

Committee on Development and Intellectual Property (CDIP)

Tenth Session
Geneva, November 12 to 16, 2012

EVALUATION REPORT ON THE PROJECT ON IMPROVEMENT OF NATIONAL, SUB-REGIONAL AND REGIONAL IP INSTITUTIONAL AND USER CAPACITY

prepared by the Secretariat

1. The Annex to this document contains an independent evaluation report on the project on Improvement of National, Sub-regional and Regional IP Institutional and User Capacity undertaken by WIPO's Internal Audit and Oversight Division.

2. *The CDIP is invited to take note of the information contained in the Annex to this document.*

[Annex follows]

TABLE OF CONTENT

LIST OF ACRONYMS.....	2
EXECUTIVE SUMMARY	3
1. INTRODUCTION.....	8
2. EVALUATION METHODOLOGY AND LIMITATIONS	9
3. EVALUATION FINDINGS.....	11
A. FINDINGS ON PROJECT DESIGN AND MANAGEMENT	11
(i) Design	11
(ii) Management	12
B. FINDINGS ON PROJECT ASSESSMENT	13
(i) Relevance	13
(ii) Effectiveness	13
(iii) Efficiency	17
C. FINDINGS ON SUSTAINABILITY OF PROJECT RESULTS	18
4. CONCLUSIONS AND KEY LESSONS	19
RECOMMENDATIONS.....	22
LIST OF APPENDICES	24

LIST OF ACRONYMS

CARICOM	Caribbean Community and Common Market
CDIP	Committee on Development and Intellectual Property
DACD	Development Agenda Coordination Division
IAOD	Internal Audit and Oversight Division
IP	Intellectual Property
IPR	Intellectual Property Right
LAC	Latin America and Caribbean
LDC	Least Developed Country
PMPS	Program Management and Performance Section
RPA	Regional Patent Administration
SMEs	Small and Medium Enterprises
TORS	Terms of Reference
WIPO	World Intellectual Property Organization

EXECUTIVE SUMMARY

1. This evaluation report contains the results of an independent evaluation, carried out by the World Intellectual Property Organization (WIPO) Internal Audit and Oversight Division (IAOD) with the assistance of an external expert on the Project titled "Improvement of National, Sub-Regional and Regional IP Institutional and User Capacity". The Project was adopted at the Third Session of the Committee on Development and Intellectual Property (CDIP) in April 2009 with three (3) main objectives, namely:

(a) Strengthen national intellectual Property (IP) institutional capacity to improve efficiency of these institutions and their ability to promote a fair balance between the needs of IP protection and the public interest;

(b) Strengthen institutional capacity at the regional and sub-regional level through cooperation to facilitate the effective management of search and examination of IP applications through work sharing or pooling of resources; and

(c) Enhance the capacities of IP and Small and Medium Enterprises (SMEs) support institutions so that these institutions can better address the needs of SMEs.

2. The Project budget was 3,091,000 Swiss francs of which 2,209,000 Swiss francs referred to non-personnel costs¹ and 882,000 Swiss francs to personnel costs. The latter amount (personnel costs) was the estimated costs of the time of the WIPO personnel managing or implementing the Project. The actual allocated budget for the Project duration of 36 months was therefore 2,209,000 Swiss francs.

MAIN CONCLUSIONS

3. There are six (6) key conclusions that were reached on the basis of the findings and assessment of the Project.

Conclusion 1: Overall, the Project was reasonably well designed and professionally managed. However, there were some shortcomings in the Project design and management challenges that affected the Project implementation.

4. The evaluation confirmed that the Project design provided a reasonably sufficient framework to guide the implementation of the Project and, eventually, to allow for its assessment. The Project implementation/management team worked professionally, specially taking into consideration the distinctiveness of each component and challenges related to the lack of adequate planning and budgeting of personnel resources, leading to a number of important successes for the Project. The majority of stakeholders, for example, appreciated the important work that had been done in all the three components of the Project and could identify specific benefits to them as a result.

¹Non-personnel costs are meant to cover for specific project activities including travel (staff and third party), conferences, publishing, equipment and other costs.

However, a number of shortcomings in Project design and management challenges affected the overall performance of the Project. These shortcomings and challenges related to the fact that:

- (a) The Project was designed and implemented by merging three distinct projects with no overall goal towards which they were meant to contribute. The lack of such an overarching goal and the merging of three stand-alone Projects led to no synergies being achieved and to a situation where internal WIPO coordination was not optimum;
- (b) At the time of the evaluation, no records of systematic and continuous project monitoring were made available. In cases where corrective actions to mitigate risks were taken, these were not necessarily reported in the self-evaluation reports provided to the CDIP;
- (c) The project document did not include any potential risks and relevant assumptions. Although some of these were identified in the initial project proposal during the design stage, these were not considered in the final version of the project document. Hence no mitigation strategies were put in place to address any eventualities;
- (d) The approved Project was designed without a transition plan. Even though the initially proposed project document did include this as part of the design, it was dropped in the final approved project; and
- (e) There was not sufficient communication within the Project management team and between the Project managers and the stakeholders, including the fact that stakeholders felt that after specific activities there was no information on further Project developments.

Conclusion 2: At the output level, the Project performed reasonably well with at least half of the expected outputs from the Project produced/completed and another 30% partially produced/completed.

5. With 80% of the Project outputs produced/completed or partially produced/completed the Project made an important contribution and benefited the target beneficiaries. The overall performance of the Project, in terms of outputs was therefore above average. It is particularly notable that this level of success was achieved for a Project that involved significant work relating to the development of new methodologies and tools such as “WIPO Methodology and Tools for Development of National IP Strategies” and “IP Panorama” among others.

Conclusion 3: At the outcome level, the performance of the Project was below average with only one of three expected outcomes substantially realized.

6. None of the three expected outcomes were fully realized notwithstanding the fact that this was a three-year Project. Only one of the expected outcomes (relating to the IP strategies component) was significantly realized. The two other expected outcomes were not realized. This was the case notwithstanding the above average performance at the output level. The below average performance score on outcomes was the result of both the lack of risk mitigation strategies and the fact that the outcomes were poorly framed or were overambitious for the type of Project and the time allocated. In some cases, such as with the SME component, while the development of methodologies and tools progressed in a timely manner, the piloting phase was delayed (sometimes inordinately) due to the slow responses by the selected countries.

Conclusion 4: The Project objectives and activities were very relevant to the target beneficiaries and other stakeholders.

7. The Project scored high on relevance because of the process used to develop it and the main activities chosen for its implementation. The interactive process of the CDIP in designing the Project helped ensure that it was relevant to the key stakeholders. Credit for this result is also due to implementation/management team, which employed different strategies (such as expert groups) to validate the quality and relevance of outputs such as methodologies and tools.

Conclusion 5: Comparing the overall level of Project performance (with 80% of the Project outputs produced/completed or partially produced/completed) and budget utilization at 48.7%, the Project, overall, was implemented in a cost-efficient manner. There was value for money.

8. The nature of the activities shows that this was a time-consuming and potentially expensive Project. The overall budget utilized compared to the outputs produced, including draft IP Strategies in six (6) countries developed through a consultative process and the various methodologies and tools developed under the SMEs component as well as the technical work done on the proposed Regional Patent Administration (RPA) in the Caribbean suggest that the resources used were quite reasonable.

Conclusion 6: The Project results stand a reasonably good chance to have lasting effects and are, overall, sustainable.

9. Although the full impact of the Project could not be fully assessed during this evaluation, there were a number of important signs/signals indicating that the Project has the potential to have lasting effects. For example, the methodologies and tools developed under the Project have already found general acceptance not only among the pilot countries but also among other WIPO Member States. The broader dissemination of these methodologies and tools, their use and hence impact is likely to increase over time. In addition, the level of ownership at the country/ regional level was good suggesting that these countries/region are likely to continue with the Project activities or follow through without or with reduced WIPO assistance. Finally, the fact that all the three components of the Project are linked to the regular WIPO activities under the Program and Budget makes the results more sustainable because WIPO will still be able to provide assistance in this area as needs arise.

RECOMMENDATIONS

10. On the basis of the above conclusions and, taking into account the overall purpose of the WIPO Development Agenda and the broader WIPO organizational goals, the evaluation makes the following five (5) recommendations:

Recommendation 1: To CDIP, the Development Agenda Coordination Division (DACD), the Program Management and Performance Section (PMPS) and Project Managers (recommendation arising from Conclusion 1):

11. For new projects more rigorous Project designing and management should be implemented. In addition to the components already included in the IP Institutional and User Capacity Project document (problem identification, component objectives, delivery strategy, evaluation framework, timelines and budget), projects should have one overarching goal as well as clear assumptions, risks and risk mitigation strategies, communication strategy and transition plan. The DACD and PMPS, working closely with the CDIP, should take the lead in implementing this recommendation.

Recommendation 2: To CDIP, DACD, PMPS and Project Managers (recommendation arising from Conclusion 2 and 3):

12. From a results perspective, new Projects should have a clear and logical link between outputs and outcomes and the use of a logical framework (log frame) should be considered in this regard. To avoid a disconnect between the outputs and outcomes of the Project and also to ensure that the outcomes are ambitious but realistic, consideration should be given to using log frames or finding another way to ensure a logical link between outputs, outcomes and impact. This includes indications on how the delivery strategies chosen will ensure that the outputs lead to the expected outcomes and impact. In particular, where different components of a project cannot be logically or realistically linked to one overarching goal then such components should be implemented as separate projects even if they are derived from one Development Agenda Recommendation. The DACD and PMPS, working closely with the CDIP, should take the lead in implementing this recommendation.

Recommendation 3: To CDIP, WIPO Senior Management, DACD, and Project Managers (recommendation arising from Conclusion 4):

13. The interactive process for developing Projects should be maintained: The interactive process that has been adopted in developing WIPO Development Agenda projects (involving the Secretariat and the Member States and other stakeholders, through the CDIP) should be continued and encouraged as it ensures Project relevance. The DACD, under the direction of and with the support of WIPO senior management, should take the lead in implementing this recommendation.

Recommendation 4: To CDIP, DACD, PMPS, Senior WIPO management and Project Managers (recommendation arising from Conclusion 5):

14. To be able to properly assess cost-efficiency of projects, a system that allows for monitoring and reporting on specific WIPO Development Agenda project activities (currently in development) should be implemented. Project managers should also make an effort, as part of project monitoring, to track expenditure based on cost categories and activities in the approved projects. DACD, PMPS and Project managers, with the support of CDIP and WIPO senior management, should take the lead in implementing this recommendation.

Recommendation 5: To WIPO Senior Management, Regional Bureaus, Program 10 and Member States (recommendation arising from Conclusion 6):

15. For longer-term sustainability, a transition plan should be developed to integrate the Project initiatives into the regular Program and Budget or to transfer the responsibility for activities/follow-up to the beneficiary Member States. There is strong evidence that the work undertaken under the Project has the potential to produce long-term positive effects. In order to ensure that this potential is not squandered, ways to incorporate the Project into the activities of the Bureaus, the SMEs section of the Innovation Division and regular programming of WIPO and/or into the hands of beneficiary countries, should be explored. Sustainability should also be considered in the context of how to assist other Member States that did not benefit from the pilot phase to use and/or adapt the methodologies and tools developed under the Project. It should be noted that in a number of instances, such as the need for continued support for the RPA and for organization of the international forum on IP and SMEs, time is of the essence. Failure to take action to ensure immediate follow-up action will lead to loss of the momentum generated by the Project. WIPO senior management, in consultation with the Member States in the CDIP and the Program and Budget Committee, should take the lead in implementing this recommendation.

1. INTRODUCTION

16. This report contains the results of an independent evaluation of the WIPO Development Agenda Project on the *Improvement of National, Sub-Regional and Regional IP Institutional and User Capacity* (hereinafter referred to as “Project on IP Institutional and User Capacity” or “the Project”). The Project was adopted at the Third Session of CDIP in April 2009 and was implemented over a period of 36 months. The Project budget was 3,091,000 Swiss francs of which 2,209,000 Swiss francs referred to non-personnel costs² and 882,000 Swiss francs to personnel costs. The latter amount (personnel costs) was the estimated costs of the time of the WIPO personnel managing or implementing the Project.

