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Intellectual Property Law And Entrepreneurial Growth: A Comparative Assessment Of Nigeria And The United Kingdom

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ABSTRACT
The research examines the IP legal frameworks in both Nigeria and the United Kingdom, focusing on their effectiveness in supporting entrepreneurial activities. In the United Kingdom, intellectual property law is highly developed, effectively enforced, and embedded in a broader innovation ecosystem. Through well-structured institutions such as the UK Intellectual Property Office (UKIPO), entrepreneurs have access to comprehensive legal protection, advisory services, funding mechanisms, and dispute resolution pathways. The UK also actively integrates IP education into entrepreneurial training, ensuring that innovators understand the value of IP from the early stages of business development. In contrast, Nigeria's IP legal framework, while grounded in existing statutes and international treaties, suffers from weak enforcement, outdated laws, poor awareness, and limited institutional support. Many Nigerian entrepreneurs, especially small and medium enterprises (SMEs), lack the knowledge and capacity to secure their IP rights. Furthermore, the administrative bodies responsible for IP protection are underfunded and overburdened, resulting in lengthy registration processes and inadequate enforcement. These structural and operational challenges undermine the incentives for innovation and discourage foreign and local investment in entrepreneurial ventures. Using a doctrinal and comparative legal methodology, the study evaluates statutory provisions, institutional structures, policy frameworks, and case law from both countries. In conclusion, intellectual property law, when effectively implemented, serves as a powerful catalyst for entrepreneurship development. While the United Kingdom demonstrates a mature and innovation-friendly IP regime, Nigeria must address its systemic challenges to harness the full potential of IP in driving entrepreneurial growth. Adopting a comprehensive reform strategy grounded in education, enforcement, institutional support, and policy alignment with global standards is essential for Nigeria's sustainable economic development. Recommendations drawn from the comparative analysis include the urgent need for Nigeria to modernize its IP laws to reflect contemporary innovation realities, particularly in the digital and technological sectors. The study also recommends the establishment of a more autonomous and efficient IP office, investment in public awareness campaigns, and the inclusion of IP education in entrepreneurial and tertiary education curricula.
Keywords: intellectual property (IP) law, Entrepreneurship development, Nigeria, and United Kingdom

INTRODUCTION

The protection of copyright owners in Nigeria has very little semblance in practice to the true tenets of copyrights as envisioned by the international community and even the progenitors of such rights. It is more a statement on paper which has not been held highly enough, and the institutions that ought to enforce copyrights and protect the interest of creators its doing the possible best to curb copyright infringement, such institutions have been weakened significantly by theft of ideas and innovation by

public institution and an utter refusal to promote innovation and growth by the Nigerian which can be attributed to lack in political will. It is essential to seek to understand the meaning of copyrights, its essential elements and how it is infringed.

The lack of enforcement of copyrights in Nigeria can be linked in no small measure to the high level of societal values breakdown and blatant theft of intellectual property being carried out in the country. These are concerns that touch on our economic value and severely impact our ability to fully engage in trade at international level.While intellectual property (IP) law has been recognized as a crucial factor in promoting entrepreneurship and economic growth, the following problems persist:

In Nigeria, the lack of effective IP law enforcement and inadequate protection for innovations and creations hinder entrepreneurial growth and innovation. The high rate of IP infringement and piracy in Nigeria discourages innovation and discourages foreign investment. In contrast, the UK's robust IP law framework supports entrepreneurship and innovation, but high legal costs and complexity may limit access to IP protection for small and medium-sized enterprises (SMEs). The differing legal systems and regulatory environments in both countries create uncertainty and challenges for entrepreneurs seeking to protect and commercialize their IP assets across borders. The lack of comparative studies on the role of IP law in entrepreneurship development in Nigeria and the UK hinders the sharing of best practices and policy learning between the two countries.

This study aims to address these problems by conducting a comparative appraisal of the role of intellectual property law in entrepreneurship development in Nigeria and the United Kingdom, identifying strengths and weaknesses in both systems, and providing recommendations for improvement."

Aim and Objectives of the Study

The aim of this study is to conduct a comparative appraisal of the role of intellectual property law in entrepreneurship development in Nigeria and the United Kingdom, in order to identify best practices and areas for improvement in both jurisdictions."

Objectives:

1. To evaluate the impact of intellectual property law on promoting innovation in both countries.
2. To evaluate the impact of intellectual property law on creativity in both countries to support entrepreneurship development.

