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SPEECH BY THE EXECUTIVE DIRECTOR AT THE OFFICIAL OPENING OF FOLLOW-UP PROGRAM TO THE WIPO-SIDA ADVANCED COURSE ON COPYRIGHT AND RELATED RIGHTS IN THE GLOBAL ECONOMY ON FEBRUARY 20, 2012

The Honourable Representative of the Swedish Government, Mr. Henry Olsson, The Representative of the Director General of the World Intellectual Property Organisation, Ms Sonia Cruickshank, The Director of International Cooperation, Swedish Patent and Registration Office, Distinguished participants,

I take this opportunity to welcome you all to this follow up training program on copyright and related rights in the global economy. We are honoured to have the program held in Nairobi for the first time and believe that the participants will be able to learn and share various experiences especially as they relate to the administration and enforcement of copyright and related rights in Kenya.

The Government of Kenya recognises the role and importance of copyright and related rights in economic growth and development and has ensured that intellectual property rights are recognised and protected under the Constitution of Kenya. The Government through the Kenya Copyright Board is at the forefront of ensuring that the copyright industries are protected and the creators make get the maximum benefit from their exploitation.

Ladies and gentlemen, training and awareness creation is an important element in the realisation of intellectual capital and the Government, in collaboration with the World Intellectual Property Organisation and other collaborative partners have in the last couple of years provided specialised training the management and enforcement of copyright and related rights in Kenya. The beneficiaries include officers from the State Law Office, the Kenya Copyright Board, the Kenya Police, the Judiciary, the Kenya



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Revenue Authority, Collective Management Organisations, Universities as well as legal practitioners.

This has increased the level of awareness at various levels and we have seen a significant change in the administration and enforcement of copyright with a significant increase in the number of cases that are investigated and determined by the courts.

There are several creative works that have benefited from the copyright regime in Kenya including the software applications the most famous being the mobile money transfer system which is now being used by mobile telephone companies the world over. The application has had a tremendous impact on the economy as many people use it to carry out business and remit money. The application is also used in e-commerce to facilitate the payment use or purchase of works over the digital networks.

The use of the digital technologies has also enhanced the collection and distribution of royalties to the rights holders through the use of creative works such as ring tones and ring back tones. This has also had a positive impact on the film and publishing industry as there is more content that is being uploaded onto the internet. Other creative industries include the arts and crafts, photography, fashion and design as well as software and books.

Kenya has in place the relevant legal and administrative structures which include the Kenya Copyright Board which is charged with the overall administration and enforcement of copyright and related rights in Kenya, the collective management organisations, industry organisations such as the recording industry organisation and the musician's association among others. In the recent past, we have had visitors from the copyright offices in Botswana, Zambia and Rwanda come for study visits to learn from the Kenyan experience. It is in the process of sharing knowledge and experiences that the sector is expected to grow and contribute to the society as a whole within and outside the country.



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Collective management organisations have continued to prosper with the country having four collective management organisations in the music and publishing industry. These organisations are supervised and licensed by the Kenya Copyright Board and since the provision on licensing and supervision was implemented, there is a significant increase in the royalties that have been collected over the years. One collective management organisation which used to collect KES 9 million (Approximately US\$ 100 000) per annum now collects over KES 215 million per month (Approximately US 3 million) per annum.

The Government of Kenya is also involved in the ongoing international discussions on copyright especially in the areas of broadcasting, protection of audio-visual performances as well as exceptions and limitations. The discussions have also been held at the national level resulting in the proposal for the amendment of the Copyright Act Cap 130 of the Laws of Kenya which has been drafted and awaits debate in parliament. The proposals take into account the advances in technology and the issues of access to knowledge.

The main challenges to the development of the copyright industries in Kenya and around the world include limited or lack of knowledge on copyright and related rights as well as the increased unauthorised commercial use of copyright protected works especially in the film, music, software, broadcasting and publishing industries. To mitigate this menace, the enforcement unit of the Kenya Copyright Board works with the rights holders and other enforcement agencies such as the police and the customs officials to ensure effective enforcement of the laws.

On behalf of the Kenya Copyright Board and the Government of Kenya, I would like to thank the World Intellectual Property Organisation for the continuous technical support in the development of copyright and related rights in Kenya. I also take this opportunity to thank both the World Intellectual Property Organisation and the Government of



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Sweden through the Patent Office (PRV) for choosing to have the follow up session here in Nairobi. It is my sincere hope that you shall be able to learn and exchange ideas especially best practices as they relate to management and enforcement of copyright and related rights in Kenya.

I wish to reiterate the Government's commitment to ensure that the copyright industries in Kenya are well protected and properly facilitated in line with making Kenya an middle income economy by the year 2030.

With these few remark, I welcome you to the follow up session the training course and welcome you to enjoy Kenyan hospitality.