



**CLDP**  
COMMERCIAL LAW DEVELOPMENT PROGRAM



*The Implementation of an Interagency  
Approach to IP Protection and Enforcement:  
Kenya and the EAC*

**Nairobi, Kenya  
Crowne Plaza Hotel  
August 7-9, 2012**

*Organized by*

**The U.S. Department of Commerce (USDOC)  
Commercial Law Development Program (CLDP)  
And  
The Kenya Anti-Counterfeit Agency (ACA)**

*In coordination with*

**U.S. Customs and Border Protection (USCBP)  
U.S. Department of Justice (USDOJ)  
U.S. Embassy Nairobi  
U.S. Patent and Trademark Office (USPTO)**

*Project made possible through funding by  
U.S. Agency for International Development (USAID)*



**Monday, August 6, 2012**

**7:00 p.m.      Speakers Orientation Meeting**

Location:      Crowne Plaza Hotel  
Room:          Athi Boardroom

**Tuesday, August 7, 2012**

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**8:30 a.m.      Program Registration**

Location:      Crowne Plaza Hotel  
Room:          Outside Chania room

**9:00 a.m.      Opening Ceremony**

Room:          Chania Conference Room

***Moderators:***

*Nnamdi K. Ezera, Senior Counsel, U.S. Department of Commerce, Commercial Law Development Program (CLDP)*  
&  
*Stephen Mallowah, Executive Director & Chief Executive Officer, Kenya Anti-Counterfeit Agency (ACA)*

***Welcome Address***

*Chairman A.G.N. Kamau, Anti-Counterfeit Agency Board*

***Welcome Remarks***

*Eric Whitaker, Counselor for Economic Affairs and Acting Deputy Chief of Mission, U.S. Embassy Nairobi*

***Welcome Remarks***

*Dr. (Eng.) Karanja Kibicho, CBS, Permanent Secretary, Ministry of Industrialization*

***Opening Address***

*Hon. Amason Jeffa Kingi, EGH, Minister, Ministry of Industrialization*

**9:35 a.m.      The Value of IP in Kenya and the East African Community (EAC) Region:  
Innovation, Health & Safety, Investment and Economic Growth**

*The International Chamber of Commerce's Business Action to Stop Counterfeiting and Piracy (BASCAP) has commissioned a study of the value of IP in the EAC region and will present the findings of that study.*

***Moderator:*** *Tracy Sinkamba Faustin, Department of Policy and Business Practices, BASCAP*

***Panelists:*** *Dr. John Akoten, Deputy Director, Research and Awareness Department, ACA*

*Vinod Guptan, Kenya Association of Pharmaceutical Industries (KAPI)*

*Philda Maiga Mubiru, Senior Commercial Officer, Uganda Ministry of Tourism, Trade and Industry*

*Magdalene Munyao, Head of Group Brand Assurance for East Africa Region, Diageo*

**Question and Answer Session**

**10:30 a.m.      Coffee Break**

**10:45 a.m. The Value of IP in Kenya and the EAC Region: Innovation, Health & Safety, Investment and Economic Growth**

*A panel of government and industry representatives will present case studies and practical examples from the EAC region to amplify the findings and discuss recommendations for policy and legislative changes to deal with the issues.*

**Moderator:** Nnamdi K. Ezera, Senior Counsel, CLDP

**Panelists:** Ellis de Bruijn, Managing Director, Compol Associates Ltd.  
Rose Nyakwana, Kenya's Ministry of East African Community  
Stephen Odhiambo, Ministry of Planning, National Development and Vision 2030  
Victor Olewe, Partner, Mbugua Mureithi & Co Advocates

**Question and Answer Session**

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**11:30 a.m. CEO Forum Meeting (By Invitation Only)**

Location: Crowne Plaza Hotel

Room: Athi Boardroom

*CEOs discussion to include, inter alia, the role of the private sector at the CEO level and the facilitation of interagency staff for Enforcement Committee work.*

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**11:30 a.m. EAC and EAC Member States on the Coordination of IP Policy and Enforcement in the Region**

