



ICLG

The International Comparative Legal Guide to:

Trade Marks 2012

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Nigeria

Femi Olubanwo



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1 Relevant Authorities and Legislation

1.1 What is the relevant Nigerian trade mark authority?

The Trademarks, Patents and Designs Registry under the Commercial Law Department of the Federal Ministry of Trade and Investment, is the relevant trademark authority.

1.2 What is the relevant Nigerian trade mark legislation?

The main trademark legislation is the Trade Marks Act, Cap T 13, Laws of the Federation of Nigeria 2004 (“TMA”).

2 Application for a Trade Mark

2.1 What can be registered as a trade mark?

Any device, brand, heading label, ticket, name, signature, word, letter, numeral, or any combination thereof may be registered as a trademark.

Non-traditional marks such as musical jingles and smells are not registrable in Nigeria as trademarks.

2.2 What cannot be registered as a trade mark?

The following cannot be registered:

- Deceptive or scandalous matters or designs or any matter that is likely to cause confusion or is disallowed by law.
- Names of chemical substances.
- Geographical names in their ordinary signification.

2.3 What information is needed to register a trade mark?

Information required to register a trademark includes the following:

- a. Details of the applicant/proprietor – including name, nationality, profession/ legal status and address.
- b. Prints or a representation of the proposed trademark.
- c. Class and specification of goods or services for which the trademark is to be registered.
- d. Special claims relating to the application such as colour claims or limitations, associations with prior trademarks, and priority claims, if any.
- e. Authorisation of Agent (details of the Agent where applicable).

2.4 What is the general procedure for trade mark registration?

The application is prepared on the relevant statutory form and filed upon payment of the prescribed fees. Thereafter, an Acknowledgement Form is issued by the Trademarks Registry confirming the receipt of the application by the Registry and the temporary number allocated to the trademark, pending registration and allocation of a permanent registration number.

Next, the Trademarks Registrar will conduct an examination of the Trademarks Register to confirm that there is no earlier conflicting trademark which may preclude the registration of the mark. The Registrar’s examination shall also extend to whether the mark is distinctive, deceptive, scandalous or in any way disallowed by Law. If the Registrar is satisfied that the mark may be registered, an Acceptance Form will be issued. Otherwise, a Refusal Form will be issued.

After acceptance, the application will be published in the Trademarks Journal to notify any interested party who may have an objection to the registration of the same. Such person has to file an objection within a period of two months and this period is non-extendible.

Where there are no third party objections to the registration of a trademark within the opposition period or where the objections are resolved in favour of the applicant, the Registrar shall issue the applicant with a certificate of registration.

2.5 How can a trade mark be adequately graphically represented?

Neither the TMA nor the Regulations prescribes the criteria for adequate graphical representation. There is no requirement that colour be claimed using an internationally recognised colour code or for registration of a smell trademark. Also, the Registrar may request for the interpretation of proposed word trademark where same is in a language other than English (such as Chinese or Arabic).

2.6 How are goods and services described?

Goods and services are described in accordance with the Nice Classification of goods and the use of the blanket phrase “all goods in the class ...” is no longer acceptable in Nigeria.

2.7 What territories (including dependants, colonies, etc.) are or can be covered by a Nigerian trade mark?

A trademark registration is limited to the territory of the Federal Republic of Nigeria.

2.8 Who can own a Nigerian trade mark?

Only legal or natural person may own a trademark in Nigeria.

2.9 Can a trade mark acquire distinctive character through use?

A trademark may acquire a distinctive character through use in Nigeria, where the trademark has been used in such a manner as to become so associated with a particular good or service. The law is, however, silent on the number of years of use and advertising that would be required to acquire distinctive character.

2.10 How long on average does registration take?

Barring all bureaucratic delays at the Registry, the entire process of registering a trademark usually takes about 12 to 18 months.

2.11 What is the average cost of obtaining a Nigerian trade mark?

The official fees for trademark registration (including application and sealing fees) is about \$150 (at the current exchange rate of = N160 to \$1). However, other fees may also apply, such as the Agent's fees (where an Agent is used) and the expenses/disbursements. On the average, it could cost up to \$850 to obtain a trademark registration in Nigeria.

2.12 Is there more than one route to obtaining a registration in Nigeria?

Registration of a trademark in Nigeria is solely by filing an application at the Trademarks Registry.

