



Planning, Delivering, Disseminating and Evaluating A PLR in WIPO's PLR Project

Manila 5 December 2013

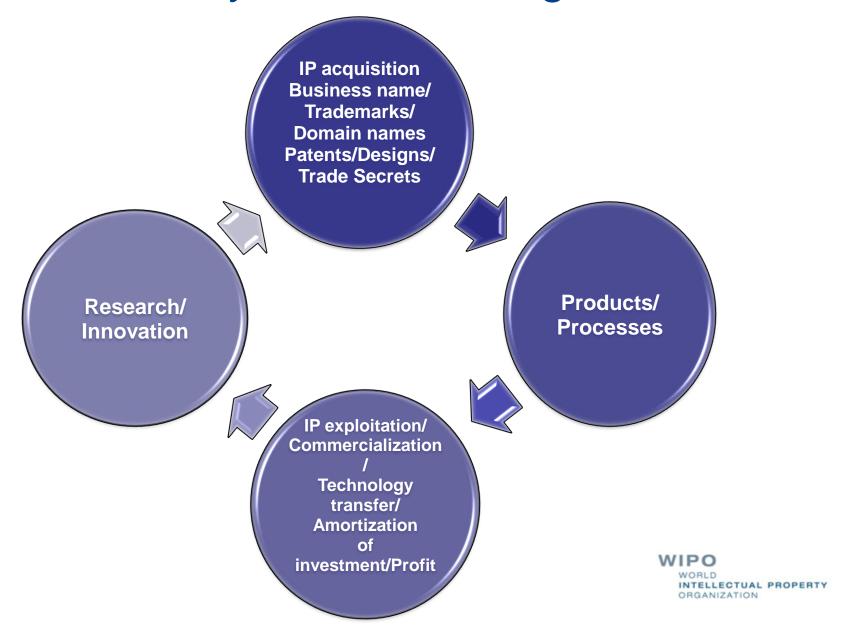
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Access to Information and Knowledge Division

Outline

- A. Introduction
 - Innovation cycle and decision making
 - WIPO's PLR Project Framework
- B. The lifecycle of a WIPO PLR:
 - Planning
 - Delivery
 - Dissemination
 - Evaluation



Innovation cycle and management



Decisions throughout the innovation cycle

Decision types

- Areas of research
- R&D investment
- Research collaborations?
- Acquisition of IPR (publication/trade secrets vs. patenting)? Which IPR?
- Commercialization of the product/process?
- IP assets Management (keep/abandon/sell/acquire/license IP rights)

Profile of decision makers

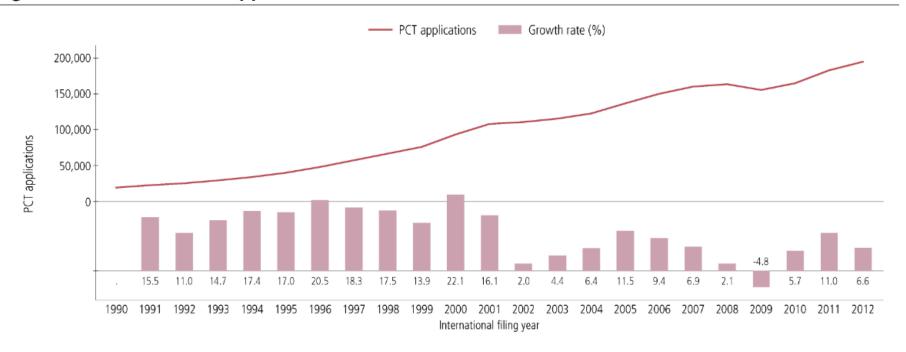
- Policy Makers → Government – Innovation Policy
- R&D
- Academia
- Start-ups/spin-offs
- IP Managers in industry



To patent or not to patent?

