

## ECONOMIC GROWTH THROUGH NIGERIA'S MUSIC INDUSTRY: IP AND MUSIC

Tobi wakes up hungry, but driven. Music is all he desires, breathes, and needs. After scraping together money for studio time, he records a catchy Afrobeats song, and posts it online. Days later, this song explodes on TikTok. Lagos to London, his sound is everywhere. Influencers use it, DJs remix it, brands jump on the wave. Tobi can barely keep up with the buzz. He's sure this is it—his big break.

And why not? Nigeria's music industry is growing fast. From the exciting rhythms of Highlife, Fújì and Jùjú to the modern heat of Afrobeats, the world can't seem to get enough. According to Stears Business, Nigeria's music industry is now the second fastest-growing in global entertainment markets. Over the last three years, Nigeria's music exports grew by 49 percent.<sup>ii</sup> In 2024's *Detty December*, Lagos and Abuja attracted thousands of international visitors, eager to experience the vibrant Nigerian music scene firsthand. Local vendors, restaurants, fashion designers, and event organizers cashed in on this boom. Music isn't just entertainment, it empowers. And when brands like Nike collaborate with Nigerian artists, or when Burna Boy sells out London Stadium, it isn't just the artist winning. It's Nigeria.

But while Tobi's song plays everywhere, he sits in his tiny apartment, broke and hungry. He earns nothing from his successful song. No royalties. No recognition. No rights. How did everything go so right, yet so wrong?

That is where intellectual property comes in. Behind every song is an artist who deserves protection and compensation. How can innovation and IP work hand in hand to ensure that creativity does not go unrewarded? What even is an intellectual property?

The answer is simple: your brain's work, legally yours.

WIPO goes further and says intellectual property are "legal rights which results from intellectual activity in the industrial, scientific, literary, and artistic fields."<sup>iii</sup> IP rights, specifically copyright gives creators the legal tools to own their music, control how it's used, and earn from it. These rights ensure that artists, producers, songwriters, and managers are rewarded for their work.<sup>iv</sup> With proper licensing and royalty systems, a hit song can continue to generate income long after its release, creating long-term value for the artist and the economy. Globally, we see how IP has helped music become a serious export. In South Korea, for instance, K-pop artists benefit from strong copyright laws. As a result, Korean music is a billion-dollar export industry. Nigeria is not far behind.

The Nigerian National Assembly has enacted the Copyright Act<sup>v</sup> aimed to protect the right over our creative work. Yes, the general response to this law has been positive.<sup>vi</sup> But the problem is with the enforcement mechanisms. In the streets of Lagos, bootleg CDs still change hands. And online, pirated version of songs spread faster than the official release. Despite the efforts of the Nigerian Copyright Commission, enforcement is a huge challenge, and artists are vulnerable to exploitation. Their work is copied, distributed, and monetized by others without permission or compensation.

Tobi may be fictional. But his struggle is painfully real, just like many Nigerian artists whose talent makes waves globally, while their pockets remain empty.<sup>vii</sup> They enter the music industry with passion in their voice, but little understanding of their rights. Ask them about beats or bars, and they'll school you. Ask them about copyright registration, licensing agreements, and performance royalties, and you'll get a confused stare. This lack of accessible legal education makes talented artists easy prey. Unconscionable contracts are signed blindly, songs are uploaded, and collaborators often go uncredited. Many artists are not registered with collective management organizations (CMOs), and even those who are often receive inconsistent or negligible payments. With streaming platforms becoming the dominant mode of music consumption, transparent royalty tracking is more crucial than ever. Unfortunately, Nigeria's digital infrastructure has yet to match this demand.

As if the existing challenges weren't enough, emerging technologies bring new complications. Artificial intelligence is now capable of generating music that mimics real artists' voices and styles. Deepfake technology can replicate performances. This means that not only can music be stolen, but voice and identity can be digitally cloned, all without one's knowledge or consent. Global artist, Drake had to publicly disavow viral songs made using AI versions of their voice.<sup>viii</sup> If world-renowned artists with legal teams and record labels behind them are struggling with such misuse, what hope do independent Nigerian artists have? These technologies are not inherently harmful, they actually hold potential for innovation, collaboration, and empowerment. But there must be clear, enforceable IP regulations to address their misuse.

From this essay, it is obvious that change is direly needed in many areas of Nigeria's IP framework. Without that, the dream that fuels Nigeria's music industry—the dream that wakes Tobi up every morning—may never become national wealth.

The Copyright Act 2022 is a promising start. Targeted crackdowns by the NCC's new cyber-monitoring unit have already knocked out illegal streaming sites. The government could expand such efforts, perhaps creating specialized IP courts or police units dedicated to piracy and counterfeiting. Clearer licensing laws are also needed for online streaming. Policy must shift from shrugging at infringement to aggressively enforcing rights, so that stealing a song is treated as seriously as any other crime.

