

## **Assemblies of the Member States of WIPO**

### **Forty-Eighth Series of Meetings Geneva, September 20 to 29, 2010**

#### **PROGRAM PERFORMANCE REPORT FOR 2008/09**

*presented by the Director General*

1. The present document contains the Program Performance Report for 2008/09 (document WO/PBC/15/4), which is being submitted to the WIPO Program and Budget Committee (PBC) at its fifteenth session (September 1 to 3, 2010).
2. The recommendation of the PBC in respect of this document will be included in the “Summary of Recommendations Made by the Program and Budget Committee at its Fifteenth Session Held from September 1 to 3, 2010” (document A/48/24).
3. *The Assemblies of the Member States of WIPO and of the Unions administered by it, each as far as it is concerned, are invited to approve the recommendation of the Program and Budget Committee made in respect of document WO/PBC/15/4, as recorded in document A/48/24.*

[Annex follows]



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WO/PBC/15/4  
ORIGINAL: ENGLISH  
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## **Program and Budget Committee**

### **Fifteenth Session**

**Geneva, September 1 to 3, 2010**

#### **PROGRAM PERFORMANCE REPORT FOR 2008/09**

*presented by the Director General*

1. The Program Performance Report (PPR) for 2008/09 has been prepared in accordance with WIPO's results-based framework. The present report is based on the performance criteria established in the 2008/09 Revised Program and Budget, as approved by the forty-sixth Assemblies of the WIPO Member States in December 2008 (publication No. 360E/PB0809). The Report provides an assessment of results achieved in the 2008/09 biennium.

2. *The Program and Budget Committee is invited to recommend the approval of the present document to the Assemblies of the Member States of WIPO.*

[Program Performance Report for 2008/09 follows]



**PROGRAM PERFORMANCE REPORT FOR 2008/09**



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## I. EXECUTIVE SUMMARY

### *Introduction*

The Program Performance Report (PPR) is an integral part of WIPO's results based management (RBM) framework. It is the accountability tool for reporting to Member States on what has been achieved during the biennium with the resources approved in the Program and Budget. Those resources are allocated to a series of Programs each with their own objectives, expected results and performance indicators. The performance measures form the basis for reporting on organizational performance.

The PPR 2008/09 is a compilation of self-assessments made by Program Managers on the performance of their programs in relation to the respective expected results and performance indicators as contained in the revised Program and Budget 2008/09 approved by Member States in December 2008. To further strengthen the validity of the PPR as a reporting tool, the Internal Audit and Oversight Division (IAOD) carried out a validation of the performance data provided in the PPR 2008/09 based on a sampling of one expected result from each of the twenty nine Programs. A Summary Report of the IAOD Validation is provided to Member States as a separate document. This represents a further use of the validation approach first carried out, on a trial basis, for the PPR 2008.

### *Summary Review of the 2008/09 Biennium*

The change in leadership at WIPO in 2008 marked a strategic shift in the Organization. This shift was reflected in the Program and Budget through the introduction in December 2008 of a revised Program and Budget 2008/09 framed around nine new strategic goals. It also led to the redesign of a number of programs and the introduction of new ones. While this fundamental change altered the performance framework (expected results and performance indicators) the changes were, to the extent possible, kept to a minimum to ensure continuity for the purpose of performance reporting.

The revised Program and Budget 2008/09 contained 140 Expected Results and 266 Performance Indicators. The PPR 2008/09 reports on performance against those expected results and performance indicators. Of the total number of Performance Indicators, 154 (or 58%) were assessed as "green" (fully achieved), 93 (or 35%) as "amber" (partially achieved) and 8 (or 3%) as "red" (limited achievement). Work related to 11 Performance Indicators (or 4%) was either postponed to the next biennium (due to the recent creation of Programs or external factors affecting implementation) or performance data for the indicators have proved difficult to collect (or is not yet available, for example in the case of the report of the External Auditor). While the rating of achievement using a Traffic Light System approach provides a useful indication of how well Programs have performed, the ratings should not be seen in isolation. In some cases there would have been factors outside the control of the Organization that have prevented achievement of results. In other cases, the Expected Results and/or Performance Indicators have not easily lent themselves as a good basis for monitoring and performance assessment. In yet some other cases, the Organization's performance may have fallen short of expectations. The enhanced understanding of the causes and effects in achieving results is encouraging a learning process throughout the Organization. Such a feedback process supports the ability to take decisions, change approaches and assess and improve performance based on the collection and use of performance data. The assessments made by each Program provide a more detailed analysis in this respect.

The following represents a summary review of important achievements in the 2008/09 biennium:

- The adoption of three national IP strategies developed with WIPO's advice, including the adoption by the Government of Colombia of a National IP Strategy based on the WIPO IP Audit Tool.
- A formal session of the Standing Committee on the Law of Patents (SCP) was held in June 2008, after three years of suspension, with a view to enhance cooperation among Member States in the area of developing the international patent system. Substantive studies provided by the Secretariat enabled the Standing Committee on Patents (SCP) to review



the current international patent system from a holistic perspective, taking into account the different needs and interests of all Member States. This has also supported the discussions of the SCP as a participatory process that takes into consideration the viewpoints of all stakeholders.

- 16 new ratifications of the Singapore Treaty as a result of which the Singapore Treaty entered into force on March 16, 2009.
- The EU Member States acceded to the WIPO Internet Treaties (the WIPO Copyright Treaty (WCT) and the WIPO Performances and Phonograms Treaty (WPPT), on December 4, 2009, with entry into force in March 2010.
- The establishment of a Stakeholders Platform to explore operational arrangements to facilitate access to copyrighted works by visually impaired persons.
- Agreement by the WIPO General Assembly in September 2009 to a renewed mandate for the the Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore (IGC) - its strongest mandate yet - referring *inter alia* to “text-based negotiations” towards reaching agreement on an international legal instrument (s) which “will ensure the effective protection of GRs, TK and TCEs”. This agreement revitalized the substantive work of the IGC and expectations for concrete outcomes are high. (Under the new mandate, the IGC is to submit the texts of the international legal instrument (or instruments) to the WIPO General Assembly in September 2011.)
- The mainstreaming of the WIPO Development Agenda and the introduction of a project based methodology for implementation of the recommendations constituted an important step in operationalizing the Development Agenda. A number of actions have been taken to enhance program management and reporting responding to this new approach, such as the introduction of programmatic links to recommendations, linking Workplans to Development Agenda recommendations and including a reporting section for each Program on development agenda recommendations in the PPR.
- The strengthening of WIPO’s efforts to build a global IP infrastructure and ensure WIPO’s role as the world reference point on IP information and as the global forum for IP and public policy issues.
- The creation of a new Program (Program 16) devoted to economic studies and analysis aimed at providing empirical research on IP and its link to development with a view to inform policy makers on the economic impacts of the IP system, particularly with respect to developing countries.

#### *Lessons Learnt and Areas for Improvement*

The quality of program performance reporting is dependent upon well defined, specific, measurable, achievable, relevant and time-bound (SMART) indicators. The revised Program and Budget 2008/09 saw a further step forward in strengthening and making SMARTER, WIPO’s performance indicators. As a result, program performance reporting has improved and the PPR 2008/09 shows more tangible evidence of organizational performance. However, there remains room for improvement. The WIPO Development Agenda Project to enhance results-based management at WIPO to support the monitoring and evaluation of the impact of the Organization’s activities on development is aimed at developing the Organization’s capacity to manage and report on performance in relation to development. The project will contribute to the overall effort under the Strategic Realignment Program’s initiative for strengthening RBM at WIPO which is expected to contribute significantly to enhanced accountability for results and a stronger performance culture at WIPO.

There are a number of specific areas of improvement which will be key to improving the PPR:

- The development of Strategic Goals and Strategic Outcomes in the Medium Term Strategic Plan (MTSP) 2010-15, through a recently launched inclusive consultation process, will facilitate the development of ownership among WIPO stakeholders of the outcomes to be

achieved by the Organization and the creation of a stronger integrated strategic performance framework driving the development of the Program and Budget.

- Continuous improvement of the quality of Expected Results and Performance Indicators in the Program and Budget and establishment of a clear relationship between these and the Strategic Outcomes in the MTSP.
- The development of performance monitoring and assessment tools for Program Managers for use in the 2010/11 biennium and beyond aimed at facilitating the collection and analysis of performance data to support decision-making for better performance management and reporting.
- The further refinement of the concept of baselines and targets, introduced for the first time in the Program and Budget 2010/11.

### *Structure of the Program Performance Assessments*

The performance assessments for individual Programs in this Program Performance Report comprise:

#### Section I: Analytical Summary.

An analytical summary presents key Program achievements and challenges encountered in the biennium.





#### Section II: Implementation of the WIPO Development Agenda

A section which reports specifically on a Program's role and contribution to the implementation of the Development Agenda.

#### Section III: Performance Data.

The table in this section recapitulates the Expected Results for the Program and the Performance Indicators/targets as approved by Member States in the approved revised Program and Budget 2008/09. The performance data in relation to each indicator is provided in the third column. The fourth column provides an assessment of performance using the "traffic light system". This is a widely recognized performance rating system, introduced at WIPO in the PPR for 2006/07 (see document (WO/PBC/13/3)). The following assessment criteria have been used for the PPR 2008/09:

#### Key to Traffic Light System (TLS)

	Fully achieved (100 per cent). A green light is applied when the performance data suggest a 100% achievement of the performance indicator.
	Partially achieved (50 per cent or more). An amber light is applied when achievement is assessed at 50% or greater in relation to the performance indicator.
	Limited achievement (below 50 per cent)
	Discontinued/ not assessed

#### Section IV: Budget Utilization 2008/09.

The final section provides information on the Program budget for the biennium 2008/09, actual expenditure for the biennium and a calculation of budget utilization rate. Explanations are provided in case of variations between allocated budget and actual expenditure. This should be seen in conjunction with the Financial Management Report which provides a more detailed and complete review of the overall financial performance of the Organization in the biennium.



## II. INDIVIDUAL PROGRAM PERFORMANCE REPORTS

### Program 1: Patents, Innovation Promotion and Technology Transfer

**OBJECTIVE** Progressive development of international patent law and practice that stimulates innovation and balances the interests of Member States, users and society as a whole by improving the understanding of, and international cooperation on, patent-related matters, and enhanced capacity of Member States, institutions and other stakeholders to benefit from the innovation potential of a balanced patent system

**Program Manager** *Mr. J. Pooley*

#### I. ANALYTICAL SUMMARY

##### A. *Patents and Legislative and Policy Advice*

1. The 2008/09 biennium was marked by a number of accomplishments which led to a better understanding of the role, principles and practices of patent law and an improved international cooperation on patent-related matters.

2. In order to enhance cooperation among Member States in the area of developing the international patent system, a formal session of the Standing Committee on the Law of Patents (SCP) was held in June 2008, after three years of suspension. At that session, the SCP focused its attention on a Report on the International Patent System, and unanimously agreed to move forward along a number of tracks for the purpose of developing a work program for the SCP. They include: (i) identification of a non-exhaustive list of issues for further elaboration and discussion; (ii) inclusion of comments and further discussions on the Report of the International Patent System; (iii) preparation of, and discussions on, preliminary studies on various issues, such as: dissemination of patent information, exclusions, exceptions and limitations, patents and standards, and client-patent attorney privilege. Discussions of the SCP at its thirteenth session in March 2009 led to further elaboration and in-depth analysis of some of the above issues, for example, commissioning to external experts a study on exclusions, exceptions and limitations. At the same session, the SCP also agreed that preliminary studies on transfer of technology and opposition systems be prepared for discussion at its subsequent session. The approach of conducting substantive studies has allowed the SCP to review the current international patent system from a holistic perspective, taking into account the different needs and interests of all Member States. It has also supported the discussions of the SCP as a participatory process that takes into consideration the viewpoints of all stakeholders.

3. Based on a recommendation to the Director General by the SCP, a Conference on Intellectual Property and Public Policy Issues was held in July 2009. The Conference reviewed the implications, including public policy implications, of patents on certain areas of public policy, such as health, the environment, climate change and food security. The Conference, which attracted a wide range of participants including representatives of non-governmental organizations and academic researchers, contributed to greater awareness of the patent system, including flexibilities embedded in the system, and its role in a number of public policy areas.

4. Another event, namely a Conference on Client Privilege in Intellectual Property Professional Advice, was held in 2008 in cooperation with the International Association for the Protection of Intellectual Property (AIPPI). Issues relating to the protection against disclosure of information exchanged between clients and intellectual property advisors were explored at the Conference. The Conference achieved enhanced understanding and further clarification of the complex interactions among national, regional and international legal systems on that matter.

5. In the 2008/09 biennium, a number of countries acceded to or ratified WIPO administered treaties in the field of patents. Australia, France, Liechtenstein, the Russian Federation and Switzerland acceded to the Patent Law Treaty (PLT), which made the total number of accessions or ratifications to the PLT reach 22 States at the end of 2009. One country (Thailand) joined the Paris Convention, and four countries (Bosnia and Herzegovina, Costa Rica, Jordan and Peru) joined the Budapest Treaty in the biennium.

6. In cooperation with relevant sectors, the Program provided legal assistance and policy advice in relation to national laws and regulations. It contributed to greater awareness of flexibilities embedded in the patent system. Furthermore, the Program contributed to the discussions in other WIPO fora, such as the Committee on Development and Intellectual Property (CDIP). In cooperation with the PCT Operations Division, work on the implementation of a digital access system for priority documents continued in the 2008/09 biennium, and the WIPO PATENTSCOPE<sup>®</sup> Priority Document Access Service began operations on April 1, 2009. In addition, the Secretariat continued to provide assistance and information to intergovernmental organizations, United Nations bodies and other parties on issues relating to patent law as well as on issues concerning protection of layout designs of integrated circuits and trade secrets.

#### *B. Innovation Promotion and Technology Transfer*

7. An important amount of research activity is carried out by developing countries and countries with economies in transition with R&D institutions and universities being the main research engines and local knowledge-producers. However, these institutions face many challenges in utilizing the IP system for protecting their research results and for using IP rights as assets, e.g. filing patents, negotiating research contracts or technology transfer agreements. As a consequence, there is often limited economic return and social benefits based on their R&D investments in terms of locally developed, produced and distributed technologies and products. This may hinder both the public and private sector in developing countries from investing in R&D. These important obstacles for the efficient use of IP for development in WIPO Member States are defined as the Research Ownership-Exploitation (ROE) challenges<sup>1</sup>. In order to address these challenges, the Program focused, during 2008/09, on enhancing the capacity of Member States' Governments, universities and public research organizations by providing the necessary IP management infrastructure and practical capacities to develop, protect, manage and exploit their local R&D and innovation results as assets backed by IP rights. This was mainly done through: (i) assisting Member States in the formulation of IP strategies at the national (macro) level and/or the institutional (micro) level in order for them to create the necessary infrastructure and effectively integrate the IP component into their national and institutional strategies; (ii) contributing to enhancement of their innovation and technology transfer support system as well as in strengthening professional practical skills in the field of IP asset management, including patent drafting and technology management, IP valuation, marketing, commercialization and licensing; (iii) making available for the use of Member States WIPO-developed practical tools, models and training materials in the above-mentioned areas; and (iv) supporting Member States in the design and implementation of projects that are in line with their particular strategic priorities and needs, and encouraging universities and research institutions to use the WIPO "R&D Network & IP Hub" as a strategic model.