- Patenting vs. publishing or trade secret
- General trend → increase of patenting activity worldwide

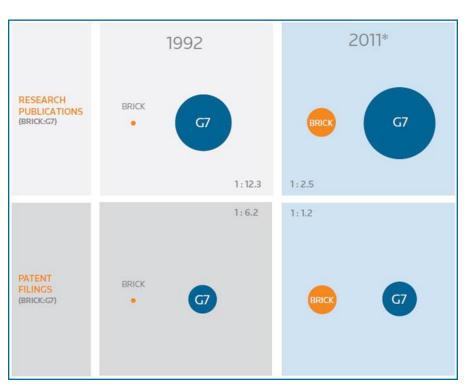
Figure A.1.1: Trend in PCT applications

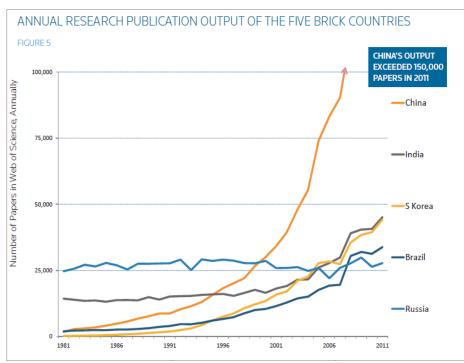


Note: 2012 data are WIPO estimates.

Source: WIPO Statistics Database, March 2013

BRICK countries R&D and patenting activity





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• BRICK countries: Bridging the gap to G7 countries in R&D Source: Thomson Reuters "Building Bricks", 2013

Innovation Policy Trends in Europe

EC, DG Enterprise & Industry, Inno-Policy Trend Chart 2012:

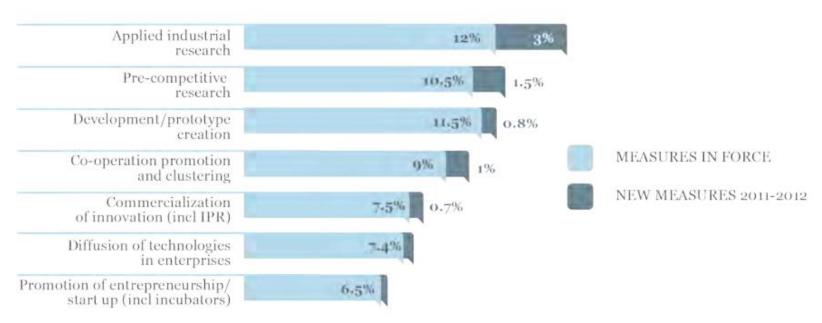
- Budgetary constraints and challenges → new approach
- "Internationalization": key challenge. Various initiatives, e.g. Danish Innovation Centre in Shanghai http://icdk.um.dk/en/about-us/innovationcentres/shanghai/
- Prioritization of R&I funding and mission-driven R&I
- Stronger technology push than demand-pull observed



Innovation Policy Trends in Europe

Increased focus on applied and pre-competitive research and science and industry linkages

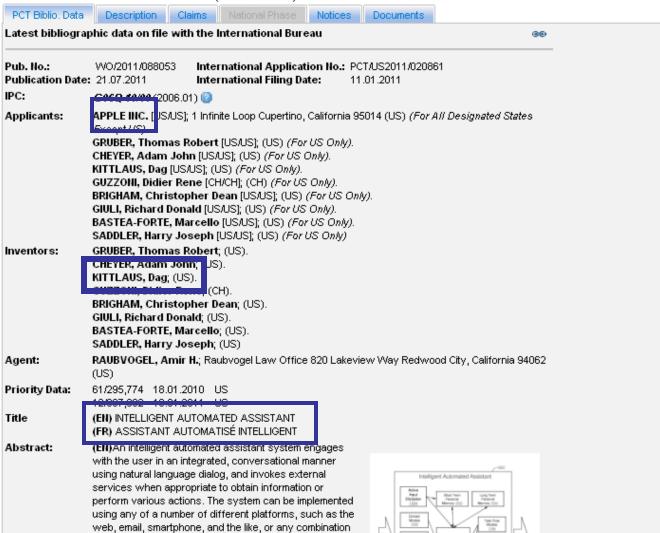
Figure 2 Aspects of innovation addressed by all measures in force versus newly launched measures in 2011-2012 in the EU 27+1



