WIPO ADVISORY COMMITTEE ON ENFORCEMENT · GENEVA · JUNE 2026

SEEING THE UNSEEN

Triangulating firm data, consumer behaviour and lived perceptions to map counterfeiting in Kenya

Dr. Robi M. King'a, PhD
Executive Director & Chief Executive Officer
Anti-Counterfeit Authority (ACA) · Republic of Kenya

A paper contributed to the WIPO-ACE, presented by ACA Kenya

Why Kenya, why now

2.3%

of global trade is counterfeit or pirated

OECD / EUIPO, 2025

Developing economies carry a disproportionate share.

The Kenyan reality

Informality

A large informal economy makes counterfeit flows invisible to conventional enforcement metrics.

Open borders

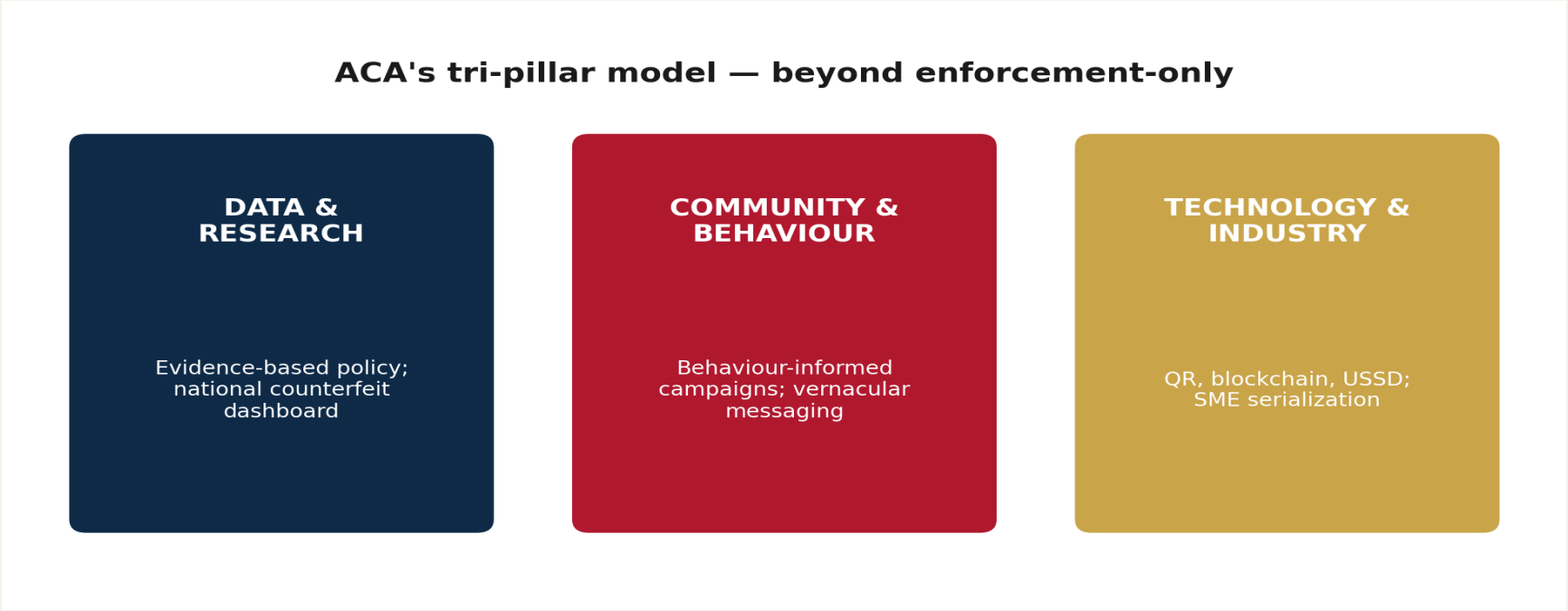
Mombasa and Namanga are gateways for goods crossing the East African Community.

