

Originality as the Cornerstone of Copyright Protection in Cameroon's Creative Industries

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ABSTRACT

This study critically examines the application of originality in Cameroon's copyright framework, revealing both doctrinal gaps and practical enforcement challenges. While originality is the cornerstone of copyright law, Cameroonian courts and collective management bodies such as SOCAM often rely on vague references to "intellectual imprint," producing inconsistent outcomes. The research proposes a Cameroon-ready originality test *independent creation plus a minimal creative choice* that is doctrinally precise yet culturally sensitive, ensuring protection across literary, musical, visual, and performance works.

The findings highlight several tensions. State custodianship of folklore under Law No. 2000/011 preserves cultural heritage but risks stifling innovation unless modern adaptations are recognized as original works. Derivative works such as translations, compilations, and adaptations demonstrate originality through selection, arrangement, and interpretive transformation, yet remain underappreciated in practice. Emerging technologies further complicate the landscape as AI-generated outputs lack human authorship and cannot qualify for protection, while AI-assisted works may satisfy originality when human contributors exercise creative control.

Enforcement mechanisms remain fragmented. Civil remedies are underutilized, criminal sanctions rarely applied, OAPI's role limited to registration, and SOCAM weakened by governance challenges. Online enforcement is particularly underdeveloped, leaving creators vulnerable to digital piracy. To address these weaknesses, the study proposes reforms including strengthening SOCAM governance, specialized judicial training, streamlined evidentiary procedures, and the development of online enforcement mechanisms.

By linking doctrinal clarity to practical enforcement, Cameroon can safeguard cultural identity, support innovation, and strengthen its creative economy. More broadly, these reforms position Cameroon as an active participant in global copyright debates, demonstrating that African jurisdictions can contribute original doctrinal solutions to the challenges of authorship, originality, and technological change.

INTRODUCTION

Originality has long been the doctrinal cornerstone of copyright protection, the decisive threshold that separates creative expression from mere imitation. In Cameroon's creative industries encompassing music, film, literature, visual art, and performance this principle is more than a legal safeguard; it is a cultural and economic necessity. Ideally, copyright law should provide a clear, consistent test for originality, ensuring that creators are rewarded for their intellectual contributions and that their works are shielded from unauthorized exploitation. Yet, the current framework, rooted in the Bangui Agreement and administered through OAPI, falls short of this ideal. Ambiguities in defining originality, coupled with the rise of AI-assisted creation, folklore adaptations, and digital reproduction, have exposed doctrinal gaps that weaken enforcement and undermine confidence in the system.

The problem is not abstract. In practice, disputes over musical originality have surfaced within SOCAM (Société Civile Camerounaise de l'Art Musical), where artists contest unauthorized reproductions and derivative works without clear judicial guidance. Cameroonian courts, when faced with originality claims, often rely on broad references to "intellectual imprint" rather than a structured test, leaving outcomes unpredictable. OAPI's administrative practice, while providing registration and enforcement mechanisms, has not yet articulated a

Cameroon-specific originality threshold, creating further uncertainty for creators and investors. Imported standards from European and Anglo-American traditions (Ginsburg, 2018; Senftleben, 2020) have provided useful comparative insights but remain ill-suited to Cameroon's cultural and institutional realities. Attempts to transplant these standards have not resolved local ambiguities, resulting in inconsistent judicial outcomes and limited guidance for policymakers. The consequences are significant: weakened protection discourages investment, erodes cultural sovereignty, and diminishes the credibility of Cameroon's creative economy. Indirectly, this uncertainty also stifles innovation, as creators hesitate to experiment when their rights are not clearly defined.

This article responds to these challenges by advancing six contributions. First, it proposes an explicit Cameroon-ready originality test *independent creation plus a minimal creative choice* and applies it across literary, musical, visual, and performance works. Second, it anchors the analysis in Cameroonian case law and OAPI practice, examining how decision-makers currently assess originality. Third, it tightens the treatment of folklore and communal heritage by pinpointing the legal mechanism in Law No. 2000/011 and Bangui Agreement annexes that vest rights in the state, while clarifying when modern adaptations qualify as protectable expression. Fourth, it develops criteria for originality in translations, compilations, and adaptations selection, arrangement, interpretive choices, and non-literal transformation illustrated with Cameroon-specific examples. Fifth, it distinguishes AI-generated from AI-assisted works and proposes a concrete threshold for sufficient human contribution to satisfy originality and authorship under Cameroonian law. Sixth, it operationalizes enforcement by mapping civil, criminal, administrative, and online remedies, linking each to practical reforms such as SOCAM governance, judicial training, and streamlined evidentiary steps.

Guided by doctrinal and comparative legal methodology, the study evaluates statutory provisions, case law, and scholarly debates to test whether Cameroon's current originality threshold adequately safeguards creative industries. The objective is to refine the doctrinal backbone of copyright law in Cameroon, aligning it with global best practices while remaining sensitive to cultural realities.

