

THE

SENTINEL

OCTOBER 2026

AUTHENTIC. CREDIBLE. ALERT

Smarter Systems Safer Markets

How digital traceability could strengthen Kenya's fight against counterfeit and illicit alcohol

+ Also inside

Sentinel in brief

A look at the news briefs that made headlines

Enforcement

A KSh 1.1 million seizure of suspected counterfeit personal-care products in Eastleigh puts authenticity and safety under scrutiny

Staff Spotlight

Meet the people behind the mandate

Building Trust in the Marketplace

Authenticity, traceability and partnership in Kenya's health-products supply chain



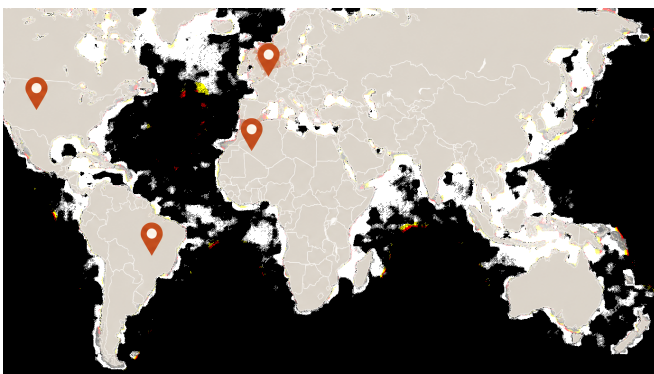
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**anti
counterfeit
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Upholding Authenticity



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FOREWORD

When the Anti-Counterfeit Act was enacted in 2008, the counterfeit trade looked very different from the one we face today. The threat then lived mostly in back streets, open-air markets and poorly guarded border points. Today, it also operates through social media storefronts, messaging groups and courier packages delivered directly to family homes. Those behind illicit trade have adapted, and the Authority must adapt faster.

The fight against counterfeiting is, at its heart, a fight for trust. Every genuine product that reaches a Kenyan household carries the confidence of the consumer who buys it, the investment of the business that made it and the credibility of the institutions entrusted to protect both. Every counterfeit product undermines all three.

Our work is therefore about more than seizing goods or prosecuting offenders, important as both remain. It is about ensuring that Kenyans can buy with confidence and that honest enterprise can compete on fair terms.

That is why the Authority is deliberately repositioning itself as a technology-led regulator that empowers consumers. We are working towards a future in which authenticity is not merely assumed but can be verified: a future in which a consumer can confirm, in moments, that a product is what it claims to be, and in which every verification strengthens the intelligence that guides our enforcement.

At the same time, we recognise that no single institution holds all the answers. Illicit trade thrives in the gaps between agencies, sectors and borders. We intend to close those gaps through closer cooperation with other regulators, enforcement partners, industry and our international counterparts.

Yet the most powerful safeguard against counterfeiting is neither a system nor a statute. It is an informed and vigilant citizen. Kenyans are increasingly aware of the dangers posed by counterfeit goods, but awareness must now be translated into action.

I urge every consumer, trader and manufacturer to see themselves as a partner in this mandate: buy from trusted sources, question anything that appears suspicious and report it. A single report can protect thou-



“

The fight against counterfeiting is, at its heart, a fight for trust.

ROBI M. KING'A, PHD
Executive Director, ACA

sands of people.

The Sentinel is part of this commitment. It is our promise to keep the public informed, to remain open about our work and challenges, and to invite everyone who shares our vision of a counterfeit-free Kenya to join us.

I thank the dedicated men and women of the Authority, whose work often goes unseen but whose impact is felt in every home kept safe from harmful products. I also thank our partners, whose collaboration continues to strengthen our resolve.

Together, we will keep upholding authenticity wards a counter free Kenya.

SENTINEL IN BRIEF

Key developments, partnerships and milestones advancing the fight against counterfeiting.

BEYOND THE TENDER: STRENGTHENING VERIFICATION IN KENYA'S HEALTH SUPPLY CHAIN



ACA Executive Director Dr Robi M. King'a addresses procurement and supply chain professionals at the 3rd Health Supply Chain Conference in Naivasha, 3rd September 2026

A medical product can pass every procurement requirement on paper and still fail the most important test: whether the item that eventually arrives is genuine, safe and fit for use. That was one of the key messages emerging from the 3rd Health Supply Chain Conference held from 3–4 September 2026 at Lake Naivasha Resort. Convened by the Kenya Institute of Supplies Management (KISM) in collaboration with the Ministry of Health and the National Treasury, the conference brought together pro-

fessionals working across procurement, supply chain management and health to examine how stronger systems can support better public service delivery.

For Anti-Counterfeit Authority Executive Director and CEO Robi M. King'a, PhD, protecting the health supply chain requires institutions to look beyond whether the procurement process itself was compliant. The physical product delivered must also withstand scrutiny. "Tender compliance is not enough. The physical product that arrives must be verified,"

he told participants. The message is particularly significant in the health sector, where counterfeit and falsified products can compromise treatment, put patients at risk and undermine confidence in healthcare systems.

The scale of the challenge reinforces the need for vigilance. King'a cited World Health Organization estimates indicating that at least one in every ten medicines in low- and middle-income countries is substandard or falsified. A case closer to home demonstrated just how important the fi-

“

Tender compliance is not enough. The physical product that arrives must be verified.

”

nal stages of procurement can be. Approximately 20,000 counterfeit N95 respirators valued at about KSh 21 million were intercepted at a Nairobi hospital. Significantly, the consignment was identified through the hospital's quality checks at the point of receipt rather than during the tendering process.

That experience illustrates why procurement and supply chain professionals are an important line of defence against counterfeiting. Their responsibility does not end with preparing tender documents, evaluating bids or awarding contracts. They influence a product's journey from supplier selection through to inspection, receipt, storage and distribution. Effective supplier due diligence, market intelligence, clearly defined specifications, appropriate anti-counterfeit clauses and careful contract management can all help reduce the risk of counterfeit products entering institutional supply chains. At delivery, receiving teams must still compare the product received against what was ordered, examining details such as product identity, quantities, batch information, packaging and supporting documentation. Where a product raises



KISM Chief Executive Officer Mr. Kenneth Matiba, MBS,

suspicion, it should be isolated and referred to the relevant regulator or enforcement agency rather than being allowed back into circulation.

KISM Chief Executive Officer Kenneth Matiba, MBS, reinforced the role of procurement professionals in this process, noting that supply chain practitioners are at the frontline of ensuring that the right products are sourced from the right suppliers and reach intended users safely and efficiently. KISM emphasised the importance of continuous professional development, ethical conduct and equipping practitioners with the knowledge needed to identify, prevent and respond to counterfeit risks. This means that professional competence increasingly extends beyond understanding procurement procedures. Practitioners must also understand vulnerabilities within supply chains and be alert to inconsistencies that may signal a problem.

