WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

Internal Oversight Division

Reference: EVAL 2017-05

Evaluation Report

Evaluation of Capacity Development of Intellectual Property Skills

May 31, 2018

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LIST OF ACRONYMS

AIMS	Administrative Integrated Management System
ASPAC	Asia Pacific Group
BI	Business Intelligence
CD	Capacity Development
CDF	Capacity Development Framework
CDIP	Committee on Development and Intellectual Property
DA	Development Agenda
EPM	Enterprise Performance Management
ER	Expected Result
ERP	Enterprise Resource Planning
ICTD	Information and Communication Technology Department
IOD	Internal Oversight Division
IP	Intellectual Property
IPAS	Industrial Property Automation System
IPO	Intellectual Property Office
IP-DMD	IP Matchmaking Database
IP-ROC	IP Roster of Consultants Database
IP-TAD	IP Technical Assistance Database
IT	Information Technology
LAC	Latin America and the Caribbean
LDCs	Least Developed Countries
MoU	Memorandum of Understanding
MTSP	Medium-term Strategic Plan
NEG	National Experts Group
NIPS	National IP Strategies
OECD	Organization for Economic Cooperation and Development
P&B	Program and Budget
PCT	The Patent Cooperation Treaty
PMSDS	Performance Management and Staff Development System
PPBD	Program Performance and Budget Division
RBs	Regional Bureaus
RG	Reference Group
SDG	Sustainable Development Goals
SG	Strategic Goal
SMEs	Small and Medium-sized Enterprises
TISC	Technology and Innovation Support Center
ToC	Theory of Change
UN	United Nations
UNEG	United Nations Evaluation Group
WIPO	World Intellectual Property Organization

EXECUTIVE SUMMARY

1.   The Internal Oversight Division (IOD) conducted an evaluation of the Capacity Development of Intellectual Property Skills in line with its 2017 Oversight Plan.

2.   The main objective of the evaluation was to assess the relevance, effectiveness, efficiency, impact and sustainability of The World Intellectual Property Organization's (WIPO) activities focusing in developing the capacity of its Member States in Intellectual Property (IP) domain for the eight Programs included in the evaluation scope, and providing evaluative insights to assist the management in making well informed decisions.

3.   The main findings, conclusions and recommendations of this evaluation can be summarized as follows:

(a) The activities of the eight Programs under review demonstrated a variety of interventions and processes generally associated with the Capacity Development (CD) agenda, however, 99 per cent of staff from these Programs did not reference any specific CD framework. The limited awareness and use of a common CD framework leads to a certain fragmentation of CD interventions;

(b) Eight Programs under review utilize a multi-stakeholder process to a certain degree, although, uneven participation in CD activities of non-state actors and stakeholders from countries with relatively lower IP capacity, undermines the inclusiveness of CD interventions across all three CD levels;

(c) CD activities of the eight Programs under review are aligned with relevant Expected Results (ERs). However, an in-depth review of WIPO program documentation found that the CD agenda was not always explicitly mentioned in the organization's strategic and they are not considered through the three-level CD framework (policy/legal, institutional, and individual);

(d) Inter- and intra-institutional partnerships are key factors affecting CD success and knowledge transfer arrangements for new and emerging IP topics;

(e) The absence of a synchronized digital repository of CD interventions hampers Program staff in efficiently accessing the relevant data on CD implementation and potentially impedes planning and routine verification of CD progress over time;

(f) The gender parity aspect is not systematically taken into account during the planning and implementation of CD activities. Currently, considerations of gender parity do not have sufficient traction in WIPO's CD strategic planning work;

(g) WIPO employs a budget ceiling approach when organizing national and international CD events to ensure the efficient allocation of financial resources. While standardization can increase efficiency in some areas, it prevents sometimes countries with higher living costs (e.g. some countries in the Arab region) from implementing certain activities (e.g. hiring an adequate number of qualified translators or covering the costs of training venues at local market prices);

(h) The continuity of CD activities implemented by the eight WIPO Programs under review is beyond the management scope of WIPO staff and is governed mainly by external factors (national staff turnover, change in national priorities, HR and

financial constraints). The positive impact of WIPO CD work is merely based on output-level data and not on evidence from medium- and long-term effects.

4.   The evaluation report makes the following four recommendations:

(a) In collaboration with the Program Performance and Budget Division (PPBD) consolidate a Capacity Development Framework (CDF) to design, implement, monitor, manage and assess capacity development in WIPO Programs. This CDF could serve as a step-by-step guide to the planning, implementation, and assessment of Programs designed to address the IP needs of Members States. The existing document on "Menu/catalogue of activities and services offered by WIPO" could be used as a starting point for this exercise.

(b) In collaboration with the Information and Communication Technology Department (ICTD) consolidate an Information Technology (IT) architecture that brings together the present databases and repositories on CD (the automated IP Technical Assistance Database (IP-TAD) on technical assistance) and Business Intelligence (BI) (Enterprise Performance Management (EPM), Administrative Integrated Management System (AIMS), and E-work). This will constitute a consolidated digital repository of WIPO's CD activities. This improved platform could include data on participants of WIPO events (including non WIPO financed participants). The digital repository would form a consolidated corporate digital library on CD activities implemented and would also serve as an intersection of interest for the WIPO community of practices.

(c) The Development Sector should consider providing guidance on the elaboration and the adoption phases of National IP Strategies (NIPS) based on best practices, covering procedural and substantive matters. Overall, this guidance should serve as a practical guideline for WIPO to accompany the process of elaboration and the adoption phases of NIPS that will increase the chances of effectiveness during the implementation process.

(d) The eight Programs under review need to include gender aspects in their activities and develop gender-sensitive indicators to address gender perspectives in a sustainable manner, as recommended by the WIPO's Policy on Gender Equality.

1.   BACKGROUND

5.   In 1996, the United Nations (UN), through the UN General Assembly Resolution A/RES/50/120 Article 22, declared CD as an essential path through which development occurs (and as an essential part of the operational activities of the UN system at the country level), and not only as a strategy for development (ANNEX I).

6.   WIPO implements extensive CD activities delivered to build institutional and human resources capacity of its Member States for administering, managing and using IP. CD interventions are carried out through Programs in every sector of the Organization (Figure 1) and are shaped by the objectives to be achieved, the target groups and the level of knowledge already available. However, the evaluation covers only eight Programs as described in the scope section of this evaluation.

Figure 1: WIPO Capacity Development Agenda across Sectors

Source: IOD/WIPO Data, 2017

7.   Overall, the WIPO's CD agenda incorporates three different intervention levels:

(a)   **Macro level** - covering legal, policy, and administrative support provided to the Member States and certain intergovernmental organizations;

(b)   **Meso (organizational) level** - focusing on providing guidance on the requisite preparatory work, such as change management leadership, legislation, organizational and institutional considerations, procedural and operational issues, IT automation and community changes; and

(c)   **Micro (individual) level** - offering various trainings in legal, technical and practical aspects of IP, the use of the Patent Cooperation Treaty (PCT), and the Madrid, Hague and Lisbon systems.

8.   It is noteworthy that global IP systems[1] account for 94 per cent of the revenue of the Organization. Thus, the continuous development of IT environment for the global IP systems remains a priority for the Organization in order to improve productivity, to enhance the level of service provided to users, contain costs and maintain the competitiveness of the systems.

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[1] The PCT, the Madrid System for the international registration of marks (the Madrid System), the Hague System for the international registration of designs (the Hague System), the Lisbon System for the international registration of appellations of origin and geographical indications (the Lisbon System), and the WIPO Arbitration and Mediation Center.

9.   The PCT System of WIPO covers 152 Contracting States[2] and was developed mainly to assist applicants in securing patent protection for their inventions simultaneously in a large number of countries by filing a single "international" patent application instead of filing several separate national or regional patent applications[3]. It also helps patent offices with patent decisions and facilitates public access to information related to inventions.

10.   The Madrid System was developed to enable trademark holders to register and manage trademarks in 117 countries (101 Contracting Parties)[4] (which engage in over 80 per cent of world trade) though filing a single application. The Madrid System offers e-services to help applicants to complete and verify the list of goods and services to be covered by their international trademark registration through Madrid Goods and Service Manager (MGS)[5], to estimate costs, through the fee calculator, to access information on the practices and procedures of Madrid System members through its Member Profile Database[6] and to keep track of their international registrations through the Madrid Monitor database.

11.   The Hague System presents a business solution for registering and managing industrial designs internationally in over 66 contracting parties[7] through filing one single international application.

12.   The Lisbon System is an international system for appellations of origins which provided protection for an appellation of origin in the contracting parties to the Lisbon Agreement through one single registration. This registration is accessible through the Lisbon Express database[8].

13.   WIPO also develops the capacity of its Member States through regional bureaus[9], and WIPO's dispute resolution services which are provided through the WIPO Arbitration and Mediation Center[10]. Established in 1994, the Center offers Alternative Dispute Resolution options, including mediation, arbitration, expert determination, and domain name dispute resolution, to enable private parties to efficiently settle their domestic or cross-border IP, technology, and related commercial disputes. The Center offers training programs for IP officials, practitioners, including potential mediators and arbitrators, and students. These trainings are conducted in line with Development Agenda (DA) Recommendations 1[11] and 6[12] and contribute to the implementation of Recommendation 10[13] of the DA by ensuring that developing countries and the Least Developed Countries (LDCs) have enhanced institutional capacity to efficiently, fairly and cost-effectively resolve IP disputes.

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[2] http://www.wipo.int/pct/en/pct_contracting_states.html
[3] The granting of patents remains under the control of the national or regional Patent Offices in what is called the "national phase".
[4] http://www.wipo.int/export/sites/www/treaties/en/documents/pdf/madrid_marks.pdf
[5] https://webaccess.wipo.int/mgs/index.jsp?lang=en
[6] http://www.wipo.int/madrid/memberprofiles/#/
[7] http://www.wipo.int/hague/en/members/
[8] http://www.wipo.int/ipdl/en/search/lisbon/search-struct.jsp
[9] Regional Bureau for Africa, Regional Bureau for Arab countries, Regional Bureau for Asia and the Pacific, Regional Bureau for Latin America and the Caribbean.
[10] http://www.wipo.int/cooperation/en/capacity_building/; http://www.wipo.int/amc/en/index.html
[11] Recommendation 1: "WIPO technical assistance shall be, inter alia, development-oriented, demand-driven and transparent, taking into account the priorities and the special needs of developing countries, especially LDCs, as well as the different levels of development of Member States and activities should include time frames for completion. In this regard, design, delivery mechanisms and evaluation processes of technical assistance programs should be country specific".
[12] Recommendation 6: "WIPO's technical assistance staff and consultants shall continue to be neutral and accountable, by paying particular attention to the existing Code of Ethics, and by avoiding potential conflicts of interest. WIPO shall draw up and make widely known to the Member States a roster of consultants for technical assistance available with WIPO".
[13] Recommendation 10: "To assist Member States to develop and improve national intellectual property institutional capacity through further development of infrastructure and other facilities with a view to making national intellectual property institutions more efficient and promote fair balance between intellectual property protection and the public interest. This technical assistance should also be extended to sub-regional and regional organizations dealing with intellectual property".

2.   **WHAT IS BEING EVALUATED?**

(A)   EVALUATION OBJECTIVES

14.   The purpose of this formative[14] evaluation was to assess WIPO's CD approaches aimed at improving and maximizing the transfer of knowledge and skills to Member States and enhancing their institutional capacity to administer, manage and use IP. The evaluation also assessed the achievements and limitations of the WIPO CD agenda to assist the management in making well-informed decisions in the CD domain of WIPO's activities.

15.   The evaluation did not measure the attribution but rather the contribution of WIPO's interventions to the factors that influence CD results. The objectives of this formative evaluation are as follows:

(a)   Gauge the user satisfaction level and the quality of CD activities being implemented in the IP skills domain;

(b)   Assess the relevance, effectiveness and efficiency of CD approaches and modalities, and contributions made by the WIPO towards developing IP skills of external stakeholders with a long-term sustainable view linked to the WIPO's organizational objectives;

(c)   Address the process of identification of needs and approaches aimed at developing existing capacities in a sustainable manner; and

(d)   Draw lessons and provide recommendations to improve the design, coordination and delivery modalities of the WIPO's CD interventions, as well as the sustainability of benefits derived.

(B)   SCOPE, METHODOLOGY AND LIMITATIONS OF THE EVALUATION

16.   The evaluation covered WIPO's CD activities in the eight Programs included under the scope and its Expected Results as defined in the WIPO Mid-Term Strategic Plans (MTSP) and Program and Budget (P&B) documents between 2014 and 2017. All references, findings and conclusions to CD in this report **should be considered exclusively within the scope of the eight Programs under review**.

17.   The evaluation used previous evidence from previous oversight exercises to cover as much scope as possible within the limits of time and resources of the evaluation. More specifically, it assessed WIPO's CD interventions implemented across the three WIPO Sectors selected on the basis of consultations with internal stakeholders: the Patents and Technology Sector, the Brands and Design Sector, and the Development Sector. The aforementioned Sectors contribute to three Strategic Goals (SG)[15]:

(a)   SG I – Balanced Evolution of the International Normative Framework for IP;

(b)   SG II – Provision of Premier Global IP Services; and

(c)   SG III – Facilitating the Use of IP for Development.

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[14] According to the Organization for Economic Cooperation and Development (OECD) Glossary of Key Terms in Evaluation and Results Based Management, formative evaluation is intended to improve performance, most often conducted during the implementation phase of projects or programs.
[15] Evaluation of SG VI: International Cooperation on Building Respect for Intellectual Property was conducted in 2014.

18. In this regard, the evaluation engaged with eight Programs operating under the aforementioned Sectors (Figure 2). The evaluation also heeded partnership and coordination praxis among the relevant WIPO Programs, external stakeholders and national IP institutions. Moreover, the evaluation also assessed if CD interventions can be replicated in other contexts. A summary of Strategic Goals, Expected Results and Performance Indicators of the targeted programs is provided in ANNEX II.

Figure 2: WIPO Programs Addressed[16]

Patents and Technology Sector	•The PCT System: **Program 5** •WIPO Arbitration and Mediation Center: **Program 7**
Brands and Design Sector	•Trademarks, Industrial Designs and Geographical Indications: **Program 2** •Madrid System: **Program 6** •Hague System: **Program 31** •Lisbon System: **Program 32**
Development Sector	•Deveopment Agenda Coordinations Division: **Program 8** •Africa, Arab, Asia and the Pacific, Latin America and the Caribbean Countries, Least Developed Countries: **Program 9**

Source: IOD/WIPO Data, 2017

19. The WIPO Academy (under the Development Sector) was excluded from this evaluation exercise since the WIPO Academy was audited by IOD in 2015.

20. In order to identify what specific aspects of the CD process the evaluation should focus on, the evaluation team reconstructed the theory of change (ToC) (ANNEX III). During the inception phase, the evaluation team was able to refine the ToC content, based on the outcome of the first interviews held with WIPO staff in Geneva. The retrospective ToC was instrumental in both describing how WIPO CD works and illustrating what are the conditions (herewith referred to as pre-conditions) that need to be in place for CD-related short-term results to lead to long-terms results and what are the factors that contribute the successful completion of the corresponding objectives (herewith referred to as drivers).

21. The evaluation applied the United Nations Evaluation Group (UNEG) criteria on relevance, efficiency, effectiveness, impact and sustainability. In this regard, the evaluation aimed at providing answers to key questions (ANNEX IV) to assess whether the organization delivered and continues to deliver the right things in the right way, and to identify key lessons in this regard.

22. Consistent with the UNEG Guidelines on the integration of gender and human rights, this evaluation also assessed the extent to which the planning and implementation of the different CD approaches and modalities under review have taken gender into consideration. However, far from confining the gender dimension to a single question, the evaluation team adopted a broader gender lens in all of its data collection and analysis endeavors.

23. The primary users of the evaluation results will be the Senior Managers of the three targeted Sectors (the Patents and Technology Sector, the Brands and Design Sector, and the Development Sector) as well as the Director General. The evaluation results will also be communicated to external stakeholders (Non-Governmental Organizations; IP authorities; business sector; academia and students; patent attorneys and IP law firms; and other relevant parties), WIPO Member States and the contracting states of relevant agreements.

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[16] http://www.wipo.int/about-wipo/en/activities_by_unit/

24.   The limitations encountered by the evaluation team are listed below:

(a)   Although budget figures in Program Performance Reports were grouped by Expected Results for each one the eight Programs under review, the lack of an explicit link between the results in question and CD did not always allow the team to capture the magnitude of CD funding across the three levels (macro, meso, micro)[17] exhaustively.

(b)   The turnover among staff in national IP offices as well as the lack of a systematic collection of CD program participants' contact information made the surveys sampling frame narrower than expected. The evaluation team made proper efforts to reach out to larger pool of participants to get a representative sample.

(c)   Programs under review did not often include CD-specific sections, which made the analysis of secondary data (e.g. of budget and performance reports) more challenging[18].

(d)   The findings on the relatively eschewed targeting of the eight Programs under review do not necessarily apply to the rest of the Organization.

(C)   KEY STAKEHOLDERS

25.   The evaluation team closely collaborated with the Reference Group (RG) composed of key staff from three Sectors (the Development Sector, Patent and Technology Sector and Brands and Design Sector) of WIPO selected for this evaluation. The RG provided technical input and feedback on the different stages through the evaluation including the TOR and the final report.

26.   In the course of the evaluation, the team reached out to the following clusters of internal and external stakeholders:

(a)   Hundred and twenty one representatives of 48[19] WIPO Members States and National Intellectual Property Offices (IPO).

(b)   Thirty one WIPO staff members across eight Programs within the scope of the evaluation.

27.   Of the 121 Member State and IPO representatives who responded to the CD of IP skills survey, 52 per cent (63) disclosed their region of origin. Of those respondents, the largest regional representation was comprised of countries in Latin America and the Caribbean and Central and South Africa, followed by Europe and Eastern Europe.

28.   Of the 52 per cent (63) of survey participants who reported their country of origin, a significant portion of respondents (29 per cent) were from developing economies. There was nearly an equal representation between the developed (8 per cent) and least developed economies (7 per cent), of those who reported their country of origin. Overall, the survey received responses from a good diversity of countries in various stages of development.

29.   Of the Member States and IPO representatives who participated in the evaluation survey, 53.7 per cent (65) reported their affiliation (Figure 5). Of these respondents, the largest proportion was comprised of National IPO representatives (45 percent). Government representatives such as Permanent Missions and Ministries of Foreign Affairs and Economic Development made up approximately 6 per cent of the survey respondents who reported their

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[17] See paragraph 3, pg 7.
[18] For instance, the concept of technical assistance – generally associated with that of capacity building, as per the list of the related DA recommendations (Cluster A) – often overlapped with that of CD.
[19] This figure underestimates the number of Member States consulted as 58 of the 121 respondents (48%) chose not to disclose their country of origin.

affiliation. Again, it should be noted that a data limitation to conducting this analysis is that 48 per cent of external stakeholder respondents did not disclose their country of origin. The geographic coverage representation and the professional affiliation of the survey respondents are presented in ANNEX V.

30.   The geographical and development classification analysis of survey respondents was conducted based on the country classifications found in the UN World Economic Situation and Prospects 2014 report. The countries were given the opportunity to submit more than one survey response, in which case their feedback was weighted and averaged accordingly to inform the evaluation's findings.

31.   A comprehensive list of internal stakeholders (WIPO staff) interviewed is provided in ANNEX VI.

3.   **FINDINGS**

   (A)   RELEVANCE

   "*The extent to which the objectives of an intervention are consistent with beneficiaries'*
      requirements, country needs global priorities and partners' and donors' policies".

32.   The first part of this section provides a succinct summary of the key findings on relevance. The second part analyses and further discusses the current state of CD of the Programs evaluated, including definitions, organizational processes, and coordination.

Key Evaluation Questions on Relevance:

1.1   To what extent has WIPO identified the right needs (including emerging needs) and audiences for its CD interventions?

1.2   To what extent have WIPO's CD interventions addressed the needs of national IPO and other relevant parties (stakeholders)?

