



VISIBILITY AND  
POSITIVE PERCEPTIONS

# ***THE WAY FORWARD***

FOR NIGERIAN SPORTS

BY GTI RESEARCH



Sport pertains to any form of competitive physical activity or game that aims to use, maintain or improve physical ability and skills while providing enjoyment to participants and, in some cases, entertainment to spectators.

Hundreds of sporting events exist, from those between single contestants to those with hundreds of simultaneous participants, either in teams or competing as individuals.

In certain sports such as racing, many contestants may compete, simultaneously or consecutively, with one winner; in others, the contest (a match) is between two sides, each attempting to exceed the other. Some sports allow a "tie" or "draw", in which there is no single winner; others provide tie-breaking methods to ensure one winner and one loser.

Several contests may be arranged in a tournament producing a champion. Many sports leagues make an annual champion by arranging games in a regular sports season, followed in some cases by playoffs.

Sport is usually governed by a set of rules or customs, which serve to ensure fair competition and allow consistent adjudication of the winner. And winning can be determined by physical events such as scoring goals or crossing a line first. It can also be determined by judges who are scoring elements of the sporting performance, including

objective or subjective measures such as technical performance or artistic impression. Records of performance are often kept, and for popular sports, this information may be widely announced or reported in sports news.

It is also common for popular sports to attract large broadcast audiences, leading to rival broadcasters bidding large amounts of money for the rights to show certain fixtures. For example, the football World Cup attracts a global television audience of hundreds of millions; the 2006 final alone attracted an estimated worldwide audience of well over 700 million and the 2011 Cricket World Cup Final attracted an estimated audience of 135 million in India alone.

In the United States, the championship game of the NFL, the Super Bowl, has become one of the most-watched television broadcasts of the year. Super Bowl Sunday is a de facto national holiday in America; the viewership being so great that in 2015, advertising space was reported as being sold at \$4.5m for a 30-second slot.

Sport can be undertaken on an amateur, professional or semi-professional basis, depending on whether participants are incentivized for participation (usually through payment of a wage or salary). Amateur participation in sport at lower levels is often called "grassroots sport".





The popularity of spectator sport as a recreation for non-participants has led to sport becoming a major business in its own right.

This has led to a high paying professional sports culture, where high performing participants are rewarded with pay far in excess of average wages, which can run into millions of dollars.

Some sports, or individual competitions within a sport, retain a policy of allowing only amateur sport.

The Olympic Games for example started with a principle of amateur competition with those who practiced a sport professionally considered to have an unfair advantage over those who practiced it merely as a hobby.

Therefore, from 1971, Olympic athletes were allowed to receive compensation and sponsorship; and from 1986, the IOC decided to make all professional athletes eligible for the Olympics, with the exceptions of boxing and wrestling.

Taking a look at the different types of sporting events, one could see that sport can be broken down into further categories.

Most sports are organized and run by National or International Governing Bodies. The different types of sports categories are Individual Sports, Partner Sports, Team Sports and Extreme Sports.

On the issue of visibility and perception of sporting activities, it is important that both are separated via their meanings because it has to do with how sport, which is a huge industry, is being seen by people or fans within the environment.

In fact, perception relies on sensory systems that enable humans to see, hear, feel, smell, and taste.

How we perceive things in life greatly impacts the thoughts and behaviours that follow – for better or for worse. When athletes “see” challenges instead of seeing threats, their mind and body flow in synchrony and often the athlete improves mental toughness and reaches his or her full athletic potential as a result.

Media coverage is a good tool that can encourage participation in sport in several ways: It increases popularity and knowledge of sports and activities by covering matches and events and interviewing experts.

Interactive simulation games and apps also encourage an interest in sports which may lead to greater participation.

Media visibility and place reputation does help in sports development or spread. However, the relationship between sport and media cannot be overemphasized because the media generates profit through sports while sports and its contents are transmitted through media.





It is then clear sports and media are developing in and expanding through this symbiotic relationship. The interdependent phenomena and symbiotic relationship can be referred to as sports media.

Although sports evolved without the media originally, its current revenue level and popularity would not be sustained without the media. So, there is a great need for every sport to be made visible to impact positively the growth and development of that sport.

Social media also has injected itself into every aspect of our lives including sport. It can tell us current news, sports updates, what is happening with the most celebrities, and even advice on how to live our lives.

Despite what many believe, there are positives to the rise of social media, it provides a wealth of information for athletes looking to improve themselves physically and mentally, usually free of charge.

Seeing professionals performing in their sports on social media inspires younger athletes to continue performing and growing in their chosen field of sport.

Technology also has added its improvement in the development of modern sport. Compared to whiteboards and post-practice reviews, technology has substantially increased athletic potential and revolutionizing sports training by live-tracking performances, perfecting athletic

movements, enhancing communication and virtually eliminating injuries.

Advances in technology have had a profound impact on sport including increasing accuracy in time measurements of sports performance. It is enabling referees, umpires and sports officials to make better decisions on rule infringements and improvements in the design of sports equipment and apparel.

