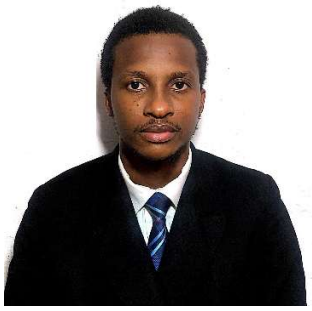
Intellectual Property and Technology
26th March 2025



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THE LEGAL CHALLENGES ENCOUNTERED IN PROTECTING SOFTWARE APPLICATIONS IN NIGERIA[1]

INTRODUCTION

The widespread use of software in contemporary culture has changed how we communicate, work, and live. Protecting software applications against theft, illegal use, and misappropriation has become more urgent as software continues to play an increasingly important role in fostering innovation, economic growth, and social progress. Nigeria is not an exception, with its rapidly growing information and communication technology sector. Many obstacles still remain even with the legal and institutional frameworks such as copyrights, patents and trademarks that are intended to protect software applications. As a result of these difficulties, software developers and inventors are exposed to serious financial and reputational risks, undermining the efficacy of intellectual property legislation in safeguarding software applications.

This article aims to highlight the major challenges associated with these mechanisms, with a view to enhancing comprehension and enforcement of intellectual property law related to software protection.

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Challenges in Protecting Software Applications in Nigeria

A. Exorbitant Cost of Intellectual Property (IP) Registration

Intellectual property law protects the rights of owners of works created by the exertion of the mind or intellect to use such works exclusively, barring any use of the work without the owner's prior consent.[2] However, the exorbitant costs of registering intellectual property rights is a major barrier. Even among Small and Medium Enterprises (SMEs) that are fully aware of the benefits of IP rights for their business operations, high IP protection costs are a major hindrance. IP Costs means all reasonable external costs, fees and expenses required for:

i. drafting, filing, prosecution and protection of all applications for the registration of Intellectual Property Rights or supplementary protection certificate applications comprised within the background IP;

ii. maintenance and extension of all registrable Intellectual Property Rights comprised within the background IP; and

iii. enforcement of the background IP, in the event of unauthorized use or appropriation.[3]

In Nigeria, the cost of a patent application typically comes in at around USD 420 to USD 700 with the inclusion of legal fees.[4] This is a sum that accounts for the entire capital of some Nigerian SMEs. As finances are a problem for many SMEs, these high costs are a major disincentive for seeking IP protection. The cost of trademark registration in Nigeria is between $225 and $325 per classification (not including search and attorney fees).[5] In this case, the charges may differ, taking into consideration that the professional fees of

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2 See, Uche Nwokocha, 'Sub-Sahara Africa: Intellectual Property Rights Development' *Mondaq* (13 January 2009) available at <https://www.mondaq.com/nigeria/trademark/70872/sub-sahara-africa-intellectual-property-rights-development> accessed 28 February 2025.

3 See, Law insider, ' IP costs definition' *Law Insider* (ND) available at <https://www.lawinsider.com/dictionary/ip-costs#:~:text=IP%20Costs%20means%20the%20documented%2C%20un%2Dreimbursed%2C%20out%2D,Patents%20or%20other%20IP%20Rights.> accessed 28 February 2025.

4 See, Resolution Law, 'Filing For a Patent In Nigeria' available at <https://www.resolutionlawng.com/the-cost-and-requirements-of-filing-for-a-patent-in-nigeria/#:~:text=By%20and%20large%2C%20Nigerian%20Patent%20Attorneys%20charge%20between,professional%20fees%20to%20complete%20a%20single%20patent%20application>. accessed 28 February 2025.

5 See, Abou Naja 'Top 10 Intellectual Property Challenges Businesses Face' *Abou naja* (16 March 2023) available at <https://www.abounaja.com/blogs/intellectual-property-challenges> accessed 28 February 2025.

various trademark lawyers or agents cannot be the same. By and large, the total cost, including the professional fee for registering a trademark may cost up to $500 or more for a foreign-owned trademark provided the trademark is not opposed. If the trademark registration is opposed for any reason, the total cost of registration will go up significantly, as more cost will be required for opposition proceedings.[6]

The expense of obtaining a patent is greater and more dispersed among numerous specialists while copyright and industrial design protection costs are typically proportional to the maturity of a country's copyright and identification (ID) infrastructure. From the aforementioned, it appears that in budgeting the costs relating to the acquisition of IP rights, entrepreneurs are forced to take into consideration not only the official fees (including application fees, publication fees and maintenance fees) but also the costs relating to application preparation and prosecution and legal advisory (in Nigeria) with the inclusion of translation costs whenever the applicant intends to utilize foreign language documentation.[7]

