

Intellectual Property(IP) *Briefing*

Strategically deploying **intellectual assets**
for growth.



Editor's Note

The developments of 2024 underscore the growing centrality of intellectual property in an increasingly innovation-driven global economy. Over the past year, IP has evolved from a purely protective legal tool into a strategic commercial asset across the creative, technological, and industrial sectors. At Kenna, our work continues to centre on helping IP owners move beyond registration formalities to strategically deploy their intellectual assets for growth, competitiveness, and long-term commercial advantage.

This edition of the Newsletter captures a period of accelerated policy reform, regulatory clarification, and institutional engagement shaping the global intellectual property landscape. Notably, Nigeria's approval of the National Intellectual Property Policy and Strategy by the Federal Executive Council marks a foundational shift towards a more coordinated and commercially focused IP ecosystem, aligned with international best practices through collaboration with the World Intellectual Property Organization. At the same time, the coming into force of the EU AI Act's obligations for general-purpose AI underscores the growing intersection between intellectual property, emerging technologies, and regulatory compliance, an area of increasing relevance for rights holders, innovators, and advisors operating across borders.

We also reflect on World IP Day 2025, themed around music, with a featured article exploring *The Business of Music as Intellectual Property*, underscoring the commercial realities behind creative expression. In addition, this edition includes practical insights into the ownership of IP rights across common commercial relationships, as well as an update on the implementation of the Marrakesh Treaty in Nigeria and its implications for access to published works. As we consistently emphasise, IP ownership is not only about protection; it unlocks meaningful opportunities for commercialisation, inclusion, and sustainable value creation.



Eunice Alasa

Editor-in-Chief

“IP ownership is not only about protection; it unlocks meaningful opportunities for commercialisation, inclusion, and sustainable value creation.”



Policy

November 6, 2025

The Federal Executive Council (FEC) approved the National Intellectual Property Policy and Strategy (NIPPS)

On November 6, 2025, Nigeria's Federal Executive Council (FEC) approved the National Intellectual Property Policy and Strategy (NIPPS).¹ This is Nigeria's first unified framework for protecting and commercialising IP rights, developed with support from the World Intellectual Property Organisation (WIPO). The NIPPS aims to streamline the registration process and plans to eventually merge the separate Trademarks, Patents, and Designs registries into a single commission. The key features and implications of the NIPPS are examined in greater detail in subsequent sections of this newsletter.



Technology

August 2, 2025

EU AI Act's obligations on general-purpose AI now in force

On July 18, 2025, the European Commission published and approved draft guidelines clarifying key provisions of the European Union's Artificial Intelligence Act applicable to General Purpose Artificial Intelligence (GPAI) models.² The guidelines are intended to support organisations in their compliance efforts by providing insights into the Commission's interpretation of the provisions regarding GPAI systems.

The Guidelines have now come into force, effective August 2, 2025, alongside the publication of guidance, a code of practice and a disclosure template that flesh out GPAI model providers' obligations.³



Judiciary

October 14-15, 2025

The World Intellectual Property Organization (WIPO) Judges Forum 2025

The WIPO Intellectual Property Judges Forum is an annual event organised by the WIPO Judicial Institute as part of the Organisation's work with the judiciaries. In 2025, the Forum brought together over 520 judges from 100 national and regional jurisdictions to engage with their global peers. The program is centred on emerging issues within several of the most established domains of intellectual property law, including industrial designs, pharmaceutical patents, well-known trademarks, and copyright-related rights.⁴

WIPO 2025 Global Awards Winners Announced

On July 11, 2025, WIPO announced the 2025 Global Award Winners. The WIPO Global Awards celebrate visionary entrepreneurs using IP not only to scale their businesses but also to deliver meaningful social and economic contributions.

