



TMT NUGGETS: Q2 2025 Review

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The TMT legal landscape in Nigeria and across Africa experienced dynamic regulatory shifts and strategic initiatives throughout April, May, and June 2025.

This quarter saw the introduction of enhanced intellectual property frameworks and critical directives in data protection, setting a robust foundation for innovation and digital governance.

This review delves into the key decisions, landmark events, and discoveries that shaped these vital sectors, providing a comprehensive analysis for legal practitioners and stakeholders navigating the evolving digital economy.





NIGERIA'S IP LANDSCAPE

Nigeria's Trademarks Registry Releases New Journals, Opposition Period Begins: The Nigerian Trademarks Registry announced the release of two new journal publications:

- a. Trademarks Journal Vol. 1, No. 1 Online Edition, dated May 19th, 2025.
- b. Trademarks Journal Vol. 1, No. 2 Online/Pre-IPAS Edition, dated May 26th, 2025

The release of these journals marks the start of the standard **two-month statutory opposition period** for all trademarks advertised in them. Interested parties are encouraged to review the publications for any marks that may conflict with their own.

WIPO Nigeria's Initiatives: Fostering Innovation and Economic Growth: The World Intellectual Property Organisation (WIPO) Nigeria Office actively promotes IP as a vital tool for business development and financing.

- **Green Innovation & Startup Ecosystem:** WIPO Nigeria championed initiatives like the IP for Green Innovation Demo Exhibition Day (May 29, 2025) and the IP Labs 2.0 and IP SALAYE 2.0 Closing Demo Exhibition Days (June 4-5, 2025). These programs provided intensive training and mentorship to innovators, particularly in green technology and the startup sector, focusing on IP protection, business strategies, and market readiness.
- **Judicial Collaboration:** WIPO and the Nigerian Judiciary collaborated on April 11, 2025, to strengthen IP Adjudication Capacity. This initiative recognises that effective IP laws require a judiciary with specialised knowledge to ensure fair and consistent judgments, thereby fostering investor confidence and deterring infringement.
- **Empowering Women Creators:** The WIPO Nigeria IP and Women Business Summit on April 2, 2025, focused on inspiring and empowering women creators, innovators, and entrepreneurs through IP knowledge and protection.

Nigerian Copyright Commission (NCC) Strengthening Regulatory Frameworks and Enforcement: The NCC introduced two crucial instruments and ramped up enforcement, significantly advancing Nigeria's copyright and IP regime.

- **New Regulatory Frameworks:**
 - **Collective Management Regulations, 2025:** These regulations establish a comprehensive framework for Collective Management Organisations (CMOs), mandating written consent from rights holders for managed rights, strict transparency and accountability practices (including separate accounts for royalties), and clear dispute resolution procedures.
 - **Proceeds of Crime (Designation of Nigerian Copyright Commission as a Relevant Organisation) Order, 2025:** This order officially designates the NCC as a "relevant organisation" under the Proceeds of Crime (Recovery and Management) Act 2022.
- **Enhanced IP Enforcement and Anti-Piracy Efforts:** The impact of these strengthened frameworks was evident in the NCC's enforcement activities.
 - **Substantial Confiscations:** The NCC confiscated pirated works valued at over N400 million between October 2024 and May 2025, resulting from over 120 monitoring and inspection visits to "*copyright flashpoints*."
 - **Legal Support and ADR:** The NCC launched the "*Lawyers Advocating for the Authors (LAFTA) Initiative*," offering pro bono legal services to authors, and established a Copyright Mediation Centre to promote out-of-court dispute resolution for copyright disputes.
 - **International Asset Recovery:** Discussions are ongoing for asset recovery in foreign jurisdictions (including the United States, Bailiwick of Jersey, and France), supported by a developing National Database on Asset Recovery and Management.

