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Librarians' Awareness of Intellectual Property Protection Rights in public universities in Southern Nigeria

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ABSTRACT

This study carried out a survey on Librarians' awareness of Intellectual Property Protection Rights (IPPR) in public universities in Southern Nigeria. IPPR which is a major instrument for the protection of intellectual property of librarians in public universities in Nigeria, is not fully utilised. There are doubts on the actual intellectuality of the librarians owing to the quality of their research outputs which is alleged of not being subjected to intellectual property protection right (IPPR) test. The descriptive survey design was adopted. Five hundred and fifty-five (326 federal and 229 state) university librarians from 36 (18 federal and 18 state) public university libraries in Southern Nigeria were enumerated. A questionnaire with Librarians' Awareness of IPPR ($\alpha =$ 0.88), was used. In-depth interview sessions were held with 18 senior librarians. Quantitative data were analysed using descriptive statistics while qualitative data were content-analysed. Awareness of IPPR ($\bar{x} = 40.3$ was high against the thresholds of 34.7, among the librarians. There was significant positive relationships among awareness of IPPR (r = 0.11), the perceived IPPR were mainly the fear of misuse of publications, writers and publishers agreement and publications enforcement. Librarians' awareness of intellectual property protection rights is importance to the growth of librarians in public universities in Southern Nigeria. Therefore, concerted efforts should be made by various institutions to expose librarians to research and training opportunities on these rights.

Keywords: Librarians' awareness, Intellectual property protection rights, Librarians in Southern Nigeria

INTRODUCTION

Awareness is the ability to perceive and be conscious of events, objects, thoughts, emotions or sensory patterns. In academic settings, awareness is a term used to explain how knowledge is created through the interaction of an agent and its environment. It simply knows what is going on around your environment (Gutwin and Greenberg, 2002). It is one of the most essential ingredients of developing mindset. Awareness has been highlighted by many as a key indicator of success in a range of performance environments. Paul (2023) opined that "People see awareness to simulatively referring to a state of non-accidental true representation via a generalisation from knowledge. The information is inconceivably valuable and imperative to the execution task and victory in collaborations for maximum productivity (Kretschmer, 2012). The level of awareness

about something may be high without fundamental understanding of the something. In this regard, awareness is quality of being mindful of events or objects.

The awareness reflects cultural reflexes that should be crucial in knowing the roles and functions of intellectual property protection rights in academic environment and how it affects productivity in the workplace. This is affirmed by Okwilagwe (2001) who stated that intellectual products are cultural products. They often bear the essence of the culture in which they originated and published. Whether published for cultural promotion or for commercial purpose, the endeavour itself is a cultural activity. This is why it has become possible to link the stage of the development of intellectual property with levels of national development. Abdulmalik, Ahmadu and Nassarawa (2023) conducted a research on awareness and use of open access scholarly publications and concluded on its importance.

Intellectual Property (IP) means a lot in our lives. This was echoed by Vaver (2000) who opined that "IP has become ever more important in the society, that the subject matter of IPPR has improved greatly and that IPPRs have become more intense". A basic awareness and understanding of Intellectual Property Protection Rights (IPPR) is, therefore, necessary. It is important that librarians become more used to elementary aspects of IPPR, so that they can fully protect their publications and make them (publications) original, especially as regards their advancement in office (Blakeney, 2011; Waziri, 2011).

Librarians have great love for intellectual creativity but little is known about the protection rights and how they affect their research productivity. Librarians should be able to utilise the great wealth of technical and commercial information that is found in IP documentation. They should understand the need for conversion of this research into IP rights, manage their IP portfolios, and engage in technology transfer to industrial partners for value creation and the benefit of society as a whole. Librarians should have a basic knowledge of the consequences of failing to protect IP assets correctly as well as wrong use of other people's creative works (Saggi, 2013). Librarians should not just be comfortable with having this basic knowledge alone but also form a perception that should interpret intellectual property protection right as a catalyst towards effective research productivity (Borota, 2012).

