

**NAVIGATING NIGERIAN COPYRIGHT LAW IN THE AGE OF ARTIFICIAL
INTELLIGENCE: EMERGING CHALLENGES AND PROPOSED SOLUTIONS**

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ABSTRACT

From the integration of Artificial Intelligence (AI) into the already addictive social media applications to asking AI for a summary of a chapter of a test coming up the next morning, to self-driving cars, and even to asking an AI like Siri what to eat, it is evident that this is the age of artificial intelligence. Laws ought not to be static but instead reflect their time. In the age of artificial intelligence, Nigeria must have laws that adapt and reflect this reality. Artificial intelligence is fast evolving, and copyright law in Nigeria can become an effective tool for harnessing the benefits of AI while also limiting the challenges it brings. Since AI is still relatively new, new discoveries and challenges are emerging that require solutions and regulations. This article will examine how Nigerian copyright law can be navigated to address the challenges posed by AI use, providing solutions to the inevitability of AI in the age of artificial intelligence.

Keywords: Artificial Intelligence (AI), Copyright, and Ethical Artificial Intelligence

Defining Artificial Intelligence

Artificial intelligence (AI) is a technology that enables computers and machines to simulate human creativity, autonomy, learning, comprehension, and problem-solving.¹ Its use has elicited a wide range of opinions, from vehement rejection to staunch support, and every opinion in between.² Still, it remains clear that AI is not going anywhere. It has brought numerous benefits but has also introduced novel challenges that need to be addressed. Some of these challenges can be addressed by the Nigerian copyright law. This is particularly important as the age of artificial intelligence aligns with the rise of Nigeria's entertainment and fashion industries on the global market; for that reason, navigating copyright law in Nigeria is crucial.

Rationale for Copyright Laws in the Age of Artificial Intelligence

The rationale behind copyright is that it seeks to reward and incentivise creativity, innovation, and entrepreneurial spirit by granting creatives and innovators rights that prevent others from unjustly copying their work and benefiting from their goodwill.³ The World Intellectual Property Organization (WIPO) defined copyright generally to be the exclusive right granted by law to an author of a work to disclose their work as their own, reproduce it, and distribute or disseminate it to the public in any manner he or she deems fit and authorise others to use the work in a specified way.⁴

Nigerian Legal Framework on Copyright on Artificial Intelligence

Currently, the Copyright Act of 2022, the primary legal instrument on copyright in Nigeria, contains no express provisions on artificial intelligence, making it difficult for the Act to truly influence it.⁵ Of course, there are different ways one can apply the existing provisions, but the Act will continue to lack full power over AI as long as it lacks an express provision on AI. This is a major challenge in using copyright law to navigate the use of artificial intelligence in Nigeria. There is an urgent need to amend the current Copyrights Act of 2022 and ensure it provides provisions regarding artificial intelligence. This way, the Copyright Act can, in fact, expressly have

¹ Cole Stryker and Eda Kavlakoglu, "Artificial Intelligence" (IBM) <<https://www.ibm.com/think/topics/artificial-intelligence>> accessed August 5, 2025.

² Courtney Johnson and Alec Tyson, "How Do Opinions on Artificial Intelligence Vary by Country?" World Economic Forum (December 18, 2020) <<https://www.weforum.org/stories/2020/12/mixed-views-of-the-impact-of-artificial-intelligence/>> accessed August 5, 2025.

³ WIPO, "Copyright" (*wipo*) <<https://www.wipo.int/en/web/copyright>> accessed March 28, 2026.

⁴ John Asein, *Nigerian Copyright Law & Practice* (2nd edn, Books & Gavel 2012) p 3-4.

⁵ Eniola Ogunlaja, "Generative Artificial Intelligence and the Nigerian Copyright Act 2023" (Dentons ACAS- LAW) <<https://www.dentonsacaslaw.com/en/insights/articles/2024/june/10/generative-artificial-intelligence-and-the-nigerian-copyright-act-2023>> accessed August 5, 2025.

the power to navigate artificial intelligence in Nigeria. Having this amendment is a crucial step in ensuring that Nigerian copyright law can navigate artificial intelligence.

Solutions to the Current Lacuna of the Copyright Act 2022 as it Relates to Artificial Intelligence

Laws on copyright must also be quickly amended as needed to keep pace with the rapid development of artificial intelligence. The Act must be positioned to address artificial intelligence and its very nature. Artificial intelligence is rapidly advancing, and copyright laws need to adapt. One of the main issues is that artificial intelligence is rapidly evolving; new creations are continually produced, making it difficult for the laws to keep up. A prescribed solution is for the Nigerian Copyright Commission (NCC) to quickly and efficiently draft bylaws and regulations that keep pace with the rapid evolution of artificial intelligence.