2.13 Is a Power of Attorney needed?

A power of attorney or authorisation of agent is required where the applicant wishes to engage an agent to prosecute applications on its behalf. The power of attorney must be in writing, on the prescribed form and simply signed by the applicant or an authorised person on its behalf. No legalisation or notarisation is required.

2.14 How is priority claimed?

An application may be made in Nigeria, claiming priority on the basis of an earlier mark filed in a Convention country. The application is made in the same manner as an ordinary application with the certified copies of the earlier trademark application on the basis of which priority is being claimed attached thereto. The Nigerian application must be filed within 6 months of filing the foreign application.

Although the necessary executive order that would specify countries to be recognised in Nigeria as Convention countries is yet to be made, the Registry collects priority applications.

2.15 Does Nigeria recognise Collective or Certification marks?

Certification marks are recognised in Nigeria. However, there are no provisions on Collective marks.

3 Absolute Grounds for Refusal

3.1 What are the absolute grounds for refusal of registration?

A trademark may be refused registration on the following absolute grounds:

- that it is not distinctive (that is, that it does not meet the requirements stipulated by Law regarding distinctiveness);
- that it is deceptive or scandalous, contrary to law or morality or in any way disentitled to protection; or
- that it contains some prohibited words and/symbols such as the names of chemical substances, Coat of Arms, the words "patent", "patented", "registered", "registered design", "copyright", "to counterfeit this is a forgery", or words to the like effect, and so on.

3.2 What are the ways to overcome an absolute grounds objection?

An absolute grounds objection can be overcome by making representations, either oral or written to the Registrar, or by amending the proposed trademark application, where applicable.

3.3 What is the right of appeal from a decision of refusal of registration from the Intellectual Property Office?

A decision of refusal of registration may be appealed in its entirety.

3.4 What is the route of appeal?

An appeal against the decision of the Registrar lies in the first instance to the Federal High Court and thereafter to the Court of Appeal, and finally to the Supreme Court.

4 Relative Grounds for Refusal

4.1 What are the relative grounds for refusal of registration?

A trademark may be refused registration on the following relative grounds:

- the applicant of the trademark is not the true proprietor thereof;
- the application was made in bad faith;
- the trademark is identical or confusingly similar to an existing/prior registration; and/or
- the trademark contains some restricted words and/or symbols such as representations of the Geneva cross and other crosses in red or of the Swiss Federal cross in white on a red background, or in silver on a red background.

4.2 Are there ways to overcome a relative grounds objection?

A relative grounds objection may be overcome by argument, agreement, limiting the specification, applying a limitation of some kind on the trademark, letter of consent, invalidating the earlier mark or some other means.

4.3 What is the right of appeal from a decision of refusal of registration from the Intellectual Property Office?

A decision of refusal of registration may be appealed in its entirety.

4.4 What is the route of appeal?

An appeal against the decision of the Registrar lies in the first instance to the Federal High Court and thereafter to the Court of Appeal, and finally to the Supreme Court (Section 67 (1) TMA, Section 251 (1) of the 1999 Constitution of the Federal Republic of Nigeria).

5 Opposition

5.1 On what grounds can a trade mark be opposed?

A trademark application may be opposed on the following grounds:

- a. the applicant of the trademark does not have any intention to use it;
- b. the trademark is identical or confusingly similar to an existing/prior registration;
- c. the trademark contains some restricted words and/or symbols such as representations of the Geneva cross and other crosses in red or of the Swiss Federal cross in white on a red background, or in silver on a red background;
- d. the trademark is registrable as designs;
- e. the trademark contains deceptive or scandalous matters or designs or any matter that is likely to cause confusion or is disallowed by law;
- f. the trademark contains names of chemical substances; and/or
- g. the trademark contains geographical names.

5.2 Who can oppose the registration of a Nigerian trade mark?

Any person can oppose the registration of a trademark. There is no requirement under the Law for the existence of prior rights or for opposition by submission of observations.

5.3 What is the procedure for opposition?

A notice of opposition must be filed by an opponent within two (2) months of advertising the trademark application. Upon filing, the Registrar shall send a copy of such notice to the applicant who is required to file a counterstatement, enumerating the grounds upon which he relies for his application, within one month of receipt of the notice of opposition. An application will be deemed abandoned where an applicant fails to file a counterstatement.