As a result of this, the costs of getting IP protection may be perceived by many SMEs or software inventors as exceeding the potential benefits to be obtained from protection, particularly considering that a significant part of the costs may be incurred before the product has reached the market. This is exacerbated by the fact that lenders, investors or government programs rarely provide financial support for the protection of IP rights.[8]

B. Patent Eligibility Criteria

A patent is an exclusive right granted for an invention, a product, or a process that provides a new way of doing something or offers a new technical solution to a problem.[9] Under Nigerian law, patents may cover a wide range of inventions, so long as they meet the requirements of patentability, are new, result from inventive activity, and are capable of

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6 See, Resolution Law, 'Procedures and Cost for Trade mark and Patent Registration in Nigeria' *Resolution Law* (ND) available at <https://www.resolutionlawng.com/procedures-and-cost-for-trademark-and-patent-registration-in-nigeria/> accessed 28 February 2025.

7 See, Sati-Salmah, Sukarmijana and Olivia De Vega Saponga, 'The importance of intellectual property for SMEs; Challenges and moving forward' (A conference proceeding on International Agribusiness Marketing held at Kuala Lumpur, Selangor, Malaysia from 22-23 October 2013) 77, available at <www.sciencedirect.com> accessed 28 February 2025.

8 See, K. Idris, *Intellectual Property A Power Tool For Economic Growth* (Switzerland: World Intellectual Property Organization, 28 February 2025).

9 See, Adeife Omolumo, 'Nigeria: Right To Patent Software-Based Inventions' *The Trusted Advisors* (29 March 2023) available at <https://www.mondaq.com/nigeria/patent/1298824/right-to-patent-software-based-inventions> accessed 28 February 2025.

industrial application.[10] For more clarity on this patent eligibility criteria, Section 1(2) of the Patents and Designs Act, 1971 provides that:

i. an invention is new if it does not form part of the state of the art;

ii. An invention results from inventive activity if it does not obviously follow from the state of the art, either as to the method, the application, the combination of methods, or the product which it concerns, or as to the industrial result it produces and;

iii. An invention is capable of industrial application if it can be manufactured or used in any kind of industry, including agriculture.[11]

The state of the art refers to previous knowledge that was publicly accessible before the filing date of a patent application, encompassing written or oral descriptions, public use, or any other form of disclosure. However, inventions displayed at official international exhibitions within six months prior to filing are not considered as publicly disclosed.[12]

In other words, an 'invention' can be regarded as new if it has not been published previously or is contained in an anticipatory publication. In **Otto v. Steel**,[13] the court held that 'the anticipatory document in the case of a written publication could be a book, journal or an earlier patent application, so long as the document was ordinarily accessible to the public. On novelty and inventive step, the court held in the case of **Windsurfing v. Tabur,**[14] that the patent was anticipated by the prior published article and by young Peter Chilver's home-made sailboard.[15] It was further argued that patents are for practical inventions, not for theories or ideas. So, to be patentable, the requirement is quite wide. It means that the invention must be useful in any kind of industry, including agriculture. Patents protect the idea or concept underlying the invention. It also protects against copiers and independent inventors. Despite the fact that patents do not explicitly provide for protection of software programs, it is safe to say that patent law covers these as well, so long as they meet the requirements. Thus, in addition to copyright protection, a software

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10 Section 1 of the Nigerian Patents and Designs Act, 1971.

11 See, Bisola Scott, 'Intellectual Property Protection for Software Rights in Nigeria' available at <https://spaajibade.com/intellectual-property-protection-for-software-rights-in-nigeria/> accessed 28 February 2025.

12 Section 1(3) of the Act

13 (1850) 31 Ch D. 241.

14 (1985) R.P.C. 59, C.A.