Digital commerce

Social-media and direct-website sales have redrawn the distribution map in under a decade.

Sources: OECD/EUIPO (2025) · ACA Firm-Level Survey (Dec 2024) · ACA Consumer-Level Survey.

From enforcement-only to a tri-pillar model



ACA (est. under the Anti-Counterfeit Act, CAP 510) leads IP enforcement, awareness, research, policy advisory, and coordination nationally and regionally.

Three studies. One question.

FIRM-LEVEL SURVEY

190

manufacturing firms

Four sub-sectors · industrial impact & distribution channels

Dec 2024

CONSUMER-LEVEL SURVEY

2,185

consumers

Eight counties · WIPO-toolkit standardised · awareness & reporting

2024–25

PERCEPTION SURVEY

79

focus-group participants

Six regional sites · MSU / USIU-Africa / ACA partnership

2025

FIVE NUMBERS THAT REFRAME THE PROBLEM

The headline findings — one per study, one per theme.

18%

of firm product portfolios

are counterfeit — rising to 21% in automotive and 19% in alcoholic beverages.

12.8%

average revenue loss

reported by firms directly attributable to counterfeit substitution.

83.85%

consumer awareness

of counterfeit goods — yet only 5.7% have ever reported a purchase.

42%

of counterfeit sales are online

social media and direct websites now each move ~21% of volume.

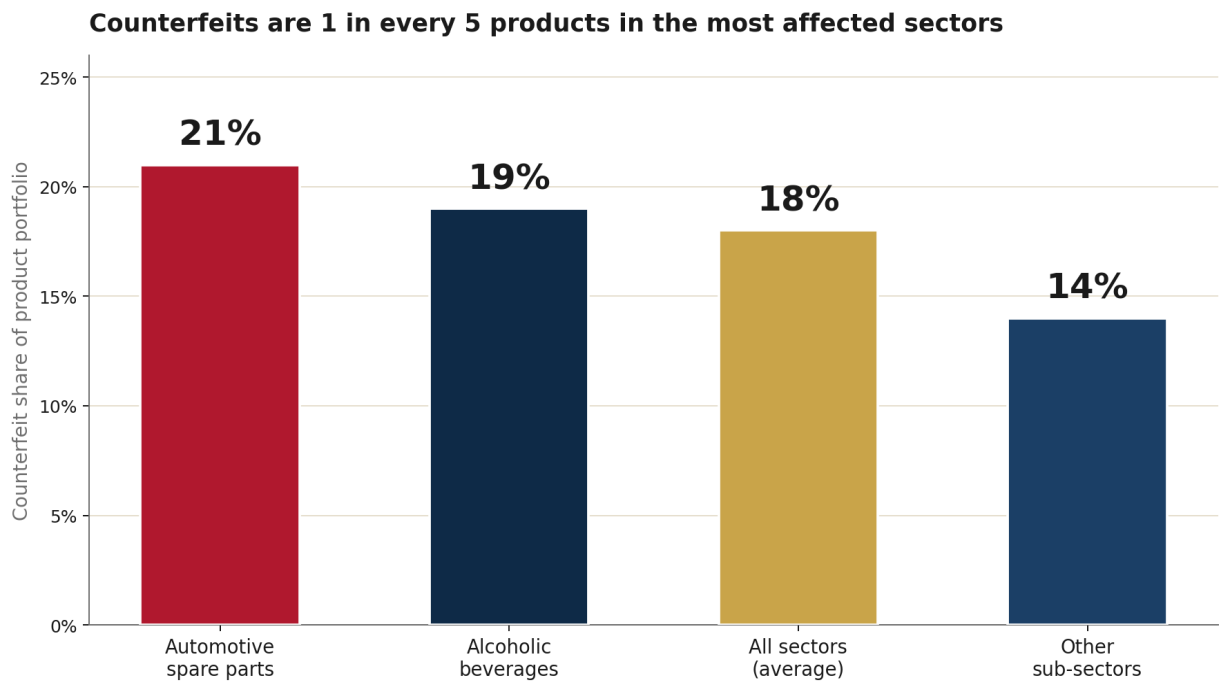
42.5%

cite affordability

as the primary reason for knowingly buying counterfeit goods.