The conversation in Naivasha also placed counterfeiting within a broader governance context. Engagements involving ACA, KISM and the Institute of Certified Secretaries of Kenya (ICS) highlighted the relationship between professional accountability, ethical

procurement and resilient supply chains. ICS Chief Executive Officer FCS Jeremiah Karanja, MBS, observed that procurement and supply chain management is not simply a transactional function; it also has a direct bearing on accountability, value for money, organisational performance and public confidence. Weak supplier vetting, inadequate inspection or poor contract management can create vulnerabilities that counterfeiters exploit, making professional integrity an important part of prevention.

This shared understanding opened up opportunities for deeper collaboration. ACA, KISM and ICS identified capacity building, anti-counterfeiting awareness, supplier due diligence, ethical procurement, good governance and professional responsibility among areas where closer cooperation could strengthen supply chain integrity. The institutions also recognised the importance of developing and sharing anti-counterfeiting knowledge and encouraging procurement practitioners to take a more active role in protecting consumers, public resources and legitimate businesses.

ACA AND PRSK EXPLORE STRATEGIC COMMUNICATION AND PROFESSIONAL CAPACITY BUILDING



Robi M. King'a PhD with the 2026 PRSK Shepherd Award, conferred at the 24th PRSK Excellence Awards on 27 August 2026

Strengthening strategic communication, professional development and public engagement formed the focus of discussions between the Anti-Counterfeit Authority and the Public Relations Society of Kenya.

The engagement brought together an ACA delegation led by Executive Director Robi M. King'a, PhD,

and the PRSK team to explore how stronger communication can support public understanding of counterfeiting, intellectual property rights and the importance of legitimate trade.

Dr. King'a was accompanied by Mr. Henry Maina Omusundi, Deputy Director, Research and Policy; Ms. Agnes Karingu, Depu-

ty Director, Education and Public Awareness; Ms. Jully Kamollo, Ag. Deputy Director, Legal Services; and Ms. Jacklyne Wabuko from Public Communications.

Discussions focused on the role of communication in translating technical and enforcement issues into messages that are clear, relevant and accessible to the public.

The two organisations also explored opportunities to strengthen professional capacity through training, knowledge sharing and other areas of mutual interest.

PRSK shared some of its ongoing initiatives aimed at advancing standards within Kenya's public relations and communication profession, including the development of its strategic plan and professional certification programme.

The engagement came shortly after Dr. King'a was recognised with

the 2026 PRSK Shepherd Award during the 24th PRSK Excellence Awards held on 27 August 2026. The award recognises individuals who have made a significant and lasting contribution to the public relations profession.

For ACA, effective communication remains central to building awareness, encouraging responsible consumer behaviour and strengthening public confidence in the fight against counterfeiting. The discussions with PRSK there-

fore provide a useful platform for continued engagement on how communication practice can support the Authority's mandate while also building the professional capacity of its teams.

The two organisations will continue exploring areas of collaboration that can strengthen communication practice, enhance public awareness and support the protection of intellectual property rights and legitimate trade.



L-R Ms Noella Mutanda Secretary Genral PRSK, Mr. Henry Maina Omusundi Deputy Director, Research and Policy ACA, Ms. Jully Kamollo, Ag. Deputy Director, Legal Services ACA, Robi M. King'a PhD, Executive Director, Ms Patricia Ndede Vice Chair, PRSK, ; Ms. Agnes Karingu, Deputy Director, Education and Public Awareness; and Ms. Jacklyne Wabuko from Public Communications.



SEE SOMETHING THAT DOESN'T LOOK RIGHT?

REPORT IT. YOUR INFORMATION CAN PROTECT THOUSANDS OF CONSUMERS.

A single report can help stop counterfeit goods before they reach more homes, schools and businesses.

HOW TO REPORT

01

NOTICE

Look for unusual packaging, missing manufacturer details, suspicious prices, poor-quality printing or a product that performs differently from the genuine item.

02

KEEP THE DETAILS

Note the product, seller, location and date. Keep your receipt and take clear photographs where it is safe to do so.

03

CONTACT ACA

Share the information through the official contacts below. Intelligence may be submitted directly to the Authority.

04

WHAT HAPPENS NEXT

ACA reviews the information, assesses the risk and, where appropriate, begins verification, surveillance or enforcement action.



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Email: info@aca.go.ke

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YOUR REPORT COULD BE THE ONE THAT STOPS THE REST.



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ACA PARTICIPATES IN 69TH BCOCC MEETING ON BORDER SECURITY AND INTER-AGENCY COORDINATION



Principal Secretary for Internal Security and National Administration, Dr Raymond Omollo,

Principal Secretary for Internal Security and National Administration, Dr Raymond Omollo, chaired the 69th Border Control and Operations Coordination Committee (BCOCC) meeting, which brought together key Government agencies to discuss matters relating to border security, coordination and operational effectiveness.

The meeting provided a platform for member agencies to review emerging border-management issues and strengthen collaboration in addressing cross-border threats, including illicit trade and the movement of prohibited and counterfeit goods.

Dr Omollo was joined by Principal Secretary for Immigration and Citizen Services, Dr Belio Kipsang; Anti-Counterfeit Authority Executive Director, Robi M. King'a PhD; BCOCC Secretary of Secretariat, Mr Kennedy Nyaiyo; and Mr

Chege Macharia of the Kenya Revenue Authority, who also serves on the ACA Board, alongside representatives from BCOCC's principal member agencies.

ACA's participation underscores the importance of coordinated border enforcement in preventing counterfeit and other illicit goods



Anti-Counterfeit Authority Executive Director, Robi M. King'a PhD



Mr Chege Macharia of the Kenya Revenue Authority,

from entering the Kenyan market. Effective information sharing, joint operations and stronger inter-agency linkages remain critical to protecting consumers, safeguarding legitimate trade and strengthening national security.

SMARTER SYSTEMS SAFER MARKETS

How digital traceability could strengthen Kenya's fight against counterfeit and illicit alcohol

The fight against illicit alcohol is becoming increasingly complex. It is no longer only about identifying suspicious bottles on shelves, intercepting consignments at borders or conducting raids in markets. As illicit traders adopt more sophisticated methods, regulators are also having to rethink how products are authenticated, traced and monitored across the supply chain. This was a key focus of discussions between the Anti-Counterfeit Authority and the Senate Standing Committee on Information, Communication and Technology on 10th September 2026, where ACA Executive Director Robi King'a, PhD outlined how digital technologies, stronger product traceability and better inter-agency coordination could support the fight against counterfeit and illicit alcohol in Kenya.