In academics, there are doubts to librarian's intellectuality referring to themselves as academic because claiming to be an academic is associated with the quality of research output. This may also be due to the fact that most librarians are not properly aware of the ethical guidelines and the rules provided to engage in quality creative research and protect it against any form of misuse. It is against this backdrop that this study was prompted to find out if the level of awareness of IPPR in public universities in Nigeria. This study is therefore determined to investigate the level of librarians' awareness of IPPR in public universities in Southern Nigeria;

Objectives of the Study

The objective of this study is to investigate the level of librarians' awareness of intellectual property protection rights in public university in Southern Nigeria.



REVIEW OF LITERATURE

In all scholarly endeavours, awareness of IP protection rights plays a pivotal role in protection rights in research. Various librarians have paid attention to the issue of IP researchers in Nigeria. However, it is pertinent to state that intellectual property protection rights are valued in all intellectual activities as well as industrial, scientific, literary and artistic fieldworks. Nwabachili, Nwabachili and Agu (2015) asserted that IPRs are those rights that protect the result of creativity, inventiveness and the result of the human intellect. He went further submitting that, by and large talking, IP is broadly isolated into copyrights and industrial property. Agreeing to him, it primary incorporate such intangible but critical properties such as licenses, trademarks, mechanical plans (industrial design), trade names as well as goodwill. The second is isolated and particular to law (proprietorship right) known as copyright. There are challenges of implementing IPR in West African States, which tend to have obliterating impact on the economy within the locale. Generally speaking, intellectual property is broadly divided into industrial property and copyrights. According to him, the first include such intangible but significant properties such as patents, trademarks, industrial designs, trade names as well as goodwill, which are often, referred to as incorporeal herediamantes. The second is a separate and distinct head of law (ownership right) known as copyright. There are challenges of enforcing intellectual property rights in West African States and these have its attendant devastating effect on the economy in the region. Therefore, awareness of intellectual property protection rights by librarians in universities cannot be overemphasized.

Bemoaning the parlous state of IP protection rights in Nigeria, Oghenerukevwe (2017) concurred that man has been in perpetual struggle to assert his rights, and that despite this, the reverse is the case with respect to the assertion of IPRs by Nigerians. He submitted that what we have in Nigeria is a regime that is dormant, not because the laws are not there but due to the dire level of awareness of these rights by members of the public. Oghenerukevwe's (2017) position on the unacceptable treatment being given intellectual property rights in Nigeria is a cogent one.

On the importance of intellectual property protection rights, Nwabachili, Nwabachili and Agu (2015) submitted that the primary function of intellectual property rights under the law is to protect from exploitation the rights of a person's work. They asserted that this protection is of relevance to actors, playwrights, performers and other artists, to musicians, authors, publishers, to broadcasters, to makers of cinematograph films, photographers, producers of computer systems, manufacturers of goods and products, those who trade in goods and products, those who trade in goods and products using specified trademarks and trade names, technicians and technologies, pharmacists, engineers, lecturers, artists, lace designers, designers of other types of products and so on. Discussing the relevance of these rights in the African setting, Nwabachili, Nwabachili and Agu (2015) went further saying that, in West Africa, the importance of intellectual property right can hardly be over-emphasised. They opined that book piracy, film piracy and music piracy still reign supreme in Africa. We now see so many fake products with marks imitating the trademarks and names of the genuine manufacturers being smuggled into the region from foreign countries. Apart from these fake products which are imported, many other fake products also carry marks which imitate often times the trademarks and names of the genuine manufacturers (Nwabachili et al., 2015:67).



Since it is common knowledge that every research embarked upon by researchers in universities will directly or indirectly affect what goes on in the society, the suggestions of Nwabachili et al. (2015) on the concept of intellectual property protection rights can be considered. This will raise the level of awareness of intellectual property protection rights among citizens, especially everyone in various universities. According to Nwabachili et al. (2015), using the instrument of legislation, economically disadvantaged persons and economically disenfranchised persons who own intellectual property rights or whose intellectual property rights are recognised in law should be empowered to gain access to the due process of law in order to realise their intellectual property right by its enforcement.

Going further, they posited that the ECOWAS court should be conferred with the jurisdiction to entertain and determine all civil claims against IP-Rights violators who operate cross border violation syndicates within the sub-region. It should also be conferred with the criminal jurisdiction to entertain all cases of IP-Rights offenders who are charged for criminal violations on a cross-border basis. They equally stated that ECOWAS member states should simultaneously adopt the Berne Convention Treaty and consequently enact within a set time frame, national legislations as to give effect to the intendment of the treaty within their national boundaries.

