

**EVALUATION OF COPYRIGHT AWARENESS AMONG UNDERGRADUATE
STUDENTS: A CASE STUDY OF AFRICA NAZARENE UNIVERSITY, KENYA**

BY

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**A Thesis Submitted in Partial Fulfillment of the Requirements for the Degree of
Master of Science in Library and Information Studies of Moi University**

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DECLARATION BY THE CANDIDATE

This thesis is my original work and has not been presented for a degree in any other University.

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ABSTRACT

Copyright law is important because it boosts creativity and accelerates economic growth. Despite this, it is not clear whether information users are aware of the law. It is argued that in Kenya, the copyright law is not as effective as expected since no proper mechanisms have been put in place to curb infringement of copyright. The use of technology protective such as turntin software ensures that students do not plagiarize other people work. In view of this, the study sought to investigate the extent of copyright awareness among undergraduate student at Nazarene University with a view of recommendations to improve their awareness. The specific objectives of the study were to: establish the level of knowledge students have on issues of copyright; ascertain ways in which copyright is infringed by students; establish the factors that prompt students to infringe copyright; establish the perception of students towards copyright; identify the challenges students faced in understanding issues relating to copyright; recommend ways and means of improving copyright awareness among student library users. The study used quantitative research method. Data was collected using the questionnaire and analyzed using Statistical Package for Social Scientists (SPSS). It was found that the respondents' level of awareness of copyright was quite impressive; majority of respondents obtained information on copyright from sources other than at the university; students infringed copyright through plagiarism, photocopy and piracy. Majority of the respondents felt that copyright law was very necessary. It is recommended that the copyright programmes carried out at Nazarene University should continue; a unit on copyright should be introduced in the common courses taught at the university; and more information materials should be purchased and made available to provide users an equal opportunity to utilize them.

DEDICATION

This work is dedicated to my husband John, dear sons Felix and Evans. Thank you for your prayers, encouragement and support

LIST OF ABBREVIATIONS AND ACRONYMS

| | |
|--------|---|
| ANU | Africa Nazarene University |
| CDPA | Copyright, Designs and Patents Act |
| KECOBO | Kenya Copyright Board |
| KCBSP | Kenya Copyright Board Strategic Plan |
| IPR | Intellectual property rights |
| MCSK | Music Copyright Society of Kenya |
| PRSK | Performers Rights Society of Kenya |
| RRSK | Reproduction Rights Society of Kenya (KOPIKEN) |
| TRIPS | Trade Related Aspects of Intellectual Property Rights |
| WTO | World Trade Organization |
| WCT | World Intellectual Property Organization Copyright Treaty |

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CHAPTER ONE: INTRODUCTION

1.0 BACKGROUND INFORMATION

The basic reason for protection of intellectual property rights is the necessity to encourage and support innovation and to promote the creation of knowledge. Intellectual property has effects on the knowledge creation, development and innovation of the intellectual products and services which improve our life.

According to Klooster, John W. (2009).The origins of copyright are linked to the European invention of printing (the Gutenberg press) in the fifteenth century. History shows, however, that some form of protection existed in relation to creative output even before the fifteenth century. In ancient Greece and Rome, plagiarism was widely condemned. Ethnographers argue that, dating back to the earliest historical times; examples existed where some rights have been recognized in respect of works and trademarks among various peoples. It however, took several centuries before the pecuniary and moral interests of authors were formally recognized in legal systems.

Kenya has been at the forefront in ratifying most of the copyright treaties such as the Berne Convention of 1866 for the protection of literary and artistic works; Universal Copyright Convention of 1952; Rome Convention of 1961 for the protection of performers and producers of phonograms and broadcasting organizations; the World Trade Organization (WTO), Agreement on Trade Related Aspects of Intellectual Property (TRIPS) of 1994; World Intellectual Property Organization Performances and Phonogram Treaty of 1996; and the World Intellectual Property Organization Copyright Treaty (WCT) of 1996.

Academic libraries are important components of universities because they facilitate carrying out research, teaching and learning. Knowledge is power, and by ensuring access to systems of knowledge and information relevant to the pursuit of enquiry and study, academic libraries play an important role in universities' quest for academic excellence. Learning involves mental processes, acquiring skills and competencies which must be relatively permanent within the cognitive abilities of the learners. These skills and competences can be acquired in a formal or an informal learning environment.

Babalola (2000) defines learning as the mental activity whereby knowledge and skills, habits and attitudes, virtues as well as ideas are acquired, retained for utilization, resulting in the progressive adaptation and modification of conduct and behaviour. This process of learning can be enhanced through the various learning resources used by students in higher institutions of learning. According to Oje and Babalola (1999) learning information resources are represented and stored in variety of media and format that assist students' learning as defined by provincial or local curricula. These include print information materials, video and software formats. These information resources are usually made available to the learners in the library.

A library is a social institution concerned with the collection of information resources, processing, storage and dissemination for the purpose of reading, research and consultation; in order to satisfy the varying information needs of its clientele. (Aina, 2004). Apotiade (2002) also defined a library as a repository of knowledge or an intellectual storehouse serving as giant memory to mankind.

Students need information to improve their social, economic status and political experiences and this information is best retrieved from libraries. Kargbo (2002) noted that libraries are derivative agencies that arise from particular needs within a society and their types and functions reflect the diversity within the society. This therefore means that libraries are institutions that assist their users in deriving and accessing information.

Pedley (2000) argued that librarians have an important role to play in the implementation of copyright legislation. By the very nature of their work they are placed between on one hand and the authors, publishers and other copyright owners who quite rightly are keen to obtain a fair economic return on their intellectual property, while on the other hand, they deal directly with the readers of copyright works. Library and information professionals therefore have a key role in controlling and facilitating access to information, and as such, they also have to be able to explain to their users what levels of copying are permissible under copyright legislation. This unique role which library and information professionals have is recognized to a limited degree in the copyright legislation.

Copyright is one of the many components that fall under intellectual property rights that give the sole right to the author or creator, to copy, produce, distribute their copies, perform in public places, translate, adapt or arrange a work in any medium form whatsoever. Copyright is a guarantee for a creator or author that he or she has legal rights to prevent the use of his material without economic reward. For a work to be copyrighted it must be original and an expression of the idea is the one that is protected not the idea itself. Intellectual property also comprises of, patents, trademarks, trade secrets and industrial design.

Kenya Copyright Act, 2001 defines a copy as a means of reproduction of a work in any manner or form and includes any sound or visual recording of a work and any permanent or transient storage of a work in any medium, by computer technology or any other electronic means.

Copyright can be defined as a set of exclusive rights granted by government for a limited time to protect the particular form, or ways in which an idea or information is expressed. Copyright may exist in a wide range of creative or artistic form or “works”; this includes literary works, movies, sound recordings, photographs, musical works, paintings, software and industrial designs. Copyright law therefore offers legal protection given to authors against unauthorized copying of their work.

Fishman (1996) argued that copyright is a legal device that provides the creator of a work of art or literature that conveys information or ideas the right to control how the work is used. The whole purpose is to advance the progress of knowledge by giving the author of a work an economic incentive to create new works. Economic incentive denotes that the author of the work is motivated to produce more works since he has a lot to gain monetarily and otherwise.

According to Kenya Copyright Board Strategic Plan of (2009-2013), protection and enforcement of copyright and related rights is an integral part of economic growth in Kenya as it creates intellectual capital. Unfortunately, this is hampered by various issues such as the non-recognition of copyright industries, the high levels of unauthorized commercial use of copyright protected works which is worsened by limited capacity within the copyright industry, lack of information on copyright and related rights as well as poor or limited enforcement of copyright and related rights. Enhanced protection, capacity building and increased resources for the industry will go a

long way in providing the industry with the ideal conditions to grow and contribute to the economic development. This has been emphasized in the Kenya Copyright Board Strategic Plan of (2009-2013).

Sihanya(2001) argued that, the level of awareness among the rights holders, users, and public, government and policy makers is very low .This is because many creators or artists are not aware that they possess valuable intellectual property rights. They therefore go about their lives believing that copyright infringement is either permissible or has no remedy.

This inadvertently contributes to the increased levels of unauthorized commercial use of copyright works; lack of awareness also contributes to the inadequate support offered to the industry by the government and other potential benefactors and the low level of exploitation of the potential of the industry. There are no incentives for the youth to pursue careers in the creativity industry. Publicity and awareness raises the level of understanding of copyright and related rights and encourage creativity and the production of intellectual property which provides a stimulus to the Kenyan Economy.

Copyright Historical Perspective

Copyright came into operational with the advent of the printing press and subsequent widening of public literacy awareness. As a legal concept, its origin in Britain were from a recreation to printers monopolies in the 17th century with the passing of the Licensing Act of 1662.The Statute of Anne in 1709 was the first Copyright Act, which granted the author in Britain rights for a fixed period (Patterson, Lyman R. (1968).

Copyright has developed from a legal concept regulating rights in book publishing to the entire

creative industry covering such items as sound recordings, films, photographs, software and architectural works.

Among International treaties, agreements and conventions that Kenya is a signatory include the Berne Convention, Trade Related Aspects of Intellectual Property Rights (TRIPS), and WIPO Copyright Treaty, the WIPO phonograms and performances Treaty among others. Protection and as well enforcement of intellectual property rights contributes to the promotion of creative work and more innovations as well as to the transfer and dissemination of information for the mutual advantage of creators and users.

As a signatory to the above conventions, agreements and treaties, Kenya is obliged to implement and enforce them. The first copyright law in Kenya was the Copyright Act Cap 130 of 1966. This law was repealed and replaced with the Copyright Act No.12 of 2001 which among other things created the Kenya Copyright Board (KECOBO), a statutory body to administer and enforce copyright and related rights; granted KECOBO supervisory role over collective management societies; enhanced criminal sanctions (fines and jail terms); introduced the inspectors to investigate copyright infringement cases as well as appointment of copyright prosecutors.

Copyright Administration in Kenya

Copyright and related rights in Kenya were introduced during the colonial era with the application of the UK Copyright Act in 1912. This was constantly amended to keep up with the developments in the United Kingdom until 1966, when Kenya passed the Copyright Act of 1966. This law was repealed and replaced by the Copyright Act No. 12 of 2001. The 2001 Copyright

Act provides for effective administration and enforcement of copyright. The following were included in the 2001 Act:

- a. It created the Kenya Copyright Board, a state corporation to administer and enforce Copyright and related rights under Section 3 of the Act.
- b. It provides for the appointment of copyright inspectors to investigate criminal infringement of copyright and institute the cases in court.
- c. It provides for the appointment of copyright prosecutors to deal specifically with copyright infringement cases in court.
- d. It provides for the anti-piracy security device to help in the identification of genuine music and films from the pirated copies.
- e. Introduces fast and expeditious remedies such as the Anton Piller orders to preserve evidence in cases of copyright infringement.
- f. Introduces moral rights for performers.
- g. It mandates the Board to license and supervise collective management organizations which previously were unregulated.
- h. It enhanced criminal sanctions by increasing the maximum fine payable as well as the maximum jail term.

Since copyright can affect access to information which has a great influence on education, decision making and other spheres of society, it is important to know whether people offering the service are reliable, competent and have sufficient knowledge to offer guidance or perform the critical task of safeguarding the needs of content creators, rights owners and at the same time try to balance with the users need to get access to information. Sihanya (2001).

1.1 Africa Nazarene University: A Historical Perspective

In the early 1980's, the challenges that the Nazarene Church saw in Africa demanded setting up a training facility for the clergy. As a result the Church set forth to establish an institution of Higher learning. In 1985, the General Board of the Church of the Nazarene established an education commission to plan for the development of Nazarene education facilities around the world. This move established the stage for the Kenya venture. The church leaders began to negotiate with the Commission for Higher Education in Kenya with a vision to establishing a degree awarding institution. After considering the Church's request, the Commission recommended the church to open a liberal arts institution. Therefore foundation for the development of Africa Nazarene University was laid.

In 1987, in the middle of the great Maasai savannah, with giraffes and antelopes grazing in the background Dr. Harmon Schmelzenbach envisaged an expansive Christian University with students from different parts of the continent. This was to eventually become Africa Nazarene University. Seventy acres of land were bought and preparations for its development were completed. The Commission for Higher Education directed that a Board of Trustees be established to guarantee the autonomy of the University from either the State or any other body. The Board of Trustees was registered in January 1990.

The next major step in this development was the preparation of the proposal for the University which was done by a sub-committee of 8 prominent Kenyan professors headed by Prof John Marangu. After three years of hard work during which the proposal was developed, discussed and revised, the Letter of Interim Authority to operate a University was granted by the

Commission for Higher Education on 23rd November 1993, thereby making ANU the first institution to seek a charter under the new University Act.

With Dr. Martha John as the Vice-Chancellor, ANU opened its doors in August 1994 with 63 pioneer students taking courses in Theology, Business Administration, and Master of Arts degree in Religion. In August 1995 a Bachelor of Science Degree programme in Computer Science was added with 42 students.

Mission

The mission of Africa Nazarene University is to provide a holistic education that develops individuals academically, spiritually, culturally and physically and to equip them with excellent skills, competencies and Christian values which will enable them to go into the world well prepared to meet the challenges of their time.

Vision

Africa Nazarene University's vision is to be a light to the people of Africa through higher education grounded in the Wesleyan-Holiness tradition.

Africa Nazarene University will be the University of choice for Christians desiring academic excellence, and will produce individuals of character and integrity of heart. Africa Nazarene University will be a place where lives will be transformed for service and leadership to make a difference in Africa and the world.

1.1.2 Academic Programmes

Africa Nazarene University currently offers the following courses:

- a) Bridging Course in Mathematics
- b) Pre-University Programme
- c) Undergraduate programmes
 - Bachelor of Science (B.Sc.) in Computer Science
 - Bachelor of Science (B.Sc.) in Dry land Natural Resource Management
 - Bachelor of Commerce (B.Com)
 - Bachelor of Theology (B.Th.)
 - Bachelor of Mass Communication (B.Mass Com)
 - Bachelor of Business and Information Technology (B.BIT)
 - Bachelor of Education (Early Childhood Development)
 - Bachelor of Education (Secondary Education)
 - Bachelor; of Education (Primary Education)
 - Bachelor of Community Development
- d) Graduate programmes
 - Master of Arts in Religion
 - Master of Business Administration
 - Masters in peace and Conflict Resolution
 - Masters in Monitoring and Evaluation

1.1.3 Africa Nazarene University Grace Roles Library

1.1.4 Introduction

This section provides a brief discussion of the location of ANU Grace Roles Library and, Library collection, services as well as resources.

1.1.5 Location

The Library, which is located at the heart of Africa Nazarene University's main campus, has approximately fifty thousand volumes. It has a staff consisting of about 29 team members.

1.1.6 Library Collection

The collection is rich in scope covering almost all spheres of knowledge. Grace Roles is a library that has recognized that information in the current age is not only packaged in physical formats but also electronically. The library has achieved this, having been among the few libraries in Kenya to automate its services and also provide their clientele with a fully equipped Multimedia center (also known as the e-center) for this purpose. The mission of the library is to support the University's mission to provide a holistic education that develops individuals academically, spiritually, culturally and physically; and to equip them with excellent skills, competencies and Christian values which will enable them go into the world well prepared to meet the challenges of their time. Access to information sources and resources are provided and made available through means such as:

- a) Acquisition, organization, management, housing and preservation of collections.
- b) Use of appropriate technologies for retrieval and manipulation of information.
- c) Provision of personalized reference and bibliographical services.
- d) Teaching users how to find, evaluate, and use information independently as a basis for life-long learning. (Information Literacy Skills).

While the vision is to be a recognized leader in provision of user-centered information services to all Africa Nazarene University community whether internally or off-campus, the goal is to be the intellectual heart of the University where the vast heritage of human thought and experience

will be preserved and will provide a stage for interaction of scholarly minds in addition to assisting the university pursue its vision, mission and philosophy, thereby enabling the University provide academic excellence.

In order to effectively accomplish its core objective of information dissemination, the Library performs several services as outlined below

1.1.8 Library Resources

The Grace Roles Library is equipped with adequate and relevant copyrighted information resources that enable it to provide effective and efficient services to its users. Its richness is displayed in its collection. These are:

- General Circulation Collection
- Short Loan/Reserve Collection
- Electronic Journals and E-books
- African and special Collection
- Nazarene Holiness Collection
- Thesis Collection

1.2 Statement of the Problem

Copyright protection provides a vital incentive for the creation of many intellectual works. Without copyright law that provides protection, it would be very easy for others to exploit these works without paying any royalties or remuneration to the owner of the work. Copyright protection provides benefits in the form of economic rights which entitle the creators to control use of their literary and artistic material in a number of ways such as making copies of their work, performing in public, broadcasting, using it on-line to obtain an appropriate economic incentive. Copyright also gives moral rights to be acknowledged as the creator or author of certain kinds of materials. Students' awareness of the importance of intellectual property in the information age is essential in implementing the law.

Copyright law therefore is very important because it boosts creativity and accelerates economic growth. Despite this, it is not clear whether information users are aware of the law. (Wachira, 2008; Ngunjiri, 2010) Argue that In spite of stronger copyright mechanisms such as enactment of tougher laws, use of technology protective measures, use of licenses to access and use, better administration, and enforcement of laws that have been put in place in Kenya over the years, copyright infringement has persisted. A critical question arises: Do most university students know about copyright laws? Students for instance may have reasonable level of knowledge of copyright but still infringe on the law. It is also argued that in Kenya, the copyright law is not as effective as expected since no proper mechanisms have been put in place to curb infringement of copyright. This is according to Kenya Copyright Board Strategic Plan of (2009-2013). This has resulted in infringement being carried out in academic libraries with impunity. Sihanya (2001)

laments that Insufficient human, technical and financial resources limit Kenya Copyright Board and other agencies' capacity to enforce copyright in Kenya.

