



**anti  
counterfeit  
authority**  
*Upholding Authenticity*

## POSITION STATEMENT ON THE ENFORCEMENT OF INTELLECTUAL PROPERTY RIGHTS AND RECENT PUBLIC DISCUSSION REGARDING 'SHIQUO HII STYLE'

The **Anti-Counterfeit Authority (ACA)** has taken note of the recent videos, media reports, and social media discussions circulating online regarding an alleged counterfeit goods enforcement operation involving Ms. Shiquo Hii Style and her retail business. While the Authority does not comment on ongoing investigations or matters that may be subject to legal processes, ACA welcomes the opportunity to provide clarity on the nature of counterfeiting, the legal framework that governs our enforcement activities, the safeguards we employ to protect traders' rights, and the pathway available to entrepreneurs who wish to build and protect legitimate brands in Kenya.

Under the Anti-Counterfeit Act, counterfeit goods are products that unlawfully reproduce, copy, imitate, bear, or use a registered trademark, logo, packaging, label, design, or other protected intellectual property without authorization from the rights holder. Counterfeiters deliberately exploit the reputation and goodwill that legitimate businesses have built over time. By falsely representing products as genuine, counterfeit goods deceive consumers about quality and authenticity, unfairly compete with legitimate businesses that have invested significantly in brand development, and undermine consumer confidence in the marketplace. The consequences extend beyond individual businesses to harm Kenya's economic reputation and the nation's tax base.

It is critical to emphasize that the Anti-Counterfeit Authority **does not** interfere with legitimate business operations. ACA's enforcement activities are directed exclusively at unlawful trade in counterfeit goods. Businesses that source products legitimately, maintain proper documentation, comply with intellectual property laws, and operate within the legal framework have nothing to fear from ACA. The Authority's role is to protect legitimate enterprises from unfair competition by counterfeiters, not to hinder genuine trade. The enforcement of intellectual property laws is fundamentally about supporting and protecting entrepreneurs and businesses that operate within Kenya's legal system.

All ACA enforcement actions are undertaken strictly within the framework of the law. Investigations may arise from complaints lodged by intellectual property rights holders, market surveillance activities, intelligence reports, consumer complaints, multi-agency operations, and information received from members of the public. Where there are reasonable grounds to suspect that goods may be counterfeit, ACA inspectors are empowered by law to conduct inspections, investigations, search, detention, and seizure operations.

When goods are detained or seized, inventories are prepared and documented, the affected party is informed, goods are preserved pending investigation, and traders are given an opportunity to provide documentation supporting the authenticity and lawful acquisition of the goods. Rights holders or their authorized representatives may be engaged to assist in technical verification. Critically, the affected party has the right to challenge any action before a court of competent jurisdiction. Where investigations establish that goods are genuine and do not infringe intellectual property rights, the goods are released to their rightful owner. The Authority urges the public to distinguish between an ongoing investigation and a final determination by the courts.

The Authority has also taken note of Ms. Shiquo's public sentiment expressing her desire to establish and grow her own distinctive brand. The Anti-Counterfeit Authority welcomes this entrepreneurial vision and encourages her, and all traders and entrepreneurs, to pursue it within Kenya's intellectual property protection framework. Kenya's IP system is designed to support creators, innovators, designers, manufacturers, and entrepreneurs who invest in building unique, legitimate brands. If an entrepreneur has developed a distinctive brand name, logo, or design that customers recognize, that brand is a valuable asset worthy of legal protection. The strongest protection available is trademark registration through the Kenya Industrial Property Institute (KIPI), which grants exclusive ownership rights, legal protection against unauthorized use, and enhanced brand value. Once registered with KIPI, the Anti-Counterfeit Authority stands ready to enforce those rights. Additionally, intellectual property rights holders are encouraged to utilize **ACA IP recordation system**, which allows registered trademark owners to record their trademark with the Authority and strengthen enforcement efforts against counterfeit trade. Through ACA recordation, the Authority maintains a database of protected trademarks and facilitates more effective enforcement interventions, market surveillance, and investigations.

The fight against counterfeiting requires collective action and a shared commitment to fair competition. The Authority calls upon businesses to source products from legitimate suppliers, maintain proper records, and comply with intellectual property laws. Consumers are urged to purchase products from reputable outlets, verify authenticity where possible, and report suspected counterfeit goods. The Anti-Counterfeit Authority remains committed to enforcing the law fairly, professionally, transparently, and without prejudice.

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