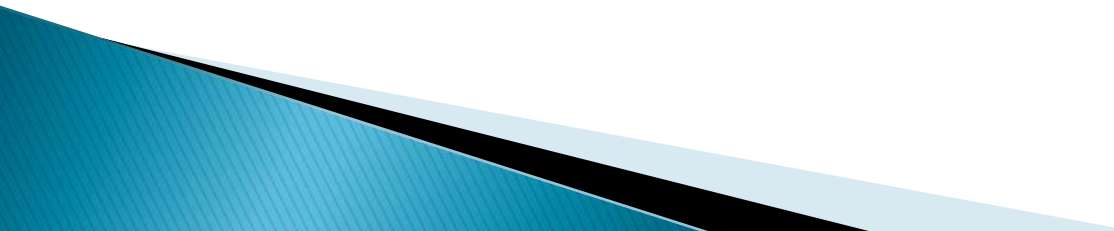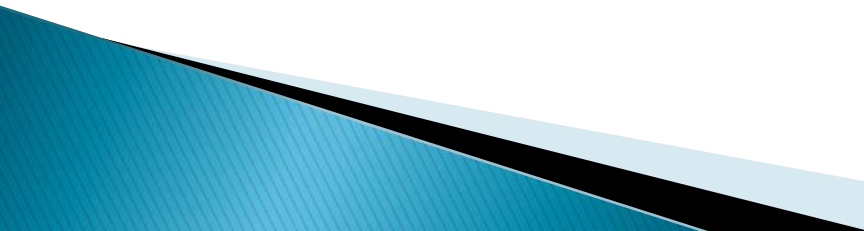# COUNTRY REPORT

NIGERIA
Khasiyat O Aliyu.
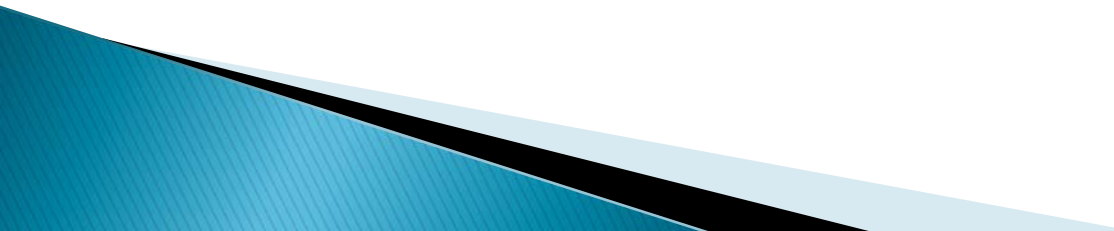
IP OFFICE OVERVIEW

- The intellectual property office of Nigeria is the Commercial Law department in the Ministry of Industry Trade and Investment, known as Trade marks, Patent and Designs Registry. It used to be a semi-autonomous organization because it was allowed to manage its affairs without interference from the ministry and also access its funds directly.
- This fund was 20% of the annual budget of the ministry, but for the last three years it has not had access to this fund and with the introduction of the single treasury account by the present administration it has become increasingly difficult. so, presently the commercial law department is completely dependent and under the administration of the ministry of industry trade and investment.
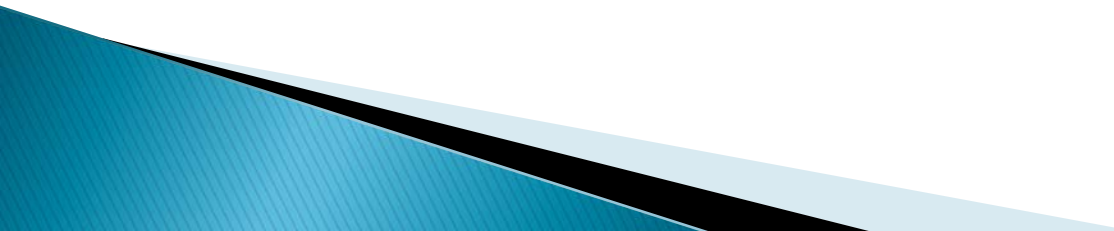
INTERNAL STRUCTURE.