Source: InnoPolicyTrends 2012, EC DG Enterprize and Industry http://ec.europa.eu/enterprise/policies/innovation/files/inno-policy-trends

Apple and the Siri example

1, (WO2011088053) INTELLIGENT AUTOMATED ASSISTANT



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- 2007 → EPFL alumni Dag Kittlaus created the start-up Siri (spin-out of Int. Center of Artifical Intelligence)
- 2010: Siri acquired by Apple



Trade secret vs. patent

- Longer protection
- To be taken into account if:
 - Reverse engineering difficult
 - Reproduction costs high

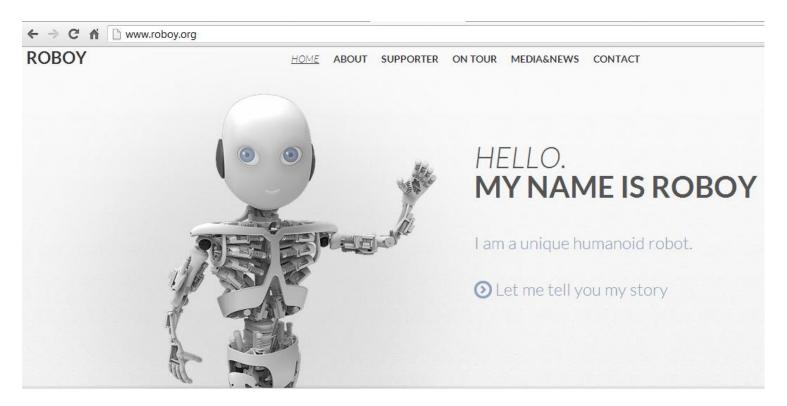


Photo by Visions of America/UIG via Getty Images

- Challenge of keeping it secret (confidentiality agreements, non-competition clauses)
- The Coca-Cola example: employees tried to sell the recipe to Pepsico

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Open innovation and crowdfunding



Collaboration of Artificial Intelligence Lab of ETH Zurich, 10 different institutes and companies to develop one of the most modern robots

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Based on open source research & crowdfunding Based on open source research & crowdfunding

The choice of "open access/source" as part of innovation strategy

- Cooperation of ETH Zurich with Disney Research Zurich
- Cooperation model: shared IPR
- Realistic explosion simulation software:



Scene from the film "Battleship", where the Wavelet Turbulence software was used (Universal Pictures)

- "Technical Oscar" for special effects
- No IP protection
- Reason of choice: particularities of the area and rapid adoption of the technology by industry

Various IPR

No Ctr Title	PubDate	Int.Class	Appl.No	Applicant	Inventor
1. Patentse PA CHOCOLATE BARS	CKAGING 14.03.2012 GING	B65D 77/02	10709808	LINDT & SPRUENGLI SCHOKOLADE	HOLTKAMP INGO

The invention relates to packaging for chocolate bars, comprising an outer packaging (1) and an inner packaging (25), wherein the inner packaging comprises at least one first film (28) and a second film (29). A second viewing window designed, for example, as a transparent area (20, 21) of the inner packaging, is present beneath a first viewing window (2) of the outer packaging. The chocolate packaging thus described and claimed is intended to be produced by means of a commercially available bar wrapping machine.