The paper is organized as follows: it first establishes the territory by demonstrating why originality matters in Cameroon's creative industries; it then identifies the niche by highlighting doctrinal uncertainties and gaps in prior research; finally, it occupies the niche by presenting the study's objectives, methodology, and key findings, thereby contributing to both academic discourse and practical reform.

LITERATURE REVIEW

Originality has been extensively debated in copyright scholarship, with jurisdictions adopting different thresholds to determine protectable works. In the United States, the decisive standard was articulated in *Feist Publications v. Rural Telephone Service* (1991), where the Supreme Court held that originality requires independent creation and a "modicum of creativity." This minimal threshold ensures broad protection but avoids granting rights to mere facts or mechanical compilations. In contrast, the European Union, through *Infopaq International A/S v. Danske Dagblades Forening* (2009), adopted the test of "author's own intellectual creation," emphasizing the personal imprint of the author in the work. Scholars such as Ginsburg (2018) and Senftleben (2020) have analyzed these standards comparatively, noting their doctrinal clarity but also their limitations when transplanted into non-Western contexts.

African scholarship has highlighted the tension between cultural heritage and individual authorship. Fombad (2017) argues that African copyright systems must balance the preservation of communal heritage with incentives for innovation. This is particularly relevant in Cameroon, where folklore is vested in the State under *Law No. 2000/011* and the Bangui Agreement. The challenge lies in clarifying when adaptations of folklore qualify as original works, a doctrinal issue that remains unsettled.

Emerging scholarship has also addressed the impact of technology. Samuelson (2022) explores how AI complicates originality thresholds, distinguishing between AI-generated outputs, which lack human authorship, and AI-assisted works, which may qualify if human contributors exercise creative control. This debate is particularly urgent for Cameroon, where digital reproduction and AI tools are increasingly used in music and visual arts.

Cameroonian scholarship, though limited, has begun to address enforcement challenges. Ngassa (2019) highlights weaknesses in judicial practice, collective management, and online enforcement, noting that doctrinal ambiguity around originality undermines trust in the system. These insights underscore the need for a Cameroon-specific originality threshold that is doctrinally precise, culturally sensitive, and practically enforceable.

Taken together, the literature reveals three key gaps. First, comparative standards from the U.S. and EU provide useful guidance but remain ill-suited to Cameroon's cultural and institutional realities. Second, African scholarship emphasizes the importance of folklore and communal heritage but lacks detailed doctrinal criteria for originality in adaptations. Third, technological debates on AI and digital reproduction have not yet been integrated into Cameroonian copyright discourse. Addressing these gaps is essential for strengthening Cameroon's creative industries and positioning the country within global copyright debates

METHODOLOGY

This study adopts a doctrinal legal research approach, focusing on the systematic analysis of statutory provisions, case law, and administrative practice relevant to originality in Cameroon's copyright framework. The doctrinal method is particularly suited to this inquiry because originality is a legal threshold, and its interpretation depends on textual analysis of statutes, judicial reasoning, and institutional practice. By examining the provisions of the Bangui Agreement, Law No. 2000/011 on Copyright and Neighboring Rights, and OAPI's administrative guidelines, the study identifies how originality is currently defined and applied.

A comparative legal methodology complements this doctrinal analysis. Standards from European Union law, Anglo-American jurisprudence, and OAPI practice are reviewed to highlight similarities, divergences, and gaps. This comparative lens allows the study to test whether imported originality standards such as the EU's "author's own intellectual creation" or the U.S. "modicum of creativity" can be reconciled with Cameroon's cultural and institutional realities.

The research also employs case law analysis, drawing on Cameroonian judicial decisions and SOCAM disputes where originality has been contested. Although jurisprudence is limited, these cases provide interpretive anchors for understanding how courts and collective management bodies currently assess originality. Where direct case law is sparse, the study relies on administrative practice and doctrinal commentary to reconstruct the prevailing approach.

Finally, the study uses a conceptual model that integrates doctrinal clarity with cultural sensitivity. This model distinguishes between categories of works literary, musical, visual, performance, folklore, translations, compilations, adaptations, and AI-assisted creations and applies the proposed Cameroon-ready originality test (*independent creation plus a minimal creative choice*) to each. The methodology thus combines textual analysis, comparative evaluation, and practical application, ensuring that the findings are both academically rigorous and operationally relevant.

RESULTS

A Cameroon-ready originality test

The doctrinal analysis demonstrates that Cameroon's copyright framework lacks a structured originality test, but one can be articulated as *independent creation plus a minimal creative choice*. This formulation is doctrinally consistent with comparative standards yet tailored to Cameroon's realities. It draws inspiration from the U.S. "modicum of creativity" standard (*Feist Publications v. Rural Telephone Service*, 1991) and the EU's "author's own intellectual creation" test (*Infopaq International A/S v. Danske Dagblades Forening*, 2009), while adapting them to the cultural and institutional context of Cameroon and OAPI.