More than counterfeiting

The Authority emphasised that illicit alcohol is broader than counterfeiting alone. It may include smuggled, tax-evaded, substandard, adulterated, unlicensed artisanal and surrogate alcohol. Counterfeit alcohol forms only one part of this wider challenge and may involve the unlawful use of protected brands, labels, caps, seals, bot-

tles and other packaging, as well as the refilling of genuine branded containers with illicit contents. The distinction matters because a single product can present several risks at once: it may look genuine but fail safety requirements, carry a recognised brand without authorisation, evade tax or originate from an unlicensed source. Addressing these risks therefore requires several regulators and enforcement agencies to work together rather than relying on one institution to provide all the answers.

What the Authority has proposed

It is important to be clear about the status of the measures discussed. The Authority's existing systems support intellectual property recordation and import-related functions. The security device, its extension to locally manufactured goods and the national technology architecture described below are proposals; some would require amendments to the Anti-Counterfeit Act.

The central proposal is the phased introduction of an anti-counterfeit security device for high-risk products, including alcoholic beverages. Under the proposed model, every covered product would carry a unique identifier linked to a secure ACA-controlled record. Consumers and enforcement officers would

be able to check products digitally, while the scans themselves could provide valuable intelligence. Repeated scans of the same identifier in different locations, for example, could point to cloning or unauthorised reuse; unusual scan activity could reveal suspicious distribution patterns; and batch-level information could support more targeted inspections and investigations.

The Authority stressed that such a system should complement existing regulatory mechanisms rather than add another isolated mark for consumers to interpret. In an interoperable model, ACA would verify product and brand authenticity, the Kenya Revenue Authority would confirm excise status, the Kenya Bureau of Standards would verify standards and certification information, and county governments would provide licensing data, each agency retaining its legal mandate while exchanging relevant information through secure interfaces.

Why technology alone is not enough

Technology, however, is not a complete solution. Counterfeiters can clone genuine QR codes, reuse authentic bottles and labels, replay valid serial numbers, manipulate digital accounts and substitute illicit contents into genuine packag-

ing. Products are also sold through social media pages, closed messaging groups and informal delivery networks. For this reason, ACA cautioned that a QR code alone cannot guarantee that a product is genuine or safe. A stronger system would combine secure identifiers with tamper-evident packaging, batch validation, scan analytics, anomaly detection, cybersecurity safeguards, physical inspection and laboratory testing. Digital authentication should strengthen traditional enforcement, not replace it.

Closing the gaps in the current framework

The Authority also drew attention to gaps in the current Anti-Counterfeit Integrated Management System (AIMS). AIMS supports intellectual property recordation, import-related declarations and other regulatory functions, but the statutory framework it serves is largely centred on imported goods. The scale of that import work is considerable: in the 2025/26 financial year, the Authority received 232,486 import permit applications, a 37.3 per cent increase on the previous year. By contrast, locally manufactured finished alcohol, local bottling, contract manufacturing, refilling, packaging suppliers and domestic distribution are not comprehensively captured. In a market where illicit products may originate locally as well as through cross-border channels, this represents a significant traceability gap.

To address this, ACA proposed legislative amendments that would allow the security-device framework to cover prescribed locally manufactured high-risk goods. The proposed changes would also



Disclaimer: verification image shown is for illustrative purpose only.

support the registration of local manufacturers, authorised bottlers and contract manufacturers, and introduce safeguards against cloning, tampering and unauthorised reuse of security devices.

The longer-term vision goes beyond the alcohol sector. ACA proposed a national technology architecture capable of connecting product authentication, tax and customs information, standards and safety data, licensing records, supply-chain events, consumer verification and enforcement intelligence. For enforcement officers, this could mean faster access to intelligence and better-targeted interventions; for consumers, simpler product checks; and for legitimate manufacturers and traders, stronger protection for their brands against unfair competition. Starting with a pilot

Rather than introducing such a system nationwide at once, the Authority recommended a time-bound pilot involving selected high-risk imported and locally manufactured alcoholic products. The pilot would test the security of the technology, consumer usability, interoperability between agencies, compliance costs, industry readiness and enforcement outcomes, and its results would guide any wider implementation or expansion into other high-risk categories.

Addressing illicit alcohol also requires coordinated action from ACA, the Kenya Revenue Authority, the Kenya Bureau of Standards, NACADA, the Government Chemist, the National Police Service, the Directorate of Criminal Investigations, the National Intelligence Service, county governments, the Office of the Director



Senate Standing Committee on Information, Communication and Technology with Management team From ACA

of Public Prosecutions and other relevant institutions. Common data standards, stronger traceability of ethanol and high-risk packaging, improved digital evidence and chain-of-custody procedures, cybersecurity capacity and specialised personnel for digital investigations all form part of the wider response.

The broader message is clear. The future of enforcement will depend not only on what officers can physically seize, but also on what regulators can trace, verify and connect through data. As illicit trade becomes more sophisticated, enforcement must become smarter too, and smarter systems, stronger traceability and better-connected institutions could become some of the most important tools for protecting consumers and restoring trust in the marketplace.

WHAT DIGITAL VERIFICATION CAN — AND CANNOT — TELL YOU

☑ *A successful scan can confirm that a code is registered, that it matches a recorded product and batch, and whether that code has been scanned elsewhere before.*

✗ *A scan cannot confirm what is inside the bottle. Genuine codes can be cloned, and genuine bottles can be refilled.*

→ *That is why physical inspection and laboratory testing remain essential. Digital verification tells officers where to look; inspection and testing establish what a product actually is.*

NAIROBI COUNTY

BEHIND THE LABEL

A KSh1.1 million seizure in Eastleigh puts the authenticity and safety of personal-care products under scrutiny

The Anti-Counterfeit Authority has seized suspected personal-care products valued at approximately KSh1.1 million during an enforcement operation conducted in Eastleigh, Nairobi.

The operation targeted a store where officers recovered an assortment of products bearing the NIVEA, VASELINE and TRESEMÉ brand names. The products were seized on suspicion that they were counterfeit and secured for verification and further investigation.

During the operation, enforcement officers inspected the products, examined their packaging and recorded the recovered items in accordance with established seizure and evidence-management procedures. The goods were subsequently secured to preserve their integrity as investigations continued.

Eastleigh is one of Nairobi's busiest wholesale and retail centres, supplying consumer products to traders from different parts of the country. Its extensive distribution networks make enforcement within the area particularly important because goods sold through wholesale outlets can quickly reach retailers and consumers in several counties.

Personal-care products are applied directly to the skin, hair and scalp. Consumers therefore depend on manufacturers and authorised distributors to ensure that such prod-



Image courtesy of ACA taken during the raid

ucts are produced under controlled conditions and contain ingredients that meet the required quality and safety standards.