8. In providing this support, the Program strategies were aimed at: (i) ensuring that the circumstances of each country and different sectors were taken into consideration when responding to particular requests for the elaboration and implementation of practical tools, training programs and provision of technical advice; (ii) prioritizing as much as possible the use of local IP professional expertise in developing countries, in particular regarding the development of training materials, the delivery of programs and the assessment of national IP needs in the framework of national IP strategy formulation; (iii) paying due attention to identification of target participants in view of using WIPO trainees as future focal points and trainers; and (iv) strategically developing and strengthening cooperation with other national, regional and international governmental organizations as well as NGOs, professional associations and UN commissions, specialized agencies and organizations such as the United Nations Education, Science and Culture Organization (UNESCO); the United Nations Economic Commission for Europe (UNECE); the United Nations Economic Commission for Africa

<sup>1</sup> [http://www.wipo.int/wipo\\_magazine/en/2007/06/article\\_0007.html](http://www.wipo.int/wipo_magazine/en/2007/06/article_0007.html)

(UNECA); the International Atomic Energy Agency (IAEA); the New Partnership for Africa's Development (NEPAD); the African Regional Intellectual Property Organization (ARIPO); the European Organization for Nuclear Research (CERN); the Licensing Executives Society International (LESI); the Association of University Technology Managers (AUTM); the International Centre for Trade and Sustainable Development (ICTSD); the Arab Science and Technology Foundation (ASTF); the Geneva International Academic Network (GIAN-RUIG) and the International Centre for Theoretical Physics (ICTP). Examples of cooperation activities included regional patent drafting workshops in Zimbabwe jointly organized with ARIPO and consultancy meetings with IAEA on industrial infrastructure and the related technology absorption for a successful national nuclear power program.

## II. IMPLEMENTATION OF THE DEVELOPMENT AGENDA

9. As indicated in the revised Program and Budget 2008/09 (Publication No. 360E/PB0809), it was envisaged that Program 1 would undertake activities related to Development Agenda Recommendations 10, 12, 14, 15, 17, 19, 20, 21, 22, 23, 25, 26, 28, 29, 31, 36 and 45 (please see Annex II for a list of all 45 Development Agenda Recommendations).

10. The Program was engaged in two Development Agenda projects. Preparatory work was carried out for the project paper for DA\_10\_03: "Innovation and Technology Transfer Support Structure for National Institutions". This project is one of several to implement Development Agenda Recommendation 10. Work undertaken by Program 1 included the compilation and description of an exhaustive list of existing instruments and WIPO programs for innovation promotion and technology transfer, a gap analysis as well as a detailed digital portal description. The second project which Program 1 was engaged in is DA\_19\_25\_26\_28\_01: "Project on Intellectual Property and Technology Transfer: Common Challenges - Building Solutions" contained in document CDIP/4/7. Program 1 was involved in the preparation of the project document which was considered in the fourth session of the CDIP. The Committee decided that discussions on that document would continue at its fifth session. A group of "like minded delegations" submitted a document containing comments on the implementation of the relevant recommendations at the end of 2009. Subsequently, other Member States were invited to respond to that document, and the Secretariat then prepared a non paper for discussion at the fifth session of the CDIP.

11. The design, planning and implementation of activities undertaken by Program 1 were informed by the relevant Development Agenda Recommendations.

III. PERFORMANCE DATA

Key to Traffic Light System (TLS)

- Fully achieved (100%)
- Partially achieved (50% or more)
- Limited achievement (below 50%)
- Discontinued

Expected Result	Performance Indicators	Performance data	TLS
<i>A. Patents and Legislative and Policy Advice</i>			
Enhanced cooperation among Member States in the area of developing the international patent system	Agreement and implementation of the SCP work program and advancement on issues of common interest	<p>Agreement or advancement on the following issues at the 12<sup>th</sup> and 13<sup>th</sup> sessions of the SCP took place in June 2008 and March 2009, respectively.</p> <ul style="list-style-type: none"> <li>- establishment of a non-exhaustive list of issues for further elaboration and discussion;</li> <li>- discussions on the Report on the International Patent System; preparation of preliminary studies on four issues by the Secretariat (Standards and Patents; Exclusions from Patentable Subject Matter and Exceptions and Limitations to the Rights; Client-Attorney Privilege; Dissemination of patent information);</li> <li>- preparation of a study on exclusions, exceptions and limitations by external experts;</li> <li>- preparation of preliminary studies on transfer of technology and opposition systems by the Secretariat;</li> <li>- a recommendation to the Director General to hold a conference on issues relating to the implications, including public policy implications, of patents on certain areas of public policy, such as health, the environment, climate change and food security.</li> </ul>	
	Greater number of Contracting Parties to the patent-related WIPO administered treaties	One country joined the Paris Convention, four countries joined the Budapest Treaty and five countries joined the PLT.	

Expected Result	Performance Indicators	Performance data	TLS
<p>Greater awareness of the legal principles, practices and flexibilities of the patent system and of its role in economic development</p>	<p>Feedback from Member States, right holders, third parties and the general public</p>	<p>During the sessions of the SCP and the Assemblies, a number of delegations from Member States, intergovernmental organizations and non-governmental organizations expressed the view that the Report on the International Patent System as well as the preliminary studies provided a good opportunity to advance the mutual understanding on numerous complex technical and legal issues in respect of the law of patents.</p>	
		<p>The feedback also showed an increased awareness of the benefits of an effective use of the patent system and of the challenges that the current system faced, including development needs and public policy aspects of the international patent system.</p>	
	<p>Greater acceptance and use of patent principles and practices in Member States</p>	<p>Annex II of the Report on the International Patent System indicates wide acceptance of legal principles in over 100 countries and regions. Since law making is a lengthy process, the impact of WIPO's cooperation may relate to activities in earlier biennia.</p>	
		<p>The statistics indicate greater use of the patent system in Member States. That data alone, however, cannot quantify the contribution of the patent system to innovation and public policy goals.</p>	
	<p>Greater awareness of how to use flexibilities in the patent system</p>	<p>A preliminary study on exclusions from patentable subject matter and exceptions and limitations to the rights addressed the flexibilities in the patent system from various angles.</p> <p>The following activities contributed to increase such awareness:</p> <ul style="list-style-type: none"> <li>- 12 national or regional seminars;</li> <li>- three missions for legislative assistance and policy advice in countries in the process of law revision;</li> <li>- comments were prepared on six draft laws on Patents and/or Utility Models, Integrated Circuits and Trade Secret;</li> <li>- draft laws were prepared for four countries.</li> </ul>	



Expected Result	Performance Indicators	Performance data	TLS
Enhanced understanding and further clarification of current and emerging issues that arise in relation to patents	Feedback from Member States, right holders, third parties and the general public	During the sessions of the SCP, a number of delegations from Member States, intergovernmental organizations and non-governmental organizations acknowledged that the Report on the International Patent System contributed to advance mutual understanding on patent related issues.	
		At the Conference on Client Privilege in Intellectual Property Professional Advice, attended by around 85 participants, and the Conference on Intellectual Property and Public Policy Issues, attended by around 450 participants, many stated that those events had contributed to a better understanding and clarification of the issues addressed.	
Reduction, where possible, of redundant functionalities in the patent system	Instruments of international cooperation in the area of patents, or drafts of, or work-in-progress, regarding such instruments	A reduction of redundant functionalities was achieved by the implementation of a digital access system for priority documents which began operation on April 1, 2009.	
<i>B. Innovation Promotion and Technology Transfer</i>			
Enhanced capacity of Member States to formulate, implement and evaluate national patent strategies	National patent strategies developed - or in the process of being developed - by Member States	<ul style="list-style-type: none"> <li>- Three national IP strategies were developed with WIPO's advice, including the adoption by the Government of Colombia of a National IP Strategy based on the WIPO IP Audit Tool and support;</li> <li>- Six national IP strategies were in the process of being developed with WIPO providing assistance to Member States regarding their particular on-going processes for conducting national IP assessments or IP audits;</li> <li>- 12 national IP strategies are likely to be developed in the next biennium as a result of advice given by WIPO to policy-makers at the senior level of 12 Member States regarding the content and use of the WIPO IP Audit Tool (publication No. 927E).</li> </ul>	
Enhanced capacity of developing countries to benefit from the transfer and dissemination of technology	Use of WIPO-developed tools, models or training kits in developing countries and countries with economies in transition	In total, 14 national, one sub-regional and one regional Patent Drafting Programs and 14 Distance Learning Follow-up Courses were organized allowing around 1000 researchers, technology managers, scientists and lawyers to acquire practical skills in the area of patent drafting.	

Expected Result	Performance Indicators	Performance data	TLS
		The "Successful Technology Licensing (STL)" Training program and kit were delivered in six national and five regional trainings for more than 450 participants from 35 countries.	■
		In line with Development Agenda Recommendation 23, a topic on "Pro-Competitive Licensing Practices" was included in the STL programs.	
	Number of research institutions with technology management units or patent policies based on WIPO support	Over 50 research institutions were assisted by WIPO during the process of establishing their IP management units and/or TTOs. The WIPO University Initiative Program benefited more than 500 University IP Coordinators, technology managers, scientists, researchers, and policy makers. The Program now encompasses some 240 partner universities.	■
	Number of initiatives to promote technology transfer to and within developing countries	A four-year demonstration pilot project was finalized based on research, audit and analysis of the needs and priorities of 34 health R&D institutions from Colombia and six Central African countries. It consisted of the development and testing of a model based on "R&D Networks and IP Hubs" with shared technology management units for local IP management expertise. In 2008, the Government of Colombia, based on the model, created three new R&D Networks with IP Hubs in three key sectors (agriculture, energy and national defense). By the end of 2009, the network resulted in 18 patent applications filed since the start of the program in September 2004.	■

## IV. BUDGET UTILIZATION

Resource Utilization Revised Program and Budget 2008/09  
(in thousands of Swiss francs)

<u>Allocation</u>	<u>Actual Expenditure</u>	<u>% Utilization</u>
7,066	6,601	93.4 %

12. Program 1 under expenditure is attributed, on the one hand, to the considerable savings made on travel for both WIPO and government officials, following the introduction of cost efficiency measures in January 2009, and, on the other hand, to fewer sessions convened of the Standing Committee on Patents than planned (four planned) in the 2008/09 biennium.

## Program 2: Trademarks, Industrial Designs and Geographical Indications

**OBJECTIVE** Further development of the multilateral legal framework for trademarks, industrial designs and geographical indications and wider adherence to, and implementation of, existing standards

**Program Manager** *Ms Binying Wang*

### I. ANALYTICAL SUMMARY

1. The Standing Committee on the Law of Trademarks, Industrial Designs and Geographical Indications held four sessions in 2008/09 and made progress on a number of specific topics in the areas of trademark and industrial design law. In particular, the SCT agreed on *Areas of Convergence on the Representation of Non-Traditional Marks*, and on *Areas of Convergence on Trademark Opposition Procedures*, which were noted by the WIPO General Assembly at its 38<sup>th</sup> session and published in the WIPO/STrad/INF series. Agreeing on those areas of convergence, the SCT developed a set of references, which will contribute to predictable outcomes of similar procedures across different jurisdictions. It thus advanced the international normative framework for trademarks in a balanced manner, taking account of the needs and developments of individual SCT Members, and which can be used as a model for future work in that area.

2. The SCT Secretariat held consultations with the Secretariat of the World Health Organization (WHO) with a view to facilitating access for SCT Members to lists of International Non-Proprietary Names (INNs), established by the WHO Secretariat and continued to disseminate information on recommended and adopted INNs to WIPO Member States' trademark administrations. The SCT also initiated and advanced work on the following topics: grounds for refusal for all types of marks; technical and procedural aspects relating to the registration of certification and collective marks; and letters of consent. Moreover, the SCT began work on the issue of protection of official names of States against registration or use as trademarks. Concerning industrial designs, the SCT examined a summary of the returns to the WIPO Questionnaire on industrial design law and practice, and started consideration of a set of possible areas for convergence on industrial design law and practice in SCT Members.

3. In the course of the biennium, 15 States ratified the Singapore Treaty on the Law of Trademarks, bringing the overall number of ratifications to 17, out of which 15 were effective by the end of 2009. This number of ratifications exceeds by five the number of expected ratifications for the period under consideration. As a result the Singapore Treaty entered into force on March 16, 2009. On the occasion of the forty-seventh series of meetings of the Assemblies of the Member States of WIPO, the Singapore Treaty Assembly held its inaugural session and decided, *inter alia*, to set up a working group with the purpose of reviewing Rule 3(4) to (6) of the Regulations under the Singapore Treaty. This review is expected to lead to a recommendation to the Singapore Treaty Assembly for the amendment of the Rule concerned, which will further develop the international standards concerning the representation – in trademark applications and publications – of certain non-traditional marks.

4. In cooperation with the Patent Office of the Republic of Bulgaria (BPO), a Worldwide Symposium on Geographical Indications was organized from June 10 to 12, 2009, in Sofia. The Symposium addressed the topic of GIs from several points of views, including its legal, administrative and economic dimensions. Feedback from participants was positive and indicated that the approach chosen for the program, i.e., to concentrate on technical and economic aspects and to avoid a replication of the TRIPS Council negotiations, enabled a positive and informative exchange of views between panelists and participants.

5. Concerning the administration of Article 6<sup>ter</sup> of the Paris Convention, the Assembly of the Paris Union adopted, at its 40<sup>th</sup> session (Geneva, September 22 to 30, 2008) a recommendation from the SCT, replacing the reciprocal communication of signs under Article 6<sup>ter</sup>(3) by a semi-annual electronic publication. The first two of such electronic publications were made on March 31, 2009, and





September 30, 2009, respectively. This new procedure significantly reduces the administrative burden that individual communication puts on the WIPO Secretariat, in particular the WIPO Conference Service, and on Member States and International Intergovernmental Organizations (IGOs) using that procedure. It also enhances the transparency and legal security of those procedures. In 2008, the Secretariat received 13 requests for communications under Article 6ter(3) (four from States and eight from IGOs) covering a total of 149 individual signs. By the end of September, it had dispatched individually nine communications covering 100 individual signs. Following the commencement of the electronic publication procedure, the Secretariat published in 2009 an overall of 167 individual signs, corresponding to 21 requests for communication (nine from States and 12 from IGOs). The Secretariat also updated the Article 6ter database for publication and distribution on CD-ROM.

