



Intellectual Property **Africa Practice** Service Profile

We know our territory, Let us help you exploit your business potential in Africa

A billion consumers' market, vast natural resources, youthful workforce, progressive macroeconomic policies, timely deregulation, dedicated sector reforms and an insatiable technology movement; have catapulted Africa to the mainstream of the global economy. This emerging investment destination is a calabash of diverse business cultures and unique challenges

Jackson, Etti & Edu knows this territory; we have built our fullservice legal practice with in-depth sector focus supported by a combined regional experience of leading professional networks.

Our African IP practice offers convenience and value. We provide an integrated service of IP prosecution across Africa and bespoke solutions in management and commercialisation of IP. Our fearless litigation team has a proven brand-protection service. Let us help you exploit your full business potential in Africa.

The African IP specialists, deeply rooted in Africa

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“ It [Jackson, Etti & Edu], is very swift in prosecution & provides excellent & far sighted general counsel ”

—*World Trademark Review (WTR)*



*An Ethiopian woman weaving a colourful basket table called Mesob.
(photographed by de Roland Michaud)*

Our firm strongly believes that the “knowledge economy” and “intangible assets” remain a relatively untapped source of wealth in Africa.

In a snapshot

3 Associate Offices

Accra • Harare • Yaoundé

35+

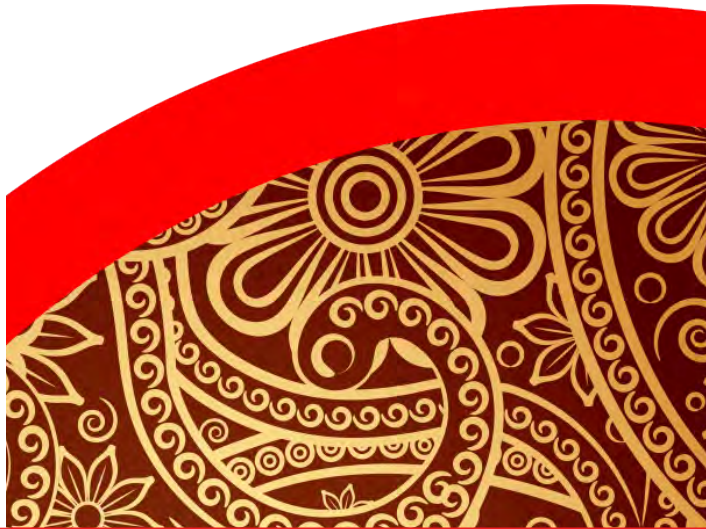
Jurisdictions

7+

Areas of expertise

6

Sectors



Africa-wide Practice

Vast Professional Services Network

Leading Brands protected

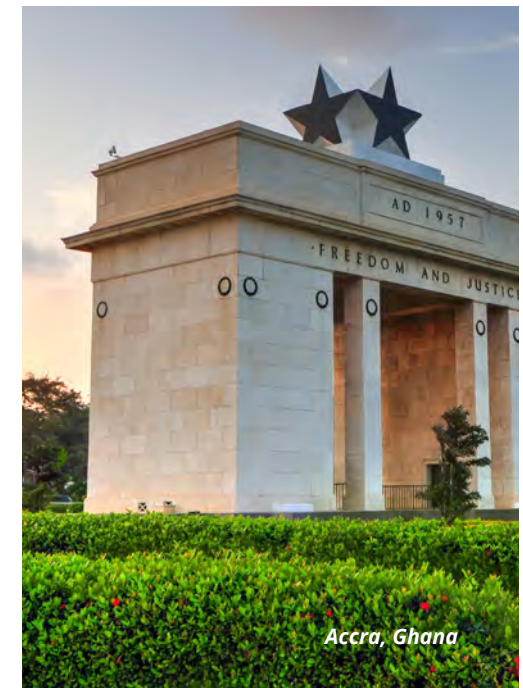
Significant Value unlocked



Harare, Zimbabwe



Yaoundé, Cameroon



Accra, Ghana

Africa-wide Practice

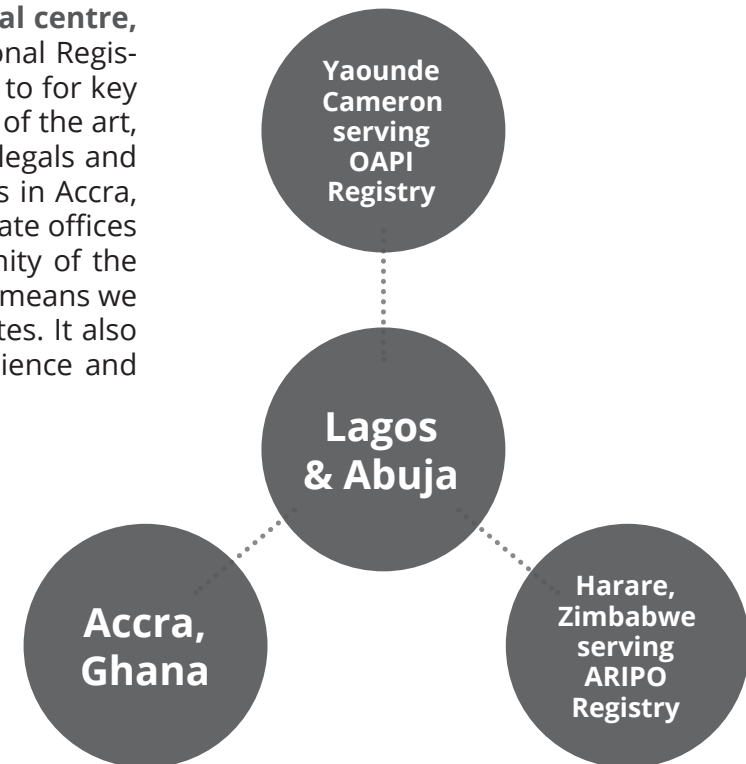
Jackson, Etti and Edu offers IP prosecution services across Africa through a dedicated network of integrated professional services. We are fully capable of filing trademarks, patents and industrial designs anywhere in Africa. We have several offices in Nigeria and associate offices in Accra- Ghana, Yaoundé-Cameroon and Harare-Zimbabwe. Further, our associate offices in Harare and Yaoundé are within vicinity of the headquarters of the regional bodies ARIPO and OAPI, respectively. We register domain names and provide full legal representation in opposition matters. In addition, we offer complimentary trademark "Watch Service" of various African Trademarks

