

Committee on Development and Intellectual Property (CDIP)

Twenty-Ninth Session
Geneva, October 17 to 21, 2022

ENHANCING THE USE OF INTELLECTUAL PROPERTY FOR MOBILE APPLICATIONS IN THE SOFTWARE SECTOR – REVISED PROPOSAL FOR A PHASE II

prepared by the Secretariat

1. The Committee on Development and Intellectual Property (CDIP), at its twenty-eighth session, while considering the Evaluation Report of the Project on Enhancing the Use of Intellectual Property (IP) for Mobile Applications in the Software Sector, contained in document CDIP/28/6, requested, *inter alia*, to “receive a follow-up document on further activities to be undertaken by the Secretariat in this area” (para 4.3, Summary by the Chair, CDIP/28). Document CDIP/29/8 contains a proposal for a Phase II of the project on Enhancing the Use of IP for Mobile Applications in the Software Sector.
2. During the twenty-ninth session of the Committee, the proposal was revised by the Secretariat to respond to the comments provided by Member States.
3. The above-mentioned revised proposal for a Phase II of the project on Enhancing the Use of IP for Mobile Applications in the Software Sector is contained in the Annex to this document.
4. *The CDIP is invited to consider the information contained in the Annex to this document.*

[Annex follows]

1. Project code
DA_4_11_23_24_27_02
1.2 Project title
Enhancing the Use of Intellectual Property (IP) for Mobile Apps in the Software Sector – Phase II
1.3 <u>DA Recommendations</u>
<p><i>Recommendation 4:</i> Place particular emphasis on the needs of small and medium-sized enterprises (SMEs) and institutions dealing with scientific research and cultural industries and assist Member States, at their request, in setting-up appropriate national strategies in the field of intellectual property.</p> <p><i>Recommendation 11:</i> To assist Member States to strengthen national capacity for protection of domestic creations, innovations and inventions and to support development of national scientific and technological infrastructure, where appropriate, in accordance with WIPO’s mandate.</p> <p><i>Recommendation 23:</i> To consider how to better promote pro-competitive intellectual property licensing practices, particularly with a view to fostering creativity, innovation and the transfer and dissemination of technology to interested countries, in particular developing countries and LDCs.</p> <p><i>Recommendation 24:</i> To request WIPO, within its mandate, to expand the scope of its activities aimed at bridging the digital divide, in accordance with the outcomes of the World Summit on the Information Society (WSIS) also taking into account the significance of the Digital Solidarity Fund (DSF).</p> <p><i>Recommendation 27:</i> Facilitating intellectual property -related aspects of ICT for growth and development: Provide for, in an appropriate WIPO body, discussions focused on the importance of intellectual property -related aspects of ICT, and its role in economic and cultural development, with specific attention focused on assisting Member States to identify practical intellectual property -related strategies to use ICT for economic, social and cultural development.</p>
1.4 Project duration
15 months
1.5 Project Budget
Total non-personnel cost: 150,000 Swiss francs
2. Description of the Project
<p>The project on Enhancing the Use of IP for Mobile Applications in the Software Sector was proposed by Kenya and approved by the CDIP at its 22nd session, held in 2018.</p> <p>The overall objective of the project was to contribute to the economic development of the project beneficiary countries, by enhancing their use of IP in the software sector, including by providing tools that could also be used in other countries.</p> <p>More specifically, the project sought to:</p> <ul style="list-style-type: none"> (i) enhance the use of IP in support of mobile applications by training researchers, developers and entrepreneurs on the range of available IP tools, and how such tools can be used to support related endeavors; (ii) raise awareness among entrepreneurs, financial institutions, venture capitalists and other investors on using IP as an asset and collaboration tool by furthering the

exchange of knowledge and experience; and

(iii) build respect for IP in the software sector by educating researchers, developers and entrepreneurs on tools and procedures for effectively protecting IP rights in mobile applications, including mediation and arbitration.

The first phase of the project was implemented in Kenya, the Philippines and Trinidad and Tobago. It was implemented from January 2019 to December 2021.

In the context of the discussion on the Completion (document CDIP/28/7) and Evaluation (document CDIP/28/6) reports during the 28th session of the CDIP, it was highlighted that the project focused on mobile apps as a sector agnostic area. However, mobile apps will be even more relevant in specific industry contexts where they add value and reinforce IP utilization and market performance to specific industries. As emphasized in the recommendation 47 (b) of the Evaluation report, adopting a vertical approach to mobile apps in an industry context was an important addition to the horizontal approach followed throughout the first phase of the project, and would contribute to the sustainability of the initial project results.

