person who writes it: the author of a piece of music is its composer; the author of a photograph is a photographer while the author of a compilation is the person who gathers or organizes the material contained within it and selects, orders and arranges the material. An author is one who does the literary Work that does not contain any pirated, plagiarism and neither libelous material.

Ownership

Ownership is when one has right over a property or literary work. It refers to the right to own a property. .Thus ownership according to black law's dictionary (2008) "is the collection rights, allowing one to use and enjoy property, including the right to convey it to others. It further continues to point out that ownership implies the right to possess a thing". Furthermore, Ojienda

(2010), in his work "Conveyancing principles and practices" saw ownership as the right to enjoy and dispose of something in an absolute manner and equates it to dominion. It could be stated that for ownership to take place, one needs to have right over the property. According to Onalo (2010), ownership is when a person has various rights over a property. These rights may include right to create a literary work, e.g. book, monograph, artists etc, right to publish information bearing materials, right of sale, right to create easement etc.

3.2   Types of Ownership

Types of Ownership

Determining ownership involves determining who has certain rights and duties over the property. These rights and duties, according to Mulla (2000) of ownership are sometimes called a "bundle of rights" and can be separated and held by different parties. He further stated that the following are some of the types of ownerships.

State Ownership -Assets that a state or certain state has jurisdiction over in terms of use.

Government Ownership -Assets belonging to a body of government e.g. local, state and federal government.

Public Property - Assets owned by a government or state that are available for public use to all their constitutions.

Personal Ownership - Assets and. property belonging to an individual, also known as individual ownership.

Common Ownership ~ Assets and property that are held in common by all members of society.

Communal Ownership ~ Property held in common by a community

Collective Ownership - Assets and property that belong to a

collective body of people who control their use and collect the proceeds of their operation.

Private Ownership - A subset of collective property whereby a collective group of owners such as shareholders won productive property that is used by employees, usually for the purpose of generating a profit.

Cooperative Ownership - Property that is owned by those who operate and use it Also referred to as social ownership.

3.3   Limitation to Ownership

There are some exceptions or limitations as to when the ownership last is law, as provided by the Nigerian Copyright Act 8 (1988), which stated that there some exceptions to this basic, which includes literary, dramatic, musical or artistic work is made by an employee in the course of his employment; his employer is the first owner of the copyright subsisting in the work subject to the employment (Mohapatra, 2013). If a person employed as a cleaner writes some literary work during his own time, he will be the first owner of the copyright in literary work, because going by his contract of employment is employed as a cleaner, and not as an author of any literary work. Even if the cleaner writes the literary during the time he should be performing the employment duties, he will still be the first owner of the copyright. Not -withstanding that he might have used his employer's facilities in writing the book. Further if an employee is employed for a wider job e.g. research or engineering work and it is useful to his employer, the copyright belong to his employer.

4   Nonetheless, the act also provides that where a literary, artistic is made the author in the course of his employment by the proprietor of newspaper, magazine or similar periodical, the proprietor shall in the absence of any agreement to the contrary, be the first owner of the

copyright in that work as it relates to the work in any newspaper, magazine or similar periodical or to the reproduction of the work for publication.

3.4   Author's Right

Author's Right

Author's rights are liberties granted to authors to reproduce, circulate and sell his/her literary works, for a certain period of time. Author's right is a part of copyright law, that are internationally protected for literary and artistic works. According to Macfie and Raphael (1982), the section 5 of the Nigeria Act provided the kind of rights that are exclusively deserved for the author of a work. If any person does anything contrary to this deserved right, is said to infringe on the right of the author. The author has the exclusive right to control or authorize the doing of any of the following act:

a) Reproduce the work in any material form

b) Publish the work

c) Perform the work in Public

d) Make any cinematography, film or a record in respect of the work.

e) Distribute to the public for commercial purposes e.g. higher, loan, lease, rental or similar-arrangement

f) Make an adaptation of the work

Naturally, the right on any publication belongs to the author. However, in cases where the author is employed under a contract for service to produce intellectual works, the right in the works produced in the course of the employment belongs to the employer. The right owner is at liberty to transfer his right, wholly or partially, to another person provided he does so in writing. The right on any work is limited to certain number of years depending on the nature of work and the

provision of the copyright law of that country. Section 9 of the Nigerian Act vested copyright initially on the author of the work. This means that the author is the first sole owner of the copyright in his work. The question that normally arises is, what if the author is an employee of a company or government, who owns the copyright in the work? The following points should guide us in an effort to provide an answer to this very serious question:

a) If the author is under a contract of employment but he was not commissioned to do the work by his employer, the rights belong to the author even if the work was made in course of his employment.

b) If the author was commissioned by an employer to do the work but he is not under a contract of service with the employer, maybe, he is a consultant; the right is the work will still vest on the author.

c) Where the author is under a contract of service or apprenticeship with the proprietor of a newspaper, magazine or similar periodical and he produces a literary, artistic or musical work in course of his employment, his proprietor shall have the right as it relates to the publication of the work in the periodical or any other such periodical but not in any other respect.

This means that excluding this right of publication and its reproduction, the author has the rest of the right in the work. (www.sacd.rr/authorsTi ghtandtheirwork.html). According to Ojeinda (2010), authors' rights have two distinct components:

- The economic rights in the work and
- The moral right of the author,

The economic rights are property right which is limited in time and which may be transferred by the author to other people in the same way as any other property (although many countries require that the transfer must be in the form of a written contract). They are intended to allow the author or their holder to profit financially from his or her creation, and include the right to authorize the reproduction of the work in any form (Article 9, Berne Convention). The authors of dramatic works (e.g. plays etc.). Also have the right to authorize the public performance of their works (Article 11, Berne Convention). The protection of the moral rights of an author is based on the view that a creative work is in some way an expression of the author's personality. The moral rights are therefore personal to the author, and cannot be transferred to another person except by testament when the author dies. The moral rights regime differs greatly between countries, but typically includes the rights to be identified as the author of the work and the right to object to any distortion or mutilation of the work which would be prejudicial to his or her honour or reputation. In many countries, the moral rights of an author are perpetual.

4.0   CONCLUSION

The author and ownership as distinct concepts under the copyright law are very important in explaining the fruits in a work and laying claim to copyright protection. Ownership flows from authorship. The person who makes the work is normally the first owner of the copyright in the work, provided that he has not created the work in the course of employment, in which case his employer will be the first owner of copyright. The author having moral rights as owners of copyright possesses the anomic right. Sometimes, the author of the work will also be the owner of the copyright in the work but many works separate author and owners as far as copyright is concerned.

5.0   SUMMARY

In this unit, we have been able to define the concepts of copyright, right, author and ownership. Also the types of ownership as well as the limitations to ownership were treated. Furthermore the author's right was quietly discussed.

6.0   TUTOR-MARKED ASSIGNMENT (SAES)

i.   Define the following concepts, copyright, right, author, and ownership.

ii. What are the types of ownership?

iii. Mention the limitations to ownership

iv. Explain author's right

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MODULE 3

PIRACY AND PLAGIARISM

This module provides an illumination on the concept of piracy, factors responsible for piracy in Nigeria, effects of piracy, consequences of piracy, suggestions on how to reduce piracy in Nigeria

and punishment for pirates. It equally will cover the definition of plagiarism, cases of plagiarism, consequences of plagiarism, suggestions how to prevent v and punishment for plagiarism.

UNIT 1: PIRACY

1.0   INTRODUCTION

2.0   OBJECTIVES

3.0   MAIN CONTENT

       3.1   Definition of Piracy

       3.3   Factors Responsible for Piracy in Nigeria

       3.3   Different Forms in which Piracy is Exhibited in Nigeria

       3.4   Effects of Piracy

       3.5   Consequences of Piracy

       3.6   Suggestions to Reduce Book Piracy in Nigeria

       3.7   Punishment for Pirates

4.0   CONCLUSION

5.0   SUMMARY

7.0   TUTOR-MARKED ASSIGNMENT (SAES)

8.0   REFERENCES/FURTHER READING

1.0   INTRODUCTION

This unit will take a look at the definition of piracy, factors responsible for piracy in Nigeria, different forms in which piracy is exhibited in Nigeria, effects of piracy, consequences of piracy, suggestions to reduce book piracy in Nigeria and punishment for pirates.

2.0   OBJECTVES

By the end of this unit, you will be able to:

- Define piracy

- Identify the factors responsible for piracy in Nigeria.

- Explain different forms in which piracy is exhibited in Nigeria.

- Understand the effects of piracy

- Discuss the consequences of piracy

- Find out the suggestions to reduce book piracy in Nigeria

- Mention the punishment for pirates.

3.0   MAIN CONTENT

3.1   Definition of Piracy

The greatest problem facing the authors and the publishers today is piracy. Before, this act was limited at high sea stealing but currently, it has entered into knowledge acquisition and distribution. It has slowed down the speed of originality among inventors. Piracy has a negative effect on the cultural and economic development of Nigeria. Piracy defined by Serling (1999) as the act of producing unauthorized copies of protected materials and dealing with such copies by way of distribution and sale. It is an illegal reproduction, abuse of publication rights. It can take the form of circumvention of e-book versions, translation of books without the permission of the owner of the copy right in the book, hi-tech reproduction overseas, and local reproduction of fast moving titles using newsprint or poor textures paper.

Piracy is a worldwide phenomenon involving most advanced forms of organized crime. What the pirates market is knowledge, produced by individuals. Knowledge can be generated through intellectual activities, experimentation, empirical research, observation, experience, reading or

imagination. The advent of printing press helped to make books available. It is unfortunate that today printers help to promote piracy in Nigeria. Unscrupulous printers have become such adapts to book piracy that one could hardly differentiate between the original and the pirated copies. (Nwafor, 1996; cited in Okwilagwe, 1999).

3.2   Factors Responsible for Piracy in Nigeria

1. Very high cost of books in relation to average income of the populace.

2. The scarcity of high quality materials like paper, machinery, ink, etc.

3. The infant state of the publishing industry, making the country to depend on foreign publishers for their educational and research needs.

4. Ignorance of copy right laws by public.

5. The uncooperative attitude of some countries in endorsing international treaties on intellectual property rights.

6. Nwafor (1991) stated that widespread unemployment, unprecedented increase in anti-social behavior, strikes and worker's agitation for higher wages, severe dearth of books leading to high cost of up to 50% and parents' inability to purchase books for their children pave way for piracy to thrive. This adversely affects publishing in Nigeria.