Journals for clients, at no cost. The watch service allows us to manage possible trademark conflicts in any African jurisdiction, with a view of preventing the registration of the offending trademarks. vast & integrated professional services network makes us a one-stop-shop for our clients' needs on the continent "A " Our firm strongly believes that the "knowledge economy" and "intangible assets" remain a relatively untapped source of wealth in Africa. We provide full legal support to protect your creativity and invention. We have a busy pro-development IP portfolio that serves Small to Medium Business Enterprises in various start-up businesses as much as large corporations. We also advise on IP issues in commercial transactions from audits and valuations to licensing and franchising.



Strategic Locations

We have strategically positioned offices in Nigeria's financial centre, Lagos and the capital Abuja within vicinity of the national Registry. We have a project office in Ikeja, where we retreat to for key transactions. All our offices are equipped with up-to-date, state of the art, IT services. All our offices are fully staffed with attorneys, paralegals and business support services personnel. We have associate offices in Accra, Ghana; Harare, Zimbabwe and Yaoundé, Cameroon. Our Associate offices in Harare, Zimbabwe and Yaoundé, Cameroon are within vicinity of the regional registries, ARIPO and OAPI respectively. This proximity means we are usually first on the ground with news and regulatory updates. It also means that we are able to deliver on our promise of Convenience and Value to our clients. Africa-wide Practice



Africa-wide Practice

IP Prosecution: Trademarks, Patents & Designs.

We are fully capable of managing trade mark, patent and design registrations in individual African countries, as well as regional African filing systems such as oapi and ariipo.

Beyond your “run-off-the-mill” prosecution services such as searches, filing and renewals, we also provide portfolio management, legal advisory and enforcement of rights.

Domain Names

We register domain names, renewals and we resolve disputes across Africa.