Suspected counterfeit cosmetics and personal-care products may present risks when their ingredients, origin, manufacturing conditions and expiry information cannot be verified. Products manufactured or packaged outside authorised systems may contain undeclared ingredients, inappropriate concentrations or substances that have not undergone the necessary

safety and quality assessments.

Counterfeiting also causes financial and reputational harm to legitimate manufacturers, distributors and retailers. Businesses that invest in product development, quality assurance, regulatory compliance and consumer confidence must compete with illegal operators who imitate established brands without incurring the same costs.

Packaging is often the first point of contact between a consumer and a product. Counterfeiters may attempt to reproduce familiar colours, labels, containers and brand names to make imitation products

appear genuine. However, differences may sometimes be identified through spelling mistakes, poor printing, damaged seals, inconsistent batch information or packaging that differs from products supplied through authorised channels.

Consumers should also be cautious when products are offered at prices that are substantially lower than the prevailing market price. Although price alone does not establish that a product is counterfeit, unusually low prices may provide a reason to examine the packaging and source more carefully.

Receipts and proof of purchase are also important. They allow consumers and enforcement agencies to trace the seller and distribution channel when concerns arise regarding a product's authenticity or safety.

The Eastleigh operation forms part of the Authority's continuing enforcement activities aimed at protecting consumers, safeguarding intellectual property rights and supporting legitimate trade. Such operations also help prevent suspected counterfeit products from moving further through wholesale and retail distribution networks.

The seized goods remain classified as suspected counterfeit products pending completion of verification, investigation and any applicable legal process. No conclusion on their final legal status should be made before the relevant procedures are completed.

Consumers and traders are encouraged to purchase personal-care products from trusted and authorised sellers, inspect packaging carefully and report products whose appearance, labelling, price or quality raises suspicion.



Suspected counterfeit personal-care products recovered during an ACA enforcement operation in Eastleigh, Nairobi



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BEFORE YOU BUY: A QUICK CHECKLIST

Simple steps to help consumers make safer purchasing decisions.



Buy from trusted and authorised sellers.



Check the packaging: look for spelling mistakes, poor printing, damaged seals and missing or inconsistent batch and expiry details.



Be cautious of prices far below the usual market price; a low price alone does not prove a product is fake, but it is a reason to look more closely.



Keep your receipt; it helps trace the seller if a problem arises.



Report suspicious products to ACA:



0717 430 640



info@aca.go.ke



intelligence@aca.go.ke



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MEET DR. JOHN AKOTEN

THE WORK

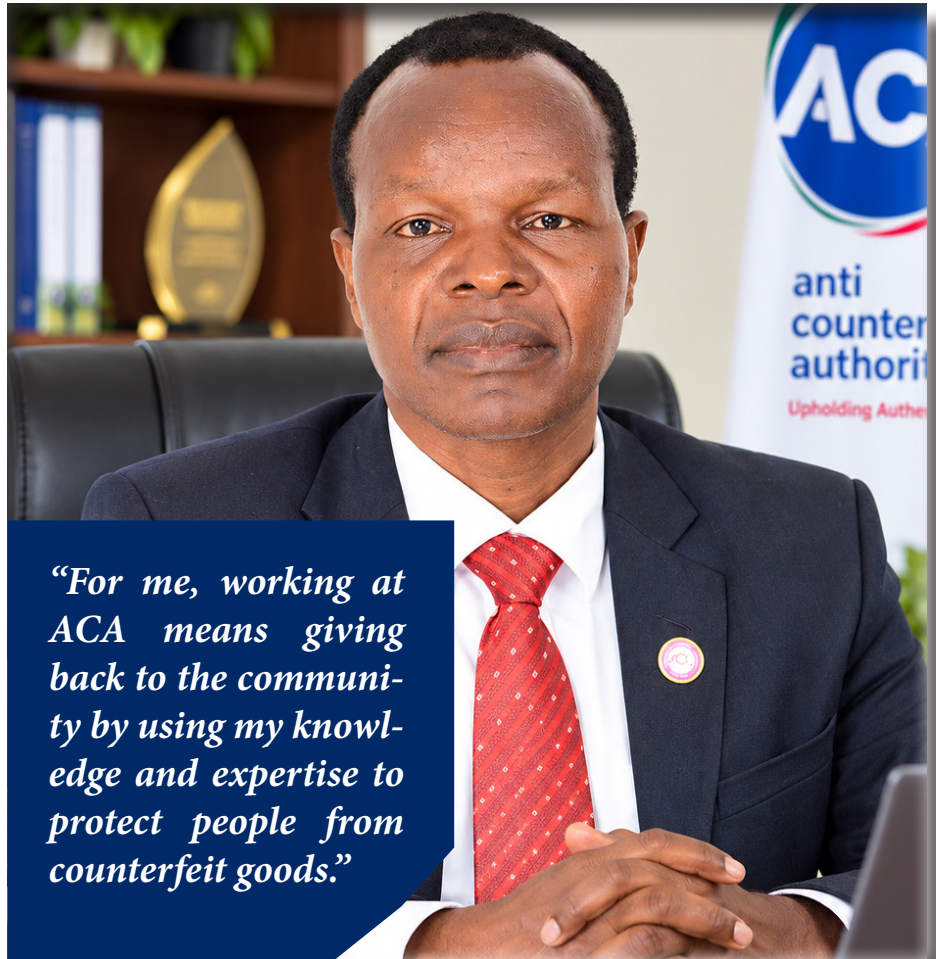
- 1** Please introduce yourself, your current position, and what you do at the Authority

My name is Dr. John Akoten. I am the Director for Research, Planning and Public Awareness Directorate. Within the directorate are three departments and one division: Planning and Quality Assurance; Research and Policy; Education and Public Awareness; and Public Communication.

I oversee and coordinate the Authority's mandate relating to planning, risk management, performance management, quality assurance, the Quality Management System, research and policy, public education, stakeholder capacity building and corporate communication.

- 2** How long have you been with the Authority, and what brought you here?

I have been at ACA since June 2010, for 16 years now. I am a career civil servant. Having trained in Japan on economic development issues, it was my desire, and that of the Japanese Government which offered me the study scholarship, that I return to Kenya to contribute to her development.



"For me, working at ACA means giving back to the community by using my knowledge and expertise to protect people from counterfeit goods."

- 3** Take us through the path that led you to this role.

I first graduated with a degree in horticulture, worked at a flower firm for two months and quit before joining the then Ministry of Industry and Trade as an Industrial Development Officer.

In 2002, I won a government scholarship to pursue a master's degree in Development Economics in Tokyo, which I completed in a record eight months. I thereafter won another scholarship, after emerging as the best among African students, which enabled me to pursue a PhD programme in the same field.