The winners of this year's WIPO Global Awards are ten SMEs and startups, with products including antibody therapeutics, sign-to-speech gloves, next-generation memory chips and sustainable protein fermentation breakthroughs that reflect the transformative power of intellectual property (IP) in improving lives, advancing technology, and building more sustainable communities.⁵

 Regulation July 18, 2025

India Publishes Draft Patent (Amendment) Rules, 2025

On July 18, 2025, the Department for Promotion of Industry and Internal Trade (DPIIT), Ministry of Commerce and Industry, Government of India, published the Draft Patent (Amendment) Rules, 2025 in the Official Gazette.⁶

The Draft Patent (Amendment) Rules, 2025 propose inserting rules outlining procedures for filing complaints and appeals via newly introduced electronic forms; conducting inquiries electronically; and imposing and managing penalties

 Procedure Libya

Libya Resumes Local Attestation Requirement

The Libyan Trademark Office has resumed the requirement for local attestation of legalised documents by the Libyan Ministry of Foreign Affairs and International Cooperation.⁷ This is a mandatory step to verify the authenticity of documents legalised by Libyan consulates abroad before they can be submitted for trademark-related matters.

 Official Fees October 14, 2025

Egypt Announces Revised Official IP Fees

The Egyptian Intellectual Property Authority (EGIPA) has issued Administrative Decisions Nos. 138/2025, 140/2025, and 141/2025, dated October 14, 2025, introducing a comprehensive revision to the official fees applicable to patents, plant varieties, and copyright matters.⁸

The new fee schedules include adjustments to existing charges and the introduction of new fees for various administrative procedures, such as application amendments, examination requests, certifications, and the registration of assignments and licenses. Notably, patent-related fees have seen a significant increase, affecting both domestic and foreign applicants operating within Egypt's IP system.⁹

An Overview of the National Intellectual Property Policy and Strategy (NIPPS)



Written by

Rafiat Shittu, Okenna Onyelu & Chiamaka Anakua

Introduction

The Federal Government of Nigeria, through the Federal Ministry of Industry, Trade, and Investment, announced the approval of the National Intellectual Property Policy and Strategy (**the “NIPPS” or “Policy”**) by the Federal Executive Council..

This NIPPS, Nigeria's first unified framework for protecting and commercialising IP rights, was developed through collaboration among the Ministry of Industry, Trade and Investment, the Ministry of Arts, Culture and Creative Economy, and the Ministry of Justice. This collaborative effort, which began as early as 2020, was supported by the World Intellectual Property Organisation. According to a statement from the State House, the NIPPS aims to connect innovators, creators, and investors within a unified system, thereby turning IP into tangible financial assets.¹⁰ The vision for the Policy is to utilise IP for sustainable national prosperity, making it clear that IP is rightly viewed not as an end in itself but as a catalyst for economic growth and wealth generation. With seven elaborate chapters, NIPPS is geared to serve as the game-changing guide to IP utilisation in Nigeria.

■ Policy Review: Vision and Mission

Chapter One

The first chapter of the policy provides background on its drafting and adoption. It further outlines its vision, mission and strategic objectives: The National Intellectual Property Policy and Strategy is anchored on the vision of utilising intellectual property as a driver of sustainable national prosperity. Its mission is to build a robust and enabling IP ecosystem that supports socio-cultural advancement and long-term economic growth. To achieve this, the policy prioritises strengthening Nigeria's legal and institutional frameworks for IP protection and enforcement, improving IP administration and human capacity, encouraging the creation and protection of IP, and promoting the commercialisation of IP assets, technology transfer, education, and public awareness.

NIPPS: Foundations & Purpose

Policy Review

Chapter Two

Legal & Administrative Foundations

This chapter provides an overview of the legal and administrative foundations governing intellectual property in Nigeria within both local and international contexts. It outlines the key statutes governing IP administration, enforcement, and dispute resolution, regulating industrial property, copyright, plant varieties, competition, technology, and innovation, and highlights Nigeria's participation in major international IP treaties and conventions. It also highlights complementary national policies that shape IP creation and commercialization, spanning science, innovation, digital economy, and national development strategies—thereby situating IP as an integral component of Nigeria's broader economic and innovation agenda. Collectively, these frameworks establish the basis for the protection, enforcement, and commercialisation of intellectual property rights, and reflect Nigeria's efforts to align its IP regime with global standards to support innovation, trade, and economic development.