- At the helm of affairs of the commercial law department is the Chief Registrar, he is assisted by two Deputy Chief Registrars {DCR} who are also overall supervisors of Trademarks, Patents and Designs units respectively.
- We have four Principal Assistant Registrars {PAR} who are the examiners.
- We also have the Senior Assistant Registrars {SAR} and the Assistant registrars {AR} who are the head of units and their assistant.
- Then we have the support staff. They include secretaries, executive officers, commercial officers, youth corps members and interns.

BUDGET FOR ICT

- ▸ The department has no specific allocation for ICT, but whatever support or provision is needed by the CLD is catered for by the ministry and the ICT department of the ministry.
- ▸ The ICT requirements of the department is also supported by WIPO and consultants who handle the online system of registration platform and manage the IPAS server.
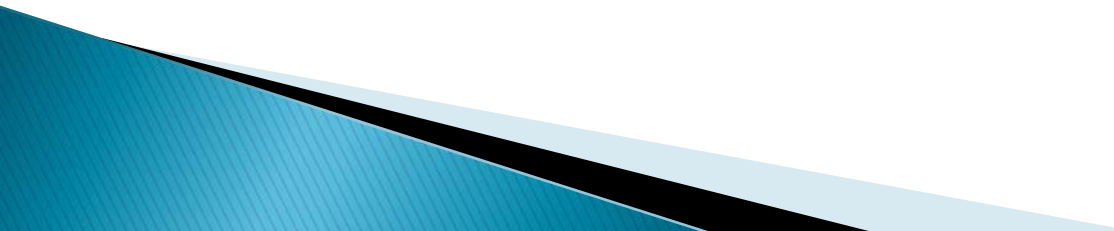
TOTAL NUMBER OF IP/ICT STAFF.

▸ There are   22 IP staff and 59 support staff in the department bringing the total to 81 in all.

▸ Like I said we do not have ICT staff in the department, but for the two Ip officers with a background in ICT who have been designated to handle ICT matters.
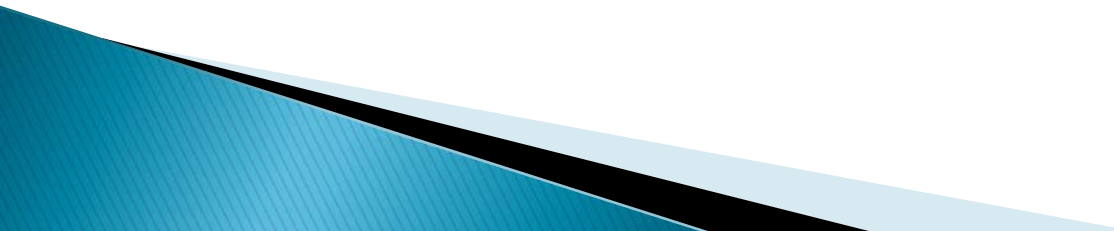
KNOWLEDGE OF ICT AMONG IP STAFF/IP LEGISLATION

- The IP staff are all conversant with ICT to a large extent considering the fact that all actions, generation of user documents and processes of registration of applications have to be done online or using the IPAS system.

- In Nigeria, intellectual property right is governed by Trade marks act Cap. 436 Laws of the Federation of Nigeria {LFN},the patents and designs act Cap. 344 LFN 1990 and Trademark rules of 1967.
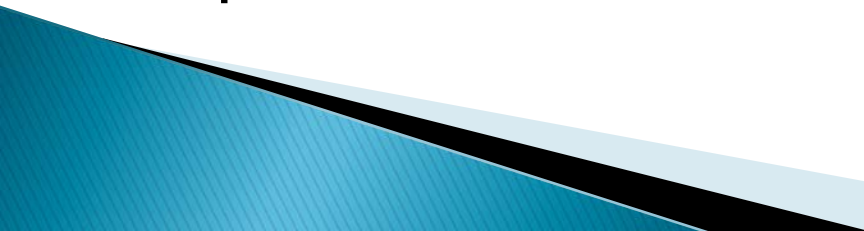
IP FUNCTIONS.