AFRICAN REGIONAL IP UPDATES

Accessions to Regional IP Treaties: In a significant move for regional integration, the Republic of Mauritius formally acceded to the Harare Protocol on May 27, 2025, becoming operational on August 27, 2025. This allows applicants to designate Mauritius in their ARIPO patent, utility model, and industrial design applications, bringing the number of ARIPO Member States under the Protocol to 21 out of 22.

Changes in National IP Fee Structures: The Egyptian Patent Office doubled its examination fees for patent applications from EGP 25,000 to EGP 50,000 (approximately \$495 to \$987) effective June 10, 2025. This substantial increase could influence patent filing strategies for applicants in Egypt, raising questions about the balance between revenue generation and fostering innovation accessibility.

Updates on Trademark Registration Systems: While the Gambia Intellectual Property Office modernised its Trademark Registration System, the Commissioner for Intellectual Property at the Uganda Registration Services Bureau (URSB) issued a guidance notice strictly enforcing the requirement for a Form of Authorisation or Power of Attorney with all applications for extension of time. This divergence highlights the varied pace of IP system modernisation and procedural rigour across the continent.

KEY IP-RELATED COURT DECISIONS

ECOWAS Court Rejects Software IP Claim: In May 2025, the ECOWAS Court dismissed a Nigerian software developer's property rights claim against the Federal Government, ruling that the matter pertained to alleged IP theft rather than a civil human rights violation.

Nigerian Supreme Court Rules on Trademark Bad Faith: In *Dike Geo Motors Ltd. & Anor. v. Signal Inc. & Anor.*¹, the Supreme Court clarified that trademark registration does not provide absolute protection against claims of infringement or passing off, especially where bad faith or likelihood of confusion exists.

(Check under Emerging Technologies for IP & AI Decisions)

¹ (2024) 10 NWLR (Pt. 1946) 201



MEDIA & ENTERTAINMENT NIGERIA

Afreximbank Launches \$1 Billion Africa Film Fund: The African Export-Import Bank (Afreximbank), through its investment arm, FEDA, has launched a \$1 billion Africa Film Fund aimed at addressing infrastructure and financing challenges in Africa’s film and creative industry. The initiative is expected to unlock opportunities in content development and expand the global reach of African creatives.

Nigerian Government Signs Creative Industry MoU With Chocolate City: The Federal Ministry of Arts, Culture, Tourism, and Creative Economy has signed a three-year MoU with Chocolate City Group to boost Nigeria’s creative infrastructure. The partnership will focus on developing live performance venues, nurturing talent, enhancing content distribution, and strengthening intellectual property protections. A Joint Working Committee will oversee implementation.

NCC Cracks Down on DJs Over Copyright Violations: In June 2025, the Nigeria Copyright Commission issued a stern warning to Disc Jockeys (DJs) in Nigeria, threatening fines and up to five years imprisonment for publicly performing music without the requisite licenses or authorisation from rights holders or their approved Collective Management Organisations (CMOs).

WIPO Nigeria and NCC Focus on Music Industry IP: In celebration of World IP Day 2025 in April, the WIPO Nigeria Office hosted a high-level Music Industry and Intellectual Property Roundtable and a Music Business Masterclass with prominent figures like Cobhams Asuquo.

D’Banj Pursues Copyright Action Against Marc Anthony: Nigerian artist D’Banj has initiated legal proceedings against U.S. singer Marc Anthony over alleged unauthorised sampling of *Oliver Twist* in Anthony’s 2024 track *Muevense*. D’Banj asserts the sample was used commercially without clearance, and his legal team is actively handling the matter.

AFRICA

African Leaders Advocate for Ethical AI in Journalism: At various forums in Q2 2025, including discussions around World Press Freedom Day, African leaders and media stakeholders called for urgent action to build sovereign and ethical AI systems tailored to local needs within journalism. Discussions focused on balancing innovation with responsibility, exploring the opportunities and threats AI poses

to journalistic practice and media sustainability, including concerns about deepfakes and disinformation.