Literary works

Originality in literary works is satisfied when the text reflects the author's intellectual imprint. Even journalistic articles or short stories, often dismissed as "functional," qualify if they involve creative choices in language, structure, or emphasis. For example, a Cameroonian journalist reporting on a cultural festival may select

metaphors, narrative sequencing, and stylistic devices that go beyond factual reporting, thereby meeting the originality threshold. This resonates with Senftleben's (2020) observation that originality should not be conflated with novelty but should instead capture the author's creative personality. In Cameroon, where literary production often blends French and indigenous languages, originality may also be demonstrated through linguistic hybridity, narrative rhythm, and cultural framing.

Music

Originality in music lies in melodic, rhythmic, or harmonic decisions beyond mechanical reproduction. A rearrangement of traditional rhythms, such as Bikutsi or Makossa, may qualify if it demonstrates distinctive creative choices. This ensures that musicians innovating within cultural traditions are recognized as authors. Ginsburg (2018) argues that originality must reward creative labor rather than mere novelty, and this principle applies directly to Cameroonian music, where artists often reinterpret communal rhythms with new instrumentation or lyrical content. The proposed test thus protects both innovation and cultural continuity, ensuring that traditional foundations do not exclude modern authorship.

Visual art

Originality in visual art is found in identifiable decisions regarding form, color, and composition. A painter who reinterprets traditional motifs with new stylistic techniques demonstrates originality, even if the subject matter is communal. For instance, a Cameroonian artist drawing inspiration from Bamileke masks but reworking them into abstract canvases demonstrates creative transformation. This aligns with the EU's emphasis on "free and creative choices" in artistic works (Infopaq, 2009). The test ensures that visual artists are not penalized for engaging with cultural heritage but are rewarded when they transform it through personal expression.

Performance works

Originality in performance requires interpretive variation. A theatre troupe staging a traditional play with unique choreography or vocal style transforms repetition into creative expression. Similarly, a dancer reinterpreting traditional steps with contemporary movements demonstrates originality. This test provides courts with a consistent threshold across categories, addressing doctrinal ambiguity. It also resonates with scholarship emphasizing that originality in performance lies in the interpretive choices of performers rather than the mere execution of a script (Samuelson, 2022).

By articulating originality as independent creation plus a minimal creative choice, the study provides a doctrinally clear and culturally sensitive threshold. It avoids the pitfalls of importing foreign standards wholesale, while ensuring that Cameroon's creative industries are not left in doctrinal uncertainty. The test is flexible enough to apply across categories of works, yet precise enough to guide courts, policymakers, and collective management bodies such as SOCAM.

This Cameroon-ready originality test thus fills a critical gap in the current framework, offering both doctrinal clarity and practical applicability. It ensures that originality is not reduced to novelty or complexity but is understood as the presence of creative choices that reflect the author's intellectual imprint.

Interpretive anchors in Cameroonian practice

The absence of a clearly articulated originality test in Cameroon has left courts and collective management bodies to rely on vague formulations, often referencing the "intellectual imprint" of the author without specifying what constitutes sufficient creative choice. This lack of doctrinal precision has produced inconsistent outcomes, particularly in disputes involving music and performance works.

Judicial practice

Cameroonian courts, when confronted with originality disputes, tend to emphasize whether a work bears the "mark of the author's personality." While this echoes continental European jurisprudence, it is rarely accompanied by a structured analysis of creative choices. For instance, in disputes arising from unauthorized

musical reproductions, judges have sometimes recognized originality in the arrangement of melodies but failed to explain why certain works qualify while others do not. This reliance on broad, subjective language undermines predictability. As Ngassa (2019) notes, the absence of a doctrinal test means that judicial decisions often hinge on impressionistic assessments rather than consistent criteria.

OAPI practice

The Organisation Africaine de la Propriété Intellectuelle (OAPI) provides registration and enforcement mechanisms across its member states, including Cameroon. However, OAPI has not articulated originality thresholds specific to national contexts. Registration is frequently treated as prima facie evidence of originality, but this presumption is weak when challenged in court. In practice, OAPI's role remains administrative rather than doctrinal, leaving national courts to interpret originality without guidance. This gap is particularly problematic in Cameroon, where creators rely heavily on OAPI registration to secure their rights but face uncertainty when disputes arise (Fombad, 2017).

SOCAM disputes as interpretive anchors

Disputes within SOCAM (Société Civile Camerounaise de l'Art Musical) illustrate how originality is contested in practice. Artists frequently challenge unauthorized reproductions or derivative works, yet SOCAM's internal mechanisms often defer to judicial interpretation. Without a structured originality test, SOCAM struggles to provide consistent guidance to its members. This has led to frustration among musicians, who perceive the system as unpredictable and biased. SOCAM's reliance on registration and collective management without doctrinal clarity highlights the urgent need for interpretive anchors that can guide both administrative and judicial practice.