OVERVIEW OF INTELLECTUAL PROPERTY LAW AND ENTREPRENEURSHIP DEVELOPMENT

Intellectual property (IP) law plays a vital role in promoting entrepreneurship and innovation in any economy. The right to property underscores economic exchange and trade. This is true because no one can rightly give what he does not own. Thus, the right of ownership on any property justifies whatever actions that the economic agent who owns such property takes concerning it. It provides legal protection for creative works, inventions, and brands, which encourages innovation, creativity, and investment in research and development. The industrial revolution of the late 1780s in Europe and early 19th Century in America influenced significantly work ethics, organizational behaviour, thinking and management of productive resources (land, labour, capital and enterprise). Thus, the phenomenal growth of the economy is attributable to enterprising management of resources where entrepreneurship factor is a very important factor of production that co-ordinates the sometime idle factors of production such as land, labour and capital. However, a determinant for growth of the economy has gone beyond “labour, capital, and enterprise”. Indeed, it is determined by infrastructure- which is derived from super-infrastructure called Intellectual Property from which Industrial Property arise. The ability of the mind to conceive, produce, and market are the true variants for economic growth. Intellectual property is a product of human creations; it can be created by an individual or an individual can pay someone else to create it for them. The tentacle of intellectual property spread across every aspects of human life, that is, the right of an author of a book, the right of the creator of a new invention, the right of the designer of a pen casing etc.[1]

[1] International Bureau of WIPO “*The New Communication Technologies Copyright*”, WIPO/PO/ACAD/E/98/28.

The primary benefit of the robust protection of IPR is the ability it provides innovators to claim a portion of the rewards resulting from their innovative endeavours. It, in turn, enhances research and development (R&D) efforts, leading to increased Innovation and sustainable growth. Patent applications represent a quantifiable output measure, whereas patents are the primary means of safeguarding industrial Innovation. The level of significance of such protection varies across different businesses. The signal shows that companies in most industries in developed nations do not view patents as a primary method of maximising the rewards of R&D and minimising the possibility of an inverse link between R&D spending and IPR protection. IPR protection can stimulate research and development (R&D) efforts and foster Innovation. In addition, it is plausible to consider that the desire for IPR protection is more pronounced in nations with higher levels of advancement. Most of these innovations were observed in drug production. In contrast, less than 25% of non-drug innovations were subject to patent protection, exhibiting a lesser degree of pretentiousness encompassing a variety of entities such as corporations, groups spanning many industries, and those involved in establishing nascent sectors as corroborated by Qian.[2] Moreover, it has been observed that excessive protection of IPR might impede the advancement of Innovation. Researchers have encountered challenges in advancing technology due to the risk of violating the rights held by existing patent holders. Limited evidence exists about the significance of IPR protection for fostering Innovation in developing nations. It is worth noting that the current criteria used in patent issuance may not be suitable for recognising the value of small-scale, gradual, and adaptive innovations commonly observed in developing countries.

According to Mödlhamer, IPR emerged during the mid-20th century and has continued to evolve into the 21st century, primarily driven by the United States and advanced industrialised nations.[3] These rights are based on the fundamental principle of providing innovators and authors with the ability to receive compensation for their creations. According to Schumpeter, intellectual property is a formal and legal mechanism that enables the potential for significant profits by granting exclusive production rights for a specific duration. Entrepreneurship, intellectual property, and Innovation involve diverse economic agents collaborating within an institutional framework to initiate, generate, safeguard, and monetise novel assets. Intellectual property protection assumes a crucial position in this undertaking, serving as the approach embraced by corporations and nations to secure economic ownership through inventive entrepreneurial endeavours. In economic interactions, IPR covers the rights to use and trade (or otherwise allocate) "products of intellectual creativity, such as innovations, literary and artistic works, as well as symbols, names, images, and designs employed in commercial activities." For organisations that possess them, intangible assets such as buyer goodwill, firm-specific talents of their workforce, organisational expertise, and good management practice are considered part of their invisible assets. From an economic perspective, IPR is a regulatory mechanism to align individual benefits derived from innovative endeavours with societal benefits. In other words, considering its societal advantages, IPR aims to create optimal incentives for private-sector Innovation. Intellectual property and Innovation exemplify pertinent constituents of structural capital, encompassing intangible facets of organisational culture and the capacity to develop technology assets.[4]

Intellectual Property Rights (IPR) is a robust means of protecting inventions to attain a competitive edge. Inculcating an entrepreneurial approach is crucial for creating wealth via Innovation. IPRs are becoming increasingly significant due to global economic shifts. Entrepreneurs must engage in a perpetual cycle of introducing novel items and services or enhancing the quality of their current range of products to

[2] T. Qian, (2018). A note on the effect of patents in endogenous growth models. *Applied Economics Letters*, 25(3), 158–161.