Where the applicant files a counterstatement, the Registrar shall send a copy of the same to the opponent and the opponent shall thereafter file a statutory declaration indicating evidence in support of his opposition. Upon receipt of the opponent's statutory declaration, the applicant is also given the opportunity to file its own statutory declaration, adducing evidence upon which he relies for his application, following which, the opponent may also file a reply by way of statutory declaration within one month of receipt of the same. Thereafter, no further evidence shall be left on either side, and the Registrar shall subsequently give notice of hearing and the matter shall be decided.

Please note that extensions may be granted by the Trademarks Registrar to file a statutory declaration. Also, all copies of documents submitted to the Registrar with regard to opposition proceedings must be made in duplicate.

6 Registration

6.1 What happens when a trade mark is granted registration?

The Registrar shall issue the applicant with a certificate of registration upon payment of the sealing fees.

6.2 From which date following application do an applicant's trade mark rights commence?

The registration of a trademark takes effect retrospectively from the application/filing date. Thus, although an applicant's rights start upon registration, same take effect retrospectively.

6.3 What is the term of a trade mark?

A trademark is valid for 7 years at the first instance and is renewable thereafter for subsequent periods of 14 years.

6.4 How is a trade mark renewed?

A trademark registration may be renewed by filing the prescribed form and paying the prescribed fees at the Registry. The official fees, excluding Agent's fees and all expenses/disbursements, for a trademark renewal is approximately \$75 (at the exchange rate of = N160 to US\$1). An application for a trademark renewal may be filed at anytime not more than three months before the expiration of the registration.

Late renewal of a trademark is also allowed if the renewal fee, together with the penalty for late renewal, is paid within a month of the publication by the Registrar of the notice of the expiration of the registration of the trademark.

7 Registrable Transactions

7.1 Can an individual register the assignment of a trade mark?

Assignment of a trademark is registrable at the Registry at the instance of either assignee or both parties, using the prescribed forms. A copy of the deed of assignment or a statement of case verified by a statutory declaration in the prescribed form is required to record an assignment.

7.2 Are there different types of assignment?

A trademark assignment may be in respect of all the goods in respect of which it is registered or in respect of some (but not all) of those goods and services. It may also be with or without goodwill.

7.3 Can an individual register the licensing of a trade mark?

A trademark licence may be registered at the Registry by the licensee and the registered proprietor by filing the prescribed form and paying the prescribed fees. Under the TMA, this is known as the Registered User agreement (Sections 33 and 34 TMA). A copy of the licence may be accepted by the Registrar.

7.4 Are there different types of licence?

The usual types of licence available in commercial transactions are recognised and registrable in Nigeria.

7.5 Can a trade mark licensee sue for infringement?

A licensee may institute an infringement action, depending on the terms of its licence. A Registered User of a trademark is empowered to institute an infringement action and to join the registered proprietor as a defendant in the action, where the registered proprietor fails to institute an infringement action after two (2) months of being invited by the Registered User to commence an infringement action.

7.6 Are quality control clauses necessary in a licence?

Absence of quality control clauses will not invalidate a licence. However, it may serve as a ground for refusing an application for the registration of a Registered User, as the degree of control and other restrictions on the proposed use of the trademark forms part of the information to be disclosed to the Registrar in an application for registration of a Registered User.

7.7 Can an individual register a security interest under a trade mark?

There are no provisions for the registration of a security interest under a trademark in our laws.

7.8 Are there different types of security interest?

This is not applicable.

8 Revocation

8.1 What are the grounds for revocation of a trade mark?

The grounds for the revocation of a trademark include:

- Non-use, that is, where the trademark was registered without any *bona fide* intention by the applicant to use same and there has in fact been no *bona fide* use of the trademark up to one month before the date of the application; or that up to one month before the date of the application, the trademark has not been used for a continuous period of at least five years.
- Contravention of, or failure to observe, a condition entered on the register in relation to a trademark.
- Non-renewal.

8.2 What is the procedure for revocation of a trade mark?

An application may be made to the court or the Registrar for the revocation of a trademark. Where made to the Registrar, it shall be in the prescribed form and accompanied by a statement setting out fully the nature of the applicant's interest, the facts upon which it bases its case and the relief which it seeks. Where the applicant is not the registered proprietor of the trademark in question, copies of the application will be provided by the applicant and sent by the Registrar to the registered proprietor, following which the procedure for opposition proceedings will be adopted with necessary amendments to suit the occasion.