17. The Project on IP Institutional and User Capacity had three main objectives linked to the implementation of Recommendation 10 of the WIPO Development Agenda, namely to:

- (i) Strengthen national IP institutional capacity to improve efficiency of these institutions and their ability to promote a fair balance between the needs of IP protection and the public interest;
- (ii) Strengthen institutional capacity at the regional and sub-regional level through cooperation to facilitate the effective management of search and examination of IP applications through work sharing or pooling of resources; and
- (iii) Enhance the capacities of IP and SMEs support institutions so that these institutions can better address the needs of SMEs.

18. From the outset, the CDIP endorsed three strategic approaches for the implementation of the three objectives:

- (a) For strengthening national IP institutional capacity, the main strategy for implementation was to develop and pilot a standard methodology for IP policy/strategy development and institutional reform;
- (b) For the objective of strengthening regional/sub-regional IP institutions, the strategy was to promote work sharing or other cooperation mechanisms, with a focus on the Caribbean region; and
- (c) For the objective of strengthening SMEs support institutions, the strategy was to develop and/or improve Intellectual Property Right (IPR) support services for SMEs, through developing and piloting standardized methodology for surveys/studies on IP and SMEs, training of trainers and further developing IP Panorama.

19. In effect, measuring performance for this Project boiled down to measuring the success (effectiveness, efficiency, relevance and sustainability) of these three broad strategies in meeting the Project objectives and, ultimately, the contribution to the implementation of Recommendation 10 of the WIPO Development Agenda.

20. Overall, the key purpose of the evaluation was therefore to:

- (a) Systematically and impartially assess the results chain, processes, contextual factors and causality in order to understand the achievements or the lack thereof, including assessing the project design, project management, the results and cost-effectiveness;

²Non-personnel costs are meant to cover for specific project activities including travel (staff and third party), conferences, publishing, equipment and other costs.

- (b) Provide a basis for learning from the experiences in the Project in terms of what worked, what did not work and why, in order to provide a basis for recommendations for improving the design and implementation of similar projects in future;
- (c) Allow for the active participation of all relevant stakeholders in assessing the results of the Project; and
- (d) Provide evidence-based evaluative information to support decision-making in the CDIP and by WIPO management.

21. The evaluation covered the three-year project period (April, 2009 – April, 2012) and was undertaken between 26th July 2012 and 26th October 2012. The process of the evaluation is summarized under Part 2 of the report below. In order to achieve its purpose, the evaluation focused on the results of the Project as a whole as opposed to assessing individual disaggregated activities.

22. Mrs. Julia Engelhardt, Senior Evaluator of IAOD, managed the evaluation and participated in the evaluation field work. An independent external expert, Mr. Sisule F. Musungu, under the overall responsibility of IAOD, assisted in the evaluation.

2. EVALUATION METHODOLOGY AND LIMITATIONS

23. The evaluation contained in this report was necessitated by a desire for learning and accountability for results or lack thereof, among and between, the WIPO Member States, the International Bureau (WIPO Secretariat) and other stakeholders. The evaluation was undertaken through a participatory approach.

24. The evaluation process involved the following steps:

- (a) Identification of the external expert through a competitive process, including checking of conflicts of interest.
- (b) Once the external expert was selected and it was confirmed that there were no conflicts of interest, an inception report was developed and validated.
- (c) The evaluation then commenced with a briefing mission by the external expert to WIPO (Geneva) coupled with interviews with various WIPO officials involved or concerned with the Project.
- (d) Field missions to Moldova and Tanzania were then undertaken to gather on the ground information.
- (e) In parallel to the field missions, a survey was carried out among key stakeholders coupled with targeted telephone and face-to-face interviews with key stakeholders, particularly in the Caribbean.
- (f) A draft final report was then produced and validated through a reference group in WIPO made up of the Project managers and other relevant sections, including the regional bureaus.
- (g) A final report was then prepared taking into account the feedback from the reference group and additional data analysis.

25. A number of methods and tools were used to collect data. The use of several data collection methods coupled with triangulation in analyzing the data helped enrich the results of the evaluation. The main data collection methods used included:

- (a) Desk review of relevant project related documentation and literature.
- (b) Focus group interviews were used as the main method of collecting data during the field visits (Moldova and Tanzania). These were complimented by a number of telephone interviews with capital-based stakeholders.
- (c) Face to face semi-structured interviews were used to collect data from WIPO Project Managers and other relevant officials.
- (d) To allow for a broad reach and widen the sample of informants, a survey was also carried out to gather the views other stakeholders in the countries or within the Geneva missions of relevant Member States.

26. In terms of key informants, the evaluation process involved a broad range of stakeholders, including: the Project management and implementation team at WIPO, the Development Agenda Coordination Division (DACD) staff and the staff of the regional bureaus at WIPO as well as staff from the Resource Planning, Program Management and Performance Division; the consultants that were used to undertake various components of the Project; representative of WIPO members states including both capital-based and Geneva-based officials; and participants in the various activities (such as national stakeholder meetings and small and medium enterprises (SMEs) training programs).

27. The performance criteria (indicators) used to assess the performance of the Project were those contained in the Project document coupled with the outcome indicators set out in the evaluation TORs. The evaluation matrix contained in the Inception Report sets out the various indicators in detail together with the data collection tools for each indicator as well as the relevant key informants.

28. There were a number of limitations and/or caveats that affected the evaluation, which have to be borne in mind when engaging with the findings, conclusions and recommendations of the evaluation.

29. First, while the focus of the evaluation was on results, the Project ended only a few months before the commencement of the evaluation, and in some cases, Project activities had not been fully finalized. In such cases, which include the national studies on IP for SMEs and the international forum on IP for SMEs, it was not possible to fully assess the results and/or outcomes of the Project.

30. Second, the Project is linked to, and interrelated with, a range of pre-existing WIPO activities, such as in the area of infrastructure and SMEs, and this made it challenging, in some cases, to determine attribution of results since stakeholders, particularly at the country level, could not distinguish between the Project activities and other WIPO activities.

31. Finally, the response rate to the survey (at 27%) was very low. Therefore, statistically this could not be taken as a representative sample. The low response rate could be attributed to the tight deadlines for responses coupled with the summer holidays (the survey ran in late August to mid September). However, the survey responses taken together with the data collected through interviews, focus group discussions and through document review provided sufficient information and evidence for the evaluation.

3. EVALUATION FINDINGS

32. The evaluation of the Project on IP Institutional and User Capacity focused on three broad areas, namely: Project design and management; Project effectiveness and sustainability.

A. FINDINGS ON PROJECT DESIGN AND MANAGEMENT

33. The evaluation, with respect to Project design and management, sought to understand the appropriateness of the Project document as a guide for implementation, the level of monitoring, synergies between implementing teams, risk management and how external forces and trends were handled.

(i) Design

34. The Project was developed through an interactive process between the WIPO Secretariat and the Member States with the final project document being approved by the CDIP. The evaluation found that, generally, the Project was fairly well designed with a clear identification of the problem (issues of concern), the objectives and delivery strategy, schedule, budget and evaluation framework. However, there were a number of design flaws that were noted during the evaluation.

35. First, the final Project document did not include any potential risks and mitigation strategies. Although some of these were identified in the SMEs component during the design stage, they were not considered in the final version of the project document. Additionally, there were important political risks associated with both the IP strategies and the sub-regional/regional component of the Project, which were not identified. This is because in both cases actual approval of final documents (IP strategies, for example) depended on political mobilization and will in the pilot countries/region. Consequently, the outcomes of these two components were expressed as “successful testing of methodology” in pilot countries and “establishing a regional mechanism of cooperation in the field of IP”. In both cases while draft documents have been produced, final approvals have not been done raising the question whether the results were achieved or not since these processes are generally beyond the control of WIPO. In addition, it was assumed that in all pilot countries the starting point would be the same when in fact there was a risk that there may be different levels of IP awareness and hence movement may be slower in the countries where stakeholders have limited IP knowledge.

36. Second, the Project appears to have emphasized reporting to management and the CDIP over systematic monitoring. While meetings were held to validate tools or methodologies and reports provided on missions, there was no systematic collection of qualitative evaluation data and information throughout the Project cycle.

37. Third, it also emerged that the three project components were in fact stand-alone projects that were merged in one project document with no clear linkages among them. This led to the result that the overall project objective could not be clearly articulated and project components were implemented and reported upon as a stand-alone projects. Consequently, no synergies between implementing teams were achieved. In this regard, some informants, for example, expressed the view that clarity on national strategies or at least national IP goals and needs among the Caribbean Community and Common Market (CARICOM) countries could have helped the discussions on the RPA.

38. Finally, the Project framework did not include transition planning or strategies. This being a time-limited intervention, the lack of transition planning or strategy meant that in cases where the Project did not piggyback on on-going processes, the Project's end was abrupt and stakeholders did not have a clear idea on what would happen next. This was the case in Tanzania where stakeholders were waiting on WIPO to take the next steps as opposed to taking forward the work by, for example, preparing the draft IP strategy for approval. In Moldova, the situation was different since the end of the Project did not affect the planning and efforts to get final government approval for the IP strategy. Lack of transition planning also meant that there was no plan on how to manage expectations as to what WIPO could or could not do after the Project finalization both for the pilot countries and other Member States interested in using the methodologies and tools developed under the Project. While this challenge was recognized by both Project Management team and the DACD during the implementation process no concrete plan had been developed as at the time of the evaluation partly because such a plan could not be put in place without the CDIP consideration and endorsement.

(ii) Management

39. Overall, the Project was fairly well managed leading to the delivery of most of the Project outputs within time. While there was an overall Project Manager, each component of the Project was managed by different people in different sections of the WIPO Secretariat. While this in itself would not be a problem, there were specific challenges for this Project. Practically, the Project was managed as three different Projects in one. Consequently, while the reporting to the Member States and management was done in one document, there was no one who was fully in charge and accountable for the overall Project. This had several implications.

40. To start with, there was no conceptualization of how the three component objectives came together to contribute to a broader overall goal of Recommendation 10 of the WIPO Development Agenda. This accentuated the impact of the design flaw (lack of overall Project goal) noted above. In addition, as already noted, there was no coordinated response to challenges, such as delays experienced under the SMEs component of the Project. Further, the approach to management meant that synergies were not maximized. Different pilot countries were chosen for the pilots and in the one case where the same country was chosen for the pilots (Tanzania) the different components were implemented independently.

41. Communication about the Project as a whole to stakeholders was also a challenge related to the manner in which the Project was managed. In this context, some stakeholders felt that they did not have sufficient clarity on the expectations and expected results when the Project was launched and therefore it was difficult for them to assess success at the end of the Project. In addition, certain stakeholders felt that after interaction with WIPO and the consultants or after meetings, there was not adequate communication on developments. For example, some stakeholders in Tanzania indicated, as at the time of evaluation, that they had neither seen the final draft IP strategy nor the draft national study on IP and SMEs conducted in the country. During the evaluation, it became clear that roles and responsibilities between WIPO and its main counterparts at the country level were not always clearly articulated specially in regards to dissemination of outputs. Here, while the Project management team at WIPO bears some responsibility there is also an important role to be played by national institutions, such as IP offices, which are the link between WIPO and national stakeholders.

B. FINDINGS ON PROJECT ASSESSMENT

42. The assessment of the project was based on three main criteria, namely: relevance; effectiveness; and efficiency. In addition, the evaluation considered whether there were any spillover or secondary effects, for example, non-pilot countries using or adapting the tools developed under the Project. Regarding relevance, the focus was on whether the Project objectives and activities were relevant and matched the needs of the beneficiaries (IP institutions and IP-related institutions, particularly SMEs support institutions). Assessment of effectiveness focused on the extent to which the Project met the expected results in terms of both output and outcome indicators. With respect to efficiency, the assessment focused on timing and cost-effectiveness (budget expenditure).

(i) Relevance

43. The IP Institutional and User Capacity Project, as already noted, was developed through an interactive process between the Member States, constituted as the CDIP, and the WIPO Secretariat. It can therefore be stated that the Project was demand-driven and was considered relevant by the CDIP before approving the same. The relevance of the Project was confirmed during the evaluation through the interviews and focus group discussions as well as through the review of documents and reports on activities. Overall, the Project was welcomed and deemed relevant and attracted high level policy interest, particularly in the pilot countries for both the IP national strategies component and the SMEs component. For the regional component, which was implemented in the Caribbean, the Project received similar attention within the technical and policy circles confirming its relevance to the stakeholders in that region.