2.	EP	2187757 - PROCESS AND DEVICE FOR 26.05.2010	A23G 1/00@	07785072	LINDT & SPRUENGLI	BURI STAUFFACHER
		PRODUCING DARK CHOCOLATE			SCHOKOLADE	URSI

A process and a plant for the production of dark chocolate are proposed which enable production of dark chocolate, in particular also single-variety dark chocolate, having a high cocoa content, without cocoa powder needing to be produced and/or added. By partial defatting of the cocoa mass in one process step, which is provided upstream of mixing, grinding and/or conching, the fat content in the cocoa mass is reduced to the extent that dark chocolates having a high cocoa content can be produced without cocoa powder needing to be added. The partial defatting of the cocoa mass is preferably carried out using a decanter (50). The cocoa butter fraction (2) according to the invention is obtained on decanting as a high-fat fraction which still contains a fraction of 17 to 21% by weight, maximum 30% by weight, of fat-free cocoa dry matter. In the novel process according to the present invention, the expenditure for production of a highly defatted cocoa powder is avoided, since the cocoa mass (1) is only defatted to the extent that the mass which is produced therefrom can without problem be comminuted with rollers (30) and subsequently conched. The cocoa butter fraction, after comminution in a ball mill, is added during conching.

3.	EP	1593310 - Process and device for putting 09.11.2005	A23G 3/00 💿	04405293	LINDT & SPRUENGLI	LEVENT BILGI
		automatically pieces of food into a			SCHOKOLADE	
		recentacle				

The receiver unit (2) is moved over the container. (2) includes a swinging lever (22) with scoop (21) which picks up the fruit (or other food portion) in a second stage, as it is swung to dip into the container. The fruit is lifted up and out. In the third stage, a cover (32) and the scoop move relatively, to close it (21). The unit is moved over the packaging (11) (or other receiver) and the scoop is swung back. Finally the cover is opened, permitting the food to fall into the packaging. - The container is lifted before scooping, and lowered after it. Alternatively it is vibrated during scooping. The cover includes a frame, which part-surrounds the opening. The cover is passed over the scoop from below, so that the food is pushed into it. A funnel (25) is used to od may be aligned, optically inspected, and/or heated in the process. A slide optionally assists precise

Trademarks, domain names

Nice Class



Global Brand Database

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?	Brand	Source	Status	Score	Origin	Holder	Number	Reg. Date	Image Class	
	LINDT SWEET DUCK	CH TM	Active	6	СН	Chocoladefabriken Lindt & Sprüngli AG	557752013	2013-09-16		
	SWEETHEART	CH TM	Active	6	СН	Chocoladefabriken Lindt & Sprüngli AG	562192013	2013-09-10		
	CARNEVALE	CH TM	Active	6	СН	Chocoladefabriken Lindt & Sprüngli AG	567972013	2013-09-06		
	Lindt CREATION	IL TM	Active	6	IL	Chocoladefabriken Lindt & Sprüngli AG	247252	2013-09-02	VC.04.03	
	Lindt CONNAISSEURS	СН ТМ	Active	6	СН	Chocoladefabriken <i>Lindt</i> & Sprüngli AG	562752013	2013-08-26		
	LINDT EN VOGUE	CH TM	Active	6	СН	Chocoladefabriken Lindt & Sprüngli AG	523862013	2013-07-25		
	HELLO	CH TM	Active	6	СН	Chocoladefabriken Lindt & Sprüngli AG	536352013	2013-07-16		
	Lindt A CUISINER	WO TM	Active	6	СН	Lindt & Sprüngli AG	1170666	2013-07-10	VC.04.03, VC.23.05	
	LINDT GOLD SELECTION	CH TM	Active	6	CH	Chocoladefabriken Lindt & Sprüngli AG	585052012	2013-07-02		
	LINDT HELLO	US TM	Active	6	US	Chocoladefabriken <i>Lindt</i> & Sprüngli AG	79119260	2013-06-18		
3	31 - 40 / 1,180									

How are decisions taken and how does patent analysis help?