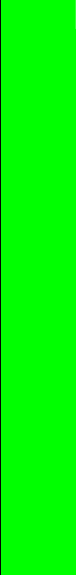
## II. IMPLEMENTATION OF THE DEVELOPMENT AGENDA

6. The Program devised the trademark related portion of the CDIP project DA\_16\_20\_01: "Intellectual Property and the Public Domain". The Program was also engaged in the project on IP and product branding for business development in developing and least developed countries. As indicated in the Analytical Summary above, the design, planning and implementation of activities undertaken by Program 2 were informed by the relevant Development Agenda Recommendations.

## III. PERFORMANCE DATA

### Key to Traffic Light System (TLS)

	Fully achieved (100%)
	Partially achieved (50% or more)
	Limited achievement (below 50%)
	Discontinued

Expected Result	Performance Indicator	Performance data	TLS
Further advancement within the SCT on the international law of trademarks, industrial designs and geographical indications	Four sessions of the SCT and work on at least three specific topics	The SCT held four sessions during the biennium. It concluded work on two specific topics ( <i>Areas of Convergence on the Representation of Non-Traditional Marks</i> , and <i>Areas of Convergence on Trademark Opposition Procedures</i> ). The SCT agreed on another five topics for future work (grounds for refusal for all types of marks; technical and procedural aspects relating to the registration of certification and collective marks; letters of consent; protection of official names of States against registration or use as trademarks; and possible areas for convergence on industrial design law and practice).	

Expected Result	Performance Indicator	Performance data	TLS
Better understanding among Member States of different existing approaches to the protection of geographical indications and the legal and administrative issues that are underlying to the implementation of such approaches	Informal and open discussion among Member States and non-governmental interested circles of a number of distinct policy issues relating to geographical indications, on the occasion of a worldwide symposium on geographical indications to be organized in cooperation with an interested Member State	The Worldwide Symposium on Geographical Indications (Sofia, June 10 to 12, 2009 led to a positive and informative exchange of views between the 250 participants representing some 50 Member States and seven observer organizations and the panelists.	
Ratifications of and accessions to the Singapore Treaty on the Law of Trademarks	At least 10 ratifications by States or intergovernmental organizations	In 2008, eight States ratified the Singapore Treaty on the Law of Trademarks: Bulgaria, Romania, Denmark, Latvia, Kyrgyzstan, United States of America, Republic of Moldova and Australia.  In 2009, eight States ratified the Singapore Treaty: Estonia, France, Liechtenstein, Mali, Netherlands, Poland, Russian Federation and Spain.	
Efficient administration of Article 6 <sup>ter</sup> of the Paris Convention	Implementation of the electronic publication procedure for Article 6 <sup>ter</sup> communications as per the decision of the Paris Union Assembly of September 2008	Two periodical electronic publications (March 31 and September 30) and publication of an overall of 167 individual signs.	

## IV. BUDGET UTILIZATION

Resource Utilization Revised Program and Budget 2008/09  
(in thousands of Swiss francs)

<u>Allocation</u>	<u>Actual Expenditure</u>	<u>% Utilization</u>
3,878	3,225	83.2%

7. Lower than expected utilization of resources in the 2008/09 biennium was primarily due to lower expenditure under third party travel, fellowships and contractual services.

### Program 3: Copyright and Related Rights

**OBJECTIVE** To further develop a balanced normative copyright framework and enhance the capacity of Member States and stakeholders to respond to the challenges and opportunities offered by copyright in the digital environment and also the capacity to collectively manage copyright and related rights

**Program Manager** *Mr. T. Clarke*

#### I ANALYTICAL SUMMARY

##### *Further development of a balanced normative framework*

1. The 2008/09 biennium witnessed continued progress towards improved protection of copyright and related rights. Activities undertaken promoted wider adherence to the WIPO Copyright Treaty (WCT) and WIPO Performances and Phonograms Treaty (WPPT), including major regional events organized in Asia and Africa. A historic event took place in December 2009, when the European Union and its 27 Member States ratified the two treaties *en bloc*. Within the Standing Committee on Copyright and Related Rights (SCCR), activities included Information Sessions on various aspects of limitations and exceptions to copyright and related rights, protection of audiovisual performances and broadcasting organizations, and conclusion of several major studies on these topics, all of which contributed to clarification and greater understanding of the issues and enhanced the quality of discussions in the Committee. 2009 also saw the establishment of a Stakeholders Platform to explore operational arrangements to facilitate access to copyrighted works by visually impaired persons. WIPO also continued to advance the issue of protection of audiovisual performers, and at SCCR-19 Member States decided on a concrete work program, the first of its kind, to achieve progress.

##### *Enhance capacity to respond to challenges and opportunities for copyright in the digital environment*

2. Significant progress was made during 2008/09 towards improved understanding of possibilities for commercial exploitation of copyright in the digital environment, and the impact of emerging technologies on the value chain for copyright content. WIPO focused on the role of Intellectual Property Rights (IPRs) in developing computer software, for example regarding health information systems in Africa. The role of ICT standards in creation and delivery of digital copyright content was advanced in international fora such as ITU-TELECOM (2009) and GAMELAB (2009), which focused on business model options for the emerging European digital games industry. Copyright issues concerning the use of digital identifiers were clarified at WIPO workshops at the Internet Governance Forum in Hyderabad (2008) and the Frankfurt Book Fair (2009). WIPO contributed to awareness-raising on important questions related to the use of copyright in the Internet environment, such as the liability of Internet intermediaries. Concerning IPR, cultural heritage and digital preservation, the milestone *International Conference on Intellectual Property and Cultural Heritage in the Digital World* in Madrid (2009), raised awareness among more than 250 participants concerning the dual role of cultural heritage institutions as users and creators/owners of cultural and creative content.

##### *Increased awareness and improved understanding of the importance of creative industries for social, economic and cultural development*

3. The geographical scope of studies on the economic contribution of the copyright industries, based on the WIPO methodology, was extended and research parameters further elaborated. The number of ongoing and finalized national studies reached 35 and growing demand clearly indicated the Member States' appreciation of quantitative analysis in the field. New projects on the performance of specific creative industries, including the role of copyright, further highlighted the need for specific analysis to support awareness raising in this field. The studies were widely used in awareness raising and in designing policies and strategies. Major efforts were made to improve the understanding of the role of IP in the creative industries through development of appropriate tools and capacity building in specific creative industries. To this end, five publications were completed and 23 capacity building events were organized for stakeholders and policy-makers. Activities were implemented in

cooperation with governments, sub-regional and regional organizations, major universities, research institutions and relevant sectors in WIPO.

*Enhanced capacity to collectively manage copyright and related rights*

4. WIPO assisted collective management organizations (CMOs) to implement rights management tools such as WIPOCOS, in compatibility with international systems. Progress was made in CMOs of Benin, Burkina Faso, Kenya, Niger, South Africa, Tanzania, Togo, Zambia, Zanzibar and Zimbabwe, where WIPOCOS was installed and/or further upgraded, as reported by the respective WIPO regional Bureaus. Studies were undertaken to deploy WIPOCOS in Arab countries and countries with economies in transition. The Program organized a seminar on licensing for CMOs from Antigua, Barbados, Dominica, Grenada, Jamaica, Saint Lucia, Saint Vincent, Suriname, Trinidad and Tobago, and facilitated training at VEGAP (Spain) for the new society dealing with visual arts in Guatemala. The Program also organized training on collective management related to performers' rights for new and emerging Latin American societies, with participants from Bolivia, Costa Rica, Colombia, Dominican Republic, Ecuador, El Salvador, Guatemala, Honduras, Nicaragua, Panama, Paraguay, Peru and Uruguay. Partnerships were strengthened with the International Federation of the Phonographic Industry (IFPI) and the Federation of Musicians and the Federation of Actors (FIM/FIA) through the signing of MOUs. Another important initiative was the production of a CD-ROM ("The Setting-up of New Copyright Societies") containing a practical work plan for the different steps to be taken in the setting-up of CMOs, mainly in the field of music.

## II. IMPLEMENTATION OF DEVELOPMENT AGENDA

5. Consistent with DA Recommendations 19, 21, 22, 24, 27 and 44, the Sector provided legislative advice on the use of flexibilities in the IP system to improve access to creative content online. In conjunction with the work of the Standing Committee on Copyright and Related Right and the VIP stakeholders' platform on meeting the needs of the visually impaired persons, such activities can assist Member States in devising policies to support dissemination and equitable access to knowledge and educational materials.

6. Activities were also undertaken during the Biennium towards implementation of DA Recommendations 16 and 20, under the thematic project DA\_16\_20\_01: "Intellectual Property and the Public Domain". The copyright component of this project involves a series of surveys, studies and awareness raising events aimed at clarifying what constitutes the public domain in different jurisdictions. Preparatory work began towards implementing further thematic projects: DA\_7\_23\_32\_01: "IP and Competition Policy" and DA\_19\_24\_27\_01: "IP, Information and Communication Technologies (ICTs), the Digital Divide and Access to Knowledge".

III. PERFORMANCE DATA

Key to Traffic Light System (TLS)

- Fully achieved (100%)
- Partially achieved (50% or more)
- Limited achievement (below 50%)
- Discontinued

Expected Results	Performance Indicators	Performance data	TLS
<p>Clarifications of the international framework for limitations and exceptions, the applicable law and technological measures of protection or other issues raised by Member States</p>	<p>Clarification of issues and possible solutions in the SCCR</p>	<p>Studies on exceptions and limitations for libraries and archives and educational activities were finalized, and part one of a major study on the socio-economic impact of the unauthorized use of broadcast signals was concluded.</p>	
		<p>Issues were clarified through three Information Meetings during 2008-9, on limitations and exceptions, including technological protection measures, audiovisual performances, and developments in broadcasting</p>	
		<p>International activities were organized on the needs of the visually impaired persons and challenges for IP, including launch of a dedicated webpage (<i>Vision IP</i>) and establishment of a Stakeholders Platform to explore operational arrangements to facilitate access to copyrighted works by visually impaired persons</p>	
<p>Clarification of the protection of audiovisual performances</p>	<p>Decisions made by Member States regarding the future work on the protection of audiovisual performances</p>	<p>In 2008, the General Assembly decided to continue activities, including organization of national and regional seminars, to promote the protection of audiovisual performers.</p>	
		<p>At SCCR-19, Member States decided on a concrete work program, the first of its kind, for advancing international protection of performances in audiovisual media</p>	



Expected Results	Performance Indicators	Performance data	TLS
Wider adherence to, and effective implementation of, the WCT and the WPPT	Six additional accessions to the WCT, and six to the WPPT	In December 2009, the European Union and 15 of its 27 Member States ratified the WCT and WPPT.	
	Four additional States have adopted effective policies for the implementation of the WCT and the WPPT	During the biennium, legislation implementing the WCT and WPPT was enacted in Russia and passed the Chamber of Deputies in Chile. Bosnia and Herzegovina developed a draft law to implement the treaties, and Trinidad and Tobago conducted a policy review to streamline exercise of rights, including those provided under the WCT and WPPT.	
Increased understanding of the possibilities for commercial exploitation of copyright in the digital environment	Clarification of issues relating to documentation and copyright, including rights management information, recordation and access to works of unknown or unidentifiable authorship	WIPO organized or contributed to activities where copyright documentation and access issues were discussed, including the Internet Governance Forum and the Frankfurt Book Fair; Copyright Sector experts developed substantive content of WIPO Development Agenda thematic projects addressing these issues.	
	Clarification of issues in other international fora on information and communication technology (ICT) standards and IP, including inter-operability	WIPO contributed to conferences on ICTs and IP, including the WIPO Asia-Pacific Regional Symposium on Copyright Related Aspects of Information and Communication Technologies (ICTs) and GAMELAB, an annual event of the games industry in Spain.	
	Increased understanding of evolving markets for, and uses of, computer software, including the choice of IP license models (open source licensing, proprietary, mixed platforms)	WIPO contributed in contexts where software markets and uses were of central importance, such as the WHO African Regional Meeting on National Health Information Policy; WIPO experts became invited observers in the Free Software Foundation's European Legal Network.	
Greater understanding of the impact of emerging technologies on creation, access to and use of copyright content	Increased awareness with regard to managing intellectual property for cultural heritage institutions. Practical assistance to Member States on the basis of the recently published WIPO Guide on this issue	The <i>International Conference on Intellectual Property and Cultural Heritage in the Digital World</i> , organized in 2009, contributed to increased awareness of cultural heritage institutions as both users and creators/owners of IP.	

Expected Results	Performance Indicators	Performance data	TLS
	<p>Heightened awareness of the challenges and opportunities related to copyright and digital preservation</p>	<p>A study on limitations and exceptions for libraries and archives, a workshop on digital preservation and copyright as well as other activities heightened awareness of copyright and preservation issues.</p>	<p style="background-color: #00FF00;"></p>
	<p>Improved understanding on the evolving role of Internet Intermediaries, including through an International Conference involving governments, private sector and users</p>	<p>WIPO contributed to improved understanding of the role of Internet intermediaries through activities such as the <i>ITU-WIPO Symposium on Dispute Resolution at the Crossroads of Information and Communications Technologies and Intellectual Property</i>, which took place at the 2009 ITU TELECOM event</p>	<p style="background-color: #FFA500;"></p>
<p>Increased awareness and improved understanding of the importance of creative industries for social, economic and cultural development</p>	<p>Number and use of WIPO studies in policy making on creative industries and contribution to policy dialogues in this field</p>	<p>10 studies on the economic contribution of the copyright-based industries based on the WIPO guidelines were published and additional seven were finalized for publication.</p>	<p style="background-color: #FFA500;"></p>
		<p>The overall number of ongoing and finalized studies reached 35 (15 published, 24 completed for publication, 11 ongoing, 10 requests for new studies were received).</p>	
	<p>Use of capacity building studies and tools developed by WIPO for different creative sectors</p>	<p>The results of WIPO studies have been all used in policy making in the creative industries. Two countries engaged in developing national strategies for their creative sectors (Bulgaria, Jamaica), discussions were initiated on contributing to national strategies in additional six countries (China, Indonesia, Lebanon, Malaysia, Romania, Thailand).</p>	<p style="background-color: #00FF00;"></p>
	<p>Number of capacity building activities for creators in specific creative industries</p>	<p>13 national/regional workshops on management of copyright in specific creative industries were organized based on the WIPO tools: Ghana, Cameroon and Philippines (publishing), Jamaica and Thailand (music), Sri Lanka, Indonesia and Thailand (management of creative enterprises) and Nigeria, Mexico, Philippines and Malaysia (film).</p>	<p style="background-color: #00FF00;"></p>

Expected Results	Performance Indicators	Performance data	TLS
		Seven national/regional seminars on capacity-building on creative industries were organized (Bhutan, Thailand, Indonesia, Malaysia, Romania, Seychelles and Dominica). A total of 700 creators and policy makers participated in them.	
Enhanced awareness and capacity building on collective management, including creation of new collective management systems and cooperation with relevant partner institutions	Five newly established collective management systems	New collective management organizations were established in Burundi, Indonesia, Chad and Saint-Lucia.	
	One new cooperation agreement and enhancement of existing joint working committees	Two Cooperation Agreements were signed by WIPO, respectively, with the International Federation of the Phonographic Industry (IFPI), and with the Federation of Musicians and the Federation of Actors (FIM/FIA)	
Deployment of collective management software, particularly WIPOCOS, including integration of digital technologies in CMOs' operations	Number of CMOs that have incorporated WIPOCOS and effective digital technologies for rights management	WIPOCOS was installed and/or further upgraded in CMOS in Benin, Burkina Faso, Kenya, Niger, South Africa, Tanzania, Togo, Zambia, Zanzibar and Zimbabwe.	