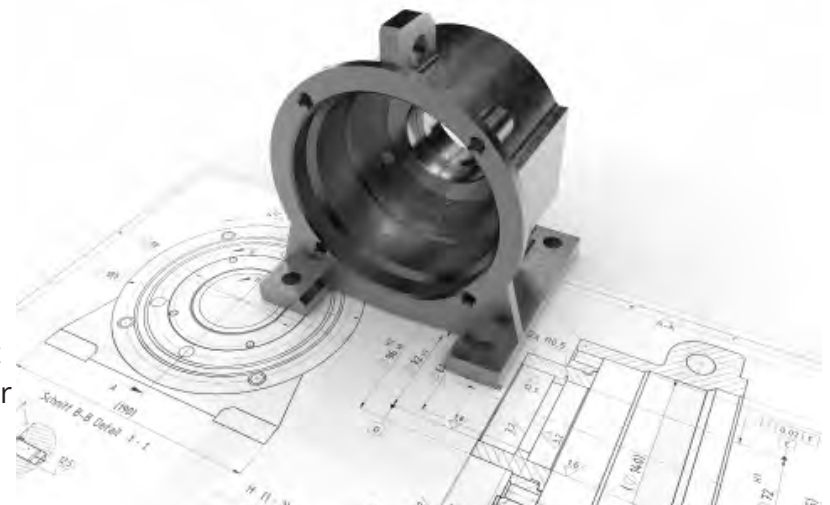
Value Added Services

Market Intelligence

Our integrated and experienced professional services network across the continent allows us to keep an eye on your brand so as to safeguard your brand’s integrity. As a sector focused firm, we will keep you updated on the most current developments that affect your business within your industry.

Watch Service

We offer complimentary trademark “Watch Service” of various African Trademarks Journals for clients, at no cost so as to manage possible trademark conflicts in any African jurisdiction.



Nigerian Services

Regulatory Compliance in Nigeria

As a means to curb the inflow of illicit, hazardous and counterfeit products through its borders, the Nigerian government introduced the National Agency for Food & Drug Administration & Control ("NAFDAC"). NAFDAC promotes consumer protection through quality and safety control. To that end, the following products are restricted from entry and trade without NAFDAC licensing;

- Food and food products;
- Drugs and drug products;
- Cosmetics;
- Medical devices;
- Chemicals;
- Veterinary products;
- Biological products including herbal medicines

Brand Protection & Anti-Counterfeiting in Nigeria

We have an experienced and dedicated brand protection and anti-counterfeiting practice that is specifically designed to develop and execute specialized strategies and campaigns to match each client's peculiar challenges. Our strategies cut across civil court actions, criminal court actions, regulatory or administrative actions, border measures, etc. The overall objective of these actions is to eliminate or limit the chances of counterfeiting of our clients' products within Nigerian borders.

IP Audit

We assist our clients in evaluating their intellectual property portfolio with a view to ascertaining the ownership, quality, and quantity of their IP assets. An IP Audit is also a necessary step towards aligning business strategy with the IP assets present in a business. So, we conduct IP audit exercises from the standpoint of a clear understanding of the client's specific business objectives and are therefore able to provide clients with a detailed report that is appropriate for each specific transaction.

Our detailed IP Audit report will contain an inventory of IP assets, their ownership status, highlight any observed weaknesses or risks requiring mitigation and our recommendations for proper management of the IP assets.



Nigerian Services – Cont'd

IP Commercialisation Services

Commercialisation of IP relates to the extraction of value from IP or utilization of IP with a view to gaining value/benefit. Beyond identification and management of IP assets, we are able to provide varied services to enable clients get the best value out of their intellectual property. An IP commercialisation strategy may be structured to ensure competitive advantage for client's IP in the marketplace, to create a new stream of income for the company through licensing or expansion into new markets or to reduce the company's cost of operation.

- **Franchising**

We provide specialist legal advice on various aspects of franchise transactions and guide clients through the maze of legal, regulatory, and transactional hurdles that are usual to franchise arrangements. Whether it is a major international brand seeking to expand into the Nigerian commercial space, or a local entity seeking to buy a franchise, we provide our clients with tailor-made advice that ensures that their commercial interests are well-served.

- **IP Licensing**

Our services include developing license strategies, negotiating and drafting license agreements. We help our clients determine license arrangements that align with each client's peculiar business strategy and objectives.

- **IP Co-Existence / Settlement Agreements**

There is an increasing preference for settlement of IP disputes through Co-existence/Settlement Agreements, rather than the usual dispute resolution mechanisms. We leverage on our experience to help clients negotiate settlement on intricate IP disputes and prepare binding agreements documenting the settlement terms.

- **IP Documentation**

We are versed in the art of drafting and vetting documentation for all manner of IP-related transactions and business arrangements. We give attention to the fine details of each transaction and are able to prepare well-crafted agreements that minimize the possibility of disputes and enhance harmonious business relationships between the parties.

Nigerian Services – Cont'd

Anti - Counterfeiting

With an understanding of the concerns faced by holders of intellectual property rights in the face of growing trademarks counterfeiting, we have an experienced and dedicated brand protection and anti-counterfeiting practice that is specifically designed to develop and execute specialized strategies and campaigns to match each client's peculiar challenges.