"Situating IP as an integral component of Nigeria's broader economic and innovation agenda."

Chapter Three

Purpose & Strategic Advantages

This chapter outlines the core purpose and advantages of the Policy, highlighting its role in fostering innovation and creativity, attracting foreign investment, supporting economic diversification, and strengthening international cooperation. It further aligns the Policy with Nigeria's broader development objectives under the National Development Plan (2021–2025) and the Nigeria Agenda 2050, positioning intellectual property as a tool for economic growth, improved competitiveness, job creation, poverty reduction, and the advancement of innovation and creative industries.

- ✓ **Economic Growth**
- ✓ **Improved Competitiveness**
- ✓ **Job Creation & Poverty Reduction**
- ✓ **Advancement of Creative Industries**

Chapter Four

Policy Objectives & Strategies

This chapter sets out the policy objectives and strategic measures aimed at unlocking opportunities and addressing structural gaps within Nigeria's intellectual property ecosystem. It emphasises the need to strengthen legal and institutional frameworks, stimulate the creation and protection of IP, and promote technology transfer, commercialisation, and effective enforcement. To achieve these goals, the Policy proposes a range of targeted strategies, including updating existing IP laws and introducing new regimes for utility models, trade secrets, and animal breeders' rights; establishing the Nigerian Intellectual Property Commission to centralise IP administration; implementing substantive patent examination; deepening university-industry collaboration; enabling the use of IP assets as collateral for financing; empowering sub-national governments to support creative industries; and promoting Green IP initiatives to drive sustainable innovation.

Chapter Five

Implementation Framework

This chapter outlines the key programmes and projects designed to translate the policy objectives into practical outcomes over the short, medium, and long term. It adopts a phased implementation approach, with initiatives sequenced across one-year, three-year, and five-year timelines to ensure structured and sustainable delivery. The priority implementation areas include modernising core IP legislation, operationalising the Plant Variety Protection regime, and automating IP administration through the deployment of WIPO's IPAS platform. The chapter also emphasises strengthening institutional capacity through the establishment of Technology Transfer Offices, enhancing the creative sector via empirical research and stronger Collective Management Organisations, improving dispute resolution through specialised IP tribunals and ADR mechanisms, embedding IP education within judicial and enforcement training institutions, and driving national awareness through the engagement of IP Ambassadors.

New IP Regimes

Proposed legislative updates:

- Utility Models
- Trade Secrets
- Animal Breeders' Rights
- Plant Variety Protection
- Green IP Initiatives

Strategic Goal

"To utilise IP for sustainable national prosperity, viewing it as a catalyst for economic growth."

NIPPS: Governance & Benefits

Chapter Six

Governance

This chapter focuses on governance, coordination and implementation mechanisms, recognising that policy success depends not merely on sound objectives but on effective institutional execution. It therefore addresses the proposed structures, roles, and collaborative frameworks required to operationalise the Policy across government, the private sector, and other stakeholders.¹¹

Chapter Seven

Monitoring and Evaluation

Chapter seven addresses the monitoring, evaluation, and review framework of the Policy. It emphasises the importance of systematic monitoring mechanisms to track implementation progress, assess performance, and ensure accountability across the institutions responsible for delivering the Policy.¹² It also provides for the use of performance indicators, periodic reporting, and structured review cycles to evaluate the effectiveness of policy interventions and to facilitate evidence-based adjustments where necessary. This approach is intended to ensure that the Policy remains responsive to evolving economic, technological, and institutional realities within Nigeria's intellectual property ecosystem.¹³



NIPPS: Benefits

Improved Access to Finance

The Policy introduces a guide that allows IP to be recognised as collateral, making it possible for businesses to secure loans or investment using assets such as patents, trademarks, and copyrights.