#### IV. BUDGET UTILIZATION

##### Resource Utilization Revised Program and Budget 2008/09 (in thousands of Swiss francs)

<u>Allocation</u>	<u>Actual Expenditure</u>	<u>% Utilization</u>
13,485	12,746	94.5%

7. Program 3 lower than expected level of expenditure in 2008/09 was primarily due to the postponement of some activities to 2010, e.g., the Seminar on IP and Software (in Kigali, Rwanda), two regional meetings on broadcasting (India and Mexico), some missions for which WIPO has received invitations and some studies foreseen in the initial workplans.

**Program 4: Traditional Knowledge, Traditional Cultural Expressions and Genetic Resources**

**OBJECTIVE** Establishment, and more effective application, of legal, practical and policy IP mechanisms for the protection of TCEs, TK and GR in line with the needs, interests and expectations expressed by traditional custodians and communities and Member States

**Program Manager** *Mr. J. C. Wichard*

I. ANALYTICAL SUMMARY

1. The Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore (the IGC) met four times in 2008 and 2009, and continued to develop and review substantive policy and legal materials, laying a substantive basis for the development of an international instrument(s). Discussions within the IGC were intense and, at times, contentious, as a measure of the political significance of what is on the table in the IGC: potentially, a major normative shift in the IP system. In September 2009, the WIPO General Assembly agreed by consensus to hand the IGC its strongest mandate yet. The new mandate – referring *inter alia* to “text-based negotiations” towards reaching agreement on an international legal instrument (s) which “will ensure the effective protection of GRs, TK and TCEs” – revitalized the substantive work of the IGC and expectations for concrete outcomes are high. Under the new mandate, the IGC is to submit the texts of the international legal instrument (or instruments) to the WIPO General Assembly in September 2011. The Assembly would then decide on convening a Diplomatic Conference. However, the protection of TK, GRs and TCEs raises complex questions for the IP system and many conceptual, policy, technical and operational challenges remain. The IGC remained mindful of closely complementary developments in other forums, including the WTO, CBD and FAO. The IGC continued to build mechanisms that are exceptional for an intergovernmental process to strengthen opportunities for representatives of indigenous and local communities to participate effectively. By the end of 2009, there were over 230 observers specially accredited to the IGC, the majority representing these communities. The WIPO Voluntary Fund saw a sharp rise in applications for future support and supported the participation of 55 representatives of accredited indigenous and local communities in the sessions of the IGC in 2008 and 2009. WIPO Member States also approved the inauguration of an Indigenous IP Law Fellowship within this program.

2. In 2008 and 2009, there was significant growth in the number of community, national and regional initiatives requesting the expertise, support and participation of WIPO. These included policy and legislative processes, capacity-building projects and civil society, industry and academic programs, in all regions and in developed and developing countries. WIPO’s extensive body of unique policy materials and specialized practical tools, such as guidelines, toolkits, training programs and databases, were in high demand. Similarly, WIPO’s tools on IP management in TK documentation, patent examination, recognition of customary law, access and benefit-sharing contracts, handicrafts, arts festivals, dispute resolution and the digitization of cultural heritage proved timely, appropriate and practically useful. Two large regional processes were launched in which WIPO was requested to play a central role. In partnership with two external institutions, WIPO successfully launched a hands-on cultural documentation and IP training course for indigenous communities and museums/archives.

3. Upon request, WIPO continued to provide specialist IP-related input to many international processes, including those of the CBD, Permanent Forum on Indigenous Issues (UNPFII), WHO, ECOSOC, FAO, ILO, UNESCO, WTO and UNCTAD. Growing cooperation between WIPO and other intergovernmental organizations and agencies saw a number of joint activities, such as cooperation between WIPO and UNESCO in the area of intangible cultural heritage and the CBD in respect of TK and GRs. WIPO’s technical expertise and practical support were also provided, on request, to regional organizations in Africa, Asia, Latin America, the Pacific and elsewhere.





## II. IMPLEMENTATION OF THE DEVELOPMENT AGENDA


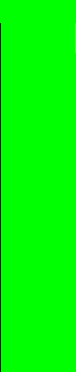
4. In general, the design, planning and implementation of activities undertaken by Program 4 were informed and guided by the relevant Development Agenda Recommendations. In particular, the Program's norm-setting activities within the IGC continued to be inclusive and member-driven (Recommendation 15), consider the boundaries, role and contours of the "public domain" (Recommendations 16 and 20), take into account flexibilities in international IP agreements (Recommendation 17), be based upon open and balanced consultations (Recommendations 21 and 42) and be supportive of the UN's development goals (Recommendation 22). The renewal and strengthening of the IGC's mandate during the period under review directly furthered the attainment of Recommendation 18.

5. The Program's technical assistance, capacity-building and legislative assistance activities were development-oriented, demand-driven and transparent (Recommendations 1 and 13). The protection of TK, TCEs and GRs contributes to the mainstreaming of development considerations into WIPO's work and the understanding and use of flexibilities (Recommendations 12 and 14). On participation, funding and other institutional matters, the IGC's *ad hoc* NGO accreditation mechanism and the WIPO Voluntary Fund for Accredited Indigenous and Local Communities assisted in ensuring wide participation of civil society (Recommendation 42).

## III. PERFORMANCE DATA

### Key to Traffic Light System (TLS)

	Fully achieved (100%)
	Partially achieved (50% or more)
	Limited achievement (below 50%)
	Discontinued

Expected Results	Performance Indicators	Performance data	TLS
A stronger international legal and policy framework protecting TK and TCEs for the direct benefit of their customary holders and the broader benefit of society	Formulation of at least one distinct new international instrument	A substantive basis for the crafting of international instruments in these areas has been laid. WIPO Member States have agreed to undertake "text-based negotiations" towards reaching agreement on an international legal instrument(s) which "will ensure the effective protection of GRs, TK and TCEs".	
	Use of WIPO policy documents and outcomes in four new regional/sub-regional cooperation initiatives, at least four new national policy, legal and capacity building processes, and community and civil society processes in four different regions	WIPO's policy materials, including draft provisions, options papers, surveys and studies were widely used in more than 32 regional, national, community and civil society processes in Asia, Africa, the Arab region, Eastern Europe, Europe, Caribbean, the Pacific, Latin America, and North America.	

Expected Results	Performance Indicators	Performance data	TLS
<p>Greater cooperation and coordination of international and regional processes concerning TK, TCEs and GR</p>	<p>Explicit recognition of WIPO's support and input in at least three existing and three new international and regional processes</p>	<p>WIPO's support and input were invited and recognized in several international and regional processes, including those of the CBD, ECOSOC, FAO, UNPFII, UNESCO, WTO, the Interagency Support Group on Indigenous Issues, UNCTAD, UNU, the Southern African Development Community (SADC), the Pacific Islands Forum Secretariat (new), the Secretariat of the Pacific Community (new), ASEAN, the Latin American and Caribbean Economic System (SELA) (new) and in respect of a Caribbean regional project (new). WIPO's support and materials forged ever greater cooperation between WIPO and these other fora and agencies, provided IP-related technical inputs to processes addressing related questions, and continued to validate WIPO as a provider of high quality IP-related policy, legal and practical information and advice.</p>	
	<p>Four joint publications or activities between WIPO and other international and regional agencies</p>	<p>WIPO cooperated with UNESCO, the CBD, the ILO, the UNU, OHCHR, the Pacific Islands Forum Secretariat and the Secretariat of the Pacific Community on specific projects, activities and publications.</p>	
<p>Enhanced capacity in Member States and regional bodies to support IP-related protection of TK and TCEs, and to manage the IP aspects of GRs, for the sustainable benefit of holders and custodians of TK, TCEs and GRs</p>	<p>At least six community, national or regional capacity building activities that make actual use of WIPO materials or expertise</p>	<p>WIPO's practical guidelines, databases, studies, toolkits, surveys, options papers, hands-on training programs and other capacity-building materials were used in approximately 55 community, national and regional capacity-building activities in the Caribbean, the Pacific, Asia, Africa, Latin America, Eastern Europe, Europe, North America and the Arab region. WIPO's practical support and expertise strengthened the ability of communities, national and regional authorities and institutions to identify and manage their IP interests in regard to TK, TCEs and GRs in a wide spectrum of capacity-building initiatives, including in relation to TK and TCE documentation, the protection of TK and TCEs, the drafting and negotiation of access and benefit-sharing contracts, the defensive protection of TK, the examination of TK and GR-related patent applications, and the recognition of customary law.</p>	

Expected Results	Performance Indicators	Performance data	TLS
	<p>Legal mechanisms adapted and applied in practice in six instances</p>	<p>WIPO's expertise and materials were used in practice in more than three ongoing regional initiatives aimed at the development of policies, frameworks and instruments on TK, TCEs and/or GRs in Africa (where draft instruments of ARIPO and OAPI on TK and TCEs, which drew directly on WIPO's draft provisions, reached finalization), the Caribbean, Eastern Europe, Latin America and the Pacific, and in several national processes, in Africa, Asia, Eastern Europe, Latin America, and the Pacific. For example, two new large regional processes commenced in the Caribbean and the Pacific with WIPO's inputs and support being requested in both cases and WIPO's materials being adapted and applied.</p>	
	<p>At least four on-going processes in Member States to enhance measures against illegitimate or erroneous patenting of TK/GR</p>	<p>WIPO's inputs were sought in national processes related to the defensive protection of TK/GR in more than four countries, in Asia and Africa in particular.</p>	
	<p>At least four national or community processes make active use of IP guidelines, best practices and manuals, and tailored ICT services, for digitizing and disseminating intangible cultural heritage and TCEs</p>	<p>WIPO's expertise, informational materials and practical guidelines related to IP management during the digitization of cultural heritage were used in projects and in other activities on cultural heritage digitization on more than 7 instances in Latin America, Asia, the Arab region and Africa. In addition, WIPO's hands-on training program on cultural documentation and IP management (the "Creative Heritage Project") was launched in Kenya with the Maasai community, in cooperation with two external partners.</p>	

## IV. BUDGET UTILIZATION

Resource Utilization Revised Program and Budget 2008/09  
(in thousands of Swiss francs)

<u>Allocation</u>	<u>Actual Expenditure</u>	<u>% Utilization</u>
6, 788	6, 270	92.4%

6. Lower than expected utilization of resources was primarily due to: (i) the provision which was originally made to fund IGC-related intersessional working groups that might have been established in 2008/09, but in fact were not established; (ii) in many cases, panelists identified for the indigenous panels that precede IGC sessions were indigenous representatives already funded by the WIPO Voluntary Fund, thereby not requiring use of the regular WIPO budget for the panels; and (iii) cost containment measures (especially travel-related) introduced in the course of the biennium.



**Program 5: The PCT System**

**OBJECTIVE** Maintain and reinforce the PCT as the central node of the international patent system and preferred route for obtaining international patent protection

**Program Manager** *Mr. J. Pooley*

**I. ANALYTICAL SUMMARY**

1. In 2008, the International Bureau completed several iterations of development and testing of a new bibliographic data management system to replace its legacy mainframe systems (CASPIA/CASPRO), which had been in existence for almost 20 years. This legacy system was finally decommissioned in 2009. In the same year, the legacy publication management system (SPIDI), which has been in use since 1998 was also decommissioned. The processing and publication of files at the International Bureau is now entirely based on its new IT platform. This platform, called the eDossier, is unique in the sense that it is a fully integrated system capable of handling all ten PCT publication languages, including those based on non-Latin scripts. While this is essentially an internal change, the new system will be the foundation for more efficiency gains and a richer range of services to applicants in the years to come. Starting in 2008 through 2009, the International Bureau also made available a number of online tools permitting applicants to interactively access and manage some aspects of their file. In 2009, the International Bureau published the first international applications in Arabic, Korean and Portuguese. Finally, 2009 was marked by the effects of the fall in PCT filings following the global economic recession. This resulted in a drop in the workload of the International Bureau, and a consequent reduction in the number of PCT applications published.

2. PCT training and outreach programs are essential in maintaining and reinforcing the PCT as the central node of the international patent system and preferred route for obtaining international patent protection. In the biennium, the PCT offered a significant number of such training sessions and presentations in a large number of countries and in various languages. In addition, in 2009, the PCT began to use webinars and distance learning courses in order to further its reach. The PCT also continued to have regular contacts with top PCT applicants and to solicit their feedback through surveys. The use of the PCT information portion of the PatentScope™ website has been indispensable in the process of getting necessary data to PCT users, and subscriptions to the PCT email lists significantly increased in the biennium, showing a marked increase in interest in obtaining PCT information.

3. During the period under review, cooperation activities *vis-à-vis* Offices of PCT Member States in their various PCT capacities as receiving Offices, International Searching and Preliminary Examining Authorities, and designated and elected Offices, as well as countries interested in joining the PCT, were designed and carried out to contribute to a better understanding of the functioning of the PCT and the patent system among Offices' staff, practitioners, users and potential users, covering, *inter alia*, operational, technical, procedural, legal and training activities. Besides cooperating with a number of Offices on the basis of formal cooperative work programs, cooperation with other Offices continued and was intensified on an informal basis. As in previous years, training activities focused in particular on Offices and users in developing and least developed countries, notably, universities and research institutes. Technical cooperation projects concentrated on the electronic exchange of documents and data between the International Bureau and Offices in their various PCT capacities, resulting in over 75% of the International Bureau's incoming documents from Offices being received in electronic form, and increased use of electronic filing and processing systems by Offices, such as PCT-SAFE and PCT-ROAD. In addition to formal cooperation projects, a large number of Offices from both PCT Member States and Non-Member States were assisted on issues such as legal advice on PCT related questions, adaptation of national laws and regulations to the PCT legal framework, and translation services.