They concluded by asserting that the Patents, Design, Copyright and Trademark law of ECOWAS member states must as of urgency be reviewed and thereby harmonised, especially in respect of the registration procedure and the applicable fees. This will set the tone for the ongoing monetary union process in the sub-region. The ECOWAS secretarial should commission a legal research group to review the extant legal regimes and thereupon produce a draft bill for consideration before the ECOWAS parliament.

Furthermore, the issue of awareness of IP protection rights cannot be wished away by any academic, irrespective of the discipline. This is clearly demonstrated by Kaplan and Kaplan (2003), cited by Soetendorp, who includedIP in their university engineering classes. Kaplan and Kaplan (2003) gave the following reasons for the emphasis they place on intellectual property when teaching students in engineering classes: "The engineering students should acquit themselves with copyrights, trademarks and patent laws. The student should know the basic of IP in other to protect their inventions and promote the growth of the Engineering profession"

Moreover, understanding the level of awareness of intellectual property rights in universities requires sufficient information to establish the fact that students in universities and other tertiary institutions know what IPPR is all about. It could be said that this was the focus of National Union of Students (2012) that sampled the awareness level of students on the understanding of intellectual property. The results of the study showed that only 15 percent respondents did not understand any aspects of IP though most students who claim to have knowledge of the concept tend to copied the definitions from internet sources.

When the issue of IPPR is being considered, it is pertinent to know that awareness of IPPRs plays a major role in national development. This was echoed by Kameri-Mbote (2005) who stated that, while many countries in Africa are making efforts to ensuring people comply with international IPR norms, they do not have adequate capacity to do execute policies toward harnessing the norms for development of the countries. She opined further that most African



countries have low knowledge of IPRs as well as consequences of having efficacy systems of IP protection. According to her, there are limited institutions, including universities, in African countries with vast exposure and manpower to manage IPRs. This is particularly in the area of trade and investment. She asserted that the inadequate of expertise in trade related IPRs; capacity building; research findings and policy communications (communication of IPR practices); research networks in IPRs poised a challenge to African countries that are aspiring domesticating the provisions of TRIPS.

Ogada (2006) stated that even when people are aware of IP and its policies, the core objectives of the policies on IP will not change. The issue of awareness of IPPRs also surfaced when Ogada was asked to discuss why patenting in the area of research and engineering in higher institutions in Africa is low. Ogada (2006) argued that while the amount of filed patents in African countries is low when compared to other countries, there is lot of innovation done by scientists and engineers in R&D institutions and universities in Africa. According to him, the innovations are not noticed given the low IP awareness. Ogada (2006) therefore listed the hindrances to patenting in Africa as: little or no budget and funding for research and development; poor financing of patent applications let alone its maintenance; inadequate IP expertise (patent agents); weak institutional governance including technology management offices in universities and research and development institutions; and failure to create awareness about IP. Awareness as one of the barriers to patenting shows the prominent position IP holds in all invention activities being carried out in various institutions and universities. Not only that, European Union (2012) also emphasised that adequate knowledge about protection as exploitation of IP are key business skills that will be needed by creative graduates of universities and other tertiary institutions. Also, European Union (2012, p. 4) asserted that transfer of knowledge and IP are crucial for those who engage in art and design practice and those who engage in works that are less scientific. This includes students and graduates given that awareness of IP do not only facilitate the transfer of knowledge but also aid the avoidance of losing commercial opportunities among them.

Furthermore, a high level of awareness in universities will make lecturers aware of what is expected of them whenever they consult work done by other scholars. Every lecturer will guard against any act of plagiarism once he/she knows its consequences. The issue of plagiarism as it relates to intellectual property now takes centre stage in most universities now. This is one of the major thrusts of Philips and Chinda (2017). Philips and Chinda (2017) opined that some researchers find it convenient in plagiarizing the books and articled published by other industrious lecturers "Again since there is a quest for internationalization and globalisation of university education, there is a global concern of repeated cases of lecturers pirating or plagiarising the works of authors from other foreign universities. This concern has perhaps resulted in the efforts towards subjecting publications to several forms of plagiarism and piracy tests before they are allowed to be published in foreign journals or websites. Given the high rate of plagiarism, there are arguments over the certainty of adequate effort towards increasing the awareness of IPR and the result of such rights violation" (Philips and Chinda, 2017, p. 100).