After graduating in 2005, and with an interest in research on development issues, I joined the Institute of Policy Analysis and Research, a private public policy

research think tank, where I headed and coordinated the real sector programme. The programme evaluated industrial and economic policies.

Four years later, I returned to the Ministry of Industry and Trade and joined its parastatal, the then Anti-Counterfeit Agency, as Deputy Director for Research and Public Awareness. This is the work I love doing.

- 4** What does an ordinary working day look like for you?

First, I scan through online newspapers to see whether there is any news touching on ACA's mandate. I then go through office emails to respond to urgent matters and take note of others for later response or action.

If there are any paper mails

marked to me by the Executive Director, I take immediate action. Thereafter, I attend to work plan activities alongside administrative duties such as reviewing and recommending memos, approving memos and payments online, attending to staff issues, and participating in internal or external meetings.

5 What part of your work would most surprise someone who has never set foot in the Authority?

That there is a difference between counterfeit and sub-standard goods.

6 What do people outside the Authority consistently get wrong about what you do?

That there are counterfeits all over the place and we have failed to tame the menace. To many people, anything that is sub-standard is counterfeit.

7 Tell us about a day that did not go as planned, and what you took from it.

We had planned to undertake a destruction of counterfeit goods at the EPZ grounds in Kitengela. The media persons failed to arrive on time to cover the event and we were summoned by the then Principal Secretary for Industrialisation, Dr Wilson Songa, to report to his office at 5 a.m. the following day with a written apology. Following this incident, we ensure that whenever we invite the media to our events, we have a Plan B.

8 What piece of work are you proudest of, and why that one?

I initiated IPR recordation and I am glad that the system is now in place. It is a game changer in our fight against counterfeits. A by-product of the system is its contribution to ACA's sustainability.

9 What is the hardest part of the job?

Explaining what a counterfeit is without revealing proprietary product secret information.

THE PERSON

10 What do you enjoy doing outside work?

Reading, swimming, networking and mountain climbing.

11 What is one thing about you that would surprise your colleagues?

I am good at cooking.

12 Who or what keeps you going on a difficult week?

My family.

LEADERSHIP INSIGHTS

13 What has changed in your area of responsibility since you took it on?

We have achieved a number of important milestones, including:

- Enhanced enforcement operations and public awareness programmes under the multi-agency framework between 2014 and 2017.
- Produced the first national industry-level baseline survey on illicit trade in 2020.
- Produced the first national consumer baseline survey in 2020.
- Released a national firm and consumer survey report on

counterfeit matters in 2024.

- Supported automation of ACA enforcement processes through the Anti-Counterfeit Integrated Management System.
- Developed and began implementation of intellectual property rights recordation.
- Developed and launched the National Action Plan to Combat Illicit Trade in Kenya 2019–2022.
- Developed and implemented the national observatory on illicit trade.
- Participated in strengthening the KEBS Pre-Export Verification of Conformity system.
- Developed various policy documents, including the Risk Management Framework.
- Led implementation of international standards that enabled ACA to attain ISO 9001:2015 certification.
- Supported ACA's strong performance contracting record.
- Led the in-house development and implementation monitoring of the Third ACA Strategic Plan 2023–2027.

14 What would you say to someone joining the Authority today?

You are lucky to join a dedicated team of professionals who have been bestowed with a constitutional and legal mandate to support, promote and protect the intellectual property rights of the people of Kenya.

You will be remembered as someone who stood on the frontline to protect Kenya from counterfeit goods.

| CONSUMER PROTECTION & SUPPLY-CHAIN INTEGRITY

BUILDING TRUST IN THE MARKETPLACE

*Authenticity, Traceability, and Partnership in Kenya's Health-Products Supply Chain***By Dennis Otieno Odero-Senior Regulatory Officer, Drug Crime Investigations & Enforcement Unit, Pharmacy and Poisons Board**

Trust is one of the most valuable assets in any marketplace. In the health-products sector, it is more than a commercial advantage: it is a public-health safeguard. A patient buying medicine, a pharmacist receiving stock, a hospital procuring an oncology product or a distributor accepting a consignment should be able to rely on the identity, quality and lawful origin of what is being supplied.

That confidence cannot be created by enforcement alone. It is built when regulation, industry accountability, product traceability, consumer awareness and inter-agency cooperation work as one system. For Kenya's health-products market, this is increasingly important as legitimate supply chains operate alongside growing risks from falsified products, diversion, unauthorized imports, informal distribution and online or courier-enabled trade.

The Pharmacy and Poisons Board (PPB) protects the health-products supply chain through controls that begin before a product enters the market and continue after it reaches patients. Market authorization establishes the legal identity of a product. Import controls help verify what enters the country. Licensing and inspection create accountability for manufacturers, wholesalers, pharmacies and pro-

fessionals. Post-market surveillance, pharmacovigilance, complaints handling and laboratory testing provide visibility after distribution. Where non-compliance is detected, quarantine, seizure, recall, closure, licence action, investigation and prosecution support provide the enforcement response.

This system matters because counterfeit and falsified health products do not only threaten individual patients. They weaken confidence in legitimate businesses, create unfair competition, damage brands and increase the cost of regulation. They also exploit weak points in long supply chains - poorly verified suppliers, inconsistent records, informal online sellers, cross-border routes and delays in product authentication. The result is a marketplace where uncertainty itself becomes a risk.

Partnership is therefore central to building trust. The cooperation between the PPB and the Anti-Counterfeit Authority (ACA), supported by engagement with agencies such as the Kenya Revenue Authority, the Directorate of Criminal Investigations, the Kenya Bureau of Standards, and international enforcement and regulatory partners, reflects a simple reality: no single institution holds all the information needed to detect and disrupt sophisticated illicit trade. The regulator may know the prod-

uct-registration status; ACA may bring intellectual-property and anti-counterfeit expertise; Customs may hold import and route information; police may provide criminal-investigation powers; and the brand owner may hold the fastest route to batch authentication. Trust grows when those pieces are connected quickly and lawfully.

Technology is adding another layer to this cooperation. Operation African Star II, implemented as a pharmaceutical traceability pilot involving Kenya and Uganda, demonstrated the practical value of digital verification. Across 27 locations in Nairobi and Kampala, teams scanned 731 products representing 303 distinct Global Trade Item Numbers. The Pulse platform used in the pilot achieved more than 99.9 per cent scan success. At

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A barcode or data matrix does not create trust by itself.

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Joint multi-agency engagement at a courier facility during Operation African Star, illustrating the role of regulators, enforcement agencies, and logistics partners in protecting legitimate supply chains. Photo credit: Pharmacy and Poisons Board.

the same time, only six GTINs were represented in the pilot reference database, showing that technology is only as strong as the authoritative data available to it. The exercise also identified 46 products - about six per cent of those scanned - as diverted, falsified, substandard, unauthorized or otherwise illicit.