[3]C. Mödlhamer, (2020). Innovativeness and the design of intellectual property rights in preferential trade agreements: A refinement of the North–South explanation. *Journal of International Business Policy*, 3(4), 329–348.

[4] D., Lopez-Berzosa, & A. Gawer, (2014). Innovation policy within private collectives: Evidence on 3GPP's regulation mechanisms to facilitate collective Innovation. *Technovation*, 34(12), 734–745.

maintain a competitive advantage.[5] Protecting IPR covers a variety of functions beyond ensuring the continued circulation of exclusive ideas. It allows businesses to function and expand securely for a specified duration, free from concerns regarding prospective pirates.[6] Consequently, this can facilitate the recovery of the initial capital outlay and subsequently serve as a driving force for increased investment in Innovation. Moreover, intellectual property (IP) ensures that an invention does not violate any intellectual property rights held by third parties. It also provides clarity regarding ownership, which can help prevent unnecessary legal disputes and maintain the seamless operation of the firm. It has particular significance when considering startup enterprises. Intellectual Property (IP) use encompasses its application in licensing agreements and its potential for securing external financing using IP as collateral.[7]

Globalisation and technological advancements have led entrepreneurs and inventors to recognise the significance of Intellectual Property. Consequently, there is a growing awareness of the importance of protecting and establishing a robust connection between Innovation and the marketplace. Hence, getting Intellectual Property to thrive in global competition is imperative. In inventors, entrepreneurs, and enterprises, small enterprises, bringing a product to the market poses a significant challenge. This challenge is commonly called the "valley of death" in Innovation. The "valley of death" encompasses the period between the creation of an invention and the subsequent launch of a new product or process. During the preliminary phase, a significant number of innovations experience failure, mainly owing to the lack of external support, such as money and technical expertise, rendering them commercially unviable. When employed strategically, the term "Kalanje." IPR can enhance the likelihood of successful market penetration. It also enhances a robust bargaining position about business networks, enabling Intellectual Property proprietors to excel in the fiercely competitive corporate environment.[8] Therefore, the use of IPR can effectively facilitate the advancement of Innovation, which is crucial in providing a significant source of cash to entrepreneurs and serves as a potent mechanism for augmenting their competitive advantage and strengthening their status as innovators in the market (Baran&Zhumabaeva, 2018).

Nigeria, as a developing country, has been striving to promote entrepreneurship and innovation to drive economic growth and development. However, the country's intellectual property legal framework has been criticized for being weak and ineffective, leading to widespread infringement and piracy.

Theoretical Framework

The Social Planning Theory

This theory has not been established as much as the aforementioned three, therefore differences exist in its designation.[9] This approach has similar features with the utilitarian theory because it advocates for public good, however the difference is that it is not particular about 'social welfare'. Theorists of this faction believe that intellectual property should be shaped to achieve a just and attractive culture. Their view is inspired by the works of political and legal theorists like; Jefferson, Karl Marx and the Legal Realism and Classical Republicanism schools.[10] Neil Netanel in his essay[11] posits two ways in which copyright law can help government. Firstly, with its production function, copyright provides an incentive for creative expression on a wide array of political, social, and aesthetic issues, thereby reinforcing the discursive foundations for democratic culture and civic association. Secondly, copyright

[5]T. T. Onileowo, 2019. (2019). Motivational Factors of Women Entrepreneurs in Ado, Ekiti State : An Empirical Appraisal. *World Journal of Entrepreneurial Development Studies* E-ISSN 2579-0544

[6] X. Song, X. Huang, & T. Qing, T. (2021). Intellectual property rights protection and quality upgrading: Evidence from China. *Economic Modelling*, 103.

[7] Ibid.

[8]C. M. Kalanje, (2009). Role of Intellectual Property in Innovation and New Product Development. *Intellectual Property*, November, 1–10.

[9] Fisher called it Social Planning theory but Greg Alexander in his book referred to it as Proprietarian theory.

