

AN ANALYSIS OF THE NATIONAL INTELLECTUAL PROPERTY POLICY AND STRATEGY (NIPPS) 2025 AND ITS EFFECT ON OUR DIGITAL ECONOMY.

Introduction

In an era increasingly defined by data, innovation, and intangible assets, intellectual property (IP) has emerged as a central pillar of economic growth. Recognising this reality, the Federal Government of Nigeria on November 6, 2025 introduced the National Intellectual Property Policy and Strategy (NIPPS) 2025 as a comprehensive framework aimed at repositioning intellectual property as a driver of national development.

The NIPPS represents a deliberate shift from a largely administrative perception of IP to a strategic, value-oriented approach that aligns intellectual property protection with Nigeria's aspirations for a robust and competitive digital economy. This article examines the policy through a legal lens and evaluates its implications for Nigeria's fast-evolving digital ecosystem.

Overview of the National Intellectual Property Policy and Strategy (NIPPS) 2025

At its core, the NIPPS provides a comprehensive roadmap for reforming Nigeria's intellectual property ecosystem. It outlines strategic objectives that include strengthening the legal and institutional framework for IP administration, improving enforcement mechanisms, promoting public awareness and education, encouraging the commercial exploitation of IP assets, and aligning Nigeria's IP regime with international best practices. The policy adopts a cross sectoral approach, recognizing the roles of government agencies, educational institutions, the private sector, creative industries, and research bodies.

The NIPPS aims to connect innovators, creators and investors in a unified system, turning IP into tangible financial assets. The broader objective of the policy is to position Nigeria as a regional hub for intellectual property and innovation in West and Central Africa. The approval of the NIPPS is a significant milestone for IP protection in Nigeria. Some of the strategic objectives under the policy for Nigeria include:

1. Strengthening of the legal and institutional framework for the administration and management of intellectual property rights in Nigeria;
2. Strengthening IP protection and enforcement to meet global best practices;
3. Promoting innovation and creativity, particularly among SMEs, startups, and knowledge-based industries;

4. Commercialising intellectual property to enhance wealth creation and job growth;
5. Positioning Nigeria competitively within the global digital and knowledge economy;
6. The promotion and facilitation of commercial exploitation of intellectual property assets and technology transfer;
7. Development of the required human resources for the administration, protection, commercialization, and enforcement of intellectual property rights; and Promotion of intellectual property training, education and awareness.

From a policy standpoint, the NIPPS recognises intellectual property not merely as a legal right but as an economic asset capable of attracting investment, stimulating technological advancement, and facilitating digital trade.

The digital economy in Nigeria is on a trajectory toward unprecedented growth, with revenue projections reaching \$18.3 billion in 2026. This growth is anchored by the maturation of artificial intelligence (AI), cloud computing, fintech, and a nationwide deepening of 5G and fibre connectivity. However, the sustainability of this expansion is contingent upon a robust IP regime that can protect intangible assets, software, data-driven solutions, and digital creative content, which form the bedrock of the modern economy. NIPPS 2025 addresses this by integrating IP considerations into broader digital transformation strategies, including the Nigeria Startup Act 2022 and the National Digital Economy Policy and Strategy 2020–2030.

Furthermore, Nigeria’s creative industry film, music, publishing, gaming, and digital media, is a major contributor to GDP and employment. However, rampant piracy and weak enforcement have historically undermined its growth.

The NIPPS 2025 acknowledges this challenge and prioritises effective enforcement mechanisms, inter-agency collaboration, and the use of technology in rights management. For the digital economy, this is critical. Streaming platforms, digital distribution channels, and online marketplaces depend on credible IP protection to function sustainably.

By improving rights enforcement in digital spaces, the policy enhances revenue generation for creators, encourages foreign partnerships, and legitimises Nigeria’s creative exports on the global stage.

Key Legal and Regulatory Reforms

The Policy proposes far-reaching reforms to Nigeria’s intellectual property legal and institutional framework, beginning with patents, industrial designs, and trademarks. At present, the Patents and Designs Registry conducts only a formal examination of applications, a limitation that significantly weakens the credibility of granted rights and, by extension, diminishes investor confidence,

both domestic and foreign. To address this deficiency, the Policy advocates the introduction of substantive examination, to be supported by the recruitment, continuous training, and retention of technically proficient patent examiners. Complementary measures include the automation of registry operations, the modernization of IP databases, and the expansion of Technology and Innovation Support Centres, all aimed at improving access to prior art, strengthening research capacity, and fostering an innovation-friendly environment.