44. Through the evaluation interviews and focus group discussions, it was also confirmed that key stakeholders found the methodologies and tools developed by the Project relevant and adaptable to local needs. Stakeholders also confirmed the need for or desire to continue activities in the areas covered by the Project, which is also a confirmation of the continued relevance of the issues addressed by the Project for these stakeholders.

(ii) Effectiveness

45. There were a number of outputs to be produced under each of the three Project objectives (components). Three broad outcomes were also expected to result from the implementation of the project.

46. Table 1 (hereafter) provides an overview on the performance of the Project in relation to the planned outputs. The results show that:

(a) Half (50%) of the overall Project outputs were completed.

(b) Another 30% of the outputs were partially completed. In all these cases, work was started but was either not completed or piloting was not done in all the countries.

(c) In 20% of the cases the outputs were not produced at all. This is the case with respect to the conceptualization of sub-regional approach to IP administration and the holding of an international forum on an integrated package for SMEs on IP. The international forum is seen as a critical element of the project and was contingent on the completion of national studies in all pilot countries. However the national studies in three countries (Brazil, Jordan and South Africa) have not been finalized yet due to some logistical and practical constraints. At the time of this evaluation, there was no clarity on how the forum was going to be financed since the project has come to an end.

47. Disaggregated at the component level, the expectations on the Project outputs with respect to component 1 – IP national Strategies – were fully met. In the case of the two other components at least 50% of the expected outputs were produced / developed.

Table 1: Summary of Project Outputs

KEY ISSUE (OBJECTIVE)	PROJECT PERFORMANCE	RESULTS
	Expected Results (Outputs)	
Objective 1: Strengthen national IP institutional capacity to improve efficiency of these institutions and their ability to promote a fair balance between the needs of IP protection and the public interest.	Development and successful validation of a tool to assess the status of the existing IP system in a developing country.	Tool developed and validated (Final tool available on the WIPO National IP Strategies Portal - http://www.wipo.int/ipstrategies/en/methodology/).
	Development and validation of a needs assessment tool.	Tool developed and validated (See http://www.wipo.int/ipstrategies/en/methodology/).
	Development and validation of methodology and framework for the design of national IP strategies and plans, incorporating the status and needs assessment tools.	Methodology developed, validated by expert group and piloted in six (6) countries (Methodology available at http://www.wipo.int/ipstrategies/en/methodology/).
Objective 2: Strengthen institutional capacity at the regional and sub-regional level through cooperation to facilitate the effective management of search and examination of IP applications through work sharing or pooling of resources.	Harmonized procedures and/or work sharing arrangements developed in one region.	Support provided to CARICOM on the development of a regional patent administration (RPA) leading to draft elements of a treaty. However, the process has not been finalized.
	Conceptualization/implementation of sub-regional/regional approach to IP administration.	Work not undertaken on this component.
Objective 3: Enhance the capacities of IP and SMEs support institutions so that these institutions can better address the needs of SMEs	Development and validation of a methodology for undertaking surveys/studies on IP for SMEs.	Methodology developed and validated through an expert group. Surveys/studies completed in three (3) of the six (6) pilot countries (India, Poland and Tanzania). Surveys/studies not completed in Brazil, Jordan and South Africa.
	Translation and/or adaptation of WIPO publications on IP for SMEs.	A number of SMEs publications were customized/translated
	Translation of IP PANORAMA into French and Spanish.	48. Translations in both languages completed. Versions available at http://www.wipo.int/sme/en/multimedia/
	Development and successful delivery of trainings programs for teachers/trainers.	Training of trainers on the effective management of IP assets for SMEs undertaken in Brazil, India, Poland and Tanzania. Training not done in two other pilot countries (Jordan and South Africa)
	International Forum to Evaluate Results and Make Recommendations for Providing an Integrated Package for SMEs.	Not held as at the end of the Project.

49. Table 2 sets out the results of the Project with respect to the expected outcomes. The findings here are that:

50. The expected outcome with respect to objective 1 of the Project was realized save that the final approval of the draft strategies remains pending as this is a political process within each country.

51. The expected outcomes with respect to objectives 2 and 3 were not realized. With respect to the expected outcome for objectives 3 the expected outcome was unlikely to be met during the Project period since it is a long-term goal.

Table 2: Summary of Project Outcomes

KEY ISSUE (OBJECTIVE)	PROJECT PERFORMANCE	RESULTS
	Expected Results (Outcomes)	
Objective 1: Strengthen national IP institutional capacity to improve efficiency of these institutions and their ability to promote a fair balance between the needs of IP protection and the public interest.	Successful piloting (testing) of the standardized methodology for IP strategies and plans, with methodology receiving general acceptability among the pilot countries and other stakeholders such as CDIP.	<p>The methodology was successfully tested in the six (6) pilot countries evidencing its acceptability for these countries. Feedback on the methodology in the CDIP has also been positive. However, in all the six (6) pilot countries the government or the relevant authorities have not adopted the IP strategies.</p> <p>The process used (being participatory and iterative) was widely recognized as providing a new platform that allowed a wider range of stakeholders to be involved in IP matters.</p>
Objective 2: Strengthen institutional capacity at the regional and sub-regional level through cooperation to facilitate the effective management of search and examination of IP applications through work sharing or pooling of resources.	Successful establishment of one sub-regional/regional mechanism for cooperation in the field of IP	<p>While work was begun as at the end of the Project a mechanism for cooperation in the field of IP (administration) had not yet been established in the target region (Caribbean).</p> <p>A particular value attributed to WIPO assistance through the Project was the presentation of options and independent cost-benefit analysis on how to fashion the RPA.</p>

<p>Objective 3: Enhance the capacities of IP and SMEs support institutions so that these institutions can better address the needs of SMEs.</p>	<p>Successful integration of IP into the business strategies of SMEs in the target countries/regions</p>	<p>No evidence could be found to assess this outcome. This is a long-term goal that could not be assessed in a short time after the completion of the Project.</p>
--	--	--

52. Beyond the specific outputs and outcomes set out in the Project document, there were a number of additional findings emerging from the evaluation with respect to the effectiveness of the Project:

53. The methodology on IP strategies, which is now available on the WIPO website (National IP Strategies Portal - <http://www.wipo.int/ipstrategies/en/>), was taken up and is being used in other WIPO Member States. For example, more than 10 other countries in the Latin America and Caribbean (LAC) region have used or are currently using the methodology to develop their IP strategies. This confirms that the said methodology is both replicable and adaptable and has found acceptance beyond the pilot countries.

54. The IP Strategies component of the Project needed in some cases to have started one step from where it started by undertaking some baseline analysis particularly of the administrative/legal/political structure of the pilot countries to determine the most relevant stakeholders and determine the desirability of a single IP strategy. Such baselines analysis could be done with the relevant regional bureaus. Tanzania is a particular example. In this country there are two IP regimes and two different IP administrations. One for Tanzania mainland and another for Zanzibar. The evaluation established that in this case because of the separate regimes and systems the appreciation for the need for and ownership of the final product was significantly divergent.

55. All the three components of the Project related to one or more activities/initiatives that were already on going at WIPO before the launch of the Project. A particular value of the Project (based on interviews and output results) was that it provided new impetus and catalyzed work in these areas. For example, without the Project it might not have been possible to develop a single unified methodology for IP strategy development or methodology for undertaking surveys/studies on IP and SMEs. Nevertheless, the evaluation also found that there was little, if any, communication contextualizing this specific Project in light of overall WIPO assistance to the countries to clarify expectations for the Project and identify the value addition vis-à-vis other WIPO assistance.

(iii) Efficiency

56. The Project budget was 3,091,000 Swiss francs of which 2,209,000 Swiss francs referred to non-personnel costs³ and 882,000 Swiss francs to personnel costs. The latter amount (personnel costs) was the estimated costs of the time of the WIPO personnel managing or implementing the Project. For purposes of assessment, the evaluation therefore focused on non-personnel costs by category shown in table 3.

³ Non-personnel costs are meant to cover for specific project activities including travel (staff and third party), conferences, publishing, equipment and other costs.

Table 3: Project Budget	
Budget Item	Budget (in Swiss francs)
Staff Missions	270,000
Third Party Travel	955,000
Conferences	24,000
Experts' Honoraria	280,000
Publishing	30,000
Other Costs	560,000
Equipment	90,000
TOTALS	2,209,000

57. As at the end of the Project period a total of 1,076,000 Swiss francs representing 48.7% of the allocated budget had been disbursed for Project activities. Of this amount, 549,000 Swiss francs was spent on the National IP strategies component of the Project, 461,000 Swiss francs on the SMEs component of the Project and 66,000 Swiss francs on the RPA component. Percentage wise, this means that approximately 51% of the Project expenditure went towards the National IP strategies component, while 43% and 6% of the Project expenditure went towards the SMEs and RPA components respectively.

58. Due to limitations in the WIPO financial system, it was not possible to determine the actual expenditure as against the various cost categories and activities in the original Project budget (table 3). This is because the activity code field is used to identify Development Agenda Projects activities, which makes it difficult to monitor and report on each activity under Development Agenda Projects. A new system is under development, which is expected, among other things, to address this problem so that in the future it will be possible to specifically determine what was spent for each activity.

59. From the figures above, it is clear that there is a significant difference between the approved Project budget and the actual Project expenditure. During the evaluation, a number of reasons were found and/or were advanced to explain the low utilization rate. First, efficiency gains were made by delivering some outputs with less budget than initially planned. Second, as already noted in this report, a number of important activities such as the international forum on IP and SMEs had not been implemented by the end of the Project. The resources that would have been used for these activities were therefore not disbursed. Finally, because of the nature of activities, methodology/tool development and piloting, there might have also been an element of over budgeting some of the activities since there was no previous experience to provide benchmarks for costing of activities.

60. In addition to the above, this evaluation also found that other aspects which affected project performance and its efficiency, such as, the lack of adequate planning and budgeting of required personnel resources by project component during the design stage of the project led in, some cases, to staff issues linked to demotivation, shortage of human resources, insecure tenure of short-term staff and abrupt discontinuation of contracts. Additionally, the Organization is undergoing some structural changes, which also affected, to some extent, the morale of staff working more specifically within the SMEs Section.

C. FINDINGS ON SUSTAINABILITY OF PROJECT RESULTS

61. The sustainability of the Project results was assessed by looking at the possible lasting effects of the Project outputs and/or outcomes, evidence of country ownership of the Project results and the likelihood of continued work in WIPO on similar activities.

62. The Project produced a number of tools and methodologies. As already noted, the evaluation found evidence that these tools and methodologies are not only finding acceptance and use within the pilot countries but also in other WIPO Member States. The replicability and adaptability of these tools and methodologies beyond the initial target (pilot) countries is strong evidence that the Project outputs (tools and methodologies) are likely to have long lasting effects. The fact that these methodologies and tools have been made available electronically on the WIPO website will also make them more readily available to more countries and stakeholders and therefore promote their future use. Additionally, there is an increasing demand for national studies on IP and SMEs as well as training of trainers to be replicated to other Member States.

63. Due to the methodology and processes used, there was a significant level of country ownership of the Project results especially with respect to the National IP Strategies in the pilot countries. Interviews, particularly during country visits, confirmed that there was a high sense of ownership by countries and the end products (draft IP Strategies) were not seen as impositions by WIPO but as documents generated from the bottom up. In the context of the sub-regional component, there was also a sense of local ownership with WIPO's assistance through the Project being seen as critical but complimentary add-on as opposed to WIPO assistance being the reason for the process.

64. It was particularly notable (based on the two field visits) that the level of ownership and expectations of continued WIPO involvement depended on whether the Project was complimentary to on-going or planned initiatives (case of Moldova) or whether WIPO's assistance through the Project was a major factor or catalysts for the initiation of the process in the country (the case of Tanzania). In the former case there was a much higher sense of local ownership than in the latter case. This finding was also confirmed with respect to the RPA process in the Caribbean, which started before the Project.

65. All the three components of the Project, as already pointed out earlier in the report, relate to broader WIPO activities. The evaluation also found evidence of the relevance of these activities beyond the pilot countries. In two of the components, IP strategies and IP and SMEs, although the Project ended, there is important on-going work building on the Project results. With respect to the IP strategies, in addition to the use of the methodology in more countries, supported by the Regional Bureaus, the work under the Project is feeding into the work on a meta-level WIPO Framework on Designing IP Strategies. In the case of the SMEs component, there is also continuing work on IP Panorama and training of trainers using the customized tools.

