

**LEAD DEBATE ON THE PATENT AND DESIGN ACT CAP P2 LFN 2004  
(REPEAL & RE-ENACTMENT) BILL, 2021 (SB. 880).**

**Sponsor: Senator Ibikunle Amosun (*Ogun Central*)**

Mr. President, Distinguished Colleagues permit me to lead the debate on the Patent and Design Act (Repeal and Re-enactment) Bill 2021. You will recall that this Bill was read for the first time in this Chamber on Wednesday, 15<sup>th</sup> December, 2021.

The Bill seeks to Repeal the Patent and Design Act and re-enact the Patent and Design Act 2021 to make provision in respect of future patents and applications for patents for the protection of inventions and to give effect to certain international conventions on patents.

Mr. President, Distinguished colleagues, the existing legislation on the Patents and Design Act is inherently inadequate to meet the needs of a modern society.

Nigeria is a global village that must be in tune with what obtains in other developing nations, especially in the areas of innovation and technological advancement. Consequently, robust laws need to be enacted to strengthen the existing laws in line with the Senate's progressive legislative agenda. This will facilitate the inclusion of advanced technologies and the stimulation of domestic innovative activity that will contribute to the development of Nigeria and place Nigeria firmly on the world map.

The need to reform and revise intellectual property law of which the Patents Bill is a part of, will, in my view, provide the necessary impetus that would place Nigeria firmly within the world economic environment.

Mr. President, Distinguished Colleagues, Intellectual property rights, in a nutshell, are exclusive rights that are conferred by law to an individual, enterprise, corporation or entity for the product of that individual, enterprise, or corporation for the purpose of his or its intellectual property.

Intellectual Property comes in different forms including scientific inventions, industrial designs, signs of a purely commercial value or trademark, trade secrets, literary works, as well as artistic and musical work. Intellectual property law confers on the individual the exclusive right of exploiting, assigning, transmitting and contracting out the creations of his or her intellect. Those creations would have

to be expressed in a legally admissible format and, in some cases, are subject to registration procedures.

Similarly, in the same way that the law provides protection for a person who owns land, a car or any other items, Intellectual property right provides protection for the exclusive exploitation, assignment, transmission and contracting out of novel creation of the intellect.

Mr. President, Distinguished colleagues, the Patents Bill is designed to enhance the quality of life for all of us in Nigeria. It is a helpful precondition to creating technology that would boost economic growth and aid development. A strong system of intellectual property rights is indispensable to the technological development and advancement of our nation.

The Patent and Design Act Cap P2 LFN 2004 (Repeal & Re-Enactment) Bill, 2021 seeks to protect intellectual property rights by setting up a framework for civil/judicial procedures, by providing impetus to scientific and technological development as well as the rapid industrial growth of our country, which is presently heavily dependent on oil and gas.

This Bill also gives us the opportunity for our country, as a member of the International Union for the protection of industrial property, to secure maximum benefits from being party to what is known as the Patent Co-operation Treaty, 1970 to which Nigeria has become a signatory.

Mr. President, Distinguished colleagues, permit me to add that this Bill is a significant requirement for the improvement in the attractiveness of Nigeria as an investment location. Its implementation is a requirement for deepening trade relations in the global marketplace. It will promote a self-sustaining system, thereby contributing to the national treasury.

Mr. President, Distinguished colleagues, as already indicated in the existing legislation, this Bill makes provision in respect of future patents and applications for patents for the protection of inventions and to give effect to certain international conventions on patents.

Mr. President, Distinguished Colleagues, I urge you to support this Bill for second reading.

Thank you.