

Chapter 2

Social Media and Copyright in Digital Libraries

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ABSTRACT

This chapter examines copyright issues surrounding the use of social media platforms for services delivery in digital library environments. The chapter traces the evolutionary development of online participation, where people of common interest communicate, share and contribute content on the social cyberspace. The chapter also discusses social media, digital libraries, copyright and intellectual property right (IPR), digital rights management (DRM) and social media, copyright challenges in digital libraries and some recommendations on how best to overcome the challenges.

INTRODUCTION

Social media has been the front runner of discussion for almost a decade now due to its unprecedented popularity and acceptance in the media world. Its use has permeated virtually all facets of activities including the academia and scholarly communication world. Libraries are also not left out because of the ubiquitous use of this interactive tool among its teeming techno-savvy users for information and communication. Social media which includes social networking involves the use of Internet and mobile applications for interaction, communication and the exchange of information in various formats. Adigun et. al (2015) submitted that social networking can be seen as an evolutionary development of online participation, where people of common interest communicate, share and contribute content on the social cyberspace. This is possible due to advent of Information and Communication Technologies (ICTs).

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New inventions have crept into the field of information communication following the impact of emerging information technology tools such as computer systems, Internets, and mobile phones, to mention but a few. Tokunbo, et. al (2013) were of the opinion that the new media, promoted by Internet technology exhibit an integration and convergence of the existing media to extend the frontiers of the possibilities of the media of communication. The new media, that resulted from the ICTs invention, incorporated the characteristics of the old or traditional media, and extended the potentials and possibilities into which both the “old” and “new” media could be put into use for social interaction.

Digital libraries on the other hand are revolutionary in the information world. It has broken the barriers of access to information which was a major challenge for libraries worldwide. In the traditional libraries, when printed books were purchased, the libraries own these resources. The ownership issue is however quite different for digital resources. Digital libraries have their resources in digitized form and access is usually via a computing or mobile device usually with the use of Internet. Digital libraries thus come with its own twist of social interaction because of the nature of the format of its resources which does not restrict access to only the parent library. Accordingly, the digital library is known less for the extent and nature of the collections it owns than for the networked information space it defines through its online services. Phrases like “virtual library,” “electronic library,” “library without walls” and, most recently, “digital library,” all have been used interchangeably to describe this broad concept. An interesting concept of digital libraries by Smith (2001) pays attention not only on the organized and focused collection of digital objects, including text, images, video and audio. It also focus on the advantage of digitization which is the easy, fast, and convenient access to the world’s information regardless of where that information is stored at any time, from anywhere in the world. This is a situation of accessing massive contents that might not necessarily originate from a single library.

In the entire world, the protection of literary and artistic work is not new. This brings in the issue of copyright over a particular work which is very important. Copyright Infringement can be very common when there are exchanges of information in various formats on the social cyberspace.

It enables the creator of the work to have a sole responsibility over his/her work and to enjoy the work of his/her hand. This will motivate such creators to invest more in creativity since it is profitable to do so.

According to Bothma et. al (2014), copyright is the legal, exclusive right that is granted to copyright owners to regulate the use of their intellectual creation for a limited period of time. A copyright is a law that gives the owner of a document, book, or other pieces of information and artistic work in the library or elsewhere, the right to decide what others can do with it. Beatrice (2007) defined copyright as the monopoly rights granted to authors and creators in order to make sure that adequate returns are made from their work so as to encourage the creation of intellectual works. Therefore, it is the duty of any library and librarian to protect the right of ownership of library materials. There have been increasing concerns from authors and social media users in the Nigerian libraries - just like other developing countries all over the world - over illegal used of materials in the library. This is because, pirates do not bear origination of published materials yet they use, sell and profit from copyright products in the information markets depriving the publishers and authors of the benefits of their works.

Digital libraries digitize their resources in print or other formats for fair use usually for educational/non-profit purposes. Librarians or even users however can take advantage of this and share these resources on social networking sites without taking into cognizance the legal implications. It is no news that unauthorized use (copying, editing, sharing etc.) of other people’s intellectual contents without their permission is a violation of their copyright. What then is the situation in digital libraries especially now that these libraries have adopted social media? Social media is all about sharing contents and thus

the question of permissibility of posting contents beyond the traditional limits of fair use as posed by Herzfeld and Melzer (2016) comes up.