In the case of non-renewal, a statutory duty is placed on the Registrar to notify the registered proprietor of the trademark of the impending expiration thereof not less than one month and not more than two months to the expiration date in the first instance and not less than 14 days but not more than one month to the expiration date in the second instance. Where the proprietor fails to pay the renewal fee prior to the expiration date, the Registrar shall advertise the expiration of the trademark in the Trade Marks Journal and shall be free to remove the trademark from the Register and record such removal therein where the proprietor fails to pay the renewal fee with any surcharge for late renewal within one month after the advertisement.

8.3 Who can commence revocation proceedings?

Any person who establishes sufficient interest to the satisfaction of the Registrar or Tribunal can commence revocation proceedings.

8.4 What grounds of defence can be raised to a revocation action?

For revocation on the ground of non-use, proof of *bona fide* use (at least one month prior to the application for revocation) is good defence. Use by a Registered User qualifies under Nigerian law as *bona fide* use by the registered proprietor.

For revocation on the grounds of non-renewal, proof that the Registrar did not issue the statutory notice on the applicant may be a defence. Also, where the Registrar had stipulated some conditions to be satisfied, fulfilment of the same shall be a defence to a revocation action.

8.5 What is the route of appeal from a decision of revocation?

An appeal against the decision of the Registrar lies in the first instance to the Federal High Court and thereafter to the Court of Appeal, and finally to the Supreme Court.

9 Invalidity

9.1 What are the grounds for invalidity of a trade mark?

The original registration of a trademark is deemed to be valid in all respects, except where:

- the registration was obtained by fraud; or
- the trademark is deceptive, scandalous, contrary to law or public morality or disentitled to protection by a court of law.

9.2 What is the procedure for invalidation of a trade mark?

The procedure for invalidating a trademark is similar to that of revocation of a trademark.

9.3 Who can commence invalidation proceedings?

Any person who establishes sufficient interest to the satisfaction of the Registrar or Tribunal can commence invalidation proceedings.

9.4 What grounds of defence can be raised to an invalidation action?

Prior genuine use may be a defence to an invalidation action. An honest mistake may be another defence.

9.5 What is the route of appeal from a decision of invalidity?

An appeal against the decision of the Registrar lies in the first instance to the Federal High Court and thereafter to the Court of Appeal, and finally to the Supreme Court.

10 Trade Mark Enforcement

10.1 How and before what tribunals can a trade mark be enforced against an infringer?

An infringement action can only be maintained in respect of a registered trademark. The Federal High Court has exclusive original jurisdiction over trademark matters. The Registry is also empowered by the TMA to take certain administrative actions while the Registrar General of the Corporate Affairs Commission may direct a registered company to change its name for infringing a registered trademark which predates the registration of the company.

10.2 What are the pre-trial procedural stages and how long does it generally take for proceedings to reach trial from commencement?

The Federal High Court operates a ‘frontloading system’ which requires parties to file written witness statements on oath, copies of all documents to be relied on during trial and a list of non-documentary exhibits, along with their pleadings (Statement of Claim/Statement of Defence/Reply to Statement of Defence). Upon receiving a plaintiff’s statement of claim with the frontloaded processes, a defendant is required to file his statement of defence with frontload processes, after which the plaintiff may also file a Reply with accompanying frontloaded processes in response to the statement of defence. This usually takes about 2 months.

Following the conclusion of pleadings by all the parties to the action, the court will set the matter down for trial where there are no pending interlocutory applications which must first be determined. Interlocutory proceedings may, depending on their nature, take between 5 to 6 months to conclude, barring any bureaucratic delays or interlocutory appeals.

10.3 Are (i) preliminary and (ii) final injunctions available and if so on what basis in each case?

Preliminary (interim and interlocutory) injunctions may be granted to preserve the rights of the applicant, pending the final determination of the parties’ rights by the court. Final injunctions are usually granted based on the final determination of parties’ rights by the court, usually upon conclusion of the trial.

Interim injunctions are granted *ex parte* (without hearing the respondent) only in cases of real emergency, for a short period (7-14 days), pending the hearing of an application for interlocutory injunction. Interlocutory injunctions are granted where the justice of the case requires same, pending the final determination of the case.

10.4 Can a party be compelled to provide disclosure of relevant documents or materials to its adversary and if so how?

A party may be compelled to provide disclosure of relevant documents or materials to an adversary through procedures called “interrogatories” (to provide information) and “discoveries” (to provide documents).

10.5 Are submissions or evidence presented in writing or orally and is there any potential for cross-examination of witnesses?