Creative Industry Growth

In the creative industries, including music, film, and publishing, the focus shifts to revenue protection and growth. Stronger regulation and oversight of Collective Management Organisations (CMOs) are intended to improve transparency and ensure that royalties are properly collected and distributed. The Policy supports expanded access to funding through initiatives such as the Creative Industry Financing Initiative and the Nollywood Fund, and also addresses structural bottlenecks that have limited their impact. The improved digital rights enforcement also helps creators protect their works online and participate more confidently in global markets.

Tech & MSME Support

For technology-driven businesses, startups, and Micro, Small, and Medium Enterprises (MSMEs), the Policy provides legal tools that better reflect the realities of innovation.

Agricultural Innovation

In agriculture and biotechnology, the policy introduces stronger market exclusivity and regional competitiveness. The operationalisation of the Plant Variety Protection regime enables breeders to protect new plant varieties and recover investment through exclusive rights.

Benefits of the Policy

Turning IP into a practical economic tool for growth.

"The Policy creates clearer pathways for businesses and creators to protect, leverage, and commercialise their intangible assets across multiple sectors."

The Business of Music is Intellectual Property



Written by

Nnaedozie Ajogwu &
Chiamaka Anakua

"The core of the music business involves the creation, ownership, and monetisation of IP."

The core of the music business involves the creation, ownership, and monetisation of intellectual property (IP).

Music is a unique product because it can be owned and licensed in multiple formats simultaneously. When a song is created, it is immediately protected under copyright law as intellectual property, meaning the creators (songwriters, composers, performers) have exclusive rights to reproduce, distribute, perform, and display their work.

Every song, beat, recording, or performance exists not only as a creative work but also as something that carries legal and commercial consequences. Those consequences affect how royalties are paid, who can license the music, and who benefits when a song performs well commercially. When IP is not properly understood, it is common to find that the people responsible for creating the work are not always the ones who ultimately receive the majority of the financial return.

2 Who Owns Music and Why?

The music industry continues to be a growing area of interest among corporate entities, including institutional investors/investment firms, private equity firms, and music companies/record labels seeking to acquire existing music catalogues. With the increase in the value of music rights as well as the increase in the revenue generated from music, the question of who legally owns music is one to seriously consider, particularly for creators, who have to ensure that they own or at least are leveraging off what they create.

The business of music offers several valuable assets that, in turn, attract investors. As a result, music is nowadays treated like stock or even a tangible asset like real estate. This is because music catalogues offer the following:

Why Investors Value Music Catalogues



Stable and Passive Income

The rise of streaming means consumer accessibility has skyrocketed. Music royalties can provide long-term, reliable, and passive income streams akin to traditional investments.



Variety in Income

Revenue stems from multiple sources: streaming, physical sales, sync licensing, and public performances, offering diversified returns if maintained over time.



Diversity in Portfolios

For investment firms, music catalogues offer assets outside traditional financial markets, providing a hedge against economic decline.

From the moment music is written or recorded, intellectual property rights arise. Copyright automatically arises the moment an original musical work or sound recording is fixed in a tangible medium of expression. Ownership at this stage is determined by how the various contributions are identified and recorded between the parties involved, usually through agreements or other express documentation made at the time the work is created. This provides records of authorship, ownership shares and how revenue is to be distributed, and it is these initial records that define the legal standing of the parties moving forward. They also allow for rights to be settled before the work is released commercially and begins to generate revenue.

Key Considerations at Creation:

- Who owns the musical composition?
- Who owns the sound recording or master?
- Are contributors receiving a fee or ownership share?
- Are these arrangements recorded in writing?