1.3 To what extent have WIPO's CD interventions been aligned with the Organization's strategic agenda?

Key Findings:

Finding 1: The activities of the eight Programs under review demonstrated a variety of interventions and processes generally associated with the CD agenda, however, 99 per cent of staff from these Programs did not reference any specific CD framework[20] (policy/legal, institutional, and individual)

Finding 2: Sixty-four per cent of online survey respondents from Member States, two-thirds of the WIPO staff interviewed and an in-depth review of WIPO's Program documentation confirmed that WIPO has been assessing and addressing IP-related needs of the state sector more effectively than that of representatives of the private sector and academia in 2014-2017.

Finding 3: Since 2013, the number of CD activities implemented in countries with a relatively lower IP capacity has increased making WIPO's work more inclusive and development-oriented.

Finding 4: Over two–thirds of internal stakeholders interviewed stated that WIPO's CD activities contributed to the Organization's strategic objectives and to the development needs of Member States.

(Linked to Conclusions 1 and 2).

33.   Ninety-nine per cent of WIPO staff[21] interviewed did not make reference to any specific three-level CD framework[22] that inspires their work, but instead listed a variety of generic strategies and activities which they incorporate into their respective Programs on an *ad hoc* basis in order to increase the capacity of external stakeholders. One-third of the WIPO staff defined CD as merely a form of technical assistance related to the transfer of technologies, the provision of technical equipment and access to digital platforms. Another one-third of respondents categorized CD as being comprised of training programs, workshops and seminars. The remaining stakeholders provided a broader and more systemic definition of CD[23]. It is noteworthy that 90 per cent of the Program Directors and Managers interviewed agreed that a well-articulated and cohesive CD framework may indeed contribute to the success of their respective initiatives.

34.   The vast majority (over 74 per cent) of external stakeholders[24] indicated that the WIPO successfully identified the IP-related needs of the state sector. However, when asked to rate WIPO's ability to identify the IP-related needs of non-state actors, respondents were less positive: only 45 per cent confirmed that the Organization had done a good job in capturing the private sector's needs, while only 40 per cent believed that the non-profit sector's needs had been adequately identified during the planning phase of CD activities across the eight Programs under review (Figure 3). The very similar observation was confirmed by WIPO Program managers and directors, 90 per cent of whom, when responding to the online survey, highlighted that the Organization's CD work was carried out among governmental entities mainly and that their respective needs are generally identified through the following practices:

    (a)   Bilateral discussions held at the margin of the General Assembly which are followed up by communication and inputs into the annual work plans of International Bureaus;

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[20] See paragraph 3, pg 7.
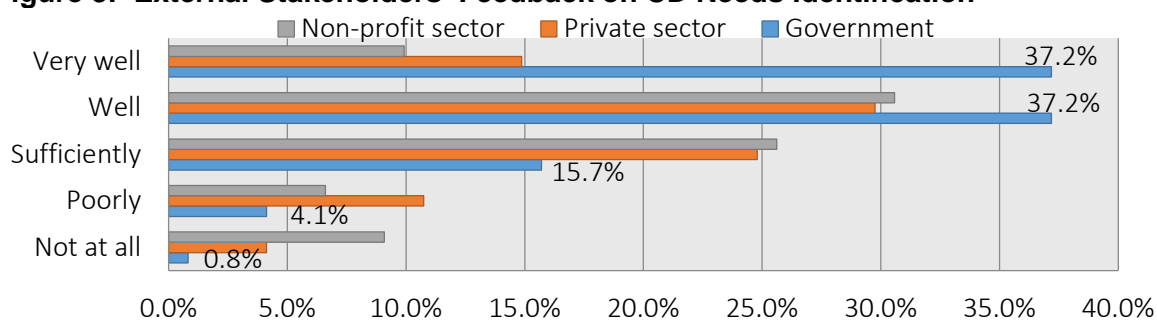[21] The staff of eight Programs under review
[22] See paragraph 3, pg 7.
[23] A process encompassing a variety of activities targeting a large number of beneficiaries (from institutions to individual users) within any given country.
[24] Hundred and twenty one responses in total.

(b)   Awareness-raising programs (e.g. on Madrid System and IP rights) delivered to national and regional audiences;

(c)   Capacity-building activities (e.g. workshops, trainings, study visits);

(d)   Electronic fora on the WIPO website, online surveys and informal discussions between state entities (e.g. IPOs and the relevant ministries) and WIPO Program staff;

(e)   The requested received from the government representatives (e.g. Ministries of Foreign Affairs Staff or Permanent Delegations).

(f)   Further formal needs assessment and/or advisory missions organized with WIPO support.

Figure 3: External Stakeholders' Feedback on CD Needs Identification

Source: IOD Data, 2018

35.   The analysis of documents and reports produced by the eight Programs under review demonstrated that the majority of meso- and macro-level[25] events and missions organized by the Programs were concentrated in countries with either existing IP infrastructure or a demonstrated potential for IP sector growth. A clear illustration of this is provided by Program 31 (the Hague System) of which the CD work targets countries with either high national design usage or better capacity and greater likelihood to access the Hague System; and by Program 6 (Madrid System), Program 2 (Trademarks, Industrial Designs and Geographic Indications) and Program 5 (the PCT System) of which the respective CD work is geared towards countries with a stronger presence of larger and innovative businesses (mainly located in Europe and Asia) as well as higher rates of patent filing and trademark registration rates. However, the digital services offered by the aforementioned Programs are open to all interested parties with adequate institutional capacity.

36.   WIPO's CD micro-level[26] activities undertaken by the eight Programs under review are implemented globally, covering both industrialized and developing economies. The target audience varied depending on the specifics of services offered by each WIPO Program. As an example, the micro-level events (training programs and workshops) organized by Program 6 (Madrid System) between 2015 and 2017, most targeted countries were located in Europe and North America[27] (43), followed by countries in the Asia Pacific Group (ASPAC) (33) and Latin America and the Caribbean (LAC) (10) regions. The list of Program 6 missions carried out between 2015 and 2017 also confirmed that CD work was mostly carried out in industrialized countries (58 missions) and ASPAC countries (42 missions). Missions were specifically targeted toward countries with a relatively high rate of trademark registration[28]. Likewise, the majority of CD missions and events organized by Program 31 (totaling 139) targeted industrialized countries (Figure 4).

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[25]   See paragraph 3, pg 7.
[26]   See paragraph 3, pg 7.
[27]   Over a third of the events were held at WIPO Geneva.
[28]   These were the countries where the implementation of the Madrid Protocol or the upcoming accession to the related treaty confronted the national IPOs with an unusually large volume of operational issues.

Figure 4: Targeting Events of Program 6 and 31 (2015-2017)
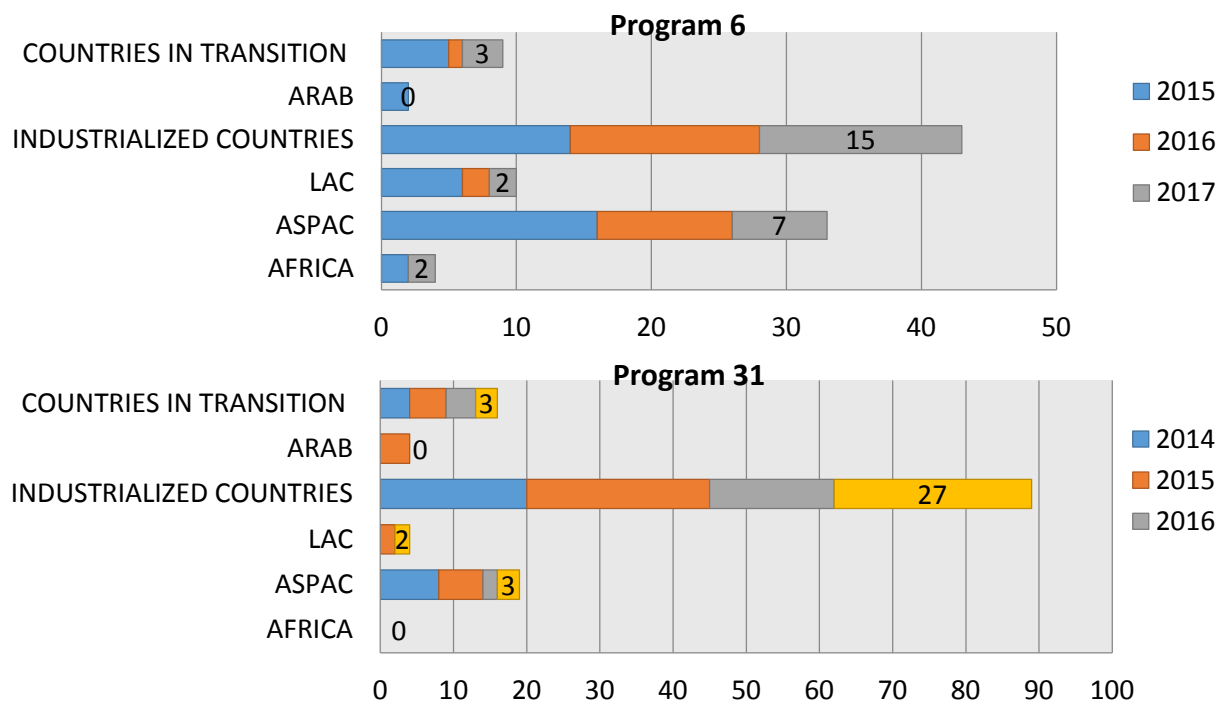
Source: WIPO Data[29], 2017

37.   The number of CD activities implemented in countries with a relatively low IP capacity has grown since 2013. This change is pursuant to the need to make WIPO's work more inclusive and development-oriented and is in line with the new Mid-Term Strategy[30], the DA recommendations[31] and the Sustainable Development Goals (SDGs) agenda[32] (since 2015). This is also the case for the capacity-building and technical assistance activities promoted by the Regional Bureaus[33] (RBs) under Program 9[34] as well as for the DA projects implemented by different Programs between 2014 and 2017 (34 implemented in total since 2010)[35]. The creation of over 519 Technology and Innovation Support Centers (TISCs)[36] in 59 Member States (most of which are developing countries) addressed Recommendation 8 of the DA[37] and allowed for technical assistance activities to be aimed at enhancing greater access to patent information for IPOs better tailored to meeting the needs of many countries in the African, ASPAC, and LAC regions.

38.   The increased targeting of developing countries in CD programs was also observed within the rest of the Organization. Although the WIPO Academy is not formally included in the review of this evaluation, the evaluation team noted that of the total number of WIPO Academy course participants in 2016, a total of 55,586 came from developing countries, least developed countries and countries with economies in transition[38].

39.   When asked to name the new emerging needs that future CD work should address, nearly 30 per cent of the respondents (among Member State delegations' representatives and IPO

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[29] Adapted from Program 6 list of events and missions
[30] WIPO MTSP for 2016-2021.
[31] http://www.wipo.int/ip-development/en/agenda/recommendations.html
[32] http://www.un.org/sustainabledevelopment/development-agenda/
[33] Which are, in principle, responsible for the development of IP strategies and the provision of capacity building for all countries falling under their regional of competence.
[34] Program 9: Africa, Arab, Asia and the Pacific, Latin America and the Caribbean Countries, Least Developed Countries.
[35] For more details on DA project, see http://www.wipo.int/ip-development/en/agenda/projects.html
[36] http://www.wipo.int/edocs/pubdocs/en/wipo_tisc_report_16.pdf
[37] "Facilitate the national offices of developing countries, especially LDCs, as well as their regional and subregional intellectual property organizations to *access specialized databases*…"
[38] WIPO Academic 2016 Year in Review, http://www.wipo.int/edocs/pubdocs/en/wipo_academy_review_2016.pdf

staff) recommended the implementation of more CD activities (including the introduction of automated filing and registration procedures) specifically aimed at both the private sector and academia. Moreover, 25 per cent of the survey respondents indicated that more CD activities should be implemented for the benefit of IP lawyers, judiciary branch employees, police and customs inspectors, members of parliaments, university officials, and TISC officials. Online survey respondents also recommended the conducting of training on several topics for future consideration, including forgery, piracy, mediation in collective management, regional coordination of industrial property administration, commercialization and valuation of IP assets, artificial intelligence and IP.

40.   When asked how the identification of audience and IP needs could be improved in the future, WIPO Program Directors and Managers suggested the following strategic options:

(a)   The timely updating of the list of Points of Contact at the country-level;

(b)   The strengthening of internal coordination (across different WIPO Programs working in the same countries) and external cooperation[39];

(c)   The introduction of more flexibility in planning and updating work-plans and a more integrated approach to CD interventions;

(d)   The improvement of consolidated databases on CD activities and experts among WIPO programs;

(e)   Strengthening efforts to involve more non-state participants in the WIPO's CD interventions; and

(f)   A more systematic use of evaluations (self-evaluations and external independent evaluations) and needs assessment.

41.   Nearly two-thirds (64 per cent) of external stakeholders also stated that WIPO's CD activities adequately addressed the needs of national IPOs and other relevant stakeholders, while only 10 per cent stated that the needs had been either poorly addressed or not addressed at all (Figure 5).

Figure 5: External Stakeholders' Feedback on Addressing their Needs
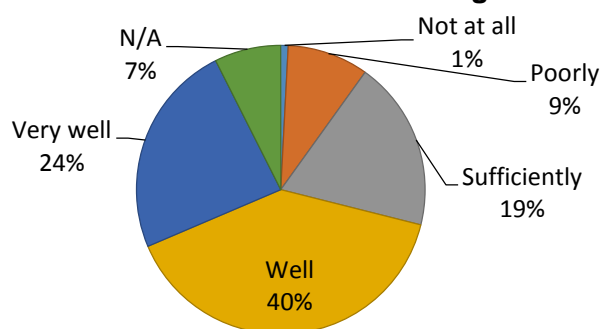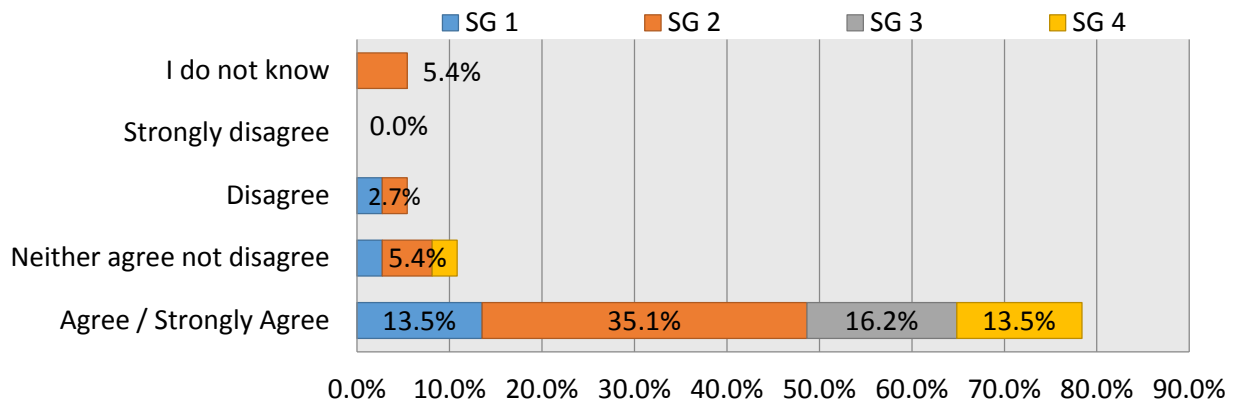

Source: IOD Data, 2018

42.   Seventy eight per cent of the survey responses (among WIPO staff) confirmed that the WIPO contributed to the Organization's strategic agenda[40] (Figure 6). Furthermore, according

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[39] Activities co-funded by other donors.

[40]   SG 1: Contributed to balanced evolution of the international normative framework for IP; SG 2: Ensured provision of premier global IP services; SG 3: Facilitating the use of IP for development; SG 4: Coordination and development of global IP infrastructure

to the majority of WIPO Program[41] Directors and Managers, CD activities represent a means to fulfill not only the Organization's SGs but also, and most importantly, the Member States' national development needs. This was also echoed by both the review of the national IP strategies developed by the Member States (with the assistance of WIPO experts), and an in-depth analysis of samples of training curricula.

Figure 6: WIPO Staff's Feedback on CD's Contribution to WIPO's Strategic Agenda

Source: IOD Data, 2018

43.   Overall, most of the CD activities implemented in the past by the eight Programs under review have targeted in-country institutions through the implementation of a specific DA project[42] or the signing of a Memorandum of Understanding (MoU) with national governments. Some Programs (e. g. Programs 2, 5, 6, and 32) have implemented CD activities geared towards the promotion of and enabling environment of IP especially in countries that were either about to accede to, or have just acceded to the specific System Treaty[43]. However, on the basis of the feedback received from the WIPO staff, the approach aimed at influencing national IP policies did not always trigger the systematic implementation of complementary activities at all three CD levels[44] (e.g. the organization of events aimed at increasing IP awareness among national users association and innovation labs, or enabling IP professionals to discuss the international treaty and adapt its provisions to the national context before a new national legislation was introduced). According to half of WIPO Directors and Managers interviewed, this shortcoming was due to the lack of not only a CD three-level[45] strategy but also of sufficient resources to implement CD activities at all three levels.

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[41]   Eight Programs under review.
[42]   E.g. the case of adopting a proposal from the republic of Korea for a new pilot project in Argentina and Morocco (launched in 2014) aimed at unlocking the design potential in developing and LDCs; 68 beneficiary SMEs had been selected (42 in Argentina and 26 in Morocco) to participate.
[43]   Program 2 staff, for instance stated that its CD work explicitly enhance in-country capacity to adopt a Design Law Treaty (a macro-level CD intervention) between 2015 and 2017 as a way to enhance design protection among Member States.
[44]   See paragraph 3, pg 7.
[45]   See paragraph 3, pg 7.

Key Conclusions:

Conclusion 1: The limited awareness and use of a common CD framework (policy/legal, institutional, and individual) leads to a certain fragmentation of CD interventions and affects synergies and systematic implementation of CD projects at all three CD levels[46] across the Programs under review.

Conclusion 2: Eight Programs under review utilize a multi-stakeholder process to a certain degree, although, uneven participation in CD activities of non-state actors and stakeholders from countries with relatively lower IP capacity, undermines the inclusiveness of CD interventions across all three CD levels.

(Linked to Recommendations 1 and 2)

    (B)   EFFECTIVENESS

       "A measure of the extent to which an aid activity attains its objectives".

44.   The first part of this section provides a succinct summary of the key findings and conclusions on the effectiveness of CD activities of eight Programs under review. The second part analyses and further discusses the key factors affecting the performance of WIPO CD work, the major achievements attained by each one of the eight Programs under review and factors affecting the implementation of CD activities.

Key Evaluation Questions on Effectiveness:

2.1   To what extent have WIPO's CD activities and programs attained their intended results?

2.2   What are the factors (internal/external to WIPO) that contributed to the successful completion of the CD activities and programs?

2.3   What are the factors (internal/external to WIPO) that hampered the attainment of the CD activities and programs' envisaged objectives?

2.4   To what extent have the WIPO's CD interventions contributed to improving and maximizing the transfer of knowledge, skills and capacities to Member States for the enhancement of institutional capacity in countries to administer, manage and use IP?

2.5   How did the CD interventions address gender balance issues?

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[46] See paragraph 3, pg 7.

Key Findings:

Finding 5: Sixty-four per cent of survey responses from WIPO staff affirmed that WIPO CD activities contributed to the ERs relevant for each Program and only 15 per cent disagreed with this statement. However, an in-depth review of WIPO Program documentation found that the CD agenda was not always explicitly mentioned in the Organization's strategic documents.

Finding 6: Both internal and external stakeholders identified some common endogenous and exogenous factors affecting the CD agenda, such as: fragmented coordination with internal and external parties, limited HR and financial resources, high turnover of external stakeholders resulting in changes in policies and strategic priorities at the local levels.