4. As regards the further development of the PCT system, Member States, during the second session of the PCT Working Group, considered, on the basis of a memorandum by the Director General (document PCT/WG/2/3), what should be done to help the PCT meet the expectations of

Member States, applicants seeking to protect their inventions and other interested parties. The Meeting concluded with the agreement that the PCT system can and should function more effectively, within the existing legal framework of the Treaty provisions, to deliver results which meet the needs of applicants, Offices and third parties in all Contracting States, without limiting the freedom of Contracting States to prescribe, interpret and apply substantive conditions of patentability and without seeking substantive patent law harmonization or harmonization of national search and examination procedures. Member States agreed that the relevant PCT bodies should continue their work to improve the PCT by discussing ways in which the objective set out above could be achieved, and that this should be done: (i) taking an incremental approach; (ii) in a member-driven process, involving broad-based consultations with all stakeholder groups, including regional information workshops; (iii) taking into account the recommendations contained in the WIPO Development Agenda; and (iv) taking into consideration the topics addressed in the draft roadmap proposed in document PCT/WG/2/3, subject to the discussions set out in the Working Group's report, taking note of certain concerns expressed by Contracting States and of any other topics which Contracting States may wish to address in order to achieve the objective. Member States further agreed that this work should be informed by an in-depth study factoring in, but not limited to, the following elements: (i) outlining the background of the need to improve the functioning of the PCT system; (ii) identifying the existing problems and challenges facing the PCT system; (iii) analyzing the causes underlying the problems; (iv) identifying possible options to address the problems; (v) evaluating the impact of the proposed options; and (vi) defining and clarifying concepts, such as 'duplication of work', 'unnecessary actions' etc.





5. The number of Contracting States rose during 2008 and 2009 from 138 to 142, with the new memberships of Chile, Peru, Sao Tome and Principe and Thailand.

## II. IMPLEMENTATION OF THE DEVELOPMENT AGENDA

6. PCT Operations, the registration and processing of PCT applications and the development of ICT systems to support effective and efficient processes, is a major part of the work of Program 5. However, as described in the Analytical Summary above, much of the work of the Program involves the promotion of the PCT system and technical cooperation and assistance to developing and least developed countries. This work directly contributes to the implementation of Development Agenda Recommendations 10, 11 and 31.

## III. PERFORMANCE DATA

### Key to Traffic Light System (TLS)

	Fully achieved (100%)
	Partially achieved (50% or more)
	Limited achievement (below 50%)
	Discontinued

Expected Result	Performance Indicators	Performance data	TLS
<i>PCT Operations Division</i>			
Containment of cost of receiving, processing and translating an international application	Workload Indicators Productivity Indicators	See Annex to this Program	

Expected Result	Performance Indicators	Performance data	TLS
Consistent, high quality services to PCT users	PCT Quality indicator		
<i>PCT Information Systems Division</i>			
A single consolidated processing environment supporting the PCT procedure	Reduction, to a minimum, of the number of separate processing systems supporting the PCT procedure	Functionality in a single consolidated environment was developed to allow the decommissioning of three legacy systems: a) the new bibliographic data management 'Bibadmin' system was developed replacing the CASPIA/ CASPRO systems; b) the SPIDI system was replaced by the 'Pubadmin' system; and c) the PATENTSCOPE® web service was developed. This system allows for the automation of the retrieval of PCT documents and bibliographic data via the internet. The system is an alternative to the COR (Communications On Request) specific ordering application to view, download and order PCT documents related to published PCT applications.	
	99% systems availability for agreed operations times.  Satisfactory systems performance based on user feedback	PCT systems historically have not been set up to track reliably system availability. An external review of the edossier system performance was carried out in 2009, resulting in the implementation of new tools for measuring system performance and identifying problem areas and related improvements. Prior to this exercise there were regular complaints on system stability and response times. Four performance upgrade rounds were conducted. In each cycle, users' feedback on systems performance was requested. User satisfaction progressively improved with each cycle.	

Expected Result	Performance Indicators	Performance data	TLS
<p>Increased capability for character-based (XML) electronic processing</p>	<p>Delivery of text (XML) based processing functionality, for the application body, into the PCT E-Dossier system.</p>	<p>Applicant supplied XML format text has been made available with the publication of international applications that are electronically filed as follows:</p> <ol style="list-style-type: none"> <li>1. For Japanese language applications filed with the receiving Office of Japan, including any amendments, starting from July 3, 2008.</li> <li>2. All Korean language applications filed with the receiving Office of the Republic of Korea, including any amendments starting July 2, 2009.</li> <li>3. For English language applications filed with the receiving Offices of Japan or the Republic of Korea, including any amendments, starting July 2, 2009.</li> </ol>	
	<p>10% of PCT publications will be accompanied by 100% accurate text (in place of OCR quality text)</p>	<p>By the end of 2009, 12% of PCT publications are accompanied by 100% accurate text in place of OCR quality text.</p> <p>The OCR capabilities in the internal PCT system now cover the Chinese, English, French, German, Japanese, Russian and Spanish languages. However, since the OCR results achieved in Chinese and Japanese are not yet sufficient for publication purposes, the OCR text generated to accompany PCT publications is limited to English, French, German, Russian and Spanish.</p>	
<p>Considerable progress made in the establishment of a fully electronic PCT procedure</p>	<p>65% of incoming documents arrive electronically</p>	<p>Over 2008 and 2009, the PCT-EDI system for data exchange under the PCT was the primary means for document receipt. It accounted for over 75% of incoming documents (based on page counts but excluding electronic sequence listings and including translated documents from outsourced translation companies), with scanning upon receipt representing less than 25% of the volume.</p>	

Expected Result	Performance Indicators	Performance data	TLS
	Reduction in exception cases presented through electronic document exchange	In 2008, the SHEP system was developed and deployed. It is a monitoring system for PCT-EDI that allows for identifying documents which cannot be automatically uploaded by PCT-EDI. The system can now detect and handle 17 types of data exceptions, with automated trouble-ticket creation for serious cases, enabling efficient and timely follow-up by the support team. A number of exception types have also been resolved at source through dialogue.	
Availability to applicants and Offices of a variety of PCT data and documentation, including certain confidential data via secure mechanisms	Data and documentation is regularly accessed by applicants and Offices.	<p>In 2009, modifications to the PCT E-Dossier system were made to allow for the upload of general applicant correspondence of published and unpublished PCT international applications through the <a href="#">PATENTSCOPE® PCT Service Centre</a> online service as an initial phase of a private file inspection facility. As part of a pilot phase beginning in September 2009, 67 applicants uploaded 370 documents for 220 international applications following which the service was fully launched in January 2010.</p> <p>Confidential data has not yet been made available via secure mechanisms, but an authentication service was developed based on the recommendations of the study on identification management conducted in 2008 and was made available in the test environment for acceptance and system integration testing.</p>	
<i>PCT Legal Division</i>			
Enhanced network of users and potential users in high volume PCT user countries and high growth PCT countries	Number of user training activities and potential user outreach activities in target countries	Some 192 PCT user training and potential user outreach activities, were organized in English, French, Spanish, German, Hebrew, Chinese, Japanese, Korean and Russian in a large number of countries including: Bahrain, Belgium, Bosnia and Herzegovina, Botswana, Canada, Chile, China, Colombia, Congo, Côte d'Ivoire, Costa Rica, Cuba, Denmark, Dominican Republic, El Salvador, Finland, France, Germany, Indonesia, Israel, Italy, Japan, Kenya, Namibia, Netherlands, Nigeria, Peru, Philippines, Republic of Korea, Singapore, Slovakia, South Africa, Spain, Sweden, Switzerland,	

Expected Result	Performance Indicators	Performance data	TLS
		<p>Thailand, The former Yugoslav Republic of Macedonia, United Kingdom, United States, Uzbekistan, Zambia. Several of the activities were targeted specifically at small and medium sized enterprises and individual inventors.</p> <p>The activities were presented in English, French, Spanish, German, Hebrew, Chinese, Japanese, Korean and Russian</p> <p>In addition, in 2009, some 4,970 participants completed the online PCT Distance learning course, and 348 persons participated in 6 PCT webinars in Spanish, Russian, English, Chinese and Japanese.</p>	
	<p>Number of subscribers to PCT email list services</p>	<p>The main PCT email list (<a href="http://www.wipo.int/listbox/pct-general">http://www.wipo.int/listbox/pct-general</a>) has increased by 26% since 2007 and now has 15,409 subscribers. In 2009, these e-mails were translated into Spanish as well in addition to English and French.</p> <p>The <i>PCT Applicant's Guide</i> e-mail listserver (<a href="http://www.wipo.int/listbox/pct-guide">http://www.wipo.int/listbox/pct-guide</a>) sends a weekly e-mail concerning weekly updates to the <i>Guide</i> to 4,864 subscribers - an increase of 50% since 2007.</p>	
<p>Improved understanding by the International Bureau of the needs and PCT strategies of the top PCT applicants worldwide</p>	<p>Regular contacts with the top PCT applicants worldwide</p>	<p>The International Bureau continued its regular contacts and discussions with top PCT applicants and organizations, the members of which represent those PCT applicants (via AIPPI, FICPI, APAA, ASIPI, AIPLA, IPO, ABA, ABPI, EPI, and ACHIFI). In 2008, a comprehensive PCT user survey was used to measure client satisfaction and service delivery.</p>	
<i>PCT International Cooperation Division</i>			
<p>Intensified cooperation with, and improved coordination of activities of, PCT Offices and Authorities covering, <i>inter alia</i>, operational, technical procedural, legal and training issues</p>	<p>Number of co-operation agreements with PCT Offices and Authorities</p>	<p>Cooperation continued with a number of Offices based on formal cooperative work programs and with other Offices on an informal basis, without any formal cooperation agreements in place or envisaged to be signed encompassing activities such as: PCT training and awareness programs, PCT information technology, and patent information and statistics, with a focus on training</p>	

Expected Result	Performance Indicators	Performance data	TLS
		<p>for Offices and users in developing and least developed countries, notably, universities and research institutes.</p> <p>WIPO organized, or participated in, PCT related national or regional cooperation activities in the following countries: Bosnia and Herzegovina, Honduras, Botswana, Brazil, Chile, Congo, Côte d'Ivoire, Costa Rica, Cuba, Dominican Republic, El Salvador, Indonesia, Kazakhstan, Kenya, Namibia, Nigeria, Nicaragua, Peru, Philippines, Slovakia, South Africa, Spain, Thailand, The former Yugoslav Republic of Macedonia, Uzbekistan and Zambia.</p> <p>Assistance in the context of their appointment as PCT International Authorities was provided to the IP Offices of Brazil and Egypt.</p> <p>Assistance in adapting the national legal framework to the PCT was provided to Bosnia and Herzegovina.</p> <p>Assistance in the context of their envisaged accession to the PCT was provided to Brunei Darussalam, Rwanda and Qatar</p>	
<p>Submission of proposals as to how the PCT system as a whole, especially the conduct of international search and preliminary examination, the presentation and transmission of its results, and the use of those results by designated Offices, might be improved to use the PCT system to its full potential and to maximize its value to applicants and designated Offices</p>	<p>Discussion and adoption of proposals by the appropriate PCT bodies</p>	<p>Member States considered, based on a memorandum by the Director General (document PCT/WG/2/3), what should be done to help the PCT meet the expectations of Member States, applicants seeking to protect their inventions and other interested parties. The second session of the PCT Working Group concluded with the agreement that the PCT system can and should function more effectively, within the existing legal framework of the Treaty provisions, to deliver results which meet the needs of applicants, Offices and third parties in all Contracting States, without limiting the freedom of Contracting States to prescribe, interpret and apply substantive conditions of patentability and without seeking substantive patent law harmonization or harmonization of national search and examination procedures. The relevant PCT bodies should continue their work to improve the PCT by discussing ways in which this objective could be achieved.</p>	

## IV. BUDGET UTILIZATION

Resource Utilization Revised Program and Budget 2008/09  
(in thousands of Swiss francs)

<u>Allocation</u>	<u>Actual Expenditure</u>	<u>% Utilization</u>
176,974	167,781	94.8%

7. Under expenditure under Program 5 was partly due to cost containment efforts made across all units (for instance, savings in travel-related costs following the introduction of cost efficiency measures in January 2009) and partly due to the following factors:

8. PCT Operations: The cost of outsourced translation work was less than the budgeted amount for 2008/09, as the translation volume was lower than anticipated. This was mainly due to the fact that, following the decision to add Korean and Portuguese as publication languages, the actual number of international applications filed in those languages was lower than expected as many of those filings continued to be in English, therefore requiring less resources than anticipated. In addition, translation outsourcing budgets are based on a complex calculation which is confirmed well after the initial budget is established and, as a consequence, budget monitoring and estimation is approximate.

9. PCT Information Systems: Certain annual licensing fees were renegotiated downwards and the use of "free-of-charge" licenses was increased during 2008/09. In addition, the initial development and test work related to identity management and user authentication was based on an unsupported open source version of the target solution which lead to a postponement of the use of funds foreseen for this activity. Finally, the ICC costs for the PCT mainframe were also lower than expected, partly due to the incremental decommissioning of the legacy CASPIA and CASPRO systems.

10. The PCT Legal services: Some savings were achieved through the increased use of technological means to maintain contact with and train PCT users, including Webinars, and through increased participation by commercial co-organizers of PCT seminars. In addition, the use of external expertise in certain regions was less than expected.

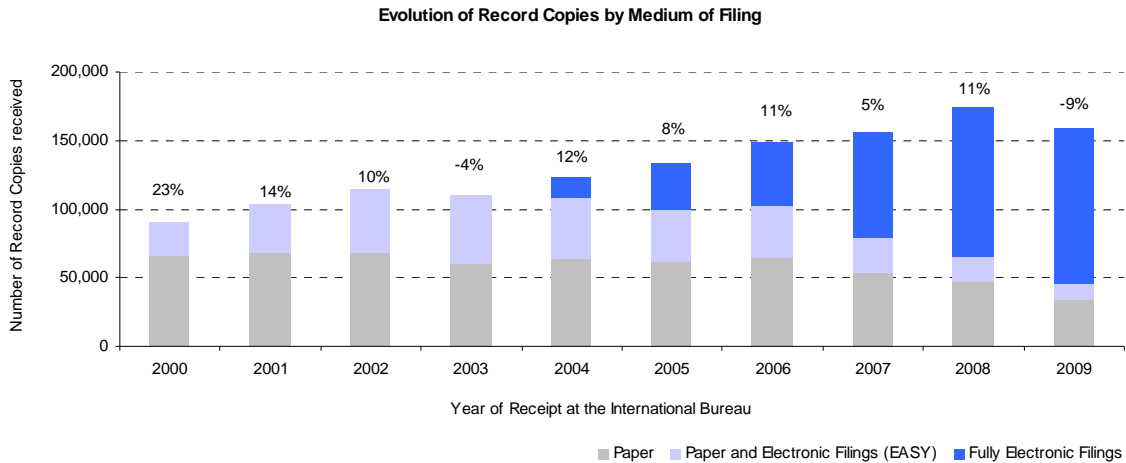


## Indicators for PCT Operations

### Workload Indicators

The usage of the PCT system for international patent filing has increased rapidly since the system was established in 1978, with an average annual increase of 6.3% of international applications in the last decade.

