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**PERMANENT COMMITTEE ON COOPERATION FOR
DEVELOPMENT RELATED TO INTELLECTUAL PROPERTY**

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EVALUATION OF A WIPO COOPERATION FOR DEVELOPMENT ACTIVITY:
PRESENTATION OF THE IN-DEPTH EVALUATION REPORT CONCERNING THE
ANNUAL WIPO REGIONAL MEETING OF DIRECTORS OF INDUSTRIAL PROPERTY
OFFICES OF LATIN AMERICA

Document prepared by the International Bureau of WIPO

Attached as the annex hereto is the report of the in-depth evaluation of the Annual WIPO Regional Meeting of Directors of Industrial Property Offices of Latin America (document IDER/2000/1), prepared by the International Bureau of WIPO with the assistance of an external Evaluator.

[Annex follows]

WIPO



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WORLD INTELLECTUAL PROPERTY ORGANIZATION

GENEVA

IN-DEPTH EVALUATION OF THE
ANNUAL WIPO REGIONAL MEETING OF DIRECTORS
OF INDUSTRIAL PROPERTY OFFICES OF LATIN AMERICA

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1. Introduction

This document, hereafter referred to as the “report,” contains the report of the in-depth evaluation undertaken by WIPO, with the assistance of an external Evaluator, on a specific activity which the Organization carries out within the framework of its cooperation for development program, namely the Annual WIPO Regional Meeting of Directors of Industrial Property Offices of Latin America and the WIPO Regional Seminar and Roundtable, hereafter referred to as “the meeting” (for details, see Section 3—“Profile of the activity evaluated”), industrial property being hereafter referred to as “IP”.

The evaluation of programs and activities implemented by WIPO is one component of the result-based management approach, which was introduced in the Organization with the adoption of the WIPO 1998-1999 Program and Budget (A/32/2) by its Member States. WIPO’s commitment to the development of a result-oriented organizational environment and culture was further confirmed in the Program and Budget for the 2000-2001 biennium (A/34/2), where the result-based logical framework is present throughout the document and “Performance Evaluation” represents a sub-program of its own (02.3). The main outcome of the development of a comprehensive monitoring and evaluation system for the Secretariat, covering all programs and activities, are the Program Performance Reports (A/34/6 and A/35/2) submitted to WIPO Assemblies since 1999, which aim to present WIPO’s stakeholders with a more transparent and result-based assessment of WIPO’s program performance.

Like planning and monitoring, evaluation is a program management tool. The aim of evaluation is to provide a balanced assessment of the relevance, cost-effectiveness and impact of a program, project or activity, in relation with its stated objectives and within the objectives of the Organization. Evaluation is important in a result-oriented environment because, through this assessment, it provides valuable feedback that can be critical to the improvement of the Organization’s program or project planning and implementation, one of the key factors ensuring efficiency and relevance. Thus, WIPO undertakes evaluations in conformity with the “transformation premise” agenda envisaged in the “Vision and Strategic Direction of WIPO,” the programmatic document presented by the Director General to WIPO Assemblies in 1999, where the improvement of WIPO’s operational efficiency and the development of a corporate culture that is result-oriented are indicated among the priorities pursued by the Organization.

In-depth and *post facto* evaluations of selected programs or activities implemented by WIPO are also performance evaluations stemming from a result-oriented management approach; however, they differ from the evaluation procedure used for the elaboration of WIPO general program performance reports in so far as the purpose, scope and working methodology are concerned (see Section 4). It is important to highlight that in-depth and *post facto* evaluations are an additional and distinct management tool seeking to provide the Director General and program managers with a more focused and deeper insight into the performance (in terms of effectiveness, relevance, cost-effectiveness and impact) of that particular program or activity.

2. Executive Summary

The meeting is the first activity to be evaluated in depth since the development, within WIPO, of a new result-based management environment.

The meeting, organized in San Salvador (El Salvador) from October 31 to November 3, 2000, was evaluated as a cooperation tool and as a service provided by WIPO. The evaluation was based on the following parameters: effectiveness, relevance, cost-effectiveness, impact, validity of design and sustainability.

Main Conclusions. On the basis of the evaluation findings (see Section 5), it was possible to conclude that the meeting is a consultative mechanism which effectively fulfills its stated objectives and is relevant in providing an essential contribution to realizing the objective of “facilitat[ing] cooperation among developing countries” (Sub-program 06.4 of the 2000-2001 Program and Budget), as well as to the strategy and objectives of WIPO’s technical cooperation in Latin America. The meeting also achieved cost-effectiveness, as it appeared to be the most economical way for the attainment of these objectives. Its impact could be demonstrated by the fact that the direct interaction and exchange of experiences taking place during the meeting generate changes or initiatives at the national (IP Offices), bilateral (horizontal cooperation) and sub-regional (consultations) levels. The evaluation findings also showed that the design of the meeting satisfactorily meets the expectations of the representatives of the 19 national IP Offices of Latin America and the two sub-regional organizations participating in the meeting (hereafter referred to as “the participants”), both from the substantive and the organizational points of view. As to the sustainability of the effects of the meeting, it was found that, in the absence of such meeting, its effects might continue, although to a limited and varying degree, at national, regional and sub-regional levels.

Main Recommendations. The evaluation recommends that the meeting continue to be included in the planning of WIPO’s cooperation program for the Latin American region.

However, in order to optimize its effectiveness, relevancy, impact and sustainability effects, the evaluation submits a number of further recommendations (see Section 6), some of which are anticipated here:

- the meeting should be an occasion for WIPO to promote stronger relations of horizontal cooperation in the region;
- as the meeting provides, *inter alia*, a unique opportunity of direct experience and information sharing among the representatives of the IP Offices themselves and between them and WIPO officials, it is suggested to explore the possibility of further enriching this exchange by having the WIPO Secretariat provide, during the debate and when relevant, references to significant experiences of IP Offices in other regions in matters covered by the agenda of the meeting, for instance the “management of IP Offices.” This initiative would add a cross-regional character to the meeting and would be in line with the globalization of intellectual property issues;

- the agenda of the meeting should be maintained as innovative and result-oriented as possible; in addition, the program of the seminar and roundtable should be minimized, in order to guarantee quality presentations and debates.