3.3   Different Forms in which Piracy is exhibited in Nigeria

1. By illegal reprography.

2. Abuse of publication rights.

3. Circumvention of e-books version.

4. Translation of books without the permission of the owner.

5. Hi-tech reproduction overseas.

6. Local reproduction of fast moving titles, using newsprint or poor textured paper.

3.4   Effects of Piracy

Piracy has negative and positive effect, although it has more of negative effects.

On the negative side, piracy affects printing and non-printing materials. Pirates gain more than the publishers. Most Nigerian publishers have fallen victim of piracy. About 50% of the publishing companies had one or more of their works pirated. While about 20% of the annual turnover is lost to the pirates.(Okwaligwe,1997)

This is because Nigerian students go for pirated copies of the text books since the original copies are very costly and cannot be afforded.

Again, since cultural and information industries contribute much to the economic and cultural development of Nigeria, pirate activities affect the national wealth negatively.

According to Association of American Publishers (2010) internet piracy has cost the publishing industry heavy loss in sales. It is believed that nearly 10, 000 copies of every published book is downloaded for free, with business and investing books being the genre of books pirated the most.

Finally, the easy availability of pirated works online, according to Macmillan's Anti-piracy Initiatives (2013), affects the entire book publishing, community, including authors, readers, publishers' agents and booksellers. The effects of piracy can range from the tangible (lost sales, lower author royalties) to the intangible (decline in the perception of the value of a book).

On the positive side, piracy promotes the spread of knowledge (Randhawa, 2009). It makes books available, affordable and to the reach of the users. This is because pirates rapidly produce and widely distribute the printed materials, thus spreading knowledge far and wide. It ensures that information gets to the less privileged, the poor and other members of the society that needs knowledge.

According to Bender and Sampliner (1996), piracy had created audiences and large scale publishing operations, including the elaboration of editorial, production and critical functions.

3.5 Consequences of Piracy

1. When some Nigerian traders contribute money and go to overseas to reprint published works, the money sent out of Nigeria to do this work affect the national economy.
2. Many poorly pirated books stocked in many libraries easily got damaged and where it is difficult to replace them, the readers will be without useful reading materials.

3.6 Suggestions to Reduce Book Piracy in Nigeria

1. The national book policy and commissioning of local authorship should be established.
2. Revitalization of libraries.
3. Awareness and enforcement of the copy right laws should be carried out.
4. Materials required by the local publishers should be provided so that the cost of books should be affordable.
5. Sanction should be placed on countries showing complacency towards piracy.
6. Special algorithms should be provided to detect illegal downloads.
7. Security printing devices should be provided.

3.7 Punishment for Pirates

1. All confiscated pirated materials should be burnt immediately to discourage the pirates.
2. The Nigerian copyright commission should be more serious in punishing all those who are selling pirated books.
3. Libraries that stock pirated books and other materials should be punished.

4.   In Islamic states, those who are convicted of piracy should be stoned to death.

5.   The property and asset of the pirates should be confiscated.

4.0   CONCLUSION

It is clear from the above disclosure that has adverse effects on the authors, academicians, publishers, and the general public that uses printed materials. Piracy is one of the greatest problem facing the authors and publishers today. What the pirates market is knowledge, generated by individual authors and artists. Unscrupulous printers have become such adapts to book piracy that one could hardly differentiate between the original and the pirated copies. Efforts are being made to ensure that pirates are punished.

5.0   SUMMARY

In this unit, we have been able to look at the definition of piracy, identify the factors responsible for piracy in Nigeria, and explain the different forms in which piracy is exhibited, suggestions to reduce piracy in Nigeria and punishment for pirates.

6.0   TUTOR-MARKED ASSIGNMENT (SAES)

1. What is piracy?

2. What are the factors responsible

3. Outline the different forms in which piracy is exhibited in Nigeria.

4. Mention the effects of piracy.

5. Discuss the consequences of piracy.

6. What are the suggestions to reduce piracy in Nigeria?

7. Identify the punishment for pirates

7.0   REFERENCES/FURTHER READING

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UNIT 2:

PLAGIARISM

1.0   INTRODUCTION

2.0   OBJECTIVES

3.0   MAIN CONTENT

    3.1   Concept of Plagiarism

    3.2   Cases of Plagiarism

    3.3   Consequences of Plagiarism

        3.3.1   Destroyed Professional Reputation

        3.3.2   Destroy Academic Reputation

        3.3.3   Legal Repercussion

        3.3.4   Money Repercussions

        3.3.5   Plagiarism Research

    3.4   Suggestions on how to Prevent Plagiarism

3.4 Punishment for Plagiarism

4.0 CONCLUSION

5.0 SUMMARY

6.0 TUTOR-MARKED ASSIGNMENT (SAES)

7.0 REFERENCES AND FURTHER READING

1.0 INTRODUCTION

This unit will focus on the concept of plagiarism, cases of plagiarism, consequences of plagiarism, suggestions on how to prevent plagiarism and the punishment for plagiarism.

2.0 OBJECTIVES

By the end of this unit, you will be able to:

- ➢ Define plagiarism
- ➢ State the cases of plagiarism
- ➢ Explain the consequences of plagiarism
- ➢ Understand the suggestions on how to prevent plagiarism
- ➢ Identify the punishment for plagiarism

3.0 MAIN CONTENT

3.1 Concept of Plagiarism

Today many people do not reap where they sow and many do not want to plant at all, but strongly believe that they must be rich. Plagiarism is today a cankerworm that is trying seriously to kill creativity, originality and hard work.

Moulton and Robison (2002) stated that plagiarism can be seen as "depriving authors of profit that rightfully theirs. Depriving authors of credit might also be a form of theft"

Obviously, plagiarism is a misconduct considered to be unethical and immoral regardless of who commits it. However, people risk getting caught for plagiarism because, if they get away with it, plagiarism can have many rewards. For example the academic plagiarist might benefit at the expense of the original author in the form of public recognition based on someone else's work, promotion and raise in salary, for grants or patents. These would all be underserved rewards. Therefore, plagiarist mounts to receiving undeserved compensation, promotion, grants, patents as recognition. Thus, plagiarism is unethical and immoral.

3.2   Cases of Plagiarism

Plagiarism has become a serious problem in academic. For example Guterman (2008) has reported on recent research revealing that "more than 70,000 article abstracts appeared disturbingly similar to others published work when scanned by a new search program.

The researchers examined 2,600 of these abstracts by hand and found 3 instances of what appears to outright plagiarism.

Besides outright plagiarism, there are many examples of double publishing, which means publishing the same paper in different journals.

Bleomenkamp *et al* (1999) found that a large proportion of articles in Dutch medical journals have been duplicated.

Schein and Paladugu (2001) found that 16 percent of the original articles published in leading surgical journals could be considered redundant publication.

According to Schulz (2008), "A chemist in India has been found guilty of plagiarism and falsifying more than 70 research papers published in a wide variety of western scientific journals between 2004 and 2007.

Plagiarism is not only unethical but also creates a problem for the original author once he/she locates his/her works in another article. For example, Armstrong (1993) recalled that "A young university radiologist recognized his own writing in a professional journal under another's authorship, with attribution to himself" He wrote the author of the article, who responded, "What a remarkable coincidence, great minds think alike" the young radiologist decided not to pursue.

Unfortunately, when one reports a case of allegation one cannot be sure of its consequences

3.3 Consequences of Plagiarism

Destroyed Professional Reputation

A professional business person, politician, or public figure may find that the damage from plagiarism follows them for their entire career. Not only will they likely be fired or asked to step down from their present position, but they will surely find it difficult to obtain another respectable job. Depending on the offense and the plagiarist's public stature, his or her name may become ruined, making any kind of meaningful career impossible.

Destroy Academic Reputation

The consequences of plagiarism have been widely reported in the world of academia. Once scarred with plagiarism allegation, an academic's career can be ruined. Publishing is an integral part of a prestigious academic career. To lose the ability to publish most likely means the end of an academic position and a destroy reputation.

Legal Repercussions

The legal repercussions of plagiarism can be quite serious. Copyright laws are absolute. One cannot use another person's material without citation and reference. An author has the right to sue a plagiarist. Some plagiarism may also be deemed a criminal offense, possible leading to a prison sentence. Those who write for a living, such as journalists or authors, are particularly susceptible to plagiarism issues. Those who write frequently must be ever-vigilant not to err. Writers are well-aware of copyright laws and ways to avoid plagiarism. As a professional writer, to plagiarize is a serious ethical and perhaps legal issue.

Money Repercussions

Many recent news, reports and articles have exposed plagiarism by journalists, authors, public figures and researchers. In the case where an author sues a plagiarist, the author may be granted monetary restitution. In the case where a journalist works for a magazine, newspaper or other publisher, or even If a student is found plagiarizing in school, the offending plagiarist could have to pay monetary penalties.

Plagiarism Research

Plagiarized research is an especially egregious form of plagiarism. If the research is medical in nature, the consequences of plagiarism could mean the loss of people's lives. This kind of plagiarism is particularly heinous.

The consequences of Plagiarism are far-reaching and no one is immune. Neither ignorance nor stature excuses a person from the ethical and legal ramifications of committing plagiarism. Before

attempting any writing project, learn about plagiarism. Find out what constitutes plagiarism and how to avoid it. The rules are easy to understand and follow. If there is any question about missing attribution, try using an online plagiarism checker or plagiarism detection software to check your writing for plagiarism before turning it in. laziness or dishonesty can lead to a ruined reputation, the loss of a career, and legal problems.

Many authors and lecturers are no longer creative, rather, they remove or change the cover or repackage an already published work and market them as their own.

Many creative Nigerians do not want to write and publish their good ideas for fear of others feeding on their work.

Today, students of many institutions do not read for knowledge, rather, they photocopy lecture notes or textbooks and take them into examination halls for copying into their examination answer scripts. This situation has reduced standards of education in Nigeria.

Many students do not care to carry out useful projects, rather, they plagiarize verbatim the projects of other graduates and submit as theirs

3.4   Suggestions on how to Prevent Plagiarism

Plagiarism is unethical and may be illegal in some cases. Therefore, there is no justification for plagiarizing. Parmley (2000) concluded that "A publish –or- perish mentality must never degenerate into plagiarism-and-publish mentality.

Hoover (2006), has argued that "not preventing plagiarism will ultimately stop the free exchange of ideas in the profession" Therefore, Hoover (2006) suggested that a profession can reduce or prevent plagiarism by:

- Protecting those whose work has been plagiarized,

- Reporting the plagiarism to their superior,

- Publicizing the name of plagiarists after they have been notified and have been given opportunity to explain their behaviour.