There seems to be no study that has attempted to gauge the level of awareness among university students in Kenya. It is for this reason that the researcher endeavored to establish the extent to which students at Africa Nazarene University are aware of copyright law with a view to proposing appropriate strategies to improve their awareness.

1.3 Aim and Objectives of the Study

Aim

The aim of the study was to evaluate the extent of copyright awareness among undergraduate students at Nazarene University with a view to providing appropriate recommendations to improve their awareness.

Objectives

The objectives of the study were:

1. To establish the level of knowledge students have on issues of copyright.
2. To ascertain ways in which copyright is infringed by students
3. To establish the factors that prompt students to infringe copyright
4. To establish the perception of students towards copyright.
5. To identify challenges students faced in understanding issues relating to copyright.
6. To propose recommendations of improving copyright awareness among student library users.

1.4 Research questions

The study was guided by the following questions:

1. To what extent are students at the Africa Nazarene University aware about copyright?
2. How did university students infringe copyright?

3. What prompts students to infringe copyright?
4. How do university students view copyright?
5. What problems hinder students from understanding and appreciating copyright?
6. What should be done to improve copyright awareness among students at the university?

1.5 Assumptions

The study was based on the following assumptions:

The study assumed that there was rampant infringement of copyright because of low knowledge of the existing copyright law by students.

There was also an assumption that students were aware of the copyright issues but they were ignorant to adhere to them because there were fewer copies of information materials in academic libraries to be used among many library users.

The other assumption on the acts of infringement is due to learning styles that students were exposed to throughout their primary and secondary education. This could be related to educating styles that focused on testing and not on writing so students have no fundamental understanding of proper writing methods.

Copyright law infringement has a negative effect on the educational system whereby the author of literary materials do not get motivation to produce more materials and this leads to a shortage of learning resources in the universities and hence it leads to a low academic performance by the students.

1.6 Significance of the Study

The study will be used as a yard stick to educate users on how to use information materials without infringing copyright law. Recommendations at the end of the study will enable students to be more aware of the provisions of the copyright law and adhere to them.

Furthermore, it will help library administrators to make a choice regarding how copyright issues are handled in the library and therefore help in enforcing internal policies regarding copyright law. It will help to establish various ways that are used by students to infringe copyright.

Policy makers in the education sector may consider including a unit on copyright law in the curriculum which will make students' more aware of the consequences of infringing on these laws.

Lastly, the study will form basis for further research on copyright law and its effect on student users of information.

1.7 Scope

The study focused on awareness of copyright among undergraduate students of Africa Nazarene University library. This is because it is very crucial in knowledge creation, organization and access to information. The study focused in undergraduate students because time and resources could not allow the researcher to cover other users such as postgraduate students.

1.8 Limitation

The results of the study were hindered by lack of similar studies in copyright awareness among undergraduate students. However, limitation was overcome by reviewing literature that was related to this area.

The other limitation was that not all the distributed questionnaires were returned since some respondents were unwilling to be involved in the survey. However the researcher explained the importance of the survey and therefore the response rate of 87 % was sufficient for analysis.

1.9 Chapter summary

Chapter one brought into perspective the background information of the study. It outlines the statement of the problem, aim of the study, objectives of the study, research questions which guided this particular study, assumptions, significance of the study, scope and limitations of the study as well as the definition of terms.

1.10 DEFINITION OF TERMS

Copyright: This is a property right which arises automatically on the creation of various categories of work, and protects the rights and interests of the creators of literary, dramatic, musical, and artistic works, sound recordings, films, broadcasts, and cable programmes and the typographical arrangements of published editions.

Copyright industry: The industry dealing with creation, production, and distribution of goods and services that require use of creativity and intellectual capital. It consists of film, music, radio and television broadcasting, new media, publishing.

Intellectual property: Works that have been created as a result of an intellectual endeavor. They include books and music, among others.

Piracy: The act of production, distribution, and selling of unauthorized copies of information resources that are protected by copyright.

WIPO (World Intellectual Property Organization): An international organization established to oversee issues on intellectual property rights worldwide.

WTO (World Trade Organization): An international organization established to oversee the adherence of rules of trade between countries.

CHAPTER TWO LITERATURE REVIEW

2.1 INTRODUCTION

This chapter reviews literature related to the study and also discusses the theoretical framework upon which the study was based.

2.2 Theoretical framework

According to Combo (2006), a theoretical framework is a collection of interrelated ideas based on theories. A theory is reasoned statement or group of statement, which are supported by evidence meant to explain phenomena. He asserts that theoretical framework helps the researcher to effectively review the literature and understand the study better.

This chapter focuses on the relevant copyright theories in relation to striking a balance between right holders and the users of information resources and the academic literature related to it. These copyright theories include the Natural Rights Theory, Utilitarian Theory and copyright theory (striking –a balance). After analysis of the three theories, the researcher opted to use the copyright theory as the basis of this study because of its appropriateness.

2.2.1 Natural Rights Theory

Natural rights theory is a theory that was developed from Natural law theory. John Locke (1632) argued that human beings in the state of nature are free and equal; however they are insecure in their freedom. When they enter society they surrender only rights that are necessary for their security and for the common good. Each individual retains fundamental privileges drawn from natural law relating to the integrity of person and property (natural rights). Natural rights theory provided a philosophical foundation for both the American and French revolutions.

Political theorists since the time of the ancient Greeks have argued in support of the existence of natural rights, meaning those rights that men possessed as a gift from nature (or God) prior to the formation of governments. It is generally held that those rights belong equally to all men at birth and cannot be taken away.

The concept of natural rights received one of its most forceful expositions in the writings of Englishman John Locke (1632-1704), who argued that man was originally born into a state of nature where he was rational, tolerant and happy. In this original existence man was entitled to enjoy the rights of life, liberty and property.

However, not all men chose to live within the confines of the natural laws and presented threats to the liberties of the others. At this stage man entered into a social contract (compact) in which a state (government) was formed to guarantee the rights of the members of society.

Locke believed that the only reason for the existence of government was to preserve natural rights and, by extension, man's happiness and security.

These ideas were eagerly accepted by many American colonists in the 18th century, the time when political philosophy was widely read and discussed. Otis(1783)made an appeal to natural rights in his argument against the writs of assistance in 1761 and Jefferson offered a classic restatement in the Declaration of Independence in 1776.

2.2.2 The Utilitarian Theory

This theory was developed by Jeremy Bentham (1748-1832) who was an English philosopher and political radical. He is primarily known today for his moral philosophy, especially his principle of utilitarianism.

The use of the utilitarian theory in the copyright discourse is as old as copyright itself. The advocate of the utilitarian theory in copyright justifies the need for a copyright legislation on the social need of the authors to receive incentives in order to create works of authorship. The authors' need for incentives should be balanced with the public's needs such as widespread dissemination of works and information.

The analysis of copyright's pros and cons in the utilitarian perspective has recently been framed in economic terminology. An intellectual property good has a very important distinguishing characteristic compared to other resources: it can be used by several persons without being consumed. The corollary of this characteristic is the possibility to copy the intellectual property works without incurring the costs of producing them (or "expression costs"). Therefore, copyright is needed to help authors recoup their expression costs and consequently to act as an incentive for authors to create new works knowing that their effort will be rewarded. The researcher has chosen utilitarian theory to support her study.

2.2.3 Historical Background

Utilitarian theories of intellectual property developed and evolved in a symbiotic relationship with the evolution of the modern state: from the formation and maturation of the mercantilist nation-states through the Industrial Revolution to the rise of the modern capitalist economy. Most early scholars focused upon what Merges (1995) calls the 'Grand Question': whether state-created intellectual property rights should exist. More recently, attention has shifted toward the design of intellectual property rules and institutions.

Intellectual property rights emerged during the early mercantilist period as a means for nation-states to unify and increase their power and wealth through the development of manufactures and the establishment of foreign trading monopolies. The word patent was derived from the Latin *patere* (to be open), which refers to an open letter of privilege from the government to practice an art. The Venetian Senate enacted the first patent statute in (1474) providing the maker of ‘new and ingenious device shortened to perfection so that it can be used and operated’ an exclusive license of 10 years to practice the invention. Later many other nations followed suit the granting of limited monopolies for inventions, and later to publishers and authors of literary works became the dominant in promoting innovation of literary works(Hadfield, 1992; Merges, (1995).

The philosophy of intellectual property developed in response to the use of monopoly power to increase innovation. Smith (1776),while generally critical of monopoly power as detrimental to the operation of the ‘imperceptible hand’, however this justified the need for limited monopolies to promote innovation and commerce requiring substantial up-front investments and risk. Jeremy Bentham (1839), went beyond this justification for intellectual property rights, providing a clear clarification of the differential fixed costs borne by innovators and imitators.

2.2.4 Copyright Theory – Striking a Balance

At the foundation of copyright theory is the notion that copyright law was derived from the monopoly privileges enjoyed by the Stationers Company of England and the British Statute of Anne 1709. This monopoly privilege was used to suppress competition and free access to information. Lessig(2001) suggests that Copyright has evolved from being just a ‘restriction’ to a ‘package of rights’ and has now come to be recognized as a ‘theory’.

The growing academic literature on copyright theory continues to address the issue of whether an adequate balance has been struck between copyright owners and copyright users. The need to strike a balance is derived from whether copyright should lock down information resources to protect the financial interests of rights-holders or promote broad access to, and use of information for a fair and balanced copyright. It is striking a balance between the needs of users for reasonable access and use of copyrighted information resources, and the needs of creators to be protected from unjust misappropriation of the same.

Fisher (1998) asserts that copyright represents a bargain between the public and the author in which the public grants authors the right to certain exclusive rights in exchange for access to their creations. This access takes two forms: access to the information resources during the period of exclusive rights on terms generally dictated by the author; and unfettered access to the information resources after those exclusive rights have expired. Gordon(1993) was of the opinion that if creators of intellectual property were not given rights to control the use of their works, they might receive fewer revenues and therefore would lack an appropriate level of incentive to create. Which means fewer resources would be dedicated to information generations than their social merit would permit.” Unauthorized copying, therefore incentives would be reduced for creating and distributing information resources.

Fox and LaMacchia (2003) acknowledge that the existence of fair dealing principles and limited exceptions “allows people to take limited portions of others’ copyrighted information resources for some qualified uses without prior permission.” Seetoo concludes that it was purposefully designed to address the tension between the public interest in increasing the storehouse of

information and the author's interest in obtaining compensation to secure pecuniary returns for his efforts.

Nimmer (2001) argues that copyright theories are not designed to address foundational arguments about private property and one should not let misconceptions of ownership and control override the social needs of the public. Like any other theory, discrepancies between the various copyright theories exist. The important message emanating from new inquiries into copyright theory is there has to be a balance between theory and practice. This is due to the fact that theory cannot develop in isolation from practice as it would become a discipline with no destiny and without any impact on the evolution of the law.

Innovation and creativity are best served through Copyright laws that balance the rights of creators, owners, and users. Cohen (2007) argues that creators require protection from unjust appropriation and the ability to earn from the works they produce, while users require the ability to access these works and, when reasonable, use them for the basis of the creation of new works. Cohen basing on this suggests that because innovation is by its very nature, a result of building upon others' works, blocking access stifles innovation. Copyright laws should establish an incentive framework that produces an environment where creators are able to create new things, but does not engender a system where the owners and distributors of copyrighted works maintain unnecessarily long-terms of control over their use.

Alfanoin his paper suggests that knowledge is at the heart of a dynamic and productive community and must not be controlled by owners for exceedingly long periods of time if the potential for competition and innovation is to be maximized. The shorter the legally protected monopoly on knowledge, the greater the incentive that exists to invest in the production of new information resources. However, this must be balanced with the need of the creator to make a living. Without a fair balance between the interests of creators, users, and owners there is reduced incentive for investment in the creation of new works and knowledge. Investment in new products and innovation by creators requires that they benefit financially from their works.

Guindon (2006) states that the history of copyright law has been a process of balance. This continual shift in the scope of copyright law, including both the rights granted to copyright owners and the defenses available to copyright user's has been necessitated by the advancement of technology. Copyright law is greatly influenced by technological change. Whenever technological advances create new means of making communicating copyrighted works, crises arise on how the boundaries should be drawn around new uses of information created by the new technology. The historic tendency of copyright law is to respond to new technological developments by adjusting the scope of copyright law.

Depoorter(2010) in his paper suggested an interesting observation in relation to copyright theory and technology. He suggests that two paradigms exist: the political-economy model and the technological paradigm. In the political-economy model, the death of copyright law is caused by legislative and judicial capture by copyright owners, which negates the original, true meaning of

copyright. The technological paradigm argues that digital technologies has rendered copyright hopelessly obsolete or, from the copyright owner's viewpoint dangerously ineffective.

He continues to argue that copyright owners will not survive in order to protect their revenue unless intellectual property laws are strengthened to meet the threat of new technologies and the widespread dissemination of their works over the Internet. With the development of technologies that facilitate the high-speed, low-cost transfer of digital information, there has come a massive increase in the speed of research and innovation.

Despite the clear benefits of these developments, some Copyright owners have proposed to use technology to prevent easy flow of information and lock down knowledge in its digital form so as to maximize their ability to control and to profit from copyrighted information resources.

Truly innovative ideas develop in an environment that fosters creativity and allows citizens to build on the creations of those that came before them but it is also important to note that ideas are only turned into great works when the economic environment is supportive of creators to transform the ideas into reality. Government policy makers should not overreact by developing restrictive copyright legislation that may hinder the development of new and innovative information resources (Depoorter, 2010).

2.2.5: Relevance of the theory to the study

The significance of the copyright theory (Striking a Balance) to the study is that authors create their works to disseminate knowledge to the society as well as to get monetary gains out of their creations. Therefore the theory recognizes the need to maintain a balance between the rights of authors and the larger public interest, particularly education, research and access to information, as reflected in the Berne Convention. This is because if authors are unable to cost-effectively exclude competitors and nonpaying consumers from copying and consuming their information goods (such as books, movies, and so on), they will be unable to recover their costs of producing more creative works. Authors will then cease to invest their time and efforts in creating them, resulting in underproduction of valuable information goods to society's detriment. Gordon (1993)

Therefore the theory supports a balance between the needs of users for reasonable access and use of copyrighted information resources, and the needs of creators to be protected from unjust misappropriation of the same.

2.3 Copyright

Intellectual property rights (IPR) involve the protection of an invention, literary work, and all other intellectually produced items from unauthorized production, use and sale by anybody else apart from the creator and its managers. The prime means of protection include trademark, patent, and copyright. Whereas patent and trademark are more often used to protect against competing firms, copyright is the most widely used method of protecting consumer products which include computer software, music items, and books. According to (Besen, Raskind; Scotchmer, 1991), these products have been one of the leading issues in recent international trade

negotiations because they require extensive amounts of research and money to create and yet they are easily reproduced and illegally sold by pirates at the expense of the developers.

Oxford's Dictionary of Law defines copyright as "the exclusive right to reproduce or authorize others to reproduce artistic, dramatic works, literary, or musical works. Copyright is a legal term that describes rights given to creators for their literary and artistic works (World Intellectual Property Organization (WIPO). Copyright protects original works of authorship which are fixed in a tangible medium of expression and covers both published and unpublished works (Currier 2011).

According to Odetunde (2004), copyright could be described as a property that could be sold to someone, assigned or licensed for use by any other person who has interest in such work. The essence of copyright law is to shun intellectual theft by various information users. Through active protection of the intellectual content of the author, theft will be curbed to a minimum level and in the long run authors will be encouraged to create more works with e better standards. Copyright is protectable and enforceable where work is original, and expressed in a tangible or fixed medium. Sihanya and Wekesa (2009) state that under the Kenyan Copyright Act, 2001 copyright exists in literary works, musical and artistic work if adequate effort has been expended on making the work to give it and original character and the work has been written down, recorded in a tangible medium or reduced to material form. Copyright law exists to protect and promote the expression of ideas for example facts, information knowledge or concepts reduced into tangible form.

Copyright protection encompasses much of the material used in educational programs. It manifests itself in nearly all original works by an author. Crews (2003) asserts that in addition,

most computer programs, writings and images are protected by copyright law. Thus, when educators use any of these materials in their teaching, they are, in effect, using copyright-protected materials.

Copyright Act, 2001 provides for the following categories of copyrightable works:

1. Literary works: printed as well as non-printed materials such as books, journals, magazines, newspapers, computer programmes etc.
2. Musical works
3. Artistic works: paintings, drawings, engraving, maps, plans, works of sculpture, architectural drawings, etc.
4. Audio-visual works
5. Sound recording
6. Broadcast

2.3.1 Copyright in the digital era

Pedley (2000) is of the view that if one wishes to copy information from a web site; he or she should first look at the page's own copyright notice. The page may have a notice which states clearly whether you can cut and paste, download, or print out material and, if so, how extensively. If there is no copyright notice, or if the copying one wish to undertake is not covered by the notice, then he or she should obtain specific permission which could be achieved by emailing the webmaster for that particular web site.

Some web sites have used the technology in order to control what can be done. For example, a number of web sites do allow pages to be printed out, but they have disabled the 'cut and paste'

or 'save as' functions; so that if anyone attempts to use those commands, they find that the buttons have been greyed out.