LITERATURE REVIEW

Overview of Social Media and Copyright in Digital Libraries

The emergence of digital technologies has radically increased the domain of copyright law from regulating a small portion of human life to regulating absolutely every bit of life lived through a computer. The future of the learning process lies in seamless access to educational resources available through (digital) libraries and most of them accessible through Information & Communication Technologies (ICTs) and Internet Protocol (IP) networks. In consideration of the situation nowadays, we understand that while digital libraries deploying ICTs and IP networks inherently produce and communicate copyrighted material in their normal process of operation, they activate the potential for copyright infringement.

Social Media

Social media is a communication forum that allows users to harness ICT for sharing information and knowledge with each other. Australian Electoral Commission (2011) defined social media as “online tools and Web sites that facilitate many-to-many communications between users. So also Emmanuel, et al (2013) defined social networking service (also known as social media) as, an online platform that focuses on building social relations among people, who share interests, background or activities. Specific examples include Facebook and Twitter, but may also include more regional or niche services, and more longstanding collaborative environments such as web-based forums and wikis”. In this light, Social media is a system that aids the creation of informal users’ network that facilitates the flow of information and knowledge by allowing effective generation, dissemination, sharing, editing of informational content. This means that social media is mainly used to share or convey or communicate information with a wide range of individuals through the help of Internet connectivity.

Social Media Use in Libraries

The advancement of social media has brought about a transformation in academic and other libraries’ operations especially in the area of interaction with the prospective users. The use of these tools has been affirmed by Bell (2007) quoted by DiptiRanjan and Dhara (2015), that digital libraries do not only use social media for communication purposes, but had adapted their research strategies to this environment. Libraries are now with social networking wall and these walls are mostly used to: announce programmes of the library give students the opportunity to ask questions pertaining to the use of the library, teach basic search tools, paste new books on the wall to inform the University Community, send brief updates to patrons and ask a Librarian. Ayiah and Kumah (2011) submitted that social media helps librarians and libraries to keep pace with technologies and compete effectively with the developed World.

Looking back at the source of social media, web 2.0 comes to mind. Web 2.0 according to Abram (2005) as cited in Adigun, et. al. (2016) is characterized by open communication, participation, collaboration and content creation which fall in line with social media and networking. Social media uses

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in digital libraries have become common place since the ubiquitous use of social networking sites by University/ College students. For example, Kim, et. al. (2014) cited in Smith, et.al (2016) reported the 2011 Pew report which found out that over 80 percent of the college students surveyed used social networking sites. Another study conducted in Nigeria by Idakwo (2011) and cited by Eke, et. al. (2014), discovered that most people use Facebook more than other social media channels in Nigeria.

Iris and Jennifer (2014) also investigated the applications of social media in digital libraries in the USA in order to identify related problems. A variety of ten digital libraries from public libraries, academic libraries, museums, government and international organizations were sampled. The problems identified were related to lack of standards, creating two-way communication channels and lack of education functions.

In the same vein, Niusha and Abrizah (2013) identified the prevalence of social media use in Malaysian academic libraries. According to the authors, four types of social media are deployed in these academic libraries to reach out to the users. They include blogs, multimedia sharing sites, social bookmarking and social networking sites (SNS); Facebook, Blog, Delicious, YouTube and Twitter are the tools mainly adopted by these libraries. The motives for use as identified by these authors were to promote library services, manage organizational knowledge and receiving instant feedback from users.

The transformation process of traditional libraries to social libraries through the process of integrating social networking tools into library reference services was discussed by Adigun, et. al (2015). The authors identified the reference librarians need to communicate, network, and share documents with many library clients regardless of location, and at little or no expense which comes in handy using social networking sites. They emphasized that reference librarians can use social networking media to build relationships and form new collaborations that are not bounded by time, place and access to funding.

There are a number of social networking or media platforms that can be deployed for effective services delivery most especially in digital library environments. These platforms as submitted by Adigun, et.al (2016) are not limited to but include: Academia/ResearchGate, Facebook, LinkedIn, Creating an ORCID (Open Researcher and Contributor ID), Google+, Blogs, Flickr, Library Thing, MySpace, Twitter, Wikis and YouTube. Sharing contents, collaborations, user feedback among others are all advantages the social media can bring to digital libraries. What is however lacking in most of the literature is the role or place of copyright/intellectual property law, in a digital library environment deploying social media tools for services delivery.