- Developing a professional website supervised by a board of a few editors of national stature to monitor the policy regarding how to monitor or publicize plagiarism" Parmley (2000) suggested that all academicians and practitioners be reminded of the following.

- Plagiarism is WRONG no matter what the extent. It is a serious form of scientific misconduct.

- As mentors, we must teach this both by example and by explicit statement.

- When we find it, we should deal with it firmly and appropriately in each situation.

- We all need to be more sensitive to the insidious nature of this problem.

3.5   Punishment for Plagiarism

Punishment for Plagiarism

According to Girard (2004), it is difficult to catch and punish the plagiarist because many ideas and thoughts have been published already that it seems as though there are no original ideas anymore. Thus many writers are in dilemma because what we perceive to be original thoughts may be opinions and ideas written down by others and subconsciously deeply fixed in us through what we see or read. Again, many academicians do not have the experience, time and effective legal tool to deal with plagiarism (Gross berg, 2004).

However, if plagiarists are not punished, it will inhibit the generation of new ideas and encourage future plagiarists to reap undeserved rewards and recognition at the expenses of other researchers

and authors. Again, new ideas will not be discovered and the old idea will continue to be repackaged in new forms. This is a disastrous trend for the society and future generations.

Again, according to Dye (2007), institutions can develop a website that can help detect plagiarized work of students or lecturers. Currently we have the computer software that can detect plagiarized works. The available ones are

1. **Turnitin.Com**: This is an electronic plagiarism detection service which works with universities to help students prevent plagiarism.

2. **ar Xiv Software**: This software looks for overlap or correlation with all ar xiv submission (Bechhoefer, 2007). If enough match is found with submitted work, a message is sent to the submitter, with the list of the works in which similarities have been detected . If the submitter wishes to proceed, the editorial board should be notified and the submitter should be asked to provide justification for overlap work.

3. **eTblast**: This is web- based tool used in India (Schulz, 2008)

4. **CopyGauard**: This machine uses match–and-report process which allows users to verify content originality quickly and easily. It produces a customized originality report that provides underlines excerpts of any relevant text matches and similarity index.

Other Punishments for Plagiarism:

1. Any Nigerian author who plagiarized should be jailed to discourage others.

2. Lecturers who are caught plagiarizing the work of others should be denied promotion.

3. Students caught plagiarizing the project work of other students should not be certificated.

Grossberg (2004) concluded that, like other ethical issues, plagiarism has no simple solution. He states, "it can never be addressed effectively by simply turning journal editors, book and manuscript reviews into a disciplinary policy force" he suggests that all of us must make a commitment to the basic standards of ethical conduct in our discipline which includes preventing the misappropriation of other people's words and ideas.

4.0   CONCLUSION

It is evident from the discussion that plagiarism affect the production and effective dissemination of valuable information and tend to discourage hard work, invention and critical thinking that offers solutions to human problems. Strategies have been suggested on how to prevent plagiarism.

5.0   SUMMARY

In this unit, we have been able to define and explain plagiarism, explain cases of plagiarism, discussed the consequences of plagiarism, made suggestions on how to prevent plagiarism and stated the punishment for plagiarism.

6.0   TUTOR-MARKED ASSIGNMENT (SAES)

1. What is plagiarism?

2. Mention the cases of plagiarism

3. Discuss the consequences of plagiarism

4. State the suggestions on how to prevent plagiarism

5. What are the punishment for plagiarism

7.0   REFERENCES AND FURTHER READING

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MODULE 4

INTELLECTUAL PROPERTY, COPYRIGHT AND PATENT

This module will present the concept of intellectual property, copyright and patent. The nature and definition of intellectual property, nature of rights of an intellectual property owner, copyright, nature of copyright, materials/works eligible for copyright, different international and national conventions and legislations respectively that are available for the protection of the intellectual property, infringements and enforcement of intellectual property, challenges and issued related to the implementation of intellectual property rights, patents, assessing the scope of patent rights.

UNIT 1: CONCEPT AND NATURE OF INTELLECTUAL PROPERTY

1.0   INTRODUCTION

2.0   OBJECTIVES

3.0 MAIN CONTENT

    3.1 Concept of Intellectual Property

    3.2 Nature of Intellectual Property

    3.3 Nature of Rights of an Intellectual Property Owner

4.0 CONCLUSION

5.0 SUMMARY

6.0 TUTOR-MARKED ASSIGNMENT

7.0 REFERENCES/FURTHER READING

1.0 INTRODUCTION

This unit will concentrate on the concept of intellectual property, nature of intellectual property, nature of rights of an intellectual property owner.

2.0 OBJECTIVES

By the end of this unit, you will be able to:

- Define intellectual property.

- Discuss the nature of intellectual property.

- Explain the nature of rights of an intellectual property owner.

3.0 MAIN CONTENT

3.1 Concept of Intellectual Property

Intellectual property according to Mersha(2012) "was originally designed to cover ownership of literary and artistic works, inventions (patents) and trademarks". What is protected in intellectual property is the form of the work, the invention, the relationship between a symbol and a business. However, the concept of intellectual property now covers patents, trademarks, literary and artistic works, designs and models, trade names, neighboring rights, plant production rights, topographies of semi-conductor products, databases, when protected by a *sui generis* right, unfair competition, geographical indications, trade secrets, etc.

The objective of Intellectual Property is not to protect a work that has only an abstract existence and therefore cannot be perceived by the senses, unlike a building or a car. However, like material goods, intellectual creations may be subject to a proprietary right.

The principal objective of intellectual property according to Cornish and Llewelyn (2013) is to ensure consumers a variety of products at the lowest possible price. Intellectual property law ensures private property rights enabling individual and business outfits to appropriate to themselves the value of the information they produce and encourage them to produce more

There are two main concepts of intellectual property. These include the moral and economic right of a work. It is important to note that copyright is the main aspect of an intellectual property. This is the right that protects the work of an author in any circumstance from invasion or infringement.

Bainbridge (2009) defines intellectual property as that area of law which concerns legal rights associated with creative effort or commercial reputation and goodwill. According to (Marett, 1996) the term intellectual property has come into vogue relatively recently, to describe property rights and most of the various intangible products of the human intellect, sometimes the term is used to include copyright, the law of confidence and others classified as industrial property rights such as

Patent, Trademark and Industrial Design. According to (Forensis Group, 2015), Intellectual Property (IP) is a blanket term that describes a number of distinct types of intangible assets – creations of the mind –to which one can claim exclusive rights. Since there are several forms of intellectual property, the main ones are patent, copyright, trademark and trade secrets and they have different legal implications. (Gardener, 2009) thinks of Intellectual Property as an umbrella of sorts that compasses things like copyrights trademarks and patent.

World Intellectual Property Organization (WIPO) (2016) defined intellectual property as a global overall term defining creations of the mind in other words , 'things' that people create from their personal imagination: a story , a wood carving, a song, a dance routine, or an invention.

intellectual property law deals with the protection of inventions. It is also a means of safeguarding the fruits of their creativity and maintaining their incentives to invest in innovation. This deters others from copying or taking unfair advantage of the work or reputation of another and provides remedies where this arises. It enables people to earn recognition or financials benefit from what they invent or create. By striking the right balance between the interests of inventors and the wider public interest, the intellectual property system aims to foster an environment in which creativity and innovation can flourish.

Intellectual property can be passed on to someone like other kinds of property by gift, sale or bequest and it could be temporary or permanent in nature. However, it is a right that is limited in nature. There are different periods for all the forms of the intellectual and industrial property.

3.2   Nature of Intellectual Property

Intellectual properties have their own peculiar features. These features smay serve to identify intellectual properties from other types of properties. Mersha(2012) listed some of the natures of intellectual property as follows:

1. Territorial

Any intellectual property issued should be resolved by national laws. Why is it an issue? Because intellectual property rights have one characteristic which other national rights do not have. In ownership of intellectual property of immovable properties, issues of cross borders are not probable. But in intellectual properties, it is common. A film made in Hollywood can be seen in other countries. The market is not only the local one but also international. If a design in China is imitated by another person in France which law would be applicable? Territorial nature means that intellectual property right is only effective in the territory of the state granting that right. As an example an intellectual property right granted in Nigeria only has effect within the territory of Nigeria. It does not give the power any rights outside Nigeria and can only be infringed by conduct which occurs within the territory of Nigeria.

2. **Giving an exclusive right to the owner**

It means others, who are not owners, are prohibited from using the right. Most intellectual property rights cannot be implemented in practice as soon as the owner got exclusive rights. Most of them need to be tested by some public laws. The creator or author of an intellectual property enjoys rights inherent in his work to the exclusion of anybody else.

3. Assignable

Since they are rights, they can obviously be assigned (licensed). It is possible to put a dichotomy between intellectual property rights and the material object in which the work is embodied. Intellectual property can be bought, sold, or licensed or hired or attached.

4. Independence

Different intellectual property rights subsist in the same kind of object. Most intellectual property rights are likely to be embodied in objects.

5. Subject to Public Policy

They are vulnerable to the deep embodiment of public policy. Intellectual property attempts to preserve and find adequate reconciliation between two competing interests. On the one hand, the intellectual property rights holders require adequate remuneration and on the other hand, consumers try to consume works without much inconvenience. Is limitation unique for intellectual property?

6. Divisible (Fragmentation)

Several persons may have legally protected interests evolved from a single original work without affecting the interest of other right holders on that same item. Because of the nature of indivisibility, intellectual property is an inexhaustible resource. This nature of intellectual property derives from intellectual property's territorial nature. For example, an inventor who registered his invention in Ethiopia can use the patent himself in Ethiopia and License it in Germany and assign it in France. Also, copyright is made up of different rights. Those rights may be divided into different persons: publishers, adaptors, translators, etc.

3.3   Nature of Rights of an Intellectual Property

(Sokefun, 2001) stated the following as the nature of rights of an intellectual property owner:

1. **Moral right**

This is a right that grants the author paternity of the intellectual creation and protects the personal and reputational value of a work, as opposed to its purely monetary value. Moral right is especially important under intellectual property law since the author has the right to decide whether he wants to disclose the work to the public. He can set the conditions of its commercial exploitation and defend its integrity. As the author is deemed to have the moral right to control its creation, moral right relates to the connection between an author and his creation.

2. **Economic right**

This relates to a creation's commercial value and grants the author a monopoly to exclusively exploit his creation for a certain period. This fosters industrial and commercial relations as well as creativity.