Sources: ACA Firm-Level Survey (Dec 2024) · ACA Consumer-Level Survey · ACA/MSU/USIU-Africa Perception Survey.

One in every five products in the most affected sectors



WHAT IT MEANS

Automotive spare parts are the most exposed sub-sector.

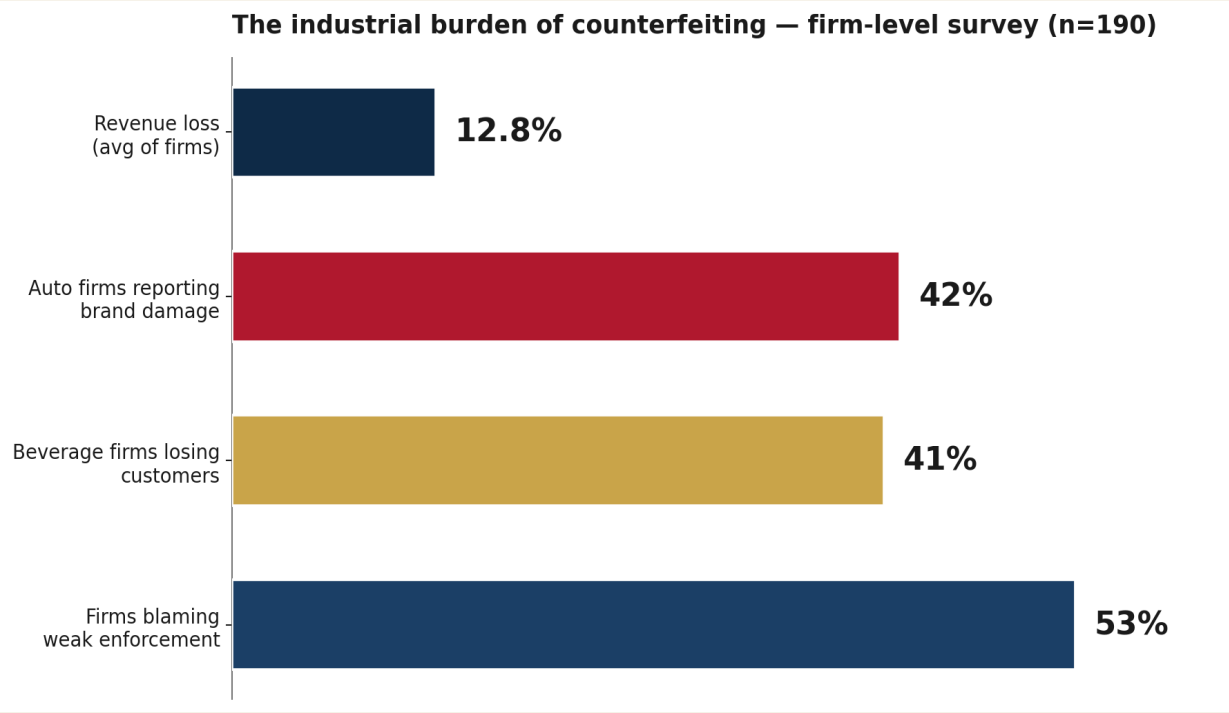
Counterfeit brake pads and filters carry direct safety risk.

Alcoholic beverages follow closely.

Illicit alcohol remains a recurring public-health crisis.

Source: ACA Firm-Level Survey (December 2024) · KCA University / Anti-Counterfeit Authority, n=190 firms across 4 sub-sectors.

