



**Examining the Dezny Walk Trend and the Protectability of Dance  
Moves as Copyright**

**By**

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## INTRODUCTION

While one could peer into an 1870s debutante ball or a 1970s disco and see people following a set of steps, our modern era seems altogether less structured because the emergence of digital platforms like TikTok has changed the dynamics of creation of dance moves.<sup>1</sup> Unlike in the past, most trending dance moves are no longer strictly choreographed in defined sequences that make it technical to replicate. Instead, many of today's dance trends rely on simple, easy-to-follow moves that do not require much practice or a strict pattern to be replicated, making it easier for dances to be replicated. It creates opportunities for dance challenges to go viral organically, or through sponsored promotions on social media. Anyone irrespective of age or background can pick a dance and copy it.

Once a dance challenge starts gaining traction, it can spread rapidly across the platform, as numerous users begin to create their own versions and infuse them with a personal flair. This often results in a surge of dance routines circulating throughout the app.<sup>2</sup>

Some common dances on social media are '*Nahsammy move*', *Brain Jotter's Gwo Gwo Ngwo viral dance*, and *Expresso dance challenge*.

## EMERGENCE OF THE 'DEZNY WALK' DANCE TREND

In the Dezny walk, the dancer incorporates a slight "bounce" with his steps. His legs are spaced a little wider than normal with his knees slightly bent forward while the hands on both sides maintain a consistent motion that syncs with the footwork.

The walk move is a viral TikTok trend originating from Nigerian content creator Destiny Ogie Osarewinda popularly known as Dezny. It stems from a comedy skit created by Dezny, showing this particular walking steps to music, which many Nigerians now find interesting and hilarious.

## THE LEGAL STATUS OF DANCE AS A COPYRIGHTABLE WORK

The emergence of trendy dance moves such as the Dezny walk has prompted questions on the potential for the legal protection of dance steps. It is important to state from the onset that dance moves may qualify as an intellectual property. Under the Copyright Act of respective countries, such as the Nigerian Copyright Act 2022, categories of creative works that could be protected as copyright are clearly identified. Specifically, in Section

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<sup>1</sup>Tait Amelia, 'Meet the choreographers behind some of TikTok's most viral dances' (WIRED UK, 18 August 2020) <https://www.wired.com/story/tik-tok-dances/> accessed 27 March 2026

<sup>2</sup> 'The Phenomenon of Dance Challenges on TikTok: A Cultural and Social Revolution' (Mimiqit, 01 August 2024) <https://www.mimiqit.com/uncategorized/dance-challenges-on-tiktok/> accessed 27 March 2026

2(1) of the Nigerian Copyright Act 2022, works eligible for copyright are stated to include literary, artistic, musical, audiovisual works, sound recordings and broadcasts. Section 108 (1) further highlights works that are classified as Literary works which include novels, poetical works, plays, stage directions, choreographic works, among others. The focus of this article is on the legal status of one of these copyrightable works, that is, choreographic works or dance moves.

According to the Nigerian Copyright Act, choreographic work refers to “a composition of movements for dancing or any other patterned succession of gestures mostly created to accompanying music”.<sup>3</sup> Such compositions of movements are protected as copyright under the Act, being literary works within the meaning of the Act.

In addition to the foregoing, Article 2(1) of the Berne Convention for the Protection of Literary and Artistic Works, a treaty to which Nigeria is a signatory, protects choreographic works as 'literary and artistic' works. It prescribes that works in general will only be protected if they have been fixed in some material form, and that creators in signatory nations have the right to prohibit unauthorized public performances and adaptation of their work.

### **CAN DANCE MOVES LIKE DEZNY WALK QUALIFY FOR COPYRIGHT PROTECTION**

Choreography, as an intellectual property particularly in Nigeria, keeps raising a number of questions as to how it can be protected, and what elements should be protected in it. It also raises questions on what qualifies as a copyrightable dance routine and to what extent dancers can protect their work.