Social media has become an increasingly familiar tool employed in academic libraries to market services and resources to current and prospective users such as lecturers/staff, students and other people from the society. Maidul, et al. (2015) made mentioned that social media has the possibility to help develop much closer relationships between library and information centres and their customers wherever users are based, and how they choose to learn about and access library services and resources. To make these services easier, many technological development has been discovered and creating new forms of information, new sources of information and new ways of providing information bypassing old time method of libraries' operations.

Chu, et al. (2012) also submitted that social media are very useful for marketing library services, engaging with patrons, and collecting patron comments. For the authors, the findings of Chu, et. al (2012) demonstrated that libraries and librarians, as a whole, are becoming more positive towards social media and more engaged with patrons online. Social media is offer much to libraries in the way of promoting and marketing services, and by doing so, demonstrating the importance and relevance of libraries in the everyday lives of users. The above view is supported by Dankowski (2013) which presented three case

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studies of public libraries that are effectively using social media for marketing, promotion, and advocacy. Libraries and librarians are using social media to create a cohesive brand, provide mobile library services, encourage literacy through book blogs, and expand outreach possibilities. Library users have been yearning to be a part of the services rendered to them, in essence being able to dictate what they need thereby making for a more interactive service delivery which will foster a two way communication pathway and provide the opportunity for more involvement.

Prospects of Social Media/Networking in Digital Libraries

The format, design and functionality of digital libraries makes it easy for librarians to share, communicate and network these resources. One of the indispensable tool is the social media. Social media tools include web-based and mobile technologies used to turn communication into interactive dialogue (Wikipedia.com). Penzhorn (2016), posited that the core concepts of social media include the fact that it is driven by ICT, online, web-based or mobile and involves communication, interaction and participation. The social media tools like Facebook, Twitter, Blogs, Google+ etc. can be used to communicate and market library services to library users. According to Li (2009), Social network services have become new technical benchmarks for current web-based library information services in the digital age. Libraries are now using Facebook, Twitter, etc. to expand library services and boost interactive connections with library users over the Internet (Salau and Obaje, 2015).

Research studies have also indicated an increase in the use of social media in libraries. For example, A Taylor & Francis (2014) research conducted with focus groups of librarians in India, the UK and the US revealed that over 70% of libraries are using social media tools, with 60% having had at least one social media account for three years or longer. The research also revealed that 30% of librarians are posting at least daily on social media with Facebook, Twitter and blogs been the most popular channels. Social networking comes with a lot of prospects in digital libraries especially because digital libraries were designed to function differently from the traditional libraries that requires the presence of users. Mishra (2008) put forward the opinion that user attitude towards library resources changes constantly.

This can be attributed to the changing technology, explosion of information and the transition of academic libraries from print to electronic resources (Kumar, 2015).

This is not surprising as there are many alternatives that gives prompt and instant resources to the tech inclined users. Mishra (2008) gave three major activities librarians can use social networking tools for in digital library services. They include information communication, knowledge distribution and knowledge organization. All these activities involve effective interaction, networking and collaboration with users in an online environment. Using Twitter for example, a digital librarian can connect to thousands of its followers or users sharing information, knowledge and interacting with other librarians. Kumar (2015) also listed other prospects of social networking in digital libraries to include: discerning information breakdowns, bottlenecks as well as isolated individuals, teams and units; improves innovation and learning; as well as raising awareness and pointers to digital library contents.

INTELLECTUAL PROPERTY RIGHT/COPYRIGHT

Intellectual property right or copyright has to do the legal rights a creator, writer, composer etc. of an artistic or literary work or design, to distribute, publish or sell such works. Udensi and Akor (2014)

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defined copyright as the exclusive legal rights granted by a government to an author, editor, compiler, playwright, publisher or distributor to publish, produce, sell or distribute copies of a literary, musical, dramatic, artistic or other work within certain limitations. The copyright protection on any material is automatic once it is published. This means no registration is required. Copyright is a form of Intellectual Property Right (IPR) and most country in the world have legislation that regulates copyright (Bothma, et.al, 2014).