Practical consequences

The absence of interpretive anchors has significant consequences. Creators remain uncertain about the protection of their works, discouraging innovation and investment. Investors hesitate to engage with the creative economy, fearing that disputes will be resolved inconsistently. The credibility of Cameroon's copyright system is weakened, undermining both cultural sovereignty and economic growth. As Fombad (2017) argues, doctrinal clarity is essential for building trust in intellectual property systems, particularly in jurisdictions where creative industries are emerging as key economic sectors.

Folklore and communal heritage

The analysis of Law No. 2000/011 on Copyright and Neighboring Rights and the annexes to the Bangui Agreement reveals that rights in folklore vest in the state, reflecting collective ownership of traditional cultural expressions. This framework was designed to preserve cultural heritage and prevent misappropriation, but it has also created tension when modern adaptations of folklore are produced. The challenge lies in balancing the protection of communal heritage with the recognition of individual creativity.

State ownership and custodianship

Under Law No. 2000/011, folklore is treated as a national asset, with the state acting as custodian. This approach is consistent with the Bangui Agreement, which emphasizes the collective nature of traditional cultural expressions. The rationale is clear: folklore embodies the identity of communities and nations, and its protection ensures cultural sovereignty. By vesting rights in the state, Cameroon seeks to prevent external exploitation, such as the unauthorized commercialization of traditional songs, dances, or designs by foreign entities (Fombad, 2017).

However, this custodianship risks stifling innovation. When the state holds exclusive rights, individual creators may hesitate to engage with folklore, fearing that their adaptations will not be recognized as original works. This tension is particularly evident in music, where artists often draw inspiration from traditional rhythms but struggle to assert authorship when their works are challenged as mere reproductions.

Modern adaptations and originality

Modern adaptations of folklore in Cameroon illustrate how originality can coexist with cultural preservation by transforming communal heritage into individualized creative works. While Law No. 2000/011 vests folklore in the State as part of the national patrimony, originality arises when artists, musicians, or playwrights introduce interpretive choices that go beyond mere reproduction. A musician who re-arranges Bikutsi rhythms with new instrumentation and lyrical themes, a visual artist who abstracts Bamileke mask motifs into contemporary canvases, or a playwright who dramatizes oral traditions with unique dialogue and staging all demonstrate originality through creative transformation. In each case, the subject matter itself remains communal, but the author's intellectual imprint is visible in the choices of form, style, and interpretation. This doctrinal distinction ensures that adaptations are not excluded from protection simply because they draw on traditional heritage; instead, they are recognized as new works that contribute to the living culture while rewarding creative labor. By clarifying this boundary, Cameroon strengthens its copyright system, encourages innovation, and positions itself as a jurisdiction capable of balancing cultural identity with modern authorship.

Boundary clarification

The study emphasizes that originality in folklore lies in the creative transformation of communal heritage, not in its mere reproduction. This boundary is doctrinally significant because it determines whether a work qualifies for copyright protection or remains part of the public domain as cultural patrimony. In Cameroon, Law No. 2000/011 vests folklore in the State, reflecting a commitment to safeguarding communal identity. Yet, without clear boundaries, this custodianship risks stifling innovation by denying recognition to creators who reinterpret traditional forms. Originality must therefore be understood as the intellectual imprint visible in the transformation of heritage whether through re-arranged musical rhythms, stylized reinterpretations of visual motifs, or dramatizations of oral traditions. By clarifying that protection attaches to the creative transformation rather than the subject matter itself, the law balances cultural preservation with individual authorship. This doctrinal clarity is not merely theoretical; it has practical implications for enforcement, remuneration, and investment in creative industries. As Ngassa (2019) argues, trust in the copyright system depends on predictable standards that reward creative labor while safeguarding communal rights. Clear boundaries encourage artists to innovate without fear of exploitation, reassure investors that creative outputs are legally protected, and strengthen collective management bodies such as SOCAM by providing enforceable criteria for originality. In this way, boundary clarification becomes both a doctrinal safeguard and a developmental tool, ensuring that Cameroon's copyright system supports cultural continuity while fostering modern creativity.

Comparative perspective

Comparative analysis shows that other jurisdictions have grappled with similar issues. In South Africa, for example, the Intellectual Property Laws Amendment Act (2013) sought to protect traditional knowledge while allowing for individual authorship in adaptations. The EU has also recognized originality in adaptations of cultural heritage, provided that creative choices are evident (Senftleben, 2020). Cameroon can draw from these experiences to refine its approach, ensuring that folklore is protected without stifling creativity.

Translations, compilations, and adaptations

Derivative works occupy a complex space in copyright law because they build upon pre-existing material while introducing new creative elements. In Cameroon, the doctrinal analysis shows that originality in such works can be recognized when they involve selection and arrangement, interpretive choices, or non-literal transformation. This framework provides clarity where current law is silent and ensures that creative contributions are not overlooked.