Finding 7: WIPO staff uses formal (online platforms) and informal (emails, meetings) information exchange channels to stay updated about CD interventions across the house, although, there are cases of the staff manually tracking the implementation status of the planned CD activities.

Finding 8: In 2014-2016, WIPO provided support in developing 46 NIPSs aimed at generating economically valuable IP assets and serving as an entry point for further CD interventions in developing countries and LDCs.

Finding 9: Over 50 per cent of external stakeholders confirmed WIPO's contribution in building local capacities for the administration (63 per cent), management (58 per cent) and usage (52 per cent) of IP.

Finding 10: As reported by WIPO staff and Member States, gender parity is not adequately considered in CD planning and implementation. Only four out of eight Programs under review demonstrated gender-related reference in the planning and implementation phases of their activities.

(Linked to Conclusions 3,4, 5 and 6)

45.   An in-depth review of the eight WIPO Programs' work-plans confirmed that all CD activities in 2014-2017 were aligned with different ERs of the Organization. However, according to the feedback received from the staff of the eight Programs under review, CD is not always explicitly mentioned in the Organization's strategic documents. Clustered around specific ERs, CD activities had not always been reviewed through the prism of three-level (policy/legal, institutional, and individual) CD framework[47] to measure the contribution of CD activities to the attainment of the corresponding ER at each level. Overall, 64 per cent of the survey responses affirmed that WIPO's CD activities contributed to the ERs relevant for each Program and only 15 per cent disagreed with this statement (Figure 7).


[47] See paragraph 3, pg 7.

Figure 7: WIPO Staff Feedback on CD's Contribution to ERs
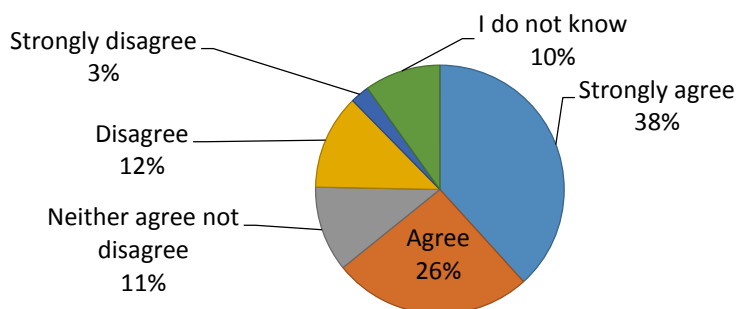
Source: IOD Data, 2018

46.   A review of WIPO programmatic documents revealed that the eight Programs under review completed 1509 CD activities out of the 3432 planned in 2014-2017, which equates to 44 per cent (Figure 8). When asked for reasons why the CD activities planned at the macro level (legal and policy framework), meso level (institutional) and micro level (capacity building) had been cancelled, Program staff mentioned the following variety of external factors: (i) the recipient country did not follow up and did not send an official request to WIPO; (ii) there was a change in the Member State's priorities; (iii) there was an overlap of similar events due to a lack of adequate coordination; (iv) the related costs and non-personnel budgetary constraints; and (v) the unavailability of human resources.

Figure 8: CD Activities of eight WIPO Programs (2014-2017)
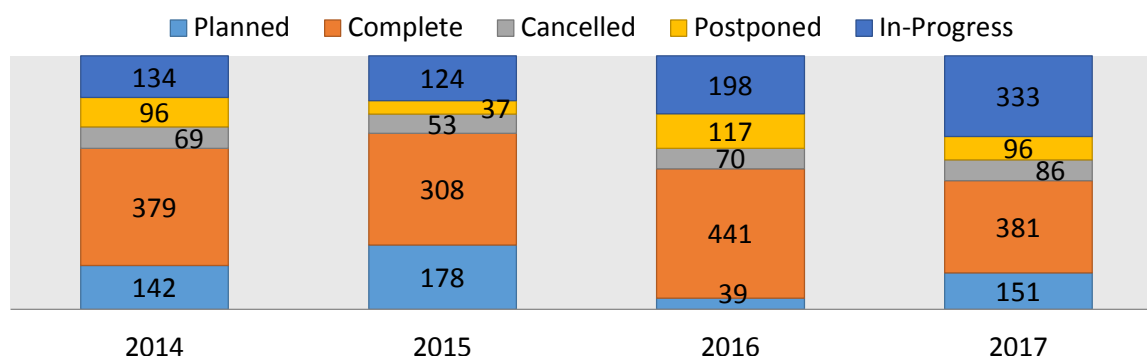
Source: WIPO/IOD Data, 2017.

47.   Most of WIPO's CD work in the eight Programs under review consisted of organizing educational events and transferring knowledge to staff working in national IPOs and relevant ministries. In certain cases, such as in the case of Program 7, workshops were also aimed at a particular niche (e.g. potential mediators, arbitrators, and party counsel). Furthermore, a number of awareness-raising initiatives were undertaken to promote the understanding of emerging IP topics or newly-created registration systems. This was the case for 50 activities[48] organized in 24 countries[49] between 2016 and 2017 to promote a better understanding of the newly-created Lisbon System (Program 32), often on a cost-sharing basis between Program 32 and Program 2[50]. In Member States where the IP segment is not fully developed yet but there

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[48] 23 out of the 50 were "third-party events" organized by external parties and co-funded by WIPO.
[49] In 2016, the majority of activities were implemented in Europe (11 activities in total). The rest of activities were distributed as follows: five at WIPO HQ, five in Africa, two in LAC, and one in ASPAC. In 2017, the majority of activities were implemented in Europe (10 activities in total), Africa (five activities in total) and WIPO HQ (four). The LAC and ASPAC regions had two and three events respectively.
[50] Trademarks, Industrial Designs and Geographic Indications.

is interest to increase the use of IP, a number of awareness-raising initiatives have been implemented either as WIPO stand-alone activities or joint activities[51].

48.   It is noteworthy that the PCT, Madrid, Hague and Lisbon systems are core services and income-generating businesses of WIPO contributing to the SG II, Provision of Premier Global IP Services [52](ANNEX VII). In 2016, PCT and Madrid services generated 75 and 15 per cent of WIPO's total revenues[53]. Meanwhile, The Hague and Lisbon systems recorded lower income generation (4,956 and 25 thousands of Swiss Francs)[54]. The statistical data shows increasing interest from external stakeholders, particularly from Asian countries, in all of the aforementioned systems (ANNEX VIII). Indeed, in 2017, the per cent of patent applications filed in Asian countries reached 64.6 per cent. The rate was similarly high for the brands and design sectors in this region, with 60 per cent and 69.3 per cent respectively. English remains the main language of PCT publications (47.6 per cent), followed by Japanese (19.4 per cent) and Chinese (15.7 per cent) (Figure 9).

Figure 9: PCT Publication by Languages (2014-2017)
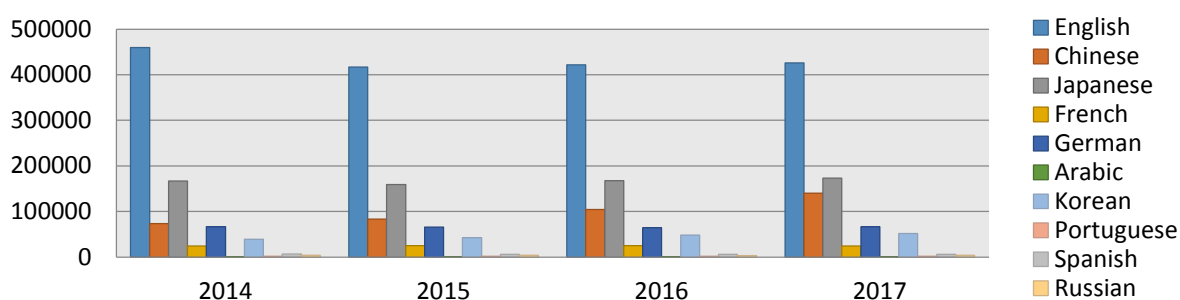
Source: WIPO Statistics Database, 2017

49.   WIPO's external offices (e.g. WIPO offices in Japan, China and Singapore) were recognized for promoting WIPO systems in the regions under their respective remits. It is noteworthy that one of the key exogenous factors which impede WIPO Programs' achievement in developing the capacity of Member States, IPOs and other relevant groups of beneficiaries, is the external stakeholders' limited business development vision and approaches in the context of organization-wide IP[55]. Table 1 below presents some key endogenous, exogenous and cross-cutting factors pinpointed by internal (WIPO staff) and external stakeholders (IPOs, state agencies, etc.).

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[51] Such activities included symposia on IP-related topics organized jointly with the World Trade Organization (WTO), advanced courses aimed at government officials or master Ph.D. level students, workshop and presentations held during regional or international conferences; special meet-and-learn events in favor of government officials and business representatives on a study visit to WIPO HQ, advisory missions.
[52] The PCT System is the largest one covering 152 Contracting States; The Madrid System incorporates 116 Contracting Countries, and Hague System has over 66 Contracting Parties.
[53] Annual Financial Report and Financial Statements, WIPO, 2016
[54] WIPO total revenues in 2016 were equal to 387,713 thousand CHF
[55] Falls beyond WIPO mandate.

Table 1: Key Endogenous and Exogenous Factors Affecting WIPO CD Accomplishments

Stakeholders/ Factors	Internal (WIPO) Stakeholders	External Stakeholders
Endogenous	• Lack of a consolidated strategic direction on CD • Limited in-house coordination (roles of internal parties to be clearly stated) • Limited HR and financial resources (in-house) • WIPO External Offices (contributing) • Contacts at local level are not diversified[56]	• Limited HR and financial resources • Fragmented coordination among state agencies • High turnover at local levels • Developed national IP strategies (contributing) • Outdated legislation & infrastructure issues at local levels • Limited knowledge on WIPO activities • Wiliness to cooperate (contributing)
Exogenous	• Change in policies and priorities at local levels (hampering) • Limited contribution (financial) projected from local counterparts • No business development approaches at local levels in the context of organization-wide IP purview	• WIPO's increased visibility and its subject matter expertise • WIPO's administrative structure (hampering)
Cross-cutting	Limited international coordination within the country and with donor agencies	

Source: IOD/WIPO Data, 2017

50.   According to the feedback received from WIPO Program Managers, Programs are expected to involve coordination with the relevant RB[57] regarding the planning and implementation of any CD interventions aimed at developing countries or LDCs. Although the coordination mechanism has not been officially formalized yet, most of the WIPO Program Directors and Managers reported being in compliance with it. Program 9, serving as a primary interface between the beneficiary countries and the various WIPO Programs, reported continuously coordinating its efforts[58] to assist developing countries and LDCs in building respect for IP and promoting the sharing of information and transfer of knowledge. Thus, the Program took a lead role in assisting national governments in establishing TISCs[59] and developing NIPSs. Through TISCs, WIPO helps innovators in developing countries to access certain services aimed at exploiting their innovative potential, providing trainings, and assisting them to access IP databases and manage their IP rights.

51.   The number of NIPSs being developed fluctuates over the years. In particular, in LAC and African regions the highest numbers of NIPSs were developed in 2013 and 2015 respectively. Likewise, the ASPAC region experienced a surge in the number of NISPs in 2013 (Figure 13). According to feedback from internal and external stakeholders, some NIPSs need to be updated.

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[56] Single Point of Contact
[57] RB for Africa, RB for Arab countries, RB for Asia and the Pacific, RB for Latin America and the Caribbean and RB for Least-Developed Countries.
[58] E.g. awareness-raising, legislative advice, human resource and infrastructure development, effective IP asset management by SMEs, assisting to develop national IP strategies and setting up, etc.
[59] Up to 2017, WIPO helped to establish 519 TISCs worldwide.

52.   In order to minimize any potential incoherence across the CD approaches adopted by the different WIPO Programs, the Development Sector (Program 9) drafted some preliminary guidelines (currently subject to further approval) for the planning, coordination, delivery and monitoring of technical cooperation activities[60]. In general, the guidelines stipulate the overall roles and responsibilities of RBs and all sectors and programs of the WIPO with regard to contributing to the development framework. Nevertheless, a dozen WIPO Program Managers and Directors stated that the introduction of rigid guidelines and checklists risked undermining the contingency and flexibility necessary for operational processes to be effective.

53.   Program 8 (Development Agenda Coordination) is specifically tasked with the mainstreaming of DA recommendations into WIPO's development-related activities, including those that are more closely related to CD. In carrying out their CD-related tasks, the Program facilitates the implementation of the decisions of the WIPO General Assembly and the Committee on Development and Intellectual Property (CDIP)[61] with regard to the DA recommendations, including those grouped under cluster A (Technical Assistance and Capacity Building).

54.   In order to coordinate and enhance the impact of its CD activities the WIPO has implemented the following special initiatives:

(a)   The Inventor Assistance Program, launched jointly with the World Economic Forum in October, 2016, which is aimed at matching developing country inventors and small businesses with limited financial means with patent attorneys, who provide *pro bono* legal assistance to secure patent protection;[62]

(b)   IP-Technical Assistance Database (IP-TAD)[63] which contains information on technical assistance activities carried out by WIPO worldwide;

(c)   IP-Roster of Consultants (IP-ROC)[64] database which contains information on consultants engaged by the Organization to undertake specific IP activities;

(d)   IP-Matchmaking Database (IP-DMD), which helps to match specific IP-related development needs with resources offered by potential donors;

(e)   EPM and BI platforms developed to strengthen and support the implementation of Results-Based Management, comprising biennial planning, annual work-planning, implementation monitoring and performance assessment, reporting and analytics; and

(f)   The Development Sector System (DSS) transition project, aimed at replacing the IP_TAD and IP_ROC databases, was put on hold[65] depending on the progress made with regard to Enterprise Content Management and travel and event projects run by ICTD. The DSS shall be used as a repository of information for senior management and Member States to assist in monitoring technical assistance. It also stores data for regular reporting on South-South and triangular cooperation undertaken by the WIPO.

55.   The WIPO Directors and Managers reported leveraging both formal (online platforms) and informal (emails, meetings) information exchange channels to coordinate and stay up-to-date regarding CD interventions implemented by the Organization. However, almost two-thirds of WIPO staff that responded to the online survey stated that they did not use any online platforms or tools to acquire information about CD interventions implemented by their counterparts at

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[60] Draft Office Instruction on WIPO's Technical Cooperation Programs Coordination Guidelines.
[61] The Committee was established in 2008 to develop a workplan for implementing the 45 Development Agenda Recommendations.
[62] The Inventor Assistance Program (IAP) is not covered by Program 8 but by Program 1 (Patent Law), which was not reviewed in the context of this evaluation.
[63] http://www.wipo.int/tad/en/
[64] http://www.wipo.int/roc/en/
[65] By the time of the current evaluation

WIPO. The 25 per cent of respondents who indicated using WIPO digital tools for collaboration purposes mentioned using the following specific tools: electronic forms (e-work); WIPO BI[66]; WIPO Wiki[67]; Performance Management and Staff Development System (PMSDS)[68]; and the EPM[69] system (Figure 10). The Program staff also reported cases of manually tracking the implementation status of planned CD activities. One-third of the survey respondents, as well as nearly half of the Program Directors and Managers interviewed, recognized the importance of having a consolidated repository of CD interventions with custom-oriented search engine (e.g. information retrieved per country, section, division, event participants, etc.) and automatic status updates.

Figure 10: Internal Stakeholders' Feedback on Platforms Used for Coordination Purposes
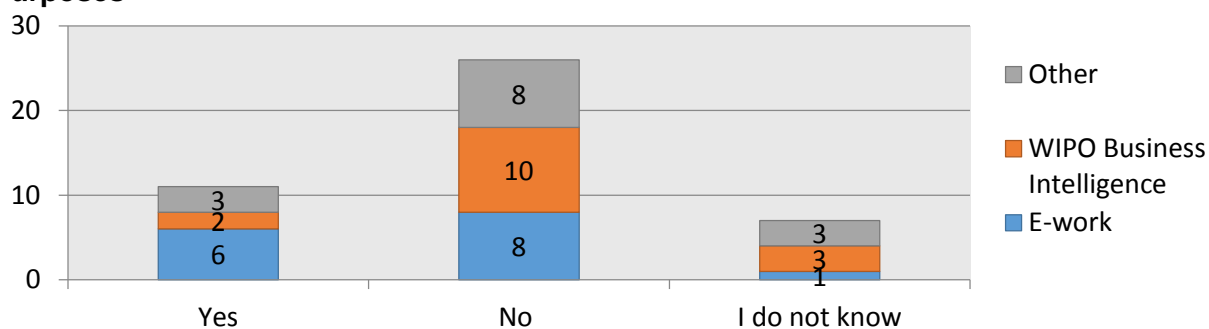
Source: IOD/WIPO Data, 2017

56.   WIPO Program documents recognize external coordination as a pivotal factor in its efforts to achieve the Organization's SGs as well as the Sustainable Development Agenda. While an increasing number of partnerships have been established over the years (through MoUs, accession to conventions and treaties, etc.), universities and SMEs are still underrepresented in CD-related work organized by the Programs under review. Furthermore, given the increased degree of national government involvement in WIPO's CD work (e.g. the development of NIPSs) national IPOs have often maintained national discourse on IP by also acting as IP "gatekeepers" (e.g. by serving as the main information source on IP agenda, workshops and other learning events).

57.   Among the 61 national IPOs that responded to the 2014-2015 PCT Cooperation Feedback Survey[70], nearly all of them (95 per cent) expressed their satisfaction with the cooperation patterns among national agencies and the International Bureau under the PCT (Figure 11).

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[66] BI project provides cross-functional analytical capacities to internal and external stakeholders about performance characteristics of relevant programs.
[67] The WIPO Wiki was developed to enable WIPO employees to collaborate using Wikis and Blogs, or a mixture of both. Access to spaces can be restricted to individual users and to groups of users (e.g. organizational units, project teams, working groups) or opened up so every employee can view or edit the space content.
[68] The PMSDS is a key initiative of the Strategic Realignment Program where it supports the core value of "Accountability for Results" and "Working as One". The system was officially introduced across WIPO in April 2009.
[69] EPM was developed to be a central tool and enabler for a number of key strategies being enunciated within the MTSP for this Goal (under Consultation with Member States).
[70] http://www.wipo.int/export/sites/www/pct/en/activity/pct_office_survey_2014_2015.pdf

Figure 11: User's Feedback on PCT Services
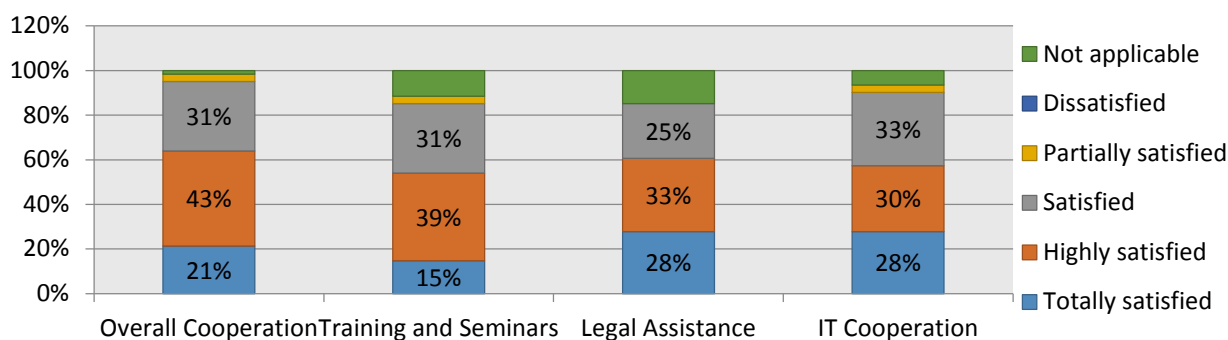
Source: PCT Office Feedback Survey 2014-2015

58.   It is noteworthy that the respondents of the PCT User Survey, conducted in 2015, pinpointed email as their preferred means of communication (77 per cent of responses), followed by the WIPO website and online forms (58 per cent). These preferences were largely determined by time zone considerations and cost matters[71].