The literature reviewed on librarians' awareness of intellectual property protection (IPR) showed there is inadequate knowledge and training concerning intellectual property protection. Copyright and access to information for librarians. This is the gap the study intend to fill.

Research Design

Descriptive statistics such as frequency counts, percentages, mean and standard deviation was used in the study. Qualitative data collected from the in-depth interview was analyzed by using content analysis. The qualitative data was recorded, transcribed and the responses were subthemed to triangulate the qualitative findings. Verbatim quotations were also used to describe the qualitative responses.

Table 4.6a: Librarians' Awareness of IPPR

S/N	Statements	SD	D	A	SA	X	SD
		(1)	(2)	(3)	(4)		
1	I create original work in printed materials.	27 (8.3%)	6 (1.8%)	188 (57.5%)	108 (32.4%)	3.14	0.81
2	My publications are very unique in Librarianship profession.	-	(.9%)	202 (61.8%)	122 (37.3%)	3.36	0.50
3	I have procedures in place to protect my work before publishing.	17 (5.2%)	30 (9.2%)	216 (66.1%)	64 (19.6%)	3.00	0.70
4	Formalised and active licensing strategy is necessary.	31 (9.5%)	75 (22.9%)	121 (37.0%)	100 (30.6%)	2.89	0.95
5	I fully understand the benefits of a licensing strategy and structures of licence agreements.	26 (8.0%)	52 (15.9%)	158 (48.3%)	91 (27.8%)	2.96	0.87
6	Copyrights protection is established towards genuine creativity on printed materials.	-	7 (2.1%)	198 (60.6%)	122 (37.3%)	3.35	0.52
7	My publications are protected with copyright laws.	15 (4.6%)	30 (9.2%)	167 (51.1%)	115 (35%)	3.17	0.77
8	My publications are critical to fostering innovation.	-	(6.7%)	212 (64.8%)	93 (28.4%)	3.22	0.55
9	Referencing other literature when using them is necessary.	27 (8.3%)	27 (8.3%)	164 (50.2%)	109 (33.3%)	3.08	0.87
10	Keeping records of a calendar management system for maintaining my intellectual property against deadlines for submission or renewal is necessary.	3 (.9%)	47 (14.4%)	182 (55.7%)	95 (29.15)	3.13	.68
11	Constant evaluation of my intellectual property assets periodically to align my	1 (.3%)	39 (11.9%)	194 (59.3%)	93 (28.4%)	3.16	.63

	associated expenses with the strategic value to my productivity is adequate.						
12	I maintain my copyright registration with the issuing intellectual property office within their required deadlines.	33 (10.1 %)	49 (15.0%)	167 (51.1%)	78 (23.9%)	2.89	.88
13	I get updated information from IPPR through their websites, telephone calls, and colleagues.	22 (6.7%)	64 (19.6%)	149 (45.6%)	92 (28.1%)	2.95	0.86
N=327			Grand mean 40.3				

Table 4.6c Test of Norm

Scale	1- 17.3 (Low)	17.4 – 34.7 (Average)	34.8 – 52.0 (High)
Grand mean			40.3

The data shows that most of the librarians agreed that their publications are very unique in librarianship with the highest mean(x = 3.36), which was followed by copyright protection is established towards genuine creativity on printed materials (x = 3.35). However, the issue of formalising and active licence strategy and librarians maintaining copyrights registration with intellectual property protection rights got the lowest mean (x = 2.89).

However to calculate the overall level of awareness of IPPR among librarians from public university in Southern Nigeria, a test of norm was conducted. The scale 1 - 17.3 = low, 17.4 - 34.7 = average and 34.8 - 52.0 = high. The overall grand mean is 40.3 and this falls between the scales of 34. 8 - 52.0. Therefore it can be inferred that the level of p of IPPR is high.