15 See, Paul Marett*, Intellectual Property Law*, (London: Sweet and Maxwell, 1996) 94.

invention should be protected under patent law in Nigeria if it satisfies the requirements stated above.[16]

One major challenge in relying on patent protection for software lies in the inherent nature of software development. Software programs are typically built upon existing ideas, innovations, and mathematical formulas, making them cumulative and sequential innovations. This means that many software programs do not always meet the patent requirement of inventiveness, as they often adapt and improve upon previous works.[17]

Furthermore, it has been observed that the right to ownership of a patent in Nigeria is strictly tied to the fulfilment of the eligibility criteria without any further examinations made by the registrar. There is no way to truly ascertain the owner of an invention as protection is only offered to the first eligible person to present the application.[18] Simply put, an inventor has no protection when someone else beats him to his game. Thus, in a situation whereby one steals another's device and goes ahead to register the new software programme, being worked on by another, there will be no means of ascertaining the true owner of the software. This shows a general inadequacy of a strict application of the patent eligibility criteria.[19]

Finally, it is crucial to state that the Nigerian Patent Registry does not ipso facto exclude patent applications for software or computer-implemented inventions.[20] However, software programs may contend with eligibility requirements in an examination-based jurisdiction due to their inherent attributes. This is because mathematical formulas, algorithms, and laws of nature which are fundamental components of a software application are not protectable under patent law unless they produce a practical application or industrial result. This challenge is also reflected in European patent law, where the European Patent Convention explicitly excludes computer programs "as such"

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16 See, Seun Lari-Williams, 'Need for Better Intellectual Property Protection of Software in Nigeria' *IP Press* (1 September 2021) available at <https://www.theippress.com/2021/09/01/need-for-better-intellectual-property-protection-of-software-in-nigeria/#_ftn9> accessed 28 February 2025.

17 See, Law Right, 'Is Patent The Best Protection for Computer Programs?' *Law Right* (14 September 2016) available at <https://www.law-right.com/is-patent-the-best-protection-for-computer-programs/> accessed 28 February 2025.

18 See, O.M Atoyebi, 'An Examination of Patent and Design Protection in Nigeria: Prospects and Problems' *Omaplex* (4 September 2023) available at <https://omaplex.com.ng/an-examination-of-patent-and-design-protection-in-nigeria-prospects-and-problems/> accessed 28 February 2025.

19 Section 6(4) of the Nigerian Patents and Designs Act, 1971.

20 See, Ayodele and Damola, **'**Patentability of Inventions under the Nigeria's Patents and Designs Act: An Examination*' NAUJILJ* [2017] (8)(2) 53.

from patentability. In other words, software programs are not inherently patentable and must demonstrate a further technical effect or innovation to be eligible for protection.[21]

Software and hardware work in tandem in today's information society, so it is no wonder that intellectual property protection of software is crucial not only for the software industry, but for other businesses as well.[22] The growth of the software industry has engendered increased intellectual property recognition for software inventions. Copyright protection is generally viewed as the traditional medium for protecting software but is limited by the broad access of third parties to development tools, new programming languages, and internet-based development methods. There is an increasing reliance on the patent system to provide even greater protection.[23] Software patent, if employed, can be an extremely powerful economic tool. They can protect features of a program that cannot be protected under copyright or trade secret law.

C. Enforcement Issues

The weak enforcement of IP rights in Nigeria has put a brake on innovation and IP protection by software inventors. A major case is the overwhelming prevalence of piracy in the country. Every year, Nigeria loses about USD 3 billion to piracy.[24] The prevalence of piracy is seemingly affirmed by Nigeria's abysmally low share in Africa's annual royalty collections in spite of the fact that the country's creative industry is one of the largest in Africa. CISAC's Global Collections Report 2020 shows that Algeria, Morocco, and South Africa accounted for more than 70 percent of the continent's royalty collections in 2020.[25] With external pirates hijacking the bulk of the revenue that should ordinarily accrue to creators, there is little incentive for SMEs to keep innovating, creating or investing in the protection of their creations. The sustained prevalence of IP infringement has resulted in an apathetic attitude towards IP protection and innovation. Counterfeiting and piracy harms legitimate businesses and workers who play pivotal roles in creating,

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21 European Patent Convention, Art 2(c) and 3.

22 WIPO, 'Patenting Software' *WIPO* (ND) available at <www.wipo.int/sme/en/documents/software_patent_fulltext.html> accessed 28 February 2025.

23 See, W. A. Hoyng and Frank W.E., *Global Patent Litigation Strategic and Practice*, (Netherlands: Kluwer Law International, 2 June 2007) 51.

24 See, *This Day*, 'NCC: Nigeria Loses $3bn Annually to Piracy' This Day (16 February 2024) available at <https://www.thisdaylive.com/index.php/2019/04/26/ncc-nigeria-loses-3bn-annually-to-piracy> accessed 28 February 2025.