More generally:

- this meeting could be seen as a good “model” for institutionalized regional consultative mechanisms among representatives of national intellectual property Offices, which WIPO could consider in other regions covered by its cooperation for development program (Africa, Arab countries, Asia and the Pacific and countries in transition);
- lessons learned from this in-depth evaluation should be taken into consideration by all program managers, particularly with reference to the organization of regional meetings or similar activities under WIPO’s cooperation program and/or other programs administered by the Organization.

3. Profile of the Activity Evaluated

The meeting is referred to as an “activity,” as it can be defined neither as a program nor as a project.

Origin: The first Regional Meeting of Directors of Industrial Property Offices of Latin America took place in 1996 in Lima (Peru). Further to the successful organization of the meeting and the acknowledgment by the participants of its usefulness, WIPO decided, in agreement with the countries concerned, to organize the meeting on an annual basis.

Year and Venue: 1996: Lima (Peru); 1997: Sao Paulo (Brazil); 1998: Buenos Aires (Argentina); 1999: Punta Cana (Dominican Republic); 2000: San Salvador (El Salvador). The 2001 meeting has been scheduled in Quito (Ecuador).

Since 1999, a one-day regional seminar on a specific topic followed by a roundtable (hereafter, “the seminar and the roundtable”) has been included in the program of the regional meeting.

Institutional Framework: WIPO, 19 countries of the region and two sub-regional organizations (see below).

Organizational Framework: WIPO Cooperation for Development Sector, the Latin America and the Caribbean Bureau (LAC Bureau) and the host Government (Peru in 1996, Brazil in 1997, Argentina in 1998, the Dominican Republic in 1999 and El Salvador in 2000).

Nature of the Activity: Institutionalized consultative mechanism (as opposed to ad-hoc mechanism).

Stakeholders (*meaning, for evaluation purposes, entities involved but not necessarily the only ones receiving a direct or indirect benefit from the activity*):

The 19 Latin American countries and the two sub-regional organizations represented at the meeting—namely Argentina, Bolivia, Brazil, Chile, Colombia, Costa Rica, Cuba, Dominican Republic, Ecuador, El Salvador, Guatemala, Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru, Uruguay, Venezuela, Andean Community, Permanent Secretariat of the General Treaty on Central American Economic Integration (SIECA)—and WIPO.

Direct Beneficiaries:

- the national IP Offices represented by their Directors at the meeting, as well as the representatives of the Secretariats of the two sub-regional organizations;
- WIPO and its program managers, whether directly or indirectly involved in the preparation, implementation and follow-up of the meeting.

Indirect Beneficiaries: Other governmental authorities and relevant sectors, which are concerned with IP administration. This category also includes the Permanent Missions in Geneva of the countries quoted above.

Current Budgetary Reference: Sub-program 06.4, WIPO 2000-2001 Program and Budget (A/34/2).

Objectives:

- to analyze and evaluate the current situation of the IP systems in the participating countries on the basis of national reports presented at the meeting in the form of national studies;
- to exchange relevant experience and information in connection with the legislative modernization of IP, the adherence to WIPO-administered treaties, the implications and implementation of the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS Agreement) at the national level in the participating countries, information technology in relation with IP, the modernization of IP Offices, the promotion and dissemination of IP at the national level;
- to analyze the needs and identify priorities at the national, regional and sub-regional levels (Andean Community, Central American Integration System, Mercosur);
- to formulate general orientations for future cooperation between WIPO and the participating countries, as well as specific proposals of horizontal cooperation among the participating countries themselves.

Inputs:

- WIPO financial and human resources;
- WIPO activity report, describing in detail all the cooperation activities carried out by the Organization in the region (at the national, regional and sub-regional levels) during the year under examination;
- nineteen national studies (reports) containing updated and detailed information on the status of the IP system in each of the participating countries;
- host Governments' logistics.

Immediate Results:

- needs and priorities (at the national, regional and sub-regional levels) are identified for the purposes of the cooperation between WIPO and the concerned countries of the region;
- general orientations for future cooperation between WIPO and the concerned national IP authorities are formulated;
- specific proposals of horizontal cooperation among the participating countries are formulated.

These results are reflected in the final report prepared by the WIPO Secretariat and adopted at the end of the meeting.

Expected Impact:

- strengthened dialogue between WIPO and the national IP Offices of the participating countries resulting in more efficient technical cooperation assistance from the Organization;
- closer and constructive interaction between the participating national IP Offices leading to more opportunities for building horizontal cooperation in the region.

4. Terms of Reference of the Evaluation: Mandate, Scope, Purpose and Methodology

Mandate

The in-depth and *post facto* evaluation of selected programs or activities undertaken by WIPO is part of the mandate of the Internal Audit and Oversight Division (IAOD), as foreseen in Sub-program 02.3 of the WIPO 2000-2001 Program and Budget.

The evaluation was carried out by an external Evaluator of WIPO and a staff member of the IAOD. The external Evaluator was appointed in order to ensure an

independent assessment of the regional meeting, on the basis of the parameters and modalities indicated below.

In this context, it must be pointed out that most of the areas of activity of the Organization lend themselves to in-depth evaluation. In its program of work for the second half of the year 2000, the IAOD identified the Cooperation for Development Sector as an area of particular interest for the purposes of this exercise. Further to internal extensive consultations with the program managers of this Sector, several activities were shortlisted. However, in view of the fact that in-depth evaluations require a considerable amount of time and adequate financial and human resources, only one activity could be selected for the said period.