Location: Crowne Plaza Hotel

Room: Chania Conference Room

**Moderator:** Crispine Odhiambo, Kiptinness and Odhiambo Associates

**Speakers:** Michael David, Assistant Counterfeit Surveillance Officer, Tanzania Fair Competition Commission  
Seth Gashaka, Senior Advisor, Department of Industrial Property, Burundi Ministry of Trade and Industry  
Philda Maiga Mubiru, Senior Commercial Officer, Uganda MTI  
George Ndiri, Principal Industrial Economist, EAC Secretariat  
Cyridion Nsengumuremyi, President of Commercial Court of Huye, Judiciary of Rwanda

**12:30 p.m. Networking Lunch**

Location: Baraza Restaurant

**2:00 p.m. The Benefits of an Interagency Approach to IP Protection: Examples of Successful Communication, Coordination, and Collaboration**

**(1) Brazil – National Council to Combat Piracy;**

**(2) U.S. – IP Interagency Cooperation and IP Enforcement Coordinator**

**Speakers:** Kevin Rosenbaum, Attorney-Advisor, U.S. Patent and Trademark Office  
Robin Taylor, Resident Legal Advisor, U.S. Department of Justice  
Nnamdi K. Ezera, Senior Counsel, CLDP

**Question and Answer Session**

**3:15 p.m. Coffee Break**

**3:30 p.m. Issues in the Coordination of IP Protection and Enforcement: Agency Perspectives**

*Guided by a SWOT analysis, the session will identify and discuss success factors/challenges, and how the interagency collaboration, communication, and coordination could be made more effective and efficient. It will also explore the best legal/administrative/institutional frameworks of interagency collaboration and increasing the importance of ICT issues.*

**Moderator:** Onesimus Murkomen, ACA Board

**Panelists:** Paul Kukubo, CEO of the Kenya ICT Board  
Richard Lubano, Assistant Commissioner, Kenya Revenue Authority (KRA)  
Acquilino Mwithalii, Revenue Officer, KRA  
Edward Sigei, Head of Enforcement, Kenya Copyright Board (KeCoBo)  
Raymond Michuki, KEBS (tbc)  
Representative, KIPI

**Question and Answer Session**

**5:00 p.m. End of Program Day #1**

**Wednesday, August 8, 2012**

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**Location:** Nairobi Crowne Plaza  
**Room:** Chania Conference Room

**9:00 a.m. Summation of Day #1**

**Speaker:** Dr. John Akoten, Deputy Director, Research and Awareness Department, ACA

**9:15 a.m. Targeting Strategies: Coordinating with the Private Sector to Effectively Stop Fakes at the Border**

*Panelists will identify best practices for targeting and preventing entry of counterfeit and pirated goods, including through cooperation among rights holders and customs officials. Private sector panelist(s) will use real-world examples to demonstrate how such strategies and technologies can be employed, while customs official(s) will provide the government perspective.*

**Moderator:** Alexander Hall, Economic Officer, U.S. Embassy Nairobi

**Panelists:** Ibtisam Amer, CBP Attaché, U.S. Embassy Cairo  
Enoch Hwande, CEO, Allvirtuous, on anti-counterfeit authentication software with ACA and KRA  
Acquilino Mwithalii, Revenue Officer, KRA on WCO IPM tool  
Ken Osano, Policy and Strategy Advisor, Becton, Dickinson and Company  
Stavros Spyropoulos, Regional Manager for East Africa, Eaton Electric Limited

