



## ECONOMIC RIGHT UNDER COPYRIGHT REGIME IN NIGERIA AND THE RIGHT TO ACQUISITION OF KNOWLEDGE IN ISLAMIC LAW; ANY NEXUS?

**Mohd Jamiu Ayinla-  
Edun**

Lecturer, Department of  
Islamic Law, College of  
Law,  
Fountain University,  
Osogbo, Nigeria  
Mobile: +234-8160373017  
Email:  
jamiu2greats@gmail.com

***Abstract:** Intellectual works naturally involves the expending of unquantifiable scholarly and professional efforts, it as well most time, involve huge cost in terms of money sum. The required amount of research, dedication and sacrifice in carrying out intellectual works had necessitated the protection of authors from unpermitted reproduction; there is as well the need to ensure authors gain adequate reward from their intellectual effort, thus, the enactment of the Copyright Act 2022 by the Nigerian Legislature. On the other hand, Islamic law does not have a well-structured copyright law. However, there are evidences from the sources of Law and proprietary concepts that suggests that intellectual works are not left to be indiscriminately violated as it recognises the moral right of attribution of authors to their works. The law equally views acquisition of Knowledge which is often embedded in intellectual works as a right that can be acquired wherever it is found, thus, the Law does not view the unpermitted reproduction and use of intellectual works to be offensive. However, Islamic law is not oblivious of the need to protect the efforts put into any intellectual work as well as the attendant economic right. Therefore, this paper adopted the doctrinal research methodology to explore the nexus in the Copyright regime in Nigeria and the right to acquisition of Knowledge under Islamic Law with the view to determining their points of convergence and divergence. The discussion of copyright in this work is strictly restricted to the scope of intellectual property and does not extend to other aspect of copyright.*

**Keywords:** Copyright, intellectual property, Economic Right, Acquisition of Knowledge, Islamic Law

## 1. Introduction

The Copyright regime in Nigeria as governed by the Copyright Act seeks to protect the creators and owners of intellectual works from unauthorised infringements that are capable of reaping them of the benefit of the industry they have expended in the creation of the works (Copyright Act, 2022).<sup>1</sup> The Act protects categories of intellectual endeavours such as literary, musical, audiovisual, sound recordings, broadcasts and artistic works (Copyright Act, 2022).<sup>2</sup> Any infringement on any of these categories of works is punishable and may give rise to a criminal cause (Copyright Act, 2022).<sup>3</sup>

The naughty point in any copyright protection under any legal system is the need to balance between the individual right to be protected from unauthorised interference with his/her intellectual work and the need to ensure the public interest in accessing and acquiring knowledge and information. The copyright regime in Nigeria seems to pay more premium on the protection of individual right at the expense of the public right to acquisition of knowledge.

Conversely, the Islamic Law emphasises the right to acquisition of knowledge. In fact, it regards knowledge as a lost property of every individual which can be recovered from anywhere it is found. The foregoing, suggest that copyright does not operate strictly under Islamic law as it does under other legal systems (Malkawi, 2013) such as Nigeria. It presupposes that the right of the public to knowledge takes precedence over the protection of individual's copyright.

The foregoing however should not be misconceived to translate that Islamic law neither protect intellectual property nor reward intellectual endeavour. Rather, it recognizes the expedition of efforts in intellectual works as an unquantifiable virtue that can earn paradise. It places intellectual effort above participating in Jihad. However, it is the foundational principle of Islamic jurisprudence that public right supersedes private right in the instance of conflict.

This paper therefore set out to employ the doctrinal methodology to explore the legal regime of copyright in Nigeria and right to acquisition of knowledge under Islamic law with the view to finding the points of convergence and divergence in the two legal systems as regards the protection of copyright of intellectual properties. The discussion of copyright in this work is strictly restricted to the scope of intellectual property and does not extend to other aspect of copyright.

## 2. Concept of Copyright

The Black's law dictionary defines copyright as a property right in an original work of authorship (including literary, musical, dramatic, choreographic, pictorial, graphic, sculptural and architectural works; motion pictures and other audio-visual works; and sound recordings) fixed in any tangible medium of expression, giving the holder the exclusive right to reproduce, adapt, distribute, perform, and display the work (Garner). The concept refers to the act of reproducing an original literary and artistic work that can be done by the author in person or with the author's consent (WIPO, 2016).