Our strategies cut across civil court actions, criminal court actions, regulatory or administrative actions, border measures, etc. The overall objective of these actions is to eliminate or limit the chances of counterfeiting of our clients' products within African borders.

The firm's Anti-Counterfeiting services include, but are not limited to the following:

- Extensive on-site investigations at known addresses where counterfeiting and other forms of illicit trades are carried out in any part of Nigeria and Africa.
- Market survey of known markets across Africa where counterfeit products are sold and distributed, with a view to determining the source of manufacture or importation;
- Investigative trademark searches at Trademarks Registries across Africa.
- Administrative actions at Company's Registries across Africa in relation to the conflict between company names and trademarks;
- Organising and conducting Police raids in markets and locations across Africa of suspected dealers in counterfeits, with a view to seizure and destruction of offending products and prosecution of offenders;
- Combating parallel imports across the African Region ;
- Negotiating amicable settlement and extracting relevant written non-violation Undertakings from offenders;
- Organising awareness/sensitization campaigns in markets.
- Border enforcement such as Customs recordal to prevent movement of counterfeit products across Africa;

Intellectual Property Litigation

Our IP Litigation Practice team is made up of experts and dedicated specialists in the field of intellectual property practice with over thirty years of collective experience. With an extensive degree of expertise, we have instituted and prosecuted several IP rights protection and enforcement cases for blue chip companies across Africa. We have also obtained Anton Pillar orders of search and seizure with which we hit infringers "below the belt" and constrain them to the negotiation table, thereby saving our clients the time, labour and cost associated with long drawn court cases.

The firm's IP Litigation services include, but are not limited to the following:

- Initiating trademark opposition proceedings across regions in Africa against off ending trademark applications;
- Prosecuting and defending trademark opposition, cancellation and rectification proceedings instituted in any region in Africa;
- Obtaining court orders for search and seizure of counterfeit products in any region in Africa;
- Instituting trademarks infringement , passing off, copyright infringement, patents, and designs infringement lawsuits at various courts of record across Africa.

Experience Highlights

Advised: UNDP

Handled the world-wide patent & trademark registration of EATSET (Emergency Autologous Transfusion Set), on indigenous invention by Dr Oviemo Ovadge which was a breakthrough in medical science at its time. The EATSET is a device used for the collection and simultaneous transfusion of a patient who has suffered a trauma e.g a road accident

Value: *Significant*

Advised: WHO

Handled the world-wide trademark registrations of NIPRISAN, NICOSAN, etc, which were pharmaceutical substances developed by NIPRID, one of Nigeria's Research Institutes based in Udu, near Abuja. These substances were for the treatment of diseases such as Sickle Cell Anaemia

Value: *Significant*

Advised: A leading Nigerian Bank

Advised on IP Securitisation issues with respect to a 300 million Naira credit transaction.

Value: *N300 million*

Advised: A global media company

Conducted IP due diligence on a chain of companies in the Nigerian Media & Advertisement Sector with respect to an acquisition bid by an international media company.

Value: *Significant*

Advised: Nokia Corporation

Represented *Nokia Corporation* in prosecuting an Intellectual Property Right Enforcement Litigation, against offenders dealing in importation, marketing, sale and distribution of counterfeits of its mobile telephones and accessories in Nigeria.

Value: *Significant*

Experience Highlights

Advised: Leading Telecomms Companies

Represented telephone manufacturing companies in prosecuting an Intellectual Property Right Enforcement Litigation, against offenders dealing in importation, marketing, sale and distribution of counterfeits of their mobile telephones and accessories in Nigeria.

Value: *Significant*

Advised: Sony Music Entertainment

Advising Sony Music Entertainment on a range of subject matters in connection with its re-investment in the Nigerian music and entertainment landscape and providing legal support on all its matters in Nigeria.

Value: *Significant*

Advised: A leading IT Company

Advised a world leading financial services IT provider in respect of the implementation and provision of internet banking services in Nigeria. Services provided under this transaction included the registration of Technology Agreement at National Office for Technology Acquisition and Promotion (NOTAP) and advising on sundry regulatory framework bothering on the implementation of the transaction. **Value:** *Significant*

Advised: Leading Beverages Company

Advising, representing and obtaining Anton Pillar and Injunctive Orders on behalf of a multinational manufacturer of carbonated drinks in a civil claim for Infringement of Trademark and Passing Off; successfully cancelling registration of the offending products with NAFDAC.