Protection of Musical Works

Protection is what preserves the value of your work and allows you to maintain control over it. For a musical work, protection is provided through copyright, which exists automatically once a work is created and fixed in a tangible form, giving the creator exclusive rights over reproduction, distribution, public performance, display, and adaptation. Formal protection, however, requires registering the work to strengthen enforcement and monetise it effectively.

The following are essential strategies for the protection of musical works:

Documentation and Fixation: From the outset, it is important to make sure your music is properly recorded or written down, because ideas alone are not protected. Beyond this, it is important to maintain accurate records of all transactions, including contributors and any agreements, and to use clear written contracts to define ownership, roles, and royalty splits. These initial records are critical to preventing future disputes and establishing the parties' legal positions regarding the work.

Registration: While not mandatory, the registration of works with the Nigerian Communications Commission (NCC) provides strong legal evidence of ownership. The process involves submitting an application, copies of the work, and a fee, all of which can be completed online

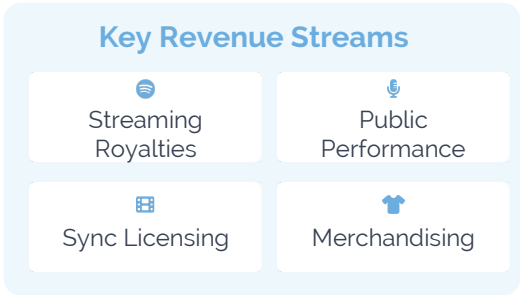
Collective Management and Licensing: Joining Collective Management Organisations (CMOs) such as the Musical Copyright Society of Nigeria (MCSN) ensures that royalties from public performance, broadcasts, and streaming are collected and distributed properly. Licensing agreements give you control over how your music is used commercially, whether through mechanical licenses, performance licenses, synchronisation licenses, or master use licenses.

Enforcement and Remedies: In the event of copyright violations, legal action is handled in the Federal High Court, where civil remedies such as injunctions, damages, and seizure of infringing materials can be awarded, and in some serious cases, criminal sanctions arise.

Commercialisation in the Music Industry

The commercial success of music relies on how effectively the rights in the work are licensed, distributed and monetised. Artists earn from streaming royalties, public performances, synchronisation deals for advertisements or films, brand partnerships, merchandising, and direct fan engagement, and these earnings depend entirely on the agreement of who owns the various rights in the work and how effectively they have been protected. An artist may have recognition and a loyal fanbase, yet still have limited control over how their music is used or monetised, which is why deals must be structured for long-term value.

Commercialisation involves multiple stakeholders, including record labels, managers, promoters, distributors, media, and legal practitioners, all working together to maximise the value of a musical work. When intellectual property is managed effectively, this ultimately determines who benefits from it.



Commercialisation involves multiple stakeholders—labels, managers, distributors, and legal practitioners. When IP is managed effectively, it ensures that creators and rights holders benefit fairly.

Conclusion

Intellectual property is the mechanism through which creative work is converted into a sustainable source of income. Those who understand how it operates are generally better placed to negotiate, collaborate, and build lasting careers.

The business of music is closely tied to intellectual property, and treating it with the necessary seriousness is a foremost consideration for the industry.

Ownership of Intellectual Property Rights

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Victory:

Let's begin with the foundation of today's discussion – intellectual property ownership. It's a concept that sounds technical, but has very real commercial consequences. Favour, can you explain why IP ownership is more than just a legal formality?

Victory:

We often assume that the creator of the work automatically owns it. Eunice, is this always the case?

Victory:

You've mentioned something interesting – moral rights. Can you explain that a bit more?

Favour:

Absolutely, IP ownership is not merely a technical issue, because it determines who controls a creative work. It answers critical questions such as who can profit from it? Who can prevent others from using it? Who has the authority to license or sell it? In essence, ownership defines who holds the commercial power over the work.

Eunice:

Not always. For copyright, the general rule is that ownership initially vests in the author, unless there's an agreement stating otherwise. Trademarks are different; Nigeria generally operates a 'first-to-file' system. For patents and designs, the person who first registers is the recognised owner. Even where someone else owns economic rights, the true creator still retains moral rights.