The Copyright Licensing Agency says that 'The World Wide Web is subject to copyright, and Web pages are themselves literary works. The textual articles contained on Web pages are also separate literary works, the graphics are artistic works, and any sound files are sound recordings containing separate musical works. Therefore information that is mounted on a publicly-accessible Web page makes it available for public viewing, which means for students is that without express consent of the copyright owner, downloading or copying files from the Internet is an act of infringement. However, the doctrine of fair use also applies to the Web.

2.3.2 Two types of rights under copyright.

Economic

These rights allow the rights owner to derive financial reward from the use of his works by others. The right of the copyright owner to prevent others from making copies of his works without his authorization is the most basic right protected by copyright legislation. The right to control the act of reproduction – be it the reproduction of books by a publisher, or the manufacture by a record producer of compact discs containing recorded performances of musical works - is the legal basis for many forms of exploitation of protected works. Sihanya and Wekesa (2009) argued that economic rights are associated with the right to a copy which is also an entrepreneur's right to secure economic and financial benefits from investing in a work.

Moral rights

Otike (2010) Observed that:

- Moral rights are the rights the owner has as a creator of the work.
- Moral rights are separate from the economic rights of the copyright owner.
- They are inalienable (for example cannot be separated) during the author's life time and can only be passed to another person on the death of the owner
- The creator of the work who holds the moral right is not necessarily the owner of Copyright in the work.

2.3.3 Ownership and Duration of copyright

The author of a work is the initial owner of the copyright in it, and may exploit the work himself or herself or transfer some or all the rights conferred by the copyright to others. (Copyright Act 2001).The author generally is the person who conceives of the copyrightable expression and fixes it or causes it to be fixed in a tangible form Barret (2008). He gives an example of a business executive who dictates a letter to her secretary who then transcribes and types it, he is therefore the author since he conceived the expression and caused it to be fixed.

Chege (1978) is of the view that ownership of the copyright may vest in a variety of people depending on the circumstances of each particular case under consideration, thus copyright in a work may belong to an individual author, joint author, an employer; a person or institution who commissioned the work. Author is a person who creates a literary work, artistic or musical work. He argues that the creation of a person's mind is an extension of his personality and therefore the author should be entitled to the ownership of his creation. Carmstrong (2010) argued that the owner of a literary, artistic, musical or audiovisual works has an exclusive right to control the

reproduction, in any material form of the work or its translation, its adaptation, its distribution to the public by way of sale, rental, lease, hire or loan as well as control the importation or communication to the public and broadcasting of the works. He asserts that broadcasting organizations have the right to control the fixation, broadcast and communication to the public of the whole or part of their broadcast. The act also grants performers exclusive rights to fix and reproduce the fixation of their performances and to broadcast or communicate their fixed performances to the public.

McJohn (2009) says that Work is “fixed” in a tangible medium of expression when its embodiment in a copy or phonorecord by or under the authority of the author, is sufficiently permanent or stable to permit it to be received, reproduced or otherwise communicated for a period of more than transitory duration.

The Copyright does not continue indefinitely. The law provides for a period of time during which the rights of the copyright owner exist. The period or duration of copyright begins from the moment when the work has been created, or, under some national laws, when it has been expressed in a tangible form. It continues, in general, until sometime after the death of the author. The purpose of this provision in the law is to enable the author’s successors to benefit economically from exploitation of the work after the author’s death.

Duration varies from one country to another depending on their national laws. In Kenya, it is 50 years after the death of the author. Act 2001)23. (1) In the case of a work of joint authorship, it means the author who dies last, whether or not he is a qualified person. *Although Clause 10. of Amendment Act 2010 seeks to amend section 22 of the Act relating to term of copyright in published literary, dramatic, musical and artistic works (other than a photograph) published*

within the life-time of the author until sixty years from the beginning of the calendar year next following the year in which the author dies. Armstrong (1990) observed that in the case of audiovisual works and photographs, the term of protection is 50 years from the end of the year in which the work was either first made available to the public or first published whichever the date is the latest. Sound recordings are protected for 50 years after the end of the year in which the recording was made. Broadcasts are protected for 50 years after the end of the year in which the broadcasts took place. Computer generated works is 50 years from the date of creation of the work. A work is deemed to be computer generated where there is no human author.

2.3.4 Public domain

Public domain applies to the works that have no copyright protection either because their duration of copyright has expired or because their creators did not comply with various formal requirements or because their creators deliberately donated to public the rights that they might have asserted.

Crews (2012) asserts that while copyright protection applies broadly to expressions that are original and fixed, several categories of works are specifically outside the boundaries of the law. These works are in the public domain, meaning they are wholly without copyright protection and are freely available for use without copyright restrictions. An author may voluntarily choose to dedicate the work to the public domain e.g most materials that are freely available on the Internet are in fact protected by copyright, but the owners have simply permitted them to be openly available.

The advantage of works in the public domain to students is the fact that there are no restrictions and therefore they have much freedom to use the information. This is because no fair use guidelines to weigh, no permissions to seek, and no charge attached to any use, nor any conditions to satisfy other than citing the source.

Copyright protection of works that are universally accessible on the Web seems to go against the notion of “public domain.” The ambiguity is caused by the difference in meaning between “public domain” in print and on the Web. In print, when copyright protection expires, it goes into the public domain and is no longer protected by law. After this time the work can be fully duplicated or extensively quoted without copyright violation. On the Internet, universally accessible information is said to be in the “public domain,” and as such the information is often treated as being free of legal restrictions.

2.3.5 Exception and Limitations

Fair Dealing

Fair dealing principle is a privilege for someone other than the copyright owner to use a copyrighted work without seeking permission from the copyright owner or sometimes paying a fee. The Kenya Copyright Act provides for certain exceptions and limitations to the exercise of the exclusive rights granted to the authors and owners of related rights by the Act. These fall under the concept of fair use. Section 26 of the Act privileges the use of the works for educational purposes, the incidental inclusion of works in a broadcast or film, the non-for-profit use of works in public, the broadcast of works intended to be used for systematic instructional activities, the use of works by the government, public libraries and non-commercial

documentation centers as well as the use of works for judicial purposes, provided the author and the source are indicated.

Pedley, (2000) cites Section 29(1) of the English Copyright, Designs and Patents Act (CDPA) 1988 that deals with fair dealing for the purposes of research or private study. It says: 'Fair dealing with a literary work, other than a database, or a dramatic, musical or artistic work for the purposes of research or private study does not infringe any copyright in the work or, in the case of a published edition, in the typographical arrangement.' 29(3) say 'Copying by a person other than the researcher or student himself is not fair dealing if.... (b)the person doing the copying knows or has reason to believe that it will result in copies of substantially the same material being provided to more than one person at substantially the same time and for substantially the same purpose.'

While copyright laws may seem particularly strict, there are certain allowances for education, criticism, research, and scholarship (Malonis, 2002; Moore, 2005). Consequently, teachers engaged in such activities do have some leeway under the law. However, if teachers are to successfully integrate the materials they create and use in the classroom, they need to be aware that they can find themselves in a quandary if they do not have adequate knowledge of these laws. Hence, lecturers and students need to keep abreast of how best to deal with the issues that affect them when choosing, creating, or copying materials for use in the classroom. Educators often use the doctrine of fair use to justify copying, scanning, downloading, uploading, and using materials for classroom use. While they often may be within the bounds of the fair use law, the fact remains that the exact parameters of the law are flexible and uncertain at best (Crews, 2003;

Simons, 2005), meaning due diligence is required on the part of teachers when performing these acts.

The English Copyright and Rights in Databases Regulations 1997 (SI 1997/3032), which came into force on 1 January 1998, in Designs and Patents Act section 29 (1A) Fair dealing with a database for the purposes of research or private study does not infringe any copyright in the database provided that the source is indicated.

Ogunmoyela (1995), noted that libraries have an important role to play in the implementation of copyright laws by including lectures on copyright laws during students' orientation programmes and as part of user education programmes. This will assist students to appreciate both the reason for and the socio-economic and moral implications of copyright.

2.3.6 Library Privilege

The English Copyright, Designs and Patents Act (CDPA) 1988 outlines 'library privileges' very precisely which give certain librarians protection against copyright infringement, provided that the procedures have been followed correctly. Librarians are therefore in a unique position under the Act, having complete indemnity but they have to comply with various bureaucratic procedures in order to earn that indemnity. Libraries are permitted to make single copies of individual articles in a journal to their patrons; the law states that they may never supply more than one copy to the same patron, or copies of more than one article from the same issue of a journal to the same patron. CDPA 1988 s37 (2) (a) says that the librarian can rely on a signed declaration form, unless he is aware that it is false.

2.4 Awareness of Copyright

Awareness” means users’ knowledge of copyright legislation and punishments. Awareness is the first step towards deeper understanding. Most people tend to gauge expertise by the level of knowledge and skill that a particular individual possesses in a given field. In order to measure the level of understanding copyright, the few studies that have tried to undertake this task have tended to use surveys. Williamson (1992) studied awareness of copyright by faculty and teaching assistants in a university in the U.S. Cox (1998) was interested in the awareness of copyright by principals, teachers and librarians in the United States. Smith et al. (2006) surveyed 446 faculty members in the health sciences at a U.S. university and found that 56% had limited knowledge, 6% had no knowledge of copyright, and 88% reported that they did not have any formal instruction in copyright. All respondents had either published a book or an article in the newspaper. Moahi (2004), explains that: an understanding of copyright is particularly important in an academic, scholarly and artistic environment where creators are continuously using the works of others to build and shape their own thoughts, opinions, and indeed produce their own works.

2.5 Ways of increasing awareness about copyright issues in universities

Some of the ways of increasing awareness of copyright to students may include: hanging posters around campus with information about the effects of copyright piracy, lost wages, lost jobs, high prices for music and movies prices, etc. Host a Copyright Awareness/Anti-Piracy Video Contest for students at the university, Partner with different organizations, on and off-campus to raise money for prizes and also host a Copyright ethics symposium with guest speakers from copyright board and other stakeholders.

2.6 Copyright Infringement

Infringement of copyright is the unauthorized use of copyrighted materials in a manner that violates one of the copyright owner's exclusive right to produce or perform the copyrighted work, or to make derivative that build upon it. Infringement in this content includes piracy, plagiarism of text, and infringement of copyright when using photocopying machines, duplication of web pages also infringement would describe the unlawful reproduction of those same listed works

According to Wekesa and Sihanya (2009), infringement refers to the dealing with copyrighted material in a manner inconsistent with the copy owner's interests. They added that it occurs where the defendant does any of the activities protected or restricted by copyright without right holder's license. Barret (2008) argued that any person engaging in unauthorized reproduction, adaptation, public distribution, public performance, public display, or importation of copyrighted works are directly liable to the person who owns the exclusive economic right that has been infringed. He says that in the case of direct copyright infringement liability, lack of intent to infringe and lack of knowledge of the copyright are not defenses though they may affect the remedy afforded to plaintiff.

2.7 Ways in which students infringe copyright laws

2.7.1 Plagiarism

Plagiarism is an example of copyright infringement and it could be described as the violation of copyright law to use all or any part of a person's document, with trivial changes, in a document written by another, except as described in the section on fair use.

Other studies contribute acts of plagiarism to learning styles that students were exposed to throughout their primary and secondary educations. This could be related to educating styles that focused on testing and not on writing so students have no fundamental understanding of proper writing methods. Studies also show that some cultures view copying as a means for learning: Greek and Chinese students viewed copying and memorizing as means for learning in certain studies (Amsberry, 2010).

Li and Casanave (2012) explored the students' understanding of plagiarism, their strategies for composing, the similarity between their texts and source texts and the lecturer's assessment of their work. It indicated that both students appeared to understand the university's plagiarism policy yet their texts were characterized by patch writing and inappropriate citation.

Risques, O'Dwyer&Ledwith (2011) conducted a study on technology enhanced learning and plagiarism in entrepreneurship education and found that more than one online plagiarism prevention tutorial is required to change self-reported views relating to engagement in plagiarism, perception of peer participation in plagiarism and student's ethical views.

Park (2003) provides a list of reasons for plagiarism by individual students. These include: lack of understanding; efficiency gain; time management; personal values or attitudes; defiance; attitudes towards teachers; denial; temptation and opportunity; and lack of deterrence.

2.7.2 Piracy

Piracy is also another means of infringement of copyright law. Piracy as opined by Bankole (1988) is the theft of copyright which occurs for reasons of want, scarcity and inaccessibility to

books. Consequently, Thomas (1991) as cited by Okwilagwe (2001), submits that piracy is the unauthorized or illegal reproduction of the work of an author for sale without payment of royalty or other compensation to the owner of the intellectual property so exploited. The issue of copyright laws, its infringement and piracy, does not only apply to information users like scholars and academics but it also applies to commercial reprographers who engage in photocopying activities.

Besenjak, (2000) asserted that the computer software industry has created its own set of copyright issues. Software must be easy to use and easy for users to protect from damage (by making backup copies). Because most programs can be copied to other disks, the temptations to give copies to others or sell copies are great. Unlike most other media, computer software can be recreated perfectly. The ease of copying extends the temptation beyond making disks to loading programs onto more than one computer. This is not only infringing but probably breaches the license agreement that limits use to only one computer. Therefore, the temptation can be great for a business to buy one copy of a word-processing or database program, and then copy it onto five, 10, or more computers in order to save the cost of buying multiple copies of the software. This constitutes a major act of copyright infringement and software piracy unless the company acquired a network license.

Lau's (2003) study that addressed public awareness regarding the current copyright laws represents one of the central explanations that affect software piracy rates. Although software industries currently employ licensing agreements as a means of information during the installation process, a majority of users pay no attention to the licensing agreements, thus making

the tool ineffective. Thus, a strong negative correlation exists between a user's knowledge of current copyright legislation and the software piracy rate.

2.7.3 Photocopying

The photographic copying of books and other materials is a modern technique that started at the beginning of the 20th Century. Since then, photocopying has remained the most popular technique of document reproduction. It has been of tremendous value to education and dissemination of information that today it is commonly found in different places like Libraries, information and documentation centres, archives, higher educational institutions, commercial enterprises, government and non-governmental organization and so on.

Photocopying services are not designed to compete or replace duplicating processes, but to complement its services through direct reproduction of documents. Photocopying services are very useful in copying from materials that are suitable for direct reproduction. These materials include published materials like thesis, dissertation, lecture notes, drawings, letters, and certificates to mention but a few.

The photocopying service no doubt is very popular among scholars because it makes it possible for them to have positive copies of any material conveniently thereby saving them from the problem of having to laboriously copy by hand what they need whenever they visit the library.

LaHood and Sullivan (1975) identified convenience of the user as the overwhelming factor that could be responsible for making scholars photocopy existing library materials. They stated that

Whether a photocopy is requested to avoid the task of transcribing a text in hand or avoid travel time and expenses or is acquired in addition to a library collection, the factor of convenience is present.

In spite of the usefulness of photocopying, authors and publishers have argued that photocopying possess a threat to the development and free flow of information. This is because of the rate of photocopying activities going on in different parts of the world. For instance, the African Publishing Review (1993) reported that an estimate of 300 billion copy pages per year or an equivalent of 1.5 billion books of 200 pages each of unauthorized photocopying of copyrighted materials worldwide is being carried out.

Kyle (1983) stated that one of the most important advantages of photocopying is that books are made more accessible to users, without exposing the original to damage from overuse, vandalism or theft. Similarly Amodeo (1983) stated that the presence of photocopying machines in the library for photocopying purposes is to prevent the mutilation and theft of books.

Orr (1990) stated that the photocopy process has in recent years evolved to a point that is possible produce archival quality copies using different copiers, provided the equipment is supplied with archival paper and stable toner. In other words, materials could be copied for preservation purposes.

2.8 Grounds for copyright infringement

Kobus, Proctor, and Holste, (2001), asserted that it would be of interest to know what makes people to infringe on copyright, the contexts they find themselves in, and the context the librarian would be in when dealing with a copyright issue. Multiple variables are shown to contribute to copyright infringement. Researchers have looked at some of these variables, including cultural factors, technological factors, legal, political, social, and economic factors. In addition, there are individual characteristics such as attitude and one's perception that incline some people toward copyright infringement (Rwalinson& Lupton, 2007).

Other factors responsible for infringing copyright include: Very high cost of books as compared with average income, Scarcity and unavailability of publishing materials, the devaluation of the local currency (Nwafor, 1990).

It was revealed in a study carried out by Ogunrombi and Bello (1999) that photocopy, as a kind of reprographic activity is quite common in higher institutions of learning for reasons such as book scarcity and the cheapness of photocopying services. The study points out that over 70% of students photocopy books rather than purchase them.

2.8.1 Education and copyright infringement

A full and comprehensive exchange of information is necessary for the functioning of a healthy democracy. Educational materials, therefore, need to be made accessible to people so that they can enjoy the arts and share in the scientific advancement of the global economy. Education is the best way for people to lift themselves out of poverty. However, literacy alone is not the

determinant of an educated citizen – one that can contribute to development. Educational attainment needs to reach a higher level to ensure human and economic development.

Not many studies have tried to examine how a student's level of education predicts that person's likelihood of infringing on copyright. What has been looked at in depth is the tendency to curb copyright infringement by various individuals with different levels of education. The assumption normally made is that as people become more educated, they become more knowledgeable of the law. The implication is that the chance of being able to abide by the law is enhanced with increased levels of education. This assumption should mean that the more a student advances in his education level, the better he is able to comprehend complexities of the various aspects of copyright.

2.8.2 Penalties for infringing copyright

Copyright law in Kenya is infringed in instances where one is found with two or more infringing copies of a copyrighted work (see section 38(3) of the Act). This means reproducing a copy of a copyrighted work or being in possession of one infringed copy is not illegal).