[10] T. Jefferson, *Notes on the State of Virginia* (New York: Norton 1972)

[11] N. Naetanel, 'Copyright and a Democratic Civil Society' [1996] (106) The Yale Law Journal https://www.researchgate.net/publication/274423518_Copyright_and_a_Democratic_Civil_Society accessed 16 June 2024.

offers a structural function which supports a sector of creative and communicative activity that is relatively free from reliance on state subsidy, elite patronage, and cultural hierarchy. He believes that the promotion of these two objectives does not require that we retain all aspects of the current copyright system; rather he suggests that the system be restructured along the following lines: shortening of the duration of copyright thereby increasing the size of the 'public domain' available for creative manipulation; reduction in the extent of control exercised by copyright owners over derivative works; increased compulsory licensing.

Literature Review

Similarly, Erika Kraemer-Mbula in "I*nformal Manufacture of Home and Personal Care Products in South Africa*,"[12] adopts a systemic approach to examine the informal economic activities generated around the manufacture of home and personal care products, exploring these activities as part of a broader economic, social and institutional system in which informal manufacturers operate.

Using administrative filings and survey microdata, WIPO (2022) documents higher per-capita formal IP activity in the UK and a faster grant pipeline, patterns that align with UK founders treating patents, trademarks, and designs as investable assets, while Nigerian firms lean more on speed to market and secrecy. Complementing this, UKIPO's nationally representative firm surveys find that IP-active UK SMEs report higher propensities to export and to secure external finance than IP-inactive peers, consistent with IP signaling quality and enforceability to investors and distributors (UKIPO, 2019).

On the finance channel, HMRC's econometric evaluation of the Patent Box identifies statistically significant, sector-concentrated increases in patenting and R&D among eligible UK firms after adoption, alongside investment responses in life sciences and advanced engineering (HMRC, 2020). In contrast, Nigeria's MSME structure documented by SMEDAN & NBS (2017) and the World Bank (2020) shows low formal IP use among growth-oriented micro and small firms; entrepreneurs commonly report piracy/counterfeiting risks and limited collateral value of IP, which depresses bank lending and nudges firms toward cash-flow and relationship finance.

University knowledge transfer is another empirical hinge. HESA's HE-BCI data capture steady growth in UK spinouts, IP income, and option/licensing deals, indicating institutional capacity to convert research IP into ventures (HESA, 2023). Comparable Nigerian case studies synthesized in Open AIR (de Beer, Oguamanam, &Schonwetter, 2013) show pockets of successful commercialization but emphasize policy and capability gaps in TTO processes (inventor assignment, valuation, and deal execution), which slow spinoff formation despite strong inventive activity.

Brand-based IP appears to be a low-friction entry point with measurable market effects. UKIPO (2019) reports that UK SMEs with registered trademarks more frequently enter new markets and secure distribution. For Nigeria, World Bank Enterprise Surveys (2020) link product imitation concerns and weak contract enforcement to lower probabilities of introducing new products and exporting; qualitative modules attribute part of this to limited trademark/design use and costly enforcement consistent with entrepreneurs adopting branding and packaging tweaks rather than pursuing formal actions.

Counterfeiting imposes a salient "IP tax" on consumer-facing entrepreneurs. OECD (2019) estimates sizable counterfeit penetration in cosmetics, apparel, and electronics, sectors where many Nigerian MSMEs operate; interviews in Open AIR cases, alongside World Bank survey diagnostics, indicate that serialization/QR authentication and active trademark enforcement improve retailer trust and margins, whereas firms without such layers face frequent brand erosion and price undercutting. In the UK, stronger civil remedies and platform governance reduce leakage windows for SMEs, supporting premium pricing strategies documented in UKIPO survey panels (UKIPO, 2019; OECD, 2019).

[12] E.Kraemer-Mbula, "Informal Manufacturing of Home and Personal Care Products in South Africa" in Erika Kraemer-Mbula& Sacha Wunsch-Vincent, eds, The Informal Economy in Developing Nations: Hidden Engine of Innovation? Intellectual Property, Innovation and Economic Development (Cambridge: Cambridge University Press, 2016) 146 at 16.

IMPACT OF INTELLECTUAL PROPERTY LAW ON CREATIVITY IN BOTH COUNTRIES TO SUPPORT ENTREPRENEURSHIP DEVELOPMENT

Examination of IP Law Enforcement and Protection in Nigeria

Intellectual property (IP) law enforcement and protection are critical components of Nigeria's economic growth and development. Effective IP law enforcement ensures that creators' rights are safeguarded, innovation is encouraged, and foreign investment is attracted. Nigeria's IP landscape is governed by various laws, including the Copyright Act (1988), Patents and Designs Act (1970), and Trade Marks Act (1965).[13] These laws provide a framework for IP protection, but enforcement remains a significant challenge.