Copyright is a body of rules that protect the intellectual property rights of authorship. Copyright legally protects works of creative expression set in a fixed, tangible form such as a book or audio

<sup>1</sup> See the provisions sections 1(a) and 36-38 of the Copyright Act of 2022, No. 8, CAP A178

<sup>2</sup> See section 2(1)(a-f) of the Copyright Act of 2022, No. 8, CAP A178

<sup>3</sup> See sections 44(1,2,4,7, and 8) and section 45 of the Copyright Act of 2022, No. 8, CAP A178

recording (Olatoun and Osinachi). It affords the author of an intellectual work to manage the production of the work as well as excludes all other persons from the unpermitted use and production of the work (Jayaid & Nayeed, 2013). A work is eligible for registration for copyright if it is certified that the work is a product of emanated from effort that accords it originality and innovative (The Economic Times).

The right to protection of an original intellectual work only avails with regards to the form of expression of the intellectual idea and not the ideas in themselves. It protects the original owner of an idea only to the extent of the form of expression, choice and arrangement of the idea but will however not prevent others from expressing similar idea in a noticeable different expression, choice and arrangement (WIPO, 2016).

The copyright protects two major species of right, namely, economic and moral right (WIPO 2016), the formal is the right to exclusively benefit financially and gain reward from a protected work, while the latter is the right of authors to retain and preserve the ascription of their works to themselves. There seems to be no room for the transfer of a moral right by an author to another person, however, the practice had shown that economic right can be subject of transfer and commercial arrangement between the author and other persons. For instance, some publishing companies such as the Princeton & Associate Publishing Co. Ltd publishes literary works written by authors on the arrangement that the publisher sells the work and give the author Royalty twice a year.

In Nigeria, a copyright is regarded as a movable property that can be transferred by way of assignment, inheritance and operation of law (Copyright Act, 2022). The transferable right in the Nigeria situation seems to the economic right and not the moral right of the author, the work which copyright is transferred will in practice still be attributed to the author as the creator.

The extant law on copyright in Nigeria in the absence of a contrary agreement to the contrary, vests the copyright –both economic and moral rights- of a work in the author (Copyright Act, 2022).<sup>4</sup> The copyright of a commissioned work or in the course of employment by a government, a ministry, department or agency of a government or a prescribed international or inter-governmental body is enjoyed by that government, a ministry, department or agency of a government or a prescribed international or inter-governmental body.

The legal instruments of various jurisdictions often specify a duration within which a work enjoys protection by copyright and such right does not operate indefinitely. The work only benefit the protection from unauthorised copying and reproduction during the period it is so protected by the operating law in the concerned legal system.

In Nigeria for instance, the creator of an original work enjoys copyright immediately work is made or created (Copyright Act, 2022)<sup>5</sup> till seventy years after the year in which the creator or author died with regards to literary, musical or artistic works other than photographs (Copyright Act, 2022),<sup>6</sup>and fifty years (Copyright Act, 2022)<sup>7</sup> in respect to eligible works made under the control

---

<sup>4</sup> Section 28 of the Copyright Act of 2022.

<sup>5</sup> Section 18 of the Copyright Act of 2022.

<sup>6</sup> Section 19 (1)(a) of the Copyright Act of 2022.

<sup>7</sup> Section 7 of the Copyright Act of 2022.

or pursuant to the direction of a government, agency of government or prescribed international body (Copyright Act, 2022)<sup>8</sup>respectively.

### ***2.1 Islamic Law Perspectives on Economic Right under Copyright***

There appears to be a contradiction between the legal regime on copyright in Nigeria and the Islamic law system as regards the availability of economic right. The former have a well-designed legal regime for the registration and regulation of intellectual works that are eligible to copyright, in that it protect such eligible right of different nature and categories as may be provided for in the concerned legal instrument (Copyright Act, 2022).<sup>9</sup>While the latter had not designed a well-coordinated legal regime for the registration and regulation of copyright of novel and unique intellectual works.

The absence of a sophisticated legal regime for the regulation of copyright under Islamic law does not mean that the law is oblivious of the right of authors to enjoy the benefit of their industry or that the concept of copyright is entirely non-existence in Islamic law, rather, the law recognises the right of authors of intellectual works to have the works ascribed to them, the ascription by someone of the work of others to himself is seen as unethical. More specifically, a person who engages in such an unholy act is stripped off of scholarship and proclaimed as untrustworthy, this is often the practice by the scholars of hadith. The same practice is obtainable in the poetry genre in the ancient Arabic literature era (Iqbal, Razick & Nairoos, 2022 and Malkawi, 2016).