- Generally the office is in charge of registration of trade marks patent and designs.
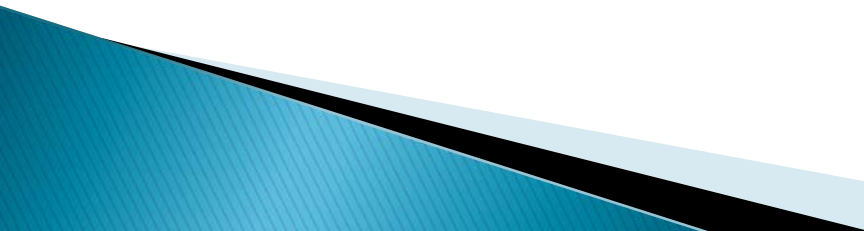- They also implement the laws as provided by the trade marks act.

NUMBER OF APPLICATIONS SINCE INCEPTION.

▸ Between 1972 and 2010 we have about 18,707 trademarks applications, 8,599 patents and some designs,

▸ The industrial designs on the other hand were categorized into textile and non textiles.

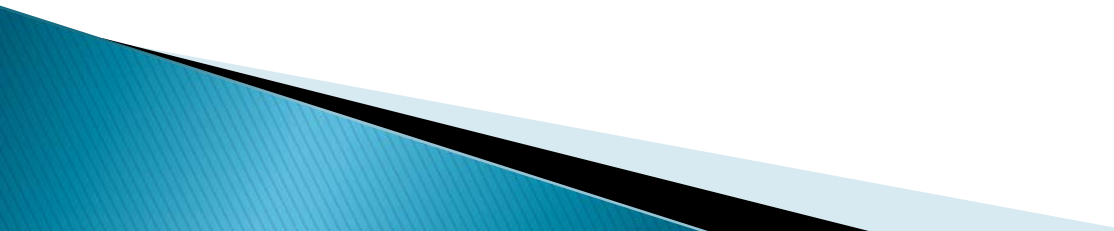▸ Out of the 4,318 registered within that period 1,418 were textiles while 2,925 were non textiles,

IP REGISTRATION SINCE 2010

- For applications since 2010 ,including all Manual, Online and IPAS application, we have about 94,610.
- Pending applications and user documents in all stages of registration and processing such as formalities exam, search, acceptance and certificate are about 12,606.
- We are in the process of data capturing presently.
- Above 24,000 files have so far been captured to the IPAS system.
- Our target is to capture 50,000 files in the first quarter

CURRENT AUTOMATION STATUS

- All our process are done on the system and a hard copy of all completed office action is then generated
- For IPAS, payment is made via Remita platform.
- New applications and user documents are received at the front office/reception.
- A file is opened for application and data is captured at the front office.
- Application is verified and validated still at the front office

JOURNAL

- Our journal is generated on the IPAS system, which is then published in a paper format.
- Journal publication is free of charge.
- It is then accessible at the registry for a fee.

DATA EXCHANGE PROGRAM/ONLINE SERVICES

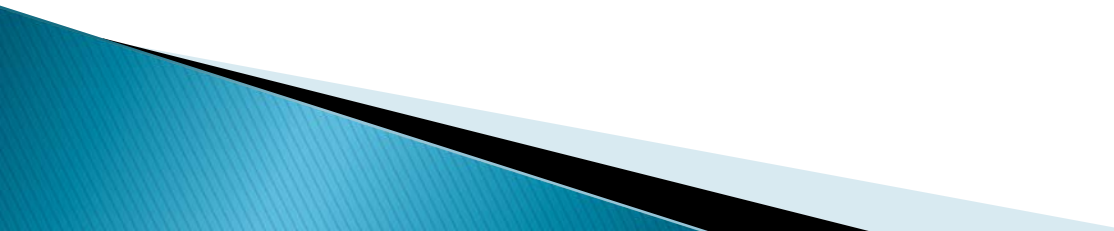- We do not exchange data with any organization at the moment nor do we offer online services for the IPAS system

CHALLENGES

- Lack of adequate skilled manpower to tackle the inflow of applications on a daily basis
- Inadequate ICT infrastructural facility.

BENEFITS OF PREVIOUS WIPO PROGRAM

- We have not participated in any WIPO regional program previously.

FUTURE AUTOMATION PLANS

- First our office would like to complete the manual applications data capture which it has started.
- Integrate the Online and IPAS form of registration into one system.
- Incorporate all Online data into the IPAS.
- Deploy the IPAS system online. This will enable online search and payment by applicants.

THANKS.