Eunice:

Certainly. In IP law, we generally talk about two categories of rights: moral rights and economic rights. Moral rights belong to the creator, the person who actually produced the work. For example, under section 14 of the Copyright Act, 2022, the author of the work has a right to claim authorship of their work. So even if they assign ownership to someone else, they still retain the right to be credited. Likewise, under the Patents and Designs Act, an inventor has the right to be named as the inventor, and that right cannot be removed by contract. Economic rights, on the other hand, belong to the owner. These are the rights that allow the owner to assign, license and commercially exploit the IP. Usually, in copyright, the creator is the owner of both the moral and the economic rights. But that can change, for instance, where rights are assigned to another entity or where the work is created in the course of government employment.

Victory:

So if creators are not always guaranteed automatic ownership, how can they protect themselves?

Okenna:

Creators need to protect themselves early. That's why contracts and registration are critical. Creators need to document all agreements clearly, including those with collaborators and sponsors, and register their works with the relevant IP offices where applicable as soon as possible. Waiting till a dispute arises, often too late.

Victory:

Let's address a common grey area: works created by employees or independent contractors.

Favour:

For copyright, the default position is that the author owns the work, unless there's an agreement stating otherwise. So if an employment contract or employee handbook does not provide for employer ownership vesting, ownership may remain with the employee. However, there's an important exception: if the employer is a government entity, ownership vests in the employer.

For patents and designs, the position is different. Where an invention is made in the course of employment, the right to apply for one's own patent automatically belongs to the employer, even if the employer wasn't directly involved in creating it. The employee, however, is entitled to fair remuneration. For trademarks, ownership rests with the registered proprietor. So if the employer is registered as the proprietor, it has exclusive rights to use and control the mark.

Victory:

What about works created by independent contractors?

Okenna:

Under the Copyright Act 2022, authorship determines first ownership. So, unless there's an agreement to the contrary, a contractor owns the copyright in the work they create, even if someone commissioned it. Patents and designs are different again. Under the Patents and Designs Act, ownership of the contractor's invention typically vests in the person who commissioned the work, not the inventor or creator. That's a major distinction from copyright law.

Victory:

Let's make this practical. Suppose a designer is hired to create a brand logo. Who owns it?

Eunice:

This is an interesting dynamic as this type of work straddles two forms of IP: copyright and trademark. Copyright in the log initially belongs to the designer, unless there's a written agreement transferring it. However, the brand owner can register the logo as a trademark and obtain exclusive rights to use it in relation to specific goods or services. This is exactly why contracts are essential.

Victory:

There have also been questions around photography. If I hire a photographer for an event, do I own the photos?

Favour:

Generally, no. The photographer owns the copyright in the photographs unless there's an agreement transferring those rights. However, the person who commissioned the photographs does have certain rights, particularly to use them for non-commercial purposes and to restrict certain forms of publication. But full ownership remains with the photographer unless formally assigned. So if you want ownership, that must be clearly agreed in writing.

Victory:

Before we close, let's step back. Whether you're a business owner, a startup founder, a creative, or even a growing organisation, IP issues often arise unexpectedly. How can individuals and organisations proactively protect their interests?

Favour:

The starting point is conducting an intellectual property audit. An IP audit involves identifying what intellectual assets exist within a business or project, whether copyrights, trademarks, patents, designs, and determining who legally owns them. It is not uncommon for organisations to assume they own certain assets simply because they paid for them or because they use them. An audit helps clarify what is actually owned, what has merely been licensed, and what still requires formal assignment or registration and even a renewal of the registration.

Following the audit, the next step is to regularise documentation. This may involve putting proper agreements in place, registering rights where applicable, and updating internal policies to clearly address ownership, use, and exploitation of IP. Without this structured review, valuable assets can remain legally exposed, commercially underutilised, or vulnerable to dispute.