The lesson is important for the wider marketplace. A barcode or data matrix does not create trust by itself. Trust comes from connecting that identifier to reliable manufacturer data, authorized distributor information, batch and expiry details, regulatory status and an agreed response when something does not match. Manufacturers, marketing authorization holders, importers and distributors therefore have a direct role in strengthening market confidence by sharing accurate product master data, pack images, security features and timely authentication responses.

Equally, enforcement must itself be trustworthy. Legitimate businesses need confidence that regulatory action is risk-based, evidence-led and proportionate. Consumers

need confidence that serious risks will be contained quickly. Suspected offenders are entitled to due process, while complainants and whistle-blowers need secure reporting channels. Clear procedures for evidence handling, chain of custody, confidentiality and referral are therefore not administrative details; they are part of the trust architecture of the market.

Public participation completes the system. Consumers and health professionals are often the first to notice unusual packaging, unexpected product appearance, treatment failure or suspicious sellers. Reporting those signals early can turn an isolated concern into actionable intelligence. Buying from licensed premises, retaining receipts, checking product details and avoiding unverified online or informal sources are simple actions that strengthen the legitimate market.

The next phase of market protection should therefore focus on making authenticity easier to verify and suspicious activity easier to report. Kenya can deepen this

through stronger PPB-ACA operational coordination, structured intelligence sharing with industry, wider adoption of GS1-compliant traceability, faster manufacturer authentication, targeted surveillance of online and courier channels, and regular public awareness. The objective is not merely to increase seizures. It is to make the legitimate marketplace visibly safer, more transparent and more accountable.

Building trust in the marketplace ultimately means ensuring that authenticity is not assumed but can be demonstrated. When regulators, enforcement agencies, businesses and consumers share information, verify products, and act on risk, counterfeiters lose the gaps they depend on. The result is a marketplace where genuine businesses can compete fairly, consumers can buy with confidence, and health products can be traced from authorized entry to the patient who depends on them.

HUDUMA MASHINANI

ACA Strengthens Public Awareness and Marketplace Trust in Subukia, Nakuru County



Dr John Akoten, Director, RePPAD (right), and Ms Annie Obiero, Education and Public Awareness Officer [confirm designation], demonstrate how to tell genuine products from counterfeits at the Huduma Mashinani Citizen Engagement Forum, Subukia, Nakuru County, 18th September 2026

The Anti-Counterfeit Authority (ACA) participated in the Huduma Mashinani Citizen Engagement Forum held at Subukia Town Social Hall, Nakuru County, as part of the Government's initiative to bring public services and information closer to citizens and strengthen meaningful public participation. The forum brought together Government institutions and members of the public to enhance access to Government services, explain Government policies and programmes and provide a platform for citizens to engage directly with relevant institutions. The event was presided over by Secretary to the Cabinet, Mrs. Mercy Wanjau, EGH, who

commended the Kenya Universities and Colleges Central Placement Service (KUCCPS) CEO Dr. Agnes Mercy Wahome for organising the event. She noted that the forum provided an important platform for Government to explain its policies to citizens and assured residents of the Government's commitment to delivering services and fulfilling its commitments to the people. Also in attendance were Mr. Amos N. Gathecha, CBS, ndc (K), Deputy Head of the Public Service; Ms. Anne Wang'ombe, Principal Secretary, State Department for Gender and Affirmative Action; and Dr. Isaac Mwaura, Head of the Office of Diversity, Inclusion and Disability Rights,

among other Government officials.

ACA leveraged the forum to advance its mandate of enlightening and informing the public on matters relating to counterfeit trade. Through an exhibition booth, ACA officers engaged participants one-on-one, providing practical guidance on identifying suspected counterfeit products by examining packaging, logos, batch numbers, labelling and product quality. Brochures and other public awareness materials were also distributed to reinforce the messages and provide information on the Authority's mandate and services. Dr. John Akoten, Director – Research, Policy and Quality Assurance (RePPAD) delivered a presentation



Residents of Subukia and Government officials follow proceedings at the Huduma Mashinani forum at Subukia Town Social Hall.



Ms Fridah Kendi, From the education and public awareness department showing participants how to identify authentic products from counterfeit ones.

to more than 1,000 participants, highlighting ACA's role in combating counterfeit trade and protecting consumers and legitimate businesses. A practical demonstration using beer and vodka bottles illustrated how consumers can identify differences between original and counterfeit products and make

more informed purchasing decisions. The presentation encouraged participants to be active citizens by reporting suspected counterfeiters and products, contributing to the fight against counterfeit trade. He emphasised that combating counterfeiting requires informed consumers, vigilant communities

and strong collaboration among citizens, businesses, law-enforcement agencies and regulatory institutions. Participants were urged to remain vigilant, choose genuine products and promptly report suspected counterfeit trade to the relevant authorities because every report can help protect consumers, businesses and the integrity of Kenya's marketplace. The engagement was complemented by courtesy calls to local law-enforcement agencies. The Huduma Mashinani engagement reinforced the importance of collaboration among Government institutions, law-enforcement agencies, businesses and citizens in combating counterfeit trade. Effective enforcement must be complemented by an informed public capable of identifying, avoiding and reporting suspected counterfeit products. The engagement also directly supported the theme "Building Trust in the Marketplace." Consumer confidence is strengthened when citizens can access reliable information and are empowered to distinguish genuine products from counterfeits, while legitimate businesses benefit from a marketplace that protects intellectual property and promotes fair competition. Through participation in national citizen-engagement platforms such as Huduma Mashinani, ACA continues to support the Government's citizen-centred service-delivery agenda while bringing its public awareness mandate closer to communities. These engagements provide an important avenue for strengthening partnerships and collective action towards a safer, fairer and more trusted marketplace and a counterfeit-free Kenya.

WHERE THE COUNTERFEIT HIDES, THE GENUINE MUST SHINE

How Kenya's Anti-Counterfeit Authority is using digital verification and market awareness to rebuild trust in the marketplace



By Martin Luther

Kenya's marketplace is no longer only a street, a stall or a supermarket shelf. It is also a Facebook storefront, a WhatsApp catalogue, an Instagram shop and a courier bag arriving at the gate. The counterfeit trade has followed that shift. The Anti-Counterfeit Authority (ACA) is therefore repositioning itself as a consumer-empowerment and technology-led regulator, not merely a raid-and-seize agency. The argument is simple: trust is rebuilt when genuine products can prove themselves instantly, when consumers know how to check and report, and when online sellers can no longer hide behind a screen name.

