



FAQs On Intellectual Property Rights In Nigeria

? What is Intellectual Property (IP)?

According to the World Intellectual Property Organization (WIPO), *"Intellectual property refers to creations of the mind such as: inventions; literary and artistic works; and symbols, names and images used in commerce."*

? What type of IP rights do you have in Nigeria?

Nigeria, like most countries, recognises these four types of Intellectual property:

- i. Copyright
- ii. Trademark
- iii. Patent
- iv. Industrial Design

? What is the Legal Framework for IP in Nigeria?

The principal legislations on Intellectual Property rights in Nigeria are:

- a. Copyright Act (as amended)
- b. Patents and Designs Act
- c. Trademarks Act Merchandise
- d. Marks Act Trade Malpractices
- e. (Miscellaneous Offences) Act 2004

? What is the regulatory framework for IP in Nigeria?

There is no central regulatory agency for IP protection in Nigeria. The areas have their own regulatory agencies, which are:

- a. The Nigerian Copyright Commission (NCC)
- b. The Nigerian Broadcasting Commission (NBC)
- c. The Trademarks, Patents and Designs Registry
- d. National Office for Technology Acquisition and Promotion (NOTAP)

? What treaties relating to the protection of Intellectual Property rights has Nigeria ratified?

The following international IP regimes in the form of treaties have been ratified and domesticated by Nigeria. They include:

- a. The Paris Convention for the Protection of Industrial Property (ratified in September 1963)
- b. The Rome Convention for Performers, Producers of Phonograms and Broadcasting Organisations (ratified in October 1993)
- c. The Patent Law Treaty (ratified in April 2005)
- d. Patent Co-operation Treaty (ratified in May 2005)

? How do I benefit from registering my IP rights in Nigeria?

Registering your IP rights in Nigeria will help you in the following ways:

- a. It will distinguish your business from those of your competitors.
- b. You will have the right to stop others from using the registered invention and the right to permit its use by other individuals under agreed terms.
- c. You will have the right to take legal action against anyone who infringes on the registered invention and claim for damages.
- d. It will help to portray your business as a creative and innovative one.
- e. You will have the right to grant others a license to use your invention, or sell it, as with any asset

? Do I have any recourse should my IP rights be breached in Nigeria?

Several legal remedies available upon a breach of your IP rights.