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Demystifying Evaluation in the World Intellectual Property Organization (WIPO): Best Practices From Initial Evaluations

Geneva, 8 November, 2012

**PROJECT_DA_10_01: START UP NATIONAL INTELLECTUAL PROPERTY
ACADEMIES**

prepared by the Secretariat



Internal Audit and Oversight Division

Reference: EVAL 2012-02

Evaluation Report

Startup National Intellectual Property Academies
(Development Agenda Project DA_10_01)

March 30, 2012

A One Page Snapshot of the evaluation conclusions and recommendations

1. Background

For three years (April 2009- April 2012), the World Intellectual Property Organization (WIPO) piloted a concept of National IP Academy Project, which was aimed at assisting developing countries and Least Developed Countries (LDCs) to establish their own Intellectual Property (IP) Academies, and to build national institutional capacity in order to meet the increased demand for IP professionals. It was envisaged that if the piloting of the IP Academy proved successful, WIPO would expand the coverage and scale of the project. An independent evaluation has been undertaken to assess its relevance, the effectiveness, efficiency and sustainability. The conclusions and recommendations of the evaluation are given here below.

2. Conclusions

Based on the findings of the evaluation, the following conclusions have been drawn:

- a. **Validity:** The pilot projects (Peru, Colombia, the Dominican Republic and Tunisia) have proven the validity of the project concepts.
- b. **Learning:** The pilot projects have provided useful learning experiences and best practices on some aspects of project delivery strategy. More experiences and best practices will be acquired on the remaining aspects during the phase II of the project.
- c. **Project document:** The project document as was designed, together with the improvement so far undertaken, will require further modification to be more appropriate for use as a guide for the implementation of the project in phase II.
- d. **Project relevance:** The project is relevant to the needs and aspirations of most developing and least developing countries.
- e. **Project Effectiveness:** It is too early to evaluate the effectiveness of the project in the realization of the project objectives.
- f. **Project Efficiency:** The project delivery strategy will need to be modified to make the project implementation more efficient and demand driven.
- g. **Project sustainability:** It is too early to correctly assess the project's sustainability.

3. Recommendations:

Based on the conclusions above, the following recommendations are made:

- a. **Piloting process:** To extend the pilot process for another two years to complete the piloting process and to draw best practices to be used should the project be scaled up.
- b. **Project document:** To modify the project document to provide more clarity on delivery strategy and to make the process more efficient, flexible and demand driven.
- c. **Relevance and Effectiveness:** To develop a set of tools and methodologies which can be made available for use by Member States, not contemplated in the project, and wishing to establish their national IP Academies. Due to the high demand for the project, consideration should be given by the Member States on the future direction of the project beyond the end of phase II, so as to meet future request from Member States and to consider a gradual phasing out of the on-going cooperation.
- d. **Synergy and Sustainability:** In Phase II, more attention should be given on strengthening synergy within and outside WIPO. This should include strengthening the role of the Regional Bureaus on the project and coordination with the UN Agencies in the host countries. In phase II, more attention should be given to sustainability.

A c r o n y m s

CDIP	Committee on Development for Intellectual Property
DA	Development Agenda
DACD	Development Agenda Coordination Division
DNDA	National Copyright Office of Colombia
FTA	Free Trade Agreement

GNIPA	Global Network of Intellectual Property Academies
DG	Director General
INDECOPI	Instituto Nacional del Defensa de la Competencia y de la Protección de la Propiedad Intelectual
LDC	Least Developed Countries
IAOD	Internal Audit and Oversight Division
ICEA	Foreign Affair Innovation Institute of the Dominican Republic
INNORPI	Institut de la Normalisation et de la Propriété Intellectuelle
IP	Intellectual Property
DNDA	National Copyright Office of Colombia
NIPC	National IP Training Center of the Dominican Republic
ONAPI	National Intellectual Property Office of the Dominican Republic
ONDA	National Copyright Office of the Dominican Republic
R&D	Research and Development
SCIP	School of Competition Policy and Intellectual Property
SIC	Superintendence for Industry and Commerce of Colombia
TISC	Technology Information and Support Center
WIPO	World Intellectual Property Organization

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1. Introduction

1.1. Brief Background on the Start-up National IP Academy (Project DA_10_01) Project

The improved legal and institutional IP framework as well as public awareness on IP systems in most developing countries and Least Developed Countries (LDCs), has led to an increase in the demand for utilizing the Intellectual Property (IP) system (in particular patents, trademarks, industrial designs, copyright and related rights) by creators, inventors, enterprises, universities and Research and Development (R&D) institutions. However, many of these countries do not yet have sufficient IP professionals, both in the public and private sectors, to provide the required IP services to the users of the IP systems. To address this problem, the World Intellectual Property Organization (WIPO), through the WIPO Academy, initiated in 2009 the **Start-Up National IP Academy Project**. The aim of the project is to assist developing countries and LDCs to establish their own IP Academies, and to build national institutional capacity in order to meet the increased demand for IP professionals. During the period 2009-2011, WIPO implemented, on a pilot basis, the concept of the IP Academy. It was envisaged that if the piloting of the IP Academy proved successful, WIPO would expand the coverage and scale of the project.

1.2. Evaluation Rationales

The rationales for the evaluation of this project are:

- a. The Start-up IP Academy Project has received significant attention and interest of the Member States. To-date, 20 countries and 1 regional organization have expressed interests by submitting formal requests to WIPO, and more are expected. WIPO has signed Cooperation Agreements with six countries and IP Academies have been launch in four countries (Peru, Colombia, the Dominican Republic and Tunisia). Therefore the Project Team and the Development Agenda Coordination Division (DACD) have recommended a Phase II of the project pending this evaluation. This evaluation will provide the ninth session of the Committee on Development of Intellectual Property (CDIP), planned for May, 2012, with information to enable the Committee to take an informed decision on the approval of phase II for the project.
- b. The evaluation will provide the Member States with information to enable it to assess the relevance of this project and its potential to contribute to the attainment of the Development Agenda (DA) objectives set in recommendations 10 as well as related recommendations such as 1 and 9. Furthermore, the effectiveness, efficiency and sustainability in the project implementation will be of great interest to the Member States.
- c. The achievement of this project will be fed into the WIPO's Results-Based Management (RBM) framework, notably in its Program Performance Report.
- d. Finally, in 2013 an evaluation of all the Development Agenda Coordination programs will be undertaken. The results of this evaluation will inform this overall evaluation.

1.3. Evaluation Objectives

There were three main objectives of this evaluation, namely; learning, participation and decision.

- i. **Learning:** Provide opportunity for learning from the experiences obtained during phase 1 (2009-2012) – i.e. what worked well and what did not - for use during phase 2, if the project is validated.
- ii. **Participation:** Allow active involvement of all those with a stake in the projects: the project team, partners, (beneficiaries) and any other interested parties.
- iii. **Decision:** Provide evidence based evaluative information to contribute to the decision making process of the CDIP and its needs for information.

1.4. Evaluation Scope, Focus, Criteria and Questionnaire

- a. **Evaluation Period:** For the purposes of this evaluation, activities held from April 2009 to December 2011, were considered.
- b. **Evaluation Focus:** The focus was not to assess individual activities but rather to evaluate the project as a whole. The evaluation was limited to the four pilot countries (Colombia, the Dominican Republic, Peru and Tunisia).
- c. **Evaluation Criteria:** The Evaluation assessed the project's evolution over time, its design, management, main results achieved and sustainability. Consequently the evaluation reviewed: project design and implementation, efficiency, effectiveness, synergy, and sustainability as well as lessons learned and good practices).
- d. **Evaluation Questions:** A set of key evaluation questions guided the evaluation exercise, including the design of the questionnaires. The questions covered project design and management, relevance effectiveness, synergy and sustainability¹.

1.5. EVALUATION CLIENT AND CONSULTANT

The independent evaluation is produced under the direction of WIPO's Internal Audit and Oversight Division (IAOD), which reports directly to WIPO Director General (DG). The evaluation was carried out by Prof. Tom Ogada, Kenya national. Prof. Ogada has a wide experience on IP and has been a WIPO consultant since 2000.

2. Evaluation Methodology

The evaluation was undertaken in three phases: inception, data collection, and analysis.

2.1. Inception Phase

¹ See Appendix 1 for details of the evaluation questions

The Inception Phase took place in February 6-24, 2012. During this period the consultant reviewed existing documents, undertook a one week mission to Geneva to consult with key stakeholders on the project and the evaluation exercise and to finalize the inception report. Based on this consultation, the consultant reached agreements with the main clients on; the scope, key evaluation questions, data collection tools, evaluation timelines and outputs. In addition, a Reference Group was established to address issues or questions that the consultant might have.

2.2. Data Collection

Data collections were carried out from February 27th to March 16th, 2012. This included a data collection mission to Geneva (March 13-17th, 2012). A presentation on preliminary findings was made to the Reference Group on March 16th 2012.

The consultant collected data through a review of documents², administration of questionnaires as well as face to face, telephone and skype interviews. Respondents included 29 WIPO staff (senior WIP management, project team, staff from DACD, heads of sections of WIPO Academy as well as the Directors of Regional Bureaus)³ and 16 from the pilot countries (heads of national IP offices, focal points, consultants and the beneficiaries (trainers) as well as UN agencies)⁴. The consultant used a customized interview protocols, each targeting each of the eight stakeholders that were identified⁵.

