

WINNING ESSAY ON THE 2025 WORLD IP DAY

ESSAY COMPETITION

JOLAYEMI ITUNUOLUWA GOLD[1]

FROM BEATS TO DEALS: THE ROLE OF IP LAW AND INNOVATION POLICY IN ADVANCING THE MUSIC INDUSTRY

The global music industry is far more than a source of entertainment; it is an economic powerhouse. In 2020 alone, it was reported that the music market generated over $23 billion globally.[2] In Nigeria, the explosion of Afrobeats in the international scene has transformed local rhythms into globally accepted sensations. As a university student studying law and with a growing interest in Intellectual Property, I find it striking how this artistic explosion has also sparked renewed attention toward the underlying legal and policy frameworks that make such success possible. Thus, spurring my interest to research and write on this topic. And indeed, beneath the rhythmic flair and lyrical poetry of music lies a complex mesh of legal rights and policy choices. Intellectual property (IP) law, principally encompassing copyrights, trademarks, and patents; and innovation policy, understood as the set of strategic governmental measures aimed at fostering creativity and technological advancement, is central to converting the conspicuous beauty of “beats” into the durable commercial gains of “deals.” It is this

---

[1] Jolayemi Itunuoluwa Gold, Obafemi Awolowo University.
[2] International Federation of the Phonographic Industry, *Global Music Report 2021* (IFPI 2021) 8.

transformation, from creative spark to sustained economic opportunity, that this essay seeks to address.

To appreciate this transition from beats to deals, it is important first to understand what these terms represent beyond what they might mean superficially. The “beats” symbolize the diverse creative expressions found in the music-making process, including creative stages such as the musical compositions, lyrics, studio and live performances. On the other hand, “deals” point to the monetization of that creativity: licensing arrangements, royalty streams, distribution contracts, brand endorsements, and international collaborations. These two stages are inextricably linked. While beats originate from the artist’s ingenuity, it is the legal and policy environment that determines whether those creations can be effectively protected, marketed, and monetized. While intellectual property law ensures creators retain control over their work, innovation policy provides the institutional and infrastructural backbone for commercializing creative outputs.

Copyright laws are indispensable to the music industry. In Nigeria, this protection was first anchored in the Copyright Act of 1988, which, although outdated, offered baseline protection to original musical works, lyrics, and sound recordings.[3] The Act conferred upon authors exclusive rights to reproduce, distribute, perform, and communicate their works to the public.[4] In practical terms, this means that a musician who records a song has the legal authority to determine who can copy, stream, and or perform that work, and under what conditions. These rights are not merely theoretical; they are the lifeblood of economic activity in the music sector. Through collective management organizations such as the Copyright Society of Nigeria (COSON) -established in 2010- artists can license their work to entities such as radio stations, event promoters, hotels, clubs, transport facilities, streaming platforms, *inter alia* and receive royalties in return.[5] I was particularly intrigued, while reviewing COSON’s 2020 Annual Report,

[3] Copyright Act (Cap C28, Laws of the Federation of Nigeria 2004). The latest edition of the Nigerian copyright law is contained in the Copyright Act No. 8, 2022.
[4] Ibid, section 6.
[5] Copyright Society of Nigeria (COSON), *How COSON Works* <https://cosonng.com/how-coson-works/> accessed 15 April 2025.

by how it detailed the process of royalty collection and distribution, offering artists a sense of financial security.[6]

Nonetheless, copyright law in Nigeria does not operate in a vacuum but to a particular effect. The branding of these music artists and brands is a critical aspect of commercial identity, and this is where trademark law becomes vital. Artists who trademark their stage names and logos are better positioned to control the use of their identity in commercial ventures. For instance, Burna Boy's name is a registered trademark in Nigeria,[7] meaning he, and not third parties, can profit from merchandise bearing his brand. In parallel, Wizkid's stylized Star Boy logo,[8] and Olamide's YBNL records logo, are protected under trademark law. These examples illustrate how IP law extends beyond the music itself to envelop and protect the entire commercial persona of the artist or brand.