Based on the positive consideration of the reports mentioned above, the Committee decided to mainstream the project results into the work of WIPO, and requested to “receive a follow-up document on further activities to be undertaken by the Secretariat in this area”¹.

Hence, the second phase of the project will focus on ensuring the long-term sustainability of the project outputs by incorporating them in a comprehensive training course material that would provide possibilities for future self-education, training, reference and further reading.

In addition, in consultation with the beneficiary countries (Kenya, the Philippines, and Trinidad and Tobago), it was decided to focus the second phase of the project on enhancing the use of IP protection to support the mobile app industry in the following four creative industries: music, publishing, videogames and audiovisual content.

2.1 Project Objective, Outcome and Outputs

The overall **objective** of the proposed phase II is to build on the tools and capacities developed during the first phase of the project and ensure greater sustainability of the project results.

In view of the above, the project expected **outcome** is to improve the understanding of the relevance of IP and enhance the use of its protection to support the mobile app industry in the music, publishing, videogames and audiovisual content sectors.

This will be achieved through the delivery of the following **outputs**:

- (i) A training course material on IP for mobile applications;
- (ii) Tools on IP for mobile apps in music, publishing, videogames and audiovisual content;
- (iii) Holding of events to present the produced material to the relevant stakeholders in each beneficiary country and collect their feedback.

2.2 Project Implementation Strategy

The training course material will provide a comprehensive overview of the mobile app ecosystem, the stakeholders, the issues related to IP mechanisms for mobile apps, the IP income streams in the industry, the demand and supply of apps and the IP related interventions on the market, competition aspects, commercialization process, respecting and promoting IP rights of developers, the role of professional associations, case studies, checklists and references. The material will build on and use to the extent possible the tools

¹ Para. 4.3 in the [Summary by the Chair](#), CDIP/28.

developed during the first phase of the project. Meanwhile, it will be developed as a standalone training tool in line with the standard requirements for high quality educational material. It will be made available to the beneficiary countries (and to all Member States) to use, as appropriate, in their future activities. The course material will be available only online and, as part of the project mainstreaming, it will be regularly updated to ensure that the information is always up-to-date. It will also be shared with the WIPO Academy for its potential use in its various capacity building activities in the future.

The tools on IP for mobile apps in the selected creative sectors will offer material specifically targeted at the mobile apps stakeholders in the music, publishing, videogames and audiovisual content sectors. These tools will target stakeholders working with mobile apps, including individual entrepreneurs and SMEs. They will focus on how IP fits in the business model of each of the selected sectors. The tools will explain business processes, show how mobile apps add value and to what extent it is related to the underlying IP, the due diligence and the potential of IP to generate multiple income streams. The tools will offer practical guidelines and demonstrate through case studies and best practices the role of IP in the four sectors.

The events for presenting and testing these tools among the relevant stakeholders in each beneficiary countries will enable an objective assessment of their level of acceptance and practical orientation. Feedback from participants will also be collected during the events, with the view of revising and/or adjusting the content accordingly, if required.

The said strategy will be delivered in strong cooperation with the partners in each of the beneficiary countries, and in consultation with the identified mobile app and creative industry stakeholders.

2.3 Project Indicators

Project Outcome: To improve the understanding of the relevance of IP and enhance the use of its protection to support the mobile app industry in the music, publishing, videogames and audiovisual content sectors.

Outcome Indicators:

- (i) 70% of the relevant stakeholders in the beneficiary countries agree that IP is a relevant tool that can support the mobile app industry in the music, publishing, videogames and audiovisual content spheres.
- (ii) At least 100 downloads of the tools registered in the first three months from their publication.

Project Outputs:

- (i) A training course material on IP for mobile applications;
- (ii) Tools on IP for mobile apps in music, publishing, videogames and audiovisual content;
- (iii) Holding of events to present the produced materials to the relevant stakeholders in each beneficiary country, and collect their feedback.

Output Indicators:

- (i) A training course material on IP for mobile applications developed and published online within 6 months of the project implementation;
- (ii) Four tools on IP for mobile apps in the following creative industries: music, publishing, videogames and audiovisual content, developed and published online within 9 months of the project implementation;
- (iii) Three events held (one in each beneficiary country) and attended by at least 2 representatives of each selected creative sectors. Tools successfully adjusted to respond to the collected feedback, if any, within one month from the event.