Doha Film Institute Announces 45 Recipients of 2025 Spring Grants Cycle: The Doha Film Institute, a significant player in supporting independent cinema in the Arab world and globally, announced on June 24, 2025, the recipients of its 2025 Spring Grants cycle. This initiative provides funding to 45 diverse film projects from over 35 countries, including a notable number from African nations, demonstrating continued international investment and support for independent storytelling and diverse voices in the global film industry.

GLOBAL

EU Digital Services Act (DSA) Enforcement Expands: While fully implemented earlier, Q2 2025 saw continued focus on the enforcement of the EU's Digital Services Act (DSA) for Very Large Online Platforms (VLOPs) and Very Large Online Search Engines (VLOSEs). This legislation holds major social media platforms and online marketplaces accountable for content moderation, transparency in algorithms, and addressing illegal content, directly impacting how media and entertainment content is disseminated and regulated across the EU, particularly regarding issues like disinformation and copyright infringement.

Global Health Film Grant Launches for 2025: One World Media, in partnership with the Pulitzer Centre and Financial Times, launched a new Global Health Film Grant on June 26, 2025. This grant will provide up to £20,000 in funding and production support for an experienced filmmaker from the global south to create a short documentary (25 minutes or less) by June 2026, focusing on underreported global health stories.



DATA PROTECTION & PRIVACY

NDPC Hosts NADPA-RAPDP Conference in Abuja: In May 2025, the Nigeria Data Protection Commission (NDPC) hosted the 8th Network of African Data Protection Authorities (NADPA-RAPDP) Conference and Annual General Meeting in Abuja, drawing over 1,500 participants and more than 30 Data Protection Authorities from across Africa. Held under the theme *“Balancing Innovation in Africa: Data Protection and Privacy in Emerging Technologies,”* the conference served as a vital platform for dialogue on the intersection of data protection with rapidly advancing technologies such as Artificial Intelligence and FinTech.

Global Data Protection Enforcement and Fines

The second quarter of 2025 saw a significant escalation in global privacy and data protection enforcement, with regulatory authorities imposing substantial fines and setting new precedents.

Key enforcement actions during Q2 2025 include:

TikTok's Record-Breaking GDPR Fine: On May 2, 2025, the Irish Data Protection Commission (DPC) imposed a historic €530 million (\$601 million) fine on TikTok Technology Limited. The fine was levied for violations related to international data transfers and transparency failures.

Significant U.S. Health Insurance Portability and Accountability Act (HIPAA) Settlements: Solara Medical Supplies, LLC was fined \$3 million for multiple breaches of unsecured electronic protected health information (ePHI). Additionally, the HHS Office for Civil Rights issued a \$600,000 settlement on April 23, 2025, related to a healthcare network phishing attack affecting 200,000 individuals. Oregon Health & Science University also faced a \$200,000 fine for delays in patient records access.

CCPA Penalties in California: American Honda Motor Co., Inc. received a \$632,500 penalty for mishandling customer data and obstructing privacy rights under the California Consumer Privacy Act (CCPA). The California Privacy Protection Agency also announced increased CCPA fines and penalties

effective January 1, 2025, with administrative fines potentially reaching up to \$7,988 for intentional violations or those involving personal information of consumers under 16 years of age.

FTC Fines Genshin Impact Developer \$20M for COPPA Violations: Cognosphere, the developer of *Genshin Impact*, has agreed to a \$20 million FTC settlement over violations of the Children’s Online Privacy Protection Act (COPPA). The company was accused of collecting data from children under 13 without parental consent and using deceptive practices to promote in-game spending. As part of the settlement, Cognosphere must strengthen age verification, obtain parental consent for players under 16, and increase transparency around virtual currencies and loot box odds.