4. CONCLUSIONS AND KEY LESSONS

Conclusion1: Overall, the Project was reasonably well designed and professionally managed. However, there were some shortcomings in the Project design and a number of management challenges were experienced both of which negatively affected the Project implementation.

66. The evaluation confirmed that the Project design provided a reasonably sufficient framework to guide the implementation of the Project and, eventually, to allow for its assessment. The Project implementation/management team worked professionally, specially taking into consideration the distinctiveness of each component and challenges related to the lack of adequate planning and budgeting of personnel resources, leading to a number of important successes for the Project. The majority of stakeholders, for example, appreciated the important work that had been done in all the three components of the Project and could identify specific benefits to them as a result.

67. However, a number of shortcomings in Project design and management challenges affected the overall performance of the Project. These shortcomings and challenges related to the fact that:

- (a) The Project was designed and implemented by merging three distinct projects with no overall goal towards which they were meant to contribute. The lack of such an overarching goal and the merging of three stand-alone Projects led to no synergies being achieved and to a situation where internal WIPO coordination was not optimum;
- (b) At the time of the evaluation, no records of systematic and continuous project monitoring were made available. In cases where corrective actions to mitigate risks were taken, these were not necessarily reported in the self-evaluation reports provided to the CDIP;
- (c) The project document did not include any potential risks and relevant assumptions. Although some of these were identified in the initial project proposal during the design stage, these were not considered in the final version of the project document. Hence no mitigation strategies were put in place to address any eventualities;
- (d) The approved Project was designed without a transition plan. Even though the initially proposed project document did include this as part of the design, it was dropped in the final approved project; and
- (e) There was not sufficient communication within the Project management team and between the Project managers and the stakeholders, including the fact that stakeholders felt that after specific activities there was no information on further Project developments.

68. The key lesson here is that the Project design and management style/approach have an important effect on the outcomes of Projects. It is a matter that should therefore be taken seriously.

Conclusion 2: At the output level, the Project performed reasonably well with at least half of the expected outputs from the Project produced/completed and another 30% partially produced/completed.

69. With 80% of the Project outputs produced/completed or partially produced/completed, the Project made an important contribution and benefited the target beneficiaries. This means that the overall performance of the Project was above average. It is particularly notable that such level of success was achieved in a Project that involved significant work to develop new methodologies and tools such as “WIPO Methodology and Tools for Development of National IP Strategies” and “IP Panorama” among others, including testing these methodologies and tools in the field.

Conclusion 3: At the outcome level, the performance of the Project was below average with only one of three expected outcomes substantially realized.

70. None of three expected outcomes were fully realized notwithstanding the fact that this was a three-year Project. Only one of the expected outcomes (relating to the IP strategies component) was significantly realized. The two other expected outcomes were not realized. This was the case notwithstanding the above average performance at the output level. These results can be explained by the lack of risk mitigation strategies and the fact that the outcomes were poorly framed or were overambitious for the type of Project and the time allocated.

71. In the case of the SMEs component, the expected outcome (successful integration of IP in the business strategies of SMEs) was not a realistic result considering that a substantial part of the Project was focused on piloting activities during a short period of implementation. However,

taking into consideration that activities will continue beyond the project's end, it remains to be seen in the longer term whether this outcome can be achieved. With respect to the sub-regional/regional component, the expectation that an RPA would be completed within the time period of the Project was outside the area of influence of the Project and also unrealistic especially when one considers the fact that the Project framers did not consciously consider the political risks to this component.

72. There is an important lesson here. In order to improve the impact of Projects there is an important need for designing and implementing Projects with realistic outcomes taking into account the link between activities, timeframes, outputs and the expected results. A clear balance needs to be struck between not being ambitious and being overambitious.

Conclusion 4: The Project objectives and activities were very relevant to the target beneficiaries and other stakeholders.

73. Both because of the process used to develop the Project and the main activities chosen for implementation, the Project scored high on relevance. The interactive process of the CDIP in designing the Project helped ensure that Project was relevant to the key stakeholders. This result can also be credited to the Project implementation/management team, which employed different strategies (such as expert groups) to validate the quality and relevance of the outputs, including the methodologies and tools.

Conclusion 5: Comparing the overall level of Project performance (with 80% of the Project outputs produced/completed or partially produced/completed) and budget utilization at 48.7%, the Project, overall, was implemented in a cost-efficient manner. There was value for money.

74. The nature of the activities in this Project shows that this was a time-consuming and potentially expensive Project. The overall budget utilized compared to the outputs produced, including draft IP Strategies in six (6) countries developed through a consultative process and the various methodologies and tools developed under the SMEs component as well as the technical work done on the proposed RPA, suggest that the resources used were quite reasonable. This conclusion is still valid even if one takes into account the various reasons for the percentage of budget utilization discussed in Part 3(B)(iii) of this report.

Conclusion 6: The Project results stand a reasonably good chance to have lasting effects and are, overall, sustainable.

75. Although the full impact of the Project could not be fully assessed during this evaluation, there were a number of important signs/signals indicating that the Project has the potential to have lasting effects in the target countries and for the target beneficiaries. For example, the methodologies and tools developed under the Project have already found general acceptance not only among the pilot countries but also among other WIPO Member States. With these methodologies and tools being made available to a wider audience (e.g., through the IP Strategies portal) their use and hence impact is likely to increase.

76. In addition, overall, the level of ownership at the country/regional level was good suggesting that these countries/region are likely to continue with the Project activities or follow through without or with reduced WIPO assistance. The fact that all the three components of the Project are linked to the regular WIPO activities under the Program and Budget also suggest that the work catalyzed by the Project can be sustained into the future since WIPO will still be able to provide assistance in this area, as and when, the needs arise.

RECOMMENDATIONS

77. On the basis of the above conclusions and, taking into account the overall purpose of the WIPO Development Agenda and the broader WIPO organizational goals, the evaluation makes the following five (5) recommendations:

Recommendation 1: To CDIP, the Development Agenda Coordination Division (DACD), the Program Management and Performance Section (PMPS) and Project Managers (Recommendation arising from Conclusion 1):

78. For new projects more rigorous Project designing and management should be implemented. In addition to the components already included in the IP Institutional and User Capacity Project document (problem identification, component objectives, delivery strategy, evaluation framework, timelines and budget), projects should have one overarching goal as well as clear assumptions, risks and risk mitigation strategies, communication strategy and transition plan. The DACD and PMPS, working closely with the CDIP, should take the lead in implementing this recommendation.

Recommendation 2: To CDIP, DACD, PMPS and Project Managers (Recommendation arising from Conclusion 2 and 3):

79. From a results perspective, new Projects should have a clear and logical link between outputs and outcomes and the use of a logical framework (log frame) should be considered in this regard. To avoid a disconnect between the outputs and outcomes of the Project and also to ensure that the outcomes are ambitious but realistic, consideration should be given to using log frames or finding another way to ensure a logical link between outputs, outcomes and impact. This includes indications on how the delivery strategies chosen will ensure that the outputs lead to the expected outcomes and impact. In particular, where different components of a project cannot be logically or realistically linked to one overarching goal then such components should be implemented as separate projects even if they are derived from one Development Agenda Recommendation. The DACD and PMPS, working closely with the CDIP, should take the lead in implementing this recommendation.

Recommendation 3: To CDIP, WIPO Senior Management, DACD, and Project Managers (Recommendation arising from Conclusion 4):

80. The interactive process for developing Projects should be maintained: The interactive process that has been adopted in developing WIPO Development Agenda projects (involving the Secretariat and the Member States and other stakeholders, through the CDIP) should be continued and encouraged as it ensures Project relevance. The DACD, under the direction of and with the support of WIPO senior management, should take the lead in implementing this recommendation.

Recommendation 4: To CDIP, DACD, PMPS, Senior WIPO management and Project Managers (Recommendation arising from Conclusion 5):

81. To be able to properly assess cost-efficiency of projects, a system that allows for monitoring and reporting on specific WIPO Development Agenda project activities (currently in development) should be implemented. Project managers should also make an effort, as part of project monitoring, to track expenditure based on cost categories and activities in the approved projects. DACD, PMPS and Project managers, with the support of CDIP and WIPO senior management, should take the lead in implementing this Recommendation.

**Recommendation 5: To WIPO Senior Management, Regional Bureaus,
Program 10 and Member States** (Recommendation arising from Conclusion 6):

82. For longer-term sustainability, a transition plan should be developed to integrate the Project initiatives into the regular Program and Budget or to transfer the responsibility for activities/follow-up to the beneficiary Member States. There is strong evidence that the work undertaken under the Project has the potential to produce long-term positive effects. In order to ensure that this potential is not squandered, ways to incorporate the Project into the activities of the Bureaus, the SMEs section of the Innovation Division and regular programming of WIPO and/or into the hands of beneficiary countries, should be explored. Sustainability should also be considered in the context of how to assist other Member States that did not benefit from the pilot phase to use and/or adapt the methodologies and tools developed under the Project. It should be noted that in a number of instances, such as the need for continued support for the RPA and for organization of the international forum on IP and SMEs, time is of the essence. Failure to take action to ensure immediate follow-up action will lead to loss of the momentum generated by the Project. WIPO senior management, in consultation with the Member States in the CDIP and the Program and Budget Committee, should take the lead in implementing this recommendation.

LIST OF APPENDICES

Appendix I	List of key documents to be reviewed/consulted (Bibliography)
Appendix II	List of Interviewees/Informants
Appendix III	Evaluation Survey Questionnaire
Appendix IV	Evaluation Inception Report
Appendix V	Project Document

[Appendix I follows]

Appendix 1: List of Key Documents to be Reviewed/Consulted (Bibliography)

The following documents were reviewed and or consulted as part of the evaluation:

1. Draft IP Strategy of Algeria
2. Draft IP Strategy of the Dominican Republic
3. Draft IP Strategy of Mali
4. Draft National IP Strategy of the Republic of Moldova for the Years 2012 - 2020
4.a Action Plan on the Implementation of the National Strategy on IP of the Republic of Moldova for the Years 2012 – 2014
5. Draft IP Strategy of Mongolia
6. Draft IP Strategy for the United Republic of Tanzania – IP Strategy Roadmap
7. Report of the Meeting of Experts on the Development of a Harmonized Methodology for the Formulation of National IP Strategies held in Geneva on 19th and 20th January 2012
8. Evaluation of Project Methodology and Tools by the International Consultants for IP Strategy Development in Algeria, Dominican Republic, Mali, Moldova, Mongolia and Tanzania
9. Program and Conclusions of the Expert meeting on National Intellectual Property (IP) Strategies - See document WIPO /DEV/GE/12 dated 9th December 2011.
10. Methodology for the Development of National Intellectual Property Strategies – Tool 1: The Process
11. Methodology for the Development of National Intellectual Property Strategies – Tool 2: Baseline Survey and Questionnaire
12. Methodology for the Development of National Intellectual Property Strategies – Tool 3: Benchmarking Indicators
13. Concept Paper on the WIPO Framework for Designing National IP Strategies for Development
14. Program for the WIPO Training of Trainers Program on Effective Intellectual Property Asset Management by Small and Medium-Sized Enterprises (SMEs) organized by WIPO and the Business Registration and Licensing Agency (BRELA) held in Dar es Salaam, Tanzania, August 22 to 26, 2011
15. Draft National Study on IP and SMEs in India
16. Draft National Study on IP and SMEs in Poland
17. Draft National Study on IP and SMEs in Tanzania
18. French and Spanish Versions of IP Panorama (<http://www.wipo.int/sme/en/multimedia/>)
19. IP Panorama (original) in Multimedia and Print

20. Terms of Reference (TORs) for Undertaking National Study on IP and SMEs
21. Minutes of the 8th Session of the CDIP held in Geneva from November 14 to 18, 2011 (WIPO document CDIP/6/13)
22. Progress Reports on Development Agenda Projects (document CDIP/8/2 dated 4th October 2011).
23. Minutes of the 6th Session of the CDIP held in Geneva from November 22 to 26, 2010 (WIPO document CDIP/6/13)
24. Progress Reports on Development Agenda Projects (document CDIP/6/2 Rev. dated 1st October 2010).
25. Various Internal Memorandums and Missions reports by WIPO Project Managers.
26. Consultants report on WIPO mission to various member states of the Caribbean Community (CARICOM) on the Regional Patent Administration Project undertaken in March –April 2011
28. Annex IX of CDIP document CDIP/3/INF/2 dated 30th March 2009 (Project Document)
29. Minutes of the 3rd Session of the CDIP held in Geneva from April 27, 2009 to May 1, 2009 (WIPO document CDIP/3/9)