Scope

This evaluation concerns only the meeting and the cooperation aspects directly related to it (see “Objectives” in Section 3): consequently, it was not intended to assess the relevance, effectiveness and impact of WIPO’s cooperation program in the Latin American region as a whole.

Purpose

The purpose of this evaluation was to provide WIPO with feedback from the direct beneficiaries of the meeting about their perception of WIPO’s efforts to promote cooperation in the Latin American region through, *inter alia*, this particular meeting (see Sub-program 06.4 of the WIPO 2000-2001 Program and Budget). The analysis of this direct feedback, as well as of other information collected (see “Methodology” below), should also provide a better understanding on the part of the program managers concerned of what, in the meeting, works better or less well and why, thus giving them an opportunity to make improvements in the design and implementation of future meetings. More generally, and beyond the scope of the cooperation for development area, this evaluation should help to: (a) strengthen WIPO’s monitoring process; (b) create a more informed framework for a better planning of WIPO’s future programs and activities in the cooperation area and, possibly, also in other areas of the Organization.

Methodology

In order to acquire empirical evidence of the results and impact of the regional meeting, the following methodology was applied:

- desk review of all relevant documents available;
- data gathering through collection of information procedures, such as: (a) preparation and distribution to the participants in the San Salvador meeting of a written and detailed questionnaire (the questionnaire was maintained strictly anonymous in order to guarantee confidentiality and the possibility to express views and suggestions more freely); (b) oral interviews, prior to and during the San Salvador meeting, with the participants and with WIPO officials involved in the preparation and implementation of the regional meeting;
- field visit to San Salvador for the duration of the meeting;

- analysis and interpretation of data collected.

Methodological Considerations

This evaluation was based primarily on the feedback obtained from the participants through the questionnaire and the personal interviews about their perceptions of the meeting's relevance, effectiveness and impact. Additional sources of information were provided by available documentation of this and past meetings, by the consultations held with the program managers responsible for this meeting, as well as by the direct observation of the meeting by the evaluators during their field visit to San Salvador. By deliberate choice of the evaluators, the evaluation relied mainly upon the comments and the ratings given by the participants in this meeting: an independent verification of the impact of the meeting was not undertaken. The results of this evaluation are mainly based on the qualitative information emerging from the questionnaire, the interviews and direct observation *in situ*. However, if the lack of quantitative data could be considered a limit, the participatory nature of the evaluation produced an array of useful ideas on how to improve the meeting and its impact. In conclusion, from the ample and high-quality information obtained through this evaluation, a generally clear and consistent picture emerged which was considered more than sufficient to permit the conclusions and recommendations made at the end of this report.

Approach

This meeting was evaluated with regard to two aspects: first, as a cooperation tool, for its capacity to facilitate dialogue and contact among the participating countries and its impact on horizontal and bilateral cooperation among the participating countries; secondly, as a service provided by WIPO, for its overall quality from the substantive and organizational points of view.

Parameters

The parameters underpinning the evaluation of the meeting were:

- effectiveness: to what extent the activity achieves its stated objectives and therefore meets the needs of the beneficiaries;
- relevance: whether the activity contributes to the realization of the objectives stated in the 2000-2001 Program and Budget, under Sub-program 06.4, and foreseen in the framework of WIPO's cooperation program in the region;
- cost-effectiveness: whether the results of the activity continue to justify the costs incurred by WIPO;
- impact: to what extent the meeting contributes to determine changes in the policy of and decision-making by the national authorities and sub-regional entities administering industrial property in the Latin American region;

- validity of design: to assess whether the structure/framework of the activity is logical and coherent;
- sustainability: to examine to what extent the activity's effects would be sustained in the absence of such activity.

5. Findings

The findings of this evaluation have been intentionally described in detail: first, for the sake of ensuring transparency and, secondly, because it was found useful to report many of the constructive comments and suggestions, including negative ones, made by the participants.

(a) The Regional Meeting as a Cooperation Tool

Opinion was almost unanimous that the meeting greatly contributes to facilitating and strengthening the dialogue among the participants, while offering them a unique opportunity for making or strengthening personal contacts, which are useful in bilateral and multilateral cooperation relations in the region. One participant, who has been attending the meeting since its start in 1996, further confirmed that the level and the quality of the dialogue among participants had indeed increased over the years and that personal and professional bilateral relations had also been established and cultivated thanks to it. The meeting also allows newly-appointed Directors of IP Offices to meet the other representatives and to keep abreast of developments in the IP field in the region. Of course, the fact that all participants could speak Spanish considerably facilitated communication and created a sense of common belonging.

Most participants expressed the view that the meeting plays a key role in reinforcing the dialogue between the participants and WIPO. By allowing a more personal and direct contact, the meeting fosters fruitful working relationships and cooperative ties between the participants and the WIPO officials responsible for the cooperation program in the region. WIPO officials who have been organizing the meeting since 1996 had no doubts in asserting that the meeting represents for them the best avenue for maintaining a better dialogue with the representatives of the participating national IP Offices and the sub-regional organizations particularly interested in IP, for identifying and meeting in the most efficient way the concrete needs and priorities of the region, and for capitalizing on the confidence-building process set in motion by these annual meetings.

The meeting is seen by all participants as a unique opportunity for direct exchange of experiences and feedback among them. Indeed, this aspect is considered by many participants to be the main objective of the meeting. It enables them to learn from the positive and negative experiences of others (in relation to the modernization of IP administration, national IP legislation, information technology, promotion and dissemination of IP, human resources capacity building, development of IP curricula at the university level, enforcement, etc.) and to capitalize thereon. It helps them capture new ideas, learn about progress made by other IP Offices in the region and avoid the mistakes already made by others. One participant indicated that the acquisition of

information through the debate at the meeting was more valuable than the knowledge acquired by consulting web sites, magazines or books.

One participant highlighted, as the most successful feature of this meeting, its capacity to provide an opportunity for debate, dialogue and exchange of experience and, in this connection, indicated that it could be looked on as a model for organizing meetings of similar nature and scope in other regions covered by WIPO's cooperation for development program.