The Authority's vision remains "A Counterfeit-Free Kenya." Its slogan is "Upholding Authentici-

ty." Its core values of authenticity, credibility and alertness describe the posture required now that the battleground has moved from Baba Dogo backstreets onto platforms that look professional, accept M-Pesa and deliver overnight.

Make the genuine product self-declaring

The centrepiece of this positioning is a proposed digitally verifiable Anti-Counterfeit Security Device under Section 34B of the Anti-Counterfeit Act. Under the proposal, each marked product would carry a unique identifier held in an ACA-controlled database. A consumer or an enforcement officer would scan it with a smartphone. The scan would answer a practical question, whether the code belongs to a genuine registered product, and at the same time feed intelligence into the Anti-Counterfeit Integrated Management System (AIMS). Every genuine product would become self-declaring, and every scan a data point.

As set out to the Senate Standing Committee on Information, Communication and Technology in September 2026, the Authority has recommended that the device be introduced in phases, beginning with a time-bound pilot on selected high-risk alcoholic products. Other health-and-safety sectors, where a fake is not only an intellectual property injury but a threat to life and livelihood, could follow: pharmaceuticals, agricultural inputs, cosmetics,

bottled water, edible oils, food products, electrical and electronic components, and automotive safety parts. The philosophy, as ACA Board Chairman Nelson Gaichuhie has put it, is that where the counterfeit hides, the genuine must shine. A parent buying medicine for a child, or a farmer buying seed and fertiliser, should be able to verify before they pay, not after harm has been done.

Some supporting tools are already available or in development. The Bleep App, an AI-powered authentication tool launched with Uganda's Anti-Counterfeit Network, offers real-time verification and reporting. QR codes and SMS/USDD channels give options to consumers who may not have a high-end smartphone or stable data, and a public mobile application is planned to let any Kenyan check a product anywhere in the country. Looking further ahead, the Authority is arguing for interoperability with Kenya Revenue Authority excise stamps and Kenya Bureau of Standards certification, so that one scan can speak to authenticity, duty status and standards together.

As this edition's cover story makes clear, none of this replaces physical inspection and laboratory testing; codes can be cloned and genuine bottles refilled. What digital tools can do is tell officers where to look.

Awareness is a demand-side weapon

Enforcement seizes supply. Awareness is meant to suppress demand.

Consumer-level research conducted in 2025 by the Authority found general awareness of counterfeiting at about 84 per cent, yet reporting remains vanishingly low—about 94 per cent of consumers say they have never reported a counterfeit purchase. A large share of purchases are unintentional. Online channels now account for roughly 31 per cent of counterfeit transactions, running through Facebook and Instagram storefronts, local e-commerce sites and WhatsApp groups.

That gap between knowing and acting is the strategic problem. Town-hall meetings and roadshows still matter in counties, but they no longer match how Kenyans discover products. The Authority is therefore shifting outreach toward aggressive online engagement, influencer partnerships and vernacular communication tailored to diverse communities. Evidence-based work with universities—including collaboration involving Michigan State University and USIU-Africa on why people still buy fakes—is intended to move campaigns from slogans to behaviour change.

The message that should travel with every new scan tool is practical: verify before you buy; report suspicious goods. Awareness that never connects to a button a consumer can press is incomplete. Awareness that only cheers after a raid is also incomplete. The point is to change the economics of the fake by drying up the willing—and the unwitting—buyer.

Police the platforms, not only the stalls

Traditional market raids and border intercepts remain essential.

They are no longer sufficient. Digital counterfeiting is decentralised, hard to trace and often indistinguishable from legitimate trade until the product is in a household. The Authority is therefore building digital surveillance capacity and strategic alliances with the Communications Authority, e-commerce platforms and consumer-protection agencies, so that online violations can be monitored and acted upon rather than discovered only when a victim walks into an office.

Capacity building has followed the same path. Training on e-commerce enforcement, including programmes supported with partners such as GIZ, is meant to equip officers for a marketplace that did not exist when the Anti-Counterfeit Act was drafted in 2008. That statute was written for a brick-and-mortar world. The law must now speak clearly to social-media storefronts, cross-border digital trade and platform responsibility.

From the Digital and AIMS desk, this is daily work: recordation of intellectual property rights, intelligence from scans and complaints, coordination with other regulators, and the discipline of treating a screenshot or a courier tracking number as evidence that must still meet standards of integrity. Online cases collapse when the first capture is sloppy.

Trust is a three-way outcome

The Authority frames marketplace trust as a three-way result, not a press statement.

Consumers can check a product themselves instead of relying on a shopkeeper's word or a printed label that can be copied.

Legitimate brands and SMEs face less unfair competition. They can record their intellectual property, train distributors and speak consistently against illicit trade.

The State gains real-time intelligence from every scan and a more credible story for Vision 2030 industrialisation and trade under the African Continental Free Trade Area.

Leadership messaging from Executive Director Dr Robi King'a and Board Chairman Nelson Gai-chuhie pairs enforcement results—seizures running into hundreds of millions of shillings in recent periods, and historically cited cumulative seizures in the hundreds of billions of shillings since the Authority was formed—with a harder claim: enforcement alone does not restore confidence. Visibility of the genuine product does.

That is the Kenya-facing digital position in one line. Make authenticity machine-checkable. Put the scanner in the consumer's hand. Police the platforms. Treat awareness as a demand-side weapon. The market already has high awareness and thin trust. The work now is to make buying genuine the default—not because a raid happened last week, but because the genuine article can look the buyer in the eye and say, scan me.

Martin Luther is Principal Anti-Counterfeit Inspector, Enforcement (Digital & AIMS), at the Anti-Counterfeit Authority. The views expressed are written in an official professional capacity to explain the Authority's digital-market positioning and do not constitute legal advice on any particular case.

A snapshot of significant developments in trademarks, patents, copyright, counterfeiting and digital enforcement across global markets.

USA

JURY AWARDS TACTION \$5.72 BILLION IN APPLE HAPTICS PATENT DISPUTE



Apple's Taptic Engine - Image Credit: Apple

A U.S. jury has awarded Taction Technology \$5.72 billion in its patent dispute with Apple over technology related to haptic feedback. The case concerns the Taptic Engine, which produces the taps and vibrations users feel on devices such as the Apple Watch and iPhone.

The jury found that Apple infringed two claims in one Taction patent and one claim in another. It did not find that Apple had wilfully infringed, and it rejected Apple's arguments that the disputed patent claims were invalid. The damages figure recorded in the verdict form was \$5,721,961,750.

Taction sued Apple in 2021, alleging that Apple's haptic technology used inventions covered by its patents. Apple has denied infringement and challenged the amount awarded. The company says its Taptic Engine is fundamentally different from Taction's technology and has announced plans to appeal.