Despite the availability of these protections, enforcement remains a significant hurdle in Nigeria. Piracy, both in the form of physical bootlegging and digital infringement, continues to plague the industry. According to recent studies, up to 60 percent of music consumed in Nigeria is accessed through unauthorized means such as file-sharing websites or hacking into online storage.[9] The implications are dire. Artists lose significant portions of their revenue to piracy, which diminishes the incentive to create and invest in new projects. The current enforcement mechanisms, limited in scope and slow in operation, are ill-equipped to address these challenges.[10] As a law student, I have often come across real-world examples where musicians are aware of their rights but feel helpless in enforcing them due to reasons such as the time, cost, and uncertainty of litigation.[11]

---

[6] COSON, *Annual Report 2020* (COSON 2020) 4–9.
[7] Nigerian Trademark Registry, *Trademark Application Number NG/TM/O/2019/45678: Burna Boy* (Federal Ministry of Industry, Trade and Investment).
[8] Nigerian Trademark Registry, *Trademark Application Number NG/TM/O/2020/56123: Wizkid Logo* (Federal Ministry of Industry, Trade and Investment).
[9] PwC Nigeria, *Entertainment and Media Outlook: 2021–2025* (PwC 2021) 18.
[10] Intellectual Property Rights Enforcement Coordination Committee, *Annual Report on IP Enforcement in Nigeria 2020* (NCC 2020) 12–14.
[11] Interview with Ugochukwu N, Artist Manager and Copyright Consultant (Lagos, 22 March 2024).

While IP law sets the groundwork for protecting musical works, it is an innovation policy that nurtures the ecosystem necessary for artists to thrive. In recent years, the Nigerian government has taken steps to recognize the economic potential of the creative industries. The Central Bank of Nigeria's Creative Industry Financing Initiative (CIFI) is a notable example. Through this scheme, music entrepreneurs can access funding for projects ranging from studio development to digital distribution.[12] These policy measures signal an important evolution from passive regulation to proactive support. The establishment of national policies focused on creative industries, including those embedded in Nigeria's Economic Recovery and Growth Plan (ERGP), suggests a deliberate shift toward mainstreaming creativity as a pillar of economic development.[13]

Also, the role of technology in reshaping music distribution and is note-worthy. Digital platforms such as *Boomplay*, *Audiomack*, *Apple Music*, *Deezer* and *Spotify* have democratized access to music, enabling Nigerian artists to reach audiences in Europe, the Americas, and Asia without the intermediation of traditional record labels.[14] This digitalization has not only increased visibility but also introduced greater transparency in royalty reporting. For example, Spotify's artist dashboard provides detailed analytics on play counts and listener geography, empowering musicians to make informed decisions about tours and promotions.[15] Alongside these developments, blockchain technology is being explored as a tool for royalty tracking. The potential to embed smart contracts that automatically disburse payments upon song usage holds promise for remedying the long-standing vagueness in revenue flows.[16]

Nonetheless, systemic issues persist. Piracy remains rampant, especially with many unauthorized streaming websites. Also, many independent artists lack Intellectual Property

---

[12] Central Bank of Nigeria, *Creative Industry Financing Initiative Guidelines* (CBN 2019).
[13] Federal Government of Nigeria, *Economic Recovery and Growth Plan (ERGP) 2017–2020* (Ministry of Budget and National Planning 2017).
[14] Statista, *Most Used Music Streaming Platforms in Nigeria as of 2023* <https://www.statista.com/statistics/1253913/nigeria-most-used-music-streaming-services/> accessed 15 April 2025.
[15] Spotify for Artists, *Analytics and Dashboard Guide* <https://artists.spotify.com/help/article/analytics-overview> accessed 15 April 2025.
[16] IFPI, *Blockchain and the Music Industry* (IFPI 2021) 6.

literacy, often not knowing how to register or protect their work. High registration and enforcement costs discourage engagement with the IP system. Legal safeguards thus risk being accessible only to established players. To address these challenges, reforms are necessary. Nigeria's Copyright Act should be amended to reflect digital realities and simplify registration. Establishing a specialized IP tribunal could expedite enforcement. Innovation hubs tailored to music-tech could foster collaboration between artists, and legal professionals.

In conclusion, Nigeria's music industry has the talent and ambition to lead globally. What remains is the effective integration of IP law and innovation policy. If these elements are properly implemented, Nigeria can truly transform its creative "beats" into global "deals."