- Cross sectoral/discipline effort → many aspects taken into account Science/Policy/Economics/Business
 - Policy/prioritization issues
 - Relevant market definition and analysis
 - Competitors activity and analysis
 - Economic/financial aspect
 - Risk
- Patent Information → important source of information
 - Technical
 - Business data
 - Legal



WIPO's PLR Framework



WIPO's PLR Project Framework

- Challenges for decision-makers, foremost in DCs:
 - Awareness of IP perspective and its importance
 - Access to information resources (databases)
 - Skills in patent search and analysis
 - Available resources

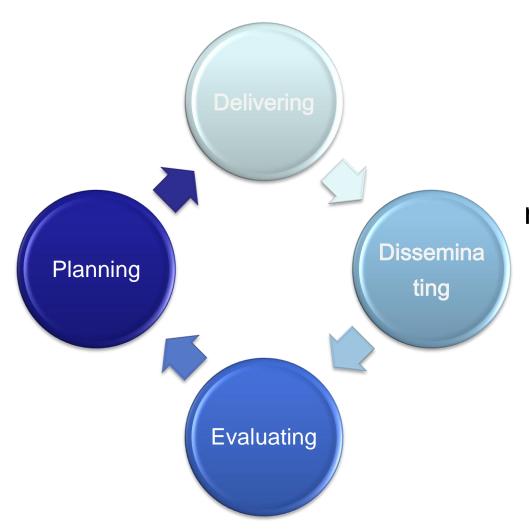


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WIPO's PLR Project Framework

- WIPO's involvement & engagement: Development Agenda Project "Developing Tools For Access to Patent Information":
 - WIPO PLR: Support tool for decision-makers, adopted by the Committee on Development and IP (CDIP) in 2009.
 - Expected output: preparation of PLR in the areas of public health, food & agriculture, climate change and energy, disabilities
 - End of 2013: end of Phase II
 - Planned (upon GA approval): mainstreaming of project as WIPO regular activity

B. The lifecycle of a WIPO PLR



Achieving results:
development of a
methodology for planning,
preparation, delivery,
dissemination &
evaluation were
necessary



It all starts with...Planning

Within WIPO Development Agenda, CDIP4/6:

"Project aims to provide developing countries, ...upon request, with services which will facilitate the use of patent information on specific technology for facilitating their indigenous innovation and R&D in cooperation with other intergovernmental organizations"

but....

"A goal without a plan is just a wish."

Antoine de Saint-Exupéry"



Planning a Patent Landscape Report

Selecting a cooperation partner

Identifying a topic

Preparing ToR

Call for Tender

Offer evaluation & Contracting

Planning: maybe the most timeconsuming, but essential part

"Give me six hours to chop down a tree and I will spend the first four sharpening the axe." (Abraham Lincoln)



1st step: Finding a cooperation partner

- 1st step identifying a cooperation partner
- Various approaches, discussions, meetings

Partner profile:

- WIPO Member State/IGOs/NGOs
- Usually not an expert in patent information
- Clarity about IP or needs not always a given
- Specific use and implementation of the PLR



2nd step: Selecting a topic

- Topic → general area of interest for developing countries (as identified in the initial project document CDIP/13), namely public health, food and agriculture, climate change and green technology
- Brainstorming!!
- Scope of the patent search, analysis and PLR in general: reflected on the Terms of Reference (ToR)



Challenges in selecting a topic

- Difficulties in needs assessment often Socratic Method used
- Requests may just need a state of the art search or be too generic
- Distinguishing general interest for the IP perspective from a specific need where patent analysis can feed in



3. Preparing the Terms of Reference

- Defining the scope of the search
 - Some PLR broader scope (1 global analysis of a technology area), some narrower (1 chemical substance in specific geographies)
 - Usually minimum content and what should be excluded described
 - Often refinement during the preparation of the report
- Defining the types of analysis/break down of the results that are useful to cover the partner's needs