59.   Internal and external stakeholders surveyed and interviewed by the evaluation team found WIPO interventions as being effective across all three-levels of CD agenda[72] (policy/legal, institutional, and individual). At the macro level, the stakeholders highly valued legislative advice on amendments to IP laws related to patent, design, copyrights and geographic indications[73], as well as the WIPO's support in accessing Madrid, PCT, Lisbon and Hague protocols and developing NIPSs. At the meso level, the stakeholders recognized WIPO digital solutions as well as the establishment of TISCs to be of high importance. Lastly, at the micro level of CD activities, the informants highlighted the benefits of online and in-class training courses, and academic institutions' programs administered by the WIPO Academy and launched on the basis of MoUs between WIPO and participating national institutions (Table 2).

Table 2: Feedback on WIPO's CD Interventions

Level	Most Effective	Least Effective
Macro	National IP Strategic Plan Legislative advice Assistance in developing modern IP policies Inputs for negotiating & implementing Free Trade Agreements[74] and accessing Madrid, PCT, Lisbon and Hague protocols	-
Meso	Online platforms & databases (e.g. IPAS[75], Patent scope[76], TISC digital Platform) Establishment of TISCs[77]	-

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[71] http://www.wipo.int/edocs/mdocs/pct/en/pct_wg_9/pct_wg_9_11.pdf
[72] See paragraph 3, pg 7.
[73] A sign used on products that have a specific geographical origin and possess qualities or a reputation that are due to that origin.
[74] IP-relevant bilateral treaties
[75] Industrial Property Automation System.
[76] WIPO database which provides access to international Patent Cooperation Treaty (PCT) applications.
[77] WIPO Technology and Innovation Support Centers.

Micro	Tailored courses & exchange programs for a diverse group of beneficiaries: IPOs, law enforcement officers, students, etc. Online/distance learning courses Joint conferences and seminars WIPO academic institutions program (Master of Law)[78]	Webinars not widely used by entrepreneurs General awareness raising activities Brochures and pamphlets useful but less effective
Cross-cutting	Projects aligned with WIPO's Development Agenda	Constraints to measure the impact and effectiveness of CD activities Countries with low-level IP innovation unable benefiting TISC services

Source: IOD/WIPO Data, 2017

60.   In terms of areas to be improved, the stakeholders stated that webinars provided by WIPO were not widely used by entrepreneurs. They also suggested developing more advanced training sessions focusing on subject matter expertise. Moreover, the stakeholders noted that a low level of innovation and a lack of financial resources limit the ability to leverage the support provided by TISCs. The final key point shared was the constraints faced by internal and external stakeholders while trying to measure the real impact and effectiveness of CD interventions.

61.   Nearly two-thirds (63 per cent) of responses to the survey indicated that WIPO successfully met the countries' needs in the area of IP administration. A lower percentage of respondents recognized the Organization's success in meeting capacity needs in other areas, 58 per cent in the case of IP management and 52 per cent in the case of IP use (Figure 12).

Figure 12: External Stakeholders' Feedback on Needs Addressed per Cluster
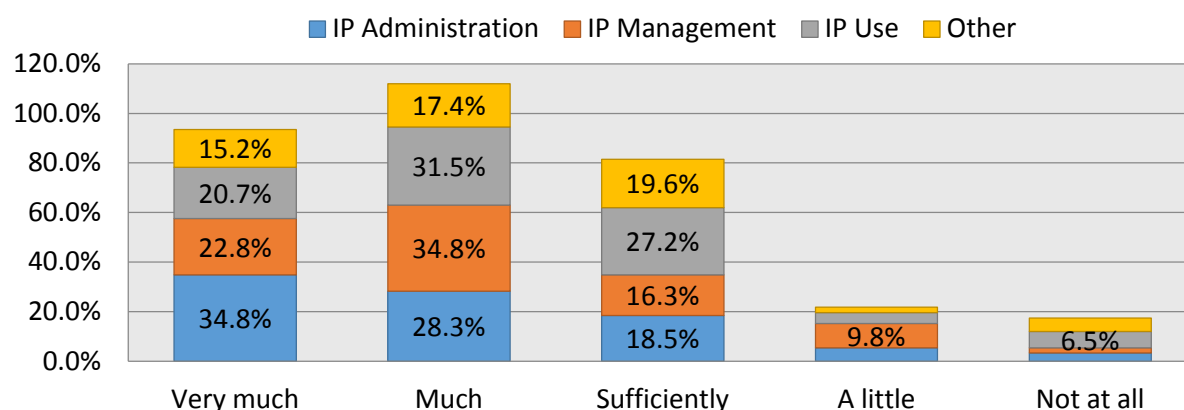
Source: IOD Data, 2018

62.   In 2014, WIPO introduced its Policy on Gender Equality[79]. However, this document did not provide WIPO staff with either operational guidelines or an actionable strategy on how to mainstream gender into the planning and implementation of CD work. The Program and Budget reports for 2014/15 and 2016/17 biennia show neither gender-related references nor gender parity indicators leveraged by eight Programs under review. Though, of the eight Programs under review, Programs 2, 9 and 30 started to include generic references to gender equality in their Program and Budget for the 2018/19 Biennium ("mainstreaming gender equality into relevant activities", "taking gender considerations into account", and utilizing a

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[78]   Administered by WIPO Academy: https://welc.wipo.int/acc/index.jsf?page=aipCatalog.xhtml&lang=en
[79]   http://www.wipo.int/export/sites/www/women-and-ip/docs/en/wipo_policy_gender_equality_en.pdf

"gender-balanced delivery approach"). Likewise, WIPO Arbitration and Mediation Center (Program 7) joined the Equal Representation in Arbitration Pledge[80], a global pledge drawn up by the arbitration community in 2016 with the goal to reduce the under-representation of women. Moreover, the WIPO started to introduce a training course for staff on how to draft gender-inclusive documents through applying gender-inclusive language. The view that gender issues are not duly tackled at the project level within the WIPO is backed by a number of evaluations conducted by the Internal Oversight Division of WIPO in the past[81]. In addition, gender equality indicators were not found in any results framework or Program and Budget report produced by the eight Programs under review in 2014-2017.

Key Conclusions:

Conclusion 3: Although, CD activities of the eight Programs under review are aligned with relevant ERs, they are not considered through a common CD framework[82] (policy/legal, institutional, and individual).

Conclusion 4: Inter- and intra-institutional partnerships are key factors affecting CD success and knowledge transfer arrangements for new and emerging IP topics.

Conclusion 5: The absence of a synchronized digital repository of CD interventions hampers Program staff in efficiently accessing the relevant data on CD implementation and potentially impedes planning and routine verification of CD progress over time.

Conclusion 6: The gender parity aspect is not systematically taken into account during the planning and implementation of CD activities. Currently, considerations of gender parity do not have sufficient traction in WIPO's CD strategic planning work.

(Linked to Recommendations 1,2,3,4 and 5)

(C)   EFFICIENCY

"A measure of how economically resources/inputs (funds, expertise, time, etc.)
are converted to results"

63.   The first part of this section provides a succinct summary of the key findings and conclusions on efficiency. The second part analyses and further discusses the evidence on Program's efficiency in two domains: financial and human resources.

Key Evaluation Questions on Efficiency:

3.1   To what extent was the management of the financial resources allocated to CD activities and ¨Programs efficient?

3.2   How could the use of resources have been improved?

3.3   To what extent was the management of the human resources allocated to CD activities and programs efficient?

3.4   To what extent were CD activities Programs organized on time? Were the results achieved on time?

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[80] http://www.arbitrationpledge.com/
[81] Evaluation of WIPO's assistance to LDCs, Evaluation of WIPO's International Classifications and Standards, Evaluation of WIPO's Global Databases, evaluation of Program 30: Small and Medium-sized Enterprises and Innovation.
[82] See paragraph 3, pg 7.

Key Findings:

Finding 12: WIPO employs a budget ceiling approach when organizing national and international CD events to ensure the efficient allocation of financial resources.

Finding 13: The underutilization of non-personnel expenditures across WIPO Programs under review was mainly caused by the cancellation of planned field missions and third-party travel. Such occurrences were due to a variety of factors, including the non-compliance of Member States with the procedural norms, the effort by Program staff to save up resources, the willingness of WIPO Programs (other than the eight Programs under review) to cover the related costs.

Finding 14: Staffing dynamics across the eight Programs under review were fairly stable aside from some minor fluctuations. The Programs report involving external experts (local and international) to deliver CD activities

(Linked to Conclusions 7, 8, 9, and 10)

(i) Finance and Budgeting

64.   With regards to the budget resources allocated to achieve the ERs of the eight Programs under review, the largest share (about 70 per cent) was allocated to improving productivity and service quality of system operations (PCT, Madrid, Hague and Lisbon systems)[83]. The budget resources allocated to provide for wider and more effective use of the PCT, Madrid, Hague and Lisbon systems for filing applications (accounting for nearly 13.4 per cent of the total budget) covered the costs of information-sharing and customer services provision. Yet, the budget allocated to the Development Sector in order to address the needs of developing countries, LDCs and countries with economies in transition remained relatively modest, 2.6 per cent of the total budget was devoted to the provision of support in developing NIPSs and 3.2 per cent was reserved for the building of human resources capacity (ANNEX IX).

65.   The analysis of the budget utilization rate for 2014-2015 across the eight Programs under review revealed that Program 9 had the lowest utilization rate for non-personnel resources (78 per cent). This is mostly caused by the reduction of travel-related expenses and the cancellation and/or postponement of certain planned activities[84]. Meanwhile, the lower utilization rate for non-personnel resources in Program 2 (85 per cent) was mainly caused by a reduction in both the number of staff missions and third-party travel. Lastly, the introduction in the Madrid and Lisbon systems of a fellowship program aimed at national IP offices to help their staff to gain in–depth knowledge about global registration procedures, resulted in increased expenditure of around 1.2 million CHF (Figure 13).

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[83] It covers a variety of interventions focused on improving electronic filing systems through introducing new modifications inscribed into the systems and upgrading information processing and translation measures
[84] Such changes mainly took place either by Member States' changing priorities, or due to health risks associated activities planned in Ebola-affected areas.

Figure 13: Budget Utilization Rate per Program (2014-2015)
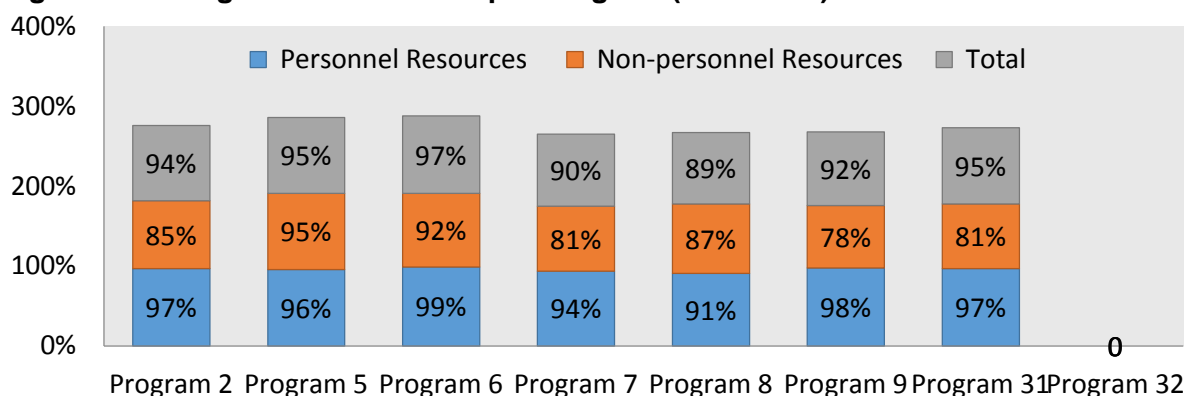
Source: Program Performance Report 2014/15

66.   Bearing in mind that the PCT system accounts for around third-quarters of WIPO's income, the PCT System (Program 5) consumed the largest share of the non-personnel and personnel resources allocated for the eight Programs under review, with over 54 per cent and 59 per cent respectively. In 2016, the Lisbon System (Program 32) separated from the Madrid System (Program 6) into an independent unit. As a result, personnel and non-personnel resources were transferred from Program 6 into the newly-created Program 32 (Figure 14).

Figure 14: Budget after Transfer per Programs (2014-2016)
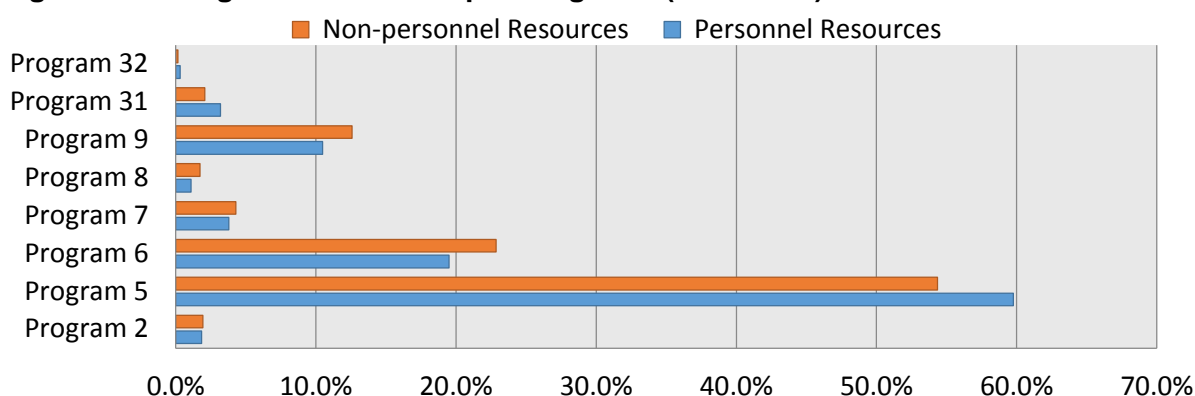
Source: Program Performance Report 2014/15

67.   Nearly two-thirds (64 per cent) of the responses of external stakeholders stated that WIPO's CD work was completed on time (Figure 15). Nearly 19 per cent of responses recognized that the timeliness of the Organization's CD efforts was fairly acceptable, while 7 per cent stated that the CD interventions in question were not as timely as they would have expected, especially in the cases of software updates such as the Industrial Property Automation System (IPAS) and social media platform for TISCs (eTISC)[85] or the organization of trainings for niche audiences (police officers[86], judges, journalists, etc.). The stakeholders also confirmed that certain delays were caused by endogenous factors (e.g. a country finalizing legal and technical aspects before launching an IT project).

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[85] Supported by WIPO.
[86] This is the case of the training conducted among police officers in the United Arab Emirates as part of the MoU recently signed with WIPO.

Figure 15: External Stakeholders' Feedback on WIPO CD's Completion Timeframe
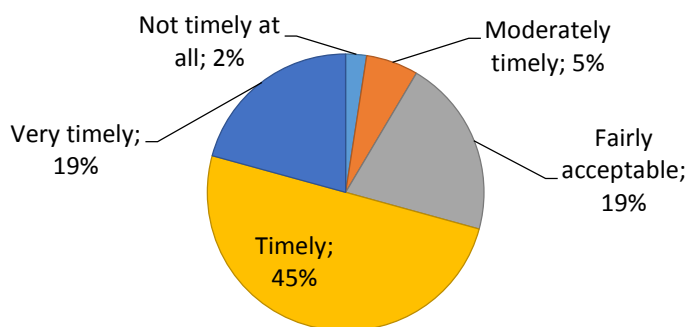
Source: IOD/WIPO, 2017

68.   Over half (54 per cent) of the survey respondents (external stakeholders) to the survey confirmed that they did not have to pay any transportation or tuition fees to attend WIPO's CD events. Nearly 23 per cent of respondents had stated paying the full participation costs and 23 per cent said they do not know about financial arrangements (Figure 16). In some cases, national counterparts are expected to cover transportation and accommodation fees for participants and presenters. In addition, the counterparts are expected to cover the costs associated with the event venue (when hosting the event), and media coverage. Furthermore, participants are requested to cover transportation costs for some activities held in Geneva, Switzerland, (e.g. sessions of Intergovernmental Committees, Working Groups, Standing Committees on Copyright and Related Rights, etc.).

Figure 16: Stakeholders' Feedback on Financial Arrangements
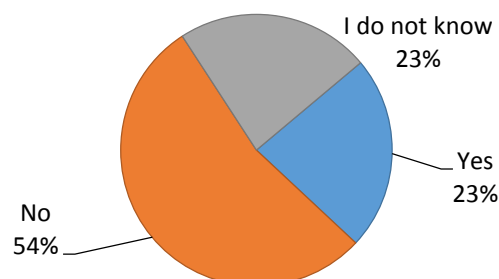
Source: IOD/WIPO, 2017

69.   WIPO Program Managers reported using a standard list of costs[87] that each Member State (as a service provider for hospitality) needs to refer to every time they submit an invoice for capacity development activity. WIPO Programs are currently considering the introduction of a new list of event-related costs that could be better tailored to the local conditions (e.g. indexed with the local daily subsistence allowance).

   (ii) Human Resources

70.   In 2017, the eight Programs under review employed 26 Directors, 286 professional staff, and 323 general service staff. The staffing pattern for all eight Programs showed little change between 2016 and 2017. Regular staff dynamics across the eight Programs did not changed significantly with the exception of Program 5, which added one regular staff post in 2017, and Programs 7 and 2, which cut a regular and temporary staff post respectively (Figure 17).

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[87] Office Instruction No 3/2012 Rev., pg. 5, footnote 9: 3,000 Swiss francs for National Events (no receptions allowed) or 5,000 Swiss francs for International Events (including receptions).

Figure 17: WIPO Staffing Pattern across the Eight Programs (2014-2017)[88]
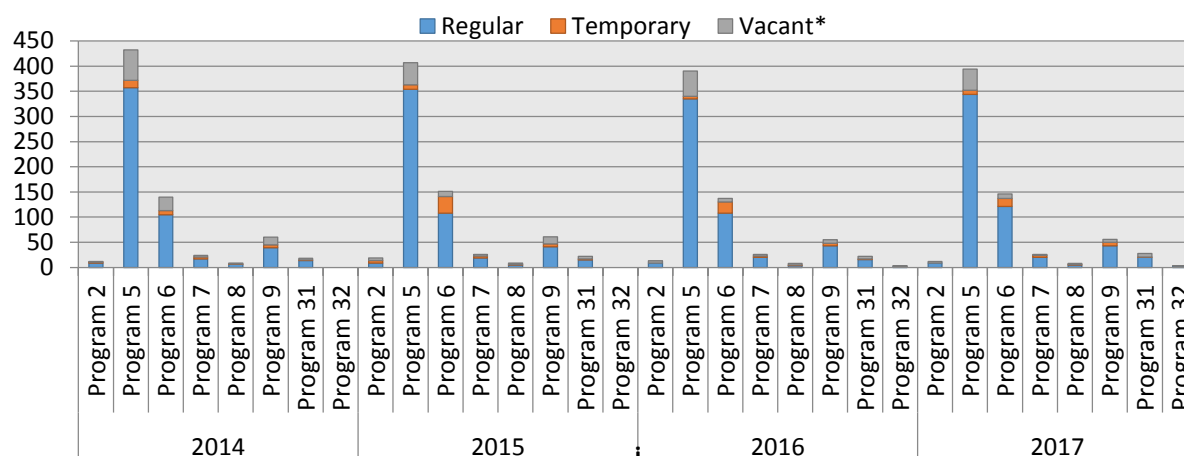
Source: *WIPO Enterprise Performance Management (EPM) Data, January, 2018*

71.   In addition to regular and temporary staff the Programs also outsource work and involve national and international experts[89] to deliver certain services. Thus, Programs 2 and 32 reported maintaining a roster of speakers on industrial design and geographical indications respectively. Overall, the review of the list of speakers for Program 2 and 32 revealed high caliber of individuals and organizations being retained for future collaboration, demonstrated not only by their scholarly work on IP but also by their leading positions in both government and business users' associations. Likewise, Program 9 introduced a performance indicator to track the number of national and regional experts used as resource persons in WIPO's CD events carried out in each region (Figure 18).