Elements of Copyright and Copyright Infringement

There are certain conditions that apply to copyright, these elements or conditions according to Bothma, et.al (2014) are: a) the right in the first instance accrues to the author or creator, which means the author is owner of the copyright and the one that can enforce the copyright; b) the work in which copyright vests must be original. It must be a new and original idea that none has used or published before; and c) the work must be in material form, that is no copyright in ideas only, the ideas must be written down.

In essence, copyright refers to the right of the copyright owner(s) to control, and authorized the reproduction of that work. the copyright owner also have the right to distribute the work, to adapt it, to perform and display the work publicly, and to sell or assign the copyright to others (Bothma, et.al, 2014; Sambo, et.al, 2016). Copyright infringement thus takes place when anyone performs an action which may legally only be performed by the right holder of the said copyright. Direct infringement usually means the unauthorized use or illegal copying of a work.

Existence of Copyright Protection

Copyright protection generally runs for the life of the author plus 50 years from the year of the author's death or 50 years from the year of first publication in the case of a literary, artistic or musical work. There are also exceptions to the protection of copyright in the following cases:

Fair Dealing/Use

If the use of copyright material is for the purpose of research or study, criticism or review, reporting of news and professional advice given by a legal practitioner or patent attorney generally, it does not constitute an infringement of copyright. There are rules provided in the copyright act that determines what fair dealing is in respect of the research and study and the newly created right of communication to the public (Copyright Amendment (digital agenda) Act WIPO 2000).

According to Herzfeld and Melzer (2016), the Copyright Act sorted the fair use doctrine into an organized system when the courts recognized that not every act that might violate an owner's copyrights should amount to an infringement. The authors discussed that the fair use statute provides, in relevant part, that "the fair use of a copyrighted work, including such use by reproduction in copies, for purposes such as criticism, comment, news reporting, teaching, scholarship, or research" is not considered an infringement.

Four other factors were also stated to determine whether the particular challenged activities constitute fair use or infringement:

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1. Purpose and character of the use, including whether such use is of a commercial nature or is for nonprofit educational purposes;
2. Nature of the copyrighted work;
3. Amount and substantiality of the portion used in relation to the copyrighted work as a whole; and
4. Value of the copyrighted work (Herzfeld and Melzer, 2016).

Educational Institutions and Libraries

This is the area of interest to the discussion in this chapter. Educational institutions and libraries may digitize printed material and reproduce and communicate a ‘reasonable proportion’ of digital material for the same purposes as permitted in the printed environment. What is termed a reasonable proportion in this case (excluding a computer program) or electronic compilation such as a database) or a published dramatic work in electronic form is 10% of the words in the work or, if divided into chapters, on copyright infringement (Sambo, et.al, 2016; Yaranal & Ramesha, 2012; Copyright Amendment (digital agenda) Act WIPO 2000).

The implication of the above is that the accessibility of resources in digital libraries depends on the resources and how they are used. For example, libraries may digitize printed materials and share the same on social networking sites for the same purpose as permitted for printed materials. This is because the copyright either belongs to the authors or publishers as the case maybe. On the other hand, resources like theses and dissertations, annual reports, conference proceedings and inaugural lectures in repositories which are examples of digital libraries usually belong to the parent institution of the libraries. When the writing of a literary work is funded by an organization or company who in this case may be the writer’s employer, then the employer is the copyright owner Udensi and Akor (2014). Copyright issues however come up with journal articles or books of faculty deposited in repositories especially of articles that have been funded by institutions. In this case, the staff members are expected to publish in open access journals which remove any copyright infringement when deposited in digital libraries.

Thus, the sharing and exchange of resources like this via social networking in digital libraries differs and utmost care must be taken to prevent unauthorized access, duplication, storage, transmission and concealing of copyright works through cyberspace. It is believed that protected work or material may be scanned into a file server connected to the Internet, uploaded onto the Internet via a network, downloaded into a hard drive, sent by email or printed to hard copy. In any case, such as this copyright infringement (of the exclusive right to reproduce, adapt or communicate to the public) will occur in each case if the work or material is an original work and a substantial part is reproduced without authority (Copyright Amendment (digital agenda) Act WIPO 2000).

DIGITAL RIGHTS MANAGEMENT (DRM) AND SOCIAL MEDIA

Digital Rights Management (DRM) are systems for protecting the copyright of digital content. Just as the same as copyright provides the copyright holder with the right control of who makes copies of the copyrighted work and how these copies are made and distributed, DRM technologies aim to control what can or cannot be done with the media and hardware that you have purchased (Bothma, et.al, 2014).