The practice of *Ijazah* i.e. the certification of persons to transmit and disseminate certain field of knowledge especially shariah-related knowledge given by a teacher and expert had enjoyed an overwhelming long existence and had permeated it way even into the modern time. The transmission of a certified knowledge by or from other others than the certified student or expert respectively will be discountenanced. The foregoing therefore evidences the fact that authors of intellectual works enjoyed the moral right of attribution and recognition with the work. The moral right is one of the species of rights embodied in the modern concept of copyright.

The right of the author to have a work attributed to him, suggest that such work somewhat enjoys the attributes and nature of a property, thus, the attribution of the work to another is regarded as an usurpation and even theft of the property, or put more lightly, regarded as theft of the moral right. These acts are forbidden by textual evidences of Islamic Law. Allah says in Al-Qur'an, suratun-Nisai verse verse 29; 'O You believers do not usurp your wealth amongst yourself illegally, except that you mutually engage in a trade...' the provision of Al-Qur'an suratul Baqarah verse 188 is also instructive and relevant in this instance. Similarly, the prophet was reported to have said 'every part of a Muslim is forbidden (to be unjustly usurped), his blood, wealth and honour...' (Muslim, 2010).

In Nigeria, the extant law is in consonance with the aforementioned position of Islamic Law regarding the moral right enjoyed by the author of an intellectual work, section 14 of the Copyright Act grant the author of a work, the right to have such work attributed to him as well as object and

---

<sup>8</sup> Section 19 (1)(b) of the Copyright Act of 2022.

<sup>9</sup> Copyright Act of 2022

seek relief against any distortion, mutilation, modification and any other action that may be derogatory to his work or is prejudicial to his integrity

However, where there seems to be a wide range of difference in the Nigerian legal regime on copyright and the Islamic law is in the right to produce as well as the right to make economic profit from the work. While there is nothing that prevents an author from recouping the expenses expended in the birth of an intellectual work in Islamic law, it is not certain if the law will allow the making of extra profit from the work especially when no further effort is expended to justify such profit (Malkawi, 2016).

### 3. Intellectual property under Islamic law

Intellectual property had been defined as the intangible property that includes patents, trademarks, and copyright, and registered and unregistered design rights (Martins & Law). Similarly, the Black's Law Dictionary defines intellectual property as the category of rights protecting commercially valuable products of human intellect (Garner).

A succinct look into the above definitions will unveil the fact that intellectual property is not a corporeal property; rather it is an intangible and incorporeal property that can neither be stored nor felt by the senses. Intellectual property have no physical existence, rather, they are embodied in the tangible objects (Savale & Savale, 2016).

Intellectual property is the legal rights that accrue from the intellectual activity undertaken in the industrial, scientific, literary and artistic fields. It is a concept that confers an exclusive right to the owner of an innovative work to the exclusion of other; it as well prevents the unauthorised use of the innovative works of others (Mohd Arif & Hanapi, 2017). The World Intellectual Property Organisation defined Intellectual property as the creations of the mind such as inventions, literary and artistic works, symbols, names, images and designs used in commerce (WIPO).

An appraisal of the definitions of intellectual property revealed that the concept is capable of portraying to meanings, one is the non-physical product created as a result of tasking the mind and intellect, while the other is the exclusive rights that accrues as a benefit and reward for the intellectual task and creation undertaken.

The concept of intellectual property is a novel area of discussion in Islamic law that was not discussed as a distinct concept by the classical scholars. However, the root concept of property was adequately discussed; thus, a discussion of the concept of intellectual property is premised on the foundational concept of property itself as far as Islamic law is concerned. The question then is, does intellectual property fall under the meaning of property as espoused by the classical scholars? A glossary look into the definitions of Mal i.e. property by the various schools of law will answer the question above.