Offences under Section 37 of the Copyright Act 2001 include the sale and rental of infringed copies, the distribution of the copies, the making of infringing copies for distribution, sale or rental, the commercial reproduction of infringing works, the importation of infringing works and the making or the possession of a device that is known to reproduce infringing material, except in cases where the accused can prove that he acted in good faith.

According to Otike (2010) Copyright infringement in Kenya is both criminal and civil. A) Sections 38(4) to 38(7) provide penalties for offences varying from a fine not exceeding Kshs. 100,000 or a maximum term of imprisonment of two years to a fine of Kshs. 800,000 or a maximum term of imprisonment of ten years. The case here is instituted by the state.

B) Section 53(4) empowers the affected party, that is, the copyright owner to institute a civil suit in a court of law against the offender for compensation for damages arising from illegal reproduction of copyrighted work.

Criminal sanctions

According to Otike (2010), these are intended to punish those who willfully commit acts of piracy on a commercial scale and, as in the case of civil remedies, to deter further infringement. The purpose of punishment is served by substantial fines, and by prison sentences consistent with the level of penalties applied for crimes of corresponding seriousness, particularly for repeat offenses. The purpose of deterrence is served by orders for the seizure and destruction of infringing goods, and of the materials and equipment used predominantly to commit the offense.

Civil Remedies

He continues to argue that Copyright law provides for two major civil law remedies: injunctive relief and award of damages. An injunction is the most effective way stopping immediately or preventing the infringing acts and it is therefore often the primary remedy sought in copyright infringement cases. Where an infringement has occurred or is likely to take place, the right owner may typically demand for both preliminary and permanent orders. In order to secure discontinuation or prevention of the infringing acts, the court may additionally issue an order for seizure of the infringing objects, e.g. the unauthorized copies.

The awarding of damages aims at placing the right owners in the same position as they would have had in financial terms, should there have been no infringement. In principle, it is up to the plaintiff to prove the actual amount of damages suffered as a result of the copyright infringement. However, since this might often turn out to be quite difficult, many copyright laws allow for a calculation of damages on the basis of a hypothetical reasonable remuneration as a minimum amount.

Under Section 35, the court has the authority to award additional damages in case it holds that effective relief would not otherwise be available to the plaintiff. However, if the court finds that the defendant has infringed copyright in a work, but at the time of committing the infringing act has not been aware, and has had no reasonable grounds to believe, that copyright subsisted in the work in question, the court shall not award damages to the plaintiff.

2.9 Factors contributing to plagiarism

Researchers have provided alternative explanations and arguments for increased cases of plagiarism. Maurice Isserman wrote, “Plagiarism was seen as a transgression against our common intellectual values...” (Germek,2009,). Unfortunately, Isserman’s choice of words suggests that plagiarism is becoming accepted in the academic world by students and faculty alike. Germek also argues that faculty members are Running Head: Increasing Academic Dishonesty turning a blind eye to plagiarism and cites a BBC broadcast from 2008 that suggests the academic world is pushing for faculty to take a softer approach to grading when encountering acts of plagiarism (Germek, 2009).

According to (Amsberry, 2010).A variety of studies shows that users seem to participate in acts of plagiarism due to fundamental differences in intellectual property rights. Some students will share the belief that there is no real ownership of textual information, that it is shared by the community as a whole or that large scale copying is actually a sign of admiration and respect.

2.10. Challenges

There is a challenge on how to address the potential benefits associated with the unauthorized copying of the copyright material. For the copyright owner in some cases unauthorized use may increase demand for the original product, resulting in overall higher demand and sales than would otherwise occur. Also those consumers unable to buy the genuine goods at the full price may gain utility from buying unauthorized copies at a lower cost.

Amodeo (1983), argued that the problem of photocopying is that it reduces the life-span of bound books, maps and bound serials because it causes them to wear and tear. He went further to explain that the wear and tear are caused by factors as; the subjection of the binding to extreme strain during photocopying, the tightness of the binding, the use of unsuitable machines, negligence in the process of excessive photocopying.

Similarly, ALA World Encyclopedia (1980) is of the view that photocopying is responsible for the wear and tear of books because of the difficulty involved in photocopying from bound volumes.

A number of surveys conducted amongst students on college campuses showed that in many cases, students were simply confused over the extent to which they needed to cite or when and

how to paraphrase (Jackson, 2006). Therefore the study sought to know the extent to which student users were aware of copyright laws with an intention of proposing various recommendations to increase the awareness.

2.11. The way forward

With the rising rate of plagiarism in universities, the number one priority should become education. A number of surveys conducted amongst students show that in many cases, students are simply confused over the extent in which they need to cite or when and how to paraphrase (Jackson, 2006). For students who have received little or no information literacy related education before reaching the university level, it becomes important that education on such topics extend far beyond the traditional one. This therefore means that students must have an awareness of both the rights and responsibilities they have when dealing with copyrighted works and take full advantage of the privileges copyright accords.

Therefore librarians and lecturers could help in increasing the level of awareness of copyright laws among students by organizing students' orientation programmes to raise students' awareness of copyright laws and motivate them. Education on copyright laws could also be included in the curriculum; this will make students' more aware of the consequences of infringing on these laws.

Government should develop educational programs to inform students about the legal and ethical issues surrounding copyright infringement. This was echoed by Higgins et al. (2005), by adding that education should not be restricted to students but rather be directed to families as well, due

to the strong effect that their behaviors have on the users' attitudes toward software piracy. He said students should be informed through school computer usage with pop-ups or similar technical tools. According to Higgins et al. (2005), these actions would create a school climate against software piracy, which is important in initiating prevention strategies. Limayem et al. (2004) also stressed the importance of ethical education but added that prevention should be strongly supported by "clearly stating penalties and criminal liabilities.

Policy promoters should encourage students to become familiar with the institution's copyright policies, which may address such things as what to do if a claim of infringement is made. Be a model of ethical behavior by promoting lawful uses of copyrighted work.

2.12 Chapter Summary

Chapter two reviewed literature related to awareness of copyright among undergraduate students. Among areas covered was awareness of copyright, ways in which students infringe copyright, factors causing plagiarism copyright in the digital era, penalties for infringing copyright. Theoretical framework upon which the study was based was also reviewed and also challenges faced in understanding copyright and the way forward.

CHAPTER THREE RESEARCH METHODOLOGY

3.1 INTRODUCTION

This chapter presents the research methods used in the study. It describes the procedures that were followed in conducting the study. It focuses on issues such as the population, sample, sampling techniques, the research design, tools used to collect data. In addition other issues such as data validity, reliability and ethical considerations were considered.

3.2 Research Design

Kothari (2004) defined research design as the arrangement of conditions for collection and analysis of data in a manner that aims to combine relevance to the purpose with research purpose. He asserts that research design is the conceptual structure within which research is conducted which includes the blueprint for the collection, measurement and analysis of data. According to Orodho (2003) research design is a scheme, outline or plan that is used to generate answers to research problems.

The purpose of research design is to facilitate the smooth sailing of the various research operations, thereby making research as efficient as possible yielding maximal information with minimal expenditure of effort, time and money.

The research design used was quantitative in nature. Creswell (2003) identified three research designs: qualitative, quantitative and mixed methods approach. Hopkins (2000) asserted that in qualitative research one's aim is to determine the relationship between one thing (an independent variable and dependent or outcome variable in a population. Qualitative research is research

involving a detailed, verbal description of characteristics, cases, setting, people or systems obtained by interacting with interviewing and observing the subjects.

Quantitative research is, as the term suggests, concerned with the collection and analysis of data in numeric form. It is based more directly on its original plans and its results are more readily analyzed and interpreted. It also tends to emphasize relatively large-scale and representative sets of data, and is often, presented as being about the gathering of facts. (Blaxter, Hunges and Tight 1996).

A quantitative approach is one in which the investigator primarily uses post positivist claims for developing knowledge (i.e. cause and effect thinking, reduction to specific variable and hypotheses and questions, use of measurement and observation, and the test of theories) employs strategies of inquiry such as experiments and surveys and collects data on predetermined instruments that yield statistical data. It has traditionally provided a measurement orientation in which data can be gathered from many individuals and trends assessed across large geographic regions. (Creswell,2003).

According to Duffy (1985), in quantitative research, the investigators maintain a detached, objective view in order to understand the facts .The use of some methods may require no direct contact with respondents at all, as in questionnaire surveys. It can be argued that even interview surveys require the researcher to have little, if any contact with respondents, especially if hired staff carry out most of all the interviews (Bryman, 1988). The strength of such a detached approach is avoidance of researcher involvement, guarding against biasing the study and ensuring objectivity.

Quantitative approach provides sufficient information about the relationship between the variables under investigation to enable prediction and control over future outcomes. This is achieved by the ability of the researcher to manipulate an independent variable in order to study its effects on the dependent variable.

3.3 Research Approach

The study used descriptive survey design. Survey design enabled the researcher to collect in-depth information on views, opinions, practices, on copyright awareness among university students. The design generally entailed use of standardized questions to investigate selected study samples to analyze and discover occurrences. Survey design is mainly used to describe a phenomenon but it is also possible to go beyond descriptive to the interpretive, that is, to use survey method to provide explanations of the phenomena studied and the pattern of results obtained (Oso and Onen, 2005).

The general advantages of using descriptive survey design are that: it provides a relatively simple and straightforward approach to the study of attitudes, values, beliefs and motives; and the survey design allows a high amount of data standardization. However, the data collected using survey research design may be affected by the characteristics of the respondents (for example their memory, knowledge, experience, motivation, and personality) but these may be insignificant compared to its contribution to this study.

3.4 Study Population

Slatter (1990) defined population as an entire group of individuals, events or objects having common observable characteristics. O'Leary (2004) defines population as the total membership

of a defined class of people, objects, or events.

The population of the study was undergraduate students at Africa Nazarene University which consisted of 3600 undergraduate students.

3.4.1 Sample

Kothari (2004) defined a sample design as a definite plan for obtaining a sample from a given population. It refers to the technique or the procedure the researcher adopts in selecting items for the sample. A sample is a smaller group obtained from the accessible population. Mugenda and Mugenda (2003 asserts that if the population is less than 10,000 the required sample size will be smaller and therefore final sample estimate be calculated as $nf = n/(1+n)/N$). The sample size for the present study constituted 200 respondents who were sampled from 3600 undergraduate student population with a confidence level of 95% and margin error of 7%. The following departments were randomly sampled.

| Departments | Target population | Sampling fraction Sf =n/N 200/3600 =1/18 | Target sample | Percentage |
|--------------------|--------------------------|---|----------------------|-------------------|
| Law | 200 | - | 11 | 5.5 |
| Mass | | - | | |

| | | | | |
|-----------------------------|------|---|-----|------|
| communication | 500 | | 28 | 14 |
| BCOM | 800 | - | 45 | 23 |
| Theology | 20 | - | 1 | 0.5 |
| IBM | 750 | - | 41 | 20.5 |
| Computer Science (B.Sc.) | 180 | - | 10 | 5 |
| (B.DRM | 120 | - | 7 | 3.5 |
| (BBIT) | 480 | - | 27 | 13 |
| C.PSY | 79 | - | 4 | 2 |
| B.ED | 400 | - | 22 | 11 |
| (P&CRS) | 71 | - | 4 | 2 |
| Total | 3600 | - | 200 | 100 |

Table 3.1: Study sampling frame

3.5. Sampling method

Mugenda and Mugenda (2003) defined sampling as the process of selecting a number of individuals for a study in such a way that the individuals selected represent the large group from which they were selected. According to Gorard (2003), the purpose of sampling is to use a relatively small number of cases to find out about the population. The results from the sample are used to generalize the results to the entire population. Mugenda and Mugenda (1999) asserted that the purpose of sampling is to secure a representative group which enables the researcher to gain information about a population.

3.5.1 Probability

Probability sampling is a method of sampling that utilizes some form of random selection. In order to have a random selection method, researcher must set up some process or procedure that assures that different units in the population have equal probabilities of being chosen.

3.6 Sampling techniques

Krathwohl (1998) defines sampling procedures as ways of selecting a small number of units from a population to enable researchers to make reliable inferences about the nature of the population. Sampling involves selecting a number of units or elements from the target population to act as a representative sample.

3.6.1 Stratified Sampling

Stratified random sampling is a technique which attempts to restrict the possible samples to those which are "less extreme" by ensuring that all parts of the population are represented in the sample in order to increase the efficiency, this therefore decreases the error in the estimation).

The population units were first divided into groups called strata; together they comprised the whole population, so that from each stratum a sample, of pre-specified size, was drawn independently in different strata. Then the collection of these samples constituted a stratified sample. Mugenda and Mugenda(1999) observed that the goal of stratified random sampling is to achieve desired representation from various subgroups in the population. The researcher chose the technique because it ensured each subgroup within the population received proper representation within the sample.

3.6.2 Simple Random Sampling

According to Chadwick (1984), each member of the population has an equal chance of being selected as subject. The entire process of sampling is done in a single step with each subject selected independently of the other members of the population. Each member of the population is assigned a unique number. All the individuals bearing the numbers picked by the researcher are the respondents for the study. Another way would be to let a computer do a random selection from your population.

Advantages of Simple Random Sampling

One of the best things about simple random sampling is the ease of assembling the sample. It is also considered as a fair way of selecting a sample from a given population since every member is given equal opportunities of being selected.

An unbiased random selection and a representative sample is important in drawing conclusions from the results of a study. Remember that one of the goals of research is to be able to make conclusions pertaining to the population from the results obtained from a sample. Due to the

representativeness of a sample obtained by simple random sampling, it is reasonable to make generalizations from the results of the sample back to the population.

Disadvantages of Simple Random Sampling

One of the most obvious limitations of simple random sampling method is its need for a complete list of all the members of the population. The list of the population must be complete and up-to-date. This list is usually not available for large populations. In such cases, it is wiser to use other sampling techniques. The researcher ensured that a certain sample was picked randomly from every department. This was done by distributing questionnaires with the help of a representative from all departments.

3.7 Data Collection Methods

Data collection method is a systematic approach to gathering information from a variety of sources to get a complete and accurate picture of an area of interest.

3.8 Data Collection Instruments

These are the fact finding strategies that are used by the researcher to collect valid data to answer the research objectives that have been set. These include Questionnaire, Interview, Observation and Reading.

3.8.1 Questionnaire

Freeman and Haddow (2008) defined a questionnaire as an ordered set of questions written and given to the respondent to answer either by choosing the answer in case of closed ended questionnaire or by expressing his/her opinion in case open-ended questionnaire.

The data collection tool used was a questionnaire. The advantages of questionnaires are that they are cost effective relative to other approaches such as use of focus group discussions, easy to analyze using available computer software packages, easy to administer either through direct interviewing or self-administered, easier to reduce bias by use of standard questions that are less prone to interviewer bias and less intrusive especially when it is self-administered. Unfortunately a questionnaire may be rigid thus leaving no room for probing and could result in poor response rate especially when using mailed questionnaires to collect data.

The reason for using this method was because it was appropriate for interviewing large numbers of respondents. This was an advantage to the researcher as it allowed the respondents to fill the questionnaires at their own convenient time and returned them. This ensured that the results were accurate since they were not under pressure to fill them. It also helped to avoid biasness since participants responses were not influenced by the researcher. The questionnaire was designed to address the specific objectives and research questions pertinent to the study.

3.9 Validity

Punch 2003) is of the view that validity is about consistency in research. According to Mugenda and Mugenda (2003) validity is the accuracy and meaningfulness of inferences, which are based on the research results. Validity suggests truthfulness or how an idea fits in with reality and how what is being measured in research matches with the constructs researchers use to measure. Neuman (2006).

Huitt, (1998) opines that researchers should be concerned with both external and internal validity. External validity refers to the extent to which the results of the study are generalizable or transferable. Many qualitative research studies are not designed to be generalized and hence this study would be concerned with internal validity. Internal validity refers to:

The rigor with which the study was conducted that is the study's design, the care taken to conduct measurements, and decisions concerning what was and wasn't measured.

The extent to which the designers of a study have taken into account alternative explanations for any casual relationships they explore. To ensure that the scores from the questionnaire were accurate, an experienced researcher and the study supervisors evaluated it to ensure that the questions were valid. This helped the researcher to readjust the questions accordingly.

3.10 Reliability

Reliability is a central concept in measurement. According to Mugenda and Mugenda (2003) reliability is a measure of degree to which a research instrument yields consistent results or data after repeated trials. The researcher carried out a pilot survey to pretest the instruments to ensure that participants correctly interpreted the questions. This involved administering the same instrument to the same group of subjects (Mugenda and Mugenda, 2003).

3.11 Pre-Testing Data Collection Instruments

One of the methods used in assessing reliability of research instrument in research include pilot studies. Van Teijlingen & Hundley (2001) defines pilot studies as mini versions of a full-scale study (also called „feasibility“ studies), as well as the specific pre-testing of a particular research instrument such as a questionnaire or interview schedule. To measure the reliability of the research

instrument a pilot study was carried out. This helped determine the dependability and consistency of the questionnaire. The population involved in the pilot study had the same characteristics as the target population for the main study. The population consisted of undergraduate students.

During the pilot study, a checklist with 20 questions was used to help determine whether the questionnaire was able to meet the sequence of the research questions, grammatical errors, the length of the questionnaire and if the questionnaire had any technical terms which the respondents were not understand. During the pilot study 100 questionnaires were distributed to the students. Out of the 100 distributed questionnaires 77 were completed and returned to the researcher. A total of 54 (70.1%) were fully completed while 23 (29.9%) were not fully completed.