Evidence of parties’ witnesses is presented in writing under oath at the time pleadings are filed and adopted during trial. Only subpoenaed witnesses are not mandated to file Statements on Oath. Every witness who adopts his Statement on Oath must be presented for cross-examination by the opponent’s Counsel, otherwise, his testimony will have little or no probative value. All submissions in support of interlocutory applications and final addresses at the conclusion of trial must be presented in writing. Counsel are permitted to orally address the Court for the purpose of emphasis when the written submissions are being adopted in Court.

Affidavit evidence is used during interlocutory proceedings and except there are conflicts in affidavits, the deponents thereof need not attend court to be cross-examined.

10.6 Can infringement proceedings be stayed pending resolution of validity in another court or the Intellectual Property Office?

Infringement proceedings can be stayed pending resolution of the issue of validity of the relevant trademarks in another court, provided that parties to the two cases are not the same. Where the parties to the two actions are the same, both cases are likely to be consolidated on the application of either party. An application for a stay of proceeding is made via a motion on notice supported by an affidavit deposed to by or on behalf of the applicant stating the facts on which the application is being made. Proceedings before the Court will not, however, be stayed on the basis of proceedings before the Trade Marks Registry. Rather, such issue of validity may be raised as a defence in the infringement action.

10.7 After what period is a claim for trade mark infringement time-barred?

The TMA does not expressly specify a time limit for bringing a claim of trademark infringement.

10.8 Are there criminal liabilities for trade mark infringement?

The Merchandise Marks Act Cap M10 Laws of the Federation of Nigeria 2004, prescribes imprisonment, upon conviction by a High Court of an offence under the Act, for a term of 2 years or a fine or both imprisonment and a fine. It also prescribes imprisonment for 6 months or a fine of N100 upon summary conviction by a Magistrate. In both cases, such offender is liable to forfeiture of all chattel, articles or instruments by means of or in relation to which offence has been committed.

10.9 If so, who can pursue a criminal prosecution?

The power to prosecute criminal offences lies in the Police and Attorney General (AG) (of the Federation or the State, depending on whether it is a Federal or State crime). The AG’s power may be delegated to the Director of Public Prosecution.

10.10 What, if any, are the provisions for unauthorised threats of trade mark infringement?

Not applicable.

11 Defences to Infringement

11.1 What grounds of defence can be raised by way of non-infringement to a claim of trade mark infringement?

The grounds of defence are as follows:

- *Bona fide* use by a person (whether by himself or by a predecessor in title) of a mark that is identical or similar to a registered trademark for a continuous period predating the use or registration of the registered trademark by the registered proprietor.
- *Bona fide* use by a person of his name or the name of his place of business or that of his predecessor in title.
- *Bona fide* description of character or quality of his goods.

11.2 What grounds of defence can be raised in addition to non-infringement?

Fair use, honest concurrent use, proprietor's abandonment of the trademark or non-use, as well as non-renewal, etc., can all be raised as grounds of defence.

12 Relief

12.1 What remedies are available for trade mark infringement?

The following remedies are available: orders of injunction restraining current and future acts of infringements; delivery of infringing articles and items; and accounts for profits, costs, damages.

12.2 Are costs recoverable from the losing party and if so what proportion of the actual expense can be recovered?

Costs are usually recoverable from the losing party. A specific amount may be recovered where specifically proven (e.g. filing fees). Otherwise the quantum of costs recoverable is usually at the discretion of the court.

13 Appeal

13.1 What is the right of appeal from a first instance judgment and is it only on a point of law?

An aggrieved party has the right to file an appeal against the decision of the Federal High Court to the Court of Appeal at the first instance, and finally to the Supreme Court. Appeals can be on points of law or facts, or mixed law and facts.

13.2 In what circumstances can new evidence be added at the appeal stage?

New evidence can be added at the appeal stage with the leave of the court where there are special circumstances making it necessary to call such evidence.

14 Border Control Measures

14.1 What is the mechanism for seizing or preventing the importation of infringing goods or services and if so how quickly are such measures resolved?

The services of the Nigerian Customs Service (NCS) may be utilised. A petition will be made to the Comptroller General of the NCS requesting for the involvement of the NCS with regards to the prevention of the importation of counterfeit goods at the ports and borders. The NCS has the power, where there are reasonable grounds to suspect that anything is liable to forfeiture, to search for, seize and detain such counterfeit goods immediately upon entry into the Nigerian ports or borders.