2.4 Sustainability Strategy

To ensure the sustainability of the project results, it is important that that the tools developed in

the context of phases I and II of the project are maintained up-to-date and relevant to the target stakeholder groups. It is also important that both WIPO and Member States ensure that the tools developed in the context of the project are easily accessible by stakeholders, and continue to increase awareness about them, to ensure their greater use in the delivery of capacity building activities in the future. When and if needed, the tools could be customized and/or translated into additional languages.

In addition, the 28th session of the CDIP approved the mainstreaming of the project outputs². Hence, the Secretariat will ensure that the project outputs are duly integrated in the regular work of WIPO.

2.5 Selection Criteria for Pilot/Beneficiary Countries

Beneficiary countries will constitute the same as those that participated in phase I, namely: Kenya, the Philippines, and Trinidad and Tobago.

2.6 Implementing Organizational Entity

Copyright and Creative Industries Sector, Information and Digital Outreach Division

2.7 Links to other Organizational Entities

Regional and National Development Sector
IP and Innovation Ecosystems Sector

2.8 Links to other DA Projects

DA Project on Enhancing the Use of Intellectual Property in the Software Sector
(DA_11_23_24_27_01)

2.9 Contribution to Expected Results in WIPO's Program and Budget

4.1 More effective use of IP to support growth and development of all Member States and their relevant regions and sub-regions, including through the mainstreaming of the Development Agenda recommendations.

4.2 Development of balanced and effective IP, innovation and creative ecosystems in Member States.

4.3 Increased IP knowledge and skills in all Member States.

4.4 More innovators, creators, SMEs, universities, research institutions and communities leverage IP successfully.

2.10 Risk and Mitigation

Risk I: difficulties in identifying mobile app developers in the selected creative industry spheres (music, publishing, videogames and audiovisual content)

Mitigation I: Development of a clear and targeted communication or outreach strategy in close coordination with the local partners in each of the beneficiary country.

Risk II: Continued and/or various COVID-19 related restrictions in each of the beneficiary country, that may impede the required level of interaction, networking and the planned in-person events.

Mitigation II: Ensuring that the project is implemented in a harmonized way in all the three beneficiary countries, by delivering the events in a virtual format, or in Geneva.

² Para. 4.3 in the [Summary by the Chair](#), CDIP/28.

3. Tentative Implementation Timeline

Project Outputs	2023/24				
	Quarters				
	1 st	2 nd	3 rd	4 th	1 st
1. Training course material on IP for mobile applications	X	X			
2. Four tools on IP for mobile apps in music, publishing, videogames and audiovisual content		X	X		
3. Three events (one event in each country) to present the produced materials to the relevant stakeholders in each beneficiary country, and collect their feedback			X	X	
4. Project conclusion and final self-assessment					X

4. Total Resources by Output

<i>(in Swiss francs)</i> Project Outputs	Year 1		Total
	Personnel	Non-Personnel	
Training course material on IP for mobile applications	-	40,000	40,000
Four tools on IP for mobile apps in music, publishing, videogames and audiovisual content	-	60,000	60,000
Three events (one event in each country) to present the produced materials to the relevant stakeholders in each beneficiary country, and collect their feedback	-	50,000	50,000
Project conclusion and final self-assessment	-	-	-
Total	-	150,000	150,000

5. Non-Personnel Resources by Cost Category

<i>(in Swiss francs)</i>	Travel, Training and Grants			Contractual Services					Total
	Staff Missions	Third-party Travel	Training and related travel grants	Conferences	Publishing	Individual Contractual Services ³	WIPO Fellowships	Other Contractual Services	
Activities									
Training course material on IP for mobile applications	-	-	-	-	-	40,000	-	-	-
Four tools on IP for mobile apps in music, publishing, videogames and audiovisual content	-	-	-	-	-	60,000	-	-	-
Three events (one event in each country) to present the produced materials to the relevant stakeholders in each beneficiary country, and collect their feedback	20,000	-	-	12,000	-	18,000	-	-	-
Project conclusion and final self-assessment	-	-	-	-	-	-	-	-	-
Total	20,000	-	-	12,000	-	118,000	-	-	150,000

[End of Annex and document]

³ This cost relates to hiring several Individual Contractual Services (ICS) who will be engaged to deliver various project outputs.