The evaluation noted that Latin America is a region where, in spite of the existence of differences in political and economic policies, similarities help create some common denominators amongst countries. The national IP Offices present various degrees of development and modernization and more or less distinct administrative infrastructures. Moreover, they are often differently situated within the national administrative and executive structure. While some IP Offices (e.g., of Argentina, Brazil, Ecuador, Mexico and Venezuela) enjoy a greater degree of management and budgetary autonomy, others depend more closely on the policies, directives and resources of the ministry to which they belong. Thus, the needs and priorities of the national offices are not and cannot necessarily be the same. This notwithstanding, participants found that the meeting provided them with an ideal forum where they could identify common needs, concerns and possible solutions as well as priorities for horizontal cooperation activities (see below).

Other more specific advantages of the meeting illustrated by the participants are that:

(i) they are able to measure, in comparison with other national IP Offices, the strengths and the weaknesses of their own office and national IP system and thereby proceed to an informal self-evaluation. Some are encouraged by the results achieved by others to take the same course of action. In this context, some participants indicated that they use their reporting to the national authorities on the outcome of the meeting and the progress made by other national IP Offices as a means to obtain the necessary political and budgetary support;

(ii) the meeting enables participants and WIPO staff directly to observe and note the different approaches taken in IP within the region and to examine the variety of opinions and options emerging from the debate with respect to these approaches;

(iii) at the same time, the meeting offers them the possibility to learn of developments in the IP system at the national, sub-regional and regional levels, as well as to learn about the progress being made in the technical cooperation activities and projects carried out by WIPO in the region;

(iv) members of sub-regional groups have an additional opportunity to discuss priorities and coordinate joint initiatives. In fact, during the meeting, an afternoon session was devoted to informal discussion at the sub-regional level.

As to the impact at the national level, several participants stated that, as an immediate follow-up to the meeting, they briefed the staff of their offices and, as appropriate, their superiors and other executive branches of the relevant ministry. At the

office level, those who enjoy autonomous decision-making took steps to: (1) adjust or clarify the objectives and focus of their programs; (2) introduce new measures or projects of a different nature aimed at the modernization of the office management or infrastructure, at capacity building or at promoting the dissemination and greater use of the IP system. Likewise, the meeting provided an occasion to the national IP Office of the host country to highlight, *vis-à-vis* national policy decision-makers and other relevant sectors, the importance of its role in the administration of industrial property in the country.

Concerning the issue of horizontal cooperation, the majority of the participants declared that the meeting contributed to the promotion of contacts and initiatives at the bilateral level. However, actual examples of horizontal cooperation agreements, stemming from past meetings and this meeting, were limited. The most recent were the Cooperation Agreement concluded at the end of the meeting at Punta Cana, in 1999, between the national IP Offices of Mexico and Uruguay, and the Cooperation Agreement between the national IP Offices of Guatemala and El Salvador, signed on the last day of the San Salvador meeting. The main purpose of both Agreements is the mutual transfer of experience in areas such as information technology and staff training. Nevertheless, most horizontal cooperation is informal in nature and consists of arrangements between national offices on ad hoc activities, such as the exchange of national experts for the training of staff or the streamlining of patent or trademark office procedures, the organization of patent information, including IP information archives, the development of automated procedures, the exchange of information on a multitude of other IP matters, including the dissemination of IP information to the media and the public, including on the Internet, and the development of IP curricula at the academic level. A list of examples of horizontal cooperation is provided in Appendix V.

On the question of whether the meeting is perceived as useful to the participants' own professional development, the great majority expressed appreciation for the valuable feedback and insights which they gained from the meeting and which they may use in policy making or its implementation.

In general, most participants felt that the objectives of the meeting continued to be relevant and that the meeting still met their needs. However, some suggested that the meeting could equally be the occasion for pursuing additional goals, notably:

(i) identifying a roster of experts from the region available for undertaking advisory and capacity-building missions to the various national offices,

(ii) identifying and pursuing, in addition to technically-oriented objectives, specific policy objectives, and

(iii) encouraging further efforts towards horizontal cooperation, in particular directed at the countries of the region less developed in the field of IP.

With few exceptions, participants believed that the objectives of the meeting could not be attained otherwise than through the organization of this meeting, on an annual basis. In this connection, one participant proposed that in order to render the meeting more efficient, a "Secretaría pro-tempore," i.e., a Rotating Secretariat—consisting of a Committee of the Directors of three national IP Offices—could be created. This Rotating

Secretariat would work in close coordination with the WIPO Secretariat and would contribute to the preparation, organization and follow-up of the meeting.

As to the sustainability of the effects of the meeting, the majority of participants expressed the view that, in the absence of the meeting, its effects would probably continue, although to a limited and varying degree, at national, regional and sub-regional levels. Its effects at regional level would, however, be the first to cease with time if another form of similar direct interaction were not found to replace that offered by this meeting.

In connection with the sustainability issue, it is worth describing the external factors to WIPO's cooperation program which, according to replies given in the questionnaire and the interviews, may have a negative bearing on the implementation of cooperation proposals and decisions made at the meetings: political and economic changes; lack of sufficient financial resources; lack of adequately-trained personnel; lack of political support on the part of the other national authorities concerned with IP administration; changes of Directors of national IP Offices (which, sometimes, entail discontinuity in the office's policy and management); different levels of development or modernization of the national IP Offices.

The analysis of the questionnaire revealed a few aspects of the meeting as a cooperation tool with which some participants did not seem to be fully at ease.

(i) Some participants claimed that other participants tended to give a better image of their office and their achievements thereby lacking in objectivity, or that the debate of the meeting only aired the points of view of national IP Offices which were not necessarily those of other national authorities or of the private sector of the country they represented. One participant felt that the debate became a sequence of presentations on respective national positions and developments, rather than a true exchange of opinions and information. Therefore, a more critical approach to presentations would be appreciated by these participants.