Today, modern athletes can access enhanced training facilities and gym equipment. Fitness coaches can use wearable devices to monitor the athletes' heart rate, body temperature, hydration levels, and brain activity. With the help of technology, sports coverage is more extensive than before and buying tickets now seems seamless.

In the area of video analysis, it has given athletes a second chance to take a critical look at their performance to improve skills and prevent injury. Recording a player's performance allows you to catch small details techniques that are often missed when watching a player live.

Also using technology, a team can map plays, manipulate situations to determine the best course of action during gameplay, and manage players' medical information. By being able to quickly and easily pull up stats, technology enables coaches to better use players and to know where their team's strengths and weaknesses lie.





Digital technology is unlocking unprecedented opportunities for growth in the sports industry, offering the potential to draw fans closer through innovative and customized experiences and Nigeria must embrace technology for the industry to flourish.

To capitalize on this opportunity, however, digital technology will need to be embedded in every aspect of sports business in the country because it is playing a larger role than ever in the lives of fans worldwide.

Partnering with broadcasters and new distribution platforms can give fans the experiences they want, and capture viewership across multiple devices, including mobile.

Sporting organizations in Nigeria need to strategically leverage digital media to build direct connections with fans. One way is to partner with broadcasters to master content across multiple channels, which also allows for a wealth of real-time marketing opportunities.

Ultimately, digital optimization of content across platforms will help broaden the content reach for sports organizations.

Aside from the aforementioned, many sports fans are no longer interested in the game alone—they crave the kind of exclusive and shareable experiences that can be amplified by technology.

Sports organizations could grow stadium attendance by using immersive technologies such as augmented and virtual reality to create an intensely exciting viewing experience. They can also increase engagement by leveraging loyalty and customer relationship management data to tailor experiences to individual fan preferences.

Fans are interacting with media more than ever before—between 2014 and 2016, audio consumption, TV viewership, and application usage increased across the board showing the power technology possesses in the advancement of sports.

Also, digital analytics allow for a better understanding of what excites fans, giving sponsors insight into what types of adverts and engagement models work for individual audiences. Digital tools can also provide sponsors with more information about fans so that they can tailor the timing, content, and delivery of messaging for greater effectiveness.

On the issue of media rights as a source of revenue generation in Nigeria's sports industry, Olisa Agbakoba opined that broadcasting rights (also known as media rights) are legal rights that a broadcasting organization owns and negotiates for commercial exploitation.

For many organizations the sale of broadcasting and media licenses for sporting events is now the





biggest source of revenue, generating the funds needed to finance major sporting events, refurbish stadiums, and contribute to the development of sport at the grassroots level.

Therefore, this culture must be encouraged in the Nigerian sports industry and sustained. For example, the European football league is of importance here, through a complex tender process, broadcasters compete to acquire the rights to broadcast games, especially the European football league games and become the official rights-holder of the competition.

The English Premier League which has always been way ahead in terms of earnings thanks to its lucrative TV rights in comparison with other leagues operates a centralized distribution model. The EPL has also been known to allocate the incoming revenues generated from the TV rights, across all clubs to create a balance in the competition and avoid a huge financial disparity.

When the Premier League was formed in 1992 a set of new rules and changes emerged in the media rights landscape. 1992 marked the starting point for a new golden era of sports media rights as the Premier League imposed new rules as the influence of the league grew in the international and domestic media market.

The launch of the Premier League on Sky Sports is what shifted the

proverbial goalpost. One of the main technological improvements was the introduction of subscription-based broadcasting that used encryption of the satellite signal as a turnstile to allow viewers access.

Technological improvements related to the coverage of the games stood out such as the increased number of cameras installed around the pitch to cover the action from a wide array of TV angles previously unseen.

Football clubs own their rights however as they gave the Premier League a mandate to license these rights centrally to potential buyers. The rights ownership and licensing system are governed by the Premier League's constitution and any change must be approved by two-thirds of the clubs.

Under the club license agreement, it is defined which rights may be used; however, clubs are not allowed to sell these rights to third parties.

Also, DSTV is a sub-Saharan direct broadcasting satellite service from South Africa, and the largest operator in Africa, founded in 1995 under the company Multichoice owns the rights to broadcast the premier league and a host of other sports in Nigeria and Africa as a whole. DSTV with 10.26m subscribers as at 2019 according to Statista.com is also the broadcast partner of the Premier League in Nigeria.





This deal has ensured that the popular channel 'SuperSport' of DSTV will remain the official broadcaster of the Premier League until 2025.

Another area that can be exploited in Nigerian football is image rights. In the world of football, image rights are simply the right a player possesses to control, sell, license and otherwise monetize his or her likeness, his or her image, name, nickname, voice, signature and all other characteristics unique to the player.

Image rights can be broadly defined, using the expression "image" not in its narrow sense of "likeness" but in its wider sense to encapsulate the "persona" or "brand", of the player cum athlete. At the beginning of a player's career, the player's image rights are owned by the player in so far as they cannot be exploited, licensed or assigned without his or her prior consent.

