

**KEYNOTE ADDRESS DURING THE AWARENESS CREATION WORKSHOP ON INTELLECTUAL PROPERTY RIGHTS FOR LICENSEES AND OTHER STAKEHOLDERS IN THE BROADCASTING SECTOR HELD ON 8<sup>TH</sup> JUNE 2010 AT THE HOLIDAY INN, NAIROBI**

**Director General, Communications Commission of Kenya, Charles Njoroge**  
**Officials from the Kenya Industrial Property Institute**

**Officials from the Kenya Copyright Board**

**Broadcasters and sector members present**

**Invited guests**

**Ladies and gentlemen**

It is a great pleasure for me to be with you here today as we get enlightened on intellectual property issues in the broadcasting sector. With the rapidly increasing media convergence, content is quickly emerging as the next frontier for broadcasting business. With such proliferation of content, it is important that the industry acquaints itself with the knowledge on how to handle copyrights.

The converged environment in ICTs has also brought with it growing threat to the security of copyrighted material. This has a direct implication on broadcasting especially with respect to copyright protection and related intellectual property rights.

Section 46I(g) of the Kenya Communications (Amendment) Act 2009 requires licensed broadcasters to respect copyright and neighbouring rights in respect of any broadcast work or material. I need not emphasize that within the global context, copyright and related rights protect the rights of authors, performers, producers and broadcasters, and contribute to the cultural and economic development of nations. This protection fulfills a decisive role in articulating the contributions and rights of different stakeholders and the relation between them and the public.

However, infringement of copyrights and related rights is common practice here in Kenya. It is partly due to lack of awareness. I am glad that Communications Commission of Kenya in collaboration with the Kenya Industrial Property Institute

and the Kenya Copyright Board has taken the initiative to hold an awareness workshop to enlighten the industry.

It would not have come at a better time considering that the fever of the 2010 World Cup tournament is now with us. I am aware that in the past, we have had a number of complaints on the infringement of copyrights and related rights during events of a similar magnitude. There is a high likelihood that these malpractices may increase during the 2010 World Cup and as a result of exclusive rights for the broadcast of the tournament. This workshop will help create the desired conducive environment that will benefit all those involved in the value chain.

At a local level, we must also recognize the role of copyright and related rights in creating a dynamic creative culture, while returning value to creators so that they can lead a dignified economic existence, and to provide widespread, affordable access to content for the public.

As we all know, FIFA's TV division completed the sales of television rights for the 2010 FIFA World Cup 18 months ago. Their motivation was to ensure wide coverage. With 64 matches, it makes it a valuable sports media rights property but on the other hand it also creates the inclination to infringement of related copyrights given its commercial value.

We all agree that there is need to harness the power of the FIFA world cup and especially due to that fact that it is taking place for the first time on the African soil. However, even as we want to deliver the African football experience to our audiences, we must act with uttermost responsibility in order not to overstep on the rights of others.

Ladies and gentlemen, as you all are aware, digitalization is unveiling many opportunities for the broadcasting sector. Content which had previously been dedicated to specific networks now can be conveyed on different infrastructures and delivery platforms. I wish to emphasize the need to forge common social objectives of promoting and protecting cultural traditions, national identity and protection of children and minors from harmful content across all broadcasting delivery platforms.

The government has identified the digital content industry as a growth area that has high commercial viability. I believe that by stimulating local content development and protecting it at the same time, we will stand to harness huge benefits into the future.

On that note ladies and gentlemen, it is my honour to declare this intellectual property awareness workshop officially opened.