The industrial burden — revenue, brand and customers



THE MULTI-DIMENSIONAL COST

12.8%

average revenue lost to counterfeit substitution.

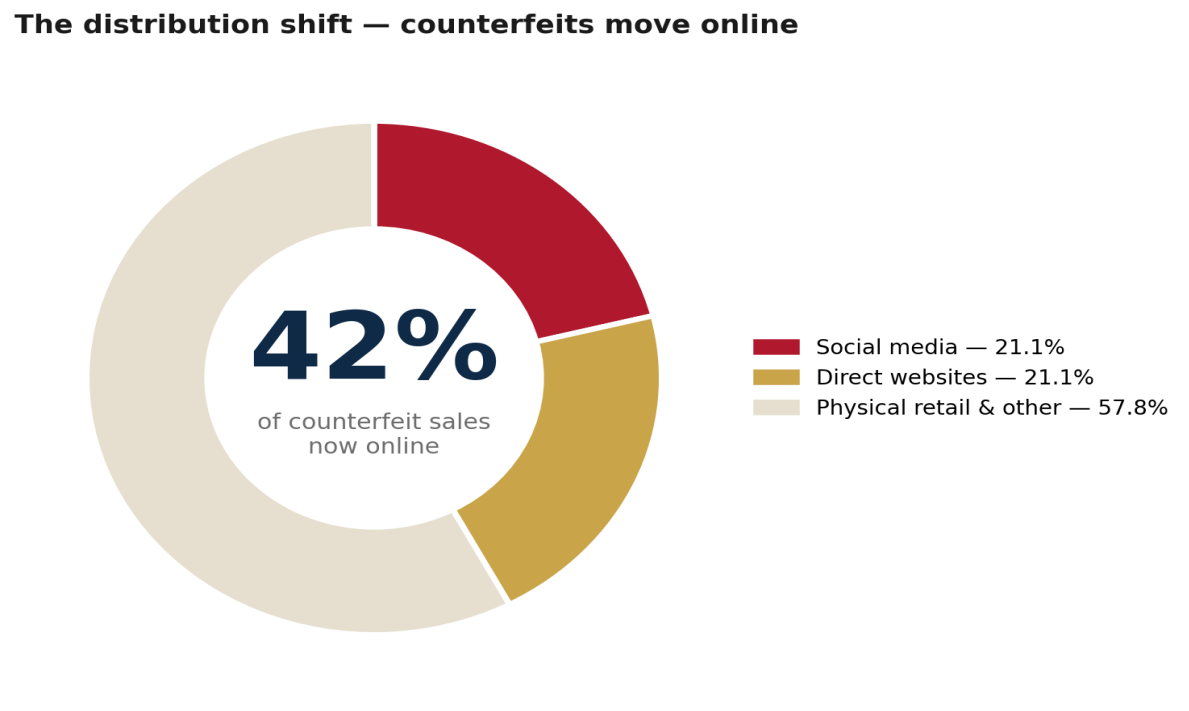
53%

of firms attribute rising counterfeit incidence to weak enforcement.

SMEs are disproportionately affected.

Source: ACA Firm-Level Survey (December 2024) · n=190 manufacturing firms.