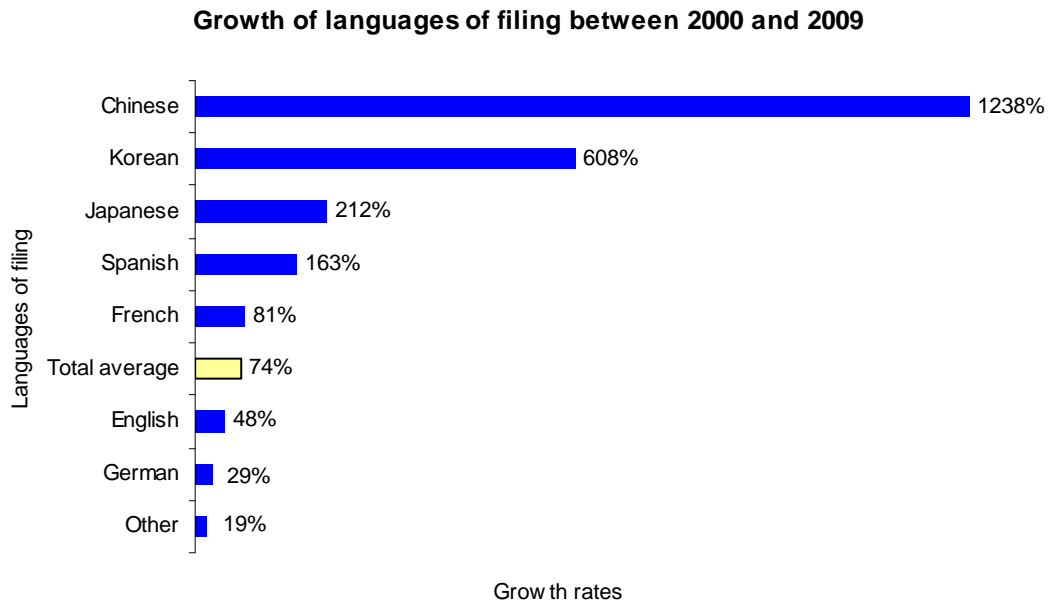
A useful indicator of the evolution of the PCT workloads at the International Bureau is the yearly number of record copies received by the PCT Operations<sup>2</sup>.



As can be noted, there was a reduction in the workload of the International Bureau in 2009. An important factor contributing to this reduction is the fall in the number of PCT applications filed in 2009 under the influence of the economic recession.

One fundamental development driving change in PCT Operations is the increasing language diversity of filings, resulting, in particular, from increased usage of the PCT System in East Asian countries.

<sup>2</sup> A record copy is a PCT application transmitted to the International Bureau by a receiving Office after its filing at, and its processing by, that Office. Because record copies are only received at the International Bureau after processing at a receiving Office, the figures are strongly influenced by processing times at these Offices. For this reason, trends in the receipt of record copies, while valid indicators of International Bureau workloads do not accurately match trends in the filing of PCT applications.



The growth rate of English filings, the main PCT language of filing, is now below the total average rate. Several other languages are growing at a higher rate, among which Chinese, Korean and Japanese.

## Productivity Indicators

Productivity is a measure of the output of a process per unit of input. Productivity can increase or decrease as inputs are used more or less efficiently in the production process.

*Measure of output:* In the case of the PCT, “publication” has been chosen as the primary measure of output, rather than the traditional measure of filings or record copies. Record copies and patent filings are rather considered inputs into the process as some of them may be withdrawn part way through the process. Publication may be delayed for others because of backlogs or other reasons that prevent completion of the work.

Publications therefore measure the number of PCT applications, which have been received, processed, translated, prepared for publication and communicated to designated Offices. This is a reasonable measure of the output of PCT Operations.

Republications and other forms of rework or additional work are not considered outputs. An increase in the number of republications, or the number of forms sent per application, is simply an increase in the average workload per application. If this workload increases, then a decrease in the productivity should be observed via a decrease in the number of publications PCT Operations is able to complete with the available resources.

*Measure of input:* The measure of input is based on two factors:

1. the financial cost of all inputs including staff, buildings, outsourcing contracts and other expenses.
2. the number of staff expressed as a full time staff equivalent (to take into account the staff who do not work full time).

From this information, two productivity indicators have been calculated: the unit cost indicator and the staff productivity indicator.

### ***Unit Cost indicator***

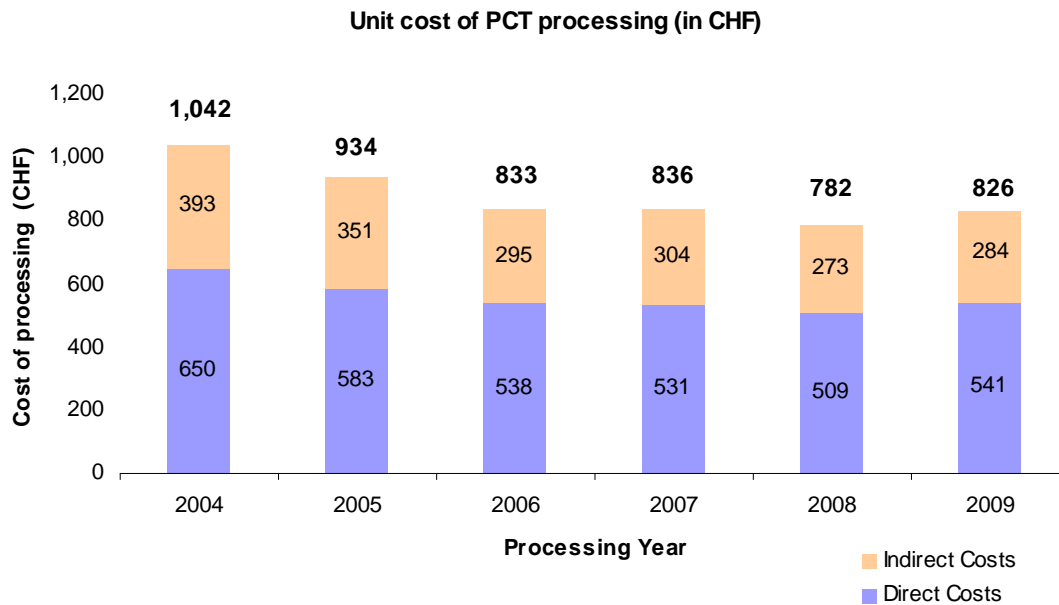
The definition of the unit cost used in this methodology is the average total cost of producing one unit of output. Average total cost is determined by the total of the PCT expenditures plus a proportion of

the expenditures of supporting and management activities. The unit cost is therefore an average total cost per publication and includes the cost of all PCT activities including translation, communication, management, etc.

The cost of production has been divided into two parts, the direct and the indirect cost. The direct cost corresponds to the expenditures of the units of the PCT system (the Administration of the PCT system and programs). The indirect cost includes the expenditures of the organization units that support the PCT system (e.g. Building, IT...). It should be noted that the PCT Operations only has the capacity to influence the direct cost. These expenditures must be weighted in order to take into account only their share attributable to the PCT system. The cost of storage of published applications has been added to the formula since the PCT system must store applications for 30 years.

$$\text{Unit cost} = \frac{\text{Total cost of production}}{\text{Number of publications}} + \text{Cost of storage}$$

Further refinements are possible but are not expected to result in major changes to the results. Extending the methodology to 2003 and earlier years is feasible but not trivial due to major differences in the WIPO budget structure. According to the methodology, the unit cost per PCT publication is estimated at 826 Swiss francs in 2009, which represents a decrease of 21% since 2004.



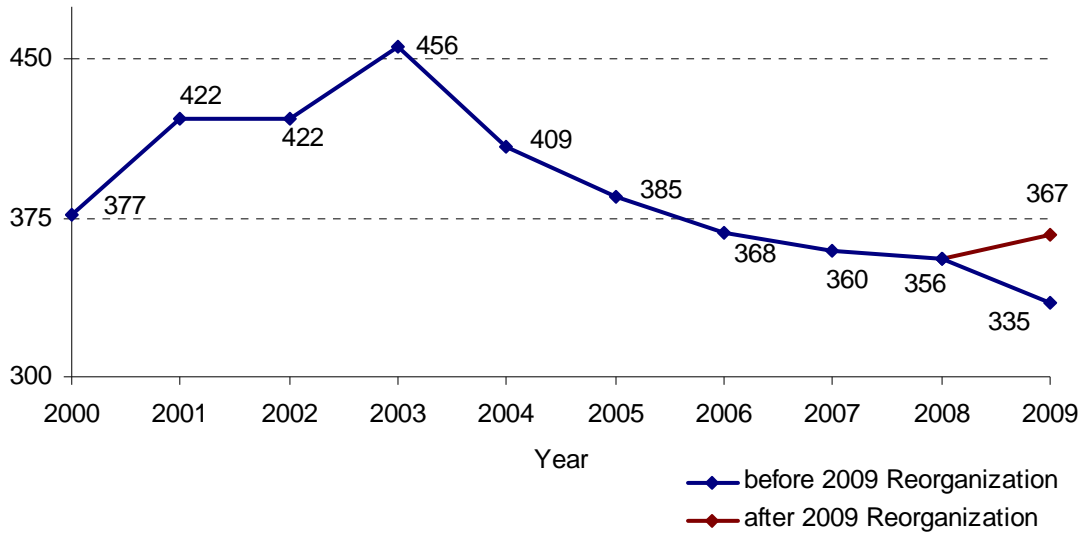
An increase in the direct unit cost can be observed in 2009, due to the decrease in the number of PCT International Applications published at the International Bureau without a corresponding decrease in the total cost of production (especially in non-personnel costs).

**Staff**

**Number**

The chart below shows the number of PCT Operations staff since 2000, in Full Time Staff Equivalent (- FTSE - total number of full-time staff plus the full-time equivalent of the part-time staff).

**Number of Personnel within PCT Operations Division**



The total number of personnel in the PCT Operations Division in 2009 is 367, compared to 356 in 2008. This increase is due to the fact that two existing units which were not part of the PCT Operations Division prior to 2009 (and therefore were not counted as part of its personnel at that time) were integrated into the Division in 2009. The units in question are the PCT Information Systems Service (30 persons) and the PCT fee handling team (two persons). Without the integration of these two units, the number of personnel in the Division would have decreased from 356 in 2008 to 335 in 2009.

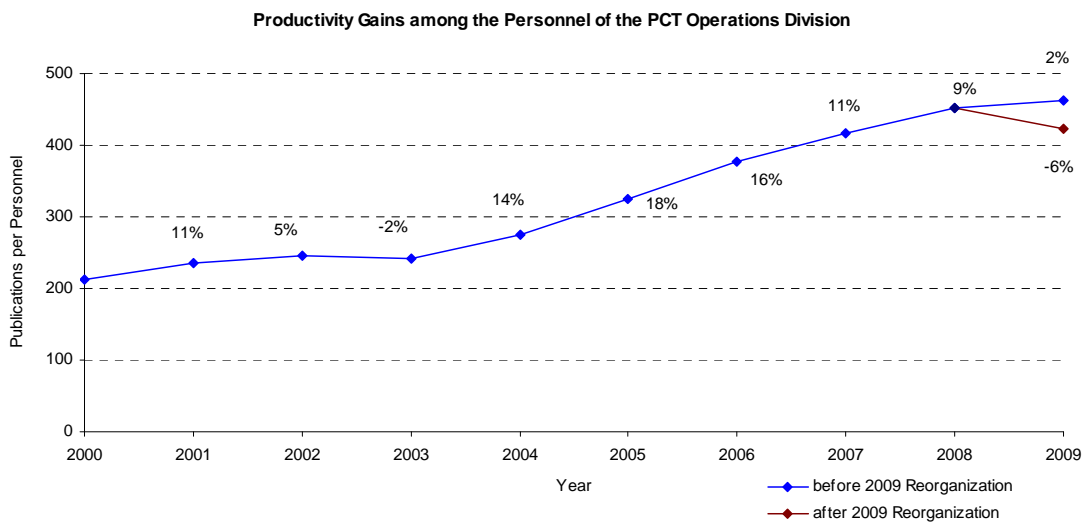
**Productivity Indicator**

The definition of staff productivity is output divided by the number of available staff. This calculation is easy to apply as the definition of its two components remains static over time and comparison between different periods is straightforward.

This method does however provide a partial picture of performance gains, as the only resource taken into account is staff. Thus some managerial decisions, such as outsourcing part of the work, will result in an apparent increase in staff productivity whereas overall productivity (as measured by the unit cost) may increase or decrease.

$$\text{Staff productivity} = \frac{\text{Number of publications}}{\text{PCT Op. FTSE}}$$

In this calculation, the number of staff is the number of full time staff equivalent (FTSE) in PCT Operations. The unit of output chosen is a PCT publication.

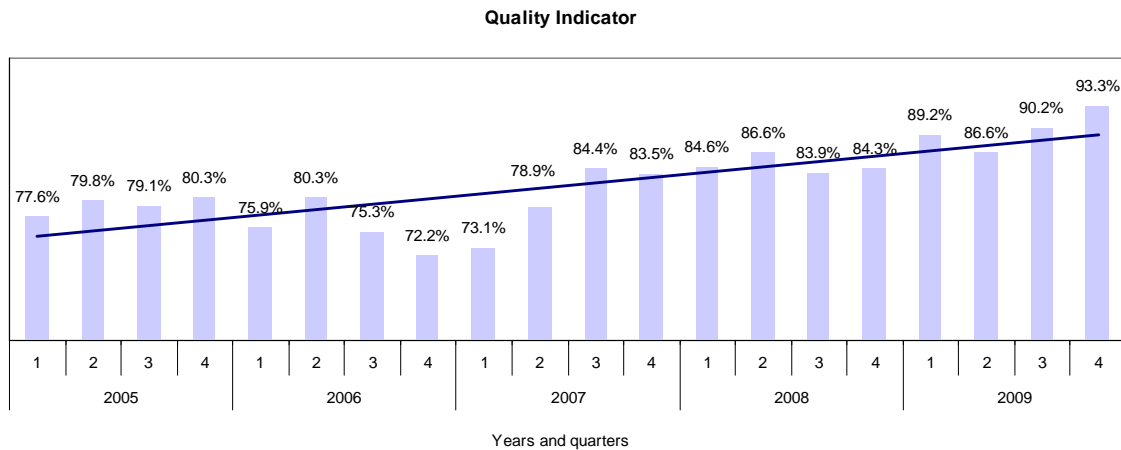


Reference is made to the remarks above regarding the effects of the integration of the two existing units into the PCT Operations Division. Without taking into account this integration, the productivity of the Division’s personnel would have increased by 2% in 2009.

### PCT Quality Indicator

In order to capture quality in a simple and comprehensive way, a single aggregate quality indicator has been developed, constructed from a set of four lead quality indicators. The quality indicator expressed as percentage of total possible quality, is decreasing when the quality of the PCT Operations decreases and *vice versa*.