Under this monopoly, right holders can prevent third parties from using manufacturing and selling the creation without authorization. If rights are infringed the author can take legal action against unlawful use of his literary, artistic or industrial creations.

It is important to that the general law of intellectual property is a global concept. Intellectual property rights play an important role in the economic life of any nation, especially in this age of

technological development. It is indeed meant to protect the right of the inventors, writers and also those of artists and the public generally.

Copyright

The concept copyright is to protect intellectual property of some one and to stop it from being reproduced and sold by unauthorized persons. It therefore enables the author of the work to enjoy the fruit of his/her labour. Copyright does not protect mere ideas, but it protects the expression of an idea in a tangible form.

However, the unfair taking of the results of the application of human intellect may infringe more than any one single right. Copyright provides a very useful and effective way of exploiting a work economically. It also provides a mechanism for allocation of risks and income from the sale of the work (Bainbridge, 2007)

Copyright is a set of exclusive rights granted by the law of a jurisdiction to the author or creator of an original work, including the right to copy, distributed and adapts the work.

The Black's Law Dictionary 8th edition, defined copyright as the right to copy; a property right in an original work of authorship (including literary, music, drama, choreographic, pictorial, graphic, sculptural and architectural works and sound recording) fixed in any tangible medium of expression, giving the holder the exclusive right to reproduce, adapt, distribute, perform and display the work.

Miller (2016) defines copyright as a form of legal construct that falls under the realm of intellectual property law. It is a concept that grants a set of exclusive rights to the author of an original work. These exclusive rights mean that the author has the power to, among other things, make and sell copies of their work. In addition, it also restricts who else may do so. Works that can be

copyrighted include, but aren't limited to, software, movies, songs, literature, and pictures. Copyrights last for the author's lifetime, plus up to a hundred years beyond his or her death.

WIPO (2016) defines Copyright as a legal concept describing rights given to creators for their literary and artistic works which include books, music, works of fine art such as

Paintings and sculpture, as well as technology-based works such as computer programs and electronic databases. A work does not need to be published or 'made available to the public' to be protected. It is protected from its creation. As seen earlier, copyright law protects only the form of expression of ideas, not the ideas themselves. The creativity protected by copyright law is creativity in the choice and arrangement of words, musical notes, colours and shapes.

Some of the exclusive rights that a copyright affords an author include the right to display the work publicly, transmit or display the work by radio or video, to produce and sell copies of the work and create derivative works for the original. Work no longer protected under copyright or created by any government office for civil use is considered in the "public domain" and may be used freely.

The Copyright Act, CAP. 68, Laws of the Federation 2004 does not give clear definition of copyright. It however, recognizes it as a right to stop or debar others from doing something and to restrain others from printing or interfering with others' work.

It can be inferred from the various definitions that the fundamental purposes of copyright are to control the copying of the intellectual materials existing in the field of literature and the arts, and to protect the writer or artist against unauthorized copying of his materials.

(Norman, 2005) pointed out that copyright protection has a restricted lifespan. It applies for a specific period of time, after which the work is said to enter the public domain. The period of restriction ranges from 25 years to 70 years. This limitation can be justified on the basis that

copyright law does not lock away the ideas underlying a work. According to her, copyright initially only applied to published books, but over time, it was extended to other uses, such as translations and derivative works. It now covers a wide range of works, including maps, dramatic works, paintings, photographs, sound recordings motion pictures, and computer programs.

4.0   CONCLUSION

The major issue of intellectual property is not to protect a work that has only an abstract existence and therefore cannot be perceived by the senses. The principal objective of intellectual property is to ensure consumers a variety of products at the lowest possible price. Intellectual property law ensures private property rights enabling individual and business outfits to appropriate to themselves the value of the information they produce and encourage them to produce more.

5.0   SUMMARY

In this unit, we have tried to provide a definition of intellectual property, the nature of rights of an intellectual property owner were discussed.

6.0   TUTOR-MARKED ASESSEMENT

1. What do you understand by intellectual property?

2. Discuss the nature of intellectual property?

3. Explain the nature of rights of an intellectual property owner

7.0   REFERENCES AND FURTHER READING

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UNIT 2

COPYRIGHT CONCEPT, HISTORY, NATURE AND CHALLENGES

1.0   INTRODUCTION

2.0   OBJECTIVES

3.0   MAIN CONTENT

    3.1   Definition of Copyright

    3.2   Brief History and Evolution of Copyright

    3.3   Nature of Copyright

    3.4   Material/Works Eligible for Copyright

    3.5   Different International and National Conventions and Legislation that are Available for Protection of the International Property

    3.6   Infringements and Enforcement of Intellectual Property?

1.0   INTRODUCTION

This unit will cover a number of issues concerning copyright, its history and challenge. The various issues to be covered include, definition, brief history of copyright, nature of copyright, materials/works eligible for copyright, different international and national conventions that available for the protection of intellectual property, infringements ad enforcement of intellectual property, challenges in implementing copyright law, and assessing the scope of patent rights.

2.0   OBJECTIVES

By the end of this unit, you will be able to:

- Define copyright

- Narrate the history or evolution of intellectual property

- Explain the nature of copyright

- Identify the materials eligible for copyright

- Mention different international and national conventions and legislation that are available for protection of intellectual property.

- Describe the infringements and enforcement of intellectual property.

- Mention the challenges in implementing copyright laws

- Discuss the challenges and issues relating to the implementation of intellectual property.

- Assess the scope of patent right.

3.0   MAIN CONTENT

3.1   Definition of Copyright

The concept copyright is to protect intellectual property of some one and to stop it from being reproduced and sold by unauthorized persons. It therefore enables the author of the work to enjoy the fruit of his/her labour. Copyright does not protect mere ideas, but it protects the expression of an idea in a tangible form.

However, the unfair taking of the results of the application of human intellect may infringe more than any one single right. Copyright provides a very useful and effective way of exploiting a work economically. It also provides a mechanism for allocation of risks and income from the sale of the work (Bainbridge, 2007)

Copyright is a set of exclusive rights granted by the law of a jurisdiction to the author or creator of an original work, including the right to copy, distributed and adapts the work.

The Black's Law Dictionary 8th edition, defined copyright as the right to copy; a property right in an original work of authorship (including literary, music, drama, choreographic, pictorial, graphic, sculptural and architectural works and sound recording) fixed in any tangible medium of expression, giving the holder the exclusive right to reproduce, adapt, distribute, perform and display the work.

(Miller, 2016) defined copyright as a form of legal construct that falls under the realm of intellectual property law. It is a concept that grants a set of exclusive rights to the author of an

original work. These exclusive rights mean that the author has the power to, among other things, make and sell copies of their work. In addition, it also restricts who else may do so. Works that can be copyrighted include, but aren't limited to, software, movies, songs, literature, and pictures. Copyrights last for the author's lifetime, plus up to a hundred years beyond his or her death.

WIPO (2016) defined Copyright as a legal concept describing rights given to creators for their literary and artistic works which include books, music, works of fine art such as paintings and sculpture as well as technology-based works such as computer programs and electronic databases. A work does not need to be published or 'made available to the public' to be protected. It is protected from its creation. As seen earlier, copyright law protects only the form of expression of ideas, not the ideas themselves. The creativity protected by copyright law is creativity in the choice and arrangement of words, musical notes, colours and shapes.

Some of the exclusive rights that a copyright affords an author include the right to display the work publicly, transmit or display the work by radio or video, to produce and sell copies of the work and create derivative works for the original. Work no longer protected under copyright or created by any government office for civil use is considered in the "public domain" and may be used freely.

The Copyright Act, CAP. 68, Laws of the Federation 2004 does not give clear definition of copyright. It however, recognizes it as a right to stop or debar others from doing something and to restrain others from printing or interfering with others' work.

It can be inferred from the various definitions that the fundamental purposes of copyright are to control the copying of the intellectual materials existing in the field of literature and the arts, and to protect the writer or artist against unauthorized copying of his materials.

Norman ((2005) points out that copyright protection has a restricted lifespan. It applies for a specific period of time, after which the work is said to enter the public domain. The period of restriction ranges from 25 years to 70 years. This limitation can be justified on the basis that copyright law does not lock away the ideas underlying a work. According to her, copyright initially only applied to published books, but over time, it was extended to other uses, such as translations and derivative works. It now covers a wide range of works, including maps, dramatic works, paintings, photographs, sound recordings motion pictures, and computer programs.

3.2 Brief History and Evolution of Copyright

Sokefun (2001) gave a brief history and evolution of copyright. He reiterated that it has a relatively long history and its roots can be traced back to the period before the advent of technology, which permitted the printing of multiple copies quickly at relatively little expenses.

However, the origin of copyright law in most European countries lies in effort by the church and governments to regulate and control the output of printers. Before the invention of the printing press, writing once created, could only be physically multiplied by the highly laborious and error-prone process of manual copying by scribes.

However, before the 15th century, most books were written by hand. Books were expensive and few people owned them. If a person was able, they were free to copy book they pleased. There was no copyright protection. By the mid century, the printing press invented by Johann Guttenberg made books more accessible to the public. It also made unauthorized copying more widespread.

In1662 England began requiring that books be registered and licensed. This is to control writing that could be hostile to Church and Government.

In 1710, the author's rights were first recognized when the British Parliament established, passed a law that the principles of authors' ownership of copyright and preventing a monopoly of booksellers who were able to make fortunes printing books without compensating the authors.

Later copyright laws becoming international, several international treaties were signed; in 1886 the Berne Copyright Convention was formulated with the purpose of promoting greater uniformity in copyright law giving copyright owners full protection in all contracting states. This was revised in 1908, the then universal copyright conversion was promulgated in 1952.

Nigeria as a nation was not left out of the history of copyright with the promulgation of the Copyright Act in 1970. This was followed by the 1988 Copyright Decree (Copyright Act) CAP.68, Laws of the Federation 1990, which talked generally about the regulation of copyright law in Nigeria. There is also copyright Amendment Act of 1992. The law governing copyright is enshrined in the Law of Federation of Nigeria 2004.

3.3   Nature of Copyright

Literally, copyright is the right to prepare and distribute copies of intellectual production. The essential aspect of this branch of law is the recognition of the fact that writers and authors should enjoy the ownership in their creation; its purpose is to protect from exploitation by other people the fruit of a person's work, labour or skill.