European GDPR Actions Beyond Big Tech: Orange España was fined €1.2 million for insufficient technical and organisational measures protecting customer data. Spanish data protection authority (AEPD) also imposed several fines in April 2025, including €500,000 on Marina Salud for processing sensitive data, €200,000 on Vodafone España S.A.U. for SIM swapping violations, €200,000 on Orange Bank S.A. for integrity and confidentiality breaches, and €120,000 on Banco Bilbao Vizcaya Argentaria S.A.



EMERGING TECHNOLOGY LAWS & DIGITAL POLICY NIGERIA

Investments and Securities Act 2025 Recognises Digital Assets: The new Investments and Securities Act (ISA) 2025, which came into law in Q2 2025, significantly expands the definition of "securities" to include virtual and digital assets like cryptocurrencies, NFTs, and other digital representations of value. This provides a definitive legal position and regulatory framework for digital assets in Nigeria, bringing Virtual Asset Service Providers (VASPs), Digital Asset Operators (DAOPs), and Digital Asset Exchanges under the regulatory purview of the Securities and Exchange Commission (SEC).

National Blockchain Policy Released: Nigeria's Federal Ministry of Communications, Innovation & Digital Economy (FMCIDE) released a white paper outlining the National Blockchain Policy in Q2 2025. This policy aims to establish a structured, inclusive, and forward-looking framework for the adoption and regulation of blockchain technology, building on the National Blockchain Strategy developed by NITDA in 2024.

NITDA IT GUIDANCE: The National Information Technology and Development Agency (NITDA) released an updated IT Project Clearance Guideline, mandating clearance for federal public institutions' IT projects.

CBN Partners With NIBSS to Launch NRBVN: The Central Bank of Nigeria, in partnership with the Nigeria Inter-Bank Settlement System (NIBSS), launched the Non-resident Bank Verification Number (NRBVN) framework, a digital solution for Nigerians abroad to access banking services securely.

AFRICA

African Leaders Call for Sovereign and Ethical AI: At the Internet Governance Forum (IGF) 2025 in Oslo, African leaders called for urgent action to build sovereign and ethical AI systems tailored to local needs. This discussion, which included voices from government, civil society, and private enterprises, emphasised the importance of ensuring AI reflects African realities and supports democratic governance on the continent.

South African Financial Regulators Introduce New IT Compliance Requirements: The Financial Sector Conduct Authority (FSCA) and the Prudential Authority (PA) in South Africa introduced Joint Standard 1 of 2023 on Information Technology (IT) Governance and Risk Management, with related cybersecurity and cyber resilience requirements taking effect on June 1, 2025. These regulations mandate financial institutions to establish robust IT risk management frameworks and cybersecurity protocols, crucial for mitigating risks associated with digital transformation and emerging technologies in the financial sector.

Zambia enacted "The Cyber Crimes Act, 2025" and "The Cyber Security Act, 2025" on April 15, 2025, which address offences related to computer systems, protection against cybercrimes, and child online protection.

Djibouti also adopted its first-ever comprehensive Digital Code on July 2, 2025, which includes sections on cybersecurity and cybercrime.

GLOBAL

UK Data (Use and Access) Act 2025 Enacted: The UK's Data (Use and Access) Act 2025 received Royal Assent on June 19, 2025, marking a significant reform of the country's data protection and e-privacy regimes. The Act introduces targeted amendments to the UK GDPR and Data Protection Act 2018, aiming to streamline compliance for organisations, enable "smart data" schemes for secure data sharing (like Open Banking expansion to Open Finance), facilitate digital verification services, and adjust rules for automated decision-making and cookie consent.

NATO's Rapid Adoption Action Plan for Emerging Technologies: At the 2025 NATO Summit in The Hague, Allied Leaders endorsed NATO's Rapid Adoption Action Plan, aimed at significantly accelerating the pace at which the Alliance adopts and integrates new technological products, including AI, autonomous systems, and quantum technologies, into Allied armed forces within a maximum of 24 months.

