

Nigeria Patent Registration Requirements And Costs

Description

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Understanding Patents in Nigeria

In the realm of innovation, patents stand as sentinels, guarding the sanctity of new inventions.

They encapsulate the essence of how things function, their purpose, composition, and manufacturing process.

Acquiring a patent bestows upon the owner the exclusive right to regulate the creation, usage, importation, or sale of the invention.

However, not every creation can be patented; stringent criteria must be met.

The invention must be novel, possess an inventive step, be industrially applicable, and not contravene certain prohibitions outlined in patent law.

Patent Registration Procedures in Nigeria

The Patents and Designs Act of 1971 serves as the legal backbone governing patent affairs in Nigeria.

Under its purview, the Federal High Court holds jurisdiction over legal matters pertaining to patents.

The application process commences with the submission of a petition or request, a comprehensive specification including claims, plans and drawings, a declaration of true inventorship, and requisite fees.

Foreign Priority and Examination

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Applicants seeking foreign priority must furnish details of earlier applications made outside Nigeria.

These details include the date, number, and origin of the prior application.

The applicant must also provide a certified copy of the earlier application within a stipulated timeframe.

Subsequently, patent applications are examined for formal compliance, ensuring adherence to statutory requirements.

However, substantive examination is not mandated under current legislation.

Patent Duration and Lapse

Patents in Nigeria enjoy a lifespan of twenty years from the date of the initial application.

Failure to pay prescribed annual fees within the specified timeframe leads to patent lapse.

A grace period of six months is provided for fee payment, after which a surcharge is levied.

Timely payment ensures uninterrupted patent validity.

Requirements for Patent Registration in Nigeria

The requirements for patent registration in Nigeria are succinct but crucial:

1. Completed petition or request for patent.
2. Comprehensive specification including claims.
3. Duplicate plans and drawings.
4. Declaration of true inventorship.
5. Power of attorney or agent authorisation.
6. Address for service within Nigeria (if applicant is overseas).
7. Prescribed fees.

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Cost Summary for Patent Registration: (Post Registration Costs Inclusive)

Below is a summary of the Pre and Post Registration costs associated with various patent services:

Service
Application for patent search
Application for grant of patent (non-convention)
Application for grant of patent (convention)
Annual renewal of patent (annuity)
Penalty for late filing of patent application
Penalty for late renewal of patent

Application for extension of time to pay renewal fee

Application for alteration in the register of patents

Application for correction of clerical errors

Application for amendment of patents document

Certified true copy of patent certificate

Certified true copy of every other form or document

Application for extension of time to complete registration

Change of name of patent title

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Professional Fees

Professional fees for patent services range from ₦250,000.00 to ₦350,000.00 or above, ensuring expert guidance and assistance throughout the patent registration process.

Conclusion

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Securing a patent is more than just a legal formality; it is a strategic move to protect your intellectual property and safeguard your innovations.

By adhering to the stipulated requirements and navigating the patent landscape with diligence, individuals and businesses can fortify their competitive edge and pave the way for future success in the dynamic realm of invention and creativity.

Category

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