(ii) One participant proposed that needs and priorities could be identified prior to the meeting and that the meeting itself should rather be used for discussing solutions and cooperation modalities both with WIPO and at the horizontal level. Along the same lines, another indicated that the WIPO Secretariat could identify in advance groups of countries which have similar concerns, needs and expectations and organize a working-group session in the course of the meeting where those groups could hold discussions accordingly.

(iii) Some participants noted that contacts and pledges made at the meeting did not always materialize in concrete horizontal cooperation initiatives. One of them said that a follow-up mechanism of bilateral agreements or informal arrangements made during and after the meeting could be established.

(b) The Regional Meeting as a Service Provided by WIPO: Organizational and Substantive Aspects

Logistics. Concerning the organizational aspects of the meeting, there was unanimous praise for the logistical arrangements provided by the host country. The questionnaire and the interviews also revealed expressions of open appreciation for the hard work put into the organization of the meeting and the efforts made to innovate in some of its aspects on the part of WIPO (in particular the LAC Bureau) (see below). The room provided for this meeting was remarkable for its lavish fittings. The table was disposed in a correct fashion so that participants could see each other properly. Nevertheless, it was noted that the size of the room was disproportionately big with respect to the number of people attending the meeting. This sometimes generated problems in hearing the speakers and did not really help to create an adequate atmosphere for the exchange of views and debate, which are the predominant features of the meeting.

Agenda. In the previous meetings, the agenda contained: (a) the presentation of WIPO's report on its cooperation with the Latin American region during the year preceding the meeting; (b) the presentation of national reports on the situation of IP by each of the participating countries; (c) a summary of the situation of IP in the region; (d) the identification of general guidelines for the cooperation program to be carried out by WIPO in the year following the meeting. This year, the WIPO Secretariat introduced an agenda with a different format altogether, focusing on thematic issues, each of which was based on presentations and was followed by a debate (see Appendix III). This innovative change was particularly welcomed by most participants as it contributed significantly to making the debate livelier and more interactive. Satisfaction was also expressed in relation to the choice of agenda items, which resulted in a more focused and substantive debate. One participant felt that discussions on some items of the agenda could be made more enriching if they were combined with a brief feedback from the WIPO Secretariat about selected experiences from regions other than Latin America.

Debate. While appreciating the increase in quantity and quality of the debate due to the changed format of the agenda, several participants asked, however, that (a) the speaking time should be better regulated and (b) all participants should be encouraged to take the floor, arguing that this was necessary to avoid repetitions of interventions or discussions and make participation in the debate even more active.

Duration. The duration of the meeting was generally deemed adequate in that it allowed sufficient time for both in-session debate and informal individual interaction. A few participants complained that the scheduled timing of the sessions was not always kept to. Two of them claimed that the time for individual and personal interaction was not sufficient.

Information Material. The written information provided at the meeting consisted of: (1) WIPO's activity report describing in detail the cooperation activities carried out by the Organization in the region (at the national, regional and sub-regional levels) during the year under review; (2) the national reports (submitted by each participating country) containing updated and detailed information on the status of the IP system in each participating country; and (3) the final report of the meeting prepared by the WIPO Secretariat and adopted at the end of the meeting. In this connection:

(i) The majority of participants suggested that the information contained in WIPO's activity report and in the national reports should be reproduced in electronic form (diskette or CD-ROM) and distributed on paper only if and when needed during the meeting. One participant pointed out that documents in electronic format (diskettes or CD-ROM) would be suitable for those IP national offices which were already developing their digital libraries. Some participants also expressed the wish to receive this information prior to the meeting (and not at the meeting), possibly by e-mail.

(ii) With respect to WIPO's activity report, it was suggested that, in addition to providing an excellent detailed account of the implementation of the annual cooperation program, WIPO could report on the results achieved by that program in general or in each country concerned, thereby supplying an outline evaluation of the annual program itself.

(iii) In relation to the national reports, the necessity of evaluating the usefulness of all the information provided in those reports was aired and, in this connection, while reiterating their utility, some participants asked WIPO to review the guidelines for their preparation. Revised guidelines should encourage the streamlining of the information contained therein, adding emphasis on achievements and, when relevant, shortcomings experienced by the national IP Offices.

(iv) Finally, almost unanimous was the positive rating of the quality of the final report of the meeting, prepared by the WIPO Secretariat. This report was also confirmed to be an indispensable working and reference document for the participants and their colleagues in the office.

Evaluation. On the question of whether WIPO's initiative in undertaking the evaluation of this meeting was considered useful, 12 participants rated it as "very useful" and nine as "useful." A common remark accompanying the rating was that the evaluation was expected to further improve future meetings. One participant suggested that, in addition to a *post facto* evaluation of this nature, in future such meetings could be evaluated on the last day of the meeting by the participants and the WIPO Secretariat.

Media Coverage. The meeting received good coverage in the national press and on television. On the very first day of the meeting, the "Communication and Corporate Image Unit" of the IP national Office of El Salvador issued a press release informing the national media about the nature, content and expected outcome of the meeting. Several articles covering the opening ceremony of the meeting in the presence of the Vice-President of El Salvador and the social events connected with the meeting were mentioned in the national press. On October 31, the evening news on Channel 6 of the national television showed interviews given by the Director of the El Salvador IP Office and by WIPO's Deputy Director General. Likewise, a morning program of another national television channel broadcast an interview given by the Director of the IP Office.

Group of Countries of Latin America and the Caribbean (GRULAC). Every year, after the holding of the meeting, the Director of WIPO's Latin America and the Caribbean Bureau informs the representatives of the Permanent Missions of Latin American countries in Geneva of the discussions and the outcome of the meeting and provides them with related documentation during one of the GRULAC meetings periodically held at WIPO headquarters. In this way, WIPO ensures that Permanent

Missions are adequately briefed about the meeting and the progress of the cooperation program in their region.

