

Committee on Development and Intellectual Property (CDIP)

Thirty-Second Session
Geneva, April 29 to May 3, 2024

COMPLETION REPORT OF THE PROJECT ON IDENTIFYING AND USING INVENTIONS IN THE PUBLIC DOMAIN

prepared by the Secretariat

1. The Annexes to the present document contain the Completion Report of the Development Agenda (DA) Project on Identifying and Using Inventions in the Public Domain. The report covers the entire period of the project implementation, from January 2022 to December 2023.

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

[Annexes follow]

| PROJECT SUMMARY | |
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| <u>Project Code</u> | DA_16_20_04 |
| <u>Title</u> | Identifying and Using Inventions in the Public Domain |
| <u>Development Agenda Recommendation</u> | Recommendations 16 and 20. |
| <u>Project Budget</u> | Total project budget: 80,000 Swiss francs, allocated for non-personnel resources. |
| <u>Project Duration</u> | 24 months |
| <u>Key WIPO Sectors/Areas Involved in the Project Implementation</u> | Implementing Sector: IP and Innovation Ecosystems. Other Sectors involved: Patents and Technology, Regional and National Development, Infrastructure and Platforms. |
| <u>Brief Description of Project</u> | <p>The project built on the results of the DA Project on the <i>Use of Information in the Public Domain for Economic Development</i> and ongoing program activities to establish and develop Technology and Innovation Support Centers (TISCs).</p> <p>The project aimed to contribute to the capacity of TISCs to offer services related to identifying and using inventions in the public domain. The objective was achieved by equipping TISC staff, researchers, and entrepreneurs with additional tools and knowledge relevant to the steps involved in identifying and using inventions in the public domain, taking into account the specific needs and context of developing countries.</p> <p>The project included the development of a toolkit comprising practical tools to support the concepts and processes introduced in the two guides, "<i>Identifying Inventions in the Public Domain: A Guide for Inventors and Entrepreneurs</i>", and "<i>Using Inventions in the Public Domain: A Guide for Inventors and Entrepreneurs</i>". It included, among others, a tool to support decision-making on whether to proceed with a new product development initiative based on assessed freedom to operate. The project also developed new training materials on the effective use of the toolkit and carried out pilot training seminars to fine-tune the toolkit and training materials.</p> |
| <u>Project Manager</u> | Mr. Andrew Czajkowski, Director, Technology and Innovation Support Division, IP and Innovation Ecosystems Sector |
| <u>Links to Expected Results in the Program and Budget</u> | <p><u>Program and Budget 2022/23:</u></p> <p>3.3 Knowledge transfer and technology adaptation is facilitated through WIPO's IP-based platforms and tools to address global challenges.</p> <p>4.4 More innovators, creators, SMEs, universities, research institutions and communities leverage IP successfully.</p> |
| <u>Overview of the Project Implementation</u> | The following is the overview of the project implementation, based on the delivery of each of the project outputs described in the approved |

project document ([CDIP/27/6](#)):

1. Development of a toolkit covering key phases in new product or service development and identification of whether an invention is in the public domain

This project built on the results of a former DA Project on the *Use of Information in the Public Domain for Economic Development*, and in particular the publication of the following two guides:

- “*Identifying Inventions in the Public Domain: A Guide for Inventors and Entrepreneurs*” (WIPO, 2020); and
- “*Using Inventions in the Public Domain: A Guide for Inventors and Entrepreneurs*” (WIPO, 2020).

To support the concepts and processes introduced in these guides, one of the main outputs from this project was the development of a series of practical tools that complement the guides by helping collect and analyze data to evaluate a new product development (NPD) initiative and support decision-making in the development of new products and services based on inventions in the public domain.

These practical tools form part of a toolkit used in a “stage-gate” process in NPD, which include: developing an NPD project charter and action plan, listening to the “voice of the customer”, identifying sources of competitive advantage, collecting and analyzing data to help determine freedom to operate, as well as carrying out a value chain and strengths, weaknesses, opportunities and threats (SWOT) analysis. The toolkit includes seven tools on the abovementioned topics with associated descriptions and practical examples of how to use each tool.

To develop the materials for the toolkit, the Secretariat contracted a service provider with expertise in NPD, commercialization and technology transfer, having experience in delivering training on these subject matters to a wide range of audiences, including in developing countries. The service provider was also selected based on its in-depth knowledge of the abovementioned WIPO guides as it had earlier contributed to the substantive peer review process under the DA project on the *Use of Information in the Public Domain for Economic Development*, on which this project builds.

To ensure that the toolkit materials adequately integrate specific aspects of inventions in the public domain and IP, and to provide an adequate assessment of risks from a legal perspective, the draft materials were also peer reviewed by a legal practitioner and IP law expert. The recommendations from the peer reviewer were then considered and integrated into the final materials.

2. Development of training materials for TISCs

A training materials package, developed under the project, provides the foundation for a new modular blended-learning training approach to build knowledge and skills in using the tools included in the

abovementioned toolkit.

