



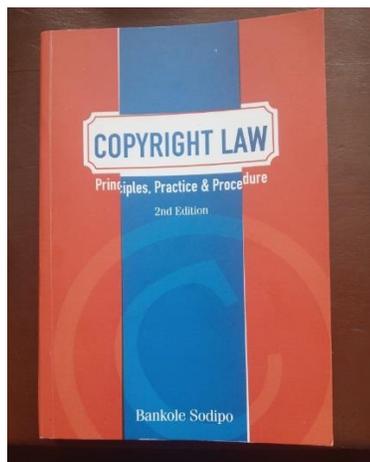
Jurisdiction was raised by G.O Sodipo and Co on the ground that the reliefs claimed do not fall under the relief stated by law for the unauthorized use of picture. The High Court of Lagos State overruled us on this objection.

The second case is paramount because the Plaintiff actually licensed the Defendant for the use of his picture but did not renew the contract on its expiration. The Plaintiff did not sue for breach of contract because he believed that an action for breach of contract will not move as swiftly as an action for fundamental right violation, which the Courts give priority to.

Basically it should be noted that companies and agencies who use people's photograph for adverts should always ensure that a valid and subsisting licence is obtained from the licensor at all material times in which the product is in circulation. Failure to ensure such a license exists can make the companies open to liability for a breach of such person's fundamental human rights.

Finally since court verdicts are seldom predictable, it's best to know and obey the laws. Underscoring this point, is the recent Court of Appeal decision in the IP case against Musical Copyright Society of Nigeria (MCSN), where the Court held that MCSN was acting as a collecting society and therefore needed the approval of the Nigerian Copyright Commission to operate as such. Being without that approval, they have no rights that can be enforced in a Court of Law. If the latter had known and understood this fact, it would have saved itself from numerous adverse court decisions.

We also wish to use this medium to inform our esteemed readers that our Prof. Bankole Sodipo has released a second edition of his book on Intellectual Property entitled "Copyright Law: Principles, Practice and Procedure, kindly see below.



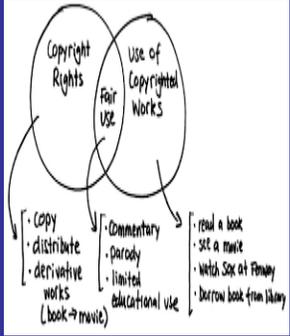
The GOS Newsletter has been prepared for clients and professional colleagues as a general guide to the subject matter, it is not meant to substitute specialist legal advice about your specific circumstances.

G.O. Sodipo and Co disclaim any liability for the decisions you make based on this information. Please let us know if you would like to discuss any issue in more detail;

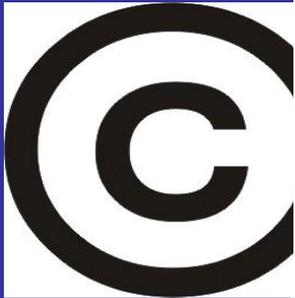
E-mail: [b.sodipo@gosodipo.com](mailto:b.sodipo@gosodipo.com)

All Photo Credits: Google Search Engine.

Copyright © 2017 G.O. Sodipo & Co. All rights reserved.



“Speedy resolution of legal issues is the hallmark of G.O Sodipo and Co”- Barrister B.V Enwesi, LLB, BL, LLM (E-Commerce Law )







**G.O SODIPO & CO**  
Tel: 08023198641

**We're on the Web!**  
[www.gosodipo.com](http://www.gosodipo.com)