[Appendix II follows]

APPENDIX II: LIST OF INTERVIEWEES/INFORMANTS

	Name	Affiliation	Date of Interview/Focus Group Discussion
1	Ilya Gribkov	WIPO Secretariat	August 16, 2012
2	Jie Liu	WIPO Secretariat	August 16, 2012
3	Paul Regis	WIPO Secretariat	August 16, 2012
4	Ye Min Than	WIPO Secretariat	August 16, 2012
5	Francoise Wege	WIPO Secretariat	August 16, 2012
6	Irfan Baloch	WIPO Secretariat	August 16, 2012
7	George Ghandour	WIPO Secretariat	August 16, 2012
8	Guriqbal Singh Jaiya	WIPO Secretariat	August 16, 2012
9	Carlos Mazal	WIPO Secretariat	August 16, 2012
10	Natalie Montillot	WIPO Secretariat	August 16, 2012
11	Francesca Toso	WIPO Secretariat	August 16, 2012
12	Maya Bachner	WIPO Secretariat	August 17, 2012
13	Fatima Daboussi	WIPO Secretariat	August 17, 2012

	Name	Affiliation	Date of Interview/Focus Group Discussion
14	Kristen Livshin	WIPO Secretariat	August 17, 2012
15	Neema Nyerere-Drago	WIPO Secretariat	August 17, 2012
16	Lilia Bolocan	Director General, State Agency on Intellectual Property for the Republic of Moldova (AGEPI), Moldova	August 20-21, 2012
17	Iurie Badir	Head, Economy and Finance Division, AGEPI, Moldova	August 20, 2012
18	Viorika Duca	Senior specialist, International Cooperation Division, AGEPI, Moldova	August 20-21, 2012
19	Vera Macinskaia	Judge, Supreme Court of Justice, Moldova	August 20, 2012
19	Svetlana Munteanu	Deputy Director General, AGEPI, Moldova	August 20-21, 2012
20	Maria Rojnevschi	Director, IP Promotion and Publications Department, AGEPI, Moldova	August 20, 2012
21	Liliana Vieru	Deputy Director of IP Promotion and Publishing Department, Head of International Cooperation and European Integration Division, AGEPI, Moldova	August 20-21, 2012
22	Botnari Alexandru	Inspector, Combating Computer Crimes Division, Police Department, Ministry of Internal Affairs of the Republic of Moldova	August 21, 2012
23	Ludimila Andries	Patent Attorney, BrevetMarcService Bureau, Moldova	August 21, 2012

	Name	Affiliation	Date of Interview/Focus Group Discussion
24	Leonid Cotruta	Patent Attorney, President of the Non- Governmental Association of Patent Attorneys, Moldova	August 21, 2012
25	Galina Jenicovscaia	Patent Attorney, BrevetMarcService Bureau, Moldova	August 21, 2012
26	Petru Munteanu	Patent Attorney, Ambrozia S.R.L & Vice President of the Bar Association, Moldova	August 21, 2012
27	Viorel Prisacari	Protector for Scientific Activity, The State University of Medicine and Pharmaceutics "Nicolae Testemitanu", Moldova	August 21, 2012
28	Ion Radu	Patent Attorney, Moldova	August 21, 2012
29	Olga Sokolova	Patent Attorney, INTELS-MDV S.R.L, Moldova	August 21, 2012
30	Elena Paladi	Head, Intellectual Property Rights Protection Division, Customs Service, Moldova	August 22, 2012
31	Lucinda Longcroft	WIPO Secretariat	August 23, 2012
32	Geoffrey Onyeama	WIPO Secretariat	August 23, 2012
33	Mathew Rainey	WIPO Secretariat	August 23, 2012
34	Anil Sinha	WIPO Secretariat	August 23, 2012
35	Melkiado January	MAFC, Tanzania	September 24, 2012
36	Elias P. Kahabi	Centre for Entrepreneurship Skills, Tanzania	September 24, 2012
37	Seka Kasera	Business Registration and Licensing Agency (BRELA), Tanzania	September 24, 2012

	Name	Affiliation	Date of Interview/Focus Group Discussion
38	Leonila Kielebuka	BRELA, Tanzania	September 24, 2012
39	Evarist Makene	MAFC, Tanzania	September 24, 2012
40	Loy Mhando	BRELA, Tanzania	September 24, 2012
41	Hakiel Mgonja	BRELA, Tanzania	September 24, 2012
42	Leons Mtana	Kabwie Business Centre, Tanzania	September 24, 2012
43	Saudin Mwakaje	University of Dar es Salaam, Tanzania	September 24, 2012
44	Emmanuel Ngeni	FCC, Tanzania	September 24, 2012
45	Paul Mauula	Copyright Society of Tanzania (COSOTA)	September 24, 2012
46	Kibe S. Abdalla	ZSTC, Zanzibar, Tanzania	September 25, 2012
47	Rashid Khamis Ali	DA, Zanzibar, Tanzania	September 25, 2012
48	Sabhau Saleli Ali	Zanzibar Tourist Cooperation, Zanzibar, Tanzania	September 25, 2012
49	Mustafa A. Haji	Zanzibar, Tanzania	September 25, 2012
50	Hamza A. Hamza	Ministry of Trade, Industry AND Marketing, Zanzibar, Tanzania	September 25, 2012
51	Wahinda Hamza	Ministry of Trade, Industry and Marketing, Zanzibar, Tanzania	September 25, 2012

	Name	Affiliation	Date of Interview/Focus Group Discussion
52	Khadija Mohamed Hija	Ministry of Trade, Industry and Marketing, Zanzibar, Tanzania	September 25, 2012
53	Iddi Othman Iddi	Zanzibar National Chamber of Commerce, Zanzibar, Tanzania	September 25, 2012
54	Said A. Khamis	Businessman, Zanzibar, Tanzania	September 25, 2012
55	Khamis Issa Mohamed	ZEXA, Zanzibar, Tanzania	September 25, 2012
56	Khamis Juma Mwalim	Registrar Generals Office, Zanzibar, Tanzania	September 25, 2012
57	Asha Hassan Nassor	SAM Essential. Zanzibar, Tanzania	September 25, 2012
58	Suleiman S. Suleiman	Zanzibar Aromatics, Zanzibar, Tanzania	September 25, 2012
59	Mohd M. Taimour	Zanzibar Sales, Zanzibar, Tanzania	September 25, 2012
60	Abdulla Wajir	Registrar Generals Office, Zanzibar, Tanzania	September 25, 2012
61	Malcolm Spence	Caribbean Community (CARICOM) Secretariat	September 25, 2012
62	Mazira Kadir	Controller, Intellectual Property Office, Ministry of Legal Affairs, Trinidad and Tobago	October 3, 2012
63	Richard Aching	Deputy Controller, Intellectual Property Office, Ministry of Legal Affairs, Trinidad and Tobago	October 3, 2012
64	Ricky Camacho	Registrar of Intellectual Property and Commerce, Ministry, Antigua and Barbuda	October 3, 2012
65	Carol Simpson	Executive Director, Jamaica Intellectual Property Office	October 4, 2012

[Appendix III follows]

APPENDIX III: EVALUATION SURVEY QUESTIONNAIRE

Improvement of National, Sub-Regional and Regional IP Institutional and User Capacity

WORLD INTELLECTUAL PROPERTY ORGANIZATION

Internal Audit and Oversight Division (IAOD)

Evaluation of the Development Agenda Project on the "Improvement of National, Sub-Regional and Regional IP Institutional and User Capacity"

Reference: EVAL 2012-08

SURVEY QUESTIONNAIRE

1. BACKGROUND TO THE PROJECT UNDER EVALUATION

The evaluation, which is the subject of this survey, covers the three-year Project on Improvement of National, Sub-Regional and Regional Intellectual Property (IP) Institutional and User Capacity (hereinafter "IP Institutional Capacity Project" or "the Project"). The purpose of the evaluation is to:

- Systematically and impartially assess the results chain, processes, contextual factors and causality in order to understand the achievements or the lack thereof, including assessing the project design, project management, the results and cost-effectiveness;
- Provide a basis for learning from the experiences in the Project in terms of what worked, what did not work and why, in order to provide a basis for recommendations for improving the design and implementation of similar projects in future;
- Allow for the active participation of all relevant stakeholders in assessing the results of the Project; and
- Provide evidence-based evaluative information to support decision-making in the CDIP and by WIPO management.

This questionnaire has been developed to solicit input for the evaluation by various stakeholders. The individual input will remain confidential to the independent evaluation team and only aggregate results and findings will be published in the evaluation report to be presented to the World Intellectual Property Organization (WIPO) Committee on Development and Intellectual Property (CDIP) in November 2012.

2. EVALUATION INPUT

We request you to provide as much information as possible for each question. We appreciate, however, that you may not have participated or may not be aware and/or involved in all the Project components/ activities. If you cannot assess a particular component, activity, output or respond to any question please feel free to indicate so or leave it answer space blank.

We thank you in advance for providing us with your valuable views and contributions.

A. Details of the Informant/Questionnaire Respondent

Q1: Please fill in your details below:

Full Name	<input type="text"/>
Title	<input type="text"/>
Affiliation	<input type="text"/>
Email:	<input type="text"/>

B. INVOLVEMENT IN THE PROJECT

Q2: 1. How were you involved in the project? *Note: You can check more than one category if applicable.

- Representative of a Member State in the CDIP/WIPO
- Project Manager or other WIPO Secretariat Team Member
- Representative of a Beneficiary Member State or State Agency (IP office/SMEs Support Institution/ Regional Organization)
- Representative of an observer organization at CDIP/WIPO
- International Consultant for IP Strategy Development
- National Consultant for IP Strategy Development
- Consultant in the Sub-Regional Component (CARICOM)
- Expert in Methodology Validation Processes
- Participant/Beneficiary of SMEs Training Programme under the Project

If other, please specify

Q3: 2. In which of the three main Project Components were you:

Project component	involved in	benefited from	concerned with	interested in
National IP Strategy Development	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Regional Cooperation Mechanism for Patent Administration	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Development and/or Improvement of IP Support Services for small and medium-size enterprises (SMEs)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

C. PROJECT DESIGN AND MANAGEMENT

Q4: 1. How would you rate the design and overall management and implementation of the Project?

Project design/management aspect	Excellent	Good	Fair	Poor	Cannot Assess
Initial project document as a guide for project implementation and assessment of results	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Project monitoring, self-evaluation and reporting framework as a basis for providing information for decision-making	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
WIPO Coordination of project implementation within each component and between the different components to ensure effective and efficient Project execution	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Project's staff ability to manage and mitigate risk	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Project's ability to respond
to emerging trends and other
external forces

D. PROJECT EFFECTIVENESS

The questions that follow relate to the Project's effectiveness and are intended to assist the evaluation team to determine/understand the extent to which the Project objectives (strengthen national institutional capacity, strengthening regional IP institutions and strengthen SMEs support institutions) were met. This includes determining whether the various project interventions were relevant to the target stakeholders and if they were implemented efficiently and cost-effectively.

In responding, please explain your answer briefly and, as far as possible, point to the evidence or information that supports your answer or give examples to illustrate. Also, whenever possible, explain why you think the result you point to is attributable to this Project as opposed to other WIPO activities or activities by other entities.

Q5: 1. Were these outputs relevant to you or to the intended beneficiaries?

1 (Not relevant at all)

2

3

4

5 (Very relevant)

Can you provide an explanation for your above response?

Q6: 2. What was the quality of the Project outputs, such as methodology tools, publications etc.?

1 (Poor)

2

3

4

5 (Excellent)

Can you provide some examples of outputs/ products with either poor or excellent quality?

Q7: 3. Were the Project activities undertaken in a timely and cost effective manner, including in terms of using human and financial resources?

Yes No

Please expand on your response in the box below:

Q8: 4. Is there evidence that the Project outputs are being used or taken forward even after the Project's end?

Yes No

If yes, can you please provide some examples of evidence?

Q9: 5. To what extent are the Project outputs, such tools, methodologies, etc. replicable or usable by other countries/beneficiaries other than the pilot countries?

1 (Low) 2 3 4 5 (High)

Can you name the outputs (tools, methodologies, etc) that are replicable or usable by other countries/ beneficiaries?