By the provision of Section 108 of the Nigerian Copyright Act, and the definition of choreographic work” as composition of movements of patterned gestures created to accompany music, the Dezny walk may fall under this definition to qualify as a choreographic work. The question, however, is whether the choreographic work (Dezny dance) would enjoy or qualify for copyright protection.

In order to retain the personal rights, protection and ownership embedded in the use of intellectual works such as dance, a choreography must possess important elements. These elements are originality and fixation. Originality means that the expression must originate from the author and involve at least a minimal level of skill and labour. The author of the work must be clearly identified and such work should not be a pre-existing work that has been wholly created by another person.

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<sup>3</sup> Copyright Act 2022, s 108(1)

**Fixation**, on the other hand, means that it must be put in a tangible medium of expression.<sup>4</sup> Importantly, the dance must have been saved somehow, capable of being sensed, read or seen digitally or in any other mode available, with its sequence/ patterns unambiguously illustrated and carved. Fixation of dance or choreography may be achieved through Labanotation, dance notations, video recordings of a performance, textual descriptions, photographs, or drawing.<sup>5</sup>

The absence of any of these two requirements automatically disproves the entitlement and right of an individual to a choreography.

Dance steps need not to be novel or brilliant, the work needs to be mechanical, trivial and going beyond basic and common steps. Thus, it is expected that some creative arrangement, and sequence is reflected in any dance that seeks protection.

Drifting away from the Nigerian law, Circular 52 of the Copyright Registration of Choreography and Pantomime of the United States highlights some elements that may be embedded in a choreography, to qualify for protection in the US:<sup>6</sup>

- A Rhythmic movements of one or more dancers' bodies in a defined sequence and a defined spatial environment, such as a stage
- A series of dance movements or patterns organized into an integrated, coherent, and expressive compositional whole
- A story, theme, or abstract composition conveyed through movement
- A presentation before an audience
- A performance by skilled individuals, and musical or textual accompaniment

It also makes provisions for dances that cannot be protected. Thus, social dances, simple routines, and some other movements cannot be registered as separate and distinct work of authorship, even if they contain a substantial amount of creative expression.

Conversely, some dances are not also protectable according to the US Copyright Registration of Choreography and Pantomime. These are ballroom dances, folk dances, line dances, social dances, square dances or general exercise routines like

- Athletic activities, such as a new tennis swing, a golf swing, or a unique slam-dunk maneuver
- Feats of physical skill or dexterity
- Skateboarding or snowboarding tricks

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<sup>4</sup> Copyright Act 2022, s 2(2) (a) & (b)

<sup>5</sup> Donghoo Sohn, Esq, 'Understanding Choreography Copyright (SJKP Law Firm LLP) <https://www.daeryunlaw.com/us/insights/dance-copyright-in-new-york>. Accessed 15 April 2026

<sup>6</sup> US copyright registration of choreography and Pantomime, circular 52

- Yoga poses and sequences

A notable example of a social dance is the 'Moon walk' dance popularized by Michael Jackson in the early 2000s. It was stripped off of any form of copyright protection as more scholars argued that it is more of a social dance or rather, a repeated cycle of the slow backward dance which shows little or no substantial intellectual activity.<sup>7</sup> Many other dances also share the same attribute — short and consisting only of a few steps that can be easily copied.<sup>8</sup>

The Dezny walk dance has thousands of re-created videos across various social media apps and with the video itself taking over 2 million likes and over 19 million views as of April 25, 2026.

The social village thrives on trends.<sup>12</sup> Due to its fast paced popularity, it is only a matter of time before artistes, gamers and producers incorporate the Dezny walk into their music videos, games and even movies. With this possibility in sight, it is only trite to ask questions as to whether the dance can be copyrighted, licensed or even assigned to creatives wanting to bank on its popularity.