Counterfeits are moving online, fast



The storefront is now the feed

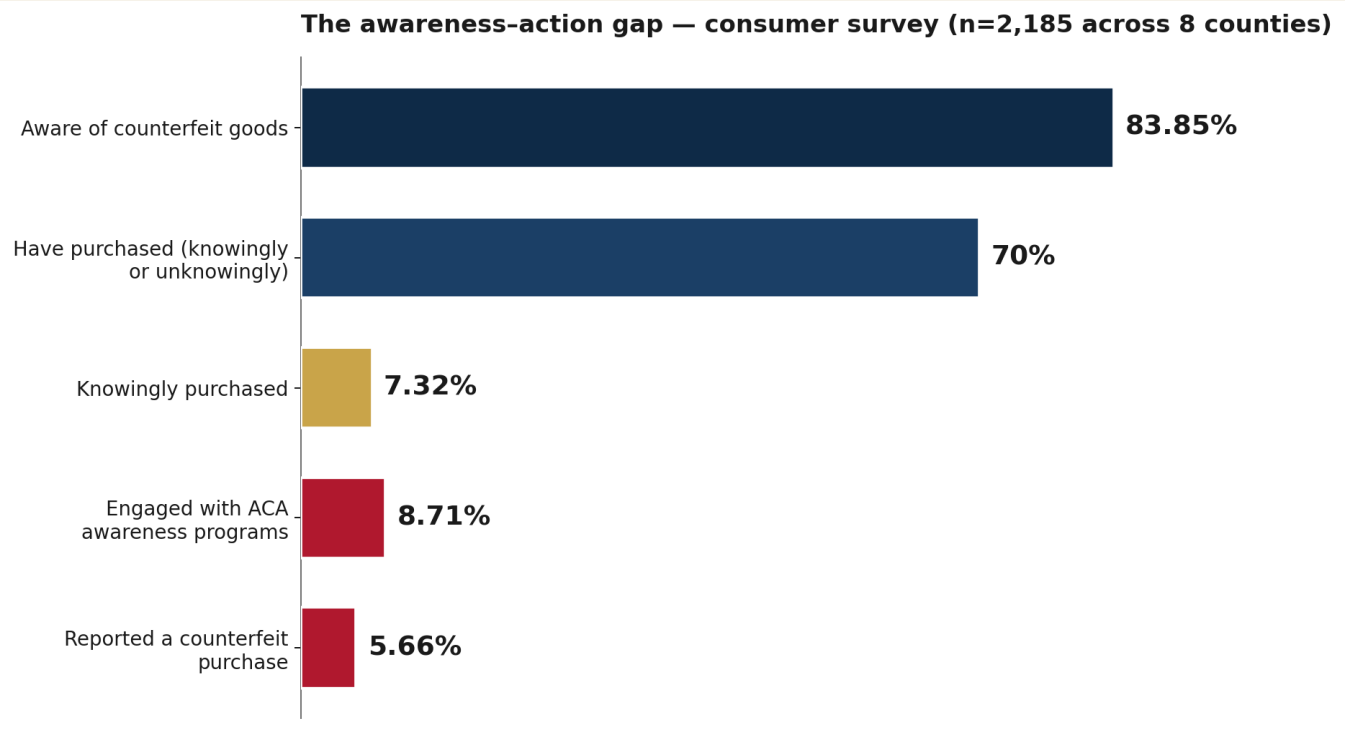
Social media
Facebook, Instagram, TikTok and WhatsApp groups are the new counterfeit storefronts.

Direct websites
Brand-impersonation sites mirror legitimate retailers — hard to detect, easy to launch.

Enforcement gap
Traditional raids and seizures cannot keep pace with platform-mediated distribution.

Source: ACA Firm-Level Survey (December 2024).