25 See, Oyinkansola Komolafe, 'Intellectual Property, SMEs and Economic Recovery in Nigeria' (September 2021) *WIPO Magazine*, available at <https://www.wipo.int/wipo_magazine/en/2021/03/article_0008.html> accessed 28 February 2025.

manufacturing, distributing, and selling genuine products. In addition, because infringing products are often substandard in quality, they can harm consumers in a myriad of ways, by for example posing serious health and safety risks.[26]

Although Nigeria is a signatory to many treaties, it seems not to be a treaty-friendly country. This is due to her low ratification rate.[27] In one particular report, Nigeria scored 28.57% in membership and ratification of international treaties.[28] For example, the Patent Cooperation Treaty (PCT) and the Agreement on Trade-related aspects of Intellectual Property (TRIPS) have not been domesticated by the legislature. As a result, where any of the provisions have not been incorporated into national legislation, they cannot be enforced by anyone. In addition, Nigeria has signed several international intellectual property (IP) treaties, but they remain unimplemented due to lack of domestication.[29] This includes the WIPO Internet Treaties, comprising the WIPO Copyright Treaty[30] and WIPO Performances and Phonograms Treaty, signed in 1996 but still awaiting domestication.

Nigeria's enforcement of Intellectual Property rights is equally low and this is well known locally and globally. On the one hand, this is due to rightsholders lack of effort in ensuring the protection of their rights or taking action against infringers. Another reason for the low rate of enforcement is lack of IP awareness.

SMEs often do not know how to protect their creations or which one to protect. This is because a large number of Nigerian SMEs still operate within the informal economy where IP literacy is particularly low and cultural motivations often shape perceptions about IP protection.[31] A review of Intellectual Property cases shows that there are not many IP-related cases in our law reports. This is because in situations where businesses want to enforce their IP rights, they are faced with the expensive cost of litigation and delays. The

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26 See, Gee, H. L. 'Impact of the Intellectual Property System on Economic Growth' (WIPO-UNU Joint Research Project, 2007).

27 See, Sandra Eke, 'Non-Domestication of Treaties in Nigeria as a Breach of International Obligations' (2020) available at < https://spaajibade.com/non-domestication-of-treaties-in-nigeria-as-a-breach-of-international-obligations-sandra-eke/> accessed 28 February 2025.

28 See, IP Bulletin, 'Intellectual Property Rights In Nigeria' IP Bulletin (31 March 2022) available at <https://ipbulletin.in/intellectual-property-rights-in-nigeria/> accessed 28 February 2025.

29 See, John Onyido, 'Impediments to the Reception of International Treaties and Unintended Impact on the Growth of Nigeria's Intellectual Property Regime', in *Legislative Drafting: Nigerian Practice of Domestication of Treaties* (Femi Falana, SAN, ed.)

30 Adopted on 20th December 1996 and entered into force on March 6th 2002, available at: <https://wipolex.wipo.int/en/text/29515> accessed 28 February 2025.

31 See, Oyinkansola Komolafe, 'Intellectual Property, SMEs and Economic Recovery in Nigeria' (September 2021) *WIPO Magazine*, available at <https://www.wipo.int/wipo_magazine/en/2021/03/article_0008.html> accessed 28 February 2025.

price tag for patent litigation processes is between $2.3 and $4 million.[32] Depending on the complexity of the case, patent litigation can take from one to three years to reach trial. This can be disastrous for the company's reputation. This is why some businesses settle intellectual property (IP) disputes through non-traditional dispute resolution processes. Although this route can be more expensive overall (due to arbitration fees), it spares businesses the embarrassment and potential ruin that come from losing a high-profile intellectual property lawsuit.

Furthermore, due to the incompetence of some agencies, the tracking and seizure of counterfeit or pirated products is almost nonexistent. A global report states that Nigeria's enforcement of Intellectual Property Rights in 2020 was just 17.21% and software piracy was estimated at 80% by Business Software Alliance also known as BSA.[33] Again, matters that make it to court may not be correctly interpreted based on the provisions of local laws. This may be due to a lack of expertise or knowledge by judges and the technical nature of Intellectual Property.[34] For instance, in **TvXtra Production Ltd. v National Universities Commission & Zain Nigeria**,[35] the Federal High Court held that it is only copyright registration that makes one eligible to claim copyright ownership. This is contrary to the copyright Act, which makes protection automatic.[36] From the foregoing, there is a need to educate the public, ensure that relevant agencies do their jobs, and possibly the establishment of specialized intellectual property courts to record better enforcement of Intellectual Property Rights. It is also observed from experience that insufficient finance, inadequate or obsolete equipment, poverty and lack of up-to-date skills in the use of modern technologies among the rank and file of officers; prevent the various efforts being made in combating IPR infringement from achieving desired results.