Figure 18: Percentage of National/Regional Experts Recruited by Program 9
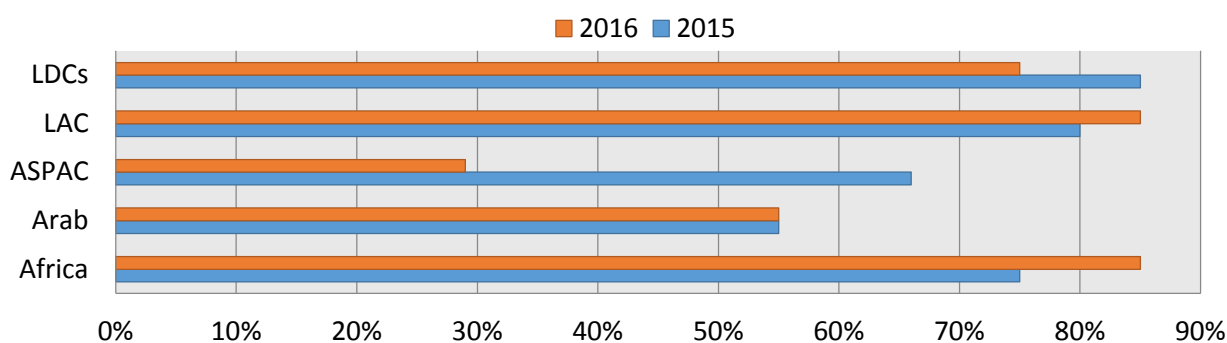
Source: WIPO Program Performance Report, 2016

72.   Despite their efforts to make WIPO-sponsored CD work as contextually relevant as possible, some of the RBs' officers reported difficulty in finding local IP experts in developing countries, particularly in the African francophone countries.

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[88] Vacancies may be comprised of regular or temporary staff posts.
[89] Guest speakers account for two-third of the total (67 per cent) number.

Key Conclusions:

Conclusion 7: The income generation potential of a given CD activity was a determinant of budget allocation across the eight Programs under review.

Conclusion 8: Although not considered a major risk factor, external challenges associated with personnel and non-personnel do impact the performance of WIPO CD interventions to a certain degree.

Conclusion 9: While standardization can increase efficiency in some areas, it prevents sometimes countries with higher living costs (e.g. some countries in the Arab region) from implementing certain activities (e.g. hiring an adequate number of qualified translators or covering the costs of training venues at local market prices).

Conclusion 10: An increased reliance on local experts rather than foreign experts potentially helps to tailor CD activities to the local context lowers activity costs.

(Linked to Recommendations 1 and 2)

(D)   IMPACT

"The positive and negative changes produced by a development intervention, directly or indirectly, intended or unintended."

73.   The first part of this section provides a succinct summary of the key findings and conclusions on impact. The second part analyses and further discusses the key factors affecting the long-terms effects of WIPO CD work, including its contribution to WIPO's Development Agenda.

Key Evaluation Questions on Impact:

4.1   To what extent did CD interventions have any <u>positive or negative</u> impact on policy, legal, institutional and HR skills' levels?

4.2   To what extent did the CD activities and programs result in unintended consequences or impact?

4.3   To what extent did the WIPO CDs activities and programs contribute to implementing the relevant DA agenda?


Key Findings:

Finding 15: Over two-thirds of internal and external stakeholders reported a positive immediate impact of WIPO's CD interventions across all three levels[90] (policy/legal, institutional, and individual) of the CD framework (macro, meso and micro levels). However, respondents also admitted the challenge of measuring the long-term effects of the CD work.

Finding 16: Over 60 per cent of 121 Member States and National IPO representatives reported by survey that WIPO's CD work contributed to the Development Agenda Recommendations. Furthermore, about a dozen WIPO Program Directors and Managers stated that the development of IP systems in countries do not always automatically translate into the attainment of development results

(Linked to Conclusions 11, 12, and 13)

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74.   Over 81 per cent of survey responses provided by external stakeholders, and over 76 per cent of those provided by WIPO staff confirmed that WIPO's CD interventions had a positive impact across all three levels of the CD agenda[91]. Furthermore, no specific observation was made by participating parties about any particularly negative impact of WIPO's CD activities that had been implemented (Figure 19). The performance reports[92] issued by WIPO mentioned capacity building and technical assistance and stated that they all contribute to the strengthening of Members States' national priorities.

Figure 19: Stakeholders' Feedback on Impact of WIPO CD Activities (Quantitative)
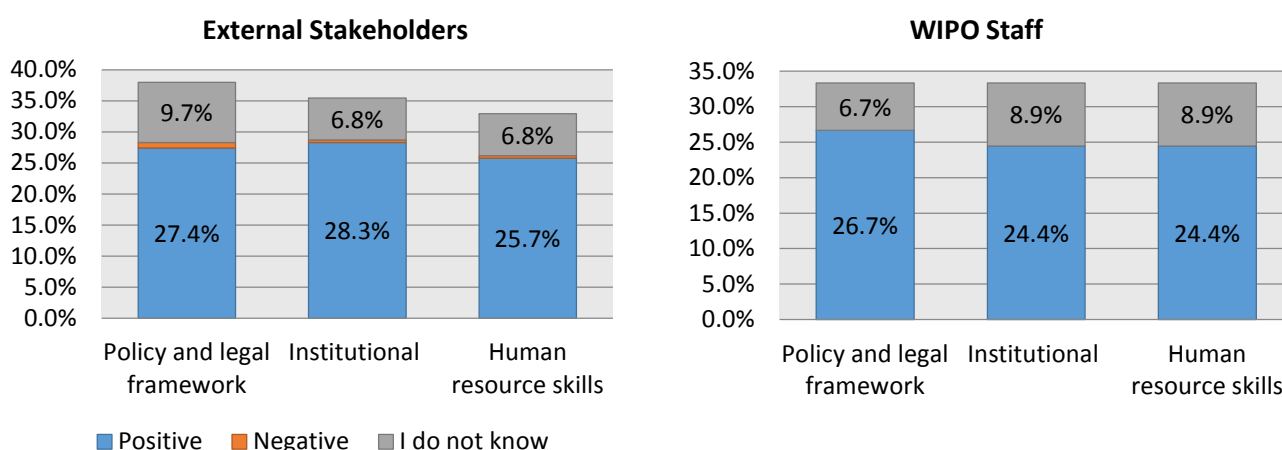
Source: IOD/WIPO Data, 2017

75.   One-third of the interviewed WIPO Program Managers and Directors (from the eight Programs under review) gave positive feedback on the impact of capacity-related work carried out by their Programs. In particular, respondents highlighted the responsiveness of their respective Programs to countries' demands (more of a process-related observation) and the increase in knowledge among the beneficiaries of capacity-building activities (workshops, trainings, seminars, etc.). The other two-thirds of WIPO Program Directors and Managers stated there was a lack of evidence of the impact of their CD work and suggested that the in-house initiatives, currently undertaken to measure long-term effects of the Organization's CD activities, should be more widely publicized and, if successful, replicated on a larger scale within the Organization. This is precisely what happened for the impact assessment framework

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[90] See paragraph 3, pg 7.
[91] See paragraph 3, pg 7.
[92] Program and Budget Reports and Program Performance Reports.

project launched by Program 2 and the measurement of use of IP law drafting skills among Program 1 workshop trainees in 2017.

76.   External stakeholders reported some unintended outcomes of CD interventions organized by WIPO (Table 3). The respondents pointed out that more musicians or creative professionals had started expressing interest in their IP rights. They also recognized the increasing engagement of senior decision makers (e.g. directors, heads of departments, policy officers, etc.) and more frequent meetings taking place among them and examiners which fostered collaboration in the IP domain at the local level.

Table 3: Key Unintended Positive and Negative Outcomes of WIPO CD Activities

Positive	Negative
Increased awareness and interest for IP related matters (including musician and creative professionals)	
Increasing demand for specialized IP trainings	
Increasing number of SME applications to register their trademarks	WIPO activities overlapping with the ones organized by regional IPOs
Increasing usage of Patentscope database	Lack of continuity of certain CD activities
Increasing number of patent applications filed through TISCs	
Establishing new cooperation and partnership opportunities (e.g. new domestic and bilateral contacts)	

Source: IOD/WIPO Data, 2017

77.   The external stakeholders highlighted the necessity of conducting diagnosis studies of structural problems affecting patent registration capacities. They also pointed out that technology transfer projects often took place in countries where sufficient technology was not available in the first place. Among unexpected occurrences, which were more process-related than outcome-related[93], the respondents noted the complexity of the WIPO's bureaucratic processes which compliance created difficulties for some Member States.

78.   In total, the Organization reports executing 34 projects in the implementation of DA Recommendations up to 2017, and six of which were launched in 2014-2016 (Table 4). According to the 2016 Program Performance Report, 12 programs were involved in implementing CDIP approved activities and 23 Programs included mainstreaming of DA in their work. When asked about the magnitude of WIPO's contribution to the DA, half of the Program Directors and Managers interviewed mentioned a disaccord between the Organization's long-established efforts to develop IP systems *per se* and the increasing need to enhance Member States' development processes through the IP system.

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[93]   Observed during the planning and implementation of CD programs

Table 4: Projects for Implementation of DA Recommendations

#	Project Title	Link to DA Recommendations
1.	Capacity-Building in the Use of Appropriate Technology Specific Technical and Scientific Information as a Solution for Identified Development Challenges - Phase II	19, 30, 31
2.	IP and Socio-Economic Development - Phase II	35, 37
3.	IP, Tourism and Culture: Supporting Development Objectives and Promoting Cultural Heritage in Egypt and other Developing Countries	1, 10, 12, 40
4.	Strengthening and Development of the Audiovisual Sector in Burkina Faso and Certain African Countries – Phase II	1, 2, 4, 10, 11
5.	Project on the Use of Information in the Public Domain for Economic Development	16, 20
6.	Cooperation on Development and IP Rights Education and Professional Training with Judicial Training Institutions in Developing and Least Developed Countries	3, 10, 45

Source: WIPO Data[94], 2017

79.   Over 60 per cent of responses received from 121 national IPOs stated that WIPO's CD work contributed significantly to the DA recommendations. Overall, 19 per cent of them recognized that CD efforts had been made to implement DA Recommendation 6[95], while 23 per cent acknowledged the positive effects of the Organization's CD work in the fulfillment of DA Recommendation 10[96], and 19 per cent approved of the WIPOs CD contribution to executing DA Recommendation 1[97] (Figure 20).

Figure 20: External Stakeholders' Feedback on WIPO CD Contribution to DA Recommendations

Recommendation 10; 23.0%

Recommendation 1; 19.2%

Recommendation 6; 18.8%

Source: IOD/WIPO Data, 2017

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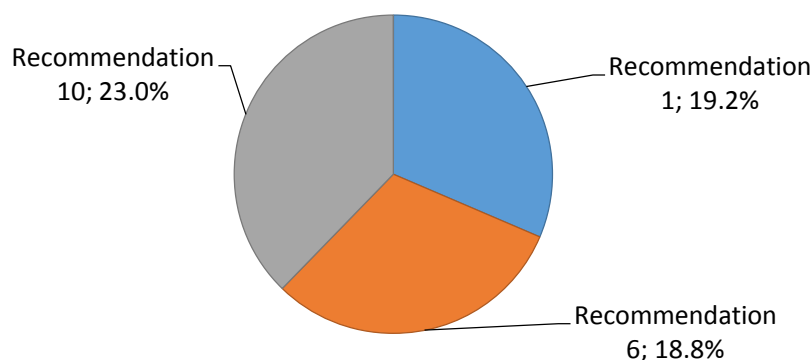
[94] http://www.wipo.int/ip-development/en/agenda/projects.html
[95] Recommendation 6: WIPO's technical assistance staff and consultants shall continue to be neutral and accountable, by paying particular attention to the existing Code of Ethics, and by avoiding potential conflicts of interest.
[96] Recommendation 10: To assist Member States to develop and improve national intellectual property institutional capacity making them more efficient.
[97] Recommendation 1: WIPO technical assistance shall be development-oriented, demand-driven and transparent, addressing the priorities and needs of developing and least developed countries, and the Member States.

80.   External stakeholders underlined the importance of continuing WIPO technical assistance Programs for developing countries and LDCs with a particular emphasis on technical innovations, frugal engineering[98], utility models, implementing projects on electronic archiving, and leveraging IP databases for incremental[99] innovation purposes.

Key Conclusions:

Conclusion 11: The positive impact found on WIPO CD work is based on output-level data and not on evidence from medium- and long-term effects.

Conclusion 12: The plurality of WIPO's DA Recommendations and their ambitious nature is a limitation for WIPO staff when considering their incorporation on development issues as part of their CD planning.

(Linked to Recommendations 1 and 2)

(E)   SUSTAINABILITY

"Sustainability is concerned with measuring whether the benefits of an activity are likely to continue after budgetary support has been withdrawn."

81.   The first part of this section provides a succinct summary of the key findings and conclusions on sustainability. The second part analyses and further discusses the degree to which the effects of WIPO's CD work will sustain over time for each one of three CD levels considered (policy/legal, institutional, and individual), including the risks inherent to future replicability of CD interventions.

Key Evaluation Questions on Sustainability:

5.1   To what extent will the effects of WIPO's CD interventions sustain over time?

5.2   To what extent has CD been integrated and kept in countries and organizations where it was delivered?

5.3   What is WIPO doing to build a critical mass of beneficiaries with the right capacity in a sustainable manner?

Key Findings:

Finding 17: The sustainability of CD interventions across the eight WIPO Programs varies depending on the work stream (policy/legal, institutional, and individual) each level demonstrates certain commonalities of external risk factors (staff turnover, change in national priorities, HR and financial constraints).

Finding 18: Forty-seven per cent of external stakeholders (Member States representatives and IPOs) positively rated WIPO's contribution in building a critical mass of beneficiaries, though, the critical mass is interpreted though quantitative terms.

(Liked to Conclusions 13 and 14)

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[98] The process of reducing the complexity and cost of goods and its production, e.g. removing nonessential features from a durable good, such as a car or phone, in order to sell it in developing countries.
[99] Refers to a company's process of continually making small improvements or upgrades to existing products, services, processes or methods.

82.   The evaluation team assessed the sustainability aspect of WIPO's CD interventions across the three-level CD agenda (policy/legal, institutional, and individual) (Table 5). It is noteworthy that all eight Programs under review identified some similar risk factors hindering the sustainability of their interventions, such as: staff turnover within in-country partner institutions; changes in national priorities depending on political interests; and the impossibility of securing sufficient HR and financial resources beyond the regular project duration. More specifically, at the macro (legal and policy) level, WIPO supported the sustainability of CD practices through two main ways: providing technical advice and expertise in developing balanced legal and policy frameworks, and introducing a methodology[100] for the development of NIPSs[101]. This methodology provides national governments with guidance on how to develop a comprehensive national document towards the creation, development, management and protection of IP at both national and regional levels. The NIPSs cover all there levels of the CD agenda including IP administration[102] and IP enforcement[103] issues, as well as strengthening the national IP offices (meso and micro levels). Nevertheless, official guidelines on how to put the NIPSs into action have not been developed yet. The stakeholders mentioned that, so far, there is very little understanding of the IP agenda[104] among national policy makers and state officials, which disrupts the macro (policy and legal framework) level of the CD agenda.

Table 5: Snapshot of WIPO CD Sustainability Factors (for eight Programs)

WIPO CD Level	Sustainability Level	Risk factors
Macro (legal and policy level)	Moderate	• Change in national strategies and priorities • Staff turnover & leadership change • HR and financial constraints • No NIPS implementation framework
Meso (institutional level)	Moderate	• Staff turnover and leadership change • Change in national strategies and priorities • Infrastructure gaps • Gaps in legal framework and policy level • HR and financial constraints
Micro (individual level)	Low	Disrupted learning curve caused by: • Staff turnover & leadership change • Change in national strategies and priorities • HR and financial constraints • No formal knowledge transfer systems at local level

Source: IOD Data, 2017

83.   Sustainability at meso (institutional) level is addressed through the prism of institutional readiness (infrastructure and internal processes and policies) and is measured across two streams of work. The provision of uninterruptable services and access to WIPO online platforms/databases; and the provision of advisory services pertaining to the technical, administrative and business processes at the institutional level. Both streams entail certain risk factors associated with HR and financial constraints (for WIPO and national counterparts). In addition, the high turnover of national IPOs' staff affects the continuity of processes launched and procedures to be integrated into the existing structures of the institutions.

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[100]   The methodology incorporates four tools: the process, baseline survey questionnaire, benchmarking indicators and online platform.
[101]   A set of measures, formulated and implemented by national governments.
[102]   Functions of administering IP rights, including IP filing and granting, and the infrastructure and resources that are available to support such functions.
[103]   Mechanisms to ensure effective protection of IP rights in case of infringement of these rights, by way of civil, administrative and/or criminal procedures and remedies.
[104]   IP awareness

84.   At the micro (individual level), WIPO Programs regularly conduct information sharing, promotion and training activities for national counterparts on various topics including sectoral workshops and webinars. However, the evaluation team rarely encountered sustainable knowledge transfer systems at the local level. Overall, 47 per cent of external stakeholders positively rated WIPO's contribution in building a critical mass of beneficiaries with the appropriate capacity[105] (Figure 21). In addition, when asked whether WIPO Programs are reaching a critical mass of beneficiaries, more than half of the Program Managers and Directors interviewed equated the concept of "critical mass" with that of a "large number of people". On the other hand, the stakeholders (internal and external) confirmed the need for continuous and ongoing capacity building initiatives. The stakeholders mentioned that the training of trainers component of TISC activities might have less sustainable outcome in developing context due to high staff turnover at the local level.

Figure 21: WIPO's Contribution in Building a Critical Mass of Beneficiaries
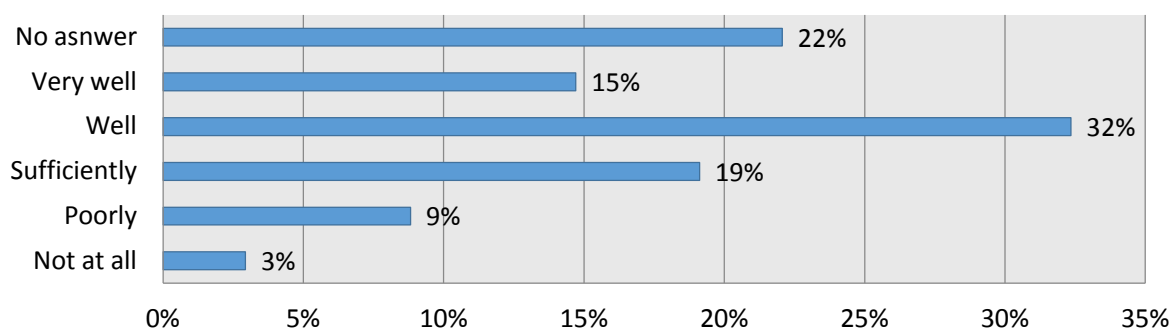
Source: IOD Data, 2017

85.   According to external stakeholders, the following factors should be taken into account to ensure the perpetuation and further development of mechanisms and processes put in motion by the Organization's CD work:

       (a)   Countries will be able to sustain the results of the IP work over time, but it is also necessary that they be regularly informed about the latest developments in the IP field;

       (b)   WIPO needs to adapt to technological advances. The new courses being developed by the Academy are testimony to an understanding of the changing environment which is a key factor in ensuring that the interventions remain relevant over time;

       (c)   Constant training initiatives ensure that there are new participants in the IP domain and that there is a greater understanding of IP issues;

       (d)   It is difficult to assess the sustainability of WIPO interventions because the impact of WIPO activities has never been measured;

       (e)   WIPO needs to continue assisting and providing guidance to Member States in preparing legal, policy and strategic papers; and

       (f)   There should be continued focus on increasing awareness, and contributing to constant reinforcement of IP agenda.