US House Passes One Big Beautiful Bill Act with AI Preemption: The U.S. House of Representatives passed the "One Big Beautiful Bill Act," which includes a 10-year moratorium on state-level legislation regulating AI models and systems. This bill restricts states from enforcing AI-specific laws, while allowing exceptions for measures that facilitate AI deployment or streamline administrative procedures, indicating a move toward a more centralised approach to AI regulation in the United States.

Japan Passes Landmark AI Legislation: Japan passed landmark AI legislation on May 28, 2025, aimed at guiding the safe development of artificial intelligence. This development signifies a growing global trend among nations to proactively establish legal frameworks for AI, focusing on ethical use, risk mitigation, and fostering responsible innovation in this rapidly advancing field.

KEY LAWSUITS AGAINST AI COMPANIES (APRIL - JUNE 2025)

Ziff Davis v. OpenAI (Copyright Infringement): On April 24, 2025, online publisher Ziff Davis filed a lawsuit against OpenAI in the U.S. District Court for the District of Delaware, alleging "intentional and relentless" use of its copyrighted content to train OpenAI's large language models (LLMs). The

complaint seeks an injunction to prevent further exploitation of Ziff Davis's works and the destruction of datasets containing or derived from its copyrighted content, along with financial compensation.

Disney and Universal v. Midjourney (Copyright Infringement): Disney Enterprises, Universal City Studios Productions, and other major entertainment companies filed proceedings against AI image generator Midjourney in the US District Court of the Central District of California on June 11, 2025. The lawsuit alleges direct and secondary copyright infringement, claiming Midjourney's service acts as a "virtual vending machine, generating endless unauthorised copies" of their copyrighted works and is a "bottomless pit of plagiarism."

In Re: OpenAI, Inc. Copyright Infringement Litigation (Consolidated Class Action): Following the consolidation of several copyright infringement claims against OpenAI in the Southern District of New York in April 2025, a consolidated class action complaint was filed on June 13, 2025. This overarching litigation, involving numerous authors and The Authors' Guild, addresses claims of direct, vicarious, and contributory copyright infringement related to OpenAI's alleged use of copyrighted written works to train its AI chatbot.

Walters v. OpenAI (Defamation, Georgia Court Dismissal): On May 19, 2025, the Superior Court of Gwinnett County, Georgia, granted OpenAI's motion for summary judgment in a defamation claim filed by Mark Walters. The plaintiff, a public figure, alleged that ChatGPT falsely accused him of participating in a federal complaint. The court found that OpenAI successfully demonstrated ChatGPT warns users that its output could contain factual inaccuracies and that Walters failed to prove negligence or actual malice on OpenAI's part, a significant win for AI developers regarding liability for AI-generated content.

Bartz v. Anthropic and Kadrey et al. v. Meta (Fair Use Rulings on AI Training Data): In separate but related rulings in Q2 2025, U.S. courts in the Northern District of California issued decisions regarding copyright infringement claims against Anthropic and Meta. In *Bartz v. Anthropic*, the court ruled that feeding tokenised or compressed versions of books into AI model training was "spectacularly transformative" and constituted fair use to create something fundamentally new, though issues related to pirated data sources remain. Similarly, in *Kadrey et al. v. Meta*, the court sided with Meta on similar fair use arguments, though it noted that companies profiting from AI should consider compensating original content creators. These rulings provide initial judicial interpretations of "fair use" in the context of AI model training.



TELECOMMUNICATIONS

Nigerian Telecom Sector Shows Profitability Rebound in Q1 2025: Nigeria's telecommunications sector, especially **MTN Nigeria**, saw a significant return to profitability in Q1 2025. This positive shift was mainly due to a **99.2% reduction in foreign exchange (FX) losses** for MTN, which plummeted to N5.53 billion from N656.37 billion in Q1 2024. MTN Nigeria reported a strong **40.5% year-on-year (YoY) revenue growth**, reaching N1.06 trillion. While Airtel Africa experienced a marginal 0.5% YoY revenue decline in FY 2025, it also significantly reduced its FX losses. The full impact of recent tariff adjustments is expected to reflect in future quarters, supporting a positive outlook for the sector through 2025 despite ongoing operational challenges like high energy costs.