The quality indicator is the simple average of four lead indicators, three of which are based on the timeliness of key transactions in the PCT system – acknowledgement of receipt of the record copy, publication and republication. The fourth indicator shows the number of quality defects resulting in republication code R5 (errors in bibliographical data, mostly due to manual data entry errors). Further refinements are possible in the future<sup>3</sup>.



<sup>3</sup> The indicator is computed as follow: 1. Percentage of form PCT/IB/301 (Notification of receipt of a PCT International Application) sent up to 5 weeks after the receipt at the International Bureau (IB) of the applications; 2. Percentage of PCT International Applications published up to 6 months and 3 weeks after the International Filing Date; 3. Percentage of later publication of international search report (ISR) made up to 2 months after the receipt of the ISR at IB; 4. Percentage of republications made due to correction of entry in Section I of the PCT International Application.

## Program 6: Madrid, Hague and Lisbon Systems

**OBJECTIVE** Efficient and cost-effective administration of the Madrid, Hague and Lisbon systems, increased geographical coverage of the systems and their further legal development, as well as increased awareness of their benefits

**Program Manager** *Ms. Binying Wang*

### I. ANALYTICAL SUMMARY

#### *The Madrid System*

1. The targets in terms of registrations and other documents were not fully reached owing to a 16% decrease in the number of new applications received in 2009. Throughout the biennium, the processing time of all documents related to international applications and registrations was reduced to an average of two weeks and the time needed to answer incoming queries did not exceed 48 hours in most cases. Further efficiency and quality gains will be reached once all IT developments related to translation and examination are fully available. Implementation of those tools is imminent. New accessions to the Madrid Protocol were beyond the number initially expected for the biennium.
2. The amendment of Article 9*sexies* of the Protocol came into effect on September 1, 2008. This entailed the repeal of the so-called safeguard clause.
3. As from the same date, the language regime of the Madrid system was enlarged in order to allow for the filing of international applications in any one of the three Madrid languages (English, French and Spanish), regardless of the treaty or treaties under which the international application has been made.
4. At its Assembly in September 2008, the Madrid Union adopted a number of amendments to the Common Regulations, with a date of effect of September 1, 2009. The amendments concerned Rules 16 and 17. The Assembly also approved the adoption of new Rules 18*bis* and 18*ter*. The amendments and the new rules are intended to render more transparent refusal procedures, and in particular, provide for the issuing of statements of grant of protection, which previously had been voluntary.
5. In parallel with this, the International Bureau introduced into the ROMARIN database a modification meaning that where a provisional refusal with respect to a given mark has not been recorded in the International Register, and the refusal period has expired, a data entry to that effect is published in the database.
6. Additionally, as from January 1, 2009, notifications of provisional refusal together with other communications notified to the International Bureau under Rules 16 to 18*ter*, which have led to a corresponding recording in the International Register, are made available in ROMARIN in pdf format.
7. As of the first issue of the Gazette in 2009, the paper version has been discontinued and replaced by an electronic version available on the Madrid system website. The new E-gazette includes the same contents of the paper version in a new layout. Users can browse each issue by origin of holder, designated or interested country or organization for each type of transaction, or search one or all of the issues within a single year by international registration number, holder name and/or mark. For each transaction, it also offers a link to the corresponding mark in ROMARIN, which gives a full view of the history of the mark.

### *The Hague System*

8. In the biennium, the volume of registration activity under the Hague system continued to increase. In 2009, the International Bureau recorded 1,681 international registrations (10.4% increase compared to 2008) for the protection of 8,820 designs (11.4% increase compared to 2008). Despite the increase in the number of international registrations and designs, the number of designated Contracting Parties suffered a decrease. The likely reason for the decrease is that many applicants chose to make a single designation of the European Union as a whole instead of designating those Member States of the European Union that were also Contracting Parties to the Hague Agreement.

9. In 2009, the number of renewals recorded by the International Bureau decreased by 13.3% relative to 2008. This decrease appears to be the result of the significant decrease in registration activity that took place five years ago.

10. The number of modifications recorded by the International Bureau decreased during the biennium due to a very significant decrease in the number of requests for changes in ownership and changes in name or address of the holder or the representative. On the other hand, the number of statements of grant of protection notified to the International Bureau increased significantly.

11. As of January 2008, a facility for the electronic filing has been available on the WIPO Hague website. The electronic form has been updated regularly to improve the user interface, including, for example, the addition of an automatic link to the fee calculator. The popularity of electronic filing has been steadily advancing, so as in the second half of 2009 already 61% of the applications were filed electronically.

12. Since November 2008, an electronic interface for the payment of fees with regard to international applications or registrations is available on the WIPO Hague website under "Online Services". Electronic payment may be used in any situation where the International Bureau has indicated in a communication the amount of fee payable within an applicable time limit.

13. Amendments to the legal regime of the Hague system took effect in January 2008 to provide for more flexibility in the fee system, thus matching more appropriately existing situations in Contracting Parties. Further amendments adopted by the Hague Union Assembly in September 2008 extended the fee reduction scheme in respect of applicants from least-developed countries to intergovernmental organizations, the majority of whose members are least-developed countries.

14. In addition, provisions were adopted laying down a defined regulatory framework for the optional notification of statements of grant of protection, thus enhancing the level of information available to users and third parties regarding the fate of international registrations in designated Contracting Parties. The amendments took effect in January 2009.

15. In order to simplify the procedures of the Hague system, the 15 Contracting States to the 1934 Act of the Hague Agreement decided, at an Extraordinary meeting held on September 24, 2009, to freeze the application of this Act with effect from January 1, 2010. In taking this decision, the Contracting States intended that no new designation under the 1934 Act could be recorded in the International Register, but this freeze would be without prejudice to the continuation in force of designations recorded in the International Register before the effective date of the freeze. To clearly reflect that decision of the Contracting States to the 1934 Act, the Hague Union Assembly adopted in September 2009 a new set of Common Regulations, limited to the application of the 1960 and the 1999 Acts, to come into effect on January 1, 2010. By the same token, provisions were adopted for the inclusion of Spanish in the language regime of the Hague system, as of April 1, 2010.

### *The Lisbon System*

16. In the biennium, seven new appellations of origin were recorded in the International Register and notified to member countries (three in 2008 and four in 2009). None was cancelled. As a result, the total number of appellations of origin registered under the Lisbon system and notified to Lisbon Union member countries increased from 884 to 891 by the end of 2009 and the total number of those still in force by that date from 810 to 817. The number of changes to data concerning appellations of origin recorded in the International Register and notified to member countries was six (four in 2008 and two in 2009). A total of 590 refusals were recorded (586 in 2008 and four in 2009). The recorded



number of withdrawals of refusals and related declarations amounted to 16 (all in 2008). The number of invalidations that was recorded was three (all in 2008).

*Automation (Madrid, Hague and Lisbon Systems)*

17. Uptake of MECA input continues to be problematic for Offices, who have limited resources to elaborate the necessary software to process all output MECA transactions. Offices who have the resources normally only automate the high volume transactions such as registrations and subsequent designations. Offices currently NOT receiving paper notifications at all number 14. The number of offices receiving at least part of their notifications in electronic form is 58.

18. The development of the database of acceptable goods and services terms during 2009, and its user interface the Madrid Filing Assistant (MFA), is the first step of an incremental approach to the provision of a Madrid electronic filing tool. The MFA is an Internet based tool that is designed to enable applicants to validate the classification of the list of goods and services that they seek protection for prior, to filing their international applications. The MFA has been demonstrated on numerous occasions and will be made available on the Internet once a total of 30,000 goods and services entries have been added.

19. The Madrid Portfolio Manager (MPM), which enables Madrid holders and representatives to access the detail and status of registrations in their portfolios online, has been developed during the course of 2009. The facilities are being tested by selected external users and are scheduled for production release in 2010. The Madrid Electronic Alert (MEA) system has also been developed to enable users to establish lists of international registrations that they wish to monitor, where they will receive an email alert each time a registration in the list is modified. The email will include a hyperlink to the ROMARIN database where the modification is displayed.

20. As regards the WIPO Gazette of International Marks and ROMARIN, reference is made to paragraphs 5, 6 and 7 above.

21. The *International Designs Bulletin* is published once a month in electronic format only on the WIPO Hague website. As a result of the introduction of Spanish as a working language in the Hague system, as from April 2010, the Bulletin will be available also in Spanish. Further improvements to the electronic filing interface will take place during 2010/11, including regularly updated "E-filing help", in the three languages of the Hague system. In addition, a project for electronic renewal interface is launched to enable to renew the international registrations electronically.

22. An online edition of the latest issue of the *WIPO Bulletin "Appellations of Origin"*, issued in December 2009, was published on the WIPO website and is available free of charge and offers full text search facilities. The Bulletin is the official WIPO publication of the Lisbon system, for the publication of new registrations and other recordings in the International Register as well as information concerning changes in the legal framework of the Lisbon system. In addition, the Bulletin contains statistical information concerning registered appellations of origin. Administrative Instructions were established (see below) which allow for the use of electronic means for the transmittal of communications between the International Bureau and the competent authorities of Member States.

*Development and Promotion of the International Registration Systems (Madrid, Hague and Lisbon)*

23. During the 2008/09 biennium, the number of Contracting Parties to the Madrid Protocol and the 1999 Geneva Act of the Hague Agreement continued to increase as did the overall membership of the Madrid and Hague Unions. Contracting Parties to the 1999 Geneva Act of the Hague Agreement increased from 24 to 36, bringing the total number of the Hague Union members from 45 to 56. Work towards the termination of the 1934 Act was initiated in order to continue the simplification of the Hague system. For the first time ever in the organization of an in-house seminar on the Hague system and in line with the carbon neutrality project, the material handed over to the participants was downloaded on a USB key replacing the traditional paper file.

24. The Working Group on the Development of the Lisbon System, established by the Lisbon Union Assembly in September 2008, had its first meeting in March 2009. Following recommendations of the Working Group, the Assembly adopted a number of amendments to the Regulations under the Lisbon Agreement during its session in September 2009. New provisions were introduced which will, on the one hand, allow enhancing the level of information available to users and third parties regarding the fate of international registrations in the Member States of the Lisbon Agreement and, on the other hand, allow for the establishment by the Director General of Administrative Instructions for the application of the Lisbon Agreement. The amendments to the Regulations and the newly established Administrative Instructions entered into force on January 1, 2010. The Assembly also extended the mandate of the Working Group based on the need to look for improvements of the Lisbon system which would make the system more attractive for States and users, while preserving the principles and objectives of the Lisbon Agreement. In this context, a questionnaire survey to governments, intergovernmental organizations, non-governmental organizations and other stakeholders has been initiated on the international protection of geographical indications and appellations of origin.

II. IMPLEMENTATION OF THE DEVELOPMENT AGENDA

25. As indicated in the revised Program and Budget 2008/09 (Publication No. 360E/PB0809), there were no links to Development Agenda Recommendations. This has been rectified in the Program and Budget 2010/11 which links Program 6 to Development Agenda Recommendations 1 and 6 (please see Annex II for a list of all 45 Development Agenda Recommendations). However, in the context of the mainstreaming of the Development Agenda, the Program adhered to the spirit of those Development Agenda recommendations.

III. PERFORMANCE DATA

Key to Traffic Light System (TLS)

- Fully achieved (100%)
- Partially achieved (50% or more)
- Limited achievement (below 50%)
- Discontinued

Expected Results	Performance Indicators	Performance data		TLS		
Increased use of the Madrid system	Registration activity concerning international trademark applications and requests for the renewal or modification of international registrations, resulting in the following recordings:					
		<u>2008</u>	<u>2009</u>	<u>2008</u>		<u>2009</u>
	New registrations:	42,000	42,600	40,985		35,925
	Renewals:	19,000	19,700	19,472		19,234
	Total:	61,000	62,300	60,457		55,159
	Subsequent designations:	11,400	11,900	12,070		10,797
Other changes:	82,000	88,000	91,300	90,136		
Refusals and related notifications:	250,000	280,000	268,430	267,820		

Expected Results	Performance Indicators	Performance data	TLS																														
Increased use of the Hague system	<p>Registration activity concerning international industrial design applications and requests for the renewal or modification of international registrations, resulting in the following recordings:</p> <table border="1" data-bbox="464 398 976 674"> <thead> <tr> <th></th> <th><u>2008</u></th> <th><u>2009</u></th> <th><u>2008</u></th> <th><u>2009</u></th> </tr> </thead> <tbody> <tr> <td>New registrations:</td> <td>1,500</td> <td>2,300</td> <td>1,523</td> <td>1,681</td> </tr> <tr> <td>Designs contained therein:</td> <td>7,500</td> <td>11,500</td> <td>7,920</td> <td>8,820</td> </tr> <tr> <td>Renewals:</td> <td>3,200</td> <td>2,700</td> <td>3,169</td> <td>2,749</td> </tr> <tr> <td>Total registrations and renewals:</td> <td>4,700</td> <td>5,000</td> <td>4,692</td> <td>4,430</td> </tr> <tr> <td>Refusals and changes:</td> <td>3,300</td> <td>3,700</td> <td>4,258</td> <td>3,894</td> </tr> </tbody> </table>		<u>2008</u>	<u>2009</u>	<u>2008</u>	<u>2009</u>	New registrations:	1,500	2,300	1,523	1,681	Designs contained therein:	7,500	11,500	7,920	8,820	Renewals:	3,200	2,700	3,169	2,749	Total registrations and renewals:	4,700	5,000	4,692	4,430	Refusals and changes:	3,300	3,700	4,258	3,894		
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Swift, reliable and cost-effective processing of applications and other communications	<p>The needed time for the processing of Madrid, Hague and Lisbon applications and other requests for recording in the international registers should, on average, be about three weeks from their receipt by the International Bureau, provided they do not contain irregularities.</p>	<p>The processing time of 95% of operations was less than three weeks.</p> <p>In 2009, the processing of Lisbon applications and other requests for recording was, on average, about four weeks from their receipt.</p>																															
	<p>An automatic pre-translation service of standard lists of goods and services will become operational.</p>	<p>Implementation awaiting finalization of IT developments.</p>																															
	<p>A translation database will become operational allowing for quicker and more consistent processing of international applications.</p>	<p>22,000 indications available, implementation to take place when 30,000 indications have been entered.</p>																															
Increased quality of service	<p>Criteria aimed at more consistency in the application of the Nice Classification will become operational.</p>	<p>The level of consistency in terms of examination and translation depends on the evolution of the database of accepted terms which should become a widely used tool for applicants for the submission of lists of goods and services. The higher the number of terms in the database, the more consistency can be achieved.</p>																															

Expected Results	Performance Indicators	Performance data	TLS
	The number of errors requiring corrections in the International Register should be kept at a minimum.	A baseline using some global statistics has been established at the end of 2009. A final version of the reporting options on errors will be established once legal clearance on some related issues has been given. This should be concluded during the first half of 2010.	
	The establishment of an Internet page listing FAQs.	Published.	
	Information queries should be answered expeditiously; the aim will be to answer 80% of the queries that are of a simple nature within two working days.	The time needed to answer incoming queries did not exceed 48 hours in most cases.	
Enhanced electronic filing and communication under international registration procedures	At least, double the number of Offices using Input MECA; paper communications with current Output MECA Offices reduced by 10%.	14 Offices were no longer receiving paper notifications.	
	At least 10 new Offices receiving notifications by electronic means.	24 Offices were receiving PDF notifications.	
	Additional electronic filing facilities in place for applicants and holders of international registrations under relevant procedures.	MFA, e-Payment gateway.	
	Improvements to the system for the electronic notification by the International Bureau to applicants and holders of international registrations under relevant procedures.	Madrid Portfolio Manager and Madrid Electronic Alerts.	
Increased international coverage of the Madrid, Hague and Lisbon systems	Six new Contracting Parties to the Madrid Protocol.	Seven new Contracting Parties: Bosnia and Herzegovina, Egypt, Ghana, Liberia, Madagascar, Sao Tome and Principe, and Sudan.	
	Ten new Contracting Parties to the 1999 Act of the Hague Agreement.	Twelve new Contracting Parties: African Intellectual Property Organization (OAPI), Bosnia and Herzegovina, Bulgaria, Denmark, European Union (EU), Ghana, Lithuania, Mongolia, Oman, Poland, Sao Tome and Principe, Syrian Arab Republic.	