Also, there must be education and awareness. No law can bite if people don't know it exists. Workshops like the NCC-MCSN training for DJs are a model:<sup>x</sup> disc jockeys learned that mixing unlicensed music is now criminal under the 2022 Act. Expanding this idea to universities, vocational schools and even secondary schools would pay dividends. WIPO's "Project 1%" is also enrolling thousands of Nigerian youths in online IP courses. If every music student graduated knowing how to copyright a song, register with a rights society, and negotiate contracts, artists would avoid ending up famous but penniless like Tobi. In practice, this could mean mandatory "Copyright 101" classes for students, free monthly seminars in creative hubs, and scholar-led awareness campaigns on social media. By turning every IP ignoramus into a copyright-savvy artist, Nigeria builds a culture of respect for creators.

Technology itself can harmonize enforcement. If a song were minted as an NFT or bound by a smart contract: every play, download or license automatically triggers a micropayment to the artist without middlemen.<sup>x</sup> Blockchain and smart contracts can thus solve the dreaded "black box" problem where creators lose track of their money. In addition, artificial intelligence and fingerprinting tools can police the web: automated systems could scan YouTube, TikTok or local streaming sites for a copyrighted song, flag unauthorized uploads, and alert platforms to pay up or pull down the infringer. Music platforms themselves can partner with fintech: for example, integrating digital rights management (DRM) so that any use of a song on an app automatically queues a tiny payment to the artist's account.

Nigeria's collective management systems also need to undergo reform. Currently one society, the musical copyright society of Nigeria, holds the monopoly on music rights collection. Several regulations under Nigeria's Collective Management Regulations (CMR) have been criticized for being unfair to some creators. Eg., non-members have no guaranteed access to information, accountability, or redress mechanisms. To fix this, CMOs should be forced to publish open books. They should be required to maintain a public database of unallocated royalties and regularly notify all contributors of licenses involving their work. The CMO must be accountable, whether or not the artist formally joined as a member. Also, introducing some competition or oversight—such as allowing multiple CMOs or an independent regulator—would force the system to be accountable. The bottom line is this: stronger, clearer, and more transparent CMOs ensure royalties don't vanish into a black hole.

While it is tempting to put all responsibility on the government, fixing IP in Nigeria is not a solo act. It takes a village - or better yet, a united front. The government, industry, and international partners must join forces. Nigeria has begun on this path: for instance, the new Creative Economy Fund includes an IP-monetisation pilot that lets artists use their copyrights as loan collateral, developed with banks and even the African Development Bank. Tech giants and startups can help too. Such synergies can turn isolated efforts into a full-blown movement, so that when artists need support (legal, financial or technical), the system is already primed to help.

With Nigeria's creative economy projected to produce 2.7 million jobs by 2025, plugging IP leaks means real economic growth. In the reformed ecosystem, Tobi wouldn't be a cautionary tale but a success story: an empowered artist collecting cheques worldwide.

If Nigeria can master the beat of intellectual property, our economy will groove to a much richer tune.

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<sup>i</sup> Tobi is a fictional character created by the author.

<sup>ii</sup> Chuks Oluigbo, 'Nigerian music exports grow 49% on Afrobeats boom' (BusinessDay, 16 March 2025) <https://businessday.ng/life-arts/article/nigerian-music-exports-grow-49-on-afrobeats-boom/> accessed 26 May 2025.

<sup>iii</sup> WIPO, "The Concept of Intellectual Property" in wipo Intellectual Property Handbook: Policy, Law and Use, paragraph 1.1, 2001.

<sup>iv</sup> Lionel Bently and Brad Sherman, Intellectual Property Law (5th edn, Oxford University Press 2014)

<sup>v</sup> Nigeria, Copyright Act 2022

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<sup>vi</sup> Desmond Osaretin Oriakhogba and Ifeoluwa A. Olubiyi, *Intellectual Property Law in Nigeria: Emerging Trends, Theories and Practice* (2nd edn, Paclerd Press Ltd 2023).

<sup>vii</sup> There was a controversy surrounding the song *Ka Esi Le Onye Isi Oche* by iconic Nigerian musician Mike Ejeagha which went viral with over 50 million views on social media after being used by skit maker Brain Jotter. He synchronized the track into his video rather than using the licensed version from the Instagram music library. Critics accused Brain Jotter of copyright infringement for failing to obtain permission from the Igbo folk musician before using the song in his viral video. However, Brain Jotter offered the artist 2 million naira, and no legal action arose from the matter.

<sup>viii</sup> Laura Snapes, 'AI song featuring fake Drake and Weeknd vocals pulled from streaming services' (The Guardian, 18 April 2023) <https://www.theguardian.com/music/2023/apr/18/ai-song-featuring-fake-drake-and-weeknd-vocals-pulled-from-streaming-services> accessed 26 May 2025.

<sup>ix</sup> Rotimi Ige, 'MCSN, NCC to train DJs on copyrights' (Tribune Online, 2 May 2025) <https://tribuneonline.ng/mcsn-ncc-to-train-djs-on-copyrights/> accessed 26 May 2025.

<sup>x</sup> Tresise, Annabel and Goldenfein, Jake and Hunter, Dan, 'What Blockchain Can and Can't Do for Copyright' (August 6, 2018). (2018) 28 *Australian Intellectual Property Journal* 144, Available at SSRN: <https://ssrn.com/abstract=3227381>