2.3. Data Analysis

The Consultant used **Descriptive analysis** to understand the project delivery strategy and the context in which the project was implemented and identify challenges and areas of improvement in the project design and implementation. **Content analysis** made up the core of the qualitative analysis. Documents and consultation notes were analyzed to identify common issues, observations, views and trends.

2.4. Organization and reporting of the review and Evaluation

The consultant was in charge of the evaluation process. He reported directly to Mr Claude Hilfiker, the Evaluation Manager and Ms Julia Flores, Senior Evaluator, both of IAOD under the overall responsibility of the Director of IAOD, Mr. Thierry Rajaobelina. The IP Academy project team, Ms. Isabella Pimentel and Ms. Navroop Pandher, was responsible for setting up interviews and providing the relevant documents, under the overall leadership of Mr. Marcelo Di Pietro Peralta the Director of the WIPO Academy. There was a Reference Group consisting of the representatives of the three key stakeholders, which, in addition to the people mentioned above (IAOD and Project) included Mr. Irfan Baloch and Mr. Georges Ghandour from the DACD and Ms. Kristen Livshin from the Program Management and Performance Section, PMPS, which helped the consultant in the review of the evaluation results and deliverables.

2.5. Evaluation Limitation

Due to time and resource constraints the consultant did not visit the pilot countries to get a first hand impression on the implementation of the projects.

3. The Start-up National IP Academy Project

² See Appendix 2 for the documents reviewed

³ See Appendix 3 for the list of WIPO staff interviewed

⁴ See Appendix 4 for the list of people interviewed from the host countries

⁵ See Appendix 5 for the distribution of the customized interview protocol

3.1. The project document

The project document on the Start-up National IP Academy was approved by the CDIP in May 2009. It has provided general guidelines to the project team on the implementation of the project during the period under evaluation (2009-2011). The detail of the background of the project is contained in the Project Document, Annex V, CDIP/3/INF/2. The project document has outlined the following:

- a. Project objectives
- b. Role of WIPO Academy
- c. Project delivery strategy
- d. Project target beneficiaries
- e. Selection criteria
- f. Project review tools and schedule
- g. Project risks and risks mitigations
- h. Project pilot countries

3.2. Role of WIPO

Through the WIPO Academy, WIPO was:

- a. To assist four developing countries and LDC Member States to establish IP Academies by the end of 2011.
- b. To improve the capabilities of the four pilot countries to develop and offer more training programs tailored to the specific needs of the country.
- c. To provide the four pilot countries with training materials, WIPO experts and IP literature as well as advice on the development of a curriculum which would be tailor made to suit the needs of each country.

3.3. Project Objectives

The specific objectives of the Startup National IP Academy Project are:

- a. To contribute to sustainable development of human resources for managing and protecting IP at a national level.
- b. To enhance IP knowledge and update government officials on new emerging issues of IP rights under debate in WIPO.
- c. To provide a forum for discussion on IP issues and illustrate the importance of IP for capacity building and national development.
- d. To offer the opportunity to share relevant experience among officials from the public and private sectors, IP stakeholders and more importantly with IP experts.

3.4. The project delivery strategy and phases

As a strategy for delivery of the project, the project document proposed the following 5 phases of implementation:

- a. **Preparatory phase:** A situation paper was to be prepared comprising a needs assessment for each of the selected countries with regard to its current situation and needs; and a detailed project proposal developed based on the needs assessment.
- b. **Feasibility phase:** Discussions were to be carried out with the national intellectual property offices and possibly a university in the selected countries concerning implementation of the project and timeframe.
- c. **Project Development:** Support for the development of curricula and detailed and tailor made programs according to the development goals for each country, taking into consideration the importance of ensuring a balance between IP protection and the public interest. This was to be enhanced by the WIPO Academy's training programs to train trainers from universities and R&D institutions who would participate in these IP Academies. A model curriculum was to be developed for the "Start-Up" National IP Academy and an IP library was to be established within the "Start-Up" National IP Academy.
- d. **Project Implementation:** There was to be a launch of a pilot project in one of the four selected countries to gain experience and thereafter use the experience gained to establish the other three projects.
- e. **Project Exit Strategy:** The National IP Academies would be assisted for one or two years and after that period the National IP Academies would be able to run their projects in consultation with other IP Academies in order to share ideas on new developments.

3.5. Project Target Beneficiaries

Target beneficiaries include government officials, staff of IP Offices and collective management societies, policy makers, university professors, IP professionals- in particular IP officials/managers of R&D institutions and enterprises (including small and medium enterprises SMEs), IP practitioners, creators, inventors, enforcement agencies, and the general public.

3.6. Conditions for establishing a start-up academy in a country

The Project Document specifies the basic conditions for the Establishment of "Start-Up" National IP Academies, as follows:

- a. Pressing needs for a small specialized training institution;
- b. Strong support from the national intellectual property office;
- c. One or two full-time or part-time staff to be in charge of the work of the National IP Academy; and
- d. Ability to partner with other institutions, including the Global Network of IP Academies and to run training programs within one or two years following its establishment

3.7. The project Review Tools and Schedule

The Project Document provides the following review tools and schedule:

- a. **Situation Paper** – once the situation paper has been completed, the project would be launched according to a defined implementation timetable in consultation with the national IP offices.

- b. **Monitoring Reports** – following the situation paper, another report for the successive 12 month period would be prepared to examine whether the specific and overall objectives and milestones had been reached, and in the case of them not being reached, why this happened and how this can be resolved.
- c. **Self-Evaluation Report** – The WIPO Academy Self-Evaluation Report would be used at the end of each year after the launch of each “Start-Up” National IP Academy, with a view to validating that the overall objectives have been achieved, suggesting future actions and highlighting best practices to provide similar technical assistance to other developing countries and LDCs.

3.8. Risks and Risks Mitigation

It was anticipated that due to unforeseen circumstances, there might be a possible risk of lack of domestic funding for the National IP Academy beyond 2011, which could compromise its long-term sustainability. To mitigate this risk, during the launch of the program, possible donors were to be identified by the IP stakeholders to sponsor the continuation of the project after 2011.

3.9. The Pilot Countries

WIPO was to pilot this concept of the IP Academy for three years (2009-2011) in four developing countries or LDCs (one in each of the following regions: Africa, Arab Countries, Asia and Pacific, Latin America and the Caribbean).

3.10. Project Timelines:

According to the project document, the first pilot national academy project was to be launched during the first quarter of 2010 (with 3rd and 4th quarters of 2009 used for preparation). Based on the lessons learned, the second and third projects were to be launched in first quarter of 2010 and the fourth project was to be launched during the third quarter of 2011.

3.11. Summary of the Achievements Realized

At the time of evaluation, the project had achieved the following:

- a. Needs Assessment had been done in 13 countries and one regional organization, namely: Colombia, Costa Rica, the Dominican Republic, Ecuador, Egypt, Ethiopia, GCC Countries, Kenya, Peru, Sri Lanka, Syrian Arab Republic, Trinidad and Tobago, Tunisia and Turkey.
- b. Project proposals had been finalized for 6 countries, namely: Colombia, the Dominican Republic, Egypt, Ethiopia, Peru and Tunisia.
- c. Cooperation Agreements had been signed between WIPO and six countries (as in b).
- d. Implementation- Startup IP Academy had been launched in four countries, namely: Colombia, the Dominican Republic, Peru and Tunisia.
- e. Training of Academic Coordinators has been initiated.
- f. Training of trainers has been initiated.
- g. Six trainers from 5 countries completed the WIPO-University of Turin LLM program.

- h. WIPO Depository IP libraries had been established in two countries.
- i. Two pilot countries had joined the Global Network for IP Academies (Colombia and Peru).
- j. Adaptation of the WIPO Academy distance learning had been initiated in two pilot countries.

4. Evaluation Findings

4.1. Project Design and Implementation

On project design and implementation, the evaluation sought to establish whether or not the project document is appropriate for use in the continued implementation of the project, what lessons were learnt and best practices drawn. Specifically, the evaluation reviewed the project delivery strategy, conditions for establishing the startup academy, project review tools and schedule, risks and risk mitigation and the target countries.

Finding 1:

The project document was appropriate for use as a guide for the implementation of the pilot projects during phase I but will need further improvements to make it more appropriate for continued use in the project implementation in phase II.

Evidence to support the finding

4.1.1. Appropriateness of the Project Document

- a. **Delivery Strategy (Ref: Section 3.4.):** The project delivery strategy provided for phased implementation as described in section 3.4 of this report. The project team has used this phased approach in all the four pilot countries without significant modification and found the approach useful (See the Table Below).