3.12 Data Presentation, Analysis and Interpretation

According to Gorman and Clayton, (1997), data analysis is the process of bringing order, structure and meaning to the mass of collected data. After the required amount of data was received from the field, it was reviewed for any inconsistencies, organized and then analyzed using Statistical Package for Social Scientist (SPSS). Quantitative approach was used to collect and analyze data. Data was interpreted and presented in form of graphs, pie charts and tables.

3.13 Ethical considerations

According to Punch (2005), all social research involves ethical issues. Ethics are moral principle and values that govern the way an individual or group conduct its activities. A researcher has moral and professional obligation to be ethical even when research subjects are unaware of or concerned about ethics Neuman (2006). Punch (2005) asserted that issues in social research arise

because of the nature of research that intrudes into peoples' lives. Reisk (2007) asserted that ethics is a norm for conduct that distinguishes between acceptable and unacceptable behavior. Henry (2010) is of the view that ethics in research refer to moral principles or codes of behavior that call for respect of the rights of the research participants by researchers. The researcher ensured privacy and confidentiality of respondents. Voluntary participation of the respondents was done by explaining the purpose of the research to the respondents in order to gain consent before the interview. Respect to the respondents was adhered to. To avoid the act of plagiarism, the researcher acknowledged the authors who cited.

3.14 Chapter Summary

Chapter three outlines the research methodology used in this study. Quantitative research approach and why it was believed appropriate. It outlines the research method used, which was the case study method. It discusses the study population which consisted of undergraduate students at Africa Nazarene University. It also discusses Sampling techniques. The data collection methods, validity and reliability of research instruments, piloting of the instruments, data analysis and presentations, and finally ethical considerations.

CHAPTER FOUR

DATA PRESENTATION, ANALYSIS AND INTERPRETATION

4.1 INTRODUCTION

This chapter presents the key findings of the study. Basic characteristics of the study population, level of awareness of copyright law among undergraduate students, and key challenges faced by users in understanding copyright issues are specifically discussed. Furthermore, the salient findings are presented with a view to answer the research questions. The research adopted descriptive survey research design using questionnaires as data collection instruments. A descriptive research is concerned with conditions, practices, structures, differences or relationships that exist, opinions held, processes that are going on or trends that are evident.

4.1.1 Response rate

The target population comprised of 3600 undergraduate students studying at Africa Nazarene University. The sample size was 200 students. A total of 200 questionnaires were distributed out of which 174 were successfully filled and returned. The response rate was 87% which was an adequate representation of the target population. It should be noted that a response rate of 50% is adequate for analysis and reporting; 60% response rate is good while 70% is excellent (Mugenda&Mugenda 2008). The findings in this research are presented in the form of tables, bar graphs and pie charts.

4.2 Characteristics of the Respondents

4.2.1 Part A: Background information of the respondents

Table 4.1 below presents the percentage distribution of the study population by age. The highest proportion 75.9% of the respondents were aged between 21 years and 30 years, 15.5% of the sample population was aged between 31 years and 40 and only 8.6% was 41 years and above.

| Age | Frequency | Percent |
|--------------|-----------|---------|
| 41 and above | 15 | 8.6 |
| 31-40 | 27 | 15.5 |
| 21- 30 | 132 | 75.9 |
| Total | 174 | 100 |

Table 4.1 Age of the respondents n=174

The study sought to establish the gender of respondents; Figure 4.1 below shows that 55.2% respondents were female while 44.8% were males.

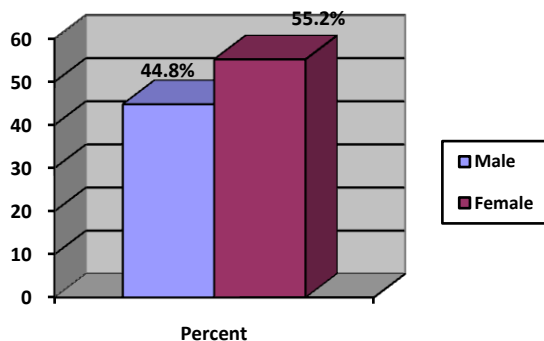


Fig 4.1. Gender of the respondents (n=174)

4.2.2 Departments

Table 4.2 below shows the distribution of respondents by department. The table shows distribution by departments with 3.4% for BCD, C.PSY and Theology while 1.7% comprised computer science and B.DRM, 5.2% for law and IBM, mass comm. and BBIT with 8.6% across departments except BED 15.5% and BCOM (43.1% being the highest

| Department | Frequency | Percent |
|--------------------|-----------|---------|
| B. DRM | 3 | 1.7 |
| Computer Science | 3 | 1.7 |
| Theology | 6 | 3.4 |
| BA .C. PSY | 6 | 3.4 |
| B.CD | 6 | 3.4 |
| Law | 9 | 5.2 |
| IBM | 9 | 5.2 |
| Mass Communication | 15 | 8.6 |
| BBIT | 15 | 8.6 |
| B. ED | 27 | 15.5 |
| B.Com | 75 | 43.1 |
| Total | 174 | 100 |

Table 4.2 Respondent's departments (n=174)

4.2.3 Year of the study of the respondents

The study sought to establish the level of the study of respondents. Figure 4.2 below shows the year of study. The highest percentage comprised third years with 36.2%, while fourth years had 31.0%, second years 27.6% and first year 5.2% respectively.

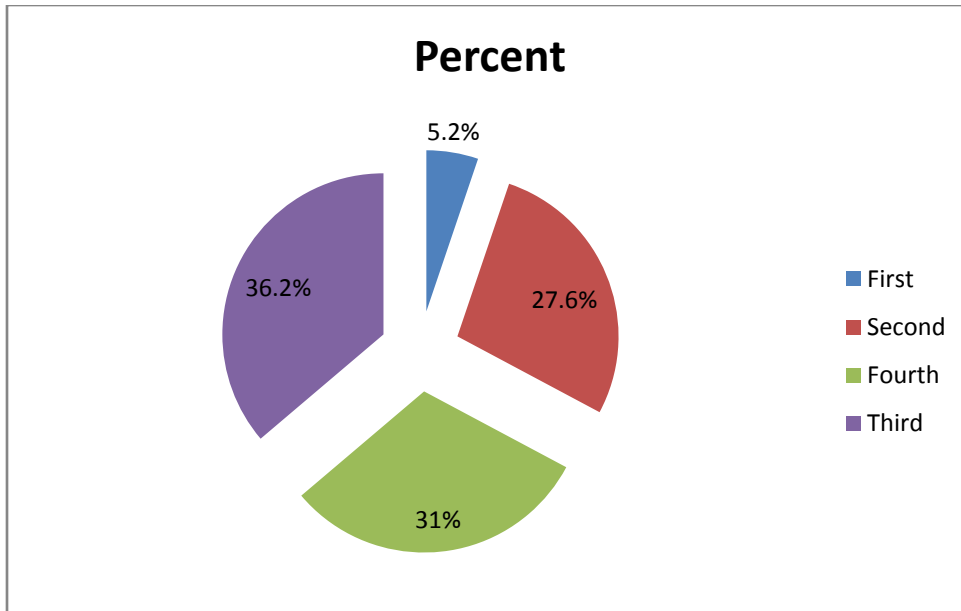


Fig 4.2 Year of the study of the respondents (n=174)

4.2.4 Area of specialization of the respondents

Table 4.3 below shows the percentage distribution of respondents by area of specialization. A total of 13.8% did not state their specialization. Banking and Finance had 13.8% followed by Management with 10.3%, while Law, IT networking and Accounts had 8.6% respectively. BED had 6.9%, Marketing 6.3%, Human Resource 5.7%, BED special needs 5.2% while Community Development and Counseling Psychology had 3.4% respectively. The specializations with least number of respondents included Peace and Conflict resolution, Church Teaching ministry and Computer Science 1.7% respectively.

| Area of specialization | Frequency | Percent |
|---|------------------|----------------|
| Peace and conflict resolution | 3 | 1.7 |
| Church teaching ministry | 3 | 1.7 |
| Computer science | 3 | 1.7 |
| Counseling Psychology | 6 | 3.4 |
| Community development | 6 | 3.4 |
| B.ED Special needs | 9 | 5.2 |
| Human resource | 10 | 5.7 |
| Marketing | 11 | 6.3 |
| B.ED Primary/ Secondary option | 12 | 6.9 |
| Accounting | 15 | 8.6 |
| Networking/ Electronic and print media/ Public relation | 15 | 8.6 |
| Law and IT | 15 | 8.6 |
| Management | 18 | 10.3 |
| Banking and Finance | 24 | 13.8 |
| Not stated | 24 | 13.8 |
| Total | 174 | 100 |

Table 4.3 Area of specialization of the respondents (n=174)

4.3 Part B: Copyright Awareness

4.3.1 Copyright Awareness

The study sought to establish whether respondents had heard of copyright. Figure 4.3 indicates their responses in which majority of the respondents (98.3%) had heard of copyright while the least number (1.7%) stated that they had not heard about it.

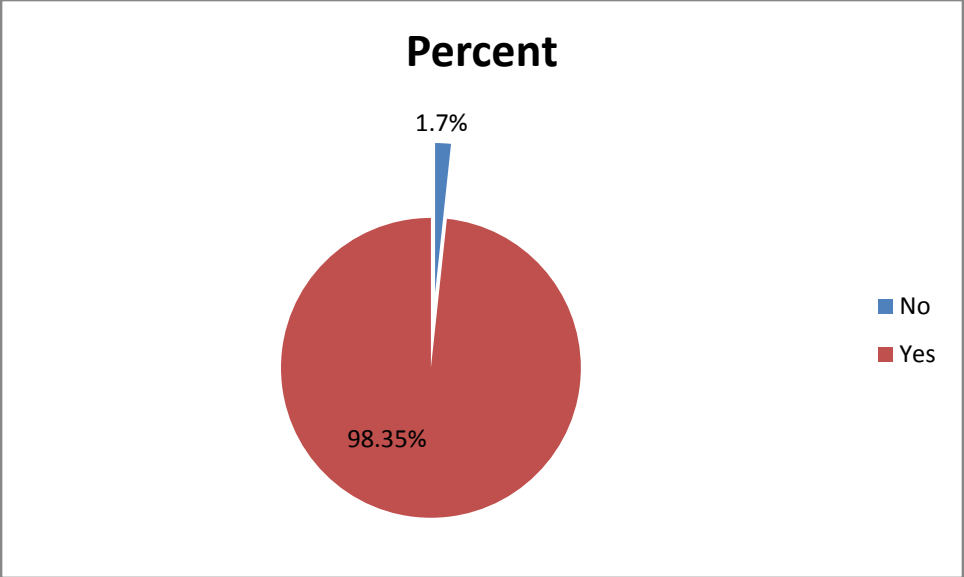


Fig 4.3: copyright awareness (n=174)

4.3.2 Level of education

From the table 4.4, It was found that the highest percentage (44.8%) had heard about copyright while pursuing their university education as well as 44.8% who reported to have heard of it while in secondary, 8.6 % at primary school while 1.75 did not state the level at which they heard about copyright.

| Level | Frequency | Percent |
|------------|-----------|---------|
| Not stated | 3 | 1.7 |
| Primary | 15 | 8.6 |
| Secondary | 78 | 44.8 |
| University | 78 | 44.8 |
| Total | 174 | 100 |

Table 4.4 Level of education (n=174)

4.3.3 Aware of what copyright entails

The study further sought to establish whether respondents were aware of what copyright entails. Figure 4.4 illustrates their responses. According to the findings, 79.9% indicated that they were aware of what copyright entails while only 20.1% said that they did not know what it entails.

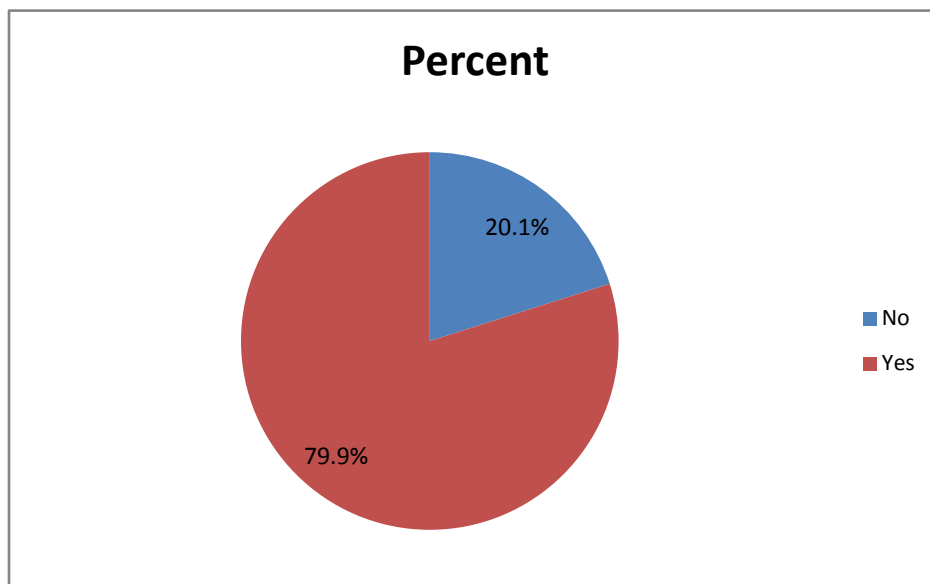


Fig 4.4: Aware of what copyright entails (n=174)

4.3.4 What copyright entails

According to table 4.5 below, the findings show that the level of awareness with regard to copyright is quite high. This is so because 53.7% reported that copyright is a form of protection to author's original work and gave examples like literary works, artistic works, musical works etc. while, 29.1% said copyright is the exclusive rights given to the author in order to safeguard his or her work. This offers protection for authors work from reproduction and other illegal activities that tend to deny him or her benefits accrued to his sweat. A total of 17.2% said

copyright is the right to economic benefit from original work, public presentation and reproduction. Therefore the author has all the rights to monetary gains from the work that motivates more creation of new ideas. This was echoed by Carmstrong (2010) who argued that the owner of a literary, artistic, musical or audiovisual works has an exclusive right to control the reproduction, in any material form of the work or its translation, its adaptation, its distribution to the public by way of sale, rental, lease, hire or loan as well as control the importation or communication to the public and broadcasting of the works.

| Copyright | Frequency | Percent |
|---|------------------|----------------|
| Right to economic benefit from original work, public presentation and reproduction | 23 | 17.2 |
| Exclusive legal rights given to the author, in order to safeguard his/ her work | 39 | 29.1 |
| Form of protection to author's original work and to things like literary works, artistic works and musical works. | 72 | 53.7 |
| Total | 144 | 100 |

Table 4.5 what copyright entails (n=144)

4.3.5 Awareness of copyright before joining African Nazarene University

The study sought to find out whether respondents were aware of copyright before joining Africa Nazarene University. Table 4.6 illustrates their responses. When asked whether they were aware of copyright before joining Africa Nazarene University, 79.3% indicated that they were already aware. It was established that 20.7% were not aware of copyright before they joined ANU. This is a clear indication that majority of respondents were aware of what copyright is.

| Copyright awareness | Frequency | Percent |
|----------------------------|------------------|----------------|
| No | 36 | 20.7 |
| Yes | 138 | 79.3 |
| Total | 174 | 100 |

Table 4.6 Awareness of copyright before joining African Nazarene University (n=174)

4.3.6 Source of information on Copyright

The study sought to establish where those who indicated that they were aware of copyright had obtained the information from. Their responses are illustrated by table 4.7 below. The study established that majority of respondents totaling 67.5% obtained information on copyright from sources other than at the university which included music industry, people, media, reading books, newspapers, magazines and articles. This shows that they were more aggressive in pursuit of information regarding copyright while the lowest percentage of 32.5% stated that they obtained it from secondary school, college, university or library classes.

| Where obtained | Frequency | Percent |
|--|------------------|----------------|
| Trainings; High school, College (KIM), University (JKUAT) and Library literacy classes | 39 | 32.5 |
| Music industry, people, media, books, newspapers, magazines and article | 81 | 67.5 |
| Total | 120 | 100 |

Table 4.7 Source of information on Copyright (n=120)

4.3.7 People who assisted respondents to understand copyright

The study sought to identify people who assisted the respondents to understand copyright. It is evident from the findings that training institutions played a key role in imparting knowledge. This was revealed by 67.2% who reported that they learned copyright from librarians, lecturers and teachers in secondary schools. Quite a number of respondents represented by 15.5% reported that they obtained it through their own initiative while 13.8 % mentioned parents, fellow students and mass media while only 3.4 % cited KOPIKEN.

| People who assisted | Frequency | Percent |
|---|-----------|---------|
| Copyright society (KOPIKEN) | 6 | 3.4 |
| Parents, Fellow students/ school mates and Mass media | 24 | 13.8 |
| No body | 27 | 15.5 |
| Librarians, Lecturers and teachers | 117 | 67.2 |
| Total | 174 | 100 |

Table 4.8: People who assisted (n=174)

4.3.8 Assistance from library staff

The study sought to establish whether library staff were of any help to the respondents in understanding copyright. The responses are illustrated by figure 4.5. It was established that library staff were of great assistance to the users. A total of 56.9 % reported to have been assisted, while 39.7% stated that they were of no help to them and only a smaller percentage of 3.4% did not state whether or not the staff were of any assistance.