The majority of the scholars including the *Malikiyyah*, *Shafi'iyah* and *Hanabilah* regard property as any valuable thing that the human desire inclines and is capable of being controlled or owned (Zaydan, 1989, Ali al-Khaftf 1996). As-suyuti (1971) defined property as anything with value with which it can be sold and for which a transgressor should compensate the owner. Ash-Shatibi (1997) regards property as a thing capable of being owned to the exclusion of others. The *Hanafiyyah* on the other hand defines property as that which the human nature inclines and can be physically stored for future use (Ibn 'Abidin, 1992).

The majority regard a thing as property if such a thing has value and is customarily regarded as a property while the *Hanafiyyah* requires that a property must be capable of being physically stored. Thus, usufructs and incorporeal property are encompassed in the definition of property according to the majority of scholars if they are customarily regarded as valuables. On the other hand, the *Hanafiyyah* do not regard usufructs and incorporeal property as a property under Islamic law because they are non-physical objects that are not capable of being stored physically.

The foregoing affects the situation of the novel concept of intellectual property in the realm of the general concept of property under Islamic law. The definition of property by majority of the Islamic scholars will accommodate intellectual property as a part of root concept of property since it is customarily regarded as valuable and *trade-able*. Though intangible, the human desires also inclines towards it being a product of serious and rigorous intellectual exercise.

Conversely, the definition and exposition of property by the *Hanafiyyah* do not allow the inclusion of intellectual property into the realm of property because; intellectual property is an abstract and intangible object not capable of physical storage.

It is pertinent to note at this point, that the exposition of the concept of property by the majority seems to be more flexible and accommodating especially in the modern era where a number of intangible objects had been customarily regarded as valuable and desired even more than some tangible objects. For instance, some computer software designs requires huge amount of money and rigorous effort to accomplish, it is only natural that such designs will be valued and desired by humans, stripping these kind of money engulfing intangibles of the propriety characteristic will occasion serious and unbearable hardship and may cause avoidable commercial and technological hindrances. The resultant effect of the lack of recognition as property of such valuable and desired intangibles offends the Islamic jurisprudential principle of removing avoidable hardship and inconveniences (AbdulWahhab, 2010).

The majority's position is further strengthened with the fact that even the *Hanafiyyah* agreed that benefit of tangible property is capable of being owned (Az-Zuhayliy, 2007) and equally accommodate sale (Ibn Quddamah). Thus, the dichotomy between the tangible property and its usufruct seems to be superficial because ownership is an indication of the proprietary nature of an object regardless of its tangibility or intangibility.

Wohidul Islam's (1999) critique of the *Hanafiyyah's* definitions of the term property further revealed the weakness in the definitions; he argued that the definitions are incomprehensive. The definitions excluded some materials that are regarded as properties even by the *Hanafiyyah* but are not capable of being stored, perishable foods such as vegetables are examples. He went further to state that some materials such as medicines that do not attract human inclination are also regarded as property.

Conclusively, intellectual property, though not physical, is a property stored in the intellect of the inventor and manifested in the literary works. It is what can be ascribed as *Al-Mal Al-'aqliy* in the Arabic parlance.

#### **4. Islamic Law Perspective on Right to Acquire Knowledge**

Islamic law regards knowledge as a basic necessity in any given human society and the acquisition of some of its basics that which absence may negatively affect the essence of human existence,

societal tranquillity or hinder the proper practice of the religion are regarded as compulsory (Al-Munajjid, also Hassan, 2022).

The importance of knowledge in Islam is underscored in its recognition as a faith based responsibility (Yasin, Husa, Rostitawati and Obie, 2023) and public good which the society must not be deprived of, the concealment of beneficial knowledge without any justifiable reason is a serious sin that may occasion eternal punishment. Allah says in the Qur'an, Suratul Baqarah verse 159

Surely, those who conceal what We revealed of proofs (knowledge) and guidance after We had explained it to the people in the book are the accursed by Allah and those who curse shall curse them too (Al-Qur'an).

The prophet Muhammad (*Sallallaahu alayhi wa sallam*) was reported to have said 'whoever is asked of knowledge that he knows and conceal it, Allah shall lock him with a bridle from hell until the day of resurrection' (Ibn Majah; At-Tirmidhi; ). Therefore, knowledge is a public good that every individual have the right to acquire without let or hindrance and must equally be thought by someone if the requisite knowledge as a charitable endeavour and not for profiteering purpose (Al-Munajjid).