The awareness-action gap



THE PARADOX

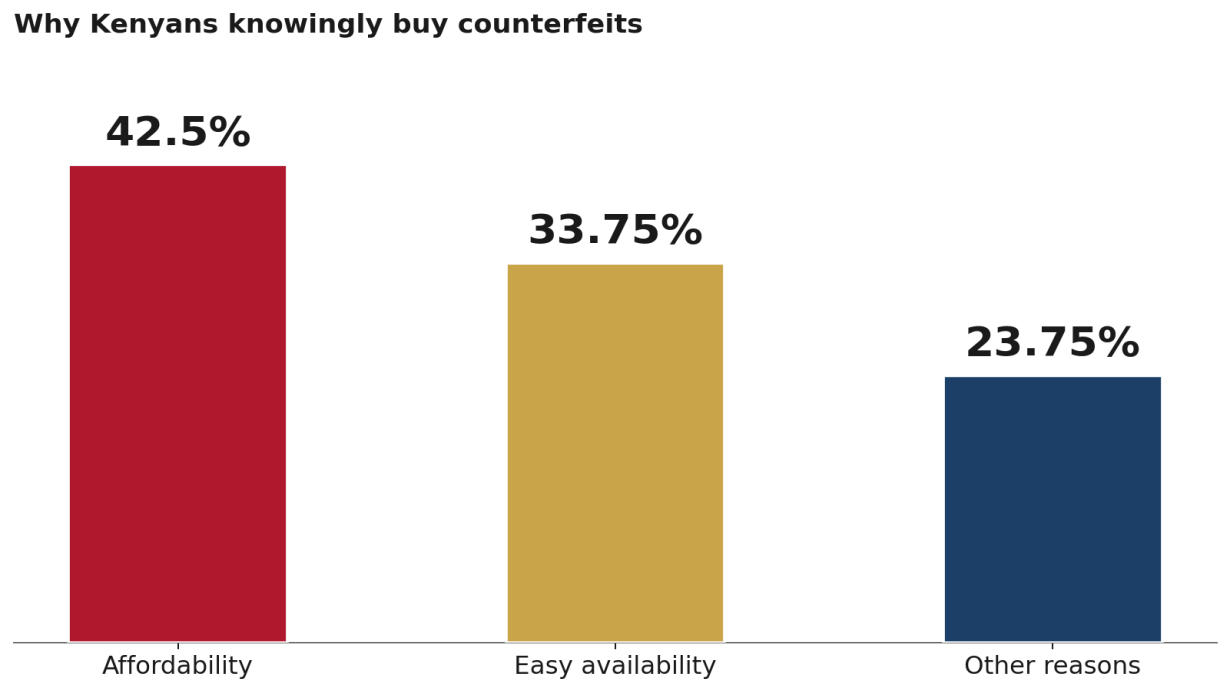
94.34%

have NEVER reported a counterfeit purchase.

Lack of awareness of channels, low confidence in institutional responsiveness.

Source: ACA Consumer-Level Survey · n=2,185 respondents across 8 counties.