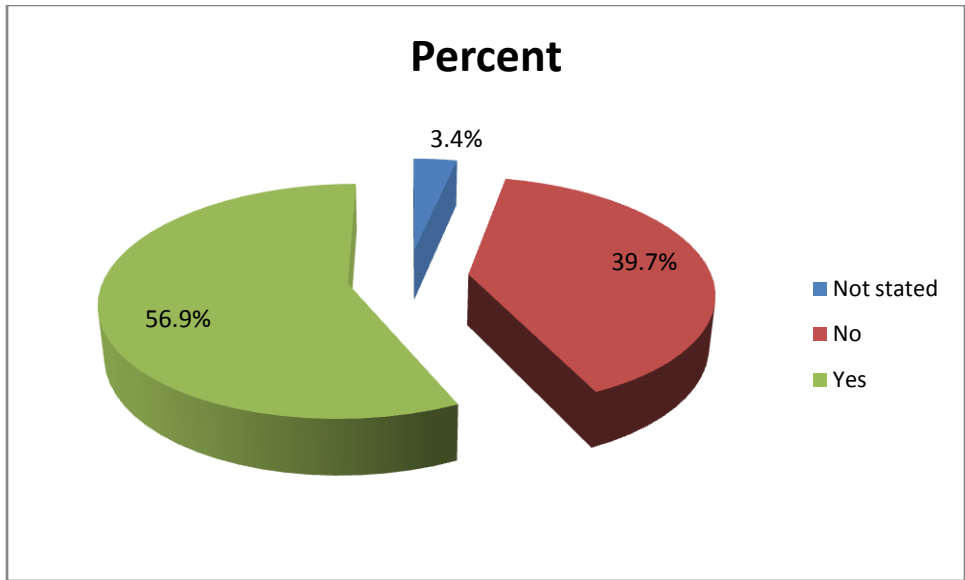


Figure 4.5 Assistance from library staff

4.3.9 Reasons for lack of assistance from library staff

The study sought to establish why the library staff were not assisting users to understand copyright law. Some of the respondents reported that library staff were not of help to them and gave various reasons. Majority of them indicated that they never engaged library staff or requested for assistance while others said they never knew it was part of their responsibility and therefore they did not bother them. Others said that they thought it was not what the library staff were supposed to do.

4.3.10 Knowledge on issues relating to copyright

The study tried to establish how knowledgeable respondents were on issues of copyright. It was found that most of the respondents were knowledgeable on issues of copyright of which about 52% said they are knowledgeable, 33% reported to be moderately knowledgeable, 9% very knowledgeable, and a small percentage of 7% said they were not knowledgeable. This therefore

shows that majority of the respondents understood issues of copyright. As indicated in Table 4.9 below.

| How knowledgeable | Frequency | Percent |
|--------------------------|------------------|----------------|
| Not knowledgeable | 12 | 6.9 |
| Very knowledgeable | 15 | 8.6 |
| Moderately Knowledgeable | 57 | 32.8 |
| Knowledgeable | 90 | 51.7 |
| Total | 174 | 100 |

Table 4.9: Knowledge of issues relating to copyright (174)

4.3.11 rating on copyright issues

When asked to rate themselves on issues of copyright, it was found that about 71% were at average level compared to 19% who reported to be above average and 10% were below average. This would therefore mean that majority of the respondents' rate was high. This is illustrated by table 4.10 below.

| Rating | Frequency | Percent |
|---------------|------------------|----------------|
| Below average | 18 | 10.3 |
| Above average | 33 | 19.0 |
| Average | 123 | 70.7 |
| Total | 174 | 100 |

Table 4.10: Rating on copyright issues (n=174)

4.3.12 Ways used to acquire knowledge on copyright (n=93)

The study also sought to find out various ways through which students acquired knowledge on copyright. Through multiple responses, it established that students learned of copyright through several ways. The highest number of 53.4% acquired it through self-reading, 44.8% through

training, 22.4% through friends, while 6.9% through media and only 1.7 % through piracy officers.

| Acquiring knowledge | Frequency | Percent |
|----------------------------|------------------|----------------|
| Piracy officers | 3 | 1.7 |
| Media | 12 | 6.9 |
| Friends | 39 | 22.4 |
| Training | 78 | 44.8 |
| Self-reading | 93 | 53.4 |

Table 4.11: Ways used to acquire knowledge on copyright (n=93)

4.3. 13 whether they have read the Kenya Copyright Act 2001

The study sought to know whether respondents had read the Copyright Act 2001. The findings established that about 72% of the respondents had not read and only a smaller percentage of 28 % who had read the Act. The table below illustrates the findings.

| Read | Frequency | Percent |
|-------------|------------------|----------------|
| Yes | 48 | 27.6 |
| No | 126 | 72.4 |
| Total | 174 | 100 |

Table 4.12: Whether they have read the Kenya Copyright Act (n=174)

4.3.14 Reasons for not reading Kenya Copyright Act 2001

The respondents gave various reasons why they did not read the Act. Majority of them reported that they had no access to the material since it was scarce, some indicated that they had no interest or time to read it because there was no motivation to do so while others stated that they had no idea whether the Copyright Act existed with a smaller percentage stating that they ignored it because it did not concern them.

4.3.15 Ways one can judge if an information material is copyrighted

The question sought to find out if the respondents were able to distinguish a book or article which is copyrighted and the one which is not. When respondents were asked to give ways in which one could judge if a book or journal article is copyrighted, the highest percentage of 79% were able to distinguish between a copyrighted and the one that is not. While 20.7% indicated that they could not tell. This shows that majority of the respondents were able to clearly identify a book that is protected by copyright law. The table below analyses the responses.

| Whether a book or journal article is copyrighted. | Frequency | Percent |
|--|------------------|----------------|
| Cannot tell | 36 | 20.7 |
| If it entails the legal trade mark, copyright sign and other certification details | 138 | 79.3 |
| Total | 174 | 100 |

Table 4.13: Whether a book or journal article is copyrighted (n=174)

4.3.16 Understanding the term public domain

The researcher sought to establish whether respondents understood what the term public domain meant. The findings revealed that 55% did not know while 43% knew what it is with only 2% did not indicate.

| Public domain | Frequency | Percent |
|----------------------|------------------|----------------|
| Could not state | 3 | 1.7 |
| Yes | 75 | 43.1 |
| No | 96 | 55.2 |
| Total | 174 | 100 |

Table 4.14: Understanding the term public domain (n=174)

4.3.17 Public domain

The responses to the question meant to gauge the knowledge of the respondents with regard to public domain. The findings established that those who reported to know gave various reasons whereby about 42% said that public domain is information material or work that is open to the public and can access and utilize them without acknowledging the author, 33% were of the view that it is information materials available to the public after a certain period of time, and 25% did not have knowledge of public domain. Their responses are illustrated by table 4.15

| Public domain | Frequency | Percent |
|---|------------------|----------------|
| Did not know | 18 | 25 |
| information materials available to the public after a certain period of time | 24 | 33.3 |
| information materials or work that can be accessed by the public without acknowledging the author | 30 | 41.7 |
| Total | 72 | 100 |

Table.4.15: Public domain (n=72)

4.3.18 Adequacy of training offered at the university to equip respondents with the required knowledge on copyright

The study sought to find out whether the training offered at the university was adequate to equip the respondents with required knowledge on copyright. The findings revealed that about 59% felt that it was adequate, while 40% felt it was not adequate with a smaller percentage of 1.7% who did not state whether it was adequate or not.

| Whether training is adequate | Frequency | Percent |
|-------------------------------------|------------------|----------------|
| Not stated | 3 | 1.7 |
| No | 69 | 39.7 |
| Yes | 102 | 58.6 |
| Total | 174 | 100 |

Table 4.16: Whether training was adequate (n=174)

4.3.19 why training was not adequate

Respondents reported that the training offered at the university was not adequate. A total of 12% said they should have learned more on plagiarism which is very vital in their pursuit for education. While 41% felt they were not enlightened more on copyright except through their own efforts. A total of 47% felt that they needed to learn more on legal rights.

4.4 Part C: Copyright infringement

4.4.1 How students infringed Copyright

The study sought to establish various ways through which students infringed copyright. A total of 76% respondents felt students infringed copyright through plagiarism. 56% reported that photocopy was also a major way of copyright infringement while 14% felt that piracy contributed to copyright infringement. This was supported by Law,(2006) who reported that piracy, plagiarism of text, infringement of copyright when using photocopying machines, duplication of web pages are major way of copyright infringement.(Amsberry, 2010) gave more opinions from a variety of studies which showed that users seemed to participate in acts of plagiarism due to fundamental differences in intellectual property rights. While students shared the belief that there was no real ownership of textual information

| Ways of Copyright infringement | Frequency | Percent |
|---------------------------------------|------------------|----------------|
| Piracy | 24 | 13.8 |
| Through photocopying | 90 | 51.7 |
| Through plagiarism | 132 | 75.9 |

Multiple responses

Table 4.17: How students infringed copyright (n=132)

4.4.2 What makes students infringe Copyright

The study sought to establish what make students infringe copyright. Multiple responses were given as indicated in Table 4.18 why students infringed on copyright. A total of 53.4% reported that the cost of books was very high and therefore making it difficult for them to buy their own copies, while 41.4 % were of the view that ignorance of copyright law made them infringe the law, 34.5% said scarcity of published materials led them to photocopy the few copies that were available, 8.6% reported that photocopying machines were easily available and therefore photocopying was not a problem. 5.2% of the respondents felt that there was low motivation for initiative and creativity and therefore they used anything that was available to help them meet their information needs, while 3.4% reported lack of time to read materials in the library. In support of these findings, Ogunrombi and Bello (1999) argued that photocopy, as a kind of reprographic activity is quite common in higher institutions of learning for reasons such as book scarcity and the cheapness of photocopying services.

| Reasons for copyright infringement | Frequency | Percent |
|--|------------------|----------------|
| Limited time to read in the library | 6 | 3.4 |
| Low motivation for initiative and creativity | 9 | 5.2 |
| Easy access to photocopiers | 15 | 8.6 |
| Scarcity of published materials | 60 | 34.5 |
| Ignorance of copyright law | 72 | 41.4 |
| Very high cost of books | 93 | 53.4 |

Table 4.18: What makes students infringe Copyright (n=93)

4.4.3 Extent to which the availability of information resources encouraged infringement of copyright law

The study sought to establish the extent to which the availability of information resources was responsible for the infringement of copyright law. A total of 38% of the respondents said they had no idea, about 35% of the respondents felt that information materials were available but were not enough for every student and were also expensive, 21% said although materials were available and accessible they were not aware of them, 5.2% thought it was a way of sharing knowledge, while 1.7% said they photocopied because machines were easily available of which they did not have to travel far to get services.

| Responses | Frequency | Percent |
|---|------------------|----------------|
| Did not have to travel in order to photocopy | 3 | 1.7 |
| It is a way of sharing their knowledge | 9 | 5.2 |
| Highly available and accessible hard copies/ internet information but only that they are not aware on how to access them. | 36 | 20.7 |
| Available but not enough for all student and expensive | 60 | 34.5 |
| Did not know | 66 | 37.9 |
| Total | 174 | 100 |

Table 4.19: Extent to which information resources encouraged the infringement of copyright law (n=174)

4.4.4 Extent to which unavailability/scarcity of information resources contributed to infringement of copyright law

The study sought to find out if unavailability of information resources were responsible for infringement of copyright law. A total of 47% respondents were of the view that scarcity of materials led to a greater extent to copyright infringement, while 43% reported not to know whether it contributed to infringement of copyright law, while 10% said ignorance was the leading cause of copyright infringement.

| Responses | Frequency | Percent |
|---|------------------|----------------|
| Not scarcity of information materials but ignorance | 18 | 10.3 |
| Did not know | 75 | 43.1 |
| High extent since lack of unavailability of information resources has led to infringement | 81 | 46.6 |
| Total | 174 | 100 |

Table 4.20: Extent to which scarcity of information resources contributed to infringement of copyright law (n=174)

4.4.5 Duration of protection

The study sought to establish whether respondents had knowledge on the duration a published document is protected under copyright law. It was found that respondents had varying answers. A total of 28% respondents felt 20years, while 22.4% felt 50 years is appropriate after that death of the author. 21% did not state the duration, while 12% reported to be 30 years, 10% were of the view that published documents were supposed to be protected for 40 years, with only 7% said 60 years. This showed that only a smaller number 22.4% knew the correct duration that a published document is supposed to be protected.

| Duration | Frequency | Percent |
|-----------------|------------------|----------------|
| 60 years | 12 | 6.9 |
| 40years | 18 | 10.3 |
| 30 years | 21 | 12.1 |
| Not stated | 36 | 20.7 |
| 50 years | 39 | 22.4 |
| 20 years | 48 | 27.6 |
| Total | 174 | 100 |

Table 4.21: Duration of protection (n=174)

4.4.6 Percentage of photocopied documents

The study sought to find out the percentage of the documents that were photocopied by the respondents. The findings show that 31% respondents photocopied 15% of every document they had at their disposal, while 22% reported to photocopy 60%, 21% respondents photocopied 30% while 10% said they photocopied 45%. A total of 9% reported to photocopy 100% which is the entire document while 7% did not state the percentage they photocopied. It was found that only 31% were not infringing the copyright law through photocopying by photocopying the minimum pages. This is illustrated by table 4.22.

| Percentage (%) | Frequency | Percent |
|-----------------------|------------------|----------------|
| Not stated | 12 | 6.9 |
| 100 | 15 | 8.6 |
| 45 | 18 | 10.3 |
| 30 | 36 | 20.7 |
| 60 | 39 | 22.4 |
| 15 | 54 | 31.0 |
| Total | 174 | 100 |

Table 4.22: Percentage of photocopied document (n=174)

4.4.7 What prompts students to photocopy

The study further sought to establish why students photocopy. Respondents photocopied because of various reasons. A total of 60% students reported that they photocopied because it was cheaper than buying books while 35% said books were very few and that led them to photocopy the few that were available while 22% were of the view that convenience to the photocopying machines encourages them to make copies. This was supported by (Nwafor, 1991) that very high cost of books as compared with average income, Scarcity and unavailability of published materials, the devaluation of the local currency prompted students to photocopy. The findings were further echoed by LaHood and Sullivan (1975) who identified convenience of the user as the overwhelming factor that could be responsible for making scholars photocopy existing library materials

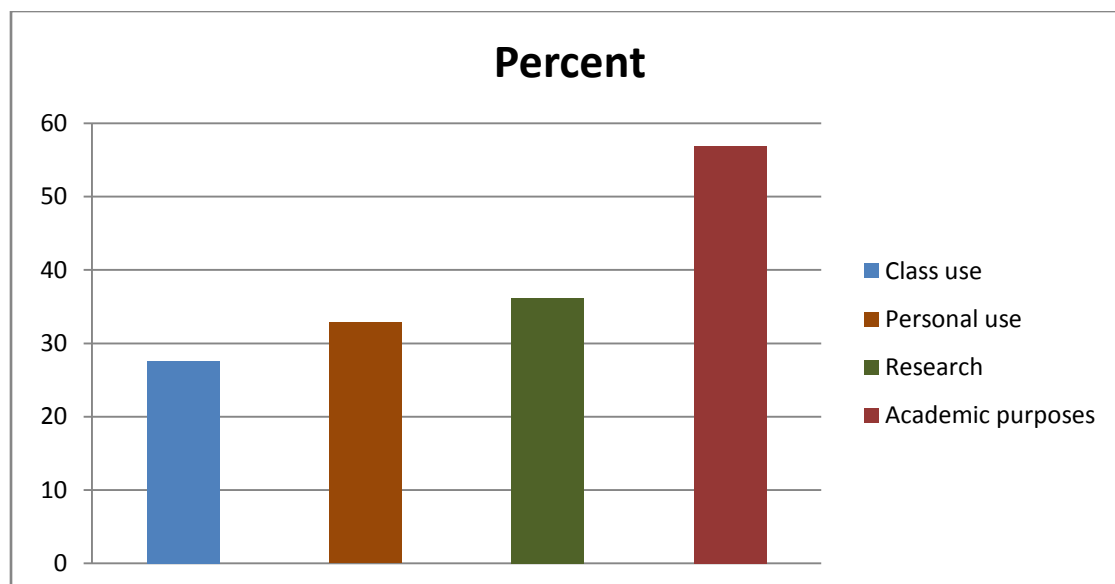
| Why photocopy | Frequency | Percent |
|--------------------------------|------------------|----------------|
| Convenience | 39 | 22.4 |
| Scarcity of text books | 60 | 34.5 |
| Cheaper than buying text books | 105 | 60.3 |

Multiple responses

Table 4.23: What prompts students to photocopy (n=105)

4.4.8 Purposes for reproducing copyrighted materials

The study sought to establish the purpose for which the published documents should be photocopied without obtaining permission from the copyright owner Majority of the respondents represented by 57% felt that published materials should be photocopied for academic purposes while 36% said photocopying for research purposes should be allowed. About 33% were of the view that photocopying for personal use should be allowed while 28% said it should be done for classroom use. The findings were supported by Malonis, (2002); Moore, (2005) who identified certain allowances for education, criticism, research, and scholarship.



Multiple responses

Fig 4.6 Purposes for reproducing copyrighted materials (n=99)

4.4.9 Whether Infringing copyright affects the creators of the ideas

The study sought to establish whether copyright infringement affects the creators of those ideas.

A total of 76% respondents felt that it greatly affects the creators of the ideas while 24 % were of the view that it has no effect.

| Copyright effects | Frequency | Percent |
|-------------------|-----------|---------|
| No | 42 | 24.1 |
| Yes | 132 | 75.9 |
| Total | 174 | 100 |

Table 4.24: Infringing copyright affects the creators of the ideas (n=174)

4.4.10 how copyright infringement affects the creators of the ideas

The study sought to establish whether respondents knew how infringing copyright affects the creators of ideas. A total of 51% respondents were of the view that through copyright infringement creators lose an economic benefit (income) which is entitled to them. While 28% reported that it demoralizes, deprives the creators their rights to be accorded appropriate acknowledgement while 21% reported that infringement leads to wastage of time, money and energy of the author.

| Copyright effects | Frequency | Percent |
|---|------------------|----------------|
| Wastage of time , money and energy of the author | 27 | 20.9 |
| Demoralizes and deprives creator to receive the appropriate acknowledgement | 36 | 27.9 |
| Creators lose an economic benefit (income) which is entitled to them | 66 | 51.2 |
| Total | 129 | 100 |

Table 4.25: How copyright infringement affects the creators of the ideas (n=129).