SN	Country	Needs Assessment	Proposal	Cooperation Agreement	Launch
1	Peru	✓	✓	✓	✓
2	the Dominican Republic	✓	✓	✓	✓
3	Colombia	✓	✓	✓	✓
4	Tunisia	✓	✓	✓	✓
5	Egypt	✓	✓	✓	
6	Ethiopia	✓	✓	✓	
7	Costa Rica	✓			
8	Ecuador	✓			
9	GCC Countries	✓			
10	Sri Lanka	✓			
11	Syrian Arab	✓			

	Republic				
12	Kenya	✓			
13	Turkey	✓			
14	Trinidad and Tobago	✓			

- b. **Criteria for establishing the startup academy (Ref: Section 3.6):** The project document provided four conditions, which are provided in Section 3.6 of this report, that must be met by the host country to qualify for support to establish a startup academy. The project team used these criteria to negotiate the cooperation agreements in all the four pilot countries. All the Cooperation Agreements have included these conditions as the obligation of the host countries.
- c. **Project review tools and schedule (Ref: Section 3.7):** Most stakeholders found the monitoring tools useful and adequate to provide users with relevant information required for decision making. First, situation *papers* (needs assessment reports and project proposals⁶) were used in all the four countries to define implementation action plans and timetable. Secondly, three *annual reports* were prepared by the project team through the support of DACD, and submitted to the CDIP, in order to keep the Member States informed on the status of the project and revised timelines, where applicable. Thirdly, the project self-evaluation tool was found to meet the needs of reporting to the CDIP. In addition, the project team prepared mission reports that were shared with WIPO senior management.
- d. **Risks and risks mitigation (Ref: Section 3.8):** The main risk that was identified in the project document was on long term sustainability of the project after the expiry of WIPO's support. The development of the project proposals and the negotiation for the cooperation agreements with the pilot countries were done with this in mind. The Cooperation agreement therefore included issues of funding after the expiry of WIPO's support and the need for the IP academies to seek partnerships including with other potential donors.

4.1.2. Shortcomings of the Project Document and Implementation

The document had the following shortcoming:

- a. **Target Pilot Countries (Ref: Section 3.9):** As described in Section 3.9 of the evaluation project, regional distribution was envisaged in the selection of the pilot countries. The project document did not specify the countries but instead directed that they be identified in consultation with Member States and on the basis of a preliminary needs assessment and proposals from candidate countries. As a result, the project team was guided by the Development Agenda recommendation 1 which require the team to wait for requests from the Member States. These requests were submitted not according to regions. For example, only two requests were submitted in 2009 from a country each in Asia and the Caribbean but due to political restructuring in one country and slow internal processes in another country, none of these projects started. The project team received requests from the Dominican Republic, Costa Rica and Peru between June and July 2010 whereas the request from Arab countries (Syria, Egypt and Algeria) all came in October-November, 2010 but political instability resulted in a delay in the beginning of the cooperation. Requests from African countries (Ethiopia, Kenya, Mozambique and Nigeria) all came

⁶ After needs assessment, a proposal is developed for joint implement with WIPO and the host country. It is on the basis of the proposal that a cooperation agreement is negotiated and signed.

between December 2010 and August 2011. This slow submission of requests from the Member States combined with other factors at national level made it difficult to realize the desired regional distribution.

- b. Project Timelines (Ref: Section 3.10):** The current four pilot projects were launched as follows: Peru May 10, 2011; the Dominican Republic August 29, 2011; Colombia, October 24, 2011; and Tunisia, December 7, 2011. The strict timelines stipulated by the project document in Section 3.10 of this report was not met. Consequently the experience that was supposed to have been obtained through the piloting process has not been realized.
- c. Guidelines and Methodologies:** The project document contained general guidelines for decision making purposes, which was a useful element at the early stage of the process, as it provided the team with the necessary autonomy so as to review directions in order to ensure general objectives were met. However the project document did not set clear guidelines and methodologies for the project implementation. Specifically, the project did not set clearly the required commitments from the requesting Member States, the date from which the cooperation period would be considered initiated, or the provision of funds and conditions of the independent evaluation. As the project developed, some best practices were identified and put in place.
- d. Confusing Terminologies:** There was misunderstanding amongst the stakeholders on the following terminologies - *startup, academy, seed investments, start date, infrastructure for capacity building and piloting*. For example, some looked at the academy as an institution that would offer postgraduate degree training and research activities, whereas other thought that the program would create extensions of WIPO academy at national level. Some also thought that WIPO would finance infrastructure and give financial support for salaries of critical staff of the academy. Finally the word startup has different meaning to different stakeholders. For example, to those in innovation, research and business, it is understood as business entities based on research results from universities and research organizations.
- e. Needs Assessment:** Initially this was done through an assessment mission to the host country. This was found ineffective by the project team after initial testing in the first two countries in 2009 and has since been improved by having host country complete a needs assessment questionnaire, prepared by WIPO, before the mission. In this case the assessment mission is undertaken to validate the information provided, assist the host country to clarify some of the questions which the host countries could not answer and also to explain to the stakeholders in the host countries the objectives and methodology of the project. Apart from making the assessment mission more efficient, the process of completing the questionnaire ensured that the host country asked questions that enabled them to understand better the project objectives and scope.
- f. Development of Project Proposal.** The project document did not clearly articulate how the project proposal would be developed and it was soon established that host countries had problem developing proposal. The project team incorporated ad hoc consultants to help in this.
- g. Project Implementation Tools:** Unlike monitoring tools, the project document did not provide implementation tools. Templates for needs assessment reports, questionnaires for needs assessment purposes, standard cooperation agreements, templates for evaluations and all other relevant documents needed for the project implementation were prepared by the project team as the project developed nationally. The development of new tools will continue as more experience is gained during project implementation.

- h. The Project Phases:** The project outlined five phases: upon receipt of a request by the host country, needs assessment is undertaken by a WIPO staff and a consultant leading to a preparation of a needs assessment report, which must be validated (approved) by the host country. Thereafter a project proposal is developed on the basis of which a cooperation agreement is signed. After signing the agreement, a consultant is required to develop project work plans whose implementation starts only after the launch of the academy. This arrangement makes the project to be supply driven and inefficient. The responsibility of developing needs assessment report should be that the host. Furthermore, needs assessment report should be used to prepare the capacity building plan, and this should be done before the signing of the cooperation agreement, to avoid double appointment of a consultant and reduce the project chain.

4.2. Project Relevance

According to WIPO Evaluation Guidelines (Ref: Section 1.4.1., paragraph 135, page 40), relevance is understood as the extent to which the objectives of a development intervention are consistent with the beneficiaries' requirements, the country's needs and global priorities. Consequently, this evaluation sought answers to the following three questions:

- a. To what extent were the objectives of the project in line with the pressing needs of the host countries?
- b. To what extent were the objectives of the project in line with the strategic plans of the host countries or the IP institutions?
- c. To what extent were the objectives of the project in line with the needs of the beneficiaries?

Finding 2:

The objectives of the National IP startup Academy Project are highly relevant to the needs of the Member States, the country's IP institutions, individual beneficiaries and the WIPO's Development Agenda recommendations.

Evidence to support the finding

The National IP Academy project team undertook assessment missions to the four countries (Colombia, the Dominican Republic, Peru and Tunisia) between September 2009 and May 2011, prepared and submitted mission reports. The purpose of these assessment missions was to evaluate if these countries met the criteria for getting WIPO's support to establish the start-up academy. These four mission reports were reviewed and all clearly indicated that the project was relevant to the needs of the four countries. These facts have been further validated by the interview with the host countries, needs assessment report prepared by the host countries, questionnaires filled by the focal points and beneficiaries from the host countries and therefore provide evidence to support finding 2.

4.2.1. Relevance to the Needs of the Member States

- a. **Peru:** Peru had already a plan to establish an IP training institution and the idea of the startup national IP academy just fitted very well in this plan. Peru's initiative for the establishment of a national IP academy was derived from the Free Trade Agreement signed between the Government of Peru and USA. As a result, the government enacted Article 51 of the legislative degree 1033 which approved the creation of a National School of Competition Policy and Intellectual Property (SCIP). SCIP was established in June 2009 and its mandate is capacity building in the topics which are under INDECOPI's mandates (which include intellectual property). At the time of the assessment mission, SCIP had already space, critical staff (a Director, one Assistant

and one Administrative Assistant) and was already offering specialization courses, fellowships and professional development courses. However, SCIP wanted to expand to distance learning to reach out to users outside the city but lacked knowhow and expertise on this. SCIP also lacked capacity to meet the demand for specialized IP training and to develop practical training modules⁷.

- b. The Dominican Republic:** The case of the Dominican Republic was similar to that of Peru. There was already a plan to establish an IP training institution before the needs assessment mission was undertaken. The national intellectual property office (ONAPI) and the National Copyright Office (ONDA) had signed a Cooperation Agreement in April 2010, for mutual collaboration for institutional strengthening, capacity building and promotion of IP awareness. Within the framework of this Agreement, the National IP Training Center (NIPC) would be created. NIPC was envisaged to become a center of international recognition on capacity building for external and internal user, on face to face and distance learning, promotion of IP awareness and research and strategic partnerships. ONDA, which was already involved in training activities in the area of copyright, was willing to contribute to the success of this initiative by transferring its training programs to the NIPC. Both ONAPI and ONDA saw the startup academy project as a means of realizing a cherished national project⁸.