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[105] The 2013 Evaluation of the "Capacity Building in the use of appropriate technology Project" concluded that the number of national experts and members of National Expert Group benefiting from it was so small that its impact was quite limited. The evaluation included a recommendation that providing the same training to a critical mass of stakeholders would enhance its effects in the medium- and long term. Since then, the Organization's CD work has been confronted with the same challenge. Over the last few years, though, the Organization (especially through the WIPO Academy but not the other substantive Programs under view as much) has been capable to increase the number of direct beneficiaries of its CD work."

Key Conclusions:

Conclusion 13: The continuity of CD activities implemented by the eight WIPO Programs under review is beyond the management scope of WIPO staff and is governed mainly by external factors.

Conclusion 14: WIPO's CD work has not yet reached a critical mass of beneficiaries yet due to the interference of external factors.

(Linked to Recommendations 1, 2, and 3)

Recommendations:

Recommendation 1:

In collaboration with the Program Performance and Budget Division (PPBD) consolidate a Capacity Development Framework (CDF) to design, implement, monitor, manage and assess capacity development in WIPO Programs. This CDF could serve as a step-by-step guide to the planning, implementation, and assessment of Programs designed to address the IP needs of Members States. The existing document on "Menu/catalogue of activities and services offered by WIPO" could be used as a starting point for this exercise.

Priority: Medium

Recommendation 2:

In collaboration with Information and Communication Technology Department consolidate an IT architecture that brings together the present databases and repositories on CD (the automated IP-TAD data base on technical assistance), BI (EPM, AIMS, and E-work). This will constitute a consolidated digital repository of WIPO's CD activities. The improved platform could include data on participants of WIPO events (including non WIPO financed participants). The digital repository would form a consolidated corporate digital library on CD activities implemented and would also serve as an intersection of interest for the WIPO community of practices.

This would help to improve CD services in the following range of key functionalities:

- Providing open and efficient access to its content;
- Improving accountability and transparency on CD activities implemented or planned;
- Reducing the time required for analysis and metrics with regard to the content;
- Avoiding operational redundancy and overlapping among WIPO Programs; and
- Preserving corporate resources and improving knowledge-sharing praxis on WIPO's CD interventions.

The repository should include detailed data on CD activities for each Program (including information on event participants, types of events, and participants' learning curve, experts involved, etc.).

Priority: Medium

Recommendation 3:

The Development Sector should consider providing guidance on the elaboration and the adoption phases of NIPS based on best practices, covering procedural and substantive matters. Overall, this guidance should serve as a practical guideline for WIPO to accompany the process of elaboration and the adoption phases of NIPS that will increase the chances of effectiveness during the implementation process.

Priority: Medium

Recommendation 4:

The eight Programs under review need to include gender aspects in their activities and develop gender-sensitive indicators to address gender perspectives in a sustainable manner, as recommended by the WIPO's Policy on Gender Equality.

Priority: Medium

TABLE OF RECOMMENDATIONS

Recommendations #	Accepted / Rejected (indicate reason for rejecting)	Priority	Person(s) Responsible	Deadline	Management Comments and Action Plan
1. In collaboration with the Program Performance and Budget Division (PPBD) consolidate a Capacity Development Framework (CDF) to design, implement, monitor, manage and assess capacity development in WIPO Programs. This CDF could serve as a step-by-step guide to the planning, implementation, and assessment of Programs designed to address the IP needs of Members States. The existing document on "Menu/catalogue of activities and services offered by WIPO" could be used as a starting point for this exercise. *Closing criteria:* Document with a consolidated capacity development framework.	Accepted	**Medium**	Directors of the Bureaus and Director of the ODDG	First semester 2019	To be coordinated with the other Sectors involved and PPBD
2. In collaboration with Information and Communication Technology Department consolidate an IT architecture that brings together the present databases and repositories on CD (the automated IP-TAD database on technical assistance), BI (EPM, AIMS, and E-work). This will constitute a consolidated digital repository of WIPO's CD activities. The improved platform could include data on participants of WIPO events (including non WIPO financed participants). The digital repository would form a consolidated corporate digital library on CD activities implemented and would also serve as an intersection of interest for WIPO community of practices. *Closing criteria:* Digital repository project implemented.	Accepted	**Medium**	Director of ODDG	Second semester 2019	To be agreed with ERP Team

Recommendations #	Accepted / Rejected (indicate reason for rejecting)	Priority	Person(s) Responsible	Deadline	Management Comments and Action Plan
3. The Development Sector should consider providing guidance on the elaboration and the adoption phases of NIPS based on best practices, covering procedural and substantive matters. This will increase the chances of effectiveness during the implementation process. *Closing criteria:* NIPS guidance document developed.	Accepted	**Medium**	Director of ODDG	First semester 2019	No comments
4. The eight Programs under review need to include gender aspects in their activities and develop gender-sensitive indicators to address gender perspectives. *Closing criteria:* The performance and evaluation reports produced by programs under review incorporate gender parity data *(female/ male participation)*	Accepted	**Medium**	Directors of Bureaus and Patent and Technology Sector	Last quarter 2018	No comments

ANNEXES

ANNEX I: WHAT DOES CAPACITY DEVELOPMENT MEAN?

UNDP'S DEFINITION
1. UNDP defines capacity development (CD) as the process through which individuals, organizations, and societies obtain, strengthen, and maintain the capabilities to set and achieve their own development objectives over time.

2. Capacity development is driven by values. It addresses power relations, mindsets and behavioral changes, long-term process. CD looks beyond individual skills and a focus on training to address broader questions of institutional change, leadership, empowerment and public participation. CD makes link to broader reforms (there is little value in designing isolated, one-off initiatives). It is not a one off intervention but an iterative process of design-application-learning-adjustment. It is outcome based. However, these outcomes do not evolve in a linear way.

WORLD BANK'S DEFINITION
3. According to the World Bank, it is a locally driven process of learning by leaders, coalitions and other agents of change that brings about change in socio-political, policy-related and organization factors to enhance local ownership for and the effectiveness and efficiency of efforts to achieve a development goal.106

4. CD is any coherent set of learning activities that is intended to facilitate locally owned socio-political, policy-related, and organizational change in pursuit of a specific development goal.

OECD'S DEFINITION
5. According to OECD, capacity development is the process by which individuals, groups and organizations, institutions and countries develop, enhance and organize their systems, resources and knowledge, all reflected in their abilities, individually and collectively to perform functions, solve problems and achieve objectives.

UNITED NATION ORGANIZATION'S DEFINITION
6. Capacity development is the process by which individuals, organizations, institutions, and societies develop abilities to perform functions, solve problems and set and achieve objectives. It needs to be addressed at three inter-related levels: individual, institutional and societal. "Specifically, capacity-building encompasses the country's human, scientific, technological, organizational, and institutional and resource capabilities. A fundamental goal of capacity-building is to enhance the ability to evaluate and address the crucial questions related to policy choices and modes of implementation among development options, based on an understanding of environment potentials and limits and of needs perceived by the people of the country concerned"

CAPACITY DEVELOPMENT IS NOT EQUAL TO CAPACITY BUILDING
7. Capacity development is different from capacity building. On the one hand, capacity development refers to the process of creating and building capacities and their subsequent use, management and retention. In other words, it is a process driven from the inside and starts from existing capacity assets.

8. On the other hand, capacity building refers to a process that supports only the initial stages of building or creating capacities and is based on an assumption that there are no existing capacities to start from. Capacity building can therefore be relevant to crisis or immediate post conflict situations where the existing capacity has largely been lost but, not in the WIPO context.[107]

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[106] World Bank Institute, The Capacity Development Result Framework, A Strategic and Result-Oriented Approach to Learning for Capacity Development (2009)
[107] UNDP Practice Note: Capacity Development. © 2008 United Nations Development Programme. New York, USA www.capacity.undp.org

9. In the WIPO context, there is a need to differentiate what activities are linked to capacity building and which others are linked to capacity development.

CAPACITY DEVELOPMENT IS DIFFERENT FROM TECHNICAL ASSISTANCE

10. In the 90's, the international community understood that technical solution and/or funding are not sufficient in themselves to address most development challenges. A new focus on the underlying human and organizational capabilities emerged and focused on working more closely with the individuals, organizations and societies i.e. the intended beneficiaries of development support.

THE AIM OF CAPACITY DEVELOPMENT ACTIVITIES

11. Through the acquisition of new knowledge and information that is, through learning, agents of change can enhance the conduciveness of the sociopolitical environment, the efficiency of policy instruments and the effectiveness of organizational arrangements and so contribute to the achievement of the development goal.

12. Knowledge and information can improve stakeholders' understanding of a given situation or context, including how institutions can affect behaviors. Learning can lead to changes in the effectiveness of organizational arrangements, as well as changes in the efficiency of policy.

THE THREE LEVELS FO CAPACITY DEVELOPMENT

13. According to UNDP, capacity development effects take place at various levels.

THE ENABLING ENVIRONMENT

14. The enabling environment is the broader system within which individuals and organizations function and one that facilitates or hampers their existence and performance, they determinate the "rules of the game" for interaction between and among organizations. Capacity at the level of the enabling environment includes policies, legislations, power relations and social norms, all of which govern the mandate priorities, modes of operation and civic engagement across different parts of society.

THE ORGANIZATIONAL LEVEL

15. It is about the internal policies, arrangements, procedures, and frameworks that allow an organization to operate and deliver on its mandate and that enable the coming together of individual capacities to work together and to achieve goals. If these exist, are well resourced, and well aligned, the capacity of an organization to perform will be greater than that of the sum of its parts.

THE INDIVIDUAL LEVEL

It is constituted of the skills, experience, and knowledge that are vested in people. Each person is endowed with a mix of capacities that allow him or her to perform. Some of these are acquired through formal training and education, others through learning by doing and experience.

[Annex II follows]

ANNEX II: STRATEGIC GOALS, EXPECTED RESULTS AND PERFORMANCE INDICATORS OF TARGETED PROGRAMS

Strategic Goal	Expected Result	Program Responsible	Performance Indicator
SG I – Balanced Evolution of the International Normative Framework for IP	I.1 Enhanced cooperation among Member States on development of balanced international normative frameworks for IP	**Program 2:** Trademarks, Industrial Designs and Geographical Indications	Agreement on a normative framework for industrial design registration and maintenance procedures[108]
			Progress towards agreement on current issues on the SCT Agenda
			No. of ratifications/accessions to the Singapore Treaty
	I.2 Tailored and balanced IP legislative, regulatory and policy frameworks	**Program 2:** Trademarks, Industrial Designs and Geographical Indications	No. and % of Member States/regional organizations providing positive feedback on the legislative advice offered in the area of trademarks, industrial designs and geographical indications
		Program 9: Africa, Arab, Asia and the Pacific, Latin America and the Caribbean Countries, Least Developed Countries	No. and % of Member States which were satisfied with the quality of legal advice related to patents, utility models, trade secrets and integrated circuits[109]
			No. and % of Member States/regional organizations providing positive feedback on the legislative advice offered in the area of trademarks, industrial designs and geographical indications[110]
			No. and/or % of countries providing positive feedback on WIPO's Legislative policy advice
	I.3 Increased protection of State emblems and names and emblems of International Intergovernmental Organizations	**Program 2:** Trademarks, Industrial Designs and Geographical Indications	No. of requests for communication under Article 6ter dealt with[111]
			No. of signs published in Article 6ter database[112]
			No. of signs contained in the Article 6*ter* database
	II.1 Wider and more effective use of the PCT system for filing	**Program 5:** PCT System	Level of satisfaction of PCT users with PCT-specific legal advice, information, training and customer service

[108] Program and Budget for the 2014/15
[109] Program and Budget for the 2014/15
[110] Program and Budget for the 2014/15
[111] Program and Budget for the 2014/15
[112] Program and Budget for the 2014/15

SG II - Provision of Premier Global IP Services	international patent applications[113]		Satisfaction of Offices and International Authorities with PCT cooperative activities
			Further development of the PCT system, notably implementation of the PCT roadmap recommendations endorsed by PCT Member States
			Improved electronic services for applicants, third parties, Offices and Authorities
		Program 9: Africa, Arab, Asia and the Pacific, Latin America and the Caribbean Countries, Least Developed Countries[114]	No. of PCT applications originating from developing, transition and developed countries.
	II.3 Improved productivity and service quality of PCT operations	**Program 5:** PCT System	Application unit cost
			Aggregate quality of formalities examination (including timeliness)
			Timeliness of Report Translation
			Quality of Translation
			Quality of software development (QSD)
			Information systems service levels
	II.4 Wider and more effective use of the Hague system, including by developing countries and LDCs	**Program 9:** Africa, Arab, Asia and the Pacific, Latin America and the Caribbean Countries, Least Developed Countries	No. of Hague applications originating from developing, transition and developed countries
		Program 31: Hague System	Membership of the Geneva (1999)
			Share of Offices concerned providing information on the Hague System to their users
			Hague filings and renewals
	II.5 Improved productivity and service quality of the Hague operations	**Program 31:** Hague System	Predominance of the Geneva (1999) Act in the Hague System
			Processes and procedures adapted to geographical and legal evolution of the system
			Progress towards the enhancement of the legal framework
			Improved operation of the Hague Registry, including electronic processes and procedures

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[113] In Program and Budget for the 2014/15, the ER II.1 (Increased use of the PCT route for filing international patent applications) and ER II.2 (Improvement of the PCT system) have the same performance indicators used for the ER II.1 (Wider and more effective use of the PCT system for filing international patent applications) under the In Program and Budget for the 2016/17

[114] Program and Budget for the 2016/17.

			Flexibility of data recorded in the International Register
			Stable provision of evolving the Hague back office IT services
			Flexibility of data recorded in the International Register
			3 deployed versions of DIRIS and 3 deployed versions of Hague e-Filing
	II.6 Wider and more effective use of the Madrid System, including by developing countries and LDCs	**Program 6:** Madrid System	No. of International Applications (Madrid)[115]
			Share of Offices concerned providing updated information on the Madrid System[116]
			Decrease in the number of irregularities (Madrid)[117]
			Total Membership of the Madrid System
			Market share (i.e., national route versus Madrid route) (Madrid)
			Filing rate (Madrid)
			Registrations (Madrid)
			Renewals (Madrid)
			Total no. of registrations (Madrid)
			Total no. of designations (Madrid)
			Irregularity rate (Article 12 and 13) (Madrid)
			Functional improvements to the Madrid System
		Program 9: Africa, Arab, Asia and the Pacific, Latin America and the Caribbean Countries, Least Developed Countries[118]	No. of Madrid System applications originating from developing, transition and developed countries
	II.7 Improved productivity and service quality of Madrid operations	**Program 6:** Madrid System	Progress towards streamlining and simplification of the Madrid system legal framework[119]
			No. of registrations[120]
			No. of renewals processed[121]
			No. of modifications, including subsequent designations (Madrid)[122]
			Increased use of electronic exchange (Madrid)[123]

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[115] Program and Budget Report for 2014/15
[116] Program and Budget Report for 2014/15
[117] Program and Budget Report for 2014/15
[118] Added in Program and Budget Report for 2016/17
[119] Program and Budget Report for 2014/15
[120] Program and Budget Report for 2014/15
[121] Program and Budget Report for 2014/15
[122] Program and Budget Report for 2014/15

			Client satisfaction (Madrid)
			Unit cost (Madrid)
			Timeliness of transactions (days) (Madrid)
			Quality (Madrid)[124]
			Improved operation of the Madrid Registry, including electronic processes and procedures
			Stable provision of evolving Madrid back office IT services
			3 deployed versions of M-IRIS and 3 deployed versions of Madrid eFiling (IRPI)
	II.8 International and domestic intellectual property disputes are increasingly prevented or resolved through WIPO mediation, arbitration and other alternative dispute resolution methods	**Program 7:** WIPO Arbitration and Mediation Center	Increased use of alternative dispute resolution services and clauses in intellectual property transactions and registrations, including through WIPO procedures
			Alternative dispute resolution policies to which the Center has contributed in respect of their development and implementation
	II.9 Effective intellectual property protection in the gTLDs and the ccTLDs	**Program 7:** WIPO Arbitration and Mediation Center	No. of ccTLD administrators with WIPO assisted design or administration of intellectual property protection mechanisms in accordance with international standards[125]
			No. of UDRP based gTLD and ccTLD cases administered by the Center
			Dispute resolution policies in the Domain Name System to which the Center has contributed in respect of their development and implementation
	II.10 Wider and more effective use of the Lisbon System, including by developing countries and LDCs	**Program 9:** Africa, Arab, Asia and the Pacific, Latin America and the Caribbean Countries, Least Developed Countries	No. of international registrations from developing countries and LDCs in force under the Lisbon System (in relation to the total no.)
		Program 32: Lisbon System	Expansion of the geographical coverage of the Lisbon System
			% of participants in Lisbon System events satisfied and reporting enhanced awareness post an event
			No. of international applications and other transactions (Lisbon)
			No. of international registrations from developing countries and LDCs in force under the Lisbon System (in relation to the total

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[123] Program and Budget Report for 2014/15
[124] In Program and Budget Report for 2014/15: Decrease in the number of corrections
[125] Program and Budget Report for 2014/15

			no.)
	II.11 Improved productivity and service quality of Lisbon operations	**Program 32:** Lisbon System	Refinement of the electronic means of communication and publication under the Lisbon procedures[126]
			Adoption of provisions streamlining the Lisbon System legal framework
			Increased use of electronic means for filing and processing international applications and other transactions (Lisbon)
			Improved electronic services for the Lisbon Registry and Article 6*ter*[127]
	III.1 National innovation and IP strategies and plans consistent with national development objectives	**Program 9:** Africa, Arab, Asia and the Pacific, Latin America and the Caribbean Countries, Least Developed Countries	No. of countries which are in the process of formulating national IP strategies and/or development plans
			No. of countries which have adopted national innovation and IP strategies and/or development plans
			No. of countries which are in the process of implementing national innovation and IP strategies and IP development plans
	III.2 Enhanced human resource capacities able to deal with the broad range of requirements for the effective use of IP for development in developing countries, LDCs and countries with economies in transition	**Program 9:** Africa, Arab, Asia and the Pacific, Latin America and the Caribbean Countries, Least Developed Countries	% of participants in WIPO events who express satisfaction with the content and organization of these events
			% of participants in WIPO workshops who apply the skills learned in their work/enterprise
			% of national and regional IP experts used as resource persons in WIPO events
SG III: Facilitating the Use of IP for Development	III.3 Mainstreaming of the DA recommendations in the work of WIPO	**Program 8:** Development Agenda Coordination	No. of DA recommendations that have been addressed by the CDIP through projects, activities and studies[128]
			Rate of satisfaction among Member States with the results of the projects, activities and studies[129]
			Implementation of the coordination mechanism as approved by Member States[130]
			No. of Programs in which DA recommendations are mainstreamed into the regular work of WIPO[131]
			No. of DA projects and the manner in which they have been

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[126] Program and Budget Report for 2014/15
[127] In Program and Budget Report for 2014/15: "Refinement of the electronic International Register of the Lisbon system"
[128] Program and Budget Report for 2014/15
[129] Program and Budget Report for 2014/15
[130] Program and Budget Report for 2014/15
[131] Program and Budget Report for 2014/15

			mainstreamed into the regular work of WIPO (norm-setting, technical assistance and service delivery)[132]
			Effective system in place for the planning, monitoring and evaluation of the implementation of DA recommendations % of DA projects which have been independently evaluated[133]
			Development principles included in the DA recommendations effectively integrated in the work of WIPO programs
			Effective follow up to the implementation of the recommendations of the Independent Review of the DA
			Improved mechanism for the development, implementation, monitoring, evaluation of and reporting on, new DA projects and activities
	III.4 Strengthened cooperation mechanisms and programs tailored to the needs of developing countries, LDCs and countries with economies in transition	**Program 9:** Africa, Arab, Asia and the Pacific, Latin America and the Caribbean Countries, Least Developed Countries	No. of new or strengthened cooperation mechanisms, programs or partnerships supported to promote/strengthen sub-regional or regional cooperation in IP[134]
			No. of national, sub regional and regional/ interregional cooperation agreements, projects, programs, and partnerships to promote the effective use of the IP systems through sharing of best practices.
	III.5 Enhanced understanding of the DA by Member States, IGOs, civil society and other stakeholders	**Program 8:** Development Agenda Coordination	No. of countries requesting technical assistance through DA projects and expressing interest in DA related activities[135]
			% of participants in WIPO meetings (Member States, IGOs, civil society and other stakeholders) satisfied with information received on the DA recommendations[136]
			Technical assistance activities undertaken by WIPO reflect the Development Agenda dimension and outcomes of DA projects
			% of satisfied participants in events on the WIPO Development Agenda targeting Member States, Civil Society, IGOs and stakeholders