Example of the structure of a PLR structure

- 1. Introduction
- 2. The PLR on....
 - 2.1 Background information
 - 2.2 Objectives, scope and expected results
- 3. Content of the patent landscape report
 - 3.1 Executive summary
 - 3.2 Introduction section
 - 3.3 Technology section
 - 3.4 Description of the search methodology
 - 3.5 Analysis of patenting activity
 - 3.6 Annexes
- 4. Deliverables
- 5. Evaluation



Analysis to be included

Patent Landscape Reports - On-going Work at WIPO

Climate Electronic waste (E-Waste) recycling and material recovery technologies Ongoing P UNEP, Secretariat of the Basel Convention (SBC)

3.5 Analysis of patenting activity

The report should include a statistical analysis of the patenting activity, including appropriate visualization, according to at least the following aspects:

- (1) Number of patent families (extended or INPADOC families³; additional discrimination for simple families would be advantageous⁴) and patent publications (i.e. including all family members), in total and per (earliest) priority year; average patent family size; size of the largest patent family.
- (2) Percentage of families comprising at least one publication of a patent grant (to be determined only according to the kind codes of publications; i.e. no legal status data need to be researched, e.g. in order to determine if the grant was revoked after an opposition), in total and per (earliest) priority year.
- (3) Percentage of patent families with at least one PCT family member, in total and per (earliest) priority year.
- (4) Distribution over "priority countries", i.e. the number of families filed per earliest priority filing office, i.e. Office of First Filing (OFF), including the International Bureau of WIPO as a PCT receiving office, in total and per (earliest) priority year.
- (5) Geographical distribution of extensions, i.e. of patent family members filed with an Office of Second Filing (OSF) after the priority filing with the OFF, in total and per (earliest) priority year. The distribution of OSF should be determined such that the OFF is excluded, i.e. second filings in the country of OFF that are derived from the priority document should not be counted. Each OSF should be counted only once.



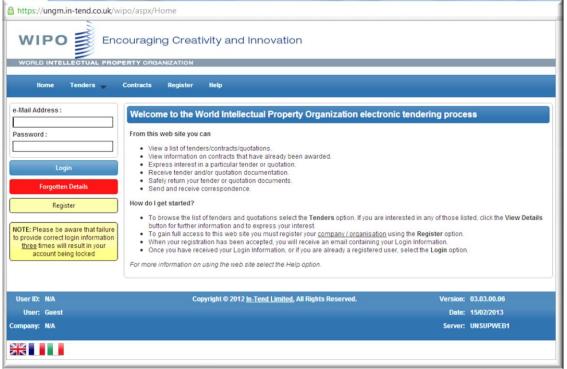
Challenges in preparing the Terms of Reference

- Too abstract understanding of what a PLR is, making discussions lengthy and not always constructive
- Lack of clarity about which type of analysis that is needed or exact scope of the search makes drafting the ToR very difficult
- Lengthy process of dialogue, exchange of ToR drafts, refinements, changes
- The cooperation partner should be aware of the limitations of the patent information

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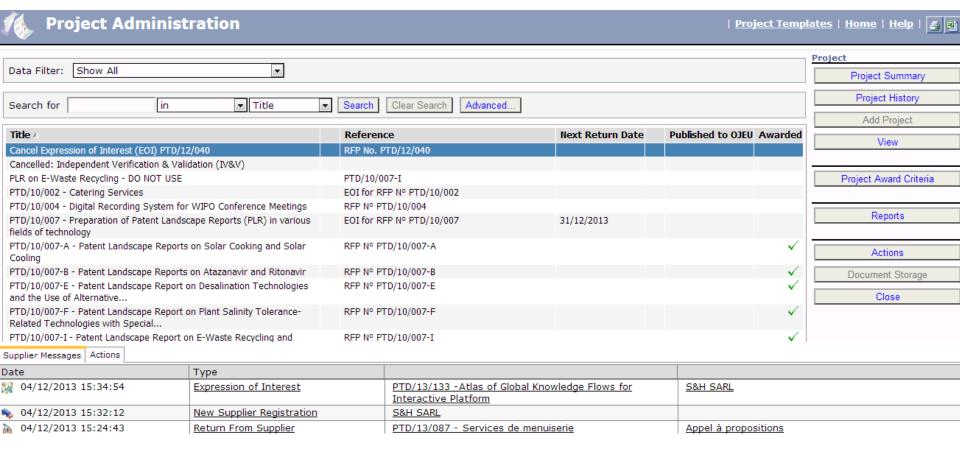
4. Call for tender

