

SPEECH

DR. JUMA MUKHWANA.

PRINCIPAL SECRETARY

STATE DEPARTMENT OF INDUSTRY

MINISTRY OF INVESTMENTS, TRADE AND INDUSTRY

DURING

1ST INTERNATIONAL SYMPOSIUM ON IP PROTECTION AND

ENFORCEMENT

BOMAS OF KENYA

NAIROBI

13TH JUNE 2023.

Chief Guest, Cabinet Secretary Ministry of Investments, Trade & Industry
Hon. Moses Kuria

Chairman of the Anti-Counterfeit Authority
Hon. Josephat Kabeabea

The Director General World Intellectual Property Office
Represented by Mr. Vermandele Xavier,

Attorney Generals' Alliance (AGA),
Gen. Hector Hugo Balderas, former AG, Mexico

Anti-Counterfeiting Network (ACN) -Uganda, Chairman & Director Legal & Corporate Affairs
– Mr. Fred Muwema

Private Sector Representative
Flora Mutahi (Chair –KEPSA and Former Chairperson of the Anti-Counterfeit Authority)

Kenya Association of Manufacturers CEO
Antony Mwangi,

President Law Society of Kenya,
Eric Theuri,

The Executive Director, Anti-Counterfeit Authority,
Dr. Robi Mbugua Njoroge.

CEO of government Agencies and private sector present

Ladies and Gentlemen,

Appreciations.

Good Morning!

1. I want to recognize the presence of our Chief Guest, the Cabinet Secretary, Ministry of Investments, Trade and Industry, Hon. Moses Kuria. We thank you for attending today's event to officially launch the 1ST International Symposium on IP Protection and Enforcement.
2. On behalf of the State Department of Industry, I take this opportunity to congratulate the organizers of this event;
 - The Anti-Counterfeit Authority;
 - The sponsors Anti-Counterfeit Network Africa (ACN-Africa), Attorney General Alliance-Africa (AGA-Africa), WIPO, and the Ministry of Industry Trade and Investments and all partners for the support in hosting this event.

Relevance of event to government policy

3. The timing of this conference comes at a time when the Kenyan government has put in place renewed measures to grow the manufacturing agenda by putting in place measures to spur innovation and enterprise development for economic development.
 - We are employing a complementary approach as opposed to the traditional approach of growing both Micro, Small and Medium Enterprises (MSME) and the large corporates.
 - We want MSME's to be part of the industrialization agenda by increasing their competitiveness to compete in the international market.
4. The revamped MSME approach is informed by the fact that MSMEs are backbone of our Economy contributing up to 98% of all businesses in Kenya and creating over 15 million jobs the country in the sectors of ICT, Agriculture, Manufacturing and construction.
5. It is therefore imperative that having a target approach to address challenges facing the sector MSME sector and increasing the number of MSMEs selling their products and

services into foreign markets would reflect a more productive and a competitive Kenyan economy.

The need to protect MSME's IP

6. We are living in a century characterized by increasing level of global competition and high technological development.
 - The ability of firms to develop and exploit their innovative capabilities is widely recognized as a critical determinant of firm performance and competitive advantage.
 - Therefore, the Kenyan Government plan to build MSME's can be derailed if there are no policy safeguards in place to shield innovators from counterfeiting, Intellectual Property (IP) rights infringement and illicit trade.
7. From an economic perspective, the effects of IPR infringement and illicit trade on the development agenda cannot be ignored.
 - At the macro-economic level, Kenya's Economic Survey 2023 by the Kenya National Bureau of Statistics showed that growth in the manufacturing sector slowed down to 2.7 per cent in 2022 compared to 7.3 per cent in 2021 partly due to increased competition from cheap imports including counterfeits.
 - From a firm level or micro-economic perspective, data from the Kenya Association of Manufacturers (KAM) shows that in the last five years, a total of 34 local companies have shut down, mostly due to competition from cheap imports including counterfeits.
8. It is therefore important that as a government we must take decisive actions to face the threat of counterfeit and illicit trade both in Kenya and globally.

GoK Policy on enabling a conducive trading environment and ACA role.

9. Hon CS, Ladies and Gentlemen, the government is cognizant of the need to develop a National Intellectual Property Policy and Strategy to increase public awareness about IPR and to stimulate their growth for social- economic and cultural development of the country.
 - My Ministry will spearhead and support the development of the policy and its framework and support its implementation.
 - We will move with speed to comprehensively streamline and strengthen the legal and legislative framework around IPR in the country by particularly initiating actions

to find synergies and reduce inefficiencies and duplicity of roles the government institutions tasked with IPR like Anti-Counterfeit Authority, Kenya Industrial Property Institute and Kenya Copyright Board. .

Conclusion

10. I welcome you once again to this symposium to deliberate turn-around approaches to tackle IP infringement both at the national, regional and global level and close existing and threatening gaps which criminals take advantage to penetrate genuine business.
11. Allow me to also welcome our colleagues, friends and partners to Nairobi and Kenya. Please do not leave without visiting Nairobi National Park to enjoy the flora and fauna of the City in the Sun.
12. With these few remarks, allow me to welcome our Chief Guest the Hon Cabinet Secretary to make his speech and officially launch this symposium.