4.2.2. Relevant to the National Strategic Plans of the Host Countries

- a. Tunisia:** In June 7, 2010 WIPO signed a letter of intentions with the Institut de la Normalisation et de la Propriété Intellectuelle (INNORPI) for the cooperation on the creation of a national Intellectual Property Academy in Tunisia. The assessment mission was undertaken in November 23-24, 2010. It established that the creation of an IP academy would be in line with the National Development Plan (2010-2014) of Tunisia which aims at replacing the traditional resource based exports with technology related exports, increasing technology related exports from 30 % in 2010 to 50 % in 2014. Consequently, increase in patenting activities was envisaged in Tunisia and the government had put in place a program for the creation of national technology transfer offices. The creation of a national IP academy had been conceived in the framework of the main national development objective. The need for training on innovation and activities related to the commercialization of the results of scientific research has also been identified as a pressing need for Tunisia⁹.
- b. Colombia:** Promotion of IP education is foreseen in the scope of the action plan CONPES 3533 for the customization of the IP system to the national competitiveness and productivity; the general policy guidelines for the development and fomenting of electronic commerce in Colombia (CONPES 3620), the national policy for the promotion of cultural industries in Colombia (CONPES 3659). The National Development Plan 2010-2014, Chapter III, establishes guidelines on the establishment of an Academy. Education on the IP system is seen as a tool for innovation. The Superintendence for Industry and Commerce (SIC) was identified as the focal point in the initiative to establish an academy through the support of WIPO and would collaborate with the Industrial Property Office of Colombia and the National Copyright Office (DNDA). Law 1151/2007 entrusts SIC with the mandate of undertaking informal industrial property

⁷ Mission Report to Peru of September 2010, prepared by Isabella Pimentel and submitted to Deputy Director General Geoffrey Onyeama.

⁸ Mission Report to Dominican Republic of September 2010, prepared by Isabella Pimentel and submitted to Deputy Director General Geoffrey Onyeama.

⁹ Mission Report on Tunisia of November 2010, prepared by Isabella Pimentel and submitted to Deputy Director General Geoffrey Onyeama.

training activities whereas DNDA has been trusted with the mandate of offering informal education on copyright and related rights (Decree 4835/2008). Consequently, both SIC and DNDA worked in close cooperation and were keen to create a national IP Academy. The startup Academy helped to meet that need. Both had training facility and were ready to deploy staff to the project¹⁰.

4.2.3. Relevance to the Needs of the Beneficiaries (Trainers)

The project has provided the following to target beneficiaries:

- a. Training of Trainers Program on education in IP August 29, 2011 in the Dominican Republic.
- b. Training of Trainers Program on effective management of IP assets by SMEs in September 13-15, 2011 in Turkey.
- c. Training of Trainers Program on IP in October 24-26, 2011 in Colombia.
- d. Training of Trainers Program on IP in October 31- November 4, 2011 in the Dominican Republic.
- e. Training of Trainers Program, November, 2011 in Peru.
- f. Training of Trainers in Distance Learning, April 2011 in Colombia and the Dominican Republic.
- g. Training of Trainers Program on effective management of IP assets by SMEs in December 5-7, 2011 in Colombia.
- h. Training of Trainers Program on effective management of IP assets by SMEs in December 7-9, 2011 in Tunisia.
- i. International Workshop on the administration of IP Academies, April, 20-29, 2011 in Geneva.
- j. 6 Trainers sponsored for the WIPO-University of Turin LLM Program (2010-2011).

According to the beneficiaries interviewed, the project met their expectations and their needs for training. Those interviewed had very positive remarks. Some of these remarks are provided here below for illustration:

- a. **Peru:** A fundamental course on intellectual property law was delivered by INDECOPI experts to government officials from May 10 to June 27, 2011, was attended by 27 government officials. Out of these officials, three were interviewed through questionnaire. According to them, the training gave an overview of intellectual property, and this helped them to acquire knowledge on issues which were out of their day to day areas of operation. For example, an officer who deals with trademarks got useful exposure on copyright, patents and technology transfer. Yet another indicated that *“it was very enriching to learn more about the treaties administered by WIPO helping me to realize the value and extension of each of them”*. Another commented *“to have received training in 3 areas of IP (patents, trademarks and copyright) I have increased my knowledge on IP, much and I feel more prepared and safe when having to dictate a advise a person about these issues”* Yet another one, *“ the academy was the best thing to happen to Peru – it is easier and cheaper to train a large number of public servants”*.

¹⁰ Mission Report on Colombia of March 2011, prepared by Isabella Pimentel and submitted to Deputy Director General Geoffrey Onyeama.

- b. **Colombia:** *“The project exceeded my expectations in relation to the programs designed for training of trainers and academy administrators, more specifically in the issues of educational methodologies and curriculum design and project management. Definitely the project has been beneficial to me as a professional dedicated to the promotion of IP for more than 6 years, because this program provides a new approach focused mostly in the end users (SMEs, students, entrepreneurs, inventors) using more practical and effective educational methods”. “As part of the national institution in-charge of the IP system, the Academy has helped us to deliver our message more efficiently and effectively to our users” says a respondent from Colombia”.*

Whereas these remarks from trained people are interesting and give a positive feedback, they are sufficient to conclude on the relevance to the beneficiaries need. The actual beneficiaries are those who will be trained by these trainers. That those beneficiaries use the training and that the training changed their work, this can only be measured at a later stage.

4.2.4. Relevance to the Development Agenda of WIPO

It is too early to correctly evaluate the contribution of this project to Development Agenda recommendations 1, 3 and 10¹¹.

4.3. Project Effectiveness

Project effectiveness is a measure of the extent to which a project is meeting the objectives for which it was established. The Project document specified four specific objectives (**Ref: Section 3.2 of this report**). The evaluation therefore reviewed the extent to which the project had achieved the following:

- a. Enhanced the national and institution capacities of the host countries to provide IP training.
- b. Contributed to sustainable development of human resources at a national level.
- c. Enhanced IP knowledge and update government officials on new emerging issues of IP rights under debate in WIPO.
- d. Provided a forum for discussion on IP issues and illustrative the importance of IP for capacity building and national development.
- e. Offered an opportunity to share relevant experience among officials from the public and private sectors, IP stakeholders and more importantly with IP experts.

¹¹ 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.

3 Increase human and financial allocation for technical assistance programs in WIPO for promoting a, *inter alia*, development-oriented intellectual property culture, with an emphasis on introducing intellectual property at different academic levels and on generating greater public awareness on intellectual property.

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.

Finding 3:

The start-up IP Academy project has been effective in enhancing the national and institutional capacities of the pilot countries. However it is too early to correctly evaluate the effectiveness of the project in realizing the other specific objectives (items b to e listed above) since the piloting process is not yet completed.

Evidence to support this finding:

4.3.1. Enhancing the National and Institutional Capacities

The project has enhanced the national and institutional capacities of the four host countries following the implementation of the following:

- a. Four startup national IP academies have been established in the host countries.
- b. WIPO Depository IP libraries have been established in two countries.
- c. Training of Trainers program had been initiated.
- d. Training of academic coordinators has been initiated.
- e. Six trainers from 5 countries completed the WIPO-University of Turin LLM program.
- f. Peru and Colombia have joined the Global Network for IP Academies.
- g. Adaptation of the WIPO Academy distance learning had been initiated in two pilot countries.

Respondents from the pilot countries have given indication of initial positive steps towards enhancing in national and institutional capacity building. For example, according to staff from Peru: *“The IP Academy has helped us to deliver our message more efficiently and effectively to our users”*. Another one from Colombia says: *“Colombia has undergone a change towards elevating the importance of IP in competitiveness and economic growth. For this reason, the IP office has to set all its efforts to promote an effective use of the system. On the other hand, our users are demanding more information on the matter so we feel the moment is appropriate to offer better structure training programs that can be offered by the IP academy”*.

4.3.2. The Extent to which the Project has enhanced the Capacities of the Host Countries to Develop Tailor Made Courses

It is not possible to assess the capacities of the host countries to develop tailor made courses because this activity has not been completed in the pilot countries. However, some participants of the training program are already using the experience gained to prepare some training materials. *“We have started creating courses and workshops taking into consideration the methodologies we have learned”* reported a trainer from Colombia.

4.3.3. The Extent to which the Project has contributed towards the Development of Human Resource in the Host Country

In the framework of the project, training of trainers and training of academic coordinators have been carried out, aiming at providing a core group of trainers and administrators with the relevant modern tools of teaching and management which would be considered relevant for their respective activities. Specifically, a group of around twelve trainers have received training on pedagogical aspects of IP education in each of the four countries. In addition, the identified national academy administrators (one per country) have participated in a training program of the academic coordinators. The Dominican Republic has requested a special training of trainers for the Judiciary, for six judges and four customs officers, and they will undergo a specialized training program focusing more on substantive aspects of IP and IP teaching for the purposes of

enforcement. The core group is expected to act as multipliers at the end of the cooperation period. Therefore, this objective will be realized when the trainers start training others in the pilot countries.

4.3.4. The Extent to which the Project has enhanced the IP Knowledge of the Host Countries on Emerging Issues

It is not possible to assess the extent to which the project has enhanced the IP knowledge of the host countries on emerging issues at this level because not much training has been undertaken on the ground yet. However, based on the feedback from some of the trainers who have undergone training, it is clear that this will be achieved. For example a participant from Colombia states *“The project has enhanced my IP knowledge on emerging issues by changing my understanding on how IP must be addressed. Also, it has provided a pedagogic approach that enhances the learning process by addressing IP issues in a more practical manner instead of fusing exclusively on the legal point of view”*.