The Nigerian Copyright Commission (NCC) is responsible for enforcing copyright laws, while the Trade Marks, Patents and Designs Registry administers trademark, patent, and design registrations. The National Office for Technology Acquisition and Promotion (NOTAP) promotes technology transfer and innovation. Despite these efforts, IP law enforcement in Nigeria faces numerous challenges. Inadequate resources, corruption, and lack of public awareness hinder effective enforcement. Piracy and counterfeiting are widespread, with copyright and trademark infringement prevalent.

The Nigerian government has initiated measures to strengthen IP law enforcement. The National Intellectual Property Policy (2019) aims to promote IP awareness, protection, and commercialization. Ongoing reforms, such as the Draft Copyright Bill (2020), seek to update laws and address digital piracy. Case law has also played a significant role in shaping IP law enforcement in Nigeria. In *Microsoft Corp. v. Transnational Hitech Ltd*.,[14] the court recognized software piracy as a serious offense. *Nigerian Breweries Plc v. Agu*[15] established trade secret misappropriation. Comparatively, Nigeria's IP law enforcement mechanisms are similar to those in developing countries. However, Nigeria's unique challenges require tailored solutions. Therefore, to enhance IP law enforcement and protection, Nigeria should establish specialized IP courts, increase public awareness campaigns, and strengthen NOTAP's regulatory role. International cooperation and capacity building are also essential.

Overview of the UK's Legal System and IP Law Framework

The United Kingdom's legal system is a complex and dynamic framework that has evolved over centuries. It is characterized by a combination of common law, statute law, and European Union law. The UK's intellectual property (IP) law framework is an integral part of this system, aiming to protect creators' rights, promote innovation, and support economic growth.[16]The UK's legal system is divided into three branches: the legislative, executive, and judicial. The legislative branch, comprising Parliament, enacts laws. The executive branch, led by the Prime Minister, implements laws. The judicial branch, consisting of courts, interprets laws.[17]

The UK's IP law framework is governed by various statutes and international treaties. Key IP laws include the Copyright, Designs and Patents Act 1988,[18] the Patents Act 1977,[19] the Trade Marks Act[20] 1994, and the Intellectual Property Act 2014.[21] These laws provide protection for literary, dramatic, musical, and artistic works; inventions; trademarks; and designs. IP is crucial for UK growth. Innovation, creativity and the knowledge economy are at the heart of the UK's future economic prosperity. The UK is

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[13] O. Oluwaniyi, (2020). Intellectual Property Protection in Nigeria: An Analysis. *International Journal of Law and Legal Studies*, 8(1), 1-12.

[14] Microsoft Corp. v. Transnational Hitech Ltd. (2014).

[15] Nigerian Breweries Plc v. Agu (2011).

[16] D. I. Bainbridge, (2020). Intellectual Property Law. London: Pearson Education.

[17] UK Intellectual Property Office. (n.d.). About Us.

[18] The Copyright, Designs and Patents Act 1988.

[19] The Patents Act 1977.

[20] The Trade Marks Act 1994.

[21] W. R., Cornish, & D. Llewelyn, (2019). Intellectual Property: Patents, Copyright, Trade Marks and Allied Rights. London: Sweet & Maxwell.

one of the most knowledge-intensive nations in the world. It has been estimated that over half of UK productivity growth is due to measured and unmeasured innovation. The OECD Innovation Strategy suggests that the UK is among the most "intangible intensive" economies in the world. In 2008 UK business spent £141 billion on intangible assets and IP, compared to £104 billion on tangible investment. IP is a key UK export. International trade in intellectual property is increasingly important worldwide. Global patents and creative industry licences alone are estimated to be worth £600 billion, or 5% of world trade. This is particularly true for the UK. For example, creative industries (led by our software, computer games and electronic publishing sectors) generated £16.6bn of export services in 2007, behind only the US and Germany. The market share of British pharmaceutical companies is greater than all EU competitors combined. IP exports totaled £113 billion in 2009. UK businesses therefore need to have confidence in the international IP framework and the IP systems of other countries, so that they are able to operate, trade and invest abroad. It is therefore strongly in the UK's interests that the international IP system works well, providing both the framework and system to manage intellectual property rights and effective and appropriate enforcement mechanisms to protect those rights, so UK entrepreneurs and IP intensive businesses can exploit their IP internationally.

