

Nigeria signed the Patent Cooperation Treaty (PCT) on May 5, 2005.

The Nigerian Constitution requires that any International Treaty to which the country accedes must be passed by the Legislature as a domestic law before it can take effect as a law in Nigeria. This has not been done. Furthermore, the Registrar has not made any rule or given any practice direction on how the PCT will be implemented.

In the circumstance, PCT applications are still filed and processed as ordinary patent applications.

We are aware that the Federal Minister of Justice is compiling all International Treaties Nigeria acceded to with a view to forwarding them to the National Assembly for promulgation as local law.

Clients and Associates would be promptly informed as soon as the local legislation is passed.