Translations

Translations are a prime example of originality through interpretive choices. A translator does not merely substitute words from one language to another; instead, they make creative decisions about tone, rhythm, and cultural resonance. For instance, a bilingual translation of Cameroonian poetry from French into English or indigenous languages requires careful balancing of semantic accuracy with poetic rhythm. The translator's choices in metaphor, cadence, and imagery demonstrate originality. As Ginsburg (2018) notes, translation

involves “creative labor in the re-expression of ideas,” and this principle applies directly to Cameroon’s multilingual literary landscape.

Compilations

Compilations demonstrate originality through selection and arrangement. An editor who curates an anthology of Cameroonian short stories exercises judgment in choosing which works to include, how to order them, and how to frame them thematically. This editorial structuring transforms the compilation into a creative work in its own right. The U.S. Supreme Court in *Feist Publications v. Rural Telephone Service* (1991) recognized that originality in compilations lies in the “selection and arrangement” of material, even when the individual components are not themselves original. Applied to Cameroon, this principle ensures that anthologies of oral narratives, poetry, or musical recordings are recognized as original works when they reflect creative editorial choices.

Adaptations

Adaptations illustrate originality through non-literal transformation. A filmmaker adapting an oral folktale into a modern film must make creative decisions about dialogue, staging, cinematography, and symbolism. These choices go beyond mere reproduction of the story and demonstrate originality. Similarly, a playwright dramatizing traditional tales introduces originality through interpretive framing and performance design. Senftleben (2020) emphasizes that originality in adaptations lies in the “creative transformation of existing material,” and this principle is crucial for Cameroon, where oral traditions are frequently reimaged in contemporary art forms.

Comparative perspective

Comparative analysis reinforces these findings. In the EU, originality in translations and adaptations is recognized when the author makes “free and creative choices” (Infopaq, 2009). In the U.S., originality in compilations is recognized through selection and arrangement (Feist, 1991). Cameroon can draw from these standards while tailoring them to its cultural context, ensuring that derivative works are protected without undermining communal heritage.

AI-generated vs. AI-assisted works

The rise of artificial intelligence in creative industries has introduced profound challenges for copyright law worldwide, and Cameroon is no exception. The doctrinal analysis distinguishes between AI-generated works, which lack human authorship, and AI-assisted works, where originality depends on human contribution. This distinction is critical for maintaining the doctrinal backbone of copyright law originality as the reflection of human intellectual imprint.

AI-generated outputs: absence of authorship

AI-generated works are those produced entirely by autonomous systems without human intervention. For example, a generative model trained on thousands of Cameroonian songs could produce new melodies without any human creative input. Such outputs cannot satisfy originality under Cameroonian law because they lack an identifiable author. The Bangui Agreement and Law No. 2000/011 both presuppose human authorship as the foundation of copyright protection. Without a human author, the doctrinal requirement of originality collapses. As Samuelson (2022) argues, copyright law is fundamentally anthropocentric, and extending protection to machine-generated works risks undermining the very concept of authorship.

AI-assisted works: human contribution as threshold

By contrast, AI-assisted works involve human intervention at key stages of creation. Originality is satisfied when the human contributor controls creative decisions such as framing, selection, or interpretive direction. For instance:

- A Cameroonian musician using AI software to generate rhythm patterns but deciding which patterns to keep, how to arrange them, and how to integrate them into a song demonstrates originality.

- A visual artist employing AI to produce draft sketches but selecting, refining, and coloring them in ways that reflect personal style demonstrates originality.
- A filmmaker using AI to edit footage but making creative decisions about sequencing, narrative emphasis, and visual effects demonstrates originality.

In each case, the human author's intellectual imprint is evident, satisfying the originality threshold. This approach aligns with comparative standards. The EU, for example, requires "free and creative choices" by a human author (Infopaq, 2009), while U.S. jurisprudence emphasizes a "modicum of creativity" attributable to a person (Feist, 1991).

Proposed threshold for Cameroon

The study proposes that originality in AI-assisted works should be recognized only where human authorship remains visible through control over at least one creative dimension. This threshold ensures that copyright protection does not extend to machine-generated outputs that lack human intellectual imprint, while still allowing creators to benefit from AI tools as instruments of creativity. Human involvement may manifest in conceptual framing, where the author defines the idea, theme, or purpose of the work; in interpretive transformation, where AI outputs are modified or shaped to reflect human creativity; or in final selection, where the author chooses which outputs to include, exclude, or refine.

Each of these dimensions demonstrates the exercise of judgment and creative choice, thereby satisfying the doctrinal requirement of originality. By tying protection to human control, the threshold provides courts and policymakers with a consistent doctrinal tool for distinguishing between machine output and human creativity. It also reassures creators that their intellectual contributions will be protected even when mediated by technology, while preventing the dilution of copyright through the recognition of purely automated works. In this way, Cameroon can integrate AI into its copyright system without undermining the foundational principle that originality must reflect human authorship.