Currently, clubs are entering into a variety of commercial partnerships whereby brands want to be associated with clubs and their high-profile players. For example, the Premier League clubs have over 60 commercial partners, all seeking the right to use images, which in this case includes DSTV (images includes the use of high-profile players in their advertising).

Concerning Wilfred Ndidi's case, his image on huge billboards in Nigeria is being used to announce the incoming new season since DSTV is

the official broadcast partner of the Premier League in Nigeria. Therefore, there is a need to bring awareness about broadcasting and media rights to the general public.

According to Ugochukwu Johnson Amadi in his exposition on intellectual property rights in sports, he affirmed that sports practitioners all over the world have been able to generate enormous revenues from the exploitation of intellectual property rights via merchandising and so on.


Currently, there has been an evolution of the most popular sports, such as football, tennis, basket, cricket and so on into mega international events. They have also evolved into profitable domestic sports events like; Major League Soccer (MLS), English Premier League (EPL), and Spanish La Liga. Therefore, the Nigeria Professional Football League (NPFL) must tap into this goldmine.

With respect to Nigeria, it would be advisable for sporting events organizers to protect their event trademarks by adopting the stratagem of the International Olympic Committee as well as relying on the protection available via the Trademark Act<sup>21</sup> which is similar to the provisions of the UK Trademark Act<sup>22</sup>.


It is suggested that every state where a particular sports event would take place should enact a law that would provide a mirrored protection available in a Federal








Act enacted by the national Houses of Assembly. For instance, with respect to the Nigeria Professional Football League, an Act would serve as the principal protection for all marks associated with the NPFL throughout the Federation, while the Trademark Act serves as secondary or ancillary protection for the football league.



Sports events marks would allow sports events organizers in Nigeria to benefit from licensing the use of their event marks in exchange for license fees. Also, it is argued that with a Law such as the one suggested above prospective sponsors and commercial partners would feel confident and have a sense of security with respect to their investments.

Presently, it is possible for popular sportsmen to register their name and likeness under Trademark laws. In the UK the likes of Alan Shearer and David Beckham registered trademarks in their names under the Trademark Act 1994.




In India as well by virtue of the provisions of its Trademark Act 1999 creates this possibility for sports stars like Indian cricket legend Sachin Tendulkar to register his name as a trademark.

Nigerian sports personalities could also exploit these rights via the Nigerian incarnation of the trademark laws represented by the Trademark Act Cap T13 LFN 2004. For instance, the highest goal scorer in the Nigeria Professional Football league can afford to

register a trademark over his name and derive immense commercial benefits thereby.


The association of a name or image of a sportsman or sports personality to a given product can present significant value to the individual or entity that becomes associated with it. However, it is pertinent that a distinction is made between the image and personality rights of an individual sportsman.



The contract of a member of a professional sports team should be spelt into the sportsman's contract with respect to the extent of his image and personality rights that would be exploited by his team.

Any unauthorized exploitation of the trademark would amount to gross unfair trade practice, unfair competition and by extension a dilution of the reputation, goodwill and all-round hard work of the owner of the right.

Coming back to broadcasting rights this has proven over the years to be an important source of revenue into the football sub-sector in particular but as well as the larger sports industry. At the close of 2012/2013, the Television broadcast rights of the English premier league was sold for the total sum of £3 billion (£3,000,000,000.00), which implied that the bottom-ranked club would receive about £60 million (£60,000,000.00). In 2015 the rights for the English Premier League were sold for £5 billion (£5,000,000,000.00).







It is argued therefore that the economic importance of broadcast rights to professional sports in Nigeria would be immensely significant to the growth of the Nigerian sports industry.

The holder of broadcasting rights can exploit the rights commercially in several ways which mainly include; fees received for the advertisement of the product entities who intend to exploit the viewership strength of the league and via licensing of the rights to rebroadcast the competitions to other broadcast companies.

With the emergence of sports as a veritable economic sector, its commercial importance will increase rapidly both in terms of events on the field and off the field.

It becomes imperative that professional sports clubs and sports events organizers within Nigeria will not only join this highly profitable global bandwagon but also take into consideration the various species of intellectual property rights that have a serious nexus with intellectual property within the context of sports like; trademark registration, copyright, patents, broadcast rights and so on.

Commercial exploitation of these diverse species of intellectual property rights within the context of Nigeria would not only result in an upward drive of the economic progression of the various domestic sports associations/sports events

organizers within Nigeria but would also increase the individual profit margins of individual sportsmen in the country while attracting international interest and foreign investment.

It is also imperative for the Nigerian sports jurisdiction to appreciate the fact that establishing a proper protective legal framework for intellectual property rights would ensure the sustainability of foreign investments in the sector.

Creating the right structure to facilitate the visibility of sports activities in Nigeria is key to our sports development. Nigeria sports must also be seen to be visible with positive perceptions in order to unlock the hidden values.

#### **Contact Us:**

GTI Group  
Website: [www.gti.com.ng](http://www.gti.com.ng)  
Email: [headoffice@gti.com.ng](mailto:headoffice@gti.com.ng)  
Phone: +234 (1) 2772481,  
+234 (1) 2772484