It is age long principle of copyright that there is no protection of ideas per se unless they are embodied in permanent form; Even though one cannot have copyright in ideas or information, nevertheless, any attempted publication of another's idea or information breach of faith or confidence will be restrained by the court at the instance of the originator of the ideas. (Sokefun, 2001)

It is in this respect that the copyright Act in sections 5, 6, 7 and 8 gives the owner of a work the exclusive right to control (subject to the exceptions specified in the Second Schedule to this Act) in Nigeria , the reproduction, broadcasting, publication, performance, adaptation or communication in any material form ,the whole or substantial part of the work either in its original form or any other form derived from the original

3.4   Material/Works Eligible for Copyright

Ordinarily, what is being rewarded is the mental decision to create the work coupled with the toil or labour to bring it to fruition. The basic notion of protection works of copyright is that it is confined to the expression of an idea, principles, systems, methods and so on, fixed in any tangible medium of expression or in any material form.

The following works are eligible for copyright protection in Nigeria as listed in the Copyright Act, 1990

1. (1) subject to this section, the following shall be eligible for copyright:

        (a) literary works;

        (b) musical works;

        (c) artistic works;

        (d) cinematograph works;

        (e) sound recording; and

        (f) broadcasts.

(2) A literary, musical, or artistic work shall not be eligible for copyright unless-

(a) sufficient effort has been expended on making the work to give it an original character;

(b) the work has been fixed in any definite medium of expression now known or later to be developed, from which it can be perceived, reproduced or otherwise communicated either directly or with the aid of any machine or device.

(3) An artistic work shall not be eligible for copyright, if at the time when the work is made, it is intended by the author to be used as a model or pattern to be multiplied by any industrial process.

The Copyright Act of 2004 in its section 39 defines literary works to include:

- Novels, stories and poetic works;

- Plays, stage directions, films scenarios and broadcasting scripts;

- Choreographic works;

- Computer programmes;

- Text-books, treatises, histories, biographies, essays and articles;

- Encyclopaedias, dictionaries, directories and anthologies;

- Letters, reports and memoranda;

- Lectures, addresses and sermons;

- Law reports, excluding decisions of courts;

- Written tables or complaints.

According to (Ugocha, 2014) the following basic conditions, qualifies a work to be granted copyright.

I. That work must fall within the category of works protected

2. The work must satisfy the notions of originality

3. The work must be fixed in a definite medium of expression.

4. It must be created by a qualified person.

Copyright law protects the owner of property rights in literary and artistic works against those who ' copy ' or otherwise take and use the form in which the original work was expressed by the author. To qualify for copyright protection, a work must be original.

3.5 Different International and National Conventions and Legislation that are Available for Protection of the International Property

❖ World International Property Organization (WIPO)

❖ Universal Copyright Convention (the UCC)

❖ World Trade Organization (WTO)

❖ The Copyright Act 1990 (Nigeria).

❖ The Copyright , Designs and Patent Act 1988 (United Kingdom)

Nigeria Copyright Commission (NCC) - DUTIES

Anaeme, Akpom and Agunwa(2016) highlighted the duties of the Nigerian copyright Commission as cited by (Omekwu, Okoye and Ezeani, 2015) according to them, this is a body responsible for copyright protection in Nigeria. It commission is a body corporate with perpetual succession and may sue and be sued in its corporate name. Its statutory responsibilities are administration, promotion and enforcement of copyright in Nigeria. It also has statutory mandates of being responsible for all matters affecting copyright in Nigeria as provided under the copyright Act; monitor and supervise Nigeria's position in relation to international Conventions and advise government there on. It has the mandate to advice on conditions for conducts of bilateral and multilateral agreements between Nigeria and other countries. The body also enlightens and informs the public on matters relating to copyright, maintain effective databank of authors and their works

and assume responsibility for general enforcement of the criminal provision of the copyright Act. They also regulate the conditions for the exercise of resale right, general administration of the authorization scheme for the exploitation of expression of folklore, granting of compulsory licenses in accordance with the position of the copyright Act, establishment and regularization of the copyright offences and the approval of collecting societies. Establishment of legal framework and the taking of all steps regarded as condition precedent for the activation of relevant sections of the Act also fall within the mandate of the Commission

Agencies of NCC

The Commission launched what can be regarded as one of its most visionary and revolutionary initiative; **the Strategic Action against Piracy (STRAP)** in May, 2005. STRAP is a proactive and sustainable anti-piracy and all forms of copyright theft. Others are: Performing and Mechanical Rights Society (**PMRS**); Reproduction Rights Organization of Nigeria (REPRONIG) (Anaeme, Akpom and Agunwa, 2015)

3.6   Infringements and Enforcement of Intellectual Property

Copyright: An infringement of the rights conferred on a copyright owner occurs if anybody who without the license or authorization of the owner of the copyright does an act which is controlled by copyright. To codify copyright law as it applies to digital information, the Information Infrastructure Task Force (IITF) was formed in 1993. The IITF in turn established a working group on intellectual property right to examine the intellectual property implications. In 1994, the group published "Green Paper," a preliminary draft report on intellectual property right. The working group recognized the need to review current copyright laws in light of the fact that copying and dissemination of information are extremely easy in the digital age. At this time, copyright law is murky in respect to Multimedia. It may be several years until legislation is passed, and it may be

impossible to enforce, particularly for Multimedia materials distributed over the Internet (Age et al., 1994). The World Intellectual Property Organization (WIPO) is a specialized United Nations agency formed to protect intellectual property worldwide. Intellectual property consists of industrial property (trademarks, inventions) and copyrighted works. WIPO attempts to enforce copyright laws by cooperation between countries. More than 170 countries are currently members of WIPO. If an author registers a copyright for a Multimedia product in the United States and someone reproduces and sells it in Germany without the author's permission, the author would be able to prosecute that person in both the United States and Germany because both countries have signed copyright agreement documentation.

3.7   Challenges in Implementing Copyright Laws

The following as explained by (Antony, 2015) are the challenges experienced in Kenya to enforce copyright law, this is attributed to numerous factors;

i. Kenya does not have a way of monitoring copyright transactions. The role of looking out for perpetrators of infringing acts is largely left to the copyright owners who have neither the capacity nor the mechanism to monitor each part of the country and look out for copyright infringers.

ii. Many creators or artist are not aware that they possess valuable IP rights. This may be blamed squarely on the institutions created by the Act i.e. Kecobo which has not come out strongly to try and educate the society on their rights. Many people also believe that in order to have one's work protected, a complex and expensive process that can only be done in the capital city Nairobi is involved and possibly one requires the services of a lawyer, which ultimately becomes very expensive and people decide to forego their rights to have copyright protected.

iii. Of the staff employed in the institutions expected to protect IP rights, most are not qualified or experienced enough to help individuals protect their work in the right manner. Thus, Right holders deposit their work believing it is safe until they find that others have exploited their work and used it gainfully thus making the original author lose economic benefits that may have accrued were the work not infringed.

iv. The penalties provided for copyright infringement are not sufficient to control infringement. The Copyright Act provides a maximum penalty of Ksh. 800,000/= or 10 years imprisonment.109 The Kenyan practice has been that courts impose lower fines rather than jail terms. These small fines do not deter copyright infringement by offenders who stands to reap more from the infringement than the amount fined.110 Kenya loses a great amount of revenue due to activities such as infringement and piracy. Thus an argument has arisen that it is better to permit some acts of IP infringement and tax them in order to get revenue, or better, persuade or compel the infringers to engage in appropriate legitimate business.

3.8   Challenges and Issues Related to the Implementation of Intellectual Property Rights

According to ??? (In, 2014) one of the issues facing developing countries in implementing IPRs is the degree of understanding of intellectual property. The degree of IPR awareness is very low in developing countries. Generally speaking, IPRs are violated every day, because the majority of the populations are not aware of the phenomenon, or they do not understand the policies behind IPRs. The problem of awareness can be understood in two ways. On the one hand, some consumers might not be aware that there is a violation in reproducing the work of other people. It is very common to see traders going to China with original textiles to counterfeit them. On the other hand, the artisans usually might not know the great value in their creations; if they ignore the value of what they create, they cannot cherish them and try to protect them.

That fact manifests itself in an almost complete lack of cyber ethics, a disrespect for the original work of others, unthinking acceptance of illegal downloading, and worst of all, an absence of a sense of the value of personal creativity. This is the sort of culture in which piracy and counterfeiting thrive.

While in many countries today, there is a certain degree of IPR awareness at the graduate level, some lawyers and economists still ignore the existence and/or the importance of IPRs in other countries.

Secondly, from a social perspective, the degree of poverty is also another reason why IPRs are difficult to enforce in Africa. Poverty affects IPRs in two ways. On the one hand the rate of unemployment is so high that young people engage in any type of job in order to survive. It is very common to see people selling pirated works of artists on the street. On the other hand, original products are sometimes too expensive to afford in most developing countries, especially generic drugs. As far as generic drugs are concerned, "counterfeiting of medicines is a hugely lucrative business due to high demand and low production costs." Even when the price difference is not considerable, consumers are so used to the counterfeit that they assume that the original would be unaffordable. Very often, much of the population knows where to get counterfeit medications despite the deadly risk related to them. The reason behind this is because they always believe that the ones sold at the pharmacy are too expensive for them. Thirdly, the deficiency of the judicial system is another issue. Government lacks skills and techniques to implement and enforce IP regulations. First, there are few regulations related to IPRs in most countries. Second, the authorities face challenges in enforcing the existing regulations. The judicial system is not trained enough to hear cases related to IPRs in general, and patents and trademarks in particular, making enforcement difficult for the judges. From political and legal perspectives, many developing

countries argue that the enforcement of IPRs is not their priority; they argue that it is only the priority of developed countries. Also the existence of different legal systems in the region is a major problem of cross border practice and is also a major cause of the slow pace of intra regional trade and intellectual property right protection across the region (Nwabachili, M, Ph, & Law, 2015). They also noted the challenge of Legal lacuna in most countries in the region, before the benefit of an international treaty such as the Berne convention, there must be a specific national legislation re-enacting the provisions of the treaty as a national law or otherwise recognizing the treaty's provisions as provisions of law which can be enforced vide the courts of law.

Fourth is the challenge of language barrier: There are over 1000 indigenous language groups in the region with French and English language as the main official languages with which government business is conducted. The generality of the populace of the sub-region are not fluent in the two official languages simultaneously. Hence language poses a barrier to the officials of government who are charged with conducting the affairs of states as it pertains to Intellectual Property Rights enforcement. As an illustration, if an IPR owner in Conakry, Guinea is being violated at Lome, Togo language will not pose a barrier as they are Francophone cities within the region. On the contrary, if the violator is at Tema; Ghana, language becomes the first hurdle that must be crossed for a meaningful investigation and a successful enforcement to be realized (Nwabachili et al., 2015).