Disclaimer

This discussion features contributions from Victory Uhunmwangho, Eunice Alasa, Favour Adeniyi and Okenna Onyelu. It was prepared as part of our knowledge-sharing initiative and is intended solely to provide general insight into intellectual property ownership principles. It does not constitute legal advice and should not be relied upon as such. Readers are encouraged to obtain professional advice tailored to their specific circumstances.

Implementation of the Marrakesh Treaty in Nigeria

by Favour Adeniyi

Nigeria ratified the Marrakesh Treaty in 2017 and subsequently domesticated its provisions in the Copyright Act, 2022, marking an important step toward improving access to published works for persons who are blind or visually impaired. However, available data indicates that less than one per cent of published materials in Nigeria are currently accessible to this community.¹⁴ This reality, highlighted by the Director-General of the Nigerian Copyright Commission at the 2025 International White Cane Day commemoration, points to the need for stronger implementation measures to translate legal reforms into meaningful access.

The Marrakesh Treaty, established by the World Intellectual Property Organisation in 2013, aims to improve access to published works for blind, visually impaired, or print-disabled persons. Under Article 4(1), it requires countries to include exceptions in copyright laws to allow reproduction, distribution, and availability of works in formats like Braille, large print, and audio.

While Nigeria has fulfilled its legal obligation by incorporating these provisions into Section 26 of the Copyright Act 2022, the operational implementation remains inadequate. This article examines the current state of implementation and proposes actionable recommendations to bridge the gap between policy and practice, ensuring that Nigeria's visually impaired community can equally access published works.

Current Legal Framework

Nigeria ratified the Marrakesh Treaty on October 4, 2017, demonstrating its commitment to improving accessibility for persons with print disabilities. This commitment was further solidified through the domestication of the Treaty's provisions in the Copyright Act 2022.

Section 26 of the Copyright Act establishes the legal framework for creating copies of copyrighted works in an accessible format. The provision allows authorised entities to make or procure accessible format copies of copyrighted works without seeking permission from the copyright owner, provided that certain conditions are met:

- The authorised entity must have lawful access to the original work;
- The work must be converted into an accessible format;
- The accessible copy must be supplied exclusively to beneficiary persons;
- The activity must be undertaken on a non-profit basis.

Beneficiary persons under the Act include individuals who are blind, have visual impairments or perceptual/reading disabilities, or are otherwise unable to hold, manipulate, or read standard printed materials due to physical disability.

Implementation Challenges

While the legal framework is comprehensive, its practical implementation has been limited. The statistic that less than one percent of published materials are accessible to the blind in Nigeria points to several systemic challenges:

- **Limited Authorised Entities:** There appears to be insufficient awareness or capacity among potential authorised entities that could legally produce accessible format copies as provided under Section 26 of the Copyright Act.
- **Production Capacity Constraints:** Converting published works into accessible formats requires specialised equipment, technical expertise, and financial resources that many organisations lack.
- **Publisher Engagement:** There has been minimal proactive engagement with publishers to integrate accessible format production into their standard publishing workflows.