Value: *Significant*

Our Promise

Convenience & Value: Efficient service delivery, prompt attention, regular updates, expert advice at competitive pricing

Combined regional experience & knowledge exchange: direct expert advice from leading legal & business professionals in every country we operate, to give you timely legal & industry updates

Bespoke, pragmatic & sector focused solutions: we provide tailor-made solutions covering legal and business challenges

Transparent, cutting edge data management: we have made use of *PATRICIA*®, the renowned IP data management system developed by *Patrix AB of Sweden* for over a decade.

The *Patricia Client Participation/Collaboration Portal*, enables our clients to log into our internal records in order to view their matters. This results in massive savings in costs and time that would otherwise be spent communicating between us.



Our Team Leaders

Ngozi Aderibigbe

Partner, Practice Head and Sector Head,
Technology, Media & Entertainment
ngozi.aderibigbe@jee.africa

Obafemi Agaba

Partner (Brand Protection)
and Sector Head, FMCG
obafemi.agaba@jee.africa

Uwa Ohiku

Senior Partner
uwa.ohiku@jee.africa

Chinyere Okorocho

Partner and Sector Head,
Health & Pharmaceuticals
chinyere.okorocho@jee.africa

Chinwe Ogban

Partner
chinwe.ogban@jee.africa

Tolu Olaloye

Partner
tolu.olaloye@jee.africa

Aanuoluwapo Ayeni

Senior Paralegal
aanu.ayeni@jee.africa

Jayne Ogba

Senior Paralegal
jayne.ogbar@jee.africa



Abuja, Nigeria

Contact Us

NIGERIA

Jackson, Etti & Edu, HQ;
RCO Court 3-5, Sinari Daranijo
Street, Victoria Island, Lagos
t: +234 (1) 4626841/3;(1) 2716889

42, Moses Majekodunmi Crescent,
Utako, FCT, Abuja
www.jee.africa

Accra, Ghana



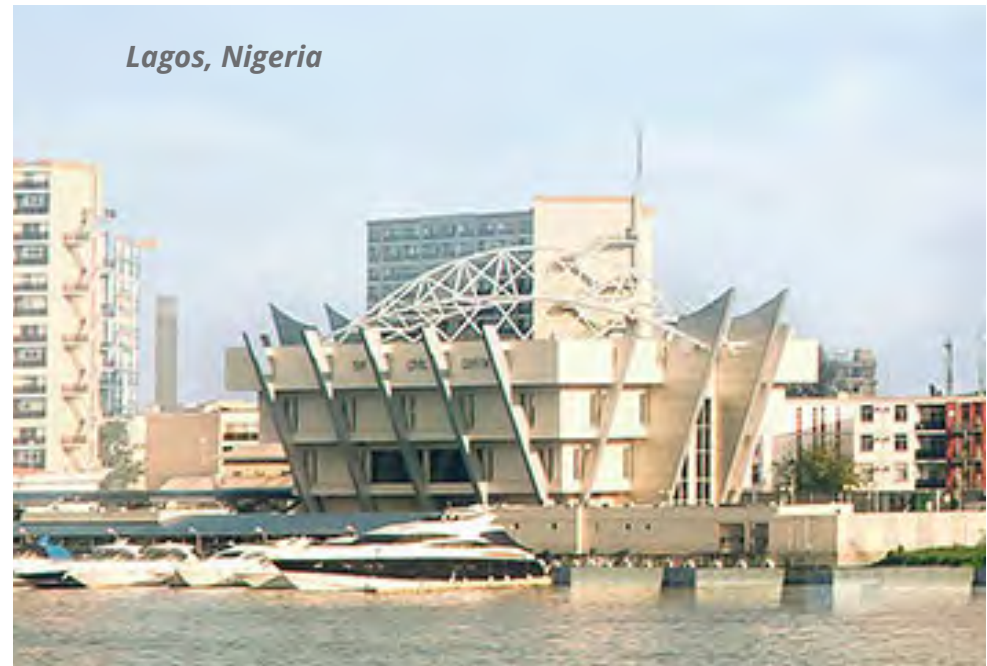
Yaoundé, Cameroon



Harare, Zimbabwe



Lagos, Nigeria



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Jackson, Etti & Edu, HQ

RCO Court 3-5, Sinari Daranijo
Street, Victoria Island, Lagos
t: +234 (1) 4626841/3; (1) 2716889

42, Moses Majekodunmi Crescent, Utako, FCT, Abuja
Tel: +234 (0) 709 8802 807
+234 (0) 709 1049 967
www.jee.africa