The responsibility of teaching knowledge in a circumstance where the specie of knowledge is exclusively within the knowledge of an inventor, creator or author is of a higher degree and may graduate to being a compulsion (Al-Munajjid). An intellectual property will often fall into this category of knowledge, because, they are intangible property that are products of unique effort and arrangement that had not earlier being so undertaken by any other person in the exact manner.

The foregoing suggest that authors of intellectual works that may have passed the eligibility test for copyright in Nigeria and other similar legal systems may not enjoy an exclusive right under Islamic law by reason of the overriding public right to acquisition of knowledge and the duty to disseminate knowledge imposed by Islamic law on the author. In other words, intellectual works may not enjoy all the rights and privileges of a copyrighted work under Islamic law because of the infusion of the public right to acquire knowledge in the work.

#### **4.1.0 The Nexus between Economic Right under Copyright in Nigeria and the Right to acquire knowledge in Islamic Law**

The conventional Copyright system largely concerns itself with the individual right of authors and inventors. The system primarily set out to ensure that authors and inventors of intellectual works enjoys and benefit from the labour and industry exerted in the production of the work. Copyright operate to prevent all persons except the author and persons authorised by the authors to attribute the work to themselves or reproduce, copy or make economic gain from the copyrighted work of another.

On the other hand, Islamic law recognises knowledge as a public good which acquisition is as of right by all members of the society (AbdulWahhab, 2010), thus, the right of the larger society is contained in the knowledge content of an intellectual work, thus, its distribution for societal good is compulsory. The above is predicated on the preference given to public interest over that of the individual.

The conventional copyright system seems to override individual interest above the public interest while the Islamic law places preference over the public interest over that of the individual. The questions now are, is there any area of convergence between the copyright system as obtainable in Nigeria and the Islamic law perspective of the concept? Does Islamic law recognise the economic right of authors of intellectual works?

It is instructive to note that Islamic law particularly appreciates and encourages making earns meat from personal industry. The prophet was reported by Abu Hurayrah to have said ‘No one had ever eaten a meal better than that which he eat from his personal effort, because the prophet of Allah, Dawud ate from his personal effort’ (Al-Bukhari, 2004). Efforts put into the invention of an intellectual work is a form of personal industry born out of unquantifiable sacrifice made in the course of acquiring the knowledge that equipped the inventor with the requisite know-how to make the invention.

A consideration of the foregoing line of thought presupposes that Islamic law will somewhat protect the economic expectation of an author who had invested personal intellectual industry into the birth of an innovative original work. This line of thought will be strengthened especially when there is a middle ground for the protection of the public right as well as that of the individual at the same time in such a manner that the observance of one will not jeopardise the other.

In other words, the principle of Islamic Jurisprudence operates to the effect that where both rights can be protected in a way that they will neither conflict nor overlap, then, none should be subdued for the other (AbdulWahhab, 2010). Therefore, when a middle course where the protection of the economic right enjoyed by a copyrightable intellectual work will not jeopardise the right of the public to acquire necessary knowledge is found, Islamic law will allow but right to operate side by side, i.e. the author of an original intellectual work will be allowed to enjoy the economic right through the prevention of unauthorised copying and reproduction for gain. While the public right to acquire knowledge will also avail the reproduction and copying of the work for the purpose of acquiring and impacting knowledge.

A careful study of the Copyright Act revealed that the operation of copyright concept in Nigeria had factored in the Islamic Law concern of making knowledge freely accessible and the removal of bottle necks that may be created as a result of copyrighting intellectual works that contain materials and facts that are of utmost educational importance towards which knowledge inclination will naturally tilts (Onoyeyan, 2018). Thus, the Act in the assessment of this author addressed the right of the public to acquire knowledge by making and allowing the reproduction of copyrighted works for educational purposes.

For instance, the Act allows the copying and use of copyrighted works even without the permission of the author when such copying and use is for a private use, non-commercial research and studying, criticism or review purpose. However, when the use for any of the aforementioned purposes is to be public, the author of the work must be acknowledged (Copyright Act, 2022).<sup>10</sup>

Similarly, the Act exempts the unauthorised copying of a copyrighted work from being guilty of infringement if such copying is for the purpose and in the course of giving instruction or in

---

<sup>10</sup> Section 20 (1)(a-d) Copyright Act, 2022.



preparation for giving instruction provided that the copying is done or used by the person giving or receiving the instruction (Copyright Act, 2022).<sup>11</sup>

The deducible conclusion from the aforementioned exemptions is that instructors, educational institution, and students cannot be guilty of copyright infringement by copying a copyrighted educational work if such copying is done for the purpose of giving or receiving instruction. These exceptions to the prevention of reproducing copyrighted works in the assessment of the author creates an avenue where the protection of the individual economic right in a copyrighted work and the public right to acquire knowledge from the same copyrighted work by reproducing same can co-exist without conflict.