The case has taken several turns. A federal judge ruled in Apple's favour in 2023, but the U.S. Court of Appeals for the Federal Circuit revived the dispute in 2025, allowing it to proceed to trial. Apple introduced the Taptic Engine with the Apple Watch in 2014 and later used

haptic feedback in other products.

The verdict is a significant development in a dispute over intellectual property rights and product design. However, because Apple plans to appeal, the jury's award should not be treated as a final payment. The appeal will determine what happens next.

Source: <https://www.cnn.com/2026/09/26/apple-taction-technology-patent-infringement-verdict.html>

GERMANY

SAMSUNG SCORES THIRD FIRST-INSTANCE WIN IN MAXELL PATENT DISPUTE

Samsung has won another round in its patent dispute with Maxell after the Unified Patent Court's Munich local division revoked a patent covering technology used to transfer content from a smartphone to another device, such as a television.

The court found that Maxell's European patent EP 2 403 266 lacked novelty and inventive step, and revoked it in full. It also dismissed Maxell's related infringement claim against Samsung. The ruling marks the third first-instance defeat for Maxell in its series of cases against Samsung at the UPC. JUVE Patent

The patent concerns "casting" technology: sending content displayed on a mobile phone to another screen, with the possibility of transferring it back later. Samsung challenged the patent's validity in response to Maxell's infringement action.

The latest decision follows two earlier UPC rulings. In May, the Munich local division revoked another Maxell patent and dismissed a related case involving Samsung Galaxy phones and tablets. In August, the UPC's Hague local division revoked a separate patent after finding that a US prior-art document had already disclosed the claimed

functionality. JUVE Patent

For technology businesses, the case highlights the importance of patent validity challenges in infringement disputes. A patent claim can be tested not only against a competitor's products, but also against earlier technical disclosures that may undermine the patent's novelty or inventive step.

Source;

<https://www.juve-patent.com/cases/samsung-and-pentarc-triumph-as-upc-revokes-maxell-content-casting-patent/>

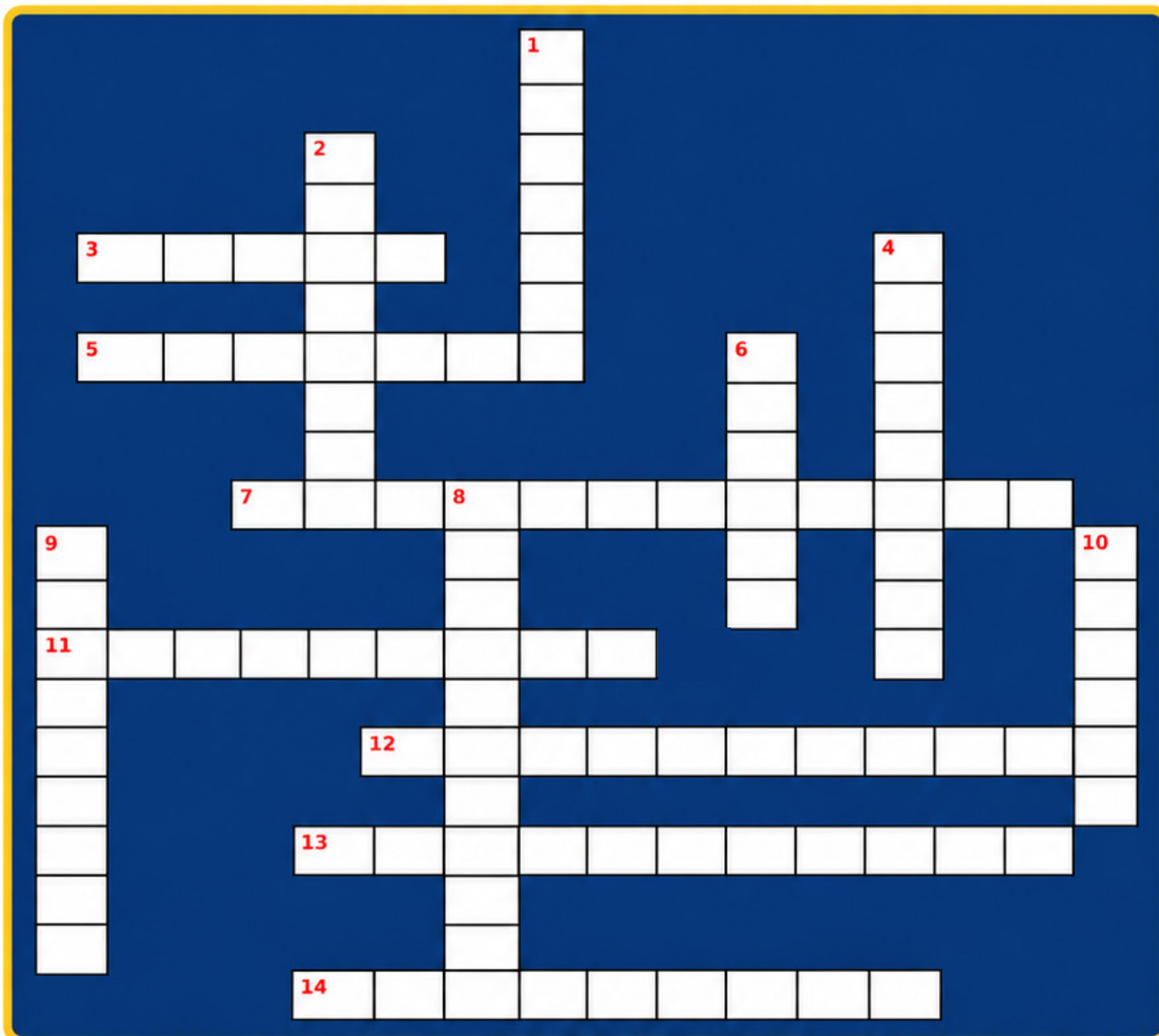


The patent-in-suit protects technology for transmitting content from a smartphone to another device such as a TV. ©methaphum/ADOBE Stock

CROSSWORD PUZZLE

TEST YOUR KNOWLEDGE OF COUNTERFEITING & INTELLECTUAL PROPERTY

14 clues • One letter per box • Across and Down answers intersect



ACROSS

3. Distinctive identity of a business or product. (5)
5. Real and not counterfeit. (7)
7. Ability to follow a product through its supply chain. (12)
11. Public knowledge of an issue. (9)
12. Registration of IP rights with ACA for import monitoring. (11)
13. Action to ensure laws are obeyed. (11)
14. Genuine rather than fake. (9)

DOWN

1. Official taking of suspected illegal goods. (7)
2. Person who buys or uses goods. (8)
4. IP right covering original creative works. (9)
6. Check whether something is authentic. (6)
8. Imitation product unlawfully using a protected brand. (11)
9. Protected sign identifying a business's goods or services. (9)
10. IP right protecting an invention. (6)