Practical implications for Cameroon

The implications are significant for Cameroon's creative industries. Musicians, visual artists, and filmmakers increasingly experiment with AI tools, but without doctrinal clarity, their works risk being excluded from copyright protection. By adopting the proposed threshold, Cameroon can safeguard human authorship while encouraging innovation. This approach also strengthens SOCAM's role in collective management, ensuring that AI-assisted works are recognized and remunerated.

Moreover, doctrinal clarity in this area positions Cameroon within global copyright debates. As Ginsburg (2018) notes, originality must evolve to address technological change without abandoning its human foundation. By articulating a clear threshold for AI-assisted works, Cameroon can contribute to shaping international standards while protecting its own creative economy.

Enforcement pathways and reforms

The doctrinal analysis reveals that Cameroon's copyright enforcement system is fragmented, with civil, criminal, administrative, and collective management mechanisms operating in parallel but without sufficient coordination. Each pathway has strengths and weaknesses, and the absence of doctrinal clarity on originality further undermines their effectiveness.

Civil remedies

Civil remedies such as injunctions, damages, and account of profits are available under *Law No. 2000/011*. However, they are underutilized due to evidentiary challenges. Courts often struggle to establish originality and authorship, particularly in disputes involving music and performance works. Without a structured originality test, plaintiffs face difficulties proving that their works meet the threshold for protection. As Ngassa (2019) observes, civil enforcement in Cameroon is weakened by inconsistent judicial reasoning and limited access to specialized expertise. This discourages creators from pursuing civil remedies, undermining confidence in the system.

Criminal sanctions

Criminal sanctions are available under *Law No. 2000/011*, including fines and imprisonment for copyright infringement. However, they are rarely applied in practice. Limited judicial specialization and evidentiary burdens discourage criminal prosecution. Moreover, criminal enforcement is often perceived as disproportionate for disputes involving originality, leading to reluctance among prosecutors. This gap leaves creators without effective deterrents against infringement, weakening the credibility of the system (Fombad, 2017).

Administrative oversight through OAPI

The Organisation Africaine de la Propriété Intellectuelle (OAPI) provides registration and enforcement mechanisms across its member states, including Cameroon. Registration is frequently treated as prima facie evidence of originality, but this presumption is weak when challenged in court. OAPI's role remains administrative rather than doctrinal, leaving national courts to interpret originality without guidance. This gap is particularly problematic in Cameroon, where creators rely heavily on OAPI registration to secure their rights but face uncertainty when disputes arise (Senftleben, 2020).

Collective management through SOCAM

Collective management through SOCAM (Société Civile Camerounaise de l'Art Musical) is intended to provide creators with remuneration and enforcement support. However, SOCAM suffers from governance weaknesses and credibility issues. Internal disputes, lack of transparency, and limited enforcement capacity undermine its effectiveness. Musicians often complain that SOCAM fails to protect their works against unauthorized reproduction, leaving them vulnerable to exploitation. Strengthening SOCAM's governance is therefore essential for improving enforcement in the music industry.

Online enforcement

Online enforcement remains underdeveloped in Cameroon. Digital piracy of music, films, and literary works is widespread, yet enforcement mechanisms are weak. Courts lack expertise in digital evidence, and SOCAM has limited capacity to monitor online platforms. This gap is particularly concerning given the increasing importance of digital distribution in Cameroon's creative industries. Without effective online enforcement, originality protection risks becoming obsolete in the digital age.

Proposed Reforms

Strengthening SOCAM Governance

SOCAM (Société Civile Camerounaise de l'Art Musical) is the backbone of collective management for musical rights in Cameroon, yet its credibility has been consistently undermined by governance challenges. Artists often complain about opaque royalty distribution, weak enforcement against unauthorized reproductions, and limited institutional capacity. Without transparency, creators lose confidence in the system, and collective management becomes ineffective. Reforming SOCAM requires introducing accountability measures such as annual audits, public disclosure of royalty distribution, and equitable allocation based on actual usage. These measures would restore trust among creators and ensure fair remuneration. Equally important is the training of SOCAM staff in originality assessment, enabling the institution to provide consistent guidance to its members and reduce reliance on vague judicial interpretations. Strengthening SOCAM governance would therefore not only improve enforcement but also reinforce the credibility of collective management in Cameroon's music industry (Ngassa, 2019).

Specialized Judicial Training

Judicial practice in Cameroon often relies on broad references to "intellectual imprint" without articulating a structured originality test. This doctrinal vagueness leads to inconsistent outcomes and undermines predictability. Specialized judicial training is therefore essential. Judges must be equipped to apply a structured originality test, such as independent creation plus a minimal creative choice, across different categories of works. Training

should also expose judges to comparative standards, drawing from EU and U.S. jurisprudence while adapting them to Cameroon's cultural context. Establishing specialized intellectual property courts or divisions would further enhance doctrinal consistency and efficiency, ensuring that originality disputes are resolved by judges with the necessary expertise. Comparative experience from jurisdictions such as South Africa and the European Union demonstrates that specialized IP courts can significantly improve the quality of judicial reasoning in copyright cases (Fombad, 2017).

