



# Kenya, counterfeits and less developed countries

Julian Harris

International Policy Network

[jharris@policynetwork.net](mailto:jharris@policynetwork.net)

# How bad is the situation?

- Beware of large figures
  - 10% / 25% “World Health Organization” statistics
  - 75% from India “OECD” statistic
- Local studies
  - 35% drugs in six African cities fake (2008)
  - 68% anti-malarials fake Laos, Myanmar (Burma), Vietnam, Cambodia (2006)
  - Colombia, Estonia, India, Latvia, Russia, Vietnam tuberculosis drugs, 10% fake (2001)



# Weak Trademark Protection

- India: “lengthy and cumbersome process”
- Argentina: Civil law “too protracted to be effective.”
- Brazil: “there are lengthy delays ... more than 250 civil cases awaiting judgment ... [some] pending for at least five years.”
- Throughout Africa: “laws do not have proper enforcements on the ground ... desperate need of trademark reform”

# IP Politics & Corruption

- Gopa Kumar: “Counterfeiting is an issue of trademark violation and has no bearing on public health.”
- Orissa, India: “spurious drugs circulation is carried out with the knowledge and connivance of officials of the drug controller ... and local drug inspectors who are on the payroll of unscrupulous dealers.”

# Technologies

- RFID
- SMS Texting
- Barcodes
- PCIDs



# IPN EVENT – WEDNESDAY

## Combating fake drugs: health, IP and global politics

Featuring...

- Dr Paul Newton!
- Dr Roger Bate!
- Bright B. Simons!
- (and me)

+ FREE sandwiches, tea et cetera.

(2 Lord North Street, Westminster, London, SW1P 3LB)



Julian Harris

[jharris@policynetwork.net](mailto:jharris@policynetwork.net)

[www.policynetwork.net](http://www.policynetwork.net)