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32 See, Abou Naja 'Top 10 Intellectual Property Challenges Businesses Face' *Abou naja* (16 March 2023) available at <https://www.abounaja.com/blogs/intellectual-property-challenges> accessed 28 February 2025.

33 See, IP Bulletin, 'Intellectual Property Rights In Nigeria' IP Bulletin (31 March 2022) available at <https://ipbulletin.in/intellectual-property-rights-in-nigeria/> accessed 28 February 2025.

34 See, Bisola Scott, 'Intellectual Property Protection for Software Rights in Nigeria' available at <https://spaajibade.com/intellectual-property-protection-for-software-rights-in-nigeria/> accessed 28 February 2025.

35 Unreported Suit No. FHC/ABJ/CS/680/2008.

36 See, IP Bulletin, 'Intellectual Property Rights In Nigeria' IP Bulletin (31 March 2022) available at <https://ipbulletin.in/intellectual-property-rights-in-nigeria/> accessed 28 February 2025.

D. Archaic Laws

Nigeria's major legislation for Intellectual Property Rights includes the Trade Marks Act, 1965[37], the Patent and Designs Act of 1970,[38] and the Copyright Act of 2022.[39] Notwithstanding the amendments made to some of these laws, they cannot handle recent issues that were not envisaged because of technological advancements and globalization.[40]

The government's lack of adequate efforts to enact current laws to address these issues is appalling. Apparently, lawmakers or those tasked with making intellectual property related regulations are not as active as their counterparts. The Industrial Property Act[41] of Mauritius, made reforms in the areas of patents, geographical indications, trademarks, etc. Meanwhile, our intellectual property laws do not sufficiently cover issues bordering on software, the internet, privacy, and competition.[42] The current Copyright Act provides clear guidelines for addressing infringement, such as reproducing and selling a book without authorisation. However, with the rise of online infringement, the law falls short in providing clear solutions for enforcing copyright owners' rights in the digital sphere. Countries that have recognized this need have made enactments or revisions to that effect. Kenya's Copyright Amendment Act and the United States' Digital Millennium Copyright Act are a few. In addition, there are amendments in what constitutes a trademark, but Nigeria is stuck with traditional marks like shapes, slogans etc. However, the Business Facilitation (Miscellaneous Provisions) Act of 2023 expanded the definition of "goods" under the Trademarks Act of 2004 to encompass services.[43] Additionally, the scope of a trademark has been expanded to encompass the form of products, their packaging, and colour combinations. This broadens the scope of trademark protection beyond only tangible

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37 Trademarks Act, Laws of the Federation of Nigeria 2004.

38 Patent and Designs Act of 1970

39 Copyright Act of 2022.

40 See, Sandra Eke, 'The Nigerian Merchandise Marks Act: A Viable or Obsolete Piece of Legislation' (30 December 2019) available at <https://spaajibade.com/the-nigerian-merchandise-marks-act-a-viable-or-obsolete-piece-of-legislation-sandra-eke/> accessed 28 February 2025.

41 Industrial Property Act 2019.

42 See, IP Bulletin, 'Intellectual Property Rights In Nigeria' IP Bulletin (31 March 2022) available at <https://ipbulletin.in/intellectual-property-rights-in-nigeria/> accessed 28 February 2025.

43 See, *Templars*, 'The Business Facilitation (Miscellaneous Provisions Act) Act 2023- A Boost for Economic Development' (June 2023) available at <https://www.templars-law.com/app/uploads/2023/06/SA-Version-The-Business-Facilitation-29-Clean.pdf> accessed 28 February 2025.

items to now encompass services, and it also goes beyond just the mark that was previously available to now include the goods' shape, colour, and packaging.

Other countries have incorporated unconventional trademarks into their laws. For instance, in India, sounds can be trademarked and in Malaysia, scents are trademarkable. Consequently, business owners may be unwilling to come up with unconventional marks, thereby negatively impacting creativity and innovation. Even if enterprises manufacture and market such products/services, they will be at risk of infringement without remedies.

Furthermore, penal awards like fines and terms of imprisonment are out of tune with current realities. The Copyright Act, 2022, imposes penalties for infringement, including fines ranging from N10,000 to N1,000,000 and imprisonment from 3 to 5 years.[44] There is no criminal liability for trademark infringement, but the fine for false representation of a mark is 200 naira. Resultantly, holders may be unwilling to institute criminal proceedings due to the loss they will incur in the long run.