This practice of the Act is a welcomed one from Islamic law perspective. The right of the public to knowledge is neither trampled upon nor the individual economic right justifiable by being gotten from a personal effort is subdued.

### **5.1.0 Conclusion and Findings**

The paper interrogated the operation of copyright in the Nigerian Legal system vis-à-vis the right to acquire knowledge under Islamic law, the paper found that knowledge under Islamic law is a public commodity and some aspect of it must be compulsorily taught to the society. This position presents a seemingly conflicting situation between Islamic law and the conventional concept of copyright that had been adopted in Nigeria.

While copyright operate to exclude persons other than the author reproducing copyrighted works, the Islamic law is of the position that knowledge as a public good can be acquired anywhere it is found even in a copyrighted educational material. This dichotomy is occasioned by the very nature of the right given prevalence by each of the legal system, the conventional law places premium on the individual right while Islamic law gives prevalence to the right of the public.

However, the Nigerian situation with regards to copyright represents a balancing platform where both individual and public right co-exists without conflict. This situation conforms with the Islamic jurisprudential principles that allows the co-existence of the individual right and the public right and that none should be subdued for the other in such a circumstance. Therefore, the exemptions created in the Copyright Act keeps a balance of protecting the economic right of individual author as well as engendering the right to acquire knowledge. This situation is one that Islamic law encourages.

### **References**

1. Copyright Act of 2022, No. 8, CAP A178
2. Malkawi, B. H., (2013), Intellectual Property Protection from a Sharia Perspective, Southern Cross University Law Review, 16, P. 92.
3. WIPO, (2<sup>nd</sup> Eds.) (2016), Understanding Copyright and Related Rights. p. 4. Retrieved from [https://www.wipo.int/edocs/pubdocs/en/wipo\\_pub\\_909\\_2016.pdf](https://www.wipo.int/edocs/pubdocs/en/wipo_pub_909_2016.pdf)

---

<sup>11</sup> Section 21 (1&2) Copyright Act.

4. K A Olatoun and O K Osinachi, Legal Framework for Copyright Protection in Nigeria, BIU Law Journal, P. 298.
5. Jayaid & Nayed Ahmad Lone, (2013), Intellectual Property Rights in Islam: a perspective, IJRSS, 3(1) P. 156.
6. Lisa baird, 'Copyright law, Overview, Definition & Rights' retrieved from <https://study.com/academy/lesson/what-are-copyright-laws-definition-lesson-quiz.html> on the 23rd of January, 2024.
7. The Economic Times, 'What is 'Copyright'', retrieved from <https://economictimes.indiatimes.com/definition/copyright>. on the 25<sup>th</sup> of January, 2024
8. WIPO, 'Understanding Copyright and Related Rights' p. 6.
9. WIPO, 'Understanding Copyright and Related Rights' p. 10 & 14.
10. Iqbal S, Razick A. S, Nairoos M. H. M., (2022). Shari'ah Compliance of Copyright Act of Sri Lanka, International Journal of Arts, Humanities & Social Science, 3(7) p. 52.
11. Malkawi, B. H., (2013), Intellectual Property Protection from a Sharia Perspective, Southern Cross University Law Review, 16, P. 99-100
12. AbdulWahhab K, (2010) 'Ilm Usul Fiqh, (1<sup>st</sup> Eds) Darul Ghad Al-Jadeed, Cairo, Egypt
13. Al-Qur'an suratul Baqarah verse 188
14. Muslim b Hajjaj (2010), Sahih Muslim, hadith No. 2564, Darul Kutub Al-'Ilmiyyah, Beirut, Lebanon.
15. Al-Bukhari M. I (2004) Sahih Al-Bukhari, hadith No. 2072, (1<sup>st</sup> Eds) Daru ibn Al-Haytham, Cairo, Egypt, p. 234.
16. At-Tirmidhi, Sunan At-Tirmidhi (1<sup>st</sup> Eds) Maktabatul Ma'arif Linashr wat-Taozee'i
17. Malkawi, B. H., (2013), Intellectual Property Protection from a Sharia Perspective, Southern Cross University Law Review, 16, p. 97-98.
18. Martins E. A, & Law J., (6<sup>th</sup> Eds) Oxford Dictionary of Law, Oxford University Press, p. 280
19. Garner B. A., (9<sup>th</sup> ed) Black's Law Dictionary, West Publishing Co. USA, P. 881
20. Savale S. K. & Savale V. K., (2016), Intellectual Property Right IPR, World Journal of Pharmacy and Pharmaceutical Sciences 5(6) p, 2530, DOI: 10.20959/wjpps20166-7102
21. Mohd Izzat Amsyar Mohd Arif & Hisham Hanapi, (2017), The Concept of Intellectual Property As Al Mal: An Islamic Perspective Approach, International Journal of Educational Best Practices, 1(1), P. 104.