Financing. Like the previous meetings, the San Salvador meeting was financed by WIPO as far as travel and daily subsistence expenses of one representative per country were concerned, while transportation and facilities *in situ* were made available, in a very efficient manner, by the host country.

(c) The Regional Seminar and the Roundtable

The meeting held in Punta Cana (Dominican Republic) in 1999 saw the addition to the program of a one-day regional seminar on a specific topic related to industrial property, on which five speakers gave a presentation, followed by a roundtable. This year, the format of the meeting followed the same pattern and the subject of the one-day regional seminar was “The Interaction of Industrial Property Offices with Other Components of the National System of Intellectual Property.” There were four presentations offered by speakers coming respectively from Paraguay, Israel, Spain and WIPO (for the presentations’ titles, see Appendix III). In general, these presentations, with one exception, received a good rating in the questionnaire. Because of the novelty of the subject introduced, the presentation “The National Industrial Property Administration: Mandate and Political Role; Corporate Image and the Development of Communication Strategies” elicited particular interest, as demonstrated by the comments made in the questionnaire. Conversely, comments in the questionnaire revealed that another presentation, although appreciated, was not found very useful because it dealt with issues already exhaustively discussed in other fora.

Several participants stated that they would appreciate it if the seminar offered them the opportunity to learn about specific recent or current successful experiences and developments occurring in the area of industrial property in other regions of the world, indicating, as their preferences, Europe, the United States of America but also Africa and Asia. In particular, one participant stated that briefings about showcases of Asian, African or Arab countries would allow them to identify possible opportunities for establishing contacts and, eventually, some new forms of interregional cooperation in industrial property. Along these lines, another participant proposed that selected cases of successful experiences in the field of industrial property in Latin America could be presented by WIPO in meetings held in other regions of the world. Some participants also reiterated that they would benefit from attending regional or sub-regional seminars organized by WIPO in other developed or developing regions of the world.

Interviews with some participants showed that they would favor the idea of inviting to the seminar and the roundtable, as observers, representatives of the private sector, such as members of Chambers of Commerce or executives of national or international companies. A few participants also thought that, where possible, one or more officials from the Ministry of Foreign Affairs of the host country, as well as from other Latin American countries represented in that country, should attend the seminar as observers. In their view, attendance at the seminar and the roundtable by representatives of these sectors could help to promote, beyond the sphere of the national authorities traditionally concerned with IP administration, awareness of IP issues and of the key role played by the national IP Offices of the region.

Finally, with respect to the roundtable following the seminar, most participants found it useful and instructive, although they also considered that the time was insufficient for a truly interactive debate among them, and between them and the speakers.

6. Conclusions and Recommendations

One of the lessons learned in evaluating conferences and meetings in general is that effective conferences and meetings have, *inter alia*, a great potential to offer an appropriate forum for sharing experiences and to reinforce or create new working relationships, as well as to enhance how the organizing entity is viewed by the beneficiaries of these events. Conversely, conferences and meetings which are poorly organized or which do not result in impact in some form can represent a waste of resources. Furthermore, evaluation demonstrates that, as a rule, there is a tendency to view conferences and meetings as stand-alone events and expensive undertakings, in particular those which are held outside the organizing entity's headquarters, but that, in fact, the perception of their value and impact could change if it can be demonstrated that these conferences or meetings are components of a larger strategy for a particular region or in a particular direction. With these premises in mind, the conclusions of this report are presented below.

(1) Conclusions

The evidence obtained through the evaluation findings described in Section 5 leads to the following conclusions:

(a) The meeting is *effective* as it meets its stated objectives and consequently the needs of the participants.

(b) The meeting is *relevant* since it continues to provide an essential contribution to the realization of one of the objectives of WIPO's cooperation for development program, i.e., "to facilitate cooperation among developing countries" (Sub-program 06.4 of the 2000-2001 Program and Budget), as well as to the objectives of WIPO's technical cooperation in Latin America.

(c) The meeting is *cost-effective* since it appears to be the most economical way of achieving its objectives. A brief exploration of alternatives (for instance, holding the meeting at WIPO's headquarters in Geneva) to the current format of the meeting showed that costs would inevitably be higher and outcomes might not be necessarily as positive and effective.

(d) The meeting has a direct *impact* demonstrated by the fact that the direct interaction and exchange of experiences taking place during the meeting generate changes or initiatives at the national (IP Offices), bilateral (horizontal cooperation) and sub-regional (consultations) levels. Indirectly, this process also has an impact on the other national authorities involved in the administration of industrial property, including ministries and policy makers, although the measurement of this impact is outside the scope of this evaluation. Conversely, the impact of the meeting on regional horizontal

cooperation seems to be less significant in spite of the existence of a number of formal and informal bilateral agreements deriving from contacts made by the participants at the meeting or afterwards. It has to be pointed out that the evidence collected with respect to horizontal cooperation could not be complete: this was due to the lack of fully available and regular information on this aspect, but also to the fact that to a certain extent, horizontal cooperation is an area which could be viewed by some countries as part of domestic cooperation matters.

(e) The *design* of the meeting has evolved over the years and seems to have reached a format which satisfactorily meets the expectations of the participants both from the substantive and the organizational point of views.

(f) As to the *sustainability* of the effects of the meeting, it emerged that, in the absence of such meeting, its effects might continue, although to a limited degree, at national, regional and sub-regional levels. Its effects at the regional level would, however, be the first to cease with time if another form of similar direct interaction were not found to replace that offered by this meeting. If this result may not seem encouraging since the sustainability criterion is not fully met, it reinforces the conclusion that this meeting plays, together with other forms of cooperation undertaken in the region, an essential role in ensuring the relevance of WIPO's cooperation program in Latin America.