In the Carlton and Milly's case, choreography was tagged as a medium of expression that requires a level of complexity and artistic intention; the supreme court ruled that no one could own a dance step,<sup>9</sup> further reinforcing the stance that basic dance steps and social routine do not usually enjoy copyright protection.

Relating it to our subject matter (the Dezny walk), on the one hand, it could be argued that the particular dance was more of a simple, singular move or gesture rather than an arrangement or sequence of movements, rhythm and space. This is because a close up look at the dance shows a repeated movement of the body in a walk like manner posing as a softer version of the trend gorilla walk which might make it fall short of the originality and sequential criteria.

On the other hand, an argument about the uniqueness and originality of the dance moves/gestures could also be presented. The court is likely to find that the dance enjoys

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<sup>7</sup> David' Michael Jackson copyrighted his unique 45 degree stance<aaaipright.com > (IP right, 10th November) accessed on 5th April, 2026

<sup>8</sup> 'Stephen' Dance meme copyrighted?It's complicated. (Penn libraries , University of Pennsylvania November 29,2023) accessed on 5th April,2026

<sup>9</sup> Marie Claire O'Leary' Fortnite' Gets Legal—Dance Moves Are Not Copyrightable, American University Business Law Review<[aublr.org](http://aublr.org)> accessed on 15 April, 2026

copyright considering the commercial viability of the dance and the fact that the public attribute the ingenuity or creativity in creating the dance move to Dezny.

While U.S. legal principles may be referenced, their application within Nigeria remains entirely at the discretion of the Nigerian Copyright Commission and the judiciary. So far, we are yet to see such decisions or guides in Nigeria. However, the originality rule is to the effect that copyrightable dances should not be social dances. This further calls for deliberate action by the legislature and the Nigerian Copyright Commission to review and reform Nigeria copyright laws specifically on choreography to properly create clear and descriptive guidelines, and clarity.

### **CHALLENGES IN DANCE MOVES PROTECTION**

Whilst it is trite that dance moves are regarded as a creative product capable of copyright protection under the copyright laws of respective jurisdictions, they are nevertheless certain rules or requirements that must be satisfied before a dance move would qualify for legal protection. Thus, the copyright protection of dance moves is not automatic.

As the Nigerian creative industry expands, creatives and talents within the country continue to seek active ways to protect their craft. In the same vein, dancers on social media platforms such as Instagram and TikTok are also seeking to understand the possibility of legal protection for their dance moves. However, a common problem faced by these TikTok dances is that most of their dance moves are regarded as social dance routines. These categories of dance are regarded as a set of choreographed moves, designed for recreation and social interaction are usually replicas of already existing dances hereby lacking the required intellectual activity and originality criteria required for dance copyright.

As stated by Cassandra Sokpo in her book "The Mediation Dance of Choreography Copyright", social dance routines have been given the legal backing/ foundation as to why they are not copyrightable all premised in its lack of intellectual activity and originality.<sup>10</sup>

Another problem choreographers face is meeting up with the fixation criteria, a *sine qua non* for Copyright protection. Due to the lack of IP knowledge amongst Nigerian dancers, most of these dances are created without fixing them in a medium of expression known or yet to be known either through recording, written notations amongst others. Sometimes, these dances are formed without the creator realizing they ought to be

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<sup>10</sup> Cassandra Sokpo, "The Mediation Dance of Choreography Copyright," Pepp. Disp. Resol. L.J. 25 (2025): 93 Available at: <https://digitalcommons.pepperdine.edu/drlj/vol25/iss1/4>

recorded and fixed and once fixation becomes sparse, the original creator might be stripped of the opportunity to lay claims to such work.

Lastly, due to globalization, the world is now a global village where rapid replication and remix culture are the new norm. In a world where even the choreographers are not fully abreast of their rights and how to protect them, originality as well as ownership might get lost in the replicated or remixed version.

## **CONCLUSION**

In conclusion, in the absence of clear the evolving discourse on choreography is bound on the copyright commission or courts to determine what would be classified as a simple dance or protectable choreography work.