In the same vein, just because a patron finds something ‘free’ on social media sites does not mean it is free of copyright protection. Just as in the case of copyright for other works, content created by a

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user of a site (e.g. images, text, and/or videos), is the intellectual property of the person or creator. As social networking sites are widely used for publishing and sharing of contents created by users, there is a possibility that you could, either deliberately or unintentionally, post copyrighted materials. To this end, most social networking sites have policies or guidelines concerning copyright and the intellectual property rights of their users.

Online contents as well as social media contents, according to Yaranal & Ramesha (2012), are more vulnerable when compared with printed and digital resources. Copyright protection of these resources is really herculean task for the librarians. Managing social media and other online content is multidisciplinary in nature and require thorough technical knowledge. In case of commercial online database, the publishers do not take appropriate security measures to safe guard their contents and always insist librarians to take action to protect the copyright. Since librarians are directly involved in negotiating the price and license mode, the management also expect the librarians to handle the crisis concerning copyright protection. Lack of technical knowledge and non-cooperation of management put the librarians into trouble. In essence, librarians are forced to bring non user friendly measure to safe guard the contents (Yaranal & Ramesha, 2012).

What Does Copyright Protect Online?

According to Janssen (n/d), copyright protects material commonly appearing on websites, blogs, social media platforms, cloud-based services and the like including:

- Articles, blog posts, text in a PDF document and a website's source code are protected as types of literary works;
- Photographs, digital art, game art, maps, charts and paintings are protected as types of artistic works;
- Digital music scores, MIDI files, chord charts, arrangements and guitar tablatures are protected as types of musical works;
- Screenplays, choreography and plays are protected as types of dramatic works;
- Recorded sound or music in MP3, WAV, MP4, AAC, or any other formats are protected as types of sound recordings;
- Movies, documentaries and videos in any format are protected as types of cinematographic works; and
- TV broadcasts recorded in any format, (such as MP4 and AVI) as well as radio broadcasts recorded in any format, are protected as types of broadcasts (Janssen, n/d).

Contract Law vs. Copyright Law

Not minding its numerous benefits, the digital age has unfortunately, caused an erosion of copyright law in that the act of using purchased digital content is no longer regulated by copyright law but by contract law. Whereas national copyright laws strive to promote creativity by balancing the needs of creators with those of users, this is not expressly the case with contract law. Copyright laws are designed to foster innovation. They protect the investment of creators in the production of their work, while guaranteeing that others may use that work in support of innovation, competition and learning. Evidence suggests however that private systems of law, such as contract law, do not create this innovative synergy between

creators and users but reflect instead of a more static, one-sided relationship between content distributors and customers.

In line with the above, White (2012) reported a 2007 review of 100 contracts by the British Library, which shows that contracts are systematically undermining copyright law in that existing statutory limitations and exceptions often become null and void under contract law. For instance according to White, only 2 of the 100 contracts in the study allowed explicit access by visually impaired persons, and only 23 allowed a library to archive the materials they had purchased.

Despite this fundamental shift, policymakers globally have been slow to recognize that copyright law is increasingly peripheral to regulating access to copyrighted works. From the perspective of libraries, the issues are stark. Billions of Dollars and Euros are spent annually on purchasing electronic materials, but the uses that can be made of this purchased content are diminishing. Moreover, libraries are facing a situation equivalent to one in which, in the analogue world, every book on a shelf comes with a different contract allowing different things. How can access to knowledge be lawfully or practically managed in such a case? Must every citizen, student or researcher become an expert in contract law to understand what they can lawfully do with a digital work? Certainly libraries feel very strongly that policy makers need to engage in this issue as a matter of urgency to ensure that the positive role that copyright exceptions play in the innovation cycle is not indelibly undermined by private contracts.

The IP challenges confronting libraries today raise a number of fundamental questions about the role of copyright law in fostering innovation and creativity. People in the library community believe that copyright law should continue to be central to innovation policy. Libraries play a key role in fostering literacy and learning, in creating the building blocks of development, and in safeguarding the world's cultural and scientific heritage. Librarians need to act swiftly to ensure libraries can continue to deliver their services effectively, for the public good in all countries.