PLR among the first projects to use e-tender at WIPO



1st stage: Prequalification of interested patent landscaping providers through expression of interest at https://ungm.in-tend.co.uk/wipo and filling out a questionnaire

E-tendering





Prequalification



Call for Expression of Interest (EOI) for the Request for Proposal (RFP) N° PTD/10/007

 $\label{eq:local_problem} \textbf{Annex I} - \textbf{Prequalification Questionnaire}$

ltem	Question				
Q.1	Please provide information about your company:				
General Info	Name of your Company :				
	Address of Company Headquarters :				
	Number of Employees in total:				
	Presence in the patent information market since :				
	Contact person (name, phone number, email address, location):				
Q.2	Please indicate the main activities of your company and your previous experience in:				
Areas of	☑ Patent search:				
activity/	☑ Investigation of legal status:				
Expertise	☑ Patent analysis:				
	☑ Other relevant to patent information activities:				
	Areas of expertise:				
	☑ Public Health				
	☐ Environment/Climate Change/Energy				
	☐ Food and Agriculture				
	☐ Disability				
	☑ Other areas (please indicate)				
Q.3	Does your company have previous experience in preparing Patent Landscape Reports?				
Experience in	☑ Yes ☐ No				
Patent	If yes,				
	In the preparation of how many Patent Landscape Reports were you involved?				
Landscaping	 Please list Patent Landscape Reports in which you were involved. The client's name should also be mentioned. You may be asked to submit copies of the reports listed below. Please add direct links to the reports, if available. 				



PLR Tendering Process

Request for Proposals (RFP) sent to prequalified candidates of the relevant area

Submission of an offer based on the attached to the RFP ToR

Evaluation process – with evaluation criteria and matrix developed for the PLR

Award of the contract – Contracting – Beginning of landscaping work

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5. Offer evaluation and contracting

#	Main Criteria			Bidder 1	Bidder 2	Bidder 3	Bidder 4
1	The Bidder's general understanding of the project			4	4	4	4
2	Specific experience relevant to project			4	3	3	4
3	Qualification and expertise of the project team			3	3	3	5
	Understanding of the project deliverables and proposed approach for the			4	^	^	_
4	preparation of the PLR			4	2	2	5
5	Responsiveness and compliance with legal requirements			3	3	3	3
Technic	cal Evaluation Criteria - Weighted scores						
			Max				
#	Main Criteria	Weight		Bidder 1	Bidder 2	Bidder 3	Bidder 4
1	The Bidder's general understanding of the project	3	15	12	12	12	12
2	Specific experience relevant to project	3	15	12	9	9	12
3	Qualification and expertise of the project team	6	30	18	18	18	30
4	Understanding of the project deliverables and proposed approach for the		30				
4	preparation of the PLR	6	30	24	12	12	30
5	Responsiveness and compliance with legal requirements	2	10	6	6	6	6
		Total	100	72	57	57	90
	Financ	ial Compo					
				Bidder 1	Bidder 2	Bidder 3	Bidder 4
		Total cost	t in CHF	23000	50000	27500	30000
		Score		100.0	0.0	0.0	76.7
Overall Weighted Scores and Ranking							
#	Overall Scores			Bidder 1	Bidder 2	Bidder 3	Bidder 4
1	Technical Evaluation - Weighted Score		65%	46.8	37.1	37.1	58.5
2	Commercial Evaluation - Weighted Score		35%	35.0	0.0	0.0	26.8
		Overall Score		81.8	37.1	37.1	85.3
		0\	erall Rank	2	0	0	1