4.3.5. The Extent to which the Project has provided a Forum for Discussion of IP Issues in the Host Countries

The project has done much for providing opportunities for discussion and exchanges on IP issues. For example, the training of trainers and training of academic coordinators programs held at the national level are facilitating the creation of national critical masses, which can lead to active discussion of IP issues. Start-up Academies representatives have also been invited to participate in the Global Network of Intellectual Property Academies (GNIPA), which is a specialized forum for discussions on IP education among national authorities. Furthermore, it is expected that the inclusion of identified national trainers in fellowship programs offered by WIPO will contribute to the creation of regional forum for discussions on the use of IP for social and economic development. For example one participant from Colombia stated *“In the programs I have participated in (i.e. administrative staff training and training of trainers) I had the opportunity to share IP issues and experiences with persons that are involved in the same project from other countries as well as national experts”*.

4.4. PROJECT EFFICIENCY

The project efficiency was evaluated based on the following five criteria

- a. Project cost against the budget
- b. Delivery time
- c. Use of local service providers
- d. Use of existing capacities
- e. Benchmarking with other organizations
- f. Considering alternative ways of implementing the project

Finding 4:

The project was implemented at a satisfactory efficiency, characteristic of pilot projects.

Evidence to support the finding

- a. Project Costs against the Budget**

Some CHF 420,000 was allocated to the project for non-personnel costs. At the time of evaluation, some CHF 93,786 has been spent on Colombia, CHF 132,612 on the Dominican Republic, CHF 74,477 on Peru and CHF 28,710 on Tunisia. This gives a total of CHF 339,585 against a total of CHF 420,000 that had been allocated to the project. All the projects are less than one year old (halfway the planned piloting period) and therefore it is estimated from these figures that an IP Academy would cost around CHF 200,000 to implement, although the figure can be lower if the process is made more efficient.

b. Project Delivery Time

The initial preparatory work at the national level seem to have consumed a significant amount of time and resources, leading to project delivery somewhat lagging behind.

c. Use of Local resources, Existing Capacities and Alternative Implementation Methods

The pilot projects implemented in the four countries have not explored the possibility of use of local resources, existing capacities and alternative implementation methods in the delivery of the project.

- i. Noservice providers have been engaged by WIPO in the framework of this project; national stakeholders should provide services, infrastructure and facilities, whereas WIPO contributes with experts and missions of government officials and WIPO staff.
- ii. Sometime the efficiency came from the unexpected corner. For example, one respondent comments *"It was a great idea to do the workshop in a place far away from INDECOIPI, because we could concentrate better and does not distract us from daily work"* says a Trainer from Peru.

4.5. PROJECT SUSTAINABILITY

Project sustainability is the ability of the project to continue even after the end of substantive support from WIPO. According to the project document, the national IP academies were to be assisted by WIPO for one or two years and after that period the academies would run their projects on their own in consultation with other academies in order to share ideas on new development (**Ref: Section 3.3. of this report**). Sustainability was evaluated based on the following factors:

- a. The contribution of the host countries to the establishment of the academies.
 - i. Legal framework for the establishment of the local training institutions within the requesting IP Office.
 - ii. Strong support from the government.
 - iii. At least one full-time staff to be in charge of the administrative work of the local IP training institution.
 - iv. Preselected group of core local trainers with substantive knowledge of IP and availability to undertake a complete training of trainers program within the cooperation period.
 - v. Minimum infrastructure for the correct delivery of IP training programs (training facilities, including furniture, equipment, etc).
- b. Pressing needs for a specialized training institution which could be reflected in the inclusion of IP education and awareness in the national development plans.

- c. Ability to partner with other institutions, including the Global Network of IP Academies.
- d. Ability to deliver training programs within one or two years following its establishment.

Finding 5:

It is too early to correctly evaluate the sustainability of the national startup IP Academy project. However, the pilot countries have put in place measures that could enhance the sustainability at the end of the project period.

Evidence to support the finding

As evidenced by the needs assessment reports, mission reports, interview with the project team as well as presentations from the host countries, the four countries have put measures in place for sustainability which include creation of a legal framework which will enable the national IP Academy to operate in an independent manner, by charging fees from participants, having a specific budget address their activities, provision of facilities which would be exclusive to the national IP Academy and a library. These are briefly explained here below;

- a. **Peru:** Peru has the strongest indicator for sustainability. This is the establishment of the National School of Competition Policy and Intellectual Property (SCIP), through the Free Trade Agreement (FTA) between the governments of Peru and the United States of America. It is legally backed (Article 51 of Legislative Decree 1033) and it has been resourced to develop activities aimed at building local capacities on competition policy and intellectual property. In addition more has also been done as indicated by a respondent from Peru who stated that “ *Our institution has put in place measures to ensure sustainability such as creating a new structure (office) inside the institution that will aid us with the logistics and will work together with our IP experts designing new courses and delivering them; changing the legal framework to be able to charge for the courses; training of specific personnel to work with the academy (administrative staff and trainers) and the inclusion of the academy activities in the action plan of the institution* ”.
- b. **Colombia:** According to the project team, Colombia has taken formal and defined measures in order to ensure the self-sustainability of the national IP academy by creating a legal framework that will enable the charging of fees for training activities and with an internal restructuring aiming at creating a legal framework for the national IP Academy which would be independent of the mandate of the Industrial Property Division.
- c. **The Dominican Republic:** The Cooperation Agreement signed by the Dominican Republic’s Industrial Property and Copyright Offices (ONAPI and ONDA), on April 10, 2010, facilitated and sped up the process of establishing the academy. In addition, the start-up Academies project was envisaged within a bigger scope, which would entail a Technology Information and Support Center (TISC), an IP Academy and a Documentation Center. In addition, national IP authorities identified and appointed two full time resources for the national IP Academy and made provision of the physical infrastructure within the Foreign Affairs and Innovation Institute (ICEI) in Santo Domingo, which included furniture, equipment, a library, three classrooms with individual capacity of 50 people and an auditorium with capacity for over 200 people. Nevertheless, the project team has raised concern on the ability of the Dominican Republic to run its national IP Academy autonomously by the end of 2012, when cooperation is due to end¹².

¹² This is according to the responses given by the project team in the questionnaire.

- d. Tunisia:** The Tunisian IP Office will allocate the part of its budget for training activities to the activities held within the national IP Academy (Law 2009-38 of June 30, 2009, and decree 2010-1087 of May 17, 2010).

Nevertheless, it is important to note that all start-up Academies launched so far have started as incubated academies within the national Industrial Property Office, and are envisaged to operate independently in the medium term.

4.6. Project Synergy

Synergy is the ability of a project to draw on the activities of existing programs within an organization but also from related activities of organizations within the host countries. It measures the level of coordination of efforts leading to efficiency, effectiveness and sustainability. Synergy was evaluated based on the potential internal and external collaborators. Specifically the evaluation sought to know the extent to which WIPO's programs as well as UN Agencies in the host countries were used to contribute to the delivery of the project in the pilot countries.

Finding 6:

The project has several opportunities for synergy from inside WIPO and in the host countries. These opportunities can be exploited during phase II of the project.

Evidences to support the finding

4.6.1. WIPO programs that contributed to the Project

In the implementation of the pilot projects, the project team collaborated with other to deliver the following:

- a. **WIPO Project for Depository Library:** The delivery of this project incorporates the establishment of an IP library within the implementation of the start-up academies. In collaboration with the WIPO Project for the Depository Libraries, the initial structure of IP libraries was established in two academies.
- b. **WIPO-University of Turin LLM:** To enhance national institutional capacity in human resource development, full postgraduate scholarships have been offered to six nominees to enroll in the joint WIPO-University of Turin LLM program in intellectual property. The successful candidates were identified as trainer or coordinators from the five requesting countries. Upon graduation, these participants are expected to engage as trainers in each of their prospective start up academies.
- c. **WIPO distance learning methodologies:** The project requires that WIPO develop and offer custom training programs for the specific Member States. WIPO distance learning methodologies have been employed in two Member States with the development of training of trainers' activities and with the customization of a national distance learning course on IP.
- d. **Training Programs**
 - i. **The Dominican Republic:** The project successfully delivered the "WIPO Training of Trainers Program on the Effective Management of Intellectual Property Assets by Small and Medium Sized Enterprises (SME)" from August 8 to 12, 2011.
 - ii. **Peru:** Fundamental Course on Intellectual Property Law" was delivered by COPI experts to government officials from May 10 to June 15, 2011.

4.6.2. Potential areas that were not exploited

Specifically, the project team did not exploit the following:

- a. For delivering of training:
 - i. Substantive sectors of WIPO.
 - ii. Others such as the Global Issues, Brands and Designs, Innovation and Technology and Global Infrastructure Sectors.
- b. For collaboration in identifying resources and liaising with national and local authorities:
 - i. **The regional Bureaus (for Africa, for Arab Countries for Asia and the Pacific, for Latin America and the Caribbean).** All WIPO staff interviewed agreed that the Bureaus involvement was important for the success of the project since the Bureaus know their regions better, they are the custodians of the countries' IP strategies, better placed to draw country's synergy and project a common face for WIPO in a country.
 - ii. the Division for Least-Developed Countries.
 - iii. the Division for certain Countries in Europe and Asia.
 - iv. the Copyright Development Services Division.
- c. The need for more coordination and synergy was stressed by all the WIPO stakeholders interviewed. One of them wrote in answering to the questions *"The project can be seen in a much wider perspective. Beyond the initial phase of establishment, during which the key partners could be the Bureaus for Development Cooperation, the facility of a national IP academy could and should be used by all areas providing training to the beneficiary countries. From that perspective, an Organization-wide collaboration is needed so that the project, at this early stage, could prepare the ground for its future use"*.

