

Kenya

In Kenya a client-patent advisor privilege applies to lawyers but not to Intellectual Property (IP) advisors unless the IP advisors are also lawyers and provide legal advice. This is stipulated in the Kenyan law as Legal Professional Privilege (LPP). The LPP is a privilege against disclosure, ensuring clients know that certain documents and information provided to lawyers cannot be disclosed at all. It recognises the client's fundamental human right to be candid with his legal adviser, without fear of later disclosure to his prejudice. It is an absolute right and cannot be overridden by any other interest. However, the LPP only extends to such confidential communications falling under either advice privilege or litigation privilege.