Q10: 6. Can these methodologies, tools be used without WIPO's direct assistance to the country/beneficiary?

Yes No

If no, why not?

Q11: 7. Are you aware of any positive or negative unintended effects/ results/ consequences of this Project?

- Yes No

If yes, could you kindly explain these in hindsight?

E. SUSTAINABILITY OF PROJECT RESULTS

Q12: 1. What is the level of ownership of the Project within the target countries?

- 1 (Not ownership at all) 2 3
 4 5 (Very high level of ownership)

Can you expand on the above and highlight key factors that contributed to high or low levels of ownership?

Q13: 2. To what extent have target countries invested additional resources for the Project activities during the Project period and/or for similar or follow-up activities at the end of the Project?

Q14: 3. What do you consider to be the potential lasting effects of this Project (the component you were involved in/are aware of/benefitted from)?

Q15: 4. What do you consider to be the likelihood for continued work on similar activities as the Project activities at WIPO in the future?

- 1 (not likely at all) 2 3 4
 5 (Most likely) N/A

F. SUGGESTIONS FOR THE FUTURE

Q16: 5. If further work were to be undertaken on national IP strategies, regional cooperation mechanisms and SMEs support services at WIPO, what improvements would you suggest for future projects/initiatives?

Q17: 1. Suggested improvements on project design and management

Q18: 2. Suggested improvement on project results (impact/ outcomes/ outputs) and evaluation framework

Q19: 3. Suggested improvements on activities

Q20: 4. Suggested improvements on activity timings

Q21: 5. Suggested improvements on approaching and targeting beneficiaries/ participants

G. ADDITIONAL FEEDBACK ON THE PROJECT

Q22: Do you have any other feedback on the Project that is not captured in the answers to the questions above?

[Appendix IV follows]

APPENDIX IV: EVALUATION INCEPTION REPORT

Table of Contents

1. OBJECTIVES OF THE EVALUATION.....	3
2. SCOPE AND FOCUS OF THE EVALUATION AND CAVEATS.....	4
3. EVALUATION METHODOLOGY	4
3.1 METHODOLOGICAL APPROACH	4
3.2 DATA COLLECTION TOOLS.....	4
3.3 KEY INFORMANTS	5
3.4 KEY EVALUATION QUESTIONS AND ISSUES TO BE STUDIED	5
3.5 PERFORMANCE CRITERIA.....	7
4. WORKPLAN AND TIMETABLE	7
6. REPORTING.....	8
7. ACTION POINTS	8

ANNEX I: EVALUATION MATRIX

ANNEX II: LIST OF KEY DOCUMENTS TO BE REVIEWED/CONSULTED

1. Objectives of the Evaluation

The World Intellectual Property Organization (WIPO) Development Agenda Project on the Improvement of National, Sub-Regional and Regional IP Institutional and User Capacity (herein after referred to as “Project on IP Institutional and User Capacity” or “the Project”) was adopted at the third session of the Committee on Development and Intellectual Property (CDIP) in April 2009 to run for 36 months.⁴ The project had three main objectives linked to the implementation of Recommendation 10 of the WIPO Development Agenda, namely to:

- ◆ Strengthen national intellectual Property (IP) institutional capacity to improve efficiency of these institutions and their ability to promote a fair balance between the needs of IP protection and the public interest;
- ◆ Strengthen institutional capacity at the regional and sub-regional level through cooperation to facilitate the effective management of search and examination of IP applications through work sharing or pooling of resources; and
- ◆ Enhance the capacities of IP and SMEs support institutions so that these institutions can better address the needs of SMEs.

A cursory look at these objectives may suggest, to some, that each of the Project objectives is a separate and stand-alone component. A closer analysis coupled with a historical understanding of the WIPO Development Agenda and, in particular, Recommendation 10, however, suggests that there are clear linkages and a thread across all the three objectives. The recommendation, which falls under the technical assistance and capacity building cluster of the Development Agenda focus on enhancing the capacity of IP institutions both in the public and private sector so that these institutions can better serve the development goals of the country in which they are established and the users of the IP system. The focus on SMEs is explained by the fact that these are the majority of enterprises in developing countries and least-developed countries (LDCs) and hence the engines of economic and social development. It is because of this linkage across the objectives that the evaluation for the Project is undertaken a single integrated evaluation as opposed to mini-evaluations per component objective.

The key purpose of the evaluation is to determine the contribution of the Project to the attainment of the goals of Recommendation 10 of the WIPO Development Agenda. In this context, the objectives of the evaluation are fourfold:

- (i) To systematically and impartially assess the results chain, processes, contextual factors and causality in order to understand the achievements or the lack thereof, including assessing the project design, project management, the results and cost-effectiveness;
- (ii) To provide a basis for learning from the experiences in the Project in terms of what worked, what did not work and why, in order to provide a basis for recommendations for improving the design and implementation of similar projects in future;
- (iii) To allow for the active participation of all relevant stakeholders in assessing the results of the Project; and
- (iv) To provide evidence-based evaluative information to support decision-making in the CDIP and by WIPO management.

In order to meet these evaluation’s objectives, we propose below: the scope and focus of the evaluation; the methodology to be used in the evaluation; the key evaluation questions and issues to be studied; the work plan and timelines; reporting lines; and actions points.

⁴ See Annex IX of WIPO Document CDIP/3/INF/2 available on the WIPO website at http://www.wipo.int/edocs/mdocs/mdocs/en/cdip_3/cdip_3_inf_2.pdf.

2. Scope and Focus of the Evaluation and Caveats

The evaluation covers the three-year project period (April, 2009 – April, 2012). In terms of focus, the evaluation will concentrate on the results of the Project as a whole and its contribution to ensuring that WIPO assists Member States to develop and improve national IP institutional capacity through further development of infrastructure and other facilities with a view to making national, sub-regional and regional IP institutions more efficient and promote fair balance between IP protection and the public interest. The evaluation will also focus on drawing out lessons that have been learnt and identify good practices.

There are a number of limitations (caveats) that will have to be borne in mind when undertaking the evaluation and using the results. First, while the focus of the evaluation is on results, the project ended only a few months ago, and in some cases, projects activities have not been fully finalized. This means that it will not be possible to fully assess the impact of the Project. Second, the Project is linked to, and interrelated with, a range of pre-existing WIPO activities, such as in the area of infrastructure and SMEs, and it may therefore be challenging in some cases to determine attribution. Finally, the timelines for undertaking the evaluation are quite tight which will make it impossible to interact with all key stakeholders. Nevertheless, it is our belief that the methodology chosen (see below) will allow for a robust and credible evaluation minimizing the impact of these constraints/limitations.

3. Evaluation Methodology

It is clear from the objectives of the evaluation that there is both a desire for learning and accountability for results or lack thereof. This requires that the methodology chosen produce the type of information that would help achieve both these goals. It is also important to note that the Project was developed with an in-built self-evaluation framework and two self-evaluation exercises were undertaken during the project period. The results of the first self-evaluation exercise were reported in document CDIP/6/2 (dated 1 October 2010)⁵ and the second in document CDIP/8/2 (dated 4 October 2011)⁶. In addition, the Project Managers also undertook an end of Project self-evaluation. This means that the methodology should be such that this external evaluation takes into account the results of these self-evaluations while ensuring that it is not biased or constrained by those self-evaluations.

3.1 Methodological Approach

The evaluation approach will be participatory and results-oriented with a view to identifying the results/outcomes of the project activities, as opposed to evaluating individual activities and outputs *per se*. Nevertheless, in some instances, assessing output level indicators will be relevant to meeting the evaluation objectives. This is particularly the case for this project since it involves significant work on developing tools.

3.2 Data Collection Tools

A number of methods and tools will be used to collect data. The use of several data collection methods coupled with triangulation in analyzing the data will help enrich the results of the evaluation. The main data collection methods proposed to be used includes:

- Desk review of relevant project related documentation including the project framework (initial project document), progress reports, monitoring information, mission reports and other relevant documents, such as reports on discussions in the CDIP. Financial and budget expenditure information will also be gathered through the document review.

⁵Available at http://www.wipo.int/edocs/mdocs/mdocs/en/cdip_6/cdip_6_2.pdf.

⁶Available at http://www.wipo.int/edocs/mdocs/mdocs/en/cdip_8/cdip_8_2.pdf.

Where relevant literature, on the Development Agenda implementation and/or WIPO technical assistance may also be consulted. A list of some of the key documents to be consulted is provided in Annex II to this report. This list will be expanded as the evaluation progresses.

- Focus group interviews will be used as the main method of collecting data for the two country visits (Moldova and Tanzania).
- Face to face semi-structured interviews coupled with phone interviews will be used to collect data from WIPO Project Managers and other relevant officials as well as 1-2 key stakeholders in the countries where field visits will not be undertaken. Interviews particularly with the Project Managers will also be used to gather budget and expenditure information.
- To allow for a broad reach and widen the sample of informants, a survey will also be carried out to gather the views of other stakeholders in the countries or within the Geneva missions of relevant Member States. The survey will mainly be administered through e-mail communication.

An interview guide/questionnaire will be developed to guide the interview sessions and also for undertaking the surveys.

3.3 Key Informants

The key informants for the evaluation will include:

- Project management and implementation team at WIPO (more specific: Special Projects Division, Small and Medium-Sized Enterprises (SMEs) Section and the Caribbean Unit), the Development Agenda Coordination Division (DACD) staff and the staff of the regional bureaus at WIPO as well as staff from the Resource Planning, Programme Management and Performance Division.
- IP office officials in the pilot countries and participants in national or regional events during the project as well as regional organizations such as CARICOM Secretariat.
- Select WIPO Member States representatives in Geneva and observers especially those active in the CDIP, including industry representatives and civil society organizations.
- Expert groups that were involved in the validation of tools.
- Participants in the SMEs training programmes.
- National consultants for the national IP strategy development in the pilot countries.

3.4 Key Evaluation Questions and Issues to be Studied

The key evaluation questions are aimed at ensuring that the objectives of the evaluation are met in terms of ensuring that the correct data is collected. The questions also point to the main issues to be investigated. As per the terms of reference (TORs), to do this requires that the evaluation questions highlight:

- The key lessons learnt from the project implementation;
- The performance of the Project as against the criteria of effectiveness, efficiency, relevance, and sustainability;
- The relevant external factors that may have affected the project performance;
- The institutional environment in which the Project was implemented;
- Any major capacity issues that affected the Project performance; and
- The quality of tools, trainings and other key outputs of the project.

Taking the above into account the key evaluation questions are organised into three main categories of questions. The first category relates to the project design and management. The second category relates to project effectiveness and the third category to sustainability. The key questions under each category are proposed to be as follows:

◆ **Project Design and Management:**

The key questions under this category primarily focus on project design, administration and management. These include:

- Was the initial project document appropriate as a guide for project implementation and assessment of results achieved? What particular aspects stood out as positive or negative regarding the project design? Was this the right framework to implement a project of this nature?
- The Project contained an in-built monitoring and evaluation framework. Was this framework adequate for generating the relevant information for the project team and key stakeholders for decision-making purposes? Was the information generated actually used to improve the implementation of the Project over subsequent periods?
- Did the Project design and management structure allow and facilitate synergies among and between different entities in the Secretariat involved in the Project implementation? What particular features of the design or management approach stand out as particularly important in promoting synergies?
- Did any of the risks identified at the beginning of the Project materialize? If yes, how were these risks mitigated? Were the mitigation strategies identified in the Project document used?
- The Project was implemented within a broader environment both at WIPO and in countries. How did the Project respond to external trends, and other external forces?

◆ **Project Effectiveness:**

The key evaluation questions under effectiveness will focus on the results of the Project with the main aim being to determine the extent to which the Project objectives (strengthen national institutional capacity, strengthening regional IP institutions and SME support institutions) were met. At the core, these questions are informed by the need to determine the effectiveness of the project activities, their relevance to the target stakeholders and the efficiency with which the activities were undertaken and outputs produced. Here is also where evidence is crucial to support any views. The main questions will therefore include the following:

- Were the Project output targets met? What was the quality of these outputs?
- Were the Project activities undertaken in a timely and cost effective manner? Could the Project have been implemented in a more cost-effective manner in terms human, financial and time outlays?
- Were there any discrepancies between the initial Project budget and the actual expenditure? If yes, what is the reason for these discrepancies?
- How relevant were the Project outputs for the various target stakeholders? Are these outputs being used or taken forward even after the Project's end? What is the evidence?
- To what extent are the Project outputs, such as tools, methodologies etc., replicable?
- Were there any spills over effects from the Projects work?
- Were there any positive or negative unintended results/outcomes? What were these?