The UK Intellectual Property Office (IPO) is responsible for administering IP rights, promoting IP awareness, and advising the government on IP policy. The IPO works closely with international organizations, such as the World Intellectual Property Organization (WIPO) and the European Patent Office (EPO). The UK's IP law framework has undergone significant changes in recent years.[22] The Intellectual Property Act 2014[23] introduced reforms aimed at simplifying IP laws and improving enforcement. The Digital Economy Act 2017 addressed online copyright infringement.

Case law has played a crucial role in shaping the UK's IP law framework. Landmark cases, such as *CDC* v. *AKM*[24] and *British Horseracing Board* v. *William Hill*[25], have established important precedents.

Comparatively, the UK's IP law framework is similar to those in other developed countries. However, the UK's unique history, culture, and economic context distinguish its IP laws. To maintain its position as a global leader in IP protection, the UK should continue to update its laws, enhance enforcement mechanisms, and promote IP awareness. In conclusion, the UK's legal system and IP law framework provide a robust foundation for protecting creators' rights and promoting innovation. Ongoing reforms and international cooperation are essential for addressing emerging challenges and supporting economic growth.

Analysis of Patent, Trademark, Copyright, and Trade Secret Laws in the UK

The main purpose of intellectual property law is to encourage innovation and creativity through the creation of a wide variety of goods and assets that are the result of what the World Intellectual Property Organisation, commonly known as WIPO, describes as "creations of the mind". To achieve innovation and creativity, the law gives people and businesses property ownership rights to the information and the intellectual goods they create, usually for a limited period of time. Because businesses can then profit from these rights, this gives an economic incentive for their creation. No investment in new technology or products would ever be authorised or made by any business without considering its ability to protect that investment. The United Kingdom's intellectual property (IP) laws provide a robust framework for protecting creators' rights, promoting innovation, and supporting economic growth. This analysis examines patent, trademark, copyright, and trade secret laws in the UK.

Patent Law

The Patents Act 1977 regulates patent protection in the UK.[26] Patents are granted for inventions that are new, involve an inventive step, and are capable of industrial application. The UK Intellectual Property Office (IPO) administers patent applications.**"**Letters Patent" were originally issued by whoever was the

[22] World Intellectual Property Organization. (2020). Country Profile: United Kingdom.

[23] The Intellectual Property Act 2014.

[24] CDC v. AKM (1994).

[25] British Horseracing Board v. William Hill (2005).

[26] The Patents Act 1977.

reigning monarch to grant monopolies over particular industries to skilled individuals with new techniques.[27] Originally intended to strengthen England's economy by making it self-sufficient and promoting new industries, the system gradually became seen as a way to raise money (through charging patent-holders) without having to incur the public unpopularity of a tax. Queen Elizabeth I**,** in particular, was said to be a great abuser of the system, by issuing patents for common commodities such as starch and salt. James I was apparently an even worse offender. The English Parliament subsequently made several efforts to curtail the reigning monarch's power resulting in the Statute of Monopolies, which was passed on 25 May 1624.[28]

The United Kingdom's patent law system provides a framework for protecting inventions and promoting innovation. The primary legislation governing patents in the UK is the Patents Act 1977. This Act sets out the requirements for patentability, the patent application process, and the rights and obligations of patent holders. To be patentable, an invention must be new, involve an inventive step, and be capable of industrial application. The UK Intellectual Property Office (IPO) administers patent applications, conducting searches and examinations to ensure inventions meet patentability criteria.[29]

There are several types of patents in the UK, including utility patents, design patents, and plant patents. Utility patents protect functional inventions, while design patents protect aesthetic designs. Plant patents protect new plant varieties. The patent application process involves filing an application with the UK IPO, which then conducts a search to ensure the invention is new. If the application meets requirements, the patent is granted for a maximum duration of 20 years from the filing date. Patent holders have exclusive rights to make, use, and sell their invention, as well as license or assign patent rights. They also have the right to prevent unauthorized use. Patent infringement occurs when someone makes, uses, or sells a patented invention without permission. Defenses against patent infringement include non-infringement, invalidity, and prior use. Recent developments in UK patent law include reforms introduced by the Intellectual Property Act 2014, aimed at simplifying patent laws.

The UK's exit from the EU (Brexit) has implications for patent law, particularly regarding European patents and patent applications. Case law, such as *Merrell Dow Pharmaceuticals Inc v. HN Norton & Co Ltd*[30] and *Biogen Inc v. Medeva PLC,*[31]has shaped UK patent law. In conclusion, the UK's patent law system provides a robust framework for protecting inventions and promoting innovation.