Source: Program and Budget Reports 2014/15 and 2016/17, WIPO, 2017

[Annex III follows]

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[132] Program and Budget Report for 2014/15
[133] Program and Budget Report for 2014/15
[134] Program and Budget Report for 2014/15
[135] Program and Budget Report for 2014/15
[136] Program and Budget Report for 2014/15

ANNEX III: WIPO CAPACITY DEVELOPMENT THEORY OF CHANGE[137]
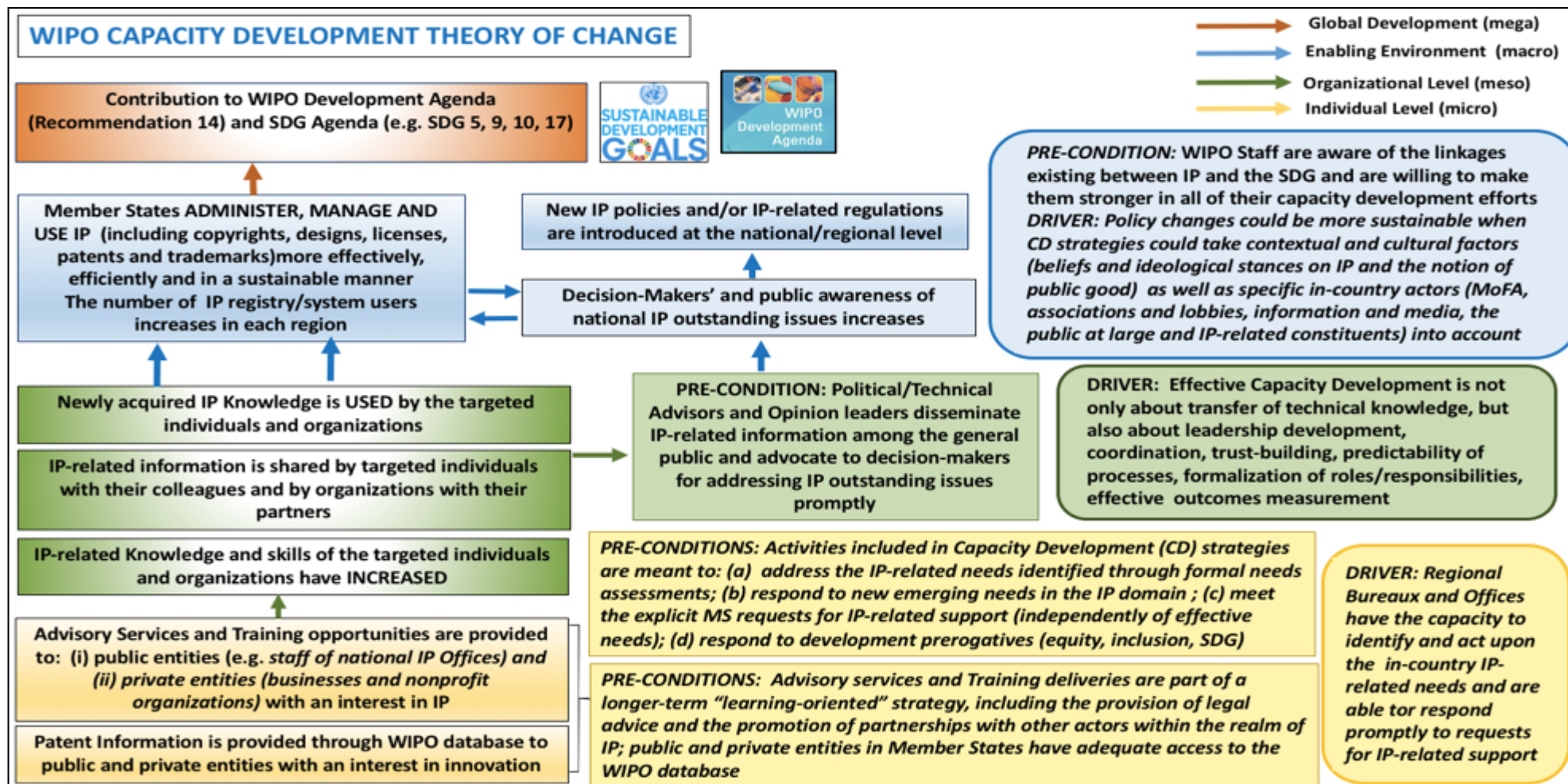
Sources: IOD/WIPO Data, 2017

[Annex IV follows]

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[137] Eight Programs under review

ANNEX IV: KEY EVALUATION QUESTIONS

1. *Questions on Relevance:*

   1.1   To what extent has the WIPO identified the right needs (including emerging needs) and audiences for CD interventions?
   1.2   To what extent have the CD interventions addressed the needs of national IP offices and other relevant parties (stakeholders)?
   1.3   To what extent have CD interventions been aligned with the WIPO's strategic agenda?

2. *Questions on Effectiveness:*

   2.1   To what extent have WIPO's CD activities and programs attained their intended results?
   2.2   What are the factors (internal/external to WIPO) that contributed to the successful completion of the CD activities and programs?
   2.3   What are the factors (internal/external to WIPO) that hampered the attainment of the CD activities and programs' envisaged objectives?
   2.4   To what extent have the WIPO's CD interventions contributed to improving and maximizing the transfer of knowledge, skills and capacities to Member States for the enhancement of institutional capacity in countries to administer, manage and use IP?
   2.5   How did the CD interventions address gender balance issues?

3. *Questions on Efficiency:*

   3.1   To what extent was the management of the financial resources allocated to CD activities and programs sound?
   3.2   How could the use of resources have been improved?
   3.3   To what extent was the management of the human resources allocated to CD activities and programs sound?
   3.4   To what extent were CD activities programs organized on time? Were the results achieved on time?

4. *Questions on Impact:*

   4.1   To what extent did CD activities have any positive or negative impact on policy, legal, institutional, and human resource skill levels?
   4.2   To what extent did the CD activities and programs result in unintended consequences or impact?
   4.3   To what extent did the WIPO CDs activities and programs contribute to implementing the relevant DA agenda?

5. *Questions on Sustainability:*

   5.1   To what extent will the effects of the WIPO's CD interventions sustain over time?
   5.2   To what extent has CD been integrated and kept in countries and organizations where it was delivered?
   5.3   What is the WIPO doing to build a critical mass of beneficiaries with the right capacity in a sustainable manner?

[Annex V follows]

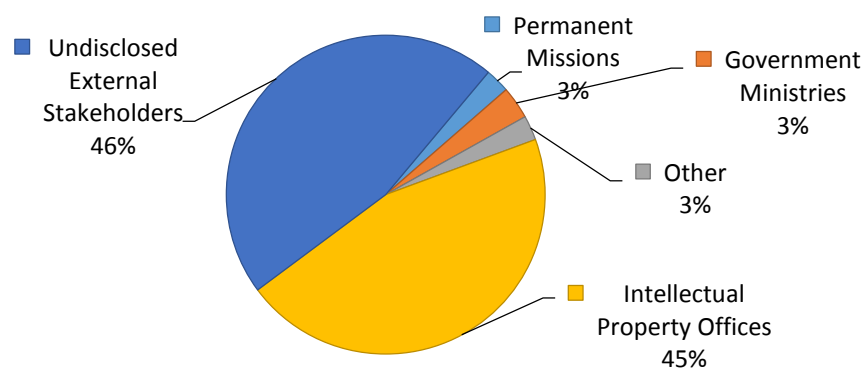**ANNEX V: GEOGRAPHIC COVERAGE, REPRESENTATION AND THE PROFESSIONAL AFFILIATION OF SURVEY RESPONDENTS**

Geographic Coverage of Survey Respondents

- Middle East 5%
- Eastern Europe 6%
- Europe 6%
- Central and South Africa 9%
- North Africa 3%
- Asia and the Pacific 5%
- Oceania 2%
- Latin America and the Caribbean 16%
- Undisclosed External Stakeholders 48%
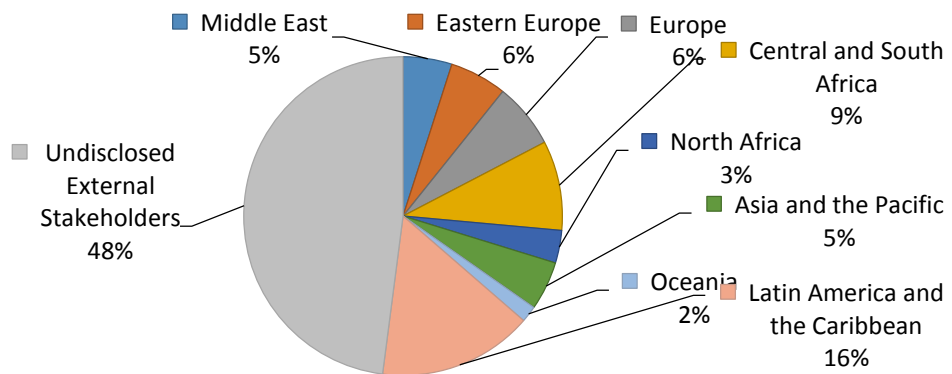
Geographical Representation of Survey Respondents

- Least Developed Economies 7%
- Small Island Developing States 3%
- Developing Economies 29%
- Developed Economies 8%
- Undisclosed External Stakeholders 48%
- Economies in Transition 5%
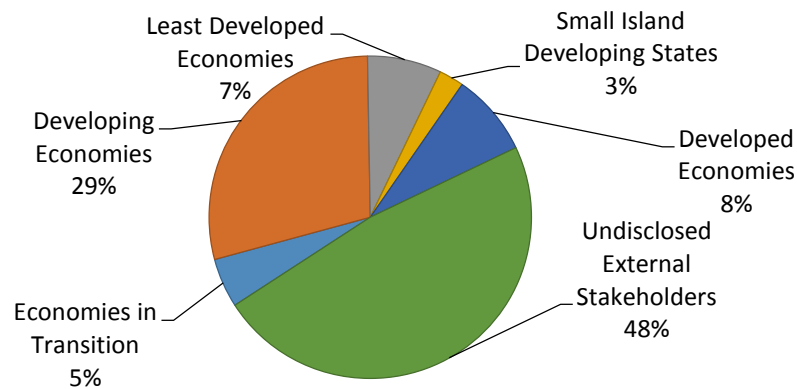
Breakdown of Professional Affiliation of Survey Respondents

- Undisclosed External Stakeholders 46%
- Permanent Missions 3%
- Government Ministries 3%
- Other 3%
- Intellectual Property Offices 45%

Source: IOD/WIPO Data, 2017

[Annex VI follows]

ANNEX VI: LIST OF INTERNAL WIPO STAKEHOLDERS INTERVIEWED

| #	STAKEHOLDERS NAMES	TITLE
1.	Mr. Adam Rattray	Head, Information and External Relations Section, Arbitration and Mediation Center
2.	Mr. Andrew Michael Ong	Director, Regional Bureau for Asia and the Pacific, Development Sector
3.	Ms. Beatriz Amorim-Borher	Director, Regional Bureau for Latin America and the Caribbean, Development Sector
4.	Ms. Binying Wang	Deputy Director General, Brands and Designs Sector
5.	Mr. Carsten Fink	Chief Economist, Economics and Statistics Division
6.	Mr. Claus Matthes	Senior Director, PCT Legal and International Affairs Department, Patents and Technology Sector
7.	Mr. David Muls	Senior Director, Department for Trademarks, Industrial Designs and Geographical Indications
8.	Ms. Francesca Toso	Senior Advisor, Development Sector
9.	Mr. Giovanni Napolitano	Acting Director, SMEs and Entrepreneurship Support Division
10.	Mr. Grégoire Bisson	Director, The Hague Registry, Brands and Designs Sector
11.	Mr. Ilya Gribkov	Acting Head, Department for Transition and Developed Countries
12.	Mr. Irfan Baloch	Director, Development Agenda Coordination Division
13.	Mr. John Sandage	Deputy Director General, Patents and Technology Sector
14.	Mr. Kenichiro Natsume	Director, PCT International Cooperation Division
15.	Mr. Kiflé Shenkoru	Director, Division for Least-Developed Countries
16.	Ms. Loretta Asiedu	Senior Counsellor, Regional Bureau for Africa, Development Sector
17.	Mr. Mahmud Muntasser	Counsellor, Regional Bureau for Arab Countries, Development Sector
18.	Mr. Marc Sery-Kore	Director, Regional Bureau for Africa, Development Sector
19.	Mr. Marco Aleman	Director, Patent Law Division
20.	Mr. Marcus Höpperger	Director, Madrid Registry, Brands and Designs Sector
21.	Mr. Mario Matus	Deputy Director General, Development Sector
22.	Mr. Matthew Forno	Senior Counsellor, Madrid Information and Promotion Division, Madrid Registry, Brands and Designs Sector
23.	Ms. Maya Catharina Bachner	Director, Program Performance and Budget Division, Department of Program Planning and Finance
24.	Mr. M'Hamed Sidi el Khir	Counsellor, Regional Bureau for Arab Countries, Development Sector
25.	Mr. Michael Richardson	Director, PCT Business Development Division
26.	Mr. Mohamed Salek Ould Mohamed Lemine	Strategic Adviser, Development Sector
27.	Ms. Monika Zikova	Program Officer, Department for Transition and Developed Countries
28.	Mr. Ridha Bouabid	Representative of the Director General on the UN Sustainable Development Goals (SDGs)
29.	Ms. Saito Kaori	Gender and Diversity Specialist, Human Resources Management Department
30.	Ms. Tamara Nanayakkara	Counsellor, SMEs and Entrepreneurship Support Division
31.	Mr. Walid Abdelnasser	Director, Regional Bureau for Arab Countries, Development Sector

[Annex VII follows]

**ANNEX VII: SIGNATORY COUNTRIES OF PCT, HAGUE AND MADRID SYSTEMS (BY DEVELOPMENT LEVEL)**

PCT System

38	66	31	17
Developed	Developing	LDCs	Economies in Transition

Hague System

27	2	17	2
Developed	Developing	LDCs	Economies in Transition

Madrid System

37	33	13	17
Developed	Developing	LDCs	Economies in Transition
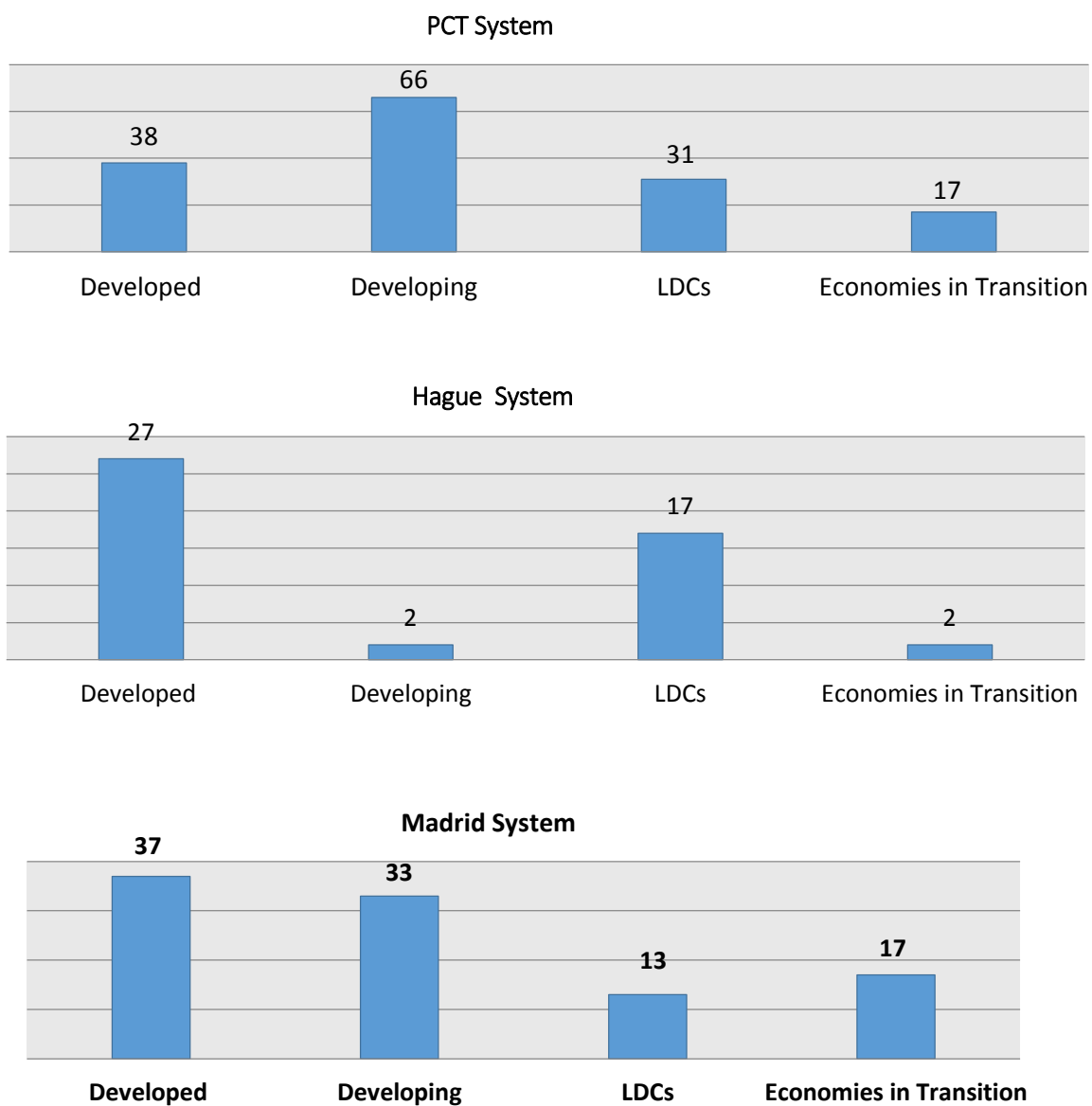
Source: WIPO 2017

[Annex VIII follows]