Copyright and Digital Libraries

Information and communication technology has made a paradigm shift in the way copyright laws are perceived. The preservation, distribution, communication and use of resources in the digital world triggers copyright laws. This has thus increased the domain of copyright law from regulating a small portion of human life to regulating absolutely every bit of life lived through a computer Kallinikou et. al (2009). Digital libraries contain copyrighted resources as well as resources under no copyright such as works in the public domain Kallinikou et. al (2009). Many aspects of copyright issues as it relates to digital libraries have been discussed in the literature. However, very few have given clear cut solutions to copyright issues around the distribution of digital resources especially using social media tools. Two basic questions put forward by Muir (n.d.) are the role of libraries and publishers and what proportion of libraries will actually be actively involved in digital preservation? Justifying these questions is the fact that librarians are not taking cognizance of the most profound ethical issues of censorship, selection of materials and intellectual freedom, copyright, patron privacy, computer use, the Internet and plagiarism (Dole et. al., 2000).

The copyright law in the digital libraries is not designed to limit users' access to information but to ensure that the user has access to it by protecting the economic value and moral rights of author or creator. Based on the assumption that an author is more likely to be motivated to embark on continuous production of intellectual product if he/she is cited, there is the assurance that another individual can claim neither the credit nor the profit economically from the author's efforts. Copyright law does not

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protect ideas' but exist only when the ideas are put in tangible format such as written works or other form of expression (Nigerian Copyright Commission 2012). This implied that the law does not protect ownership or authorship of invisible ideas and works. It is illegal and unethical to upload the work of another person verbatim via social media without the express permission and claim of the originator. Copyright tries to balance the users' needs and the creators' aspirations.

In the same vein, Teresa (2005) asserted that copyright was from its early days meant to balance the need to protect creators with the user's right to access information for teaching, learning and further creative endeavors. The mechanism that makes copyright work is in fact the exceptions and limitations combined with adequate protection of copyright. IFLA supports the effective introduction of copyright law and is aware of a significant role played by libraries in controlling and facilitating access to the growing amount of information in electronic format, stored locally or in distant servers. Sumeet, et al (2015) cited in Adetola and Okeoghene (2016) opined that, in the context of digital information, because it is distributed to a larger community, it is difficult to judge, fair use, access and control the infringement of copyright law. It is almost impossible for a copyright owner to know which person used his/her work. This happened because the use of social media to disseminating information does not have geographical limitations.

There is also the big issue of how users of digital libraries distribute copyrighted works. Kallinikou et. al. (2009) stated some "Digital Rights" of the Copyright that are of vital importance for the operation of digital libraries. They include:

1. **Reproduction of Copyrighted Material:** Permission is not granted to users of digital libraries to reproduce or communicate copyrighted material unless permission is granted by the intellectual property right-holder. This includes resources such as e-books or e-journals shared on social media. The authors were of the opinion that unauthorized reproduction of such material leads to civil liability in the form of damages and criminal responsibility remedied through fines or potential imprisonment. The implementation of copyright laws however varies for different countries.
2. **The Right to Distribute as Well as the Rental and Lending Right:** In copyright laws worldwide, libraries have been given the right to distribute resources for educational and research purposes only. However, many countries have provisions for certain aspects of rental and lending rights. Kallinikou et. al. (2009).
3. **The Right to Communicate the Work to the Public:** National and international copyright laws grants copyright owners the exclusive right to communicate their work to the public. The use of these works must however be duly acknowledged. Kallinikou et. al. (2009) believes that to ensure unobtrusive access to collected cultural material, provisions should be enacted in law, which will allow depository institutions to enable unobtrusive access to works by giving them the rights of public lending online, digital disposition and creation of multiple copies in a way that caters for both the author's copyright as well as a user's right to access information and cultural works.

COPYRIGHT AWARENESS IN LIBRARIES

Concept of Copyright Awareness in Academic Libraries

Librarians are group of professionals who are trained to be custodians of intellectual materials in their libraries. These materials held in their collections are protected by the copyright law. In order not to breach any aspect of the copyright law, librarians are supposed to be conversant with the law and its provisions as ignorance is not an excuse in law said by Ifezue (1996). So also Eze (2004) affirmed that a sound knowledge of copyright laws will make for excellence and professionalism in library practice. Therefore, there is no specific standard definition for “Copyright Awareness.” However, some authors have argued that copyright is a right to own his/her personal works. Any person or group of persons who uses another man’s works without taken permission is an infringement to the right ownership.