Why Kenyans knowingly buy counterfeits



THE QUIET MAJORITY

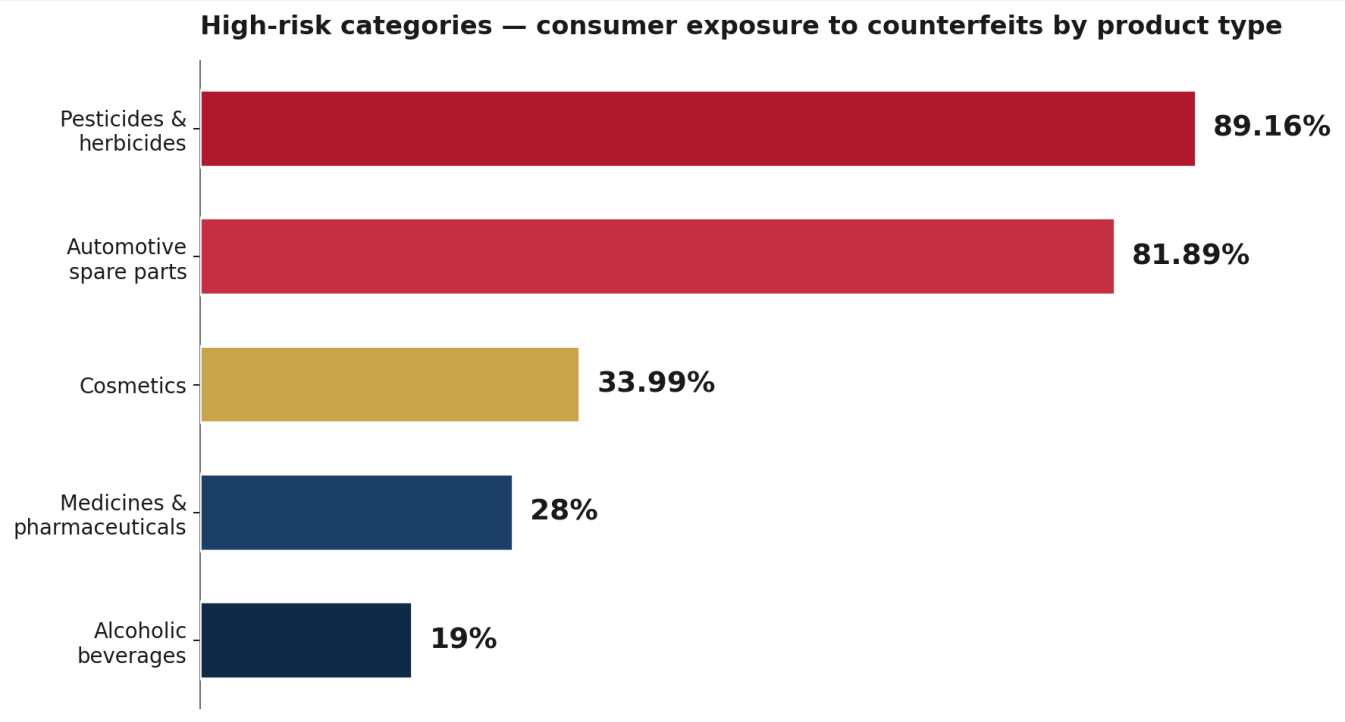
7.32%

of all respondents report knowingly buying counterfeit goods.

But the majority purchase unknowingly — making information asymmetry the dominant risk.

Source: ACA Consumer-Level Survey · among the 7.32% who knowingly buy counterfeits.

Where exposure is most dangerous



HIGH-HARM CATEGORIES

Pesticides & herbicides
crop losses & food safety

Automotive parts
road safety & recalls

Medicines
direct mortality risk

Cosmetics
skin toxicity & long-term harm

Source: ACA Consumer-Level Survey. High-risk category exposure indicates product types consumers identify as the most counterfeit-prone in their markets.

The moral economy of counterfeiting

Language normalises what law prohibits.

"First copy"

near-identical replicas sold openly alongside authentic goods

"China version"

foreign-made imitations framed as a legitimate budget alternative

"Kenya original"

counterfeits domesticated as locally authentic, even patriotic, goods

Consumers describe counterfeit goods as "functional substitutes" — rational adaptations to economic constraint, not transgressions.

Source: ACA / MSU / USIU-Africa Perception Survey · focus-group discussions across six regional sites.

Six regions, one story told six ways

PERCEPTION SURVEY ON COUNTERFEIT PRODUCTS

Research Team

Robi Koki Ochieng (USIU

Maureen Kangu (USIU)

Institutional partners

1. Michigan State University (College of Communication Arts & Sciences)

2. United States International University-Africa

3. Anti Counterfeit Authority

Nairobi

Moral economy of aspiration — fashion and electronics as identity markers.

Mombasa

Coastal trade gateway — abundance coexists with limited purchasing power.

Kisumu

Counterfeits framed as adaptation; integral to the social fabric.

Machakos

Inflation, unemployment and informal trade drive demand-side pressure.