Nigeria Bolsters Digital Infrastructure with \$3 Billion Investment: Nigeria is set to significantly enhance its digital infrastructure with an expected **\$3 billion investment in telecommunications equipment and fibre optic infrastructure by June 2025**. This major drive, led by the Federal Government and the World Bank, aims to boost digital connectivity, strengthen internet infrastructure, and reduce the digital divide. The investment, which includes **\$1 billion in telecom equipment and an additional \$2 billion in fibre optic cables**, is projected to increase internet penetration to over 70% and drastically reduce broadband costs. To combat frequent cable cuts, the Ministry of Communications and the Ministry of Works have formed a Joint Standing Committee for fibre optic cable protection.

Broadband Penetration Lags, 5G Adoption Remains Low: As of March 2025, Nigeria's **broadband penetration stands at 47.73%**, with 103.5 million subscriptions, falling short of the ambitious 70% target for the end of 2025. Despite assurances from the NCC, progress remains sluggish due to challenges like insufficient investment, infrastructure gaps, and high right-of-way (RoW) charges. **5G adoption also remains significantly low**, with fewer than 4 million subscribers by April 2025, representing less than 3% of mobile subscribers. This slow progress highlights a "hype vs. reality" challenge, indicating that device affordability and infrastructure costs are significant barriers to widespread 5G uptake despite its transformative potential.

Regulatory Updates: Revised NCA, New Data Protection Directive, and USSD Billing Shift: The Nigerian Communications Commission (NCC) has initiated a **comprehensive revision of the Nigerian Communications Act 2003 (NCA)** to modernise the legal framework for emerging technologies. Furthermore, in June 2025, the NCC issued a new directive shifting **USSD banking transaction charges from users' bank accounts to their mobile airtime**, standardising a charge of N6.98 per session to enhance transparency and customer experience. Additionally, the NCC has released a **draft copy of the General Authorisation Framework**, envisioned as a "sandbox" for the telecoms industry, and is currently accepting comments from stakeholders.

New Directives Target Network Outages and Consumer Compensation: In May 2025, the NCC issued a new directive **mandating telecom licensees to inform consumers about major service outages** and providing for **proportional compensation** for prolonged disruptions (over 24 hours). This directive, requiring public announcements via media and a new Major Outage Reporting Portal, aims to improve service quality, ensure timely resolution of issues, and hold responsible parties accountable for infrastructure damage.

SEC Gains Expanded Powers for Data Access Under New ISA 2025: The newly signed **Investment and Securities Act (ISA) 2025** significantly expands the powers of Nigeria's Securities and Exchange Commission (SEC), allowing it to **obtain user data from all telecom and electronic communication companies**. This crucial provision aims to enhance the SEC's ability to investigate and prosecute financial crimes, particularly Ponzi schemes, by accessing phone, internet, and electronic records. Operators of Ponzi schemes now face severe penalties, including a 10-year jail term and a fine of at least N20 million.

Notable Legal Cases: MTN Faces Class Action and Trademark Fine, Meta Hit with Huge FCCPC Fine: **MTN Nigeria** is currently facing a **class action lawsuit** from consumers alleging unexplained data depletion, excessive billing, and unauthorised charges, largely catalysed by viral social media complaints. Separately, in March 2025, a Federal High Court ordered MTN to pay **₦840 million in damages for trademark infringement** to Citilink Accesscorp Limited for the unlawful use of the "WEBPLUS" name. Meanwhile, in April 2025, Nigeria's Competition and Consumer Protection Tribunal upheld a historic **\$220 million fine against Meta (Facebook) and WhatsApp** for "sharp practices," including unauthorised data sharing and abuse of market dominance. However, concerns about the proportionality of this fine, which far exceeds the 10% legal cap on turnover, have been raised.

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