The training package comprises a learner's guide and modularized learning materials to support practical training on the toolkit. These include: i) explainer videos introducing the key concepts and highlighting the role of each tool in supporting decision-making at each stage in the NPD process; and ii) resources and datasets for training simulations in instructor-led in-class or online seminars. To develop these materials, the Secretariat contracted subject matter/learning experts and a video production company.

The pre-published versions of the toolkit, videos and associated materials are available on a dedicated web page: <https://www.wipo.int/tisc/en/inventions-public-domain.html> and the Catalogue of DA Projects and Outputs at: dacatalogue.wipo.int/projects/DA_16_20_04

3. Delivery of training seminars

The final output was the implementation of pilot training seminars using the new training materials on the toolkit. The TISC networks of Malaysia and the Philippines were selected for these seminars,¹ since: (i) both networks had already acquired the necessary pre-requisite knowledge of the subject matter due to their involvement in the piloting of "Identifying Inventions in the Public Domain: A Guide for Inventors and Entrepreneurs" and "Using Inventions in the Public Domain: A Guide for Inventors and Entrepreneurs"; and (ii) both networks had reached a required level of maturity, with many of their TISCs already providing value-added services to inventors and entrepreneurs (e.g. assistance and advice on IP management and commercialization, support to business development and entrepreneurship).

For cost-saving and efficiency reasons, as reported in the project's progress report ([CDIP/29/2](#), Annex V), the pilot training seminars were implemented in an online format. The training comprised two sessions per week on each tool (one theoretical session followed by hands-on practical group exercises using virtual breakout rooms) and took place over a period of seven weeks.

Organizing the training virtually also offered an opportunity to bring participants from the two TISC networks together and to foster knowledge and experience sharing among TISC staff from Malaysia and the Philippines, ultimately fostering cooperation among members states of the Association of Southeast Asian Nations (ASEAN) and thus contributing to one of the ASEAN regional TISC network's key objectives.

To conduct the training sessions, the Secretariat contracted the service provider and learning expert that had prepared the training materials, to ensure continuity and the necessary expertise for the piloting process.

¹ Thirty one TISC staff (16 from the Philippines and 15 from Malaysia) participated in the training.

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| | <p>To evaluate the training materials and its delivery model, the Secretariat used multiple approaches, including: (i) focus group discussions to collect feedback from the focal points and the participants throughout the training; (ii) an online survey that was circulated to all the participants after the training; and (iii) a report from the learning expert, documenting observations from a pedagogical point of view on the delivery of the virtual training package, including good practices and shortcomings, as well as recommendations on suggested ways to adapt the training package in the future and address some of the challenges raised.</p> |
| <p><u>Key Results and Impact of the Project</u></p> | <p>The project delivered the following results:</p> <ul style="list-style-type: none"> • Delivery of a toolkit comprising practical tools to support decision-making on whether to proceed with an NPD initiative based on assessed freedom to operate. • Delivery of a new modular blended-learning approach and training materials on the effective use of the toolkit, piloted in selected TISCs in two advanced TISC networks (Malaysia and the Philippines) in order to test the materials and training approach and help to fine-tune these for future training activities on the same subject and other TISC-related subject matters. <p>While it is too early to assess the long-term impact of the project, the piloting of the training materials on the toolkit in Malaysia and the Philippines provided some valuable feedback on the toolkit, the training materials and approach. In particular, the feedback gathered during the training seminars supported the Secretariat in identifying the strengths of the new modular blended-learning approach used for these trainings, as well as possible improvements to the approach for similar training activities with TISCs and other stakeholders in the future.</p> <p>Below are some key points extracted from the training seminars' evaluation process:</p> <ul style="list-style-type: none"> • The toolkit is considered to be an important new resource to support TISCs providing (or aspiring to provide) services in the area of NPD, IP commercialization and entrepreneurship. Many participants highlighted the relevance of these tools to support their activities in these areas. In the Philippines, it was reported that TISCs (ITSOs as they are known in the Philippines) are also considering incorporating this subject matter into their training curriculum. • The toolkit materials were considered to be easy to follow and consistent with participants' level of knowledge and skills, and the seminars were useful in building the necessary knowledge and skills to be able to use the tools in the toolkit and apply them to concrete NPD initiatives. |