(g) The main features of the meeting which the evaluation highlighted are that:

- it provides a unique opportunity for confidence-building, experience sharing and direct and personal interaction both among the representatives of the IP Offices themselves and between them and WIPO officials responsible for planning and implementing the cooperation program in the region;
- it is a consultative mechanism which adds transparency to the cooperation program carried out by WIPO in the region, as well as to regional horizontal cooperation;
- it is a valid tool for:
 - strengthening and harmonizing WIPO's cooperation strategy in the region;
 - reinforcing the dialogue between WIPO and its stakeholders;
 - facilitating horizontal cooperation in the region;
 - adding drive to the efforts made by the national IP Offices and WIPO to bridge the gaps between the different levels of development of the national IP Offices.

(h) The meeting benefits WIPO by helping to bring the Organization in closer contact with the region. Moreover, by providing WIPO with the opportunity to obtain direct and collective feedback from the national IP Offices about their concerns, expectations and proposals on the cooperation program, the meeting effectively enables WIPO to align its related activities with the needs and the priorities of the region.

(i) Accordingly, the meeting is a cooperation tool and a service which deserves to be improved even further for it to continue to achieve its objectives and meet the needs of its beneficiaries. The justification for continuing the meeting is supported by the

demand of its direct beneficiaries, i.e., the representatives of the national IP Offices and their positive rating on its relevance and overall efficiency.

(j) The final conclusion concerns the evaluation of this meeting. The participatory nature of the evaluation was the determining factor in the positive acceptance it received on the part of the participants and WIPO program managers concerned. Participants were directly involved in the evaluation through the questionnaire and personal interviews, and program managers through regular consultations. Indicators of this pro-active participation were that: (a) all the participants duly filled in the questionnaire – most of them exhaustively – and those interviewed had a responsive attitude; (b) program managers provided cooperative assistance to the evaluators. All expressed the conviction that the evaluation of this meeting would help to improve the planning and management of future meetings.

(2) Recommendations

(a) Recommendations Concerning the Meeting as a Cooperation Tool

It is recommended that WIPO continue to include the meeting in the planning of its future cooperation activities in the LAC region, as it has proved to be a privileged consultative mechanism which is instrumental in the overall implementation of WIPO's technical cooperation program in the region, as well as in promoting regional horizontal cooperation.

In order to maximize the relevance, efficiency and impact of the meeting, some improvements should be foreseen and, for this purpose, the following recommendations are put forward:

The meeting should be an occasion for WIPO to further promote horizontal cooperation in the region, which, together with WIPO's technical cooperation assistance, could contribute significantly in bridging the gap between the different levels of development of the national IP Offices by achieving common standards of development and infrastructures. This would ensure a more efficient and harmonized administration and protection of industrial property in the region. One initiative in this direction could be to invite participating countries to prepare draft *horizontal cooperation projects* where they identify their needs and priorities as well as possible international financing agencies other than WIPO (i.e., the World Bank) as donors for these projects. WIPO could assist in the drafting of these horizontal cooperation projects which would then be presented and discussed at the next meeting in 2001, preferably in the presence of a representative of the relevant financing agencies. In the event that these projects are approved, WIPO would further assist the countries concerned in implementing these projects, thereby acting as executing agency.

The possibility of establishing an informal follow-up mechanism for the monitoring of horizontal cooperation in the region should be explored. The feedback obtained from this follow-up would be useful both to WIPO and to the national IP Offices concerned.

The effects of the meeting at regional level might be better optimized with the creation of a "regional focal point," for instance the national IP Office of the country

having hosted the last meeting: during the year following the meeting, the “focal point” would, in close coordination with WIPO Secretariat: (a) contribute to the preparation, organization and monitoring of the follow-up of the meeting, and (b) act as a focal point for facilitating contacts and the flow, among the IP national Offices, of information pertaining to the cooperation with WIPO and horizontal cooperation. This “regional focal point” would not, by any means, represent national IP Offices nor be enabled to take any decisions on their behalf or replace the direct dialogue which they maintain with WIPO.

In addition to general orientations for WIPO’s technical cooperation program in the region, the meeting could be also used as an opportunity for identifying specific policy objectives in the area of industrial property in Latin America, including those related to the corporate image of Intellectual Property.

- (b) Recommendations Concerning the Substantive and Organizational Aspects of the Regional Meeting, the Seminar and the Roundtable, and the Media Coverage of the Meeting

The Regional Meeting

It is recommended that the meeting’s agenda should continue to be as innovative and result-oriented as possible.

It is suggested to explore the possibility to further enrich the information exchanged at the meeting by having the WIPO Secretariat provide, during the debate and when relevant, references to significant experiences of IP Offices in other regions in matters covered by the meeting agenda, for instance the “management of IP Offices.” This initiative would add a cross-regional character to the meeting and would be in line with the inevitable globalization of intellectual property issues.

Concerning the quality and quantity of the information provided in the reports submitted at the meeting:

- the WIPO Secretariat may wish to proceed to a revision of the guidelines for the submission of information provided in the national reports presented every year by the participating IP Offices in order to encourage more uniform, consistent and concise (where applicable) presentation, as well as to include more detailed information on horizontal cooperation;
- WIPO’s documents should also be distributed in electronic format (e.g., diskette, CD-ROM or e-mail) to all participants prior to the meeting. This concerns WIPO’s report on the cooperation activities carried out by the Organization in the region during the year under review and the said national reports. This measure should help to reduce the amount of paper documentation distributed at the meeting and, more important, the bulk of documents that each participant has otherwise to carry home;
- the evaluation found that the information materials related to the meetings are only available in Spanish. It is therefore suggested that, as from next year, the final report of the meeting prepared by WIPO be translated at least into English and that

the translated document be kept available for providing copies, upon request, to other countries within or outside the LAC region.

The management of the time for the debate during the meeting could be further improved so as to ensure a more balanced level of interventions, perhaps by designating a moderator (be it the Chair of the meeting or a participant chosen for the purpose) with the task of administering the floor and encouraging all the participants to speak.