Meru

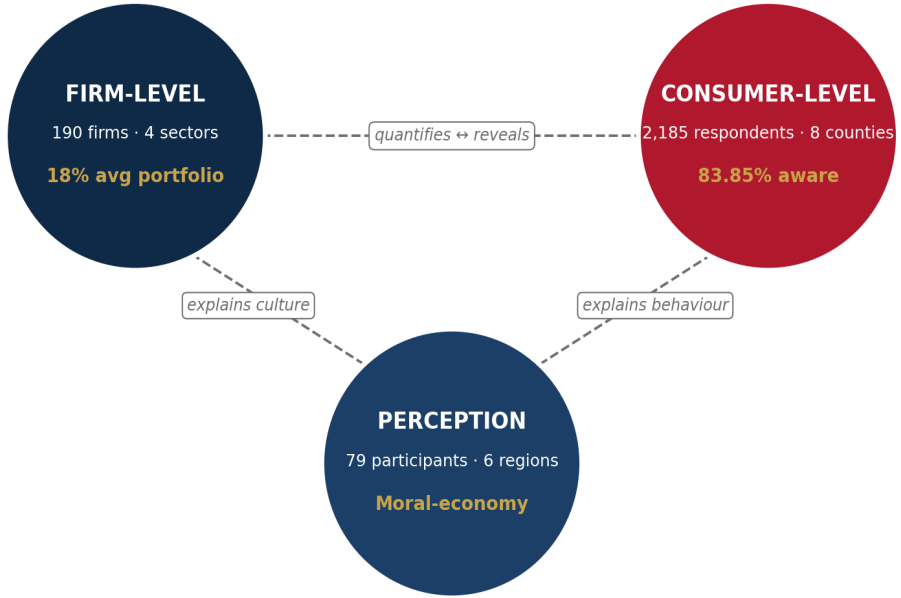
A saturated retail environment — distinguishing genuine is increasingly difficult.

Namanga

Cross-border porosity; regional enforcement harmonisation is urgent.

Source: ACA / MSU / USIU-Africa Perception Survey, 2025 · 79 focus-group participants across six regional sites.

Three lenses converge on one truth



Convergent mixed-methods triangulation — Kenya, 2024–2025

THE SYNTHESIS

Counterfeiting in Kenya is not purely criminal enterprise.

It is a socio-economic phenomenon with cultural norms.

Firm data quantifies the scale.
Consumer data reveals the behaviour.
Perception data explains the culture.

Enforcement alone cannot solve a problem whose roots are economic, linguistic and structural.

Six priorities for evidence-based enforcement

01 Digital traceability

Expand ACA's authentication recordation system — QR, blockchain, SMS/USSD verification for high-risk goods.

02 Behaviour-informed campaigns

Address affordability–risk trade-offs, use vernacular language, partner with trusted community influencers.

03 Affordable authentic alternatives

Encourage certified low-cost product lines; strengthen local manufacturing to close the price gap.

04 Empower SMEs

Fiscal incentives for serialization technologies; strengthen inter-agency coordination for SME defense.

05 Regional cooperation

Deepen East African Community collaboration; harmonise enforcement standards and cross-border data sharing.

06 National counterfeit dashboard

Annual public metrics on prevalence, consumer exposure and enforcement performance — accountability built into data.

LESSONS FOR THE GLOBAL SOUTH

A transferable model for WIPO-ACE member states

Triangulate before you enforce

Firm + consumer + perception data together; none alone is sufficient.

Speak the consumer's language

Linguistic framing is as consequential as legal framing.

Fix the affordability gap

Authentic must be accessible, or the fight is already lost.

Digitise verification

Take the tools out of enforcement's hands and into the consumer's.

Regionalise enforcement

Borders are porous; enforcement frameworks should not be.

Publish the numbers

Annual, public dashboards convert data into accountability.

Kenya's experience offers a transferable framework — evidence-led, citizen-centred, structurally honest.

ASANTE SANA · THANK YOU

We welcome your questions, and — more importantly — your collaboration.

PRESENTER

Dr. Robi M. King'a, PhD
Executive Director & CEO
Anti-Counterfeit Authority (ACA)
Republic of Kenya
Email: rkinga@aca.go.ke

INSTITUTION

Anti-Counterfeit Authority
National Assembly Road, Nairobi, Kenya
info@aca.go.ke · +254 20 260 7704
www.aca.go.ke