

Trademark Registration in Nigeria: Costs And Requirements

Description

ICA (Ibe Chido & Asociates)

Understanding Trademarks

In the vast landscape of business, a trademark serves as a beacon, distinguishing one enterprise’s goods and services from another.

It encompasses various elements such as names, logos, slogans, domain names, shapes, colours, or even sounds.

To safeguard these identifiers legally, one must embark on the journey of trademark registration, a process overseen by the Commercial Law department within Nigeria’s Ministry of Trade and Investment.

This registration serves as a fortress, shielding your brand from unauthorised use by competitors, and is an essential step in asserting your market presence.

Trademark Requirements

To embark on the trademark registration journey, you will need to assemble the following documents and details:

1. **Applicant Information:** Provide the full name(s), nationality, and physical address of the applicant. This information serves as the cornerstone of your trademark application, anchoring it within the legal framework.
2. **Distinct Representation:** A visual depiction of your trademark is pivotal. Whether it is a sleek logo or a captivating slogan, clarity and distinctiveness are paramount. Soft copies are preferred, formatted in JPEG with a resolution of at least 1200 dpi.
3. **Goods and Services Description:** Define the scope of your trademark's coverage, outlining the area (industry) of goods or services it represents. Nigeria adheres to the International Classification of Goods, ensuring alignment with global standards.
4. **Power of Attorney:** Empower a local Agent/Attorney in Nigeria to navigate the intricate trademark terrain on your behalf. A signed Power of Attorney, brimming with the applicant's details, serves as the legal conduit for representation.
5. **Corporate Details:** If the applicant is a firm or company, furnish details such as full name(s), capacity of the signatory, and other pertinent corporate particulars.

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Trademark Registration Procedure

Embarking on the trademark registration voyage entails a series of steps:

- **Engaging a Local Agent:** Enlist the services of a local Attorney/Agent well-versed in Nigerian trademark law. They serve as the custodian of your trademark aspirations, shepherding your application through the labyrinth of regulations.
- **Filing and Processing:** Your appointed Agent will file the trademark application at the Nigerian Registry of Trade Marks, Patents, Designs, and Copyright. This initiates the official journey of your trademark towards legal recognition.
- **Preliminary Search:** The Registrar conducts a meticulous search, ensuring your trademark's distinctiveness and compatibility with existing registrations. This is a crucial checkpoint to navigate before proceeding further.

- **Publication and Opposition:** Upon acceptance, your trademark is published in the Nigerian Trademark Journal, inviting potential oppositions for a two-month period. This phase underscores the importance of uniqueness and originality in your trademark.
- **Certificate Issuance:** If no oppositions arise or are sustained, the Registrar bestows upon you the coveted certificate of registration. This official document crystallizes your trademark's legal status, affirming its rightful place in the realm of intellectual property.

Trademark Registration Costs (Post Registration fees included for ease of reference)

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Trademark registration incurs various fees, as outlined below:

Service	Fee
Application for trademark registration	₦16
Issuance of trademark certificate	₦11
Change of trademark name	₦11
Change of trademark address	₦11
Renewal of registered trademark	₦15
Availability search	₦1,5
Application for registration of defensive marks	₦15
Notice of opposition	₦8,0
Counter statement	₦8,0
Statutory declaration	₦8,0
Renewal of registered trademarks	₦12
Penalty for late renewal of trademark	₦5,0
Certified true copy of trademark certificate	₦8,0
Professional fee ranges	**₦10**

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Electronic Filing in Nigeria

Embracing technological advancements, trademark applications can now be filed electronically through local IP Agents.

This modernised approach streamlines the process, offering unparalleled convenience and efficiency.

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With electronic filing, applicants receive instant acknowledgment and gain access to a robust tracking system to monitor their applications in real-time.

Payment can be effortlessly facilitated via Quickteller.com or at Skye Bank Plc. in Nigeria, further enhancing accessibility and ease of transaction.

Conclusion

Trademark registration is a pivotal milestone in fortifying your brand’s identity and preserving its integrity in the competitive marketplace.

By adhering to the outlined requirements and navigating the procedural intricacies with diligence, businesses can secure legal recognition and exclusive usage rights for their trademarks, empowering them to thrive and flourish in the dynamic landscape of commerce.

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