22. WIPO, What is Intellectual Property? Retrieved from <https://www.wipo.int/about-ip/en/vs> on the 23<sup>rd</sup> of January, 2024
23. Abdulkareem Zaydan (1989), Al-Madkhal li Dirisatil Ash-Shari'atil Islamiyyah, Mu'assasah al-Risalah, Beirut
24. 'Ali al-Khaftf (1996), Al-Milkiyyah fi Shari'atil Islamiyyah, Darul Fikr Al-Arabi, Cairo p. 184-186.
25. Al-Suyuti, Jalal al-Din Abd al-Rahman bin AbiBakr, (1971).Al-Ashbah wa Al-Naza'ir, Dar al-Kutub al-'Ilmiyyah, Beirut.
26. Ash-Shaṭibiy, (1997) Al-Muwāfaqāt fī Usul Al-Sharī'ah, vol. 2 Dār Ibn 'Affān, p. 10.
27. Ibn 'Abidin (1992), Hashiah Radd al-Mukhtar 'ala al-Durr al-Mukhtar, 4/501, Beirut: Dar al-Fikr.
28. Wahbah Az-Zuhayliy, (2007), Al-Fiqhul Islamiy wa Ad-Dillatuh, vol. 4, Damascus, Dar Al-Fikr, p. 2877
29. Ibn Quddamah A M, Al-Kaafiy (Hajr Litaba'ati wan-nashri wat-tawzi'I wal-'ilan) p. 379, vol. 3
30. Muhammad Wohidul Islam (1999), Al-Mal: The Concept of Property in Islamic Legal Thought, Arab Law Quarterly 14 (4) P. 363.
31. Al-Munajjid M S 'When is it compulsory to explanation knowledge and is its concealment prohibited' retrieved from <https://www.google.com/amp/s/islamqa.info/amp/ar/answers/289032> on the 7<sup>th</sup> of February, 2024.
32. Hassan M. K, Islam and Knowledge, text of a lecture delivered in January, 2022. P. 9 retrieved from [https://www.iium.edu.my/media/84227/MKH\\_UNICORE%20-%20ISLAM%20%26%20KNOWLEDGE.docx.pdf](https://www.iium.edu.my/media/84227/MKH_UNICORE%20-%20ISLAM%20%26%20KNOWLEDGE.docx.pdf) on the 13<sup>th</sup> of February, 2023.
33. Yasin Z, Husa R, Rostitawati T & Obie M., (2023). The Importance of Seeking Knowledge in Islam: A Literature Review' International Journal of Social Science And Human Research, 6(5) p. 3061, DOI: 10.47191/ijsshr/v6-i5-7
34. Al-Qur'an, Suratul Baqarah verse 159.
35. Glory Onoyeyan, (2018). Copyright Law and Photocopying Practice in Nigeria, Library Philosophy and Practice (e-journal), P. 2, retrieved from [https://digitalcommons.unl.edu/libphilprac?utm\\_source=digitalcommons.unl.edu%2Flibphilprac%2F2179&utm\\_medium=PDF&utm\\_campaign=PDFCoverPages](https://digitalcommons.unl.edu/libphilprac?utm_source=digitalcommons.unl.edu%2Flibphilprac%2F2179&utm_medium=PDF&utm_campaign=PDFCoverPages) on the 17<sup>th</sup> of February, 2024