◆ **Sustainability of Project Results:**

Ultimately, the aim of the WIPO Development Agenda is to ensure that development is at the core of the IP system both internationally and at the national level. For this to be achieved it is required that Project results be sustainable leading to long-term impacts. Consequently, while it may be too early to evaluate or understand the impacts of the Project under evaluation, it is important to consider the question of potential sustainability even at this point. Here the focus will be in understanding possible lasting effects and increasing country level/regional ownership. The main questions will therefore include:

- What is the level of ownership of the Project within the target countries? Do the national stakeholders see it as a process that can be taken forward by them with reducing support from WIPO or do they see it as a WIPO Project (as in top-down type of project)?

- To what extent have target countries invested additional resources for the Project activities during the Project period?
- What are the potential lasting effects of the Project (e.g., replicability of methodologies developed, lasting effects of procedures or systems or cooperation arrangements developed)?
- Have other countries other than the target countries expressed interest in similar activities to the Project activities? To what extent is such interest attributable to these countries seeing or hearing about the Project activities in the target countries?
- What is the likelihood for continued work on similar activities as the Project activities at WIPO?

3.5 *Performance Criteria*

The Project on IP Institutional and User Capacity had three main objectives stated in section 1 of this Inception Report. For each objective, one broad strategic approach was chosen for implementation. In this regard:

- For strengthening national IP institutional capacity the main strategy for implementation was to develop and pilot a standard methodology for IP policy/strategy development and institutional reform.
- For strengthening regional/sub-regional IP institutions the strategy was to promote work sharing or other corporation mechanisms.
- For strengthening SMEs support institutions the strategy was to develop and/or improve IPR support services for SMEs.

In effect, measuring performance for this Project entails measuring the success (effectiveness) of these three broad strategies. As already noted, the Project was, from the onset, designed with an evaluation framework and hence some form of evaluation (performance) criteria was put in place then. However, it is important to note that the Project document contained only output indicators. Since this evaluation is outcomes-oriented with the intention that it will identify the results/outcomes, the performance criteria has, as of necessity, focused, primarily, on outcome indicators. In this context, while the evaluation criteria and matrix will reflect the Project's output indicators to determine their completeness and relevance, the analysis in the evaluation report will mainly focus on the outcome indicators. These outcome indicators are primarily those set out at page 8 of the TORs.

The evaluation matrix in Annex I set out the key issues (objectives) with the relevant performance indicators, the data collection tools in each case and the key informants.

4. Workplan and Timetable

The evaluation exercise will be primarily undertaken by the external evaluator (Sisule F. Musungu) working closely with the Evaluation Manager (Mrs. Julia Engelhardt) and other evaluators and Managers in the IAOD. The assistance of IAOD will be sought to obtain all the relevant project documentations and to secure interviews with various stakeholders as well as for logistical arrangements for various missions to be undertaken for the evaluation. Overall, the IAOD will be an integral part of the evaluation team and will be involved in interviews and focus group discussions as well as in the review/validation of the evaluation report and the supporting evidence and organize the finalization of the report and follow-up on implementation of the recommendations.

The evaluation work plan and timetable is set out below. It indicates the key tasks, timeframes and deliverables/outputs.

Task	Timeframe	Output/deliverable
Preparation of inception report	26 July – 6 August 2012	Inception Report and draft survey tool
Data collection, including missions to Geneva, Moldova and Tanzania and data analysis	12 August 2012 – 11 September 2012	Dataset and analysis
Preparation of Draft Evaluation Report	12 September 2012 – 21 September 2012	Draft Evaluation Report
Preparation of Final Evaluation Report	24 – 30 September 2012	Final Evaluation Report

5. Reporting

It is understood that the evaluator shall report to the IAOD through the Evaluation Manager. As a general rule, reporting will be on a weekly basis throughout the evaluation process. If and when necessary, additional reporting will also be provided.

6. Action Points

Most of the key actions to enable the start of the evaluation have already been undertaken. Plans are in place for the filed missions, briefings and other meetings. Logistical arrangements are also under control. There are therefore no actions points at this stage.

[Annex I follows]

Annex I: Evaluation Matrix

KEY ISSUE (OBJECTIVE)	PERFORMANCE INDICATORS		DATA COLLECTION TOOLS	KEY INFORMANTS
	Output Indicator	Outcome Indicator		
Strengthen national IP institutional capacity to improve efficiency of these institutions and their ability to promote a fair balance between the needs of IP protection and the public interest	<ul style="list-style-type: none"> ▪ Development and successful validation of a tool to assess the status of the existing IP system in a developing country. ▪ Development and validation of a needs assessment tool. ▪ Development and validation of methodology and framework for the design of national IP strategies and plans, incorporating the status and needs assessment tools. 	Successful piloting (testing) of the standardized methodology for IP strategies and plans development with the methodology receiving general acceptability among the pilot countries and other stakeholders, such as CDIP.	Document analysis/review; interviews (focus group and face-to-face); and surveys.	Essentially, all the informants mentioned in section 3.3 save for the participants of SMEs trainings.
Strengthen institutional capacity at the regional and sub-regional level through cooperation to facilitate the effective management of search and examination of IP applications through work sharing or pooling of resources	<ul style="list-style-type: none"> ▪ Harmonised procedures and/or work sharing arrangements developed in one region. ▪ Conceptualisation/implementation of sub-regional/regional approach to IP administration. 	Successful establishment of one sub-regional/regional mechanism for cooperation in the field of IP.	Document analysis/review; face-to-face and telephone interviews; surveys.	The project team, including DACD and the LAC regional bureau; CARICOM Secretariat; select Member State missions in Geneva; and CARICOM IP offices.

KEY ISSUE (OBJECTIVE)	PERFORMANCE INDICATORS		DATA COLLECTION TOOLS	KEY INFORMANTS
	Output Indicator	Outcome Indicator		
Enhance the capacities of IP and SMEs support institutions so that these institutions can better address the needs of SMEs	<ul style="list-style-type: none"> ▪ Development and validation of a methodology for undertaking surveys/studies on IP for SMEs. ▪ Translation and/or adaptation of WIPO publications on IP for SMEs. ▪ Translation of IP PANORAMA into French and Spanish. ▪ Development and successful delivery of trainings programmes for teachers/trainers ▪ International Forum to Evaluate Results and Make Recommendations for Providing an Integrated Package for SMEs 	Successful integration of IP into the business strategies of SMEs in the target countries/regions	Document analysis/review; telephones interviews; and surveys.	Project management team, including DACD and LAC regional bureau staff; IP offices in target countries; SMEs seminars/trainings participants; select CDIP Member and observers.

[Annex II follows]

ANNEX II: LIST OF KEY DOCUMENTS TO BE REVIEWED/CONSULTED

1. Draft IP Strategy of Algeria
2. Draft IP Strategy of the Dominican Republic
3. Draft IP Strategy of Mali
4. Draft National IP Strategy of the Republic of Moldova for the Years 2012 - 2020
 - 4.a Action Plan on the Implementation of the National Strategy on IP of the Republic of Moldova for the Years 2012 – 2014
5. Draft IP Strategy of Mongolia
6. Draft IP Strategy for the United Republic of Tanzania – IP Strategy Roadmap
7. Report of the Meeting of Experts on the Development of a Harmonised Methodology for the Formulation of National IP Strategies held in Geneva on 19th and 20th January 2012
8. Evaluation of Project Methodology and Tools by the International Consultants for IP Strategy Development in Algeria, Dominican Republic, Mali, Moldova, Mongolia and Tanzania
9. Programme and Conclusions of the Expert meeting on National Intellectual Property (IP) Strategies - See document WIPO /DEV/GE/12 dated 9th December 2011.
10. Concept Paper on the WIPO Framework for Designing National IP Strategies for Development
11. Draft National Study on IP and SMEs in India
12. Draft National Study on IP and SMEs for Poland
13. Draft National Study on IP and SMEs in Tanzania
14. French and Spanish Versions of IP Panorama (<http://www.wipo.int/sme/en/multimedia/>)
15. IP Panorama (original) in Multimedia and Print
16. Terms of Reference (TORs) for Undertaking National Study on IP and SMEs
17. Progress Reports on Development Agenda Projects (document CDIP/8/2 dated 4th October 2011).
18. Progress Reports on Development Agenda Projects (document CDIP/6/2 Rev. dated 1st October 2010).
19. Completion Cum Self-Evaluation Report of DA Project DA_10_05
20. Internal Memorandums and Missions reports dated:
 - 4th February 2010
 - 11th March 2011
 - 21st November 2011
 - 20th February 2012

21. Consultants report on WIPO mission to various member states of the Caribbean Community (CARICOM) on the Regional Patent Administration Project undertaken in March – April 2011.
22. Annex IX of CDIP document CDIP/3/INF/2 dated March 30, 2009 (Project Document)

[Appendix V follows]

**APPENDIX V: DEVELOPMENT AGENDA RECOMMENDATION 10
PROJECT DOCUMENT**

CDIP/3/INF/2 – ANNEX IX

1. SUMMARY	
Project Code:	DA_10_05
Title:	Improvement of National, Sub-Regional and Regional IP Institutional and User Capacity.
Development Agenda Recommendation(s):	<i>Recommendation No.10:</i> To assist Member States to develop and improve national IP institutional capacity through further development of infrastructure and other facilities with a view to making national IP institutions more efficient and promote fair balance between IP protection and the public interest. This technical assistance should also be extended to sub-regional and regional organizations dealing with IP.
Project Budget:	Non-Personnel Costs: 2,209,000 Swiss francs Additional Personnel Costs: 882,000 Swiss francs
Project Duration:	24 months
Key WIPO Sectors Involved and Links to WIPO Programs:	Technical Assistance and Capacity Building (TACB) Sector Links to WIPO Programs 8, 9, 10, 11, 14, 15, 17, and 19.
Brief Description of Project:	In light of the recognition of IP as a powerful tool for promoting creativity and innovation, as well as for the competitiveness of enterprises and countries, this project will provide an integrated set of policies and strategies, institutional and enterprise level interventions, including tools and mechanisms, directed at IP administrations, at the national, sub-regional and regional levels, and to enterprise-support institutions, the aim being to enhance both the efficiency and utilization of the IP system in developing least developed countries, as well as countries in transition, by fulfilling their development objectives.

2. PROJECT DESCRIPTION

2.1. Introduction to the Issue/Concern

It is widely accepted that a well functioning and balanced IP system is key to realizing its catalytic role of promoting innovation and creativity, the main drivers of economic development in a knowledge-based economy. Such a system presupposes proper integration of IP into the national development framework, and clarity of the broad national IP policy and strategy and its interface with relevant national policy concerns such as those relating to innovation, science and technology policy, education, trade and investment, health, energy and environment. It also requires institutions which are efficient, service and user-oriented and accessible while at the same time, cost-effective.

IP institutions in many countries have recognized the need to undergo transformation, in order to meet the dual challenge of efficiency as a technical agency and of the demands of development orientation. Such a transformation would require reform in the areas of policy, strategic goals and mission, organizational structure, financial mandates and human resource strategies, functions and responsibilities, operational procedures and management. Development orientation implies policies and strategies, as well as institutional outlook that takes into account development goals and aspirations in general and specific public policy issues in particular. It also implies the need to introduce and deliver value-added services and products meant to address the needs of users, be it in the form of enhanced user capabilities to use the IP system, improved public awareness to instill respect for IP, easy access to and use of IP information resources, advice in various areas of commercialization, among others. To a certain extent, WIPO has been assisting developing countries and LDCs in developing national IP strategies and plans and has organized various *fora* to discuss the importance of this endeavor.

WIPO has also supported efforts by countries in formulating their IP strategies and plans with checklists and guides. It is noted that the experience has been varied so far, and the process is hampered by the lack of an accepted standard detailed methodology and tools to develop such plans and strategies on a national scale and in a comprehensive and integrated manner. On a national scale, it is important to take into account not only the specific situation, the needs and requirements of IP institutions but rather of the whole spectrum of institutions and stakeholders that are influenced or could be affected by the IP system. Across the various regions, the need for a standard, yet flexible, methodology and an integrated approach that will guide national undertakings for the preparation of national IP strategies and plans is widely felt.