4.6.3. External Stakeholders

The opportunities provided by other UN agencies in the host countries have not been exploited by WIPO. Both in Peru and the Dominican Republic, the UN Coordinators had never heard about the WIPO project and only did so after having been requested for interviews for the evaluation process. Both took the initiative to enquire with the relevant IP authorities in the two countries about the project and had some knowledge of the project before the interview. Both expressed interest to collaborate with WIPO not only on the academy project but also on any other.

5. Conclusions

5.1. Overall Assessment of Pilot Project

Conclusion 1:

The pilot project has proven the validity of the project concepts. It has been seen that the project is implementable, it is relevant, can be effective and sustainable.

Evaluation Criteria: Project design and implementation
Report Section: 4.1-4.5
Findings #: 1, 2, 3, 4,5
Recommendation #: 1

By the end of the project period, (December 2011), there were 21 countries that had submitted their requests to WIPO for the project. Out of these, needs assessments have been done in 14 countries, cooperation agreements have been signed with six countries and implementation of the IP academy projects is ongoing in four countries. Therefore there is a strong justification for phase II of the project.

5.2. The Realization of the Pilot Project Objectives

Conclusion 2:

The piloting process has not been completed.

Evaluation Criteria: Project design and implementation
Report Section: 4.1.2 (a, b)
Findings #: 1
Recommendation #: 1

All the four pilot project were launched less than one year ago (Peru May 10, 2011; the Dominican Republic August 29, 2011; Colombia, October 24, 2011; and Tunisia, December 7, 2011). The two year piloting period ends as follows: Peru (December 2012), the Dominican Republic (December 2012), Colombia (December 2013) and Tunisia (December, 2013). So far, relevant and useful learning experiences have been obtained on:

- a. **Needs assessment** (from 14 countries - Colombia, Costa Rica, the Dominican Republic, Ecuador, Egypt, Ethiopia, GCC Countries, Kenya, Peru, Sri Lanka, Syrian Arab Republic, Trinidad and Tobago, Tunisia and Turkey)
- b. **Development of project proposals** (from 6 countries - Colombia, the Dominican Republic, Egypt, Ethiopia, Peru and Tunisia)
- c. **Negotiation of cooperation agreements** (same as b)
- d. **Launching and initial training** (from 4 countries - Colombia, the Dominican Republic, Peru and Tunisia)

As a learning process, the pilot project has yet to deliver:

- capacity building on development of tailor made courses,
- practical experience on delivery of the courses,
- practical experience on delivery and managing distance learning,
- promotion and marketing of the courses,
- sustainability, and
- building partnerships for synergy.

The learning experience objectives of the piloting processing are therefore considered not to have been completely realized. This is a further justification for phase II.

5.3. *The Project Delivery Strategy*

Conclusion 3:

The project document, as was designed, together with the improvement so far undertaken, will require further modification to be appropriate for use as a guide for the implementation of the project in phase II

Evaluation Criteria: Project design and implementation

Report Section: 4.1.2

Finding #: 1

Recommendation #: 2

Specifically, the following will need to be clarified or developed about the project:

- Concepts of Start-up, Academy, seed investment,
- WIPO's contributions (what is it does WIPO fund),
- Project duration,
- Start dates,
- WIPO's big picture (road map) for scaling up the project,
- Project implementation methodologies,
- Needs assessment, and
- Project formulation

5.4. *Project Relevance*

Conclusion 4:

The evaluation showed that the project is relevant to the needs and aspirations of most developing and least developed countries.

Evaluation Criteria:
Relevance

Report Section: 4.2.1 –
4.2.3

Finding #: 2

Recommendations #: 3,4

However, WIPO will need to consider the following in moving forward;

- The demand for the project from the Member States may be higher than what WIPO can support.
- The specific needs of the Members States differ from country to country depending on their unique and development aspirations.
- Some of the countries have identified capacity building in their national IP strategies. Other countries have included training programs in the action plans of the IP institutions.
- The number of applications from LDC is lower. It is believed that LDCs have specific priorities such as assistance with the physical infrastructure or salaries of local staff, which are not addressed by this project.

5.5. *Project Effectiveness*

Conclusion 5:

It is too early to evaluate the effectiveness of the project in the realization of the set objectives.

The project main objective is to assist developing countries, including LDCs, to build national institutional capacity in human resource development in the field of IP. Specifically the project was to: contribute to sustainable development of human resources at a national level; enhance IP knowledge and update government officials on new emerging issues of IP rights under debate in WIPO; provide a forum for discussion on IP issues and illustrate the importance of IP for capacity building and national development; and offer the opportunity to share relevant experience among officials from the public and private sectors, IP stakeholders and more importantly with IP experts.

Evaluation Criteria:
Effectiveness

Report Section: 4.3.1. –
4.3.3

Finding #: 3

Recommendation #: 1,4

5.6. Efficiency

Conclusion 6:

The establishment of the four pilot projects has consumed more time and resources than was envisaged.

All the projects are less than one year old (halfway the planned piloting period) and yet a total of CHF 339,585 out of CHF 420,000 that had been provided for the project, has been spent. It is estimated from these figures that an IP Academy would cost around CHF 200,000 to implement, although the figure can be lower if the process is made more efficient.

The delivery strategy will need to be changed to make the process demand driven and more efficient during phase II. Specifically, the delivery strategy should re-examine to remove duplications related to needs assessment, needs assessment report, project development and development of work plans.

Evaluation Criteria:
Efficiency

Report Section: 4.1.2 (d)
and 4.4

Findings #: 1 and 4

Recommendations #: 2,4

5.7. Project Sustainability

Conclusion 7

It is too early to conclude that the measures the host countries have put in place will actually be implemented and deliver the resources for sustainability.

All the four pilot projects have put in place measures to ensure the sustainability of the projects at beyond 2013. All the start-up Academies have started as incubated academies within the national Industrial Property Office, and are envisaged to operate independently in the medium term.

Evaluation Criteria:
Sustainability

Report Section: 3.3. and
4.5

Finding #: 5

Recommendation #: 5

5.8. Project Synergy

Conclusion 8

The project has tried to build synergy by tapping on the training programs and technical services offered by the WIPO Academy, SMEs Division and the Depository Library Services. However, the project missed out on tapping collaboration from Regional Bureaus, Substantive Sectors, and other units of WIPO as well as the UN Agencies in the host countries.

Evaluation Criteria:
Synergy
Report Section: 4.6.2 -
4.6.3
Finding #: 6
Recommendation #: 5

There will be need to open up the facility for use by all areas of WIPO that is providing training to the beneficiary countries once the projects start to offer their own training programs. At this stage, stakeholders suggested, WIPO Units such as the Global Issues, Brands and Design, Innovation and Technology and Global Infrastructure sectors can participate in offering training on issues on emerging issues of IP.

6. RECOMMENDATIONS

6.1. Overall Recommendation arising from Pilot Project

Recommendation 1:

It is recommended that the CDIP agrees that the pilot process be completed and extended for two years.

This recommendation is linked to Conclusions 1 and 2, Sections 5.1. and 5.2.

Pending positive decision on the extension, WIPO academy should;

- a. Prepare clear action plans, timelines and budgetary implications for the completion of each of the four projects.
- b. Prepare clear action plans, timelines and budgetary implications for the completion of each of the additional two other projects in Ethiopia and Egypt with which WIPO has signed cooperation agreements and implement them during the Phase II. The two projects should be completed by December 2013.
- c. Make a decision on what to do with those countries in which needs assessments had been done and those that have already submitted requests to WIPO.

6.2. Project Design, Implementation and Efficiency

Recommendation 2:

It is recommended that the project document, as was designed, together with improvements made so far, be further modified by the WIPO Academy to provide clarity and make the process more efficient, flexible and demand driven.

This recommendation is linked to Section 5.3 of the report

Specifically WIPO Academy should:

- a. Modify the project document to remove ambiguity by explaining the terminologies that were not understood.
- b. Modify and simplify the delivery strategy to reduce the phases from four to two.

- Phase one: Preparatory phase in which a capacity building strategy is completed with work plans and tentative budget. The strategy would be based on a needs assessment. The output should form the basis of negotiating a Cooperation Agreement.
- Phase two: Implementation of the capacity building plans starting immediately after signing the cooperation Agreement.

6.3. Relevance and Effectiveness

Recommendation 3:

As an outcome of the pilot process (Phase 1 and 2), it is recommended that a set of tools and methodologies should be developed by the WIPO Academy, which will be made available for use by Member States not contemplated in the project and wishing to establish their national IP Academies.

This recommendation is linked to Section 4.1.2 on shortcomings of the project documents

Recommendation 4:

It is recommended that consideration be given by Member States on the future direction of WIPO beyond the end of this term of the project, so as to meet incoming requests from Member States and to enable a gradual phasing out of the cooperation, this ensuring that the start-up Academies established within this project are effectively promoting a fair balance between the private and public perspectives of Intellectual Property, so as to fully meet recommendation 10 of the WIPO Development Agenda.

This recommendation is linked to Evaluation criteria Relevancy, Effectiveness and sustainability

The pilot project has proven the validity of the project concepts. It has been seen that the project is implementable, it is relevant, can be effective and sustainable. The potential for scale up and mainstreaming is high. Considering that the numbers of interested countries exceed dramatically the number of countries originally foreseen.

