

“Nigerian Businesses and the Need for Corporate, Copyrights, Trade Marks, Industrial Designs and Patents Registrations.”

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PROFILE OF ONYEKACHI UMAH

- Onyekachi Umah is a husband and private legal practitioner with amazing experience in intellectual property, transaction and regulation advisory, corporate, commercial and investment law and energy law as well as litigation and arbitration arising from them.
- He is a certified arbitrator both in Nigeria and the United Kingdom.
- Among other, he has a certificate in Law of Contract from a program of Harvard University, a certificate in International Environmental Negotiation from United Nations Institute for Training and Research, Geneva and recently, a certificate in Conflict Management from United States Institute of Peace, Washington, D.C.
- He also holds a master of laws degree from University of Jos.
- He is the managing partner of a leading law firm; Bezaleel Chambers International.
- He is the founder and President of a free law awareness platform known as LearnNigerianLaws.com that delivers lectures, essays and free daily law tips across Nigeria.
- He is the convener of the Sabi Law Lecture Series, travelling around Nigeria delivering free law awareness lectures.
- He has written over fifty articles on law with a desire to enlighten the public. He is the Assistant Secretary of Nigerian Bar Association, Capital Bar, Abuja.

1. Forms of Businesses In Nigeria

- Sole Proprietorship
- Partnership
- Business Name
- Co-operative Societies
- Company
- Group of Companies
- Joint Ventures
- Informal sector; Unregistered Businesses and businesses of Religious Agencies.

2. Corporate Registration of Businesses

- Business Name by Corporate Affairs Commission:
Sole Proprietorships, Firms, Partnerships and small-scale businesses.
- Companies by Corporate Affairs Commission:
Private Limited, Public Limited, Unlimited, Group of Companies.
- Registry of Co-Operative Societies in Local Government Authority/Area Councils:
Primary and Secondary Corporative Societies.

3. Benefits of Corporate Registration of Businesses.

- Creation of legal being (to sue & be sued)
- Limitation of Liabilities/Risks
- Tax avoidance and holidays
- Continuity and institutionalization
- Entrance to stock market and International Trade
- Easy Identification of business, products, services and system
- Exclusive ownership of brands, property and assets
- Access to formal sector; bank, import, export and government interventions.
- Ability to bid and execute government contracts
- Ability to partner with other businesses

4. Registration of Copyrights, Trade Marks, Designs and Patents of Businesses.

○ Copyrights:

Ownership, Use & Transfer of literary works, musical works, artistic works, cinematograph works, sound recording and broadcasts of businesses. Natural registration and deliberate notification.

Lasts for 70 years for literary, musical and artistic works apart from photos,

Then, lasts for 50 years for cinematograph films, photographs, sound recordings and broadcasts.

Registration of Copyrights, Trade Marks, Designs and Patents of Businesses. CONTD

○ Trade Marks:

Ownership, Use & Transfer of distinctive names, words, colours, logos, crests, flags, badges, symbols, pictures, shapes, signs, patterns, formations, processes, drawings or combination of all or some of the above elements of businesses.

Registration lasts for 7 years after registration.

Subsequently, lasts for terms 14 years after each renewal.

Registration of Copyrights, Trade Marks, Designs and Patents of Businesses. CONTD

○ Industrial Designs:

Ownership, Use & Transfer of any new combination of lines or colours or both, and any three-dimensional form, intended to be used as a model/pattern to be multiplied by industrial process. Certificate lasts for 5 years and upon renewal another term of 10 years.

○ Patents:

Ownership, Use & Transfer of new Inventions, discoveries, products and processes. Registration lasts for 20 years without an option of renewal.

5. Benefits of Copyrights, Trade Marks, Designs and Patents Registrations.

- Easy branding and marketing
- Easy Identification of business, products, services and system.
- Exclusive ownership of brands, property and assets
- Outright transfer of ownership or part of it on registered rights.
- Lease of ownership or part of it on registered rights.
- Stop and prosecution of authorized users of registered rights.
- Reduction of piracy and fake products and services.

6. Agencies For Corporate, Copyrights, Trade Marks, Designs and Patents Reg.

- Corporate Affairs Commission (CAC): Regulation and Registration for Business names and Companies.
- Nigerian Copyright Commission (NCC): Regulation and registration of notice of copyrights.
- Registry of Co-operative Societies in Local Government Areas and Area Councils: Regulation and Registration of Primary and Secondary Co-Operative Societies.
- Registry at the Federal Ministry of Industry, Trade and Investment: Regulation and registration of Patents, Industrial Designs and Trade Marks.

7. Conclusion:

- Register and protect your businesses, brands, ideas, works, writings, discoveries and inventions, today! They are the zillions of tomorrow.

Thank you!

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THURSDAY
19 . 07 . 2018 | **1PM**

@Meeting of the Rotary Club
of Abuja Metro (Mega Club),
District 9125 in Sandralia Hotel, Jabi, Abuja.

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