3.9   Patent

Patents

Forensis Group (2015) described a patent as a set of exclusive rights that a sovereign state grants an inventor or their assignee in exchange for public disclosure of their inventions.

Patents are issued for certain lengths of time that depend on national laws. To receive a patent, an inventor needs to file a claim that meets the minimum requirements of patentability. These requirements often include novelty (originality) and non-obviousness. Once a patent is granted, it prevents others from using, selling, manufacturing or distributing the invention without express permission.

According to Mckay (2016), a patent is a property grant issued to owners of intellectual property, as described by the U.S. Patent and Trademark Office, usually an invention or certain types of discoveries (mathematical equations and product formulas for example).

Patents provide the patent owner "the right to exclude others from making, using, offering for sale, or selling the invention in the United States," according to the U.S. Patent and Trademark Office.

Applying for Patent

Patent applications can be complex and costly, and patent attorneys are often consulted to assist inventors. A patent search is perhaps the most labour-intensive process and involves searching through past patents to ensure that the property has not already been patented. Abstract definitions, detailed drawings, inventor information, inventor claims and specifications are required, and it can take up to several years for a patent to be issued.

Length of Protection

Patents expire after 20 years of issuance to encourage competition and innovation. Copyrights expire depending on a number of factors, including whether the work was published or unpublished, the year of publishing and the type of author. For example, protection of an individual

author's work published after 2002 expires 70 years after the author's death. If the work is owned and published by a corporation, copyright expires 95 years from date of publication or 120 years from the date of creation, whichever comes first.

3.10 Assessing the Scope of Patent Rights

When thinking about patent enforcement, a patentee must first assess what he has patented. It is now a feature of just about all patent systems that a patent must include either a specification containing claims or a description, claims or any required drawings (depending on the terminology of the particular law). In most systems, the claims are decisive, as they define the scope of protection sought and eventually granted through the patent.

The specification or the description and drawings may be used to interpret the claims, which must be fully supported by them. Most inventors use the services of a patent attorney to write the specification for them. An inventor may not fully understand the specification, and particularly may have difficulties in understanding the claims. Even where the patentee has some idea of the exclusive right granted to him in his own country, it is very rare for him to know with any precision what rights he may have in corresponding patents in other jurisdictions. The patentee's first real understanding of the extent of his patent rights often only comes to him when he is considering enforcement. Therefore, the basis for enforcement of patent rights is established at the start of the patenting process when the patent specification is written by the inventor or the inventor's patent attorney. The examination process in the Patent Office can modify the original wording. The inventor will normally try to avoid any modification which will result in a limitation of the scope of protection, for any reduction in the scope of protection makes it easier for a competitor to avoid infringement. If a competitor can easily supply the market with something that is equivalent to the invention, but does not infringe the patent, then the patent may be of limited commercial value.

Patent Office examiners should try to remember this when an applicant for a patent steadfastly resists amending his claims in order to overcome an objection, but instead tries to deal with the objection by argument. While acceding to an amendment might lead to the early grant of a patent on the application, it may also lead to a patent right of doubtful commercial utility (Rights et al., n.d.)

4.0 CONCLUSION

Intellectual property law deals with the protection of inventions. It is also a means of safeguarding the fruits of their creativity and maintaining their incentives to invest in innovation. In the same vein, copyright provides a very useful and effective way of exploiting a work economically. It also provides a mechanism for allocation of risks and income from the sale of the work.

5.0 SUMMARY

In this unit, we have explored the definition of copyright, narrate the history or evolution of copyright explained the nature of copyright, identified the materials eligible for copyright, outlined the different international and national conventions and legislation that are available for protection of intellectual property, discussed the infringements and enforcement of intellectual property, explained the challenges in implementing copyright law, and the challenges and issues relating to the implementing intellectual property.

6.0 TUTOR-MARKED ASSIGNMENT

1. What is copyright?

2. Narrate briefly the history of copyright

3. What are the materials/works that are eligible for copyright

4.   Discuss the infringement and enforcement of intellectual property

5.   Explain the challenges and issue relating to the implementation of intellectual property

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MODULE 5:

ICT AND LEGAL IMPLICATION OF PUBLISHING AND BOOK TRADE

This module will prevent the overview of Information and Communication Technology (ICT) in publishing and book trade, the various models of electronic publishing, benefits of e-publishing and challenges of e-publishing. In addition, legal implications in publishing and belling documents contract law defamation, blasphemy seditious libel, criminal libel and law and the internet.

UNIT 1:   INFORMATION AND COMMUNICATION TECHNOLOGY IN PUBLISHING AND BOOK TRADE

1.0   INTRODUCTION

2.0   OBJECTIVES

3.0   MAIN CONTENT

   3.1   Overview of ICT in publishing and book trade

    3.2   The various models of electronic publishing

    3.3   Benefits of e-publishing

    3.4   Challenges of e-publishing

4.0   CONCLUSION

5.0   SUMMARY

6.0   TUTOR-MARKED ASSIGNMENT

7.0   REFERENCES/FURTHER READING

1.0   INTRODUCTION

This unit will focus on the overview of ICT in publishing and book trade various models of e-publishing and the challenges of e-publishing.

2.0   OBJECTIVES

It is expected that by the end of this unit, you will be able to:

- Understand -the involvement of ICT in publishing

- Explain the various models of e-publishing

- Challenges of e-publishing.

3.0   MAIN CONTENT

3.1   Overview of ICT Publishing and Book Trade

ICT in publishing can be referred to as the concept, electronic publishing (c- publishing), it is a term that has been broadly defined as non-print materials that are produced digitally. Just like all other aspects of life, the digital revolution has taken on the world of publishing also. With digital publishing coming to the fore, the publishing world has undergone several fundamental changes.

These digital materials include CD ROM based media; mailing lists newsgroups, bulletin boards, websites etc.

The imperativeness of the use of ICT in book publishing operations cannot be over-emphasised. Publishers use the new techniques to enhance Ihe speed, accuracy and professionalism in book publishing operation. The notions of global publishing, electronic publishing and international communication are imaginable because of technology, and the technology-driven forms, contents and uses they have taken in the last decade. This development has given impetus to the ICT revolution that continues to reshape the human society into today's global community of publishers and readers. Technology would continue to advance humanity, and would continue to shape and reshape the operations of book publishing.

According to the sixth International Association of Scholarly Publishers' Conference in 1997, electronic publishing was described as 'online', establishing 'websites' and 'homepages and making information and documents available on the internet, either for sale or for browsing.

It is basically a form of publishing in which books, journals and magazines are being produced and stored electronically rather than in print. These publications have all qualities of the normal publishing like the use of colours, graphics and images and they are much convenient also (Saxena, 2009). He further explained that it is (he process for production of typeset quality documents containing text, graphics, pictures, tables, equations etc. it is used to define the production of any that is digitized form. According to (Wikipedia, 2016) with reference to (Jones & Hunter, 1993) electronic publishing (also referred to as e-publishing or digital publishing or online publishing) includes the digital publication of e-books, digital magazines, and the development of digital libraries and catalogues. Electronic publishing has become common in scientific publishing where it has been argued that peer- reviewed scientific journals are in the process of being replaced by

electronic publishing. It is also becoming common to distribute books, magazines, and newspapers to consumers through tablet reading devices, a market that is growing by millions each year, generated by online vendors such as Apple's iTunes bookstore, Amazon's bookstore for Kindle, and books in the Google Play Bookstore (Mishra, Chhama and Saxena, 2008), electronic publishing is basically a form of publishing in which books, journals and magazines are being produced and stored electronically rather than in print.

These publications have all qualities of the normal publishing like the use of colours, graphics, images and are much convenient also. Electronic publishing empowers all writers in ways that no technology has ever done before. The use of licensed electronic information resources will continue to expand and in some cases become the sole or dominant means of access to content without violating any issues of privacy or confidentiality we can dramatically enhance our understanding of information use. In view of the growth "of information, electronic publishing has become a foundation for the new information society to get the right information to the right person at the right time. Changes in the publishing industry have a direct impact on the information systems and sendees. This information technology has altered the mode of publication in such a way that though the traditional sources of information continued to be flooded with the attractive electronic form of publications in the changing scenario, libraries and librarians will have to play a crucial role in handling conventional and electronic resources (Mishra, Chhama and Saxena, 2008). Thus the era of electronic publishing has begun affecting producers, distributors, Library and Information professionals. The ultimate goal of electronic publishing is to provide fast and easy access to the information contained in the objective publications with simple, powerful search and retrieval capabilities. Thus, e publishing can be used effectively in the context of Dr. S.R, Ranganathan's fourth law "Save the time of user" for many purposes. In summary, Electronic

Publishing = Electronic Technology + Computer Technology + Communication Technology t-Publishing.

Information & Communication Technology (ICT) and Book Publishing Operations

Information *&* Communication Technology in this work simply refers to the collection of computer systems used by *a* publishing company in book publishing. It refers to the technological side of an information system. It includes hardware, software, data bases, networks and other electronic devices. Information & Communication Technology allows professionals in the publishing industry a wide access to information stored in many places and to communicate and collaborate with stakeholders. In other words, it allows authors and publishers an opportunity to be partners in the global network of environment known as INTERNET, or its counterpart within a publishing" organization known as INTRANET or EXTRANET which helps to link various personnel and departments in the art profession and business of book publishing. Departments involved in the collaborative roles are as follows: Editorial, Design/Graphics, Print Production, Promotion /Marketing/Sales, Distribution and Warehousing, finance and Administration. Both the author and the printer who are external person are also partners in the network. The author is there for any publisher in the same way the printer is there to print for any publisher. It may be right to say that the internet which is an aspect of information technology permits users to access information location in databases all over the world. Information technology via the internet is not only changing the way books are published, but it is doing so much more quickly than any evolution with impacts that are far more reaching than other development. Almost all publishing companies who know their onion use information technology to support their operations (Ihebuzor & Odu, 2016). Information Communication Technology has helped to improve productivity, reduce cost, improve and fast track decision making, expose book editors and marketers to other

views concerning how thing are done in other publishing companies with international reputation and therefore creating an opportunity for strategic application. Technology has enhanced the life of man and his activities, and publishing is not left out. Therefore, publishing technologies refer to the inventions or discoveries that are geared towards improving the art, trade, and profession of book publishing. However this new technologies have ambiguous consequence as it has both challenges and prospects, which will be discussed later in this work.