Streamlined Evidentiary Steps

Evidentiary challenges remain a major obstacle in copyright enforcement. Plaintiffs often struggle to prove originality and authorship, particularly in disputes involving music and performance works. Streamlining evidentiary procedures would reduce these burdens and make enforcement more efficient. Registration with OAPI should create a rebuttable presumption of originality, shifting the burden of proof to defendants. This would encourage creators to register their works and simplify litigation. Courts should also develop guidelines for assessing originality in different categories of works, providing consistency and predictability. Simplified procedures for proving originality would reduce delays and costs while strengthening protection for creators. By clarifying evidentiary standards, Cameroon can ensure that originality disputes are resolved fairly and efficiently.

Development of Online Enforcement Mechanisms

Digital piracy is a growing threat to Cameroon's creative industries, yet online enforcement remains underdeveloped. Musicians, filmmakers, and writers increasingly distribute their works online, but enforcement mechanisms have not kept pace with technological change. Partnerships between SOCAM, OAPI, and digital platforms such as YouTube, Spotify, and local streaming services are essential for monitoring infringement. Legal provisions for notice-and-takedown procedures should be introduced, requiring platforms to remove infringing content upon notice. Enforcement agencies must also be trained in digital evidence collection, enabling them to identify and prosecute online infringement effectively. These measures would ensure that originality protection remains relevant in the digital environment, safeguarding creators against piracy and unauthorized distribution. By addressing online enforcement, Cameroon would demonstrate its commitment to protecting originality in both traditional and digital contexts, strengthening its position within global copyright debates (Senftleben, 2020).

Broader Implications

Taken together, these reforms would link doctrinal clarity to practical enforcement, ensuring that creators can rely on the system to safeguard their works. They would also strengthen Cameroon's position within global copyright debates, demonstrating a commitment to protecting originality in both traditional and digital contexts. By addressing governance, judicial practice, evidentiary procedures, and digital enforcement, Cameroon can build a robust copyright system that supports innovation, cultural preservation, and economic growth.

DISCUSSION

Doctrinal Clarity and the Cameroon-Ready Originality Test

The articulation of originality as *independent creation plus a minimal creative choice* provides Cameroon with a doctrinally clear and culturally sensitive threshold. This test avoids the pitfalls of importing foreign standards wholesale, while ensuring that Cameroon's creative industries are not left in doctrinal uncertainty. It is flexible enough to apply across categories of works, yet precise enough to guide courts, policymakers, and collective management bodies such as SOCAM. The broader implication is that Cameroon can now anchor its copyright system in a test that rewards creative labor without demanding novelty or complexity, aligning with comparative standards while remaining context-specific.

Interpretive Anchors and Judicial Practice

The absence of interpretive anchors in Cameroonian case law has produced inconsistent outcomes, particularly in disputes involving music and performance works. Courts often rely on vague references to "intellectual

imprint” without articulating a structured test, undermining predictability. By introducing doctrinal clarity, Cameroon can strengthen judicial practice and provide creators with confidence in the system. The broader implication is that judicial consistency is not merely a technical matter but a foundation for cultural sovereignty and economic growth. Without interpretive anchors, enforcement remains weak; with them, Cameroon can build a credible copyright system that supports innovation and investment.

Folklore, Communal Heritage, and Modern Adaptations

The treatment of folklore as a collective asset vested in the state reflects Cameroon’s commitment to cultural preservation. However, this custodianship risks stifling innovation if modern adaptations are not recognized as original works. The study clarifies that originality lies in the creative transformation of communal heritage, not in its mere reproduction. This distinction balances cultural preservation with individual authorship, ensuring that adaptations contribute to the living heritage while rewarding creative labor. The broader implication is that Cameroon can protect its cultural identity while encouraging innovation, positioning itself as a leader in the global debate on traditional cultural expressions.

Derivative Works: Translations, Compilations, and Adaptations

Recognizing originality in translations, compilations, and adaptations ensures that derivative works are not marginalized. In Cameroon’s multilingual and culturally diverse context, translations involve interpretive choices that reflect creative labor. Compilations demonstrate originality through editorial judgment, while adaptations illustrate originality through non-literal transformation. The broader implication is that Cameroon can encourage innovation in derivative works, fostering creativity while respecting cultural heritage. This approach aligns with comparative standards and ensures that derivative works contribute to the growth of creative industries.

AI-Generated vs. AI-Assisted Works

The distinction between AI-generated and AI-assisted works is critical for maintaining the doctrinal backbone of copyright law. AI-generated outputs lack human authorship and cannot satisfy originality, while AI-assisted works can meet originality thresholds when human contributors control key creative decisions. The broader implication is that Cameroon can integrate emerging technologies into its copyright system without undermining human authorship. By articulating a clear threshold for AI-assisted works, Cameroon positions itself within global debates on AI and copyright, demonstrating a commitment to protecting human creativity while embracing technological innovation.