4.4.11 Possession of university education

The study sought to find out whether people who have had university education were able to avoid infringing copyright law as opposed to the ones without it. The findings established that 82.8% were able to avoid while 17.2% said they were not able.

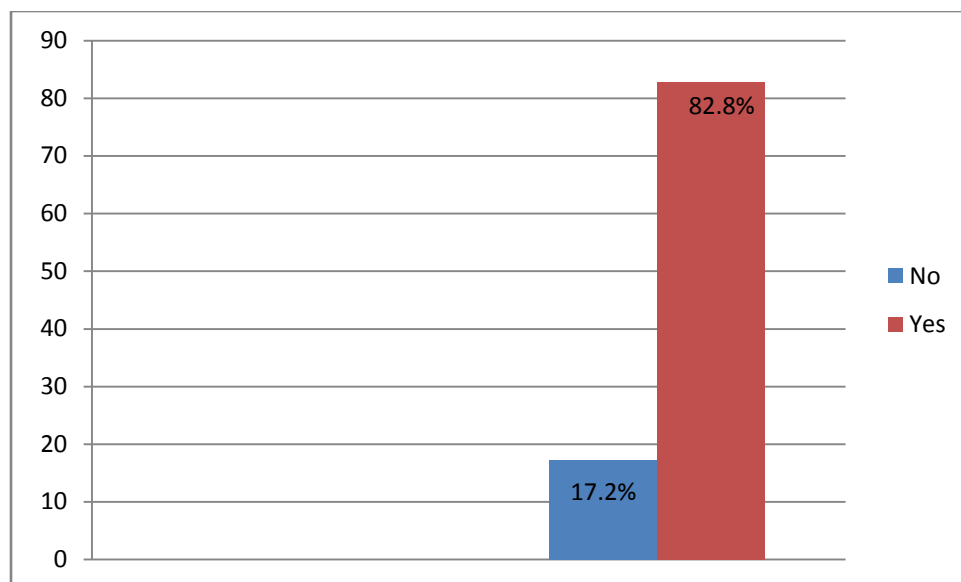


Fig 4.7 Possession of university education (n=174)

4.4.12 No University education

The study established that majority of the respondents without university education were not aware when they are infringing copyright in their pursuit for information while others said they were not aware of infringing copyright law and or consequences with few respondents who reported that they were not aware of copyright.

4.5 Part D: Perception of Copyright

4.5.1 Perception about copyright

The study tried to establish the perception of the respondents with regard to copyright. The findings established that 48.3 % were of the view that copyright was very necessary while 38 % found it to be necessary and only 14 % who reported that it was not necessary.

| Perception | Frequency | Percent |
|-------------------|------------------|----------------|
| Not necessary | 24 | 13.8 |
| Necessary | 66 | 37.9 |
| Very necessary | 84 | 48.3 |
| Total | 174 | 100 |

Table 4.26: Perception about copyright (n=174)

4.5.2 Understanding plagiarism

The study sought to find out whether respondents knew what plagiarism was. According to the findings, 95% of the respondents were aware of what it is while only 5% did not know.

| Plagiarism | Frequency | Percent |
|-------------------|------------------|----------------|
| No | 9 | 5.2 |
| Yes | 165 | 94.8 |
| Total | 174 | 100 |

Table 4.27: Understanding plagiarism (n=174)

4.5.3 What plagiarism entails

The study sought to establish whether respondents were aware what plagiarism entails. It was established that about 67% felt plagiarism is the failure to acknowledge or copying the work without acknowledging the author, 33% said it is copying the intellectual ideas or work without giving credit to the author either by quoting, citing or referencing the author of the material. Table 4.27 below shows their responses.

| Plagiarism | Frequency | Percent |
|--|------------------|----------------|
| Copying the intellectual ideas/ work of author without quoting, citing or referencing or recognizing author of materials | 54 | 33.3 |
| Failure to acknowledge/ copying work without acknowledging the author | 108 | 66.7 |
| Total | 162 | 100 |

Table 4.28: What plagiarism entails (n=162)

4.5.4 Availability of photocopying machines

The study sought to establish whether there were photocopying machines that users used to reproduce library materials. A total of 90% reported that they were available while 10% said that there were no photocopying machines.

| Photocopying machines | Frequency | Percent |
|------------------------------|------------------|----------------|
| No | 18 | 10.3 |
| Yes | 156 | 89.7 |
| Total | 174 | 100 |

Table 4.29: Availability of photocopying machines (n=174)

4.5.5 Where users photocopy library materials

A total of 50% respondents indicated that they photocopied at the university photocopiers, while 33% reported that they photocopied in cyber shops with 17% photocopying on the street shops in town.

| Where users photocopy | Frequency | Percent |
|------------------------------|------------------|----------------|
| Street bookshops in town | 3 | 16.7 |
| Cyber shops | 6 | 33.3 |
| University photocopiers | 9 | 50.0 |
| Total | 18 | 100 |

Table 4.30: Where users photocopy library materials (n=18)

4.5.6 Resources mostly photocopied in the library

The study sought to find out resources that were photocopied in the library. From the findings, 82.8% reported to photocopy either books or exam papers and class notes, 12.1% photocopied journals and 5.2 % photocopied movies and video recordings. This is illustrated by figure 4.8

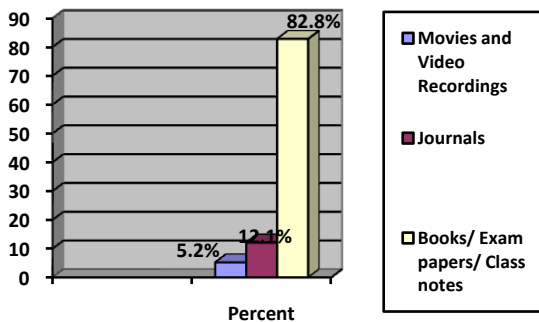


Fig 4.8 Resources mostly photocopied in the library (n=174)

4.5.7 Cost for photocopying materials

The study sought to establish whether the cost of photocopying information materials was affordable. Prices of photocopying may encourage the act of plagiarism among students at the university as compared to buying books. From the respondents who were interviewed, 89.7% agreed that the costs of photocopying were affordable, this therefore encouraged them to photocopy while 10.3% said they were not affordable. Figure 4.9 shows their responses.

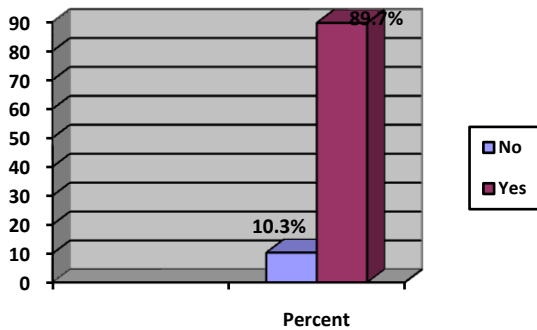


Fig 4.9 Cost for photocopying materials (n=174)

4.5.8 Whether library staff advised against photocopying excessive copies

The study sought to establish whether information professionals discouraged respondents from photocopying excess copies. According to the findings, 52% respondents reported that library staff discouraged them while 47% said they did not, while 2% percent did not state. One of those who said that library staff did not discourage them had this to say:

“The work of the library staff is just to issue and receive books and none of their business to know where they will be taken after that”

Probed further to establish why majority of respondents felt that library staff do not discourage excessive photocopying, the study established that most respondents felt that library staff did not discourage users from photocopying because they thought it was not part of their work and that one can photocopy as much as he/she wanted as long as they paid for it, while some said that once they borrowed a book in the library they could go and photocopy the way they want, while a few of them reported not to have photocopied any material in the library. Few respondents were of the view that library staff assumed the student went to read the book without knowing he/she was going to photocopy.

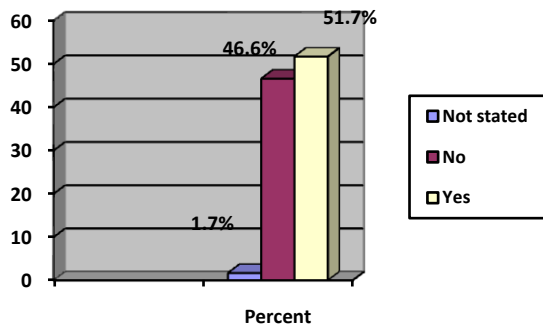


Figure 4.10 library against photocopying excessive copies

4.5.9 Whether lecturers discourage excessive photocopying of library materials

The study sought to establish whether lecturers played any role in minimizing excessive photocopying by university students. From the findings, 53.4% respondents reported that lecturers did not discourage excessive photocopying of materials while 47% said they were discouraged.

The follow up question sought to establish why lecturers discouraged respondents from photocopying excess materials. Respondents gave reasons why lecturers discouraged them from photocopying whereby majority of them were of the view that without photocopying much, students are encouraged to create original ideas, while others said that lecturers inform them of the legal and penalties that are involved once found guilty of copyright infringement. Some respondents reported that lecturers encouraged them to acknowledge someone's work while a few of them felt that excess photocopying encourages copyright infringement and laziness.

| Excessive photocopying | Frequency | Percent |
|-------------------------------|------------------|----------------|
| Yes | 81 | 46.6 |
| No | 93 | 53.4 |
| Total | 174 | 100 |

Table 4.31: Whether lecturers discourage excessive photocopying (n=174)

4.5.10 why lecturers did not discourage photocopying library materials

The study also tried to establish why lecturers did not discourage respondents from making excessive copies. Majority of respondents reported that they were given lecture notes by their lecturers to photocopy and also books because they wanted them to read extensively, while some felt that it was not part of lecturers work and therefore respondents had all the right to do what they wanted with their materials. At the same time, some respondents said they were not discouraged because books are very scarce and expensive. Some said that lecturers did not emphasize on consequences of violating the copyright Act. Few of the respondents felt that the more they photocopied the more the university got more money with a least number who reported that lecturers were too busy teaching and they had no time for other things.

4.5.11 whether staff operating photocopiers' discourage making excessive copies of materials

The study also sought to find out if staff operating photocopiers discouraged students from excessive photocopying of information materials. A total of 57% reported that staff did not discourage them while 43% said they discouraged them.

The study sought to find out from respondents who said staff operating photocopiers did not discourage students making excessive photocopying of materials. It was reported that staff were

in business and therefore the more copies photocopied the more cash was generated. Some reported that staff never raised the issue which meant that it was not their business to restrict them from photocopying. While others indicated no conditions or guidelines set for photocopying except for the university learning modules. Some said no one discouraged them and one could photocopy all the documents they wanted while others said it was the student's expense and therefore they were not affected.

| Photocopier staff | Frequency | Percent |
|--------------------------|------------------|----------------|
| Yes | 75 | 43.1 |
| No | 99 | 56.9 |
| Total | 174 | 100 |

Table 4.32: Staff operating photocopying machines (n=174)

4.6 Part E: Challenges

4.6.1 Whether there were challenges faced with regard to understanding copyright

The study sought to establish the challenges faced by the respondents in understanding copyright issues. A total of 67% of the respondents reported to have encountered no problem while, 33 % said that they had encountered challenges.

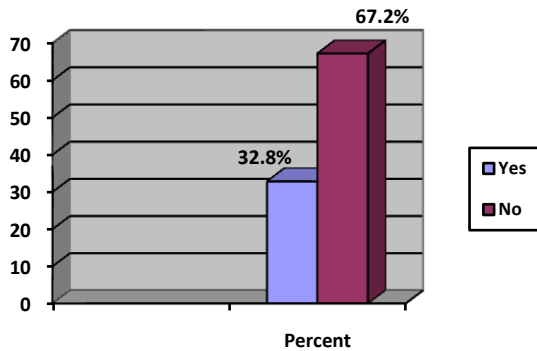


Fig.4.11 whether there are challenges faced (n=174)

4.6.2 Challenges faced with regard to copyright

The respondents identified various challenges in their pursuit for information resources. The highest number of respondents said information regarding the author may not be available hence confusing the respondent whom to give credit, while some felt that they were discouraged since they were unable to acknowledge the author from online information sources because they did not know how to do it. Some felt that high cost of buying books, long queue at the university photocopy and staff operating machines sometimes they were reluctant to serve the users. with the least number of them reported to be guilty for not recognizing the author hence fear of being caught up bylaw.(Jackson, 2006) reported that a number of surveys conducted amongst students show that in many cases, students are simply confused over the extent in which they need to cite or when and how to paraphrase

4.6.3 What should be done to improve copyright awareness at the university

The study sought to establish what could be done in order to improve copyright awareness at the university. The findings established that 37.5% respondents felt that there should be copyright awareness and its effects which should be done through campaign, posters, leaflets handouts and seminars. 26.8% indicated that a unit on copyright should be included in the university common

courses to shed more light, while 16.1% were of the view that more accessible referral information material sources and books should be available to allow extensive use. A total of 12.5% felt that rules and laws should be developed so that heavy fines could be set to enable students adhere to copyright law. Only 5.4% reported that Kenya Copyright Board personnel should be invited at the university to offer training on the importance of copyright law and possible consequences of violating it while 1.8% felt that students should be encouraged to give references, citations when they are writing any research paper. This is illustrated by table 4.32 below.

| Way forward | Frequency | Percent |
|---|------------------|----------------|
| Encourage students to give references, citations when they are submitting any assignment | 3 | 1.8 |
| Invite copyright board personnel to university to train on the importance of act / possible consequences for violating it | 9 | 5.4 |
| creating rules and laws/ measures, heavy fines to enable students adhere to copyright | 21 | 12.5 |
| More and accessible referral information materials sources and books available in the library | 27 | 16.1 |
| Copyright unit should be included in the university common courses | 45 | 26.8 |
| There should be copyright awareness and its effects through campaign, posters, leaflets, handout and seminars | 63 | 37.5 |
| Total | 168 | 100 |

Table 4.33 way forward to improve copyright (n=168)

4.7 Chapter Summary

The chapter presents the research finding on copyright awareness among undergraduate students at Nazarene University. The findings have been presented using frequencies, percentage, tables, pie charts and bar graphs. The findings reflect the true findings according to student responses on awareness of copyright.

CHAPTER FIVE

SUMMARY OF FINDINGS, CONCLUSION AND RECOMMENDATIONS

5.1 Introduction

This chapter provides a summary, conclusion and recommendations of the study. The summary of the study highlights the aim and objectives of the study, target population, and research method used. Conclusion highlighting and appreciating the findings of the study are also discussed. Also mentioned in this chapter were ways to improve awareness of copyright among university students.

The purpose of the study was to evaluate the extent of copyright awareness among undergraduate students at Nazarene University .The study was guided by the following objectives:

1. To establish the level of knowledge students have on issues of copyright.
2. To ascertain ways in which copyright was infringed by students
3. To establish the factors that prompt students to infringe copyright
4. To establish the perception of students towards copyright.
5. To identify challenges student faced in understanding issues relating to copyright.
6. To propose recommendations of improving copyright awareness among student library users.

To meet these objectives, the study targeted undergraduate students at Nazarene University.

This chapter therefore presents summary of the findings.

5.2 Summary of the findings

The study analyzed distribution of the sample population by age. Starting with the highest percent 76% of respondents aged between 21 years and 30 years, 16% of the respondents was aged between 31 years and 40 and only 9% aged 41 years and above. 55.2% of respondents were female while 44.8% were male. There was an almost even distribution by departments where by 3% was for BCD, C.PSY and Theology while 2% was computer science and B.DRM, 5% for law and IBM, mass comm. and BBIT with 8.6% across departments except BED 16% and BCOM (43% being the highest. The finding shows percentage distribution of sample population (respondents) by area of specialization whereby the highest percentage with 14% had not stated, while banking finance with 14%, Management followed by 10%, while law, IT networking and accounts for 9% respectively. BED with 7%, marketing 6% human resource 6%, BED special needs 5% while community development and counseling psychology had 3% respectively. The specializations with least respondents included computer science, church teaching ministry and peace and conflict resolution with 2% respectively.

5.2.1 Students Copyright issues knowledge Level

The first objective sought to assess the level of Knowledge students had on issues of copyright at the African Nazarene University Grace Roles Library. It was evident from the findings that the highest proportion (98%) of respondents had heard of copyright while two percent had not heard of it. On the other hand, 45% had heard about copyright while pursuing their university education while 44% reported to have heard of it while in secondary school, 9% were at primary school while 2% did not state the level at which they heard about copyright. The findings further showed that the respondents' level of awareness of copyright was quite impressive. A total

of 80% indicated that they were aware of what copyright entails with only 20% who said that they did not know what it entails.

The findings further show that 79% were already aware of copyright before joining ANU. It was established that only 21% were not aware. This was a clear indication that majority of the respondents were aware of what copyright is. It was established that majority (68%) of respondents obtained information on copyright from sources other than at the university which included music industry, people, media, reading books, newspapers, magazines and articles. This therefore shows that the respondents were more aggressive in pursuit of information regarding copyright. The lowest percentage of 32.5% obtained from secondary school, college, university or library classes.

It was established that library staff were of great help to the respondents in understanding copyright issues. A percentage of 56% reported to have been assisted, although 40% indicated that library staff were of no help to them and only a smaller percentage of 4% did not state whether or not the staff were helpful. Majority of the respondents felt that it was not the responsibility of the library staff to educate them on issues of copyright and that's why they didn't bother to engage them for any assistance.