While awareness simply means to be aware or known about something. This means whenever there is awareness of something, that thing becomes the qualifying subject for awareness. Wikipedia (2014) cited by Jonathan, et al. (2015) that awareness is the ability to perceive (perception), know (knowledge) or the state of being conscious (consciousness) of something.

In essence therefore, copyright awareness is perceiving, knowing and being conscious that copyright exists in all forms of perception, knowledge and consciousness. It is the state of having conscious knowledge about copyright in a perceived manner. It is widely believe that when users of copyright materials exhibit this sense of awareness in all kinds of libraries, it gives authors the opportunity to enjoy the economic value of their works and motivates their authorship.

Copyright Awareness by Library Users

The problem of illegally using another man’s creative work and plagiarism in our academic environments could potentially result from uncertainties or lack of awareness by library users. For example, it could be noted that both lectures and students in most developing countries such as Nigeria and other African countries, tertiary education revolves around the use of other people’s copyrighted works in most cases. Unfortunately, lack of copyright awareness and understanding among library users in our academic libraries, revealed that some people, including lecturers, students and some institutions management fail to notice that the use of other peoples’ expression of ideas without due acknowledgement as an infringement of copyright. For example, in Nigeria, a body known as the Nigeria Copyright Council was established to see to the administration of Copyright. The Council is saddled with the following responsibilities:

1. Responsible for all matters affecting copyright in Nigeria as provided for in this Act;
2. Monitor and supervise Nigeria’s position in relation to international convention and advise Government thereon;
3. Advise and regulate conditions for the conclusion of bilateral and multilateral agreements between Nigeria and any other country;
4. Enlighten and inform the public on matters relating to copyright;
5. Maintain an effective data bank on authors and their works;
6. And responsible for such other matters as relate to copyright in Nigeria as the Minister may, from time to time, direct (Copyright(Amendment) Decree, 1999).

Violation of Copyright Law Through the Use of Social Media

Copyright is an intangible, incorporeal property, which guarantees the owner the exclusive right to deal with his/her work within a stipulated time as provided under the law. Copyright and related rights are today perceived as instruments for development, as well as providing a secured and stable environment for creative activities. Surprisingly, the owners of this intellectual creativity are robbed of their rights by pirates who reap where they have not sown. Violation of a copyright law is a great challenge to creative industry worldwide and developing world such as Nigeria in particular. For example in Nigeria according to Beatrice (2007), the copyright laws are not effectively administered. This is the reason why violation of copyright laws still persists. Libraries violate copyright most especially through the use of social media, by dubbing video sound and audio cassettes, record pre-recorded films and record programmes from radio and television broadcast without permission of the copyright owners. Copyright awareness can easily be carried out in the library so as to reduce cases of copyright violation in libraries. Thus, the need to create more awareness in order to make sure that services rendered in the libraries protect the economic and moral rights of the authors when using social media is paramount.

COPYRIGHT CHALLENGES IN DIGITAL LIBRARIES

There exist a number of copyright challenges facing libraries and librarians alike when rendering services to their patrons, using social media platforms, most especially in digital library environments. The list of the challenges cannot be exhaustive enough no matter how much one tries. Therefore, the following are just an attempt to highlight some of the prominent challenges:

1. The most notable challenges facing libraries are linked in large part to the fact that, while international copyright agreements guarantee exclusive rights for authors and other right holders, the interpretation of the exceptions and limitations that entities such as libraries depend on in order to provide services to their patrons is left to national parliaments. In essence, exceptions and limitations are national and optional, whereas the rights accruing to right holders are international and guaranteed. For example, White (2012) reported a 2008, WIPO commissioned study on Copyright Limitations and Exceptions for Libraries and Archives. The study found that statutes relating to library exceptions differ greatly from one country to another. The study also found that, of the 149 countries surveyed, 21 had no library exceptions in their copyright laws, and 128 had at least one statutory library exception, with many, most often in developed countries, having multiple library-related provisions. Even where library exceptions to copyright laws do exist, however, they generally date from the pre-Internet age and now need to be updated and adapted to the digital environment. The study's findings highlight the important role that library exceptions play in enabling library services, and how they facilitate knowledge acquisition by students, citizens, businesses as well as academic researchers. They also point to the need for a common approach to ensuring equitable access to knowledge, and to providing libraries with the legal means to preserve the unique cultural, artistic and scientific heritage of each country (White, 2012);
2. Another challenge is that, different countries' laws about copyright mean that the same content may be out of copyright in one country but still protected by copyright in another. This is a big challenge for libraries and librarians, not only in developing countries but all over the world. For