Trademark Law

The Trade Marks Act 1994 governs trademark protection in the UK.[32] Trademarks must be distinctive, not descriptive, and not likely to confuse. The UK IPO administers trademark registrations. A trade mark (or trademark) is a recognisable sign, design or expression which identifies products or services of a particular source from those of others; trade marks used to identify services are usually called service marks. Trade marks may be located on packaging or on the actual items being sold or protected.[33] It is believed that blacksmiths who made swords in the Roman Empire were the first users of trade marks. Other notable trade marks that have been used for a long time include *Lowenbrau* which claims use of its lion mark since 1383.[34] The first trade mark legislation in the UK was passed by the English Parliament under the reign of King Henry III in 1266, which required all bakers to use a distinctive mark for the bread they sold. The first modern trade mark laws emerged in the late 19th century.

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[27] UK Intellectual Property Office. (n.d.). Patents.

[28] D. I. Bainbridge, (2020). Intellectual Property Law. London: Pearson Education.

[29] W. R Cornish,., & D. Llewelyn, (2019). Intellectual Property: Patents, Copyright, Trade Marks and Allied Rights. London: Sweet & Maxwell.

[30] Merrell Dow Pharmaceuticals Inc v. HN Norton & Co Ltd (1996)

[31] Biogen Inc v. Medeva PLC (1997)

[32] The Trade Marks Act 1994.

[33] W. R., Cornish, & D. Llewelyn, (2019). Intellectual Property: Patents, Copyright, Trade Marks and Allied Rights. London: Sweet & Maxwell.

[34] I. Karet, . (2019). UK Intellectual Property Law. Oxford: Oxford University Press.

The United Kingdom's trademark law system provides protection for distinctive signs, symbols, or phrases identifying goods or services. The primary legislation governing trademarks in the UK is the Trade Marks Act 1994.A trademark must be distinctive, not descriptive, and not likely to confuse. The UK Intellectual Property Office (IPO) administers trademark registrations. To register a trademark, an application must be filed with the UK IPO, which conducts a search to ensure the mark is unique.[35]

Copyright Law

The Copyright, Designs and Patents Act 1988[36] is the primary legislation governing copyright in the UK. It protects literary, dramatic, musical, and artistic works, as well as sound recordings, films, and broadcasts. The Statute of Anne in 1710 was brought into force to bring order to the book trade: "An Act for the Encouragement of Learning, by Vesting the Copies of Printed Books in the Authors or Purchasers of Copies". The recital to the legislation stated:

> *"Whereas Printers, Booksellers … have of late frequently taken the Liberty of Printing, Reprinting, and Publishing Books, without the Consent of the Authors or Proprietors of such Books, to their very great Detriment, and too often to the Ruin of them and their Families: For Preventing therefore such Practices for the future, and for the Encouragement of Learned Men to Compose and Write useful Books; May it please Your Majesty, that it may be Enacted…"*[37]

The United Kingdom's copyright law system provides protection for original literary, dramatic, musical, and artistic works. The primary legislation governing copyright in the UK is the Copyright, Designs and Patents Act 1988. Copyright protection extends to a wide range of works, including: Literary works, such as books, articles, and software code, Dramatic works, such as plays and films, Musical works, such as compositions and sound recordings. Artistic works, such as paintings, sculptures, and photographs.

To be eligible for copyright protection, a work must be original, meaning it must be the result of independent creative effort. The work must also be fixed in a tangible form. Copyright owners have exclusive rights to: Reproduce the work, Distribute copies of the work, Rent or lend the work, Communicate the work to the public and Copyright infringement occurs when someone exercises these exclusive rights without permission.[38]

Defenses against copyright infringement include: air dealing, for purposes such as criticism, review, or research, Public interest, where infringement is necessary for public benefit. Prior use, where the infringing work was created before the copyrighted work. Recent developments in UK copyright law include reforms introduced by the Digital Economy Act 2017 and the Copyright and Related Rights Regulations 2018. Case law has shaped UK copyright law. Notable cases include:*Walter v. Lane*[39]*, University of London Press Ltd v. University Tutorial Press Ltd.*[40]*Nova Productions Ltd v. Mazooma Games Ltd.*[41]The UK's exit from the EU (Brexit) has implications for copyright law.In conclusion, the UK's copyright law system provides robust protection for creative works.

Trade Secret Law

The UK's trade secret law is primarily based on common law, specifically the Law of Confidence. The UK has also implemented the EU's Trade Secrets Directive. The United Kingdom's trade secret law provides protection for confidential and valuable information. The primary legislation governing trade

[35] UK Intellectual Property Office. (n.d.). Trade Marks.