15 Other Related Rights

15.1 To what extent are unregistered trade mark rights enforceable in Nigeria?

Unregistered rights may only be enforced in Nigeria via passing-off action under common law. The length, extent or intensity of use required to found a case of passing-off will vary with the peculiar facts of each case and will be such as is required to establish the plaintiff's goodwill or reputation attaching to the goods or service in question.

15.2 To what extent does a company name offer protection from use by a third party?

A person may not register a company or a business name which is identical or confusingly similar to that of a prior company or business name registered in Nigeria without the consent of the prior company or the business name owner. Where a company's name contravenes the foregoing prohibition, the Corporate Affairs Commission is empowered to require such company or person to change its name or the business name. Where a company changes its name, the Commission shall enter the new name on the register in place of the former name, and issue a certificate of incorporation in the new name.

15.3 Are there any other rights that confer IP protection, for instance book title and film title rights?

There are other trademark rights, such as those pertaining to a trade dress used by infringers on counterfeit products. In this case, the Anti-Counterfeiting and Anti-Piracy Laws may become applicable.

16 Domain Names

16.1 Who can own a domain name?

Natural or legal persons may own a domain name.

16.2 How is a domain name registered?

An availability search may be conducted by using the search feature on a domain name registrar's site. Only a Nigeria Internet Registration Association (NIRA) accredited registrar may register a domain name. Applications may then be filled out online and submitted via the registrar's website.

16.3 What protection does a domain name afford per se?

Domain name registration affords protection against the use of identical and similar names as IP addresses by different and unrelated persons. This is enforced through NIRA and the courts.

17 Current Developments**17.1 What have been the significant developments in relation to trade marks in the last year?**

In the past year, the Trademark Registry commenced the computerisation of its processes. Hitherto, processes at the Registry were conducted manually, resulting in numerous errors and unreliable data-keeping and retrieval systems and attendant delay. It is the expectation of practitioners that the Registry will become more efficient in its functions when the computerisation is completed.

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Femi Olubanwo is one of the founding partners of Banwo & Ighodalo, and presently heads the IP/IT practice group. His other areas of practice include Banking and Finance, Mergers and Acquisitions, Project Finance, Capital Markets, Corporate Finance and Restructuring. In the last 30 years of his career, he has acted as legal adviser to multi-national and blue chip companies in various sectors including Pharmaceuticals, Telecommunications, and Manufacturing in relation to the protection and enforcement of their Intellectual Property Rights in Nigeria and Africa. He is frequently called upon, in various advisory capacities, to assist the government in Nigeria, on various IP policies and reforms. He frequently delivers papers, gives presentations on his core practice area and has several publications to his credit.

17.2 Are there any significant developments expected in the next year?

It is expected that the computerisation will be completed and other related features such as online searches and filings shall be fully available in the coming year.

17.3 Are there any general practice or enforcement trends that have become apparent in Nigeria over the last year or so?

Over the past year, there has been an increase in awareness of the dangers of IP theft, Anti-counterfeiting and Anti-piracy. There has also been a concurrent increase in the measures to combat the menace and effort is being made to make the entire process, together with the various options available, more efficient.

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Chinasa Uwanna has excellent experience in every aspect of Intellectual Property Law practice and has advised in numerous local, as well as cross-border and multi-jurisdictional transactions involving brand registration, transfer, commercialisation, protection and enforcement. She also advises business owners on regulatory issues with particular reference to their intellectual property. She is a member of several professional organisations including the International Trademark Association, Anti-Counterfeiting Collaboration, Nigerian International Franchise Association and Commonwealth Lawyers Association.



Banwo & Ighodalo ("B&I") was established in February 1991 with a determination on the part of its founding partners to build a first class law firm. B&I has over forty-five lawyers in four major practice groups (Intellectual Property and Information Technology; Energy and Natural Resources; Securities, Finance, Corporate & Commercial; and Commercial Litigation, Arbitration and Alternative Dispute Resolution) providing services for public and private companies, governments, Nigerian and foreign investors, financial institutions, international law and consultancy firms.

B&I's Intellectual Property and Information Technology Practice Group efficiently assists local and foreign associates in the establishment, management and enforcement of their intellectual property rights in Nigeria as well as other jurisdictions, including the African Intellectual Property Organisation (OAPI) and African Regional Intellectual Property Organisation (ARIPO). In the last ten years, B&I has clearly emerged and also been variously ranked as one of the leading firms in Intellectual Property in Nigeria.

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