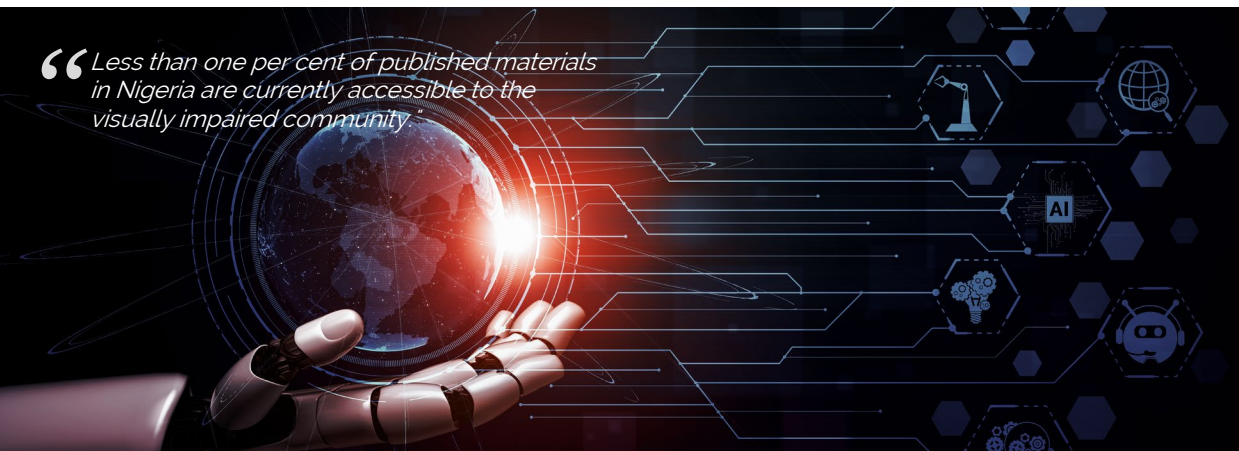
Positive Developments

Despite these challenges, some commendable initiatives demonstrate what is possible with targeted effort.

In 2024, the Nigerian Association of the Blind partnered with the World Intellectual Property Organisation to convert textbooks into accessible formats for blind students in Abia State. This project, while limited in scope, provides a model for scalable intervention in the educational sector.

Additionally, the Bible Society of Nigeria donated Braille Bibles to the National Braille Press Library, expanding access to religious texts for visually impaired individuals. These initiatives, though valuable, remain insufficient to address the scale of the accessibility gap. They highlight both the feasibility of creating accessible formats and the need for more systematic, widespread implementation.

“Less than one per cent of published materials in Nigeria are currently accessible to the visually impaired community”



Bridging the Gap

Achieving meaningful implementation of the Marrakesh Treaty in Nigeria is not merely a legal obligation; it is a matter of educational equity, economic inclusion, and cultural participation for persons with print disabilities. The current implementation gap denies visually impaired Nigerians access to the same literary, educational, and artistic resources available to their sighted counterparts.

Key Recommendations

Nigerian Copyright Commission (NCC)

Establish a dedicated Implementation Unit to actively engage with publishers and monitor compliance with Section 26.

Government Policy

Allocate funding for accessible formats and consider a **National Accessible Publishing Fund** to subsidise conversion costs.

Publishers & Educational Institutions

Adopt inclusive workflows to produce accessible formats simultaneously and prioritise procurement of accessible textbooks.

Authors & Rights Holders

Proactively partner with disability organisations and include accessibility clauses in publishing contracts.

“Intellectual property rights only have commercial value if they are legally enforceable. The commercialisation of IP depends on the strength and clarity of the legal framework governing protection.”

Strategic Impact

Effective implementation transforms the Treaty from policy to practice, ensuring:

Educational Equity

Economic Inclusion

Cultural Participation

Access to Information

Stakeholders

- **NCC:** Regulation & Monitoring
- **Govt:** Funding & Support
- **Publishers:** Production
- **Authors:** Licensing

Legal Insight

“IP derives commercial value not just from innovation, but from the enforceability of exclusive rights.”

The Marrakesh Treaty offers Nigeria a clear pathway to educational and cultural inclusion for persons with print disabilities. However, legal compliance alone is insufficient. Concerted action by all stakeholders: government agencies, publishers, authors, educational institutions, and disability organisations, is essential to transform the promise of the Treaty into tangible access for Nigeria’s visually impaired community.

Intellectual property rights only have commercial value if they are legally enforceable. The commercialisation of intellectual property and intellectual property rights depends on the strength and clarity of the legal framework governing their protection. Intellectual property derives commercial value not just from innovation or creativity, but from the enforceability of the exclusive rights granted to the owner.

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