The in-depth interview conducted reveals that the level of perception of IPPR among academic librarians is high. More so, academic librarians are linked to the world of intellectual property rights. Many respondents believed that IP law helps to understand the procedures in utilizing other people materials and when other people use their own materials as well. The "rules" of "fair use" can only be decided in court and the penalties involved. However, many participants may not want to involve in the lawful fight given the understanding of the fear and risk associated with laws avoidance. Whereas there have been numerous thoughts direct toward reforming the copyright scene, such include creative common licenses. According to the IDI interviewee from university of Benin who submitted thus:

"IPPR is that is a body that regulates the academic productivity among within academic systems. More so, in all way to ensure compliance to the rules of publications. But the systems does not have good trading policies or still have long way to go in achieving this in Nigeria economy. The corruption is affecting them so well that the agencies look more on putting food on their table than doing the needful. But I strongly believe that things may change in the future and make them as what they should do, the rate of plagiarism in Nigeria is so high that most of academic librarian are scared



when it come to publishing. It is a two ways thing, you are careful to use somebody work and somebody careful to use once work. Consequently, IPPR should step up their game to ensure a publications free environment" (IDI /Male/Principal Librarian / UNIBEN/ 48 years, January, 2017).

Contrary to previous responses from the IDI conducted, some interviewees perceived IPPR as agencies to protect academic work but they are nowhere to be found. This is confirmed by another respondent from Ambrose Ali University who stated that;

"IPPR is very effective than their names should be even, where but I hardly hear of them unless I read about it in literature, their activities is not well know to me. I deal mostly with Copyright agencies and these agencies have a responsibility to play on making sure that my work is protected" (IDI /female/Principal Librarian / AAU/ 46 years, January, 2017).

Another IDI respondent further stated that:

"IPPR, to me the agency is trying is best, and working hard to improve the research productivity in Nigeria even among the academic librarian in public university" (IDI /Female/ Librarian I / Delta State University/ 44 years, January, 2017).

Discussion of findings

The findings revealed that in public universities in Southern Nigeria, librarians have high level of awareness on IPPR regimes. It was discovered from the data that librarians are conscious of IP and best practices and they also have good knowledge of copyright laws, IP asset tracking, mode of interaction between licensing office and creator. This findingagrees entirely with the studies of Omolara and Utulu (2014) on librarians' awareness of intellectual property protection rights in Nigeria, where their study revealed that there exists a high level of awareness of intellectual property protection rights among librarians in university libraries in Nigeria. Librarians in public universities in Southern Nigeria seem to be good in the awareness of IPPR.

This is not surprising because, as information professionals, they are meant to be knowledgeable of activities around them, especially when such activities are connected to their profession. Omolara and Utulu (2014) noted that the current level of librarians' awareness of intellectual property protection rights can attributed to the high rate of intellectual honesty among authors in this era of information explosion. But the finding stands in contrast to Olaka and Adkins' (2012) assertion that the level of academic librarians' awareness of intellectual property rights is insufficient. The result obtained in this study is however at variance with the findings of Nwokedi (2011) who evaluated University of Jos lecturers' knowledge of the existence of awareness of intellectual property rights and willingness to submit research works, and found that majority (79%) of the respondents did not have any idea of awareness of intellectual property rights and only 21% of the respondents claimed to be aware of the existence of awareness of intellectual property rights their institution. This research finding agreed with those conducted by Diney, Hu,



and Goo, (2005), Dulle (2010), and Bozimo (2012) who found out some level of awareness of intellectual property protection rights and familiarity by the respondents is high.

Conclusion

The study established that librarians' awareness of intellectual property protection rights is importance to the growth of librarians in public universities in Southern Nigeria.

The level of awareness of intellectual property protection rights is high. This implies that most librarians publish without taking into consideration IPPR. Concerted efforts should be made in addressing this issue by Institutions and librarians in Nigerian universities. The universities management should provide an enabling environment to improve and develop research productivity. Librarians should take advantage of staff development programmes in their various institutions in order to attain PhD degrees.

Recommendations

It is recommended that more efforts should be geared towards organising campaigns and advocacy on intellectual property protection rights initiatives by inculcating understanding and awareness of the initiatives, techniques, technologies and benefits both at national and institutional levels among librarians. Universities should make provision for workshops, seminars and conferences on matters concerning intellectual property protection rights for librarians. This will improve and continuous development of the awareness and level of intellectual property protection rights among librarians



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