**Question and Answer Session**

- 10:45 a.m. Coffee Break**
- 11:00 a.m. U.S. National IPR Center: An Example of Interagency Operational Approach to IP Enforcement**  
*A presentation of the composition, scope and objectives of the IPR Center, as well as the challenges and benefits of this example of IP interagency cooperation.*
- Speaker:** Ibtisam Amer, CBP Attaché, U.S. Embassy Cairo
- Comments:** Kevin Rosenbaum, Attorney-Advisor, USPTO
- Question and Answer Session**
- 12:30 p.m. Networking Lunch**  
 Location: Baraza Restaurant
- 2:00 p.m. Kenya Copyright Case Study Exercise**  
*Participants will break into three groups to deliberate case study and questions. Each group will nominate one person to report his/her group's answers to the evaluation panel during the plenary.*
- Presenter:** Edward Sigei, Head of Enforcement, KeCoBo
- Evaluation panel:**  
 Richard Lubano, Assistant Commissioner, KRA  
 Magdalene Munyao, Head of Group Brand Assurance for East Africa Region, Diageo  
 Onesimus Murkomen, ACA Board  
 Acquilino Mwithalii, Revenue Officer, KRA  
 Crispine Odhiambo, Kiptiness and Odhiambo Associates
- Group Consideration and Discussion*
- 3:15 p.m. Coffee Break**
- 3:30 p.m. Kenya Enforcement Case Study Exercise**  
*Participants will break into three groups to deliberate case study and questions. Each group will nominate one person to report his/her group's answers to the evaluation panel during the plenary.*
- Presenter:** Johnson Adera, Deputy Director, Enforcement & Legal Services Department, ACA
- Evaluation panel:**  
 Richard Lubano, Assistant Commissioner, KRA  
 Magdalene Munyao, Head of Group Brand Assurance for East Africa Region, Diageo  
 Onesimus Murkomen, ACA Board  
 Acquilino Mwithalii, Revenue Officer, KRA  
 Crispine Odhiambo, Kiptiness and Odhiambo Associates
- Group Consideration and Discussion*
- 5:00 p.m. End of Program Day #2**

**Thursday, August 9, 2012**

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**Location:** Crowne Plaza Hotel  
**Room:** Chania Conference Room

**9:00 a.m. Summation of Day #2**

**Speaker:** *Dr. John Akoten, Deputy Director, Research and Awareness Department, ACA*

**9:15 a.m. Next Logic Case Study Exercise**

*Participants will break into three groups to deliberate case study and questions. Each group will nominate one person to report his/her group's answers to the evaluation panel during the plenary.*

**Presenter:** *Crispine Odhiambo, Kiptiness and Odhiambo Associates*

**Evaluation panel:**

*Johnson Adera, Deputy Director, Enforcement & Legal Services Department, ACA*

*Richard Lubano, Assistant Commissioner, KRA*

*Magdalene Munyao, Head of Group Brand Assurance for East Africa Region, Diageo*

*Acquilino Mwithalii, Revenue Officer, KRA*

*Group Consideration and Discussion*

**10:45 a.m. Coffee Break**

**11:00 a.m. Issues in the Coordination of IP Protection and Enforcement: Agency Perspectives Continued**

**Moderator:** *Dr. Marisella Ouma, Executive Director, KeCoBo*

**Panelists:** *Mercy Achola, Chief Operations Officer Kenya Association of Manufacturers (KAM)*

*Dr. Kipkerich Koskei, Registrar/Chief Pharmacist, Pharmacy and Poisons Board (PPB)*

*Eric Kiraithe, Senior Assistant Commissioner of Police*

*Dr. James Onsando, Managing Director, Kenya Plant Health Inspectorate services (KEPHIS)*

*Raymond Michuki, KEBS (tbc)*

**12:30 p.m. Networking Lunch**

**Location:** Baraza Restaurant

**2:00 p.m. Next Steps: Towards a More Efficient and Effective Coordination of IP Protection and Enforcement in Kenya and EAC**

**Moderator:** *Nnamdi K. Ezera, Senior Counsel, CLDP*

**Panelists:** *Johnson Adera, Deputy Director, Enforcement & Legal Services Department, ACA*

*Richard Lubano, Assistant Commissioner, KRA*

*Acquilino Mwithalii, Revenue Officer, KRA*

*Edward Sigei, Head of Enforcement, KeCoBo Representative, KIPi*

- 3:30 p.m.      Coffee Break**
- 3:45 p.m.      Workshop Recommendations Plenary Session**  
*Facilitators:    Stephen Mallowah, Executive Director & CEO, ACA*  
*Nnamdi K. Ezera, Senior Counsel, CLDP*
- 4:45 p.m.      Evaluation of Workshop**
- 5:00 p.m.      Closing Remarks by Stephen Mallowah, Executive Director & CEO, ACA**
- 5:15 p.m.      End of Program**