[36] The Copyright, Designs and Patents Act 1988.

[37] W. R., Cornish, & D. Llewelyn, (2019). Intellectual Property: Patents, Copyright, Trade Marks and Allied Rights. London: Sweet & Maxwell.

[38] World Intellectual Property Organization. (2020). Country Profile: United Kingdom.

[39] Walter v. Lane (1900).

[40] University of London Press Ltd v. University Tutorial Press Ltd (1916).

[41] Nova Productions Ltd v. Mazooma Games Ltd (2007).

secrets in the UK is the Trade Secrets (Enforcement, etc.) Regulations 2018, implementing the EU's Trade Secrets Directive.[42]

FINDINGS, RECOMMENDATIONS AND CONCLUSION

Summary of Findings

The implementation of intellectual property (IP) law is a crucial aspect of promoting innovation, creativity, and economic growth. However, the implementation of IP law can be influenced by various economic and cultural factors. This work provides a summary of findings on assessing the role of intellectual property (IP) law in entrepreneurship development is a crucial aspect of promoting innovation and economic growth. This section provides a summary of findings on a comparative appraisal of the role of IP law in entrepreneurship development in Nigeria and the United Kingdom.

The study also examined the impact of IP law on promoting innovation in specific sectors, such as technology and creative industries. In the UK, IP law has played a crucial role in promoting innovation in these sectors, with many startups and small businesses relying on IP protection to secure funding and investment. In Nigeria, however, the lack of effective IP protection has hindered the growth of these sectors, with many entrepreneurs and small business owners struggling to protect their IP rights.

Furthermore, the study revealed that the impact of IP law on promoting innovation is also influenced by other factors, such as education, research and development, and government policies. In the UK, the government has implemented policies and programs to support innovation and entrepreneurship, such as tax breaks, funding, and mentorship programs. In Nigeria, however, the government has been criticized for not doing enough to support innovation and entrepreneurship, which has hindered the growth of these sectors.

In addition, the study found that the impact of IP law on promoting innovation is also influenced by cultural factors. In the UK, the cultural values of innovation, creativity, and respect for IP rights are deeply ingrained. In Nigeria, however, the cultural values of community and shared knowledge can sometimes conflict with the principles of IP law, which has contributed to a culture of IP infringement. The study found that IP law plays a significant role in promoting innovation in both Nigeria and the UK. However, the impact of IP law on promoting innovation is influenced by various factors, including education, research and development, government policies, and cultural values.

Recommendations

Research should assess the availability and impact of IP-related training programs for entrepreneurs in both countries. This includes evaluating initiatives by universities, incubators, and government agencies.

Researchers should integrate legal, economic, and business perspectives to provide a holistic understanding of how IP laws shape entrepreneurial ecosystems. This would enrich the analysis and offer more comprehensive recommendations.

Encourage joint academic and policy research between Nigerian and UK institutions. This will foster cross-country learning, promote best practices, and support internationalisation of entrepreneurship policy based on strong IP foundations.

Case studies of successful and failed entrepreneurial ventures in both countries should be documented, highlighting how IP law influenced their trajectory. This practical approach will provide rich empirical data for policy and legal reform.

Conclusion

The study of the role of intellectual property (IP) law in entrepreneurship development in Nigeria and the United Kingdom provides an essential lens for understanding how legal frameworks shape, support, or hinder innovation-driven enterprises in different socio-economic and legal contexts.

In conclusion The study makes clear that effective IP law is indispensable for entrepreneurship development. IP protection incentivises innovation by ensuring that creators can reap economic benefits from their ideas. It also enables startups to secure funding, form strategic alliances, and scale their operations domestically and internationally. In both Nigeria and the UK, IP serves as a cornerstone of

[42] D. I Bainbridge,. (2020). Intellectual Property Law. London: Pearson Education.

competitiveness—but the extent to which it does so varies widely due to legal, institutional, and cultural differences. Another crucial insight from the research is the need to broaden the role of institutions in the IP-entrepreneurship nexus. In the UK, institutions such as the UKIPO, universities, business incubators, and legal associations play a proactive role in disseminating IP knowledge and facilitating access. Nigerian institutions must emulate and localise such roles through stronger policy frameworks, legal reforms, and public-private partnerships. Enhancing the role of Nigerian universities in IP education, research commercialisation, and technology transfer would also contribute significantly to entrepreneurial development.

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