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| | <ul style="list-style-type: none"> The participants also welcomed the new dynamic blended-learning training approach with a mix of digital materials available for self-learning, providing flexibility to schedule learning activities, and live training sessions, which provided structured interactions and discussions, with sufficient time allocated to hands-on practical group exercises. |
| <p><u>Experience gained and lessons learned</u></p> | <p>Selecting experts that have excellent knowledge of the subject matter, as well as practical experience in providing hands-on training on the subject matter to audiences in developing countries proved to be an effective approach in developing the content for the toolkit and the associated training materials.</p> <p>While peer review of the toolkit was not foreseen in the project, this additional step was considered very important: (i) to ensure that both legal and business perspectives in NPD were adequately represented; and (ii) to improve the quality of the final products. A peer review was therefore funded under the regular budget of the IP for Innovators Department.</p> <p>Referring to the video production process for the development of the short explainer videos, it was very beneficial to involve the subject matter experts into the entire process – from the preparation of the scripts and the storyboards to the final animations – to ensure that the key messages and concepts were conveyed appropriately in the final videos. In particular, the upstream work by these experts in preparing proposed scripts and visuals for the videos proved to be crucial in helping the video production company understand the key message each video was meant to convey.</p> <p>Referring to the training seminars, the new blended-learning training approach, piloted in the TISC networks of Malaysia and the Philippines, proved to be a successful way of delivering training, as reported by the participants and the learning expert tasked with documenting the process from a pedagogical point of view. While some elements of this course would benefit from being delivered in person, organizing the training virtually provided an opportunity to bring together participants from the two TISC networks together and to foster experience sharing and networking in a cost-effective way.</p> <p>The lessons learned, good practices and shortcomings identified from this training approach will be particularly helpful in adapting the materials and the approach for future trainings on this subject matter and making potential improvements to the course. The lessons learned will also constitute useful inputs for the development of other training activities involving a similar approach.</p> |
| <p><u>Risks and Mitigation</u></p> | <p>Risk 1: Insufficient capacity by TISC staff to understand and effectively use the information contained in the toolkit.</p> <p>Mitigation 1: The toolkit and associated training materials will continue to be adapted to the assessed capabilities of TISC staff and to their background to ensure the examples used are</p> |

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| | <p>relatable.</p> <p>Risk 2: Insufficient maturity level of TISCs to develop and offer services related to the use of inventions in the public domain.</p> <p>Mitigation 2: TISCs with the sufficient level of maturity will be selected to participate in future trainings on this subject matter. The participants will be selected in close coordination with the focal points of the TISC national networks to ensure that they meet the criteria to enroll for and fully benefit from this training.</p> <p>Risk 3: Inability to deliver training or part of the training on this subject matter in-person, due to budget or other constraints.</p> <p>Mitigation 3: The modular blended-learning approach and training materials will continue to be adapted in order to ensure that the training can have the desired impact even if it has to be delivered fully virtually.</p> |
| <p><u>Project Implementation Rate</u></p> | <p>The budget implementation rate at the end of December 2023, proportional to the project's total allocated budget was: 98%. Further details are available in Annex II to this document.</p> |
| <p><u>Previous Reports</u></p> | <ol style="list-style-type: none"> 1. The first progress report was contained in Annex V to document CDIP/29/2; 2. The second progress report was contained in Annex II to document CDIP/31/3. |
| <p><u>Follow-up and dissemination</u></p> | <p>Proposed follow-up actions to ensure the project's sustainability are described below:</p> <ul style="list-style-type: none"> • Professional editing and design of the toolkit for publication on the dedicated web page: (www.wipo.int/tisc/en/inventions-public-domain.html). • Translation of the toolkit into all official UN languages. • Review of training approach and materials, based on feedback gathered from the pilot training, with a view to adapting and scaling up the training to other eligible TISC networks and stakeholders. • Integration of toolkit and training materials into WIPO's regular training offerings for TISCs and similar stakeholders and into other related activities and projects, in particular, in the areas of IP commercialization and IP for business. • Dissemination of the learning resources through appropriate platforms, including a dedicated web page appropriately linked to other related web pages and the eTISC platform. • Promotion of the new resources to increase their visibility. |

PROJECT SELF-EVALUATION

Key to Traffic Light System (TLS)

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| **** | *** | ** | NP | NA |
| Fully achieved | Strong progress | Some progress | No progress | Not yet assessed/discontinued |

| <u>Project Outputs</u> (Expected result) | <u>Indicators of Successful Completion</u> (Output Indicators) | <u>Performance Data</u> | <u>TLS</u> |
|--|--|---|------------|
| Output 1: Toolkit covering the four phases of product or service development and identification of whether the invention is in the public domain | Toolkit developed and published. | Fully achieved: toolkit developed. Pre-published versions pending final professional editing and design available on a dedicated web page: www.wipo.int/tisc/en/inventions-public-domain.html and the Catalogue of DA Projects and Outputs at: dacatalogue.wipo.int/projects/DA_16_20_04 | **** |
| Output 2: Training materials for TISCs | Training materials for TISCs developed. | Fully achieved: training materials developed. | **** |
| Output 3: Training seminars using the new training materials | Two seminars delivered. Percentage of participants indicating that the training has improved their knowledge and skills in using inventions in the public domain (target: 70%). | Fully achieved: online seminars delivered for the TISC networks of Malaysia and the Philippines. Thirty one TISC staff (16 from the Philippines and 15 from Malaysia) participated in the training. 100 percent of the respondents to the final survey indicated that the training had been very successful or somewhat successful in improving their knowledge and skills in this area, and that the knowledge and skills gained would be very useful (71 percent of the respondents) or somewhat useful. | **** |

[Annex II follows]

DA Project on Identifying and Using Inventions in the Public Domain

Resource Utilization as at end December 2023

(in Swiss francs)

| Cost Category | Project Budget | Expenditure | Budget Utilization |
|-------------------------|----------------|---------------|--------------------|
| Personnel Resources | - | - | 0% |
| Non-personnel Resources | 80,000 | 78,782 | 98% |
| Total | 80,000 | 78,782 | 98% |

[End of Annex II and of document]