Electronic publishing has developed, books are available on-CD-ROM and a lot of titles are available online. Computers are installed with software like Core Draw, Adobe Pagemaker & Photoshop, Print-shop, Microsoft Publisher, Freehand, etc. According to Ihebuzor and Odu, (2016), any publishing company that is investing in Information & Communication Technology (ICT) has embraced the following:

a) Investing in people

b) Investing in Information Technology hardware and software

c) Investing in systems

d) Investing in processes

E-publishing technology can be classified into two general categories as opined by (Mishra, Chhama and Saxena, 2008)

   o   Those in which information is stored in a centralized computer source and delivered to the users by a telecommunications systems , including online database services and videotext represents the most active area in E publishing today", and

   o   Those in which the data is digitally stored on a disk or other physically deliverable medium.

3.2   The Various models of electronic Publishing

These 2 general categorize is drawn from the various models of electronic publishing which includes the following:

1. Electronic books

2. Electronic periodicals

3. Electronic databases

4. Electronic publishing on CD-ROM

5. Publish-on-Demand (POD)

6. Digital content

7. Electronic ink

8. Electronic mail publishing

9. Web publishing

Electronic Books

E-book can simply be defined as a book in digital format, which can be read with the aid of hardware devices and in some cases a type of software. Kumar, Agarwal, Lijhara, and Tapkir, (2009) defined e-book as a text in digital form, a book converted into digital form, digital reading material, a book in a computer file format, an electronic file of words and images to be displayed on computer screen, or read on a computer over a network, or viewed on a desktop/ notebook-'dedicated portable device, or read on all types of computers, or formatted. The book is quiet popular document to meet the academic and general needs of user community. Talking of e-books Project Gutenberg, cannot be neglected because it played a major role in publicizing electronic publishing. He is perhaps the best know publisher of book length electronic texts, began in 1971 with the goal of encouraging the creation and unlimited distribution of 10,000 electronic texts by the end of the year 2001. These books fall into several main categories including light literature,

the classics, reference books, and other literary fields. Publishing a book electronically is to achieve quick publishing and dissemination of information. A book may not have contemporary value that a journal has but it certainly has an archival and reference value (Mislira, Chhama and Saxena, 2008).

Electronic Periodicals

Just as the case for the e-books, e-periodicals are periodicals this includes resources that come in successive production in a definite interval, and no intent of stoppage now being produced in a digital format and accessed with the aid of hardware devices and software applications. This new media according to Mishra, Chhama and Saxena (2008) is a vehicle of scientific communication and purely a product of scientific research. This category includes electronic journals, newsletters, magazines, zincs and discussion lists. Perhaps no other area in E-publishing has received more study than the area of E-journals, particularly as they apply to scholarly research. Saxena (2009) opined that electronic periodicals are accessible to all users regardless of geographic location. Anyone in the world with services and the proper computer software and browser services can access online journals. This accessibility leads to a more diverse audience throughout the world as well as a readership that may include not only academics, but students and lay people. This new media is a vehicle of scientific communication and purely a product of scientific research. This category includes electronic journals, newsletters, magazines, and discussion lists. Perhaps no other area in E-publishing has received more study than the area of E-journals. As they apply to scholarly research, are very useful source of information for Academic Library System. In recent time this has been the major media for scholarly publishing by academics which has also given wide coverage for such publications. It has also been used as a means of measuring impact i.e. altermetrics of scholarly publications.

Electronic Database

With the emergence of computers & communication technologies the strength of information system in the development of modem database has taken new shape. Information originating from a database has become a large segment of Electronic publishing that provides a base for procedures such as retrieving information, drawing conclusions, and making decisions (Mishra, Chhama and Saxena, 2008).

With the emergence of computers and communication technologies the strength of academic information system in the development of modem database has taken newshape. The holding of the academic library database consisting of books, periodicals, reports and theses can be converted to electronic form that allows access for public use through digital networks. The online electronic library card catalogue (OPAC) shows how information could be published and that enable user to search the document with various access points like author, title, subjects. Various electronic databases publishers today account for publishing information both bibliographic and full text on CD-ROMs as well as making them available for online retrieval. The prominent online publishers include DIALOG, BRS, ProQuest, Research Gate, and EBSCO host etc. An excellent example of electronically published databases, the ERIC *(Educational Resource Information Centre)* database is the largest educational database in the world that contains more than 800,000 records per year. ERIC is available in CD-ROM format as well as on the net free of charge.

Electronic publishing on CD-ROM

CD-ROM has provided new dimension for information storage and retrieval. Publishing information mainly abstracting sources are quiet common in CD-ROM. Although much of the work on e-journals has concentrated on distribution via the Internet, there has been some work on CD-ROM as well (Mishra, Chhama and Saxena, 2008). This medium of publishing is cost effective

as it will cost more to produce for instance 1,000 copies of a print text than it will cost to produce same text in 1,000 copies of CD-ROM. Publish-on-Bemaud (POD) Print-on-Demand is a new method for printing books (and other content) that allows books to be printed one at a time, or on demand. This method helps free publishers from the process of doing a traditional print run of several thousand books at a time. The technology involves complex laser printing systems and electronically formatted text that the printers can read. Many publishers include web upstarts, are hoping this method will allow them to more effectively print smaller numbers of a book and still make a profit (Mishra, Chhama and Saxena, 2008). The technology is very expensive and also since its medium is still in print format, it will not circulate as fast as the e-books would, so this becomes a challenge.

Digital content

Digital content generally refers to the electronic delivery of fiction that is shorter than book-length, nonfiction, and other written works of shorter length. Publishers of digital content deliver shorter sized works to the consumer via download to handheld and oilier wireless devices. Technology used for delivering digital content includes Adobe PDF, XML, HDMI, WAP (Wireless Application Protocol) and other technologies. The security of the data being delivered is the major concern of publishers who want to ensure they can deliver digital content without the risk of someone copying the work and selling or giving away the works (Mishra, Chhama and Saxena, 2008).

Electronic ink

Electronic Ink is a developing technology that could have a huge impact on the media and publishing industries. Electronic Ink could be used to create a newspaper or book that updates itself. In addition, this content could be programmed to change at any time. For example, you could

have a billboard that rotates different ads, or you could receive a coupon in the mail that is frequently updated with the latest offer. For media companies, the possibilities are almost endless. Someday the electronic newspaper will simply update itself every day. E- Ink Corporation, a new company with major investors, and Xerox are two companies that developed this technology (Saxena, 2009).

Electronic mail publishing

Email publishing, or newsletter publishing, is a popular choice among readers who enjoy the ease of receiving news items, articles and short newsletters in their email box. The ease of delivery and production of email newsletters has led to the development of a massive number of available email newsletters, mailing lists and discussion lists on a large variety of topics. Newsletters are also widely used by media companies to complement their web and print offerings. Many authors and writers publish their own newsletters in order to attract new readers and to inform their fans about new books and book signings (Saxena, 2009).

Web publishing

Web publishing is not a novel practice any longer, but it continues to change and develop with the introduction of new programming languages. FITMLis still the most widely used web programming language, but XML is also making headway. XML is valuable because it allows publishers to create content and data that is portable to other devices. Nearly every company in the World has some type of website, and most media companies provide a large amount of web-based content (Saxena, 2008). This model is where most scholarly journals are published, because it gives a wider coverage for disseminating research finds (Saxena, 2009).

E-Selling Models for Publishing

Publishers today must apply a wide range of business models in order to survive financially and stay in the marketplace. New ICT and e-business solutions have introduced a variety of new online business models. Professor Rappa from North Carolina State University has systematized online business models, 27 some and/or combination of which are also applicable to the publishing industry. Publishing companies may, for example, benefit from leasing software, making use of ASPs (application service providers) and replacing investment by subscription (Rappa's "subscription" model). Or they may profit from models whereby archived newspaper articles are sold to users on a per-use or subscription basis (Rappa's "utility" model). Or they may try to improve customer satisfaction through leverage of customer loyally programmes (the "community" model). Overall, publishers can achieve business growth from expansion into the following new online selling channels:

o Information on important news such as classifieds for housing and cars, special offers, finance information which are sent via email or SMS.

o Archives with background data to specific topics of interest.

o Content bundling from different sources otherwise not accessible to the public, o Transactions with discounts, o Intelligent search tools.

o Offers of text based services, such as alerts, sports, scores, news headlines and, with the advent of MMS and soon UMTS28, games and video clips,

o Streaming media offers.

The following two cases illustrate how publishers of newspaper and book-type publications have successfully applied the internet and e-business solutions as selling and revenue generating tools, as well as a loyalty-improving and community- building communication channel.

3.3   Benefits of e-publishing

You control everything: Publishing has been truly democratized by the ability to self-publish. With the traditional publisher/agency model, the writer is restricted to some degree. If the trade publishing world is focused on commissioning fantasy, crime and erotic fiction, and your work is in a different genre, it may be more difficult to find a house that is a good match. Or if, an author has created nice non-fiction books, a mainstream publisher will probably not consider the market large enough to warrant investment. That's where self-publishing really comes into play. No longer is the writer restricted by fads, fashions, shareholders' concerns over a publisher's bottom line, or small market size. If we have something to publish, and are prepared to take the time to do it well, we can publish. Of course, this doesn't mean that just because something can be published it should be published. It's still worth recognizing that, as self-publishers, we need to think like traditional publishers - we need to be cognizant, of four customers' desire for high-quality content - for example, a well-written and engaging piece of fiction with good pacing, characterization and plot structure; or a reference book that's factually correct, relevant, informative, logical in flow and digestible to the reader.

> So, yes, we control the content, the design, the channels we choose to publish through, the income we retain, the costs we incur, the assistance we procure, and the visibility we provide for our books. All these great stuff are all doable, provided we are prepared to put in the effort,

The mechanics are not difficult: An author can use software that's already on the desktops to create professional-looking books for target markets. If time is taken to attend to the necessaries, the author doesn't have to be graphic artists or professional typesetters with expensive specialist software to achieve a professional finish for his/her books.

You hold onto a bigger percentage of any income earned: Publisher royalties vary from house to house, author to author, and genre to genre. A publisher's assessment of a book's sales potential and marketability will impact on the advance. The publisher gets the majority cut - and so it should. It covers the production, accounting, distribution, legal, marketing and warehousing costs, none of which comes cheap. What this means for the author, is that you won't see much income from your writing. On the other hand, the self-publisher, by the very fact that he or she is the publisher, holds onto a much larger chunk of any income earned.