It is also recommended that the size and the setting of the meeting room be chosen, if possible, with a view to optimizing the discussion and close interaction.

The Seminar and the Roundtable

The seminar and the roundtable are undoubtedly an additional valuable “asset” of the meeting as long as they remain relevant to the experience and information sharing so appreciated by the participants. However, it is recommended that the topics covered by the seminar, as well as of the presentations related thereto, should be, to the extent possible, innovative in order to avoid repetition of issues already discussed in previous meetings or in other international fora. Sometimes, the choice of speakers or their availability may present problems. For this reason, and considering that the seminar and the roundtable are allotted only one day, it is suggested that the number of presentations at the seminar be reduced. This would also provide more time for question-and-answer sessions after each presentation and for the roundtable discussions which otherwise are cut short for lack of sufficient time.

The evaluation noted that the private sector was frequently mentioned during the discussions of the meeting, and with good reason since, currently, the private sector is among the main users and beneficiaries of the IP system and, consequently, of the services offered by the national IP Offices. It is then recommended to look into the possibility of inviting as observers, but only to the seminar and the roundtable, representatives of the private sector such as members of Chambers of Commerce or executives of national or international companies selected ad hoc by WIPO in coordination with the country hosting the meeting. Where possible or appropriate, one or more officials from the Ministry of Foreign Affairs of the host country as well as of other Latin American countries represented in that country may also be considered for invitation to attend the seminar and the roundtable as observers. This may help to develop a better understanding on the part of such representatives of the key role played by the national IP Offices in the administration of IP and promote their awareness about WIPO and the international IP system. It follows that at least one of the presentations made at the seminar should deal with a theme particularly relevant to private sector interests (for instance, electronic commerce).

The seminar could also be the occasion for sharing selected and significant experiences from other regions, for instance Asia or Africa, which would be a novelty for the seminar. In this respect, it is suggested that the WIPO Secretariat conduct a brief consultation with the participants prior to the meeting to ascertain their proposals, if any.

Lastly, the same reflections made above in relation to the choice of the room for the meeting should also guide the selection of the meeting room hosting the seminar and the roundtable, if the room was not to be the same.

Media Coverage of the Meeting

The evaluation found that the media coverage afforded by the host country, El Salvador, to the last meeting was adequate and that fair efforts were made by the national IP Office of El Salvador to promote it. In order to further amplify the impact of the meeting and the seminar through the national media, the following recommendations are, however, offered:

(i) at least one week before the meeting, a press conference should be organized by the national IP Office of the host country, with a view to further sensitizing the media about the significance and the purposes of the meeting;

(ii) the scope of the press release issued by the national IP Office of the host country should not be confined to the national media of that country. Through the channel of the national IP Offices of every participating country, the same press release could also be distributed for publication by the national press of all the countries concerned by the meeting. In this connection, it is also suggested to explore the possibility to add to the national press release a separate one from WIPO for use by the media. Its text would be prepared in advance by the WIPO Secretariat and would concisely explain the basic notions of industrial property and its key role in fostering economic and technological development, together with a brief description of WIPO's profile and some of its activities (in particular, the administration of the Global Protection Systems). This initiative should be considered as part of WIPO's dissemination of information policies aimed at demystifying the role of intellectual property and enhancing the Organization's visibility;

(iii) in addition to pictures showing the opening ceremony of the meeting in the presence of the national authorities or social dinners related to the meeting, the national press should be provided, for publication, with an official picture reproducing all the participants, which gives a better visual idea of the dimension of the participation in the meeting.

(c) General Recommendations

WIPO organizes a multitude of ad hoc or series of regional meetings, but this regional meeting, with time, has been transformed into a regional institutionalized consultative mechanism. As shown by the evaluation, its success lies in the fact that it continues to meet the needs of its direct and indirect beneficiaries, thereby contributing to the relevance of WIPO's cooperation program in the Latin American region. For this reason, the meeting can be seen as a component of a larger strategy, that of the "Vision and Strategic Direction of WIPO" (see Introduction), which indicates as one of WIPO's priorities the relevance, impact and measurability of WIPO's cooperation for development activities. On the basis of all the preceding considerations, the evaluation suggests that this meeting could be seen as a good "model" for institutionalized regional consultative mechanisms among representatives of national intellectual property Offices, which WIPO could consider in other regions covered by its cooperation for development program (Africa, Arab countries, Asia and the Pacific and countries in transition) or, more generally, for policy or sectoral regional meetings of a consultative nature. This

“model” would, of course, be subject to the necessary adjustments to make it suitable to the political, economic and industrial property realities of the region under consideration.

As pointed out in the introduction to this report, this in-depth evaluation is the first effort to develop an additional internal management tool aimed at enabling the program managers responsible for cooperation activities to further fine-tune these activities. Accordingly, lessons learned from this evaluation should be taken into consideration by the program managers involved in WIPO's cooperation program. It is also hoped that the results of this evaluation could be of value to all the program managers concerned with the organization of regional meetings or similar activities under other programs administered by WIPO.

The experience of this in-depth evaluation also emphasized the usefulness of obtaining direct feedback from the beneficiaries of WIPO's services or activities about their perception of how WIPO delivers these services or plans and implements these activities. This could prompt WIPO's program managers to consider proceeding, where they have not yet done so, to a self-evaluation of the activities carried out under their programs by means of model or ad hoc questionnaires elaborated for the purpose and addressed to the beneficiaries of the activities or users of the services implemented under their program(s).

Finally, well-organized, effective and relevant meetings, be they organized at the national, sub-regional or regional level, are one of best tools with which WIPO can pursue the strategy at the basis of WIPO's vision. More specifically, such meetings contribute, together with other projects or activities, to the consolidation of the collective leadership of WIPO and the intellectual property community and to the accomplishment of the objective of WIPO's IP empowerment strategy, namely the development of an IP-minded global community.

[Appendices I to V follow]