With respect to trademarks, the Policy identifies persistent systemic challenges, including outdated communication infrastructure, limited automation, inadequate staffing, and procedural inefficiencies that contribute to prolonged registration timelines. In response, it recommends comprehensive modernization of trademark registry operations, the strengthening of the quasi-judicial opposition tribunal, the regular and timely publication of trademark journals, and the resolution of inconsistencies in agent accreditation and recordal processes. The Policy further emphasizes the need to align Nigeria's trademark regime with its obligations under the TRIPS Agreement, particularly in relation to the protection of service marks and the clarification of use requirements.

In the area of copyright, significant legislative progress has already been achieved through the enactment of the Copyright Act 2022, the provisions of which are fully integrated into the Policy. The Act reinforces authors' rights, introduces contemporary exceptions and limitations, domesticates the 1996 WIPO Internet Treaties, establishes a digital copyright registration system, and expands the enforcement powers of the Nigerian Copyright Commission ("NCC"). Building on this foundation, the Policy places strong emphasis on effective implementation of the Act, capacity enhancement of the NCC, expansion of the Copyright Academy, and the full operationalization of the copyright levy scheme to ensure sustainable remuneration for rights holders.

Institutional Reforms and the Modernisation of IP Administration

One of the most immediate and far-reaching benefits of the NIPPS 2025 framework for Nigeria's digital ecosystem is the comprehensive modernisation of intellectual property (IP) administration. Historically, the Nigerian IP system was constrained by fragmented institutional structures, with the Patents and Designs Registry and the Trademarks Registry operating in bureaucratic silos, characterised by limited information sharing and overlapping functions. The new policy framework addresses these structural inefficiencies by introducing a coordinated, hierarchical governance model aimed at strengthening inter-agency collaboration and operational coherence.

A central pillar of this reform agenda is the automation and modernisation of IP registries. The shift away from manual filings, paper-based record-keeping,

and dependence on postal correspondence toward fully digitised, web-based platforms is no longer optional but imperative for a modern digital economy.

For startups and digital entrepreneurs whose innovation cycles are rapid and time-sensitive, prolonged registration timelines have historically undermined the formal protection and commercialisation of IP assets. By mandating the overhaul of registry workflows and the deployment of digital registration systems, the NIPPS framework is expected to significantly reduce processing times, improve transparency, and enhance the overall efficiency and credibility of Nigeria's IP administration system.

Intellectual Property as the Backbone of the Digital Economy

Nigeria's digital economy thrives on intangible creations—software, digital content, fintech solutions, e-commerce platforms, artificial intelligence tools, and creative digital works. These outputs are inherently vulnerable to infringement, piracy, and misappropriation in the absence of effective IP safeguards.

The NIPPS 2025 addresses this vulnerability by emphasising robust copyright, patent, trademark, and industrial design protection, particularly in digital contexts. By doing so, the policy seeks to create a secure environment in which innovators and digital entrepreneurs can confidently develop, deploy, and monetise their creations.

Legally, this strengthens the incentive structure upon which innovation rests. Where creators are assured of enforceable rights, the willingness to invest time, capital, and expertise in digital products is significantly enhanced.

Impact on Innovation, Startups, and Technology-Driven Enterprises

One of the most significant effects of the NIPPS on Nigeria's digital economy lies in its potential to empower startups and technology-driven enterprises. The policy promotes:

1. Awareness and education on IP ownership and management;
2. Simplified IP registration processes, including digitisation of registries; and
3. Access to IP-based financing, where patents and copyrights may serve as bankable assets.

For digital startups, especially in fintech, health tech, edtech, and agritech, intellectual property often constitutes their most valuable asset. The NIPPS therefore provides a legal and policy foundation for transforming ideas into protected, investible commodities, thereby strengthening Nigeria's innovation pipeline.

Integration with the Startup Ecosystem and Fast-Track Mechanisms

The NIPPS 2025 framework expressly acknowledges technology startups as the principal drivers of intellectual property creation in the contemporary economy, while also recognising their disproportionate exposure to bureaucratic delays and administrative bottlenecks. In response, the policy deliberately aligns IP administration with the objectives of the Nigeria Startup Act 2022, embedding startup-friendly mechanisms within the national IP governance framework.

Central to this integration is a mandate requiring the National Information Technology Development Agency (NITDA) to work in close collaboration with the relevant IP registries to establish expedited registration pathways for “labelled startups.” These fast-track mechanisms are designed to reduce procedural friction, accelerate time-to-protection, and ensure that early-stage innovators can secure legal recognition of their IP assets within commercially relevant timelines. By synchronising IP protection with the operational realities of startups, the NIPPS framework strengthens Nigeria’s innovation ecosystem and enhances the global competitiveness of indigenous technology enterprises.

