

Your trademark is not enough for you to freely trade in Nigeria

Companies and individuals trading in the food industry, pharmaceutical and medical industry, and the cosmetics industry should be aware of the laws in Nigeria regarding the importation, manufacture, distribution, sale or even advertisement of their products.

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As opposed to many other countries where one can freely sell, distribute or advertise one's products as one wishes, in certain industries in Nigeria one needs to register with the National Agency for Food and Drug Administration and Control (NAFDAC).

NAFDAC is a Nigerian government agency under the Federal Ministry of Health which is responsible for regulating and controlling the manufacture, importation, exportation, advertisement, distribution, sale and use of food, drugs, cosmetics, medical devices, chemicals and packaged water.

The application for registration with NAFDAC is over and above one's trade mark registration therefore, having a registered trade mark in Nigeria does not exempt one from having to register with NAFDAC. It is, however, a prerequisite for registration with NAFDAC that one has an existing trademark registration or a trade mark application which has at least proceeded to acceptance.

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