Two possibilities:

- a. An extension of the project beyond 2013, or
- b. This activity becomes a permanent program within the WIPO Academy.

6.4. Project Synergy and Sustainability

Recommendation 5:

It is recommended that WIPO should immediately explore how to tap the synergy within and outside WIPO.

Specifically, the **Development Sector**, should;

This recommendation is linked to Sections 4.6.2 and 4.6.3

- a. Redefine and strengthen the role of the Regional Bureaus in the coordination and implementation of the IP Academy.
- b. Come up with a strategy of building synergy with UN Agencies in countries where the IP Academy projects are being implemented.
- c. Come up with a coordination mechanism to open up the pilot projects for use by all areas of WIPO that is providing training to the beneficiary countries.

In addition, the **WIPO Academy**, should;

- d. Pay significant attention to the issue of sustainability during the phase two of the piloting process.

APPENDIX 1: EVALUATION QUESTIONS

A. PROJECT DESIGN AND MANAGEMENT

- a.** Is the project document appropriate for use as a guide for continuing project implementation and assessment of results?
- b.** Were the project monitoring and controlling tools adequate to provide the project team and key stakeholders with relevant information for decision making purposes?
- c.** There were risks that were identified in the initial project document. To what extent have they materialized or been mitigated and how has the project been able to respond to changes in the context?

B. PROJECT RELEVANCE

- a.** To what extent was the project relevant to the needs of the beneficiary countries?
- b.** To what extent was the project in line with national development plans?
- c.** To what extents are the recipients countries prepared in terms of capacities and readiness for the implementation of the project?
- d.** What is the understanding of the host countries on:
 - i.** The start-up academy project - not an extension of the WIPO academy
 - ii.** Scope and nature of the assistance
 - iii.** Concept of the start-up academy
 - iv.** How best to do the training of trainers

C. PROJECT EFFECTIVENESS

- a.** To what extent did the project contribute toward realization of the key specific objectives:
 - i.** Enhancing the national and institutional capacities
 - ii.** Enhancing the capability of the host countries to develop tailor made courses
 - iii.** contributing towards HR development in the host countries
 - iv.** Enhancing the IP knowledge of the host countries on emerging issues
 - v.** Providing a forum for discussion of IP issues in the host countries
 - vi.** The project provided opportunity for experience sharing

D. PROJECT EFFICIENCY

- a.** Were the objectives achieved according to the budget and at the least cost?
- b.** Are there services that WIPO undertook that could have been done by local service providers?

- c. Did WIPO take advantage of existing capacity in the country or through international staff?
- d. Are there agencies that work with host National IP Organizations more efficiently than WIPO? If so explain
- e. Was the project implemented in the most efficient way compared to the alternative ways?

E. THE PROJECT SYNERGY

To what extent did other entities within the Secretariat, in host countries as well as UN Agencies contribute and enable an effective and efficient project implementation?

F. PROJECT SUSTAINABILITY

- a. What are the contributions of the host country and institutions in the establishment of the academies and provision of the necessary resources?
- b. How are the host countries using the academy?
- c. Are the training programs addressing the specific needs of the countries?
- d. Are the countries ready to put money in the training?
- e. What commitments are there to show that the activities of the academy will continue after the support of WIPO? Are people willing to pay for the training? Are there precedents for fee paying programs? As the project transferred knowledge and responsibility to the stakeholders?

G. FUTURE DIRECTIONS

- a. Reflecting on the existing pilot projects, what can you say about the following: what is the status of the projects, what do they lack, what do they need?
- b. Does WIPO need to change the approach, does WIPO want to do more, should there be a different approach for LDC, who should support the infrastructure or should we recommend a regional approach?
- c. How do we avoid duplication, how do we manage parallel requests from a single country. What do we do with countries that have expressed interest? How were countries selected? Are there indicators of success? If so what are they. To what extent is the project perceived to be useful by the beneficiaries? How do we use the evaluation to provide suggestions and recommendations on how the regional bureaus may use the national IP academies to support the implementation of some of the Bureaus programs in those countries?

APPENDIX 2
LIST OF DOCUMENTS REVIEWED DURING THE EVALUATION PROCESS

1. CDIP/6/2 Annex V: Progress Report on National IP Academy Project
2. CDIP/3/INF/2 Annex V: National IP Academy Project Document
3. CDIP/8/2 Annex XIX: National IP Academy Project Summary
4. Needs Assessment Questionnaire
5. Needs Assessment Reports - Peru
6. Needs Assessment Reports -the Dominican Republic
7. Needs Assessment Reports - Colombia
8. Needs Assessment Reports - Tunisia
9. Framework Cooperation Agreements - Peru
10. Framework Cooperation Agreements - the Dominican Republic
11. Framework Cooperation Agreements - Colombia
12. Framework Cooperation Agreements – Tunisia
13. Filled and returned questionnaires (21 in number)
14. Mission Report: Peru (September 6-7, 2010), the Dominican Republic (September 9-10, 2010) and Costa Rica (September 13-14, 2010) prepared by Isabella Pimentel on September 27, 2010
15. Mission Report: Colombia (February 7-8, 2011) and Peru (February 9-10, 2011) prepared by Isabella Pimentel on March 9, 2011
16. Mission Report: Tunisia November 23-24, prepared by Isabella Pimentel on November 30, 2010
17. Mission Report: Peru (May 10, 2011) prepared by Isabella Pimentel on May 24, 2011

APPENDIX 3: LIST OF WIPO STAFF INTERVIEWED

SN	NAME	TITLE	DEPARTMENT
1	Mr. Thierry Rajaobelina	Director	Internal Audit and Oversight Division
2	Mr. Claude Hilfiker	Head	Evaluation Section, Internal Audit and Oversight Division
3	Mrs Julia Engelhardt	Senior Evaluator	Evaluation Section, Internal Audit and Oversight Division
4	Mr. Di Pietro Peralta	Director	WIPO Academy, Development Sector
5	Mr Kongolo Tshimanga	Acting Deputy Director and Head	WIPO Academy's Professional Development
6	Mrs Martha Chikorowe	Training Officer	WIPO Academy
7	Ms Tedla Altaye	Head	WIPO Academy's Distance Learning
8	Mrs. Isabella Pimentel	Consultant	Startup IP Academy
9	Mrs. Navroop Pandher	Consultant	Startup IP Academy
10	Mr Irfan Baloch	Director	Development Agenda Coordination Division, Development Sector
11	Mr. George Ghandour	Senior Program Officer	Development Agenda Coordination Division, Development Sector
12	Mr. Y. Takagi	Assistant Director General	Global Infrastructure Sector
13	Mr. Roca Campaña	Senior Director-Advisor	Global Infrastructure Sector
14	Mrs. Daboussi	Acting Director	Regional Bureau for Arab Countries, Development Sector
15	Mr. Mazal Casella	Director	Regional Bureau for Latin America and the Caribbean, Development Sector
16	Mr Hermann Ntchatcho	Director	Regional Bureau For Africa
17	Ms Dalila Hamou	Senior Advisor	Regional Bureau For Africa
18	Mrs Françoise Wege	Senior Advisor	Regional Bureau For Africa
19	Mr. Abeysekera Ranjana	Director	Regional Bureau for Asia and Pacific
20	Mr. Rasa Mansur	Senior Counselor	Regional Bureau for Asia and Pacific
21	Mr. G. Onyeama	Deputy Director General	Development Sector
21	Mr. Patrick Masouye	Senior Director Advisor	Academy
22	Mr. Di Pietro Peralta	Director	WIPO Academy, Development Sector
23	Mr. Omar Katbi	Head	Outreach Services Section
24	Ms. Lise McLeod	Head	WIPO Library
25	Mr. Marco Marzano de Marinis	Program Officer	Small and Medium-Sized Enterprises (SMEs) Division
26	Mrs. Hang Gao	Director	Copyright Development Services Division
27	Mrs. Carlotta Graffigna	Executive Director	WIPO Academy, Development Sector
28	Mrs Franscesca Toso	Senior Advisor	Project Management Development Sector
29	Nathalie Morntillot	Associate Project Officer	Project Management Development Sector

APPENDIX 4: LIST OF PEOPLE INTERVIEWED FROM OUTSIDE WIPO

SN	Country	NAME	TITLE
1	COLOMBIA	Diana Vivas	Assistant to the Industrial Property Delegate Superintendencia de Industria y Comercio
2	DOMINICAN REPUBLIC	Josefina Aquino	Director, Academia Nacional de la Propiedad Intelectual
3	DOMINICAN REPUBLIC	Valerie Julliand	Country UN Resident Coordinator and UNDP Resident Representative
4	PERU	Gonzalo Ruiz Díaz	Director, Escuela de la Competencia y la Propiedad Intelectual, INDECOPI
5	PERU	Belen González	Director of Inventions and new technologies INDECOPI
6	PERU	Karla Ugas	Legal Assistant to the Trademarks Registration Office
7	PERU	Diego Ortega	Specialist at the Directorate of Inventions and New Technologies, INDECOPI
8	PERU	Rocio Flores	Specialist at the Directorate of Inventions and New Technologies, INDECOPI
9	PERU	Rebeca Arias	Country UN Resident Coordinator and UNDP Resident Representative
10	TUNISIA	Nizar ben Sfaya	Customs Officer
11	TUNISIA	Mohamed Selmi	Tunisian organization for the Protection of Authors rights
12	TUNISIA	Mohamed Abderraouf Bdioui	Consultant
13	TUNISIA	Lamia El Kateb	Director of Trademarks, INNORPI
14	ARGENTINA	Gustavo Schoetz	Consultant
15	ETHIOPIA	Mandefro Eshete	Consultant
16	ARGENTINA	Valentina Delich	Consultant