Transforming Intellectual Property into Bankable Capital

A transformative aspect of the NIPPS 2025 framework is the shift toward the commercialization of IP assets. For too long, intellectual assets in Nigeria remained “dead capital” because of a lack of valuation standards and infrastructure for IP-backed financing. The policy proposes the establishment of a National IP Commercialization Framework to provide standardized guidance on the valuation, licensing, and monetization of IP assets.

The Investment in Digital and Creative Enterprises (iDICE) program, supported by the African Development Bank and other international partners, is a key vehicle for realizing these commercial goals. As part of its expanded financing architecture, the program has launched two complementary funding instruments: a dedicated Creative Sector Fund and a “Fund of Funds” designed to invest in intermediary funds that support technology-driven and creative enterprises. When combined with the legal clarity and institutional certainty introduced by NIPPS, these financial mechanisms foster a holistic ecosystem in which digital and creative innovations can be properly valued, legally protected, and leveraged as collateral to unlock growth capital. In doing so, the framework repositions intellectual property as a viable driver of enterprise financing and scalable economic development.

Alignment with International Standards and Digital Trade

Another notable strength of the NIPPS is its alignment with international IP treaties and best practices. In an interconnected digital economy, cross-border transactions are commonplace, and confidence in a country’s IP regime is a decisive factor for foreign direct investment.

The policy therefore strengthens Nigeria’s standing in global digital trade by promoting compliance with international obligations and facilitating cooperation with foreign IP institutions. From a legal perspective, this reduces regulatory uncertainty and enhances Nigeria’s credibility as a destination for technology transfer and digital services.

Intellectual Property Enforcement in 2026 and Beyond

For Nigeria’s digital economy to achieve sustainable growth, the enforcement of intellectual property rights must be credible, proportionate, and responsive to the evolving realities of the digital environment. The NIPPS 2025 framework represents a decisive shift away from traditional, largely reactive enforcement models toward a more strategic and impact-driven regulatory approach. This shift is reflected in the introduction of robust legal instruments aimed at strengthening deterrence and enhancing institutional capacity.

In 2025, the Nigerian Copyright Commission (NCC) operationalized this new enforcement philosophy through the introduction of two pivotal instruments: the Collective Management Regulations 2025 and the Proceeds of Crime (Designation of NCC as a Relevant Organisation) Order 2025. Together, these measures recalibrate the enforcement landscape by combining improved rights administration with enhanced financial crime enforcement mechanisms.

The Proceeds of Crime Order is particularly consequential for the digital and creative sectors. By designating the NCC as a “relevant organisation” under the Proceeds of Crime (Recovery and Management) Act 2022, the government has empowered the Commission to trace, freeze, seize, and recover proceeds derived from copyright infringement and other IP-related offences. Historically, digital piracy and related infringements were often perceived as low-risk, high-reward activities. This designation fundamentally alters that calculus by directly targeting the financial infrastructure of infringing operations. By ensuring that unlawfully obtained profits are confiscated and ultimately restituted to legitimate rights holders through due legal process, the new regime strengthens deterrence, promotes fairness, and enhances confidence in Nigeria’s IP enforcement framework as the country moves beyond 2026.

Legal and Institutional Implications

The effective implementation of the NIPPS 2025 framework is contingent upon complementary legislative reforms, sustained institutional capacity building, and a responsive judiciary. Courts, regulatory bodies, and enforcement agencies must be adequately resourced and technically equipped to adjudicate and regulate increasingly complex intellectual property disputes arising from digital technologies, including software infringement, data-driven IP claims, and online counterfeiting.

Absent this supporting institutional architecture, the policy risks remaining largely aspirational. Conversely, where these legal and institutional measures are successfully operationalised, NIPPS 2025 holds the potential to significantly modernise Nigeria's intellectual property jurisprudence, enhance regulatory coherence, and reinforce the rule of law within the country's rapidly expanding digital economy.

Conclusion

The National Intellectual Property Policy and Strategy (NIPPS) 2025 marks a pivotal moment in Nigeria's legal and economic evolution. By recognising intellectual property as a strategic asset rather than a peripheral legal concern, the policy lays a solid foundation for sustainable growth in the digital economy.

For Nigeria to fully realise the benefits of the NIPPS, sustained political will, legal reforms, stakeholder engagement, and effective enforcement are imperative. If these elements are harmonised, the NIPPS 2025 will not only protect innovation but also catalyse Nigeria's transformation into a competitive, knowledge-driven digital economy.

For further insights, detailed advice and or assistance in aligning your business with the new framework, please contact us vis:

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