The Alarming Issue of Deep Fakes and Proposed Solutions

Another challenge that has become rampant and fast-paced with AI is deepfakes. There is an unsettling trend of deepfakes currently occurring, which involves perverted persons who wish to sexualise women on social media X using its Artificial Intelligence (AI) Grok to undress women and request women to be put in sexual positions.⁶ This is a harsh reality of what can occur when AI is poorly regulated and its developers are not held liable for violations arising from the use of their AI. Some of these perverted X users see such acts of deepfake as simple ridicule when, really, it is a violation of one's dignity and right to privacy. Similarly, AI can use a musician's voice to create music they never sang in deceptively realistic videos without their permission. The use of AI to manipulate and use the voice of musicians to create music is still theft of the identity of the musician's vocal identity and the training of their voice.

To address the malicious use of AI through deepfakes, a radical yet essential solution is to expand the scope of copyright. Building on the issue of deepfakes, Denmark has created a blueprint bill that Nigeria can adopt to ensure the ethical use of AI and protect the autonomy of all Nigerian citizens.

Denmark currently has a bill that could pass, which would give its citizens more control over deepfakes by expanding its copyright law to allow them to demand the takedown of digital

⁶ USA TODAY, "Their Selfies Are Being Turned into Sexually Explicit Content with AI. They Want the World to Know." USA TODAY (July 22, 2025) <<https://www.usatoday.com/story/life/health-wellness/2025/07/22/grok-ai-deepfake-images-women/85307237007/>> accessed August 5, 2025.

forgeries from social media.⁷ The Danish culture minister, Jakob Engel-Schmidt, has hoped the bill would send an “unequivocal message” that every person has the right to look and sound as they please. It would give a person the right to their image so that it cannot be copied without consent. While copyright law traditionally protects creative works, expanding its scope may be necessary to address the challenges posed by generative AI and deepfakes.

Ethical Artificial Intelligence (AI)

While copyright law has a role to play in navigating artificial intelligence, it is important to note that it must be just and inclusive; such a law cannot repress AI to the point where the benefits of artificial intelligence are lost, since it has, in fact, provided many benefits to humans. So, another challenge is balancing the need for copyright with the need to use artificial intelligence.

The idea is that copyright should be used to navigate artificial intelligence in a manner that does not violate authors’ rights, yet still ensures it does not repress AI, and that it works in an ethical manner to ensure a win-win outcome for both stakeholders and developers of this AI. Striking a balance is important and comes into focus in the yet-to-be-decided case of *The New York Times Company v. Microsoft Corporation*⁸ between The New York Times (NYT) and OpenAI, in which NYT alleges that OpenAI has infringed its copyright by using NYT’s copyrighted works to train its AI models, and then there is OpenAI and Microsoft using the defence of fair use.

Lack of Technical Knowledge and Skills in Artificial Intelligence

Another challenge in using copyright to navigate the use of artificial intelligence in Nigeria is the lack of technical knowledge and skills in AI.⁹ The shortage of AI experts in Nigeria makes it more difficult to find Nigerian experts who truly understand AI, which in turn makes it difficult to draft laws that can regulate AI for the benefit of Nigeria. The investment in training more AI experts who look out for the best interests of Nigeria will, in turn, ensure that the laws created are truly those that help navigate the use of AI in a manner beneficial to the needs of Nigerians and Nigeria.

⁷ Miranda Bryant, “Denmark to Tackle Deepfakes by Giving People Copyright to Their Own Features” The Guardian (June 27, 2025) <<https://www.theguardian.com/technology/2025/jun/27/deepfakes-denmark-copyright-law-artificial-intelligence>> accessed August 5, 2025.

⁸ (1:23-cv-11195) District Court, S.D. New York

⁹ Lagos Business School, “AI IN Nigeria: Opportunities, Challenges and Strategic Pathways” (Lagos Business School) <<https://www.lbs.edu.ng/wp-content/uploads/2025/05/ai-in-nigeria-whitepaper.pdf>> accessed August 5, 2025.

Conclusion

In Tim Cook's words, "The future of AI is in our hands." One way to determine the future of AI in Nigeria is by examining how the Nigerian Copyright Law is navigated. By navigating Nigerian copyright law to harness AI's benefits while also ensuring that the harm AI can cause is contained, Nigeria can position itself to benefit substantially. However, to achieve such laws would require great dedication of stakeholders like users of AI, policy experts, and AI developers to work to ensure that the novel challenges that come with the development of AI are swiftly contained and curbed; the Nigerian Copyright Law must be navigated to reflect the age of artificial intelligence by providing prompt regulations that are sensitive to the fast-paced development of artificial intelligence.

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