ANNEX VIII: APPLICATIONS FILED IN 2010-2014

Industrial Designs
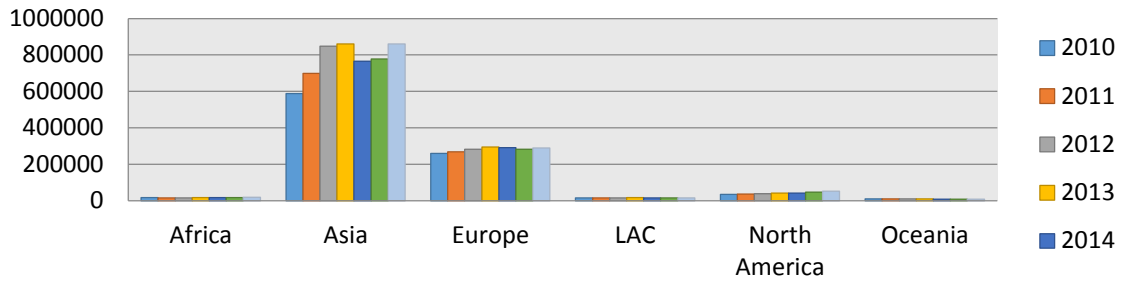
Patents
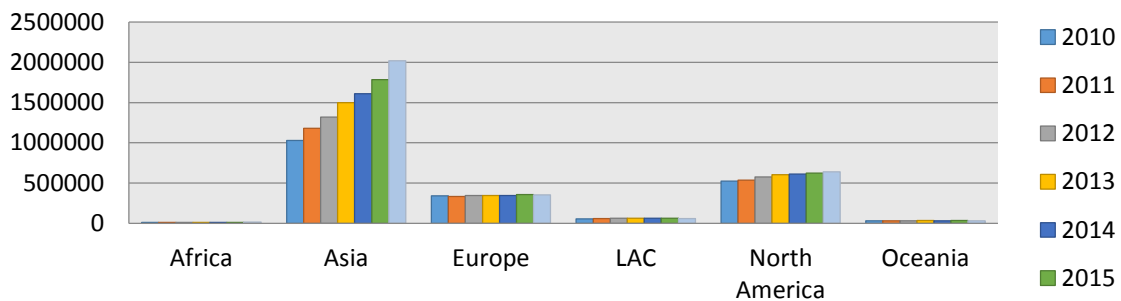
Trademarks
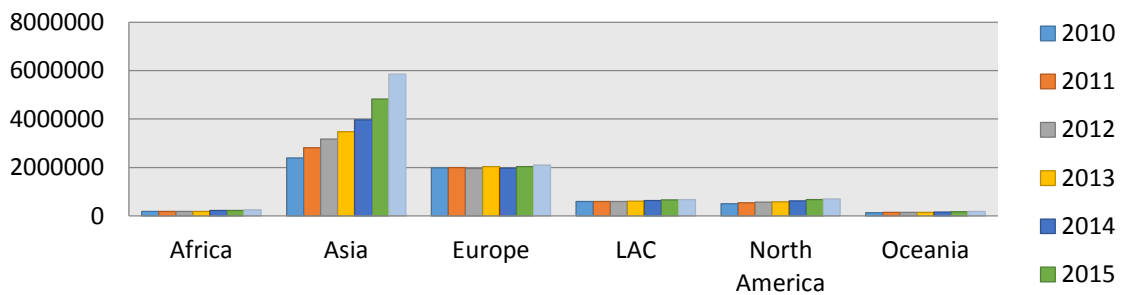
Utility Model
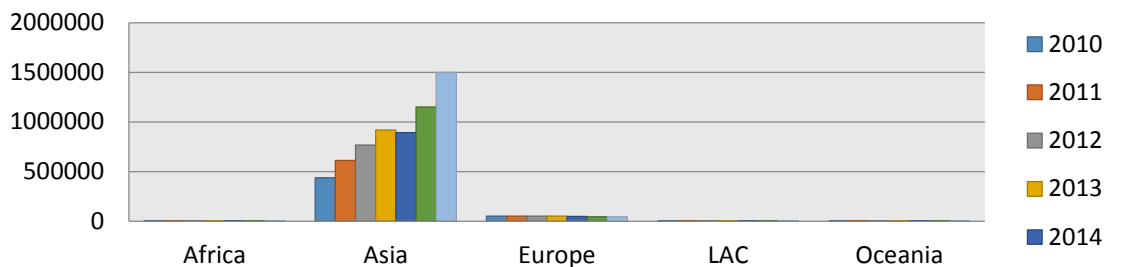
Source: WIPO Statistics Database, 2017

[Annex IX follows]

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[138] Utility models refer to "short-term patents", "utility innovations" or "innovation patents"

ANNEX IX: BUDGET ALLOCATION PER EXPECTED RESULTS (APPROVED VS. TRANSFERRED)
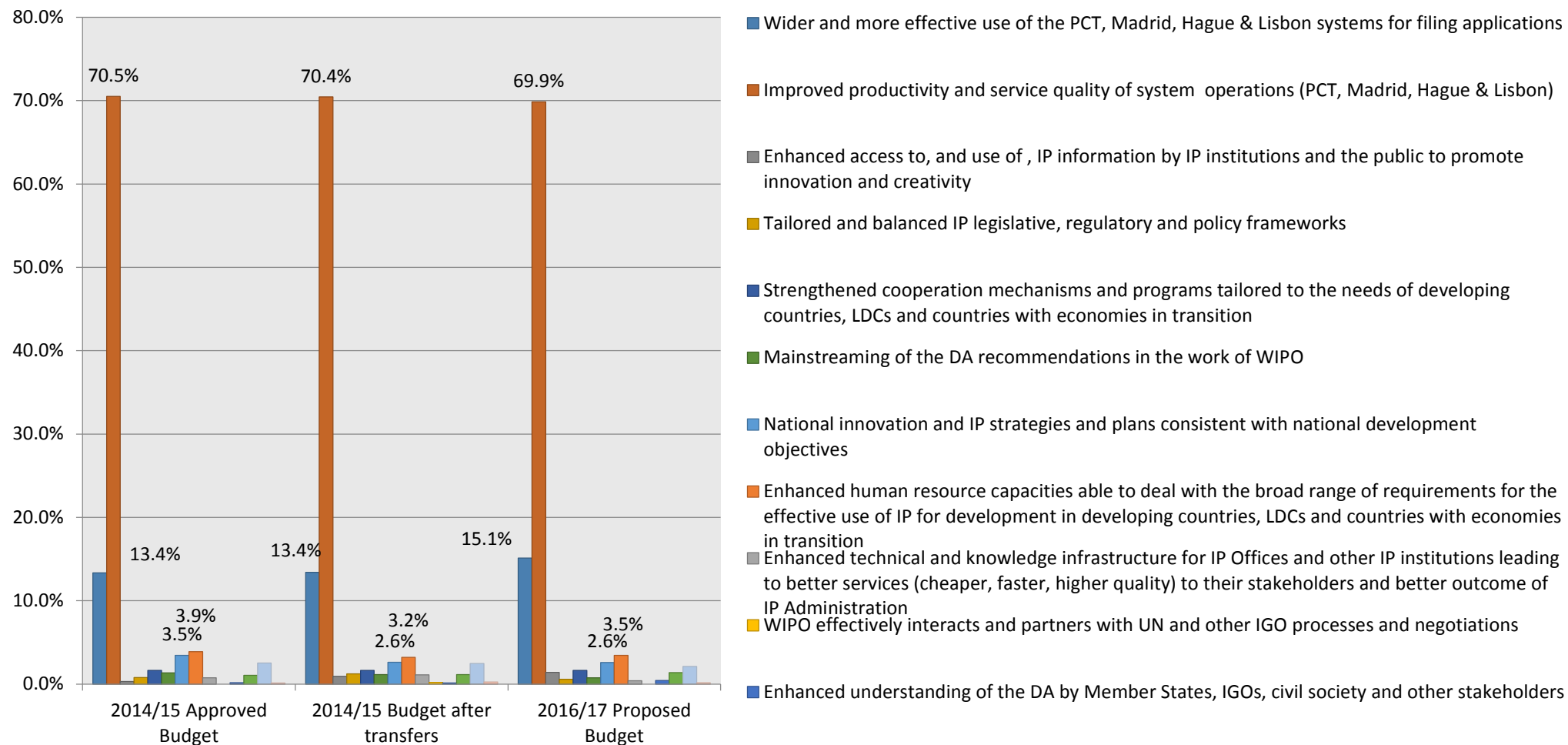
Source: WIPO Program and Budget for 2014/15 and 2016/17

[Annex X follows]

ANNEX X: QUESTIONNAIRES

Online Survey for Users, NPOs, Private sector, Associations, etc.

Job Title:	
Country	
Areas of work (please check the one that applies)	
☐ **National IP Office**	
☐ **Ministry**	
☐ **Law firm**	
☐ **Private Business**	
☐ **Users Associations**	
☐ **Other (please specify):**	
Gender: ☐Male ☐Female	

1. **Have you participated in any capacity development (CD) event organized by WIPO between 2014 and 2017?**

CD event	Yes	No
IP- related seminar/ workshop/ training	☐	☐
IP- related webinar	☐	☐
Advisory on legal framework adjustments	☐	☐
Advisory in developing national IP Strategies	☐	☐
Other (please specify)	☐	☐

2. **To what extent did WIPO CD activities/ events fulfil your IP-related needs or your organization?**

    ☐   Very little
    ☐   Little
    ☐   Sufficiently
    ☐   Much
    ☐   Very Much

Please specify the answer:

3. **What do you think needs to be improved with regard to CD activities or trainings carried out by WIPO?**

4. Please rate the extent to which you agree with the following statements:

Statement	Strongly agree	Agree	Disagree	Strongly disagree	Don't know
WIPO CD interventions contributed to Balanced Evolution of the International Normative Framework for IP					
WIPO CD interventions ensured Provision of Premier Global IP Services					
WIPO CD interventions facilitated the Use of IP for Development					
WIPO CD interventions contributed to coordination and development of global IP infrastructure					

RELEVANCE

5. Before your participation in the event, did WIPO assess your needs or expectations?

☐ Yes   ☐ No   If yes, please specify how

6. To what extent did the WIPO's event/events in which you participated in meet your expectations?

- ☐ Very little
- ☐ Little
- ☐ Sufficiently
- ☐ Much
- ☐ Very Much

7. Please provide more details on why and how the event met or not your expectations

8. What did you like <u>the most</u> and <u>the least</u> about the event/s that you took part in?

EFFECTIVENESS:

9. To what extent have the WIPO CD interventions contributed to improve the following IP agenda in your institution/country:

	Not at all	Little	Fairly	Much	Very Much
IP administration	☐	☐	☐	☐	☐
IP Management	☐	☐	☐	☐	☐
IP Use	☐	☐	☐	☐	☐

10. What are the factors that <u>contributed</u> to IP right protection in your country?

11. What are the factors that <u>make it more challenging</u> to protect IP rights in your country?

EFFICIENCY:

12. **Please specify the source of the fees paid for your taking part in trainings, workshops and seminars organized by WIPO**

Source	Options
Funded by the national government	☐
WIPO funded	☐
My own funds	☐
Other (please specify)	☐

13. What do you think about the cost of the events organized by WIPO?

- ☐ Very Expensive
- ☐ Expensive
- ☐ Fairly priced
- ☐ Cheap
- ☐ Very cheap
- ☐ I do not know

14. Did you have to wait long between the time you expressed interest in the CD event and the time it was organized?

- ☐ I had to wait over 2 years
- ☐ I waited 1-2 years
- ☐ I waited more than 6-months-1 year
- ☐ I waited 3-6 months
- ☐ I waited less than 3 months

IMPACT:

15.   What (if any) were the positive/negative effects of your CD interventions in each of the following domains:

Level	Positive	Negative
Policy and legal level	☐	☐
Institutional level	☐	☐
Human resource skill levels	☐	☐
Other (please specify):	☐	☐

Please specify your answer:

16.   Did you apply the knowledge skills you got through WIPO training?

☐   Yes   ☐   No   Please specify your answer:

SUSTAINABILITY:

17.   Are there in-country institutions that offer the same CD services that WIPO offered you the time you participated in their CD event?

☐   Yes   ☐   No   Please specify your answer:

18.   To what extent did WIPO build a critical mass of beneficiaries with the right capacity in a sustainable manner?

☐   Not at all

☐   Poorly

☐   Sufficiently

☐   Significantly

☐   Very significantly

Please specify your answer:

Survey: Member State Delegations

Country of Representation:
Gender: ☐ **Male** ☐ **Female**

RELEVANCE:

1. **In your opinion, how well has WIPO been able to identify the needs and audiences ("targets") for capacity development within the following sectors:**

Sector	Do not know	Poorly	Sufficiently	Well	Very well
Government	☐	☐	☐	☐	☐
Private sector	☐	☐	☐	☐	☐
Non-profit sector	☐	☐	☐	☐	☐

Please specify your answer below:

2. **What are some of the IP-related capacity needs that you have seen emerge in your own country over the last three years? Please indicate the specific domain and the audience (government/private sector/non-profit sector)?**

3. **To what extent have WIPO CD interventions fulfilled the needs of national IP offices and other relevant parties in your country (stakeholders)?**

☐ Not at all   ☐ Poorly   ☐ Sufficiently   ☐ Well   ☐ Very Well

EFFECTIVENESS:

4. **To what extent have WIPO's CD interventions contributed to the following (in your country):**

IP administration
   ☐ Not at all   ☐ Little   ☐ Fairly   ☐ Much   ☐ Very Much
IP Management
   ☐ Not at all   ☐ Little   ☐ Fairly   ☐ Much   ☐ Very Much
IP Use
   ☐ Not at all   ☐ Little   ☐ Fairly   ☐ Much   ☐ Very Much
Other (please specify)
   ☐ Not at all   ☐ Little   ☐ Fairly   ☐ Much   ☐ Very Much

5.   **While implementing CD activities in your country, what are the internal/external factors that <u>contributed</u> to or hampered WIPO's work ? Please specify whether such factors apply to all CD approaches or only to some (fi so, please indicate which ones)**

Internal Factors:

External Factors:

6.   **Which CD intervention has been <u>the most effective</u> in meeting your country's IP-related needs (which sector and audience)?**

7.   **Which CD interventions has been <u>the least effective</u> in helping you attain your Expected Results (which sector and audience)? → I took this out because expected results relate to WIPO staff not MS. I think Q4 covers this point in the MS context**.

EFFICIENCY:

8.   **What can you tell us about:**

   a)   The timeliness of WIPO's CD activities and programs?

   ☐ Not timely at all   ☐ Moderately Timely   ☐ Fairly acceptable   ☐Timely ☐ Very timely

   b)   What CD activities could WIPO NOT implement on time in your country (maybe you had to wait 1 or 2 years for an activity that you asked for?

   c)   Did you (your country) have to pay to cover transportation and tuition feed to affected any event organized by WIPO?

IMPACT:

9.   **What (if any) were the positive/negative effects of your CD interventions in each of the following domains:**

Level	Positive	Negative
Policy and legal level		
Institutional level		
Human resource skill levels		
Other (please specify)		

Please specify your answer

10.   **What unexpected effect/results did you observe in association with WIPO's CD interventions in your country?**

Positive:

Negative:

11. **To what extent does WIPO Capacity Development Work contribute to WIPO's Development Agenda recommendations in your country?**

Recommendations	Not at all	Little	Fair	Much	Very much
Recommendation 1: **"WIPO technical assistance shall be development-oriented, demand-driven and transparent, addressing the priorities and needs of developing and least developed countries, and the Member States**					
Recommendation 6: **WIPO's technical assistance staff and consultants shall continue to be neutral and accountable, by paying particular attention to the existing Code of Ethics, and by avoiding potential conflicts of interest.**					
Recommendation 10: **"To assist Member States to develop and improve national intellectual property institutional capacity making them more efficient".**					

SUSTAINABILITY:

12. **To what extent will the effects of the WIPO's CD interventions sustain over time in your country?**

13. **To what extent has CD been integrated and kept in your country and organizations in those sectors where it was delivered?**

14. **To what extent did WIPO build a critical mass of beneficiaries with the right capacity in a sustainable manner?**

1.Not at all   2. Poorly   3. Sufficiently   4. Well   5. Very Well

Please provide more details:

Online Survey for Internal Stakeholders

Date:	
Specific area of work (Program/Unit/):	
Gender: ☐ **Male** ☐ **Female**	

RELEVANCE

1.   Please rate the extent to which you agree with the following statement:

Statement	Strongly agree	Agree	Disagree	Strongly disagree	Don't know
CD interventions implemented BY YOUR PROGRAM fulfilled the needs of national IP offices and other relevant parties (stakeholders)	☐	☐	☐	☐	☐

2.   Please rate the extent to which you agree that CD interventions implemented   BY YOUR PROGRAM/SECTOR contributed to the following Strategic Goal and Expected Results.

Strategic Goals (SG) and Expected Results (ER)	Strongly agree	Agree	Disagree	Strongly disagree	Don't know
SG 1: contributed to Balanced Evolution of the International Normative Framework for IP	☐	☐	☐	☐	☐
I.1. Enhanced cooperation among Member States on development of balanced international normative frameworks for IP	☐	☐	☐	☐	☐
I.2 Tailored and balanced IP legislative, regulatory and policy frameworks	☐	☐	☐	☐	☐
I.3. Increased protection of State emblems and names and emblems of International Intergovernmental Organizations	☐	☐	☐	☐	☐
SG 2: ensured Provision of Premier Global IP Services	☐	☐	☐	☐	☐
II.1 Wider and more effective use of the PCT system for filing international patent applications	☐	☐	☐	☐	☐
II.3. Improved productivity and service quality of PCT operations	☐	☐	☐	☐	☐
II.4 Wider and more effective use of the Hague system, including by developing countries and LDCs	☐	☐	☐	☐	☐
II.5. Improved productivity and service quality of the Hague operations	☐	☐	☐	☐	☐

II.6 Wider and more effective use of the Madrid System, including by developing countries and LDCs	☐	☐	☐	☐	☐
II.7. Improved productivity and service quality of Madrid operations	☐	☐	☐	☐	☐
II.8. International and domestic intellectual property disputes are increasingly prevented or resolved through WIPO mediation, arbitration and other alternative dispute resolution methods	☐	☐	☐	☐	☐
II.9. Effective intellectual property protection in the gTLDs and the ccTLDs	☐	☐	☐	☐	☐
II.10 Wider and more effective use of the Lisbon system, including by developing countries and LDCs	☐	☐	☐	☐	☐
II.11 Improved productivity and service quality of Lisbon operations	☐	☐	☐	☐	☐
SG 3: Facilitating the Use of IP for Development	☐	☐	☐	☐	☐
III.1. National innovation and IP strategies and plans consistent with national development objectives	☐	☐	☐	☐	☐
III.2. Enhanced human resource capacities able to deal with the broad range of requirements for the effective use of IP for development in developing countries, LDCs and countries with economies in transition	☐	☐	☐	☐	☐
III.3. Mainstreaming of the DA recommendations in the work of WIPO	☐	☐	☐	☐	☐
III.4. Strengthened cooperation mechanisms and programs tailored to the needs of developing countries, LDCs and countries with economies in transition	☐	☐	☐	☐	☐
III.5. Enhanced understanding of the DA by Member States, IGOs, civil society and other stakeholders	☐	☐	☐	☐	☐
SG 4: Coordination and Development of Global IP Infrastructure	☐	☐	☐	☐	☐
IV.2. Enhanced access to, and use of, IP information by IP institutions and the public to promote innovation and creativity	☐	☐	☐	☐	☐
IV.4. Enhanced technical and knowledge infrastructure for IP Offices and other IP institutions leading to better services (cheaper, faster, higher quality) to their stakeholders and better outcome of IP administration	☐	☐	☐	☐	☐

3.   How does your program identify needs and audiences ("targets") for your CD Interventions?

4.   Is there anything that should be improved to proactively address the needs of Member States, IPOs and other users of WIPO services?

EFFECTIVENESS

5.   What are the internal/external factors that <u>contributed</u> to, or <u>hampered</u> your program achievements in developing the capacity of Member States, IPOs and other relevant groups of beneficiaries?

Internal Factors (please list):

External Factors (please list):

EFFICIENCY

6.   Please specify if the amount of resources is sufficient for rolling out your CD interventions?

	Not at all	Little	Fairly	Much	Very Much
HR	☐	☐	☐	☐	☐
Financial	☐	☐	☐	☐	☐

Please specify your answer:

7.   Do you think that your CD activities and programs are started and completed on time?

	Not at all	Little	Fairly	Much	Very Much
Started	☐	☐	☐	☐	☐
Completed	☐	☐	☐	☐	☐

Please specify your answer:

8.   Please specify if you use any digital platforms to track your activities and to stay informed about CD activities implemented by other WIPO programs.

Digital tool	Yes	No
e-Work	☐	☐
WIPO Business Intelligence	☐	☐
Other (please specify)	☐	☐

9.   Please specify if there should be any improvements to consolidate/merge the data presented though digital tools/platforms about CD activities implemented within the house?

IMPACT:

10.   **What (if any) were the positive/negative effects of your CD interventions in each of the following domains**:

Intervention Level	Positive	Negative
Policy and legal level	☐	☐
Institutional level	☐	☐
Human resource skill levels	☐	☐

Please specify below

11.   Do you observe any unexpected effects/results in association with your Program's CD interventions? If yes, please specify below.

SUSTAINABILITY:

12.   **What could be the best strategy/approach for WIPO to build a critical mass of beneficiaries (in partnering countries?**

[End of annexes and of document]