If your self-published project is related to an aspect of your core business, you're adding accessible value to your brand: Especially in the field of nonfiction, you may be able to add value to your core business by self-publishing books related to your day job. This adds value to your business, enhances your professional reputation and makes your brand more visible and your business more discoverable.

4.0   CONCLUSION

The imperativeness of the use of ICT in book publishing operators cannot be over emphasized. Publishers use the new techniques to enhance the speed, accuracy and professionalism in book publishing operation and book selling. Technology would continue to advance humanity and would continue to shape and reshape the operations of book publishing.

5.0   SUMMARY

In this unit, we have tried to take an overview of IC??? in publishing and book trade, discussed the various models of electronic publishing, benefits of e-publishing and challenges of e-publishing.

6.0   TUTOR-MARKED ASSIGNMENT

1. How has ICT improved publishing and book trade

2. Explain the various models of e-publishing

3. What are the benefits of e-publishing

7.0   REFERENCE AND FURTHER READINGS

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UNIT 2: LEGAL IMPLICATIONS OF PUBLISHING AND BOOK TRADE

1.0   INTRODUCTION

2.0   OBJECTIVES

3.0   MAIN CONTENT

      3.1   Intellectual property rights and copyright

      3.2   Contract law

      3.3   Defamation

      3.4   Law and the internet

4.0   CONCLUSION

5.0   SUMMARY

6.0   TUTOR-MARKED ASSIGNMENT

7.0   REFERENCES AND FURTHER READING

1.0   INTRODUCTION

This unit will examine legal implication of publishing and book trade intellectual property rights and copyright, contract law, defamation, libel, and land and the internet.

2.0 OBJECTIVES

By the end of this unit, you will be able to:

- Explain intellectual property rights and copyright

- Understand contract law

- Describe defamation, libel

- Explain law and the internet

3.0 MAIN CONTENT

3.1   Intellectual property right and copyright

Intellectual property right' is according to Obiyan (2014) in Arua *et al*. (2014) the legally exclusive right to the creation of the mind and in it is embedded the copyright laws. Copyright laws are laws protecting things that are created by a person's skill, labour and investment in time and money. You will find that most published works will state (usually in the first few pages) that no part of the publication can be reproduced in any material form without the written permission of the copyright holder (Moahi, 2007).

The copyright laws are designed to protect an individual's own material such as articles, programmes, scripts or songs as well as those who publish the material such as newspapers, broadcasts and film and music producers. According to Wikipedia (2016), copyright laws take all

possible steps to protect intellectual property of authors and provide the framework that enables publishers to control content, which in turn enables them to make money by selling documents such as books and licensing subsidiary rights.

In relevance to the media, copyright is a serious consideration. It determines the extent to which a quotation or the work of a third party can be used in an article or broadcast. A writer as well as the print and broadcast media can maximize the potential of their own work (e.g. an exclusive interview or first-seen footage of an event) and prevent others from using it. This is a powerful advantage in the media industry.

Copyright does not extend to an idea nor is there copyright in news. Anyone can report on an event – however the way the information is expressed is what is considered protected work and cannot be copied (ie. word for word) nor can the footage or photography be used without proper referencing.

3.2   Contract law

Contract law has come to us from common law and is a vehicle by which persons voluntarily create obligations upon themselves. Promises are what contracts are all about. A contract is made up of a promise of one person to do a certain thing in exchange for a promise from another person to do another thing. Contract law exists to make sure that people keep their promises and that if they do not, the law will enforce it upon them. A book contract is the legally-binding agreement between an author and his or her book publisher that dictates assignment of rights, obligations, and money earned. As put by Okpoko (2012) "Author-Publisher Contract(APC) is an agreement under which the author of a book permits the publisher to use the publishing rights under specified conditions".

The contract specifies in details a number of terms or provisions which either the author or publisher of the book must essentially adhere to strictly throughout the duration of the publishing right and contract. It also specifies the conditions in which the contract can be terminated as well as the penalty due to the violators. The author – publisher contract provides some specific points of agreement between the author and the publisher. These points include;

1. **Author's warranty**: in warranty, the author clearly states that he is legally entitled to grant or assign the publishing rights and that such right has not been previously assigned to anyone else. This also requires the author to guarantee that he has not stolen anything from another author without due reference and that his manuscript contains no libelous or obscene material or any invasion of privacy or any other right (Okpoko, 2012). Furthermore, there is a legal difference not linguistic between a warranty and a guarantee. A warranty is a type of guarantee and a term of contract, breach of which gives rise to a claim of damages but not repudiation of the whole contract, while a guarantee is a promise that , if a thing is not of a certain standard or does not fulfill some condition, the original price or consideration paid for the contract or bargain will be returned.

2. **Grant of Right**: this is the bestowal of authority to someone or an organization from a person or an organization. A grant, in law is a transfer of property, generally from a person or other entity giving the property(the grantor) to a person or entity receiving the property(grantee). According to Okpoko (2012), under this section, publishing right is granted to the publisher by the author and this is done under the contract conditions. An author may restrict the right given to the publisher to publish and sell his work only in specific countries or even regions.

3. **Author's payment**: when enough copies have been sold to pay back the author's advance to the publisher from his percentage, thereafter, the author then begins to receive additional money as royalties. Okpoko (2012) added that a fixed percentage of the retail selling price of the book for all copies sold is usually paid to the author as his royalty. The durable time for payment of royalty must also be stated in the contract.

4. **Advance Royalty**: in this regard, publishers ádvance' the author an amount of money based on what they think the book shall earn. Interestingly, when an author enters into a contract with a book publisher, he or she is granting the use of the copyright of the material in exchange for royalties (essentially. A percentage of the sale of the resulting work). In some cases, the author may be paid a lump-sum of money by the publisher as advance royalty.

5. **Subsidiary Rights or Other Rights**: these are the additional rights the publisher is authorized to use on the author's behalf and how income derived from the sale would be divided between the author and the publisher. In a book contract, the author assigns the publisher the right to publish his or her work in book form. The subsidiary rights also refers to the rights the author grants the publisher to " sub-license" the work for various formats and adaptations in addition to the primary format. The book contract outlines the subsidiary rights that being granted by the agreement , and also outlines the percentage of the sub-license fees received by the publisher (from the third party licensor) that will go to the author.

6. **Free copies and Purchase**: the contract will state the number of free copies of the book to be given to the author and the special discount to be given to him should he wish to purchase additional copies of the book etc. (Okpoko, 2012).

A publisher will inevitably make contracts with printers, writers and authors and distributors. For instance an author's agreement needs to state what rights are being acquired from the

author, the territories, languages, electronic rights, rights to merchandising etc. Has the author provided the publisher with the appropriate third party permissions for all quotes and other such materials? If so, what rights has the publisher acquired from those third parties? These are some of the questions that may be considered in while contracting.

Also in the Distributor Agreement, it is also necessary to state what rights the publisher is granting to the distributor. The following questions are also important to be asked and appropriate answers given while drafting the distributor agreement; What is the Length of agreement? Territories? Markets? Does the publisher have the rights from the author/artist/illustrator/editor to grant these rights to the distributor? This is to ensure that there is no breach of that agreement as well as no infringement of copyright.

Publishers, authors and other stake holders are advised to seek the assistance of a legal representative for all contracts.

3.3   Defamation

Defamation protects the reputation of a person from defamatory statements made about him/her to a third party. A person (the claimant) can sue a writer or broadcaster if they feel they have been discredited. The outcome from such legal action can be timely and expensive.

What is a defamatory statement? According to Zaharoff(2005) "A statement is defamatory if it tends to lower the claimant in the estimation of right thinking members of the society . The defamation must identify or refer to the claimant and must be published to a third person"

Publishers and their editors need to use their discretions when it comes to what is printed. Questions need to be asked; Is the content true and can it be proved? If the content is not true and cannot be proved, the editor need to determine if the person being written about is likely to take legal action.

Defamatory language comes under two categories: libel and slander. Libel is the written form (or some other permanent form such a video tape or recording) of defamation while slander is verbal defamation ie. in radio or television broadcasts.

Blasphemy

Taylor (2012) defined blasphemy as primarily "defamation" or "evil-speaking" in general; "a word of evil omen," hence, "impious, and irreverent speech against God".

An offence arises where a statement in some way vilifies or denies the truth of the Christian religion. For a statement to be termed a blasphemous libel, it must also have inference to indecent

Seditious Libel

Seditious libel is speaking or writing anything offensive to the government or the representatives of the government. Considered slightly outdated in today's modern society, seditious libel prosecutions are extremely rare with the last case recorded over half a century ago.

Criminal Libel

Criminal libel is the malicious defamation expressed either in printing or writing or by signs or pictures, tending to blacken the memory of one who is dead, with intent to provoke the living; or

the reputation of one who is alive and to expose him to public hatred, contempt or ridicule. It has been defined perhaps with more precision to be a censorious or ridiculous writing, picture or sign, made with a malicious or mischievous intent (Taylor, 2012).

3.4   Law and the Internet

Rapid changes in technology have brought with it new challenges for the law. Many users of the internet promote the freedom of information and consider it a regulation-free media. The global nature of the internet makes it difficult for individual countries to enforce domestic laws and there is no international body or court with the authority to create the law on the internet (Stevens, 2008).

However, it is assumed that those working in the media should apply existing principles of media ethics. Defamation and copyright legislation translate to the internet and individuals. Organizations are responsible for what they publish on the web, whether it is on their own website or someone else's (Stevens, 2008).

An unwritten code of ethics has developed which affects the way people use the internet. For example, 'spam' (a term that refers to sending unsolicited email) is generally considered an unethical practice by many internet users, and often individuals or even service providers will take matters into their own hands and take action against spam. This can sometimes impact on people other than those who spam. That consideration raises further questions about ethics.

4.0   CONCLUSION

The internet of legal implication in the business of publishing and book trade is to protect the right and privileges of every stakeholder involved ranging from the authors and users of the intellectual work.

5.0   SUMMARY

In this unit, we have been able to discuss the legal implication in the business of publishing and book trade, intellectual property rights and copyright, defamation, libel as well as law and the internet.

6.0   TUTOR MARKED ASSIGNMENT

1. What do you understand by intellectual property rights and copyright

2. What is contract law?

3. Explain defamation and libel

4. Discuss law and the internet

7.0   REFERENCES AND FURTHER READING

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