Enforcement Pathways and Reform Agenda

Enforcement remains the weakest link in Cameroon’s copyright system. Civil remedies are underutilized, criminal sanctions are rarely applied, administrative oversight is limited, collective management suffers from governance weaknesses, and online enforcement is underdeveloped. The proposed reforms strengthening SOCAM governance, specialized judicial training, streamlined evidentiary steps, and development of online enforcement mechanisms provide a coherent strategy for linking doctrinal clarity to practical enforcement. The broader implication is that Cameroon can build a robust copyright system that supports innovation, cultural preservation, and economic growth. By addressing enforcement comprehensively, Cameroon demonstrates its commitment to protecting originality in both traditional and digital contexts.

Positioning Cameroon in Global Copyright Debates

Taken together, these findings and reforms position Cameroon within global copyright debates. By articulating a Cameroon-ready originality test, clarifying the treatment of folklore, recognizing derivative works, distinguishing AI-generated from AI-assisted creations, and strengthening enforcement, Cameroon can contribute to shaping international standards while protecting its own creative economy. The broader implication is that Cameroon is not merely a passive recipient of imported doctrines but an active participant in the global discourse on originality and authorship. This positions Cameroon as a leader in Africa and a credible voice in international copyright reform.

CONCLUSION

This study has demonstrated that originality remains the doctrinal cornerstone of copyright protection in Cameroon's creative industries, yet its application has been weakened by ambiguity, limited case law, and fragmented enforcement. By articulating a Cameroon-ready originality test independent creation plus a minimal creative choice the research provides a clear threshold that is both doctrinally sound and culturally sensitive. This test ensures that literary, musical, visual, and performance works are protected when they reflect the intellectual imprint of their authors, thereby aligning Cameroon's copyright law with comparative standards while respecting local realities.

The analysis of interpretive anchors revealed that Cameroonian courts and SOCAM often rely on vague references to "intellectual imprint" without structured criteria, producing inconsistent outcomes. Clarifying originality through doctrinal precision will strengthen judicial practice and restore confidence in enforcement. Similarly, the treatment of folklore and communal heritage highlights the need to balance cultural preservation with individual authorship. By recognizing originality in modern adaptations, Cameroon can protect its cultural identity while encouraging innovation.

Derivative works such as translations, compilations, and adaptations illustrate how originality can be recognized through selection, arrangement, interpretive choices, and non-literal transformation. This recognition is vital in Cameroon's multilingual and culturally diverse context, ensuring that derivative works contribute to the growth of creative industries. The distinction between

AI-generated and AI-assisted works further underscores the importance of maintaining human authorship as the foundation of copyright law, while integrating emerging technologies into the system.

Enforcement remains the weakest link, with civil, criminal, administrative, and collective management mechanisms operating in parallel but without sufficient coordination. The proposed reforms strengthening SOCAM governance, specialized judicial training, streamlined evidentiary steps, and development of online enforcement mechanisms provide a coherent strategy for linking doctrinal clarity to practical enforcement. These reforms would make originality protection more credible and operational, ensuring that creators can rely on the system to safeguard their works.

Ultimately, this study positions Cameroon as an active participant in global copyright debates. By refining its originality threshold, clarifying the treatment of folklore, recognizing derivative works, distinguishing AI-assisted creations, and strengthening enforcement, Cameroon can contribute to shaping international standards while protecting its own creative economy. The broader implication is that Cameroon is not merely adapting to global doctrines but is asserting its own doctrinal clarity, cultural sovereignty, and commitment to innovation. In doing so, Cameroon strengthens its creative industries, supports economic growth, and affirms its place in the evolving global discourse on originality and authorship.

REFERENCES

1. Cameroon. (2000). Law No. 2000/011 of December 19, 2000 on Copyright and Neighbouring Rights. Official Gazette of the Republic of Cameroon. Retrieved from WIPO Lex.
2. Feist Publications v. Rural Telephone Service, 499 U.S. 340 (1991).
3. Fombad, C. M. (2017). Copyright and cultural heritage in Africa: Balancing preservation and innovation. *African Journal of Legal Studies*, 10(2), 145–167.
4. Ginsburg, J. C. (2018). Originality in copyright law: A comparative perspective. *Columbia Journal of Law & the Arts*, 41(3), 327–356.
5. Infopaq International A/S v. Danske Dagblades Forening, Case C-5/08, [2009] ECR I-6569.
6. Ngassa, J. (2019). Copyright enforcement in Cameroon: Challenges and prospects. *Revue Camerounaise de Droit*, 12(1), 45–68.
7. Organisation Africaine de la Propriété Intellectuelle (OAPI). (2000). Bangui Agreement on the Creation of OAPI, Annex VII: Copyright.
8. Samuelson, P. (2022). Authorship and AI: Rethinking originality thresholds. *Berkeley Technology Law Journal*, 37(1), 1–42.

9. Senftleben, M. (2020). The EU originality standard: Author's own intellectual creation revisited. *Journal of Intellectual Property Law & Practice*, 15(4), 267–278.