



**REGIONAL, NATIONAL & COMMUNITY EXPERIENCES REGARDING THE USE OF INTELLECTUAL PROPERTY AS  
A TOOL TO PROTECT TRADITIONAL KNOWLEDGE & FOSTER ECONOMIC GROWTH & SUSTAINABLE  
DEVELOPMENT.**

LIZ LENJO – IP EXPERT, KENYA @ WIPO VIRTUAL CONFERENCE.

# Observations from an IP/ TK Practitioner

- TK / TCE has become the new gold.
- Multi-cultural nations are faced with the task of how to effectively administer TK. Same with TCEs.
- Undoubtedly, Intellectual Property is the best tool to protect Traditional Knowledge.
- Most communities are still figuring out who owns what.
- Especially those with many tribes and sub-tribes.
- As we have the conversations on TK, we observe some communities have the same TK or substantially similar TK.
- Some TK may be considered sacred or top secret, the documentation of such has been a challenge.

# Observations from an IP/ TK Practitioner

- Yet, it needs to be recorded so that the next generation may be the guardians.
- Some of this TK has been passed down generations verbally and as such, tracing the accuracy can and has been a challenge.
- For TK to be sustainable, it needs to be documented.
- IP is important for the documentation of TK. However, the what, who, and how are points of great concern.
- Who will document is yet to be addressed? Who will be chosen to document or who has the power to document? Under the TK Act Kenya, we have the custodians mentioned, however, the who can document is yet to be addressed. Is it something that should be included in any sui generis law?
- The how is also occasionally viewed as an issue of contention, because with IP the tk evolves to other properties and assets.

# Observations from an IP/ TK Practitioner

- We are seeing a rising need for how TK relates with locals/ communities who want to create businesses using TK.
- Too many imposters. What sanctions can we review on a national and international level?
- An international agreement is dire so that protection is international and charts clearer paths on how to monetize TK by communities or through communities.