APPENDIX 5: CUSTOMIZED INTERVIEW PROTOCOL (QUESTIONNAIRE)

A general interview protocol was prepared based on the evaluation questions (appendix 1). This general interview protocol was customized for the following eight key stakeholders so that the stakeholders could answer only those questions that are relevant to them;

- a. Customized interview protocol A – Project Management Team
- b. Customized interview protocol B – Project Focal Points
- c. Customized interview protocol C – Project Consultant
- d. Customized interview protocol D – Project Beneficiaries (Trainees)
- e. Customized interview protocol E – Development Agenda Coordination Division
- f. Customized interview protocol F – Section Heads of WIPO Academy
- g. Customized interview protocol G – Senior Management (ADG and DDG)
- h. Customized interview protocol H – Project Internal Collaborators

As an example, Customized protocol A for project team is hereby given

Introduction

In February 2012 WIPO commissioned Prof. Tom Ogada, Kenyan Intellectual Property Expert, to carry out an evaluation of the Startup National IP Academy, a Development Agenda Project. The project is for a period of 3 years (April, 2009 to April, 2012). For the purposes of this evaluation, activities held from April 2009 to December 2011 will be considered. The focus is not to assess individual activities but rather to evaluate the project as a whole. The evaluation will be limited to the four pilot countries (Colombia, the Dominican Republic, Peru and Tunisia). The Evaluation shall assess the project's evolution over time, its design, management, main results achieved and some of their outcomes and sustainability. Consequently the evaluation will be guided by the five foci, namely project design and implementation, efficiency, effectiveness, outcome and sustainability and lessons learned and good practices.

This interview protocol has been customized so that stakeholders can answer only those questions that are relevant to them (**see Appendix 1 attached**). The interview should take approximately 1 hour, depending on the extent of the respondents' knowledge and experience with the project. Please note that **individual responses will remain confidential** and will only be reported in aggregate form.

BRIEF INFORMATION ON THE RESPONDENT

- a. Name:
- b. Department:
- c. What is your relationship with the project by virtue of your position

PROJECT DESIGN AND MANAGEMENT

The Project Framework

- a. Is the project document appropriate for used as a guide for continuing project implementation and assessment of results?

The Project Monitoring and Controlling Tools

- a. Which monitoring, self evaluation and reporting tools were available in this project?
- b. What was the purpose of each of them?
- c. Who are supposed to use them? and

- d. Were they adequate to provide the project team and key stakeholders with relevant information for decision making purposes?

The Project Synergy

- a. Which departments, divisions or any other units within WIPO participated or contributed to the project?
- b. What was the contribution of each of them?
- c. Are there others which could have contributed but did not? If so which and what could they have done?
- d. What do you see as the role of WIPO Academy's programs such as distance learning and professional development to the National IP Academy
- e. How can the Regional Bureaus use the National IP Academy for implementing their own programs
- f. How can the technical department (patents, copyright, TK, PCT etc) use the National IP Academy for implementing their own programs

Risks/Context

- a. Was the initial plan of the project of having four pilot countries, each from the identified regions realized? If not explain
- b. There were risks that were identified in the initial project document. To what extent have they materialized or been mitigated and how has the project been able to respond to changes in the context?
- c. What other challenges did you encounter in the project design and implementation?

Lessons learned and Best practices

- a. What key lessons learned would you draw from the project framework, project monitoring and controlling tools, synergy and risks and context?
- b. What best practices would you draw from the project framework, project monitoring and controlling tools, synergy and risks and context?

PROJECT RELEVANCE

The project is in line with WIPOs mandate

- a. To what extent will the project help in the realization of Recommendations 10, 9 and 3?
- b. What do you think WIPO is offering and where do we want to see these countries in five years?
- c. How do ensure that it is not just another UN project that comes and go and nobody remembers about it?
- d. Is needs assessment and the follow up mission reports adequate to show that the National IP Academy Project is relevant to the needs of those countries?

The project is in line with the needs of the beneficiary countries

- a. Managing expectations. What is the understanding of the host countries on
 - i. The start up academy project - not an extension of the WIPO academy
 - ii. Scope and nature of the assistance
 - iii. Concept of the start up academy
 - iv. How best to do the training of trainers
- b. To what extents are the recipients countries prepared in terms of capacities and readiness for the implementation of the project? Where should the project be based? Who should be involved in the project?
- c. How are the Member States using the academies? What do people think about the project, its existence and objectives? What do people understand with the term Academy?

- d. How is it linked to their strategic plan?

The project meets the needs of the national IP institutions of the beneficiary countries and the beneficiaries

- a. Is the project in line with the strategic plan of the institutions?
- b. What are the expectations of the beneficiaries, their understanding of the project, the value addition and the clarity of where the projects should go to?
- c. How do the beneficiaries of the project perceive the relevance and objectives of this project?

Lessons learned and best practices

- a. What key lessons learned would you draw from the project in the context of its relevance
- b. What best practices would you draw from the project in the context of its relevance

PROJECT EFFECTIVENESS

The project enhance the national and institutional capacities

- a. Were the envisaged four academies established during the pilot phase?
- b. What were the factors that helped to realized the above?
- c. Was the availability of training opportunities increased? If No why?

The project enhance the capability of the host countries to develop tailor made courses

- b. Was the capability of the host countries to develop and offer tailor made courses enhance?
- c. Were the courses developed relevant to their specific needs improved through the project?

The project contributed towards HR development in the host countries

- a. Has the project contributed to sustainable development of HR at national level?
- b. How many people have been trained (Trainers)?
- c. Whether or not these people are using the knowledge obtained?

The project enhanced the IP knowledge of the host countries on emerging issues

- a. Did the project assist government officials to enhance their IP knowledge on new emerging issues of IP rights under debate in WIPO?
- b. Number of trainings on emerging issues?
- c. Number of people trained on new and emerging issues?

The project provided forum for discussion of IP issues in the host countries and opportunity for experience sharing

- a. Did the project provide a forum for discussion on IP issues and how did such forum illustrate the importance of IP for capacity building and national development?
- b. Did the project provide opportunity for experience sharing

Lessons learned and best practices

- What key lessons and best practices would you draw from the project effectiveness ?

PROJECT EFFICIENCY

- a. Were the objectives achieved according to the budget and at the least cost?
- b. Are there services that WIPO undertook that could have been done by local service providers?
- c. Did WIPO take advantage of existing capacity in the country or through international staff?
- d. Are there agencies that work with host National IP Organizations more efficiently than WIPO? If so explain.
- e. Was the project implemented in the most efficient way compared to the alternative ways?

PROJECT SUSTAINABILITY

Establishing the National IP Academy

- a. What are the contributions of the host country and institutions in the establishment of the academies and provision of the necessary resources?
- b. How are the host countries using the academy?

Addressing the specific needs of the beneficiary countries

- a. Are the training programs addressing the specific needs of the countries?
- b. Are the countries ready to put money in the training?

Institutional capacities

- c. How have the institutional capacities to conduct training programs in IP been strengthened and have this led to increasing the availability of the training opportunities to people in the public and private sector?

Functioning of the academy beyond the project period

- a. What commitments are there to show that the activities of the academy will continue after the support of WIPO?
- b. Are people willing to pay for the training? Are there precedents for fee paying programs?
- c. As the project transferred knowledge and responsibility to the stakeholders?

Lessons learned

- d. What are the lessons learned on the sustainability of this project?

FUTURE DIRECTIONS

- a. Reflecting on the existing pilot projects, what can you say about the following: what is the status of the projects, what do they lack, what do they need.
- b. Does WIPO need to change the approach, does WIPO want to do more, should there be a different approach for LDC, who should support the infrastructure or should we recommend a regional approach?
- c. How do we avoid duplication, how do we manage parallel requests from a single country. What do we do with countries that have expressed interest? How were countries selected? Are there indicators of success? If so what are they? To what extent is the project perceived to be useful by

the beneficiaries How do we use The evaluation should provide suggestions and recommendations on how the regional bureaux may use the national IP academies to support the implementation of some of the Bureaus programs in those countries?

The questions were distributed as follows in the customized interview protocol

Protocol Number	STAKEHOLDERS	QUESTIONS					
		2	3	4	5	6	7
A	Project Management Team	All	All	All	All	All	All
E	DACD	All	3.1; 3.5		5.1		All
F	WIPO Academy: Section Heads	2.3; 2.5	3.1; 3.5				All
H	Existing and potential internal collaborators	2.3; 2.5					All
G	Senior WIPO Management (ADG and DDG)	2.3, 2.5	3.1; 3.5				All
B	Focal Points	2.2; 2.5	All but 3.1	All	All but 5.1	All	
C	Consultants	2.1, 2.2, 2.5	All but 3.1.	All	All but 5.1	All	
D	Beneficiaries of ToTs	None	3.4	All	All but 5.1	All	