Technical Evaluation Criteria

In-house developed evaluation matrix and criteria wipo



Evaluation criteria of an offer

- Technical and financial offer component
- Price vs. Quality
- Balanced prioritization
- Diversity in providers
 - diversity in methodological approaches
 - various databases, visualization and analytics tools used
 - added value for the end-user of the report



Delivering a WIPO PLR

- Various deliverables foreseen in the ToR of each report
- Kick-off TC— first orientation and timeframes set
- 1st deliverable: patent search methodology description with a preliminary sample of search results
- 2nd deliverable: cleaning data, narrative and visualization of the results, discussion and feedback. Refinements very often necessary
- 3rd deliverable: final draft of the report, feedback
- ...and after publication (more about it tomorrow), the reports are ready to be disseminated!

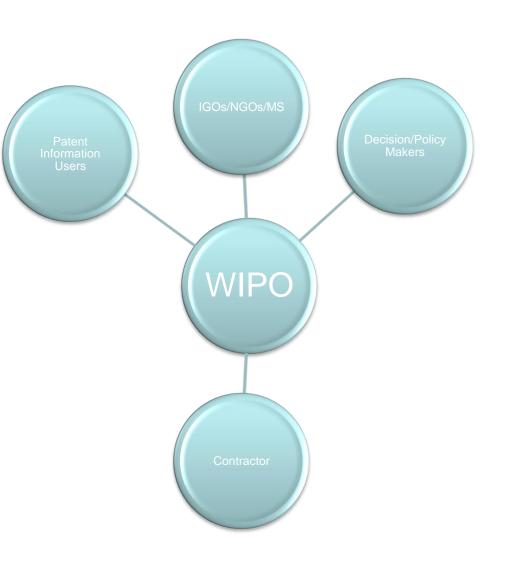


Dissemination of the report

- Delivery of the report to the cooperation partner
- Hard copies publication
- Publication on WIPO's dedicated website
- Launching event(s) with introduction of the results
- Presentation of the report in various scientific symposia/conferences
- Dissemination through email to identified potential users
- Social media (FB, Twitter, LinkedIn)
- Big challenge: making scientific world, policy makers, patent information users aware of our work to maximize the beneficiaries of the reports
- Challenge in scope&dissemination of serving various needs



The role of WIPO throughout the patent landscaping process



Challenge: experts in subject matter ≠ experts in PI ≠ policy/decision making. WIPO with its competence, experience & understanding of all these aspects, facilitates:

- Systematic approach
- -Needs assessment
- Awareness raising about added value of PI and use in decision making
- -Finding better methodological approaches
- Funding PLR

Evaluation of WIPO PLR

- Evaluation: who is using the PLR and how, usefulness and impact
- Feedback:
 - essential for improvement
 - required as part of a RBM
 - metrics of use, usefulness and impact of b the report
 - → internal (results-based management) and external (external users)
 - → End of 1st phase of the project → 1st evaluation of the WIPO PLR project



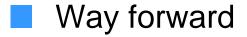
Evaluation of Phase I of WIPO PLR

- Independent evaluation report presented to the CDIP in November 2012
- http://www.wipo.int/edocs/mdocs/mdocs/en/cdip_10/cdip_ 10_6.pdf
 - Issues of objectively verifiable performance indicators, impact, systematically planned coordination with internal and external cooperation partners
- Evaluation of Phase II → CDIP April 2014



Major evaluation and priority: evaluation by the users of the reports

- Evaluation challenges:
 - Identify and reach out to the PLR users to have their feedback, as there is no way to identify them (Google Analytics too general)
 - Survey set of users that identified through conferences
 - Impact: difficult to measure, foremost at short-term;
 - Objective indicators for the contribution of the reports to specific decisions adopted/contribution to policy discussions and decision-making





Thank you!

Maraming salamat!

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