A high number of respondents were knowledgeable on issues of copyright. A total of 52% reported to be knowledgeable, while 33% reported to be moderately knowledgeable while 9% were very knowledgeable with only a small percentage of 7% who said they were not knowledgeable. This therefore shows that issues of copyright were understood by majority of the respondents. Findings further indicated that 71 percent of the respondents were above average level on copyright awareness while 19 percent of the respondents stated that they were below

average with only 10 % who were below average.

Respondents acquired knowledge on copyright through one or more ways. Majority (53%) reported to have acquired it through independent reading, 44.8% through training, 22% through friends while 6.9% through media and only 2 % through piracy officers. This shows that there were various sources of getting information that helped respondents have a better understanding of copyright. A smaller percentage (28%) had read the Kenya Copyright Act 2001. A total of 72% reported not to have read because they had no access to the materials while others said they lacked interest and had no time to read. A total of 17% reported that they did not know if the Act existed and a few said it was due to ignorance since they were not concerned.

It was established that one could judge if a book or journal article was copyrighted as a high percentage was able to distinguish between a copyrighted work and the one that is not. While a smaller percentage indicated that they did not know. This therefore shows that majority of the respondents were able to clearly identify a book that is protected by copyright law. It was further established that knowledge on what public domain means was very high. The findings revealed that those who reported to know gave various reasons. A total of 42% said that public domain was making information materials or work available to the public for easy access and use without acknowledging the author, 33% were of the view that it making information materials available to the public after a certain period of time, with only 25% who did not have knowledge of public domain.

The finding established that although training on copyright was offered at the university, it was really not adequate. The respondents felt that they had not been enlightened more on copyright except from their own efforts, a good number were of the view that they should learn more on

plagiarism, while some felt that they should learn to some extent the legal rights.

5.2.2 Ways in which copyright was infringed by students

The second objective was to ascertain ways in which copyright was infringed by students. Copyright infringement being the unauthorized use of copyrighted materials in a manner that violates one of the copyright owner's exclusive rights to produce or perform the copyrighted work was found to be rampant in academic libraries. The findings revealed that there were multiple responses of which the highest percentage of 76% felt that students infringed copyright through plagiarism by not acknowledging the source, 56% reported that photocopy was also a major way of copyright infringement with 14% who felt that piracy was also contributing to copyright infringement.

5.2.3 Factors that prompted students to infringe copyright

The third objective was to establish the factors that prompted students to infringe on copyright. It was found that students infringe on copyright because of many reasons as reflected in the findings. Respondents 53.4% reported that the cost of books were very high and therefore it became difficult to buy their own copies, while 41.4 % were of the view that ignorance of the copyright law made them infringe copyright it since they did not care about the consequences, 34.5 % said that scarcity of published materials led them to photocopy the few copies that were available, 8.6% reported that photocopier machines were easily available and therefore photocopying was not a problem. 5.2% of the respondents felt that there was low motivation for initiative and creativity and therefore they used anything that was available to help them meet their information needs with only 3.4 % who reported to have no time to read materials in the

library. This was supported by Ogunrombi and Bello (1999) that photocopy, as a kind of reprographic activity was quite common in higher institutions of learning for reasons such as book scarcity and the cheapness of photocopying services.

The study established that availability of information resources was responsible for the infringement of copyright law. A total of 35% respondents stated that information materials were available but were not enough for every student and were also expensive, 21% said although materials were available and accessible they were not aware how to access them. 5.2% thought it was a way of sharing knowledge, while 1.7% reported that they photocopied since they didn't have to travel hence it was easy to do it . Although 38% of the respondents said they had no idea whether the availability of information resources led to infringement. It was found that majority of the respondents were not aware of the duration that a book is supposed to be protected by the law. This is because only 22% reported the actual dates which is 50 years after the death of the author.

It was further established that copyright infringement was done through photocopying at a very high rate. A total of 69% respondents photocopied between 60% and 100% of all the documents they had at their disposal while only 31% who said they photocopied 15% of every document they had. It was established that respondents photocopied because of various reasons. A total of 60% photocopied because it was cheaper than buying a textbook while 35% said books were very few and that led them to photocopy the few that were available with only 22 % who reported that convenience to the photocopying machines encouraged them to make more copies.

It was evident that majority of the respondents were aware of purposes a document could be photocopied without seeking permission from the author. A total of 57% were of the view that published materials should be photocopied for academic purposes while 36% said photocopying for research purposes was allowed. About 33% were of the view that photocopying for personal use was not wrong while 28% said it should be done for class purposes.

Copyright infringement affects the creators of ideas in many ways. The Findings established 51% to be of the view that through copyright infringement creators lost an economic benefit (income) which was entitled to them due to lose of market. 28% reported that it demoralizes and deprives the creator to receive the appropriate acknowledgement while 21% reported that infringement leads to wastage of time, money and energy of the author.

It was evident that people with university education were able to avoid infringing copyright as opposed to those who had no education. This is because the highest percentage which was 60% of those with no education reported that they were never aware when they were infringing copyright. 20% said they were not aware of the consequences of infringing copyright law with 20% who reported that they were not aware of copyright.

5.2.4 Students perception towards copyright

The fourth objective was to establish the perception of students towards copyright. From the findings it was found out that 48.3 % found it to be very necessary while 38 % found it to be necessary with only 14 % who reported that it was not necessary. The findings further revealed that about 67 % felt that plagiarism was the failure to acknowledge or copying the work without acknowledging the author, 33% said it was copying the intellectual ideas or work without quoting, citing or referencing the author of the material. It was therefore important to

acknowledge the author since the right to quote was a mandatory exception provided for by the Berne Convention, which allowed quoting from already published works under the condition that this was compatible with fair practice and to the extent justified by the specific purpose.

It was established that university had powerful photocopying machines that were used to reproduce library materials. Respondents 90% reported that they were available with 10% who said there were no photocopying machines.

Respondents indicated that they photocopied at the university 50% while 33% reported that they photocopied in cyber shops with 17% photocopying on the street shops in town. The most photocopied information materials were books, exam papers and class notes with 82.8%, while 12.1% photocopied journals and 5.2% photocopied movies and video recordings. It was found out that costs of photocopying were affordable and that encouraged them to make more copies. There were mixed reactions on whether library staff discouraged them from photocopying excessive copies, 52% of the respondents reported that library staff discouraged them while 47% said they did not discourage them. Those who refuted were of the opinion that once they borrowed a book from library they could go and photocopy as much as they wanted, not part of the library staff work, and one could photocopy as need arises and pay for copies as much as one wanted. Others reported that library staff assumed that when they borrowed books they only wanted to go and read and therefore they did not discourage them from photocopying.

It was established that 53% of the respondents said lecturers did not discourage their students from photocopying excessive copies while 47% said they were discouraged. Respondents gave reasons why their lecturers discouraged them from photocopying. 43% were of the view that without photocopying much, students were encouraged to create original ideas, 29% said that

lecturers informed them of the legal and penalties that were involved once found guilty of copyright infringement, 14% reported that lecturers encouraged them to acknowledge someone's work with 14% who felt that it encouraged copyright infringement and laziness.

It was found that lecturers did not discourage them from photocopying whereby 48% reported that they were given lecture notes by their lecturers to photocopy and also books because they wanted them to read extensively, 31 % felt that it was not part of their work and they had no say on what they did with their materials. 7 % said they were not discouraged because books were very scarce and expensive, while 3 % reported that school based students were handled by part time lecturers who they alleged did not know the rules of the university, 3% said that lecturers did not emphasize on consequences of violating the copyright Act .3 % felt that the more they photocopied the more the university generated money and 3% said lecturers were too busy teaching and they had no time for other things.

The findings also established that respondents had various reasons why staff operating photocopiers did not discourage them from making excessive copies. About 66% said that staff were in business and the more copies photocopied, the more cash, 21 % reported that staff never raised the issue which meant that it was not their business to restrict them from photocopying. 7% indicated that no condition for photocopying except for the university learning modules, 35 said no one discouraged them and one could photocopy all the documents they wanted while 3% said it was the student's expense and therefore they were not affected.

5.3 Challenges

5.3.1 Challenges faced in regard to copyright in understanding issues relating to copyright

Respondents reported to have encountered problems in pursuit for information resources. The highest number of respondents which was 29.4% said information regarding the author may not be available hence confusing the respondent on whom to give credit, 29.4% felt discouraged due to being unable to identify or access the information online because they did not know how to do it, 36% felt that high cost of buying books, long queue at the university photocopying machines and staff operating the machine sometimes they are reluctant to serve the users was a challenge, with 6 % reported to have guilty for not recognizing the author hence fear of being caught up by law.

5.3.2 Conclusions

The study clearly established that the level of awareness of copyright laws by undergraduate students is considerably high but the knowledge on provisions of copyright laws on the use of printed materials was low. In spite of this awareness, the study also revealed that majority of undergraduate students infringed copyright law at a very high rate. Copyright awareness and its effects to be done through campaigns, posters, leaflets handouts and seminars. Librarians and lecturers to help increase level of copyright awareness among students by organizing students' orientation programmes in order to raise students' awareness and motivate compliance. Copyright infringement was done though plagiarism, photocopy and piracy. Scarcity of materials prompted students to photocopy, copyright law was found to be necessary.

5.3.3 Recommendations

Based on the findings of the study, the researcher came up with several recommendations.

5.3.4 What should be done to improve copyright awareness at the university

From the findings, it was recommended that copyright awareness and its effects to be done through campaigns, posters, leaflets handouts and seminars. This should be done by librarians in collaboration with lecturers who are experts in areas of copyright issues so as to advise the students appropriately. This would give students an opportunity to raise their concerns for more clarifications in areas where they may likely infringe copyright law. Librarians and lecturers also to organize students' orientation programmes to raise their awareness and motivate compliance.

It was also recommended that a unit on copyright be included in the university common courses to shed more light on the whole aspect of copyright law and its impact.

In addition Government should also develop educational programs to inform students about the legal and ethical issues surrounding copyright infringement. This was echoed by Higgins et al. (2005), by adding that education should not be restricted to students but rather be directed to families as well, due to the strong effect that their behaviors have on the users' attitudes toward software piracy. He said students should be informed through school computer usage with pop-ups or similar technical tools. According to Higgins et al. (2005), these actions would create a school climate against software piracy, which is important in initiating prevention strategies. It should also support education on copyright issues by providing more funding to the Kenya Copyright Board, which was established through the Kenya Copyright Act 2001, to educate Kenyans about copyright issues. The Board should therefore put in place more efficient and effective mechanisms of educating people in the education sector and higher education. Most

importantly the government should provide funds for university libraries to procure more books.

On the issue of information resources, it was recommended that more information materials should be purchased and made available to give all users an equal opportunity to utilize them for extensive research to create more knowledge. This would reduce the chances of many of them photocopying since the copies of every title would be available. Librarians need to liaise with the lecturers and students in order to acquire relevant materials that will solve their information needs.

Respondents felt that rules and regulations should be created and made public so that students are clearly informed of the stiff penalties including heavy fines once found infringing copyright.

This could be done through library handbooks, readers' guides, newsletters or library bulletins as well as lectures on copyright during students' orientation programmes. This would go a long way in making students appreciate the reasons for and the socio-economic implications of the copyright law.

Libraries should also conspicuously display copyright statements in reading areas and in photocopying centres. Operators of photocopying machines should be made to display copyright statements within the campus.

More publicity should be given to the copyright law through radio, television and the print media, educating members of the public about the importance of this law and the implications of infringement.

It was recommended that Kenya copyright board personnel be invited at the university to offer training on the importance of copyright Act and possible consequences of violating it. Students should be taught on how to acknowledge the right owners of the work and encouraged to give clear references, citations when they are writing any research paper, this will help them to be creative.

Staff managing photocopying machines to strict students from photocopying more than a quarter of every document. The prices of photocopying should also be increased in order to discourage students from photocopying many pages of a document. This therefore would force them to create more time and read materials in the library.

It is therefore hoped that the present study will make a positive change among university students in their attitude towards copyright and hope for a literary world without copyright violation.

5.4 Suggestions for further research

Further research is needed to establish the degree to which users of academic libraries in Kenya are knowledgeable about copyright issues and ways in which they infringe copyright law.

It is also important to find out how knowledgeable librarians in academic libraries are regarding copyright issues, which highlights the need for a comparative study.

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APPENDICES

Appendix I: Introductory Letter

Dear Respondent

RE: Request to fill the Questionnaire for MPHIL/LIS Thesis

I am a postgraduate student at Moi University, department of library, records management and information studies currently undertaking a **THESIS**. The title of the study is **awareness of copyright among undergraduate students at Africa Nazarene University**.

The findings of the study will help in proposing strategies and recommending ways and means of improving the awareness of copyright among students.

I kindly request you to complete the attached questionnaire as honestly as possible. I assure you that all the information provided will be treated with absolute confidentiality and will only be used for academic purposes.

Your cooperation is highly appreciated.

Yours faithfully

Janet Nankui

Appendix II: Study Questionnaire for students

PART A: Background Information of the Respondent

Tick appropriately

1. Age in Complete Years

Under 20

21-30

31-40

41 and above

2. Gender Female

Male

3. Department:

Mass Communication

Computer science

Bcom

Theology

Law

BBIT

B.DRM

C.PSY

B.ED

IBM

Other (specify) -----

4. Year of Study 1. First ()

2. Second ()

3. Third ()

4. Fourth ()

5. Area of Specialization

PART B: Awareness of copyright

1. Have you ever heard of copyright?

Yes ()

No ()

If yes, at what level 1.primary ()

2. Secondary ()

3. University ()

4. Other ()

2. Are you aware what copyright entails?

Yes ()

No ()

If yes, please state-----

3. Were you aware of copyright before you joined Africa Nazarene University?

Yes ()

No ()

Please explain your answer -----

4. Which people assisted you to understand copyright?

5. Did you find library staff helpful in assisting you to understand copyright?

Yes ()

No ()

If no, why? -----

6. How knowledgeable are you, on issues relating to copyright?

Very knowledgeable

Knowledgeable

Moderately knowledgeable

Not knowledgeable

7. How do you rate yourself on copyright issues?

1. Below average

2. Average

3. Above average

8. How did you acquire knowledge regarding copyright?

a. Through self-reading

b. Through training

c. Through friends

d. Any other (specify) -----

9. Have you ever read the Kenya Copyright Act 2001?

Yes ()

No ()

If no, why? -----

10. How can you judge if an information material e.g. a book or a journal article is copyrighted or not?

11. Do you understand the term Public Domain?

Yes ()

No ()

If yes, what is it? -----

12. In your view, is the training offered at the university adequate to equip you with the required knowledge on copyright?

Yes ()

No ()

If no, please state why? -----

PART C: Copyright infringement

13. How do students infringe copyright?

a. Through photocopying ()

- b. Through plagiarism ()
- c. Piracy ()
- d. Any other (Specify) -----

14. What makes students infringe copyright?

- a. Very high cost of books ()
- b. Scarcity of published materials ()
- c. Ignorance of copyright law ()
- d. Easy access to photocopiers ()
- e. Any other (specify) -----

15. To what extent is the availability of information resources responsible for the infringement of copyright law?

16. To what extent is the unavailability/scarcity of information resources responsible for the infringement of copyright law?

17. Copyright protection is normally for a limited duration after the life of a creator. What is this duration of protection for a published document under the current Kenyan copyright law?

- a. (20) years
- b. (30) years
- c. (40) years
- d. (50) years

e (60) years

18. What percentage of the document do you photocopy?

- 1. 15% ()
- 2. 30% ()
- 3. 45% ()
- 4. 60% ()
- 5. 100% ()

19. What prompts you to photocopy?

- a. Scarcity of text books ()
- b. Cheaper than buying text books ()
- c. Convenience ()
- d. any other (specify) -----

20. For what purpose should a copyrighted document be reproduced without obtaining permission from the copyright owner?

a. For academic purposes Yes No

(1) (2)

b. For personal use (1) (2)

c. For class use (1) (2)

d. For research (1) (2)

e. Any other (specify) -----

21. Does infringing copyright affect the creators of the ideas?

Yes ()

No ()

If yes, in which way? -----

22. Is a person who has had university education able to avoid copyright infringement compared to other people?

Yes ()

No ()

If no, please state why? -----

Part D: Perception of Copyright

23. What is your perception about copyright?

1. Very necessary ()

2. Necessary ()

3. Not Necessary ()

24. Do you know what plagiarism is?

Yes ()

No ()

If yes, what is it? -----

25. Are there some photocopies that users can use to reproduce library materials?

Yes ()

No ()

If no, where do you photocopy? -----

26. Which of the following resources are mostly photocopied in the library?

a. Books

b. Journals

c. Magazines and Newspapers

d. Movies and Video Recordings

e. Any other (specify) -----

27. Are cost for photocopying materials affordable?

Yes ()

No ()

If yes, these cost encourage you photocopy library materials? -----

28. Does the library discourage you from photocopying excessive copies?

Yes ()

No ()

Please explain your answer -----

29. Do your lecturers discourage you to photocopy library materials?

Yes ()

No ()

If no, please explain why? -----

30. Do staff operating photocopiers discourage you from making excessive copies of materials?

Yes ()

No ()

If no, why? -----

Part E: Challenges

31. Are there challenges you face in regard to understanding Copyright?

Yes ()

No ()

If yes which are some of these challenges?

31. In your view, what should be done to improve copyright awareness at the university?

Thank you.

Appendix III: Research Clearance Permit from National Council for Science and Technology