Such a methodological approach will provide a framework for going through the process with the appropriate tools. (i) to determine the current state of the national IP system; (ii) to determine and assess needs at the levels of policy and strategy and at the level of institutional/organizational change; and (iii) for developing an IP strategy and plan in a systematic and integrated way. It will also present alternatives and options available, whether they be as regards policy related issues or organizational modernization.

This project aims to produce a standard methodology and integrated approach which will go through a development and validation process by experts, a piloting process in selected countries and eventually to be used as an important tool for WIPO's regular technical assistance program.

The role of regional and sub-regional cooperation in this process of transformation towards efficient IP systems cannot be overemphasized. Some regions/sub-regions have introduced

regional systems while others have embarked or are embarking on cooperative schemes, such as harmonized procedures relating to IP applications with the view to creating greater efficiency and transparency. There is value in looking at the experiences of the various regions/sub-regions in this regard and learning from their lessons through regional/sub-regional dialogues and programs that can elaborate on possible schemes of work-sharing, exchange of information, experience and expertise as well as establishing networking and partnership.

In parallel, enterprise-related interventions essentially through SME support institutions provide invaluable support to the facilitation of the practical use of IP in business. Raising awareness of SMEs on the potential of IP in enhancing business competitiveness and realizing its positive application in enterprises remains an important task which can be systematically achieved through SME support institutions. Already, WIPO under a project funded by the Korean Intellectual Property Office (KIPO) and implemented jointly with the Korean Invention Promotion Association (KIPA), has created a multimedia toolkit on IP Management for SMEs called IP PANORAMA, which consists of 12 modules. In addition, the ongoing Needs Assessment Survey concerning support services for SMEs by IP Offices (commenced in April 2008) of the Member States of WIPO which was initiated in 2008 through a detailed, structured questionnaire has already provided very useful insight on the ground realities of the responding 69 countries concerning the provision of IPR support services to national SMEs directly by the IP Office or through various types of SME support institutions. There remains, however, a lack of awareness of the IP system and how its tools may be used for business competitiveness particularly by start-ups, micro-enterprises and SMEs. Encouraging a strong SME sector is a priority for all economies, and IP can play a significant role in creating a more competitive SME sector.

2.2. Objectives

The project will aim to achieve the following objectives:

- (i) Strengthen national IP institutional capacity towards greater efficiency and an enhanced ability to promote a fair balance between IP protection and public interest in their national policy, strategy, and organizational and management modernization processes, in line with the Development Agenda Recommendation No. 10. This will be made possible through a standard, methodological and integrated approach to IP policy, strategy and institutional reform and modernization that will be available in the form of tools for a three step process: (a) assessing the current state of the national IP system; (b) undertaking a needs assessment at the levels of policy, strategy and institutional/organizational change; and (c) providing a framework (s) for addressing the needs that are identified in a systematic and integrated way, particularly in designing national IP strategies and plans. This tool will also provide policy and organizational alternatives and options as well as technical assistance and capacity building possibilities.
- (ii) Strengthen regional/sub-regional institutions dealing with IP, by providing the necessary assistance for the establishment of sub-regional cooperation mechanisms that can assist and facilitate the effective management of search and examination of IP applications, through work-sharing or pooling of resources. This is in line with the second part of the Development Agenda Recommendation No. 10, i.e. "This technical assistance should also be extended to sub-regional and regional organizations dealing with IP", and will be undertaken in coordination with the relevant activities under Development Agenda No. 8.
- (iii) Enhance the capacities of IP and SME support institutions in addressing the needs and challenges of SMEs in effectively utilizing the IP system by providing them with an enhanced factual understanding of the problems/challenges and enabling appropriate policy responses

and allocation of resources to respond to the problems/challenges, such as through nationally tailored material on print and digital media, including online content. Using these materials, *training of trainers* programs will be held for the benefit of teachers/trainers in reputed institutions including universities that undertake teaching/training activities on a regular basis.

The main beneficiaries will be IP institutions and IP-related institutions including SME support institutions in the last case, both national and regional/sub-regional whose capacities will be strengthened under the project. In their capacity as service institutions, the benefits of the project will eventually rebound to the users of the IP system, i.e. business entities, entrepreneurs, research institutions, universities, inventors, creators and users of IP in general.

2.3. Delivery Strategy

The strategy will be based on deriving a methodological approach to the policy, strategy and institutional/organizational reform requirements of IP institutions that will address development orientation, service orientation and efficiency, and present possible models and options. Conceptual frameworks and tools will be prepared and validated with expert support and piloted in six countries. The tools will be applied in a customized way taking into account factors such as national economic and legal systems, levels of development, nature of the country's IP system, the comparative advantage through IPRs, arrangements for cooperation with other countries and resource availability, among other things. Pilot exercises will be undertaken in six countries, one country per region, plus a LDC. The project will also use, as inputs, existing materials available at WIPO, that support the preparation of national IP strategies and plans. WIPO will also work closely with regional and sub-regional institutions dealing with IP, in order to identify possibilities of cooperation that will address IP management challenges in the region/sub-region and will provide support to regional/sub-regional dialogues.

The project will provide a realistic and comprehensive picture of the IP situation in the country as well as an integrated and holistic way of addressing issues and gaps. The Regional Bureaus will manage the pilot projects in their respective regions, in close consultation and cooperation with the sectors concerned in WIPO and the relevant authorities in the countries concerned, who will be expected to mobilize local inputs for national roundtables and expert missions. External partners could be involved, as appropriate.

The following activities are foreseen:

- Consultancy services to design and prepare the methodology and tools;
- Validation exercise in an experts meeting;
- Pilot projects in six countries to apply the methodology and tools. This will require national consultants and HQ staff working with countries. Aside from desk research, national roundtables will be convened and missions undertaken in the six countries. Roundtables will be convened to bring stakeholders together in the process of discussing the draft outcomes;
 - Regional/sub-regional meetings of IP officials to discuss and exchange experiences on IP administration issues, to discuss possible regional/sub-regional approaches that will address common problems and difficulties such as work-sharing and pooling of resources; and
 - A pilot project on a sub-regional/regional approach to IP administration.

Specifically for the enterprise related interventions, the strategy will include:

- Convening an expert group for defining the scope and standardizing the methodology for conducting national survey/studies on IP and SMEs;
- Based on the agreed scope and standardized methodology, six pilot studies will be conducted;
- Develop in parallel, national translated and/or adapted versions of WIPO's publications on IP for SMEs;
- Creation of local language versions of IP PANORAMA multimedia tool kit in collaboration with KIPO and KIPA;
- Training of teachers/trainers programs in a SME support institution/university will be conducted to ensure the multiplier effect; and
- Review progress made thus far including scope, methodology and quality of the studies, their findings and recommendations, the local material and tool kits developed and the results of the training of trainers events to develop a coherent integrated package of assistance based on best practices to be applied to an increasing number of countries in the coming years. This review will be done in the framework of an International Conference.

The strategy is considered appropriate as it seeks to develop a standardized methodology and tools on IP for SMEs for mapping out the situation in Member States involved in the project. The strategy for content creation involves the active collaboration of local partners thus ensuring the local ownership of the project.

The activities will include the following:

- Convene an experts group to deliberate, standardize and finalize the scope and methodology to ensure consistency and comparability of results across countries and over time in the same country;
- Commission of six national pilot studies/surveys to be conducted as per the scope and methodology agreed to by WIPO on the basis of the recommendations of the experts group;
- Develop national translated and/or adapted versions of WIPO's publications on IP for SMEs;
- Creation of French and Spanish versions of IP PANORAMA;
- Training of trainer programs one each in each of the six pilot countries; and
- Organizing an International Forum to evaluate the results of the activities undertaken in the framework of the project and make recommendations for providing an integrated package of project based assistance to more countries in the coming years.

Member States will have the primary responsibility of finding suitable national institutions and individuals, to act as national counterparts and/or consultants for collaborative implementation of the various stages of the project.

WIPO will provide the international coordination and integration of the results/findings, dissemination of best practices and/or elements of good practices, cross-fertilization of ideas, and for developing synergies amongst the various SMEs stakeholders at various levels.

3. REVIEW AND EVALUATION	
3.1. Project Review Schedule	
<p>Review mechanisms will include regular reporting to WIPO Senior Management and periodical reporting to WIPO Member States through appropriate bodies.</p> <p>Independent and/or self-assessment evaluations will also be undertaken, on an <i>ad-hoc</i> basis.</p>	
3.2. Project Self-Evaluation	
<i>In addition to the project self-evaluation, an independent evaluation may also be undertaken for the project</i>	
Project Outputs	Indicators of Successful Completion (Output Indicators)
Strengthen national IP institutional capacity through a standard, methodological and integrated approach to IP policy, strategy and institutional reform and modernization.	
A tool for assessing the status of the existing IP system in a developed country.	Tool successfully validated by expert groups (internal and external) within 2 months of preparation; tool applied in six pilot countries.
A tool for needs assessment exercise available.	Tool successfully validated by expert groups (internal and external) within 2 months of preparation; tool applied in six pilot countries.
A conceptual framework for the design of national IP strategies and plans containing policy/ institutional/ organizational reform of IP administrations conceived and tested.	<p>Framework validated by expert groups (internal and external); actual use of the framework in the preparation of national IP strategies and plans in six pilot countries.</p> <p>Final framework incorporating lessons from the tests made available to Member States.</p>
Strengthen regional/sub-regional institutions dealing with IP.	
Sub-regional/regional approach to IP administration finalized.	Harmonized procedures/work-sharing for one sub-regional/regional group agreed upon.
<u>SMEs</u>	
A standardized methodology for undertaking survey/studies on IP for SMEs.	Validation of the methodology by the expert groups and field testing of the validated methodology through pilot testing in six countries.

Availability of national translated and/or adapted versions of WIPO publications on IP for SMEs.	Local partners identified, agreements signed, timely receipt and approval of drafts, authorization for publication granted.
Availability of IP PANORAMA in French and Spanish.	Partners identified, agreements signed, timely receipt and quality check of interim and final draft, authorization for publication granted.
Created or enhanced capacity of local teachers/trainers to create awareness on the role of IP in competitiveness of a business and to provide basic assistance on IP information and registration services.	Successful completion of training programs evaluated on the basis of a questionnaire by the participants.
Project Objectives	Indicators of Success in Achieving Project Objective (Outcome Indicators)
Strengthen national IP institutional capacity through a standard, methodological and integrated approach to IP policy, strategy and institutional reform and modernization.	Successful testing of methodology in six pilot countries, and general acceptability of the methodology which will allow for its application on a larger scale to all countries. WIPO will assist in institutional strengthening efforts.
Strengthen regional/sub-regional institutions dealing with IP.	At least one sub-regional/regional mechanism of cooperation in the field of IP in place.
New and/or improved IPR support services to SMEs.	Integration of IP into business strategy of SMEs ascertained by subsequent surveys.

ACTIVITY	QUARTERS							
	2009				2010			
	1 st	2 nd	3 rd	4 th	1 st	2 nd	3 rd	4 th
Experts Group to standardize and finalize the methodology to ensure consistency and comparability of results across countries and over time in the same country		X						
Six national pilot studies/surveys		X	X	X				
Develop national translated and/or adapted versions of WIPO's publications on IP for SMEs		X	X	X				
Creation of French and Spanish versions of IP PANORAMA					X	X	X	X
Training of trainer programs; one each in each of the six pilot countries			X	X				
International Forum				X				

5. BUDGET

5.1. Project Budget for 2009 (non-personnel costs)

	<i>Program 9</i>				
<i>Travel and Fellowships</i>					
Staff Missions	160'000				
Third-party Travel	830'000				
Fellowships					
<i>Contractual services</i>					
Conferences	12'000				
Experts' Honoraria	225'000				
Publishing	30'000				
Others	360'000				
<i>Equipment and Supplies</i>					
Equipment					
Supplies and Materials					
TOTAL	1'617'000		-	-	1'617'000

5.2. Project Budget for the 2010/2011 Biennium (non-personnel costs)

	<i>Program 9</i>				
<i>Travel and Fellowships</i>					
Staff Missions	110'000				
Third-party Travel	125'000				
Fellowships					
<i>Contractual services</i>					
Conferences	12'000				
Experts' Honoraria	55'000				
Publishing					
Others	200'000				
<i>Equipment and Supplies</i>					
Equipment	90'000				
Supplies and Materials					
TOTAL	592'000		-	-	592'000

[End of Appendix V and of document]