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example: Under Australian law, copyright has expired in a photograph taken before 1st January 1955, yet it could still be protected under US law. In this case, there is no issue with uploading or posting material within Australia and offering access to persons located in Australia. However, the copyright may not have expired in the US and the copyright owner may raise an issue in relation to access to that photo in the US (Janssen, n/d);

CONCLUSION

This chapter has examined copyright/intellectual property infringement in digital libraries especially with the use of social media. Since social media is in use in digital libraries now, there is a need to re-awaken the consciousness of librarians on the need to avoid copyright infringement when sharing resources. In the emerging digital and online environment the librarian has to play mediator role. The librarian job has greatly shifted from custodian of knowledge to facilitator of knowledge. Librarians are in the cross roads of whether to take the user side or the author side. They are now put under pressure and compulsion to work with the limitation of technology, intellectual property laws and high expectation of users. The open access movements are bringing new hope and relief to the librarians to return back to the service motto rather than the middle man of commercial knowledge brokers. In these crucial social media-enabled service delivery time, librarians has to take control of the situation by educating and equipping themselves to handle the intellectual property and technological crisis.

RECOMMENDATIONS

In order for digital libraries to be able to get a full grasp of providing effective services to their patrons, most especially using social media platforms, without copyright infringement to right holders, there are a lot to do, most especially in developing countries. These are some of the solutions to issues surrounding social media and copyright in digital libraries:

1. Libraries should understand, identify and learn how to negotiate indemnity clauses in digital resources acquired by them. There is also the need for digital libraries to indemnify against third party infringement on copyrights. This would help provide them with financial protection against possible intellectual copyright infringement. It is particularly important because, these libraries cannot keep tab of what their teeming users do with the resources shared through their networking sites;
2. There is a need for proactive awareness and training to educate both library staff members and library patrons on the role of copyright in information sharing and use;
3. Since international copyright agreements guarantee exclusive rights for authors and other right holders, the interpretation of the exceptions and limitations that entities such as libraries depend on in order to provide services to their patrons should not be left to national parliaments. In essence, exceptions and limitations should not be national and optional, whereas the rights accruing to right holders are international and guaranteed;
4. Time period for copyrighted work should be minimized most importantly for libraries and their patrons;

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5. Libraries should be legally permitted to browse, take notes or print the copyrighted material for educational and research purposes. Libraries should also be permitted to print copyrighted work for preservation purposes;
6. Licensing contracts for digital products should be allowed to share the product for fair use; and
7. Libraries should have power to compel the author to make a copy for preservation if no copy of the work is available.

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KEY TERMS AND DEFINITIONS

Copyright: The legal and exclusive right that is granted to copyright owners to regulate the use of their intellectual creation for a limited period of time. A copyright is a law that gives the owner of a document, book, or other pieces of information and artistic work in the library or elsewhere, the right to decide what others can do with the work.

Digital Library: An organised and focused collection of digital objects, including texts, images, video and audio, with the methods of access and retrieval. The main objectives of digitalization are easy, fast and convenient access to the world's information.

Digital Rights Management (DRM): Systems for protecting the copyright of digital content. Just as the same as copyright provides the copyright holder with the right control of who makes copies of the copyrighted work and how these copies are made and distributed, DRM technologies aim to control what can or cannot be done with the media and hardware that you have purchased.

Intellectual Property Rights (IPR): IPR also refer to as copyright is the legal rights of a creator, writer, composer etc. of an artistic or literary work or design, to distribute, publish or sell such works.

Social Media Platforms: Online means of communication that are used by large group of people to share information and to develop social and professional contacts. Examples: MySpace, Flickr, Library Thing, Facebook, Twitter, LinkedIn, Academia / Research Gates, Google+, etc. Social Media: A Web-based means for social interaction using highly accessible publishing techniques that transforms people from only content consumers to content producers.