Another instance is the Merchandise Marks Act. The law imposes penalties for criminal acts involving false trade descriptions, trademark forgery, and misleading trademark applications that may deceive or confuse consumers.[45] Since the enactment of this law, it has not witnessed any amendment to best cover our evolving contemporary times although a similar law has already witnessed several amendments in the United Kingdom from where it was initially adopted.[46] The sanctions prescribed in the Act are imprisonment, payment of fines or both and forfeiture of every chattel or instrument used in committing the offence.[47] The sanctions prescribed have become obsolete and are not sufficient to serve as effective deterrent against the commission of the stipulated offences contained in the Act. For instance, a person found guilty upon summary conviction in the Magistrate court will be liable to imprisonment for just six months or to a meagre fine of one hundred naira. In recent times, the value of one hundred naira is almost worthless, hence the urgent need to revisit this piece of legislation.

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44 Section 44 of the Copyright Act 2022.

45 Section 18 of The Merchandise Marks Act, 2004.

46 See, Sandra Eke, 'The Nigerian Merchandise Marks Act: A Viable or Obsolete Piece of Legislation' *Mondaq* (7 January 2020) available at <https://www.mondaq.com/nigeria/trademark/880834/the-nigerian-merchandise-marks-act-a-viable-or-obsolete-piece-of-legislation?> accessed 28 February 2025.

47 Section 3(3) of The Merchandise Marks Act, 2004.

E. Lack of Awareness and Enlightenment:

There is a lack of awareness and public enlightenment on the importance of intellectual property rights protection laws.[48] Research has shown that in Africa, over half of the small and medium-sized enterprises (SMEs) have never heard of intellectual property.[49] The reason for this is not far-fetched. Despite the fact that businesses are among the most directly impacted by intellectual property rights, little to no effort is made to raise awareness of these rights in the business world.

Businesses miss out on opportunities to increase profits, broaden their reach, and spread their risk by not understanding the value of intellectual property. SMEs face a number of difficulties in using the IP system. This is often the result of their limited knowledge of the ins and outs of the IP system, lack of clarity about its relevance to their business strategy and competitiveness, and of their finding the system too complex and expensive to use. Available studies on the use of the IP system by SMEs are largely limited to the use of patents. The public should be given proper orientation and enlightenment programs organized to create high level of awareness on intellectual property rights protection.[50] No country can make progress without a robust framework for protecting and enforcing intellectual property rights. Nigerian businesses would continue to lose out on opportunities for technology transfer and collaborations if the regulatory bottlenecks impeding the marketability and commercialisation of intellectual assets and new technologies are not addressed.[51]

CONCLUSION

There are many obstacles in Nigeria when it comes to software application protection. Despite the existence of a legal framework, it is insufficient and inefficient in handling the intricacies of software protection. Some of the main obstacles include high IP registration fees, patent eligibility

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48 See, Oluyinka Titilope Afolayan, 'Intellectual Property Rights Protection in Nigeria: Issues and Perspectives' *Journal of Information and Knowledge Management* [2022] (13) (1) 6.

49 See, Abou Naja 'Top 10 Intellectual Property Challenges Businesses Face' *Abou naja* (16 March 2023) available at <https://www.abounaja.com/blogs/intellectual-property-challenges> accessed 28 February 2025.

50 See, Mengistie, G. 'Enforcement of Intellectual property rights in Africa: Challenges and experience.' (A Paper Presented at a Workshop on the WIPO Development Agenda and the Curriculum of Start-Up Intellectual Property (IP) of Academics. Tunis, Tunisia, 2013).

51 See, *Vanguard*, 'Lack of awareness, regulatory bottlenecks impede acceptance of intellectual property in Nigeria' *Vanguard* (29 April 2021) available at <https://www.vanguardngr.com/2021/04/lack-of-awareness-regulatory-bottlenecks-impede-acceptance-of-intellectual-property-in-nigeria/>accessed 28 February 2025.

requirements, enforcement problems, outdated legislation, and a lack of knowledge and understanding. Software developers and inventors are exposed to significant financial and reputational risks as a result of these issues, which also compromise the effectiveness of intellectual property laws in protecting software applications. A thorough revision of the intellectual property laws, greater public awareness, and improved enforcement strategies are required to close this gap.

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