Expected Results	Performance Indicators	Performance data	TLS
	One new Contracting Party to the Lisbon Agreement.	No new Contracting Parties.	
Improved procedures under the Madrid, Hague and Lisbon systems	Adoption, by the relevant Assembly, of amended provisions laying down the procedures under the Madrid, Hague and Lisbon systems.	<p>Adoption by the Assembly in 2008, of amendment to the common regulations, with effect of September 1, 2009 (Rules 16, 17, 18bis and 18ter).</p> <p>Under the Hague system, amendments to the Common Regulations entered into force as from January 1, 2008. Further amendments were adopted by the Hague Union Assembly at its session in 2008, and entered into force on January 1, 2009. On September 24, 2009, the Contracting States to the 1934 Act decided to freeze the application of this Act with the effective date of January 1, 2010, and a new set of Common Regulations were adopted by the Hague Union Assembly at its session in 2009 to give effect to this decision and introduce Spanish in the language regime of the system.</p> <p>Under the Lisbon system, amendments were adopted by the Lisbon Union Assembly at its session in 2009. Administrative Instructions were established by the Director General.</p>	

IV. BUDGET UTILIZATION

Resource Utilization Revised Program and Budget 2008/09  
(in thousands of Swiss francs)

<u>Allocation</u>	<u>Actual Expenditure</u>	<u>% Utilization</u>
61,463	57,757	94.0%

26. The underexpenditure in Program 6 was primarily due to the following reasons:

- Personnel resources: a number of posts, including the flexibility posts approved as part of the 2008/09 revised budget, were held back due to lower than expected levels of registration activities.
- Technical missions: due to the sudden hiatus in Madrid first time accessions and progressive simplification of the system following improvements made to the legal framework, technical missions to support proper implementation of the procedures were rationalized.
- Outsourced translation: there was some underexpenditure with regards to the outsourced translation work as it became apparent that the translation of final decisions was not the most important requirement for holders. It was therefore decided to stop these translation activities. A study on the actual needs for the translation of these documents is currently ongoing.

**Program 7: Arbitration, Mediation and Domain Names**

**OBJECTIVE** To contribute to the productive use of intellectual property assets through the provision of quality dispute-resolution services that involve the minimum dislocation for intellectual property assets under dispute, and to enhance the legal framework for the protection of intellectual property in the Internet Domain Name System

**Program Manager** *Mr. J. C. Wichard*

## I. ANALYTICAL SUMMARY

1. International and domestic intellectual property disputes are increasingly resolved through arbitration and mediation. A central element of the WIPO Center's strategy for meeting the challenges and achieving the objectives of this Program is the promotion of awareness in industry and among professionals of the appropriateness and advantages of alternatives to court litigation for resolving intellectual property disputes. This implies responsive communication with intellectual property owners and users, for example through the production and dissemination of brochures, web guidance, presentations, video conferences, webinars, and replies to queries.

2. In 2008/09, the WIPO Center worked to optimize the potential of its procedures to meet the needs of intellectual property right holders for timeliness and cost-effectiveness in the resolution of disputes in relation to those rights. The principal component of this effort is quality management and resolution of cases conducted under those procedures, which entails training and appointing qualified arbitrators and mediators, maintaining up-to-date case administration infrastructure, including through use of information technology, and active management of WIPO cases, including support to appointed neutrals. In particular, in 2008/09, parties involved in several arbitrations arising out of international patent, trademark and software disputes under WIPO Rules used the WIPO Electronic Case Facility (ECAF). In the area of domain names, following a 2008 WIPO Center proposal made to the Internet Corporation for Assigned Names and Numbers (ICANN), the WIPO Center launched an essentially paperless Uniform Domain Name Dispute Resolution Policy (UDRP) procedure in late 2009. This development is expected to substantially reduce the time and cost involved in submitting WIPO UDRP filings and to save up to one million pages of paper filed per year. Making further use of information technology, the Center was able in 2009 to reduce the average duration of its domain name cases.

3. The Center also worked with intellectual property owners and users and their representative organizations towards the establishment of alternative dispute resolution procedures specifically adapted to the particular features of recurrent disputes in their areas of activity. Streamlined standard procedures and efficient case administration infrastructure can facilitate productive use of the intellectual property rights involved. In particular, in 2008, at the request of the Association of International Collective Management of Audiovisual Works (AGICOA), the Center developed WIPO Expedited Arbitration Rules for AGICOA tailored to the specific needs of AGICOA right holders. In late 2009, the WIPO Center developed WIPO Mediation and Expedited Arbitration Rules for Film and Media specifically tailored to resolve potential disputes in the film and media sectors. Both initiatives provide intellectual property owners and users new and effective means to address especially international copyright disputes.

4. The Center strives to provide leadership in the development of dispute settlement solutions to tensions arising from the unauthorized use of intellectual property on the Internet. Using its daily experience with domain name disputes, the Center expended significant resources in liaising with stakeholders in the Internet Domain Name System. This significant policy activity concerns in particular the creation of mechanisms for the protection of trademark and other intellectual property rights at the first level in the introduction and operation of further generic Top Level Domains (gTLDs). Notably, ICANN adopted Center input on a procedure for pre-delegation screening against trademark criteria of new gTLD registry applications, and at the Center's initiative is developing a procedure to address potential registry involvement in trademark abuse in the post-delegation phase.

5. The Center continued to liaise with the administrators of country-code Top-Level Domains (ccTLDs) in different regions, and created and implemented dispute resolution policies for a number of such domains, thus expanding the basis for WIPO case administration.

II. IMPLEMENTATION OF THE DEVELOPMENT AGENDA

6. As indicated in the revised Program and Budget 2008/09 (Publication No. 360E/PB0809), there were no links to Development Agenda Recommendations in Program 7. This has been rectified in the Program and Budget 2010/11 which links Program 6 to Development Agenda Recommendations 1, 6 and 10 (please see Annex II for a list of all 45 Development Agenda Recommendations).

7. In 2008/09, the WIPO Center organized tailor-made arbitration and mediation programs for intellectual property officials and practitioners, and further assisted national domain authorities in the establishment of best registry practices and dispute resolution mechanisms, as relevant to developing countries and countries in transition. These activities related to the following adopted Development Agenda Recommendations: 1, 6 and 10.

III. PERFORMANCE DATA

Key to Traffic Light System (TLS)

- Fully achieved (100%)
- Partially achieved (50% or more)
- Limited achievement (below 50%)
- Discontinued

Expected Results	Performance Indicators	Performance data	TLS
International and domestic intellectual property disputes are increasingly resolved through arbitration and mediation	Increase in the number of arbitration and mediation cases administered by the Center	50 mediation and arbitration cases were filed with the WIPO Center in 2008/09. The number of arbitration and mediation cases administered by the Center in 2008 and 2009 came to 24 and 26 respectively. As of December 2009, the WIPO Center had administered over 210 mediations and arbitrations, the majority of which were filed in the last five years. The subject matter of the cases filed with WIPO includes licenses and other types of agreements involving intellectual property and certain domain name disputes under arbitration rules. As to the latter, as of February 2008 the administrators of the .nl domain adopted a UDRP-based procedure and, as a result, disputes relating to such names filed after that date have since been included in ccTLD-related statistics below.	



Expected Results	Performance Indicators	Performance data	TLS
		<p>The WIPO Center regularly provides procedural guidance to parties in order to facilitate the submission of their dispute to mediation or arbitration. These "Good Offices" services have involved requesting parties based in developed and developing countries.</p>	
<p>Effective intellectual property protection in the gTLDs</p>	<p>3,000 gTLD UDRP cases resolved</p>	<p>3,813 gTLD UDRP cases were filed with the WIPO Center in 2008/09. 3,554 of those cases were resolved during that period, with the remainder expected to be resolved in 2010. Since December 2009 these cases make use of the Center's new eUDRP facility. The WIPO Center received 2,009 gTLD UDRP-based cases in 2008, all of which (together with a number of cases received but not yet resolved in 2007) were resolved during the 2008-09 period. Of the 1,804 gTLD cases filed in 2009, a total of 1,545 were resolved during that year.</p>	
	<p>Implementation by ICANN and new gTLD registries of WIPO policy recommendations</p>	<p>In one of the most ambitious developments of the Domain Name System since its inception, ICANN is working towards the introduction of large numbers of new Top Level Domains. The WIPO Center in 2008/09 had regular contact with ICANN to propose and promote dispute resolution mechanisms designed to help safeguard the legitimate interests in particular of trademark owners during this program's application (pre-delegation) and subsequent operational (post-delegation) phases.</p>	
<p>Effective intellectual property protection in the ccTLDs</p>	<p>150 ccTLD UDRP-based cases resolved</p>	<p>623 ccTLD UDRP-based cases were filed with the WIPO Center in 2008/09, 573 were resolved during that period, with the remainder expected to be resolved in 2010. The WIPO Center received 320 ccTLD UDRP-based cases in 2008, all of which (together with a number of cases received but not yet resolved in 2007) were resolved during the 2008/09 period. Of the 303 ccTLD cases filed in 2009, 253 were resolved during that year.</p>	

Expected Results	Performance Indicators	Performance data	TLS
	Six more ccTLD administrators with improved design or administration of intellectual property protection mechanisms	Nine additional ccTLDs administrators designated the WIPO Center to provide domain name dispute resolution services in 2008/2009. In 2008, the number of ccTLD registries which had designated WIPO to provide such services rose from 53 to 56 with the addition of Bermuda (.bm), the Commonwealth of the Northern Mariana Islands (.mp), and Sierra Leone (.sl). In 2009, the number grew from 56 to 62 with the addition of Angola (.ao), Bolivia (.bo), Cayman Islands (.ky), Costa Rica (.cr), Dominican Republic (.do), and Honduras (.hn).	

#### IV. BUDGET UTILIZATION

Resource Utilization Revised Program and Budget 2008/09  
(in thousands of Swiss francs)

<u>Allocation</u>	<u>Actual Expenditure</u>	<u>% Utilization</u>
8,823	8,031	91.0%

8. Some cost savings were realized on the 2008/09 budget allocation on account of several factors:

- The Center deferred the recruitment of five departed SLC case managers. (As a result of demand for WIPO's domain name dispute resolution services in 2009, with 2,107 UDRP complaints filed, and the filing trend in the first quarter of 2010, the replacement of departed SLC case managers (SLCs) is now underway.);
- The introduction in January 2009 of WIPO's new travel policy contributed to reducing travel costs;
- In the first half of 2009 a number of external organizers cancelled various events as the expected level of participation was low and this in turn reduced the number of missions undertaken by the Center's staff;
- Instead of undertaking certain missions, the Center made increased use of videoconferencing and webinars.

**Program 8: Development Agenda Coordination****OBJECTIVE** Successful coordination of the Development Agenda process**Program Manager** *Mr. G. Onyeama***I. ANALYTICAL SUMMARY**

1. Program 8 was established in 2009 through the revised Program and Budget for 2008/09, to strengthen implementation of the WIPO Development Agenda. The Program is dedicated to the successful coordination of the WIPO Development Agenda process. Prior to 2009, coordination of the Development Agenda was undertaken by the former Program 3: "Strategic Use of IP for Development".

2. During 2008, the Program facilitated two sessions of the Committee on Development and Intellectual Property (CDIP). The Committee established its rules of procedure, agreed on a methodology for elaboration of the workplans for implementation of the recommendations and elaborated the work program for 11 recommendations. Recommendations which required no additional human or financial resources for implementation were also implemented during the year.

3. During 2009, the implementation of the Development Agenda gathered momentum as the Organization undertook a concerted effort to mainstream implementation of the Development Agenda in the revised Program and Budget for 2008/09 in which all relevant WIPO programs were linked to the Development Agenda Recommendations. In addition, a project-based methodology was introduced which provided a more structured approach to implementation, more complete information on the activities proposed and their timeframes, greater transparency on the financial and human resources and indicators that would enhance the CDIP's ability to monitor and review implementation. Moreover, grouping recommendations that covered similar subject matter into "thematic projects" enabled the Committee to accelerate its consideration of recommendations and enhance efficiency in implementation. Periodic progress reports were provided to the CDIP to enable it to monitor and assess implementation.

4. In order to increase awareness of the implementation of the Development Agenda and its benefits, a number of information and consultation meetings and briefings were organized to inform delegates in Geneva and capital-based policy-makers. In order to fully involve all stakeholders, representatives from IGOs, NGOs, business associations and academia were also invited to participate.

**II. IMPLEMENTATION OF THE DEVELOPMENT AGENDA**

5. As indicated in the revised Program and Budget 2008/09 (Publication No. 360E/PB0809), Program 8 is responsible for the coordination of implementation of all 45 WIPO Development Agenda Recommendations (please see Annex II for a list of all 45 Development Agenda Recommendations). However, in the context of the mainstreaming of the Development Agenda, the Program adhered to the spirit of those Development Agenda recommendations.

III. PERFORMANCE DATA

Key to Traffic Light System (TLS)

- Fully achieved (100%)
- Partially achieved (50% or more)
- Limited achievement (below 50%)
- Discontinued

Expected Results	Performance Indicators	Performance data	TLS
Mainstreaming of the development dimension into programs through concrete and effective projects and activities	Number of recommendations discussed in the Committee for finalization of work plans	26 Recommendations (out of the 45) have been discussed by the Committee and initial work plans have been developed and approved for 23.	
	Number of projects and activities launched to implement the adopted recommendations	14 projects have been launched to implement the Recommendations. Other activities have been undertaken with respect to the implementation of the 19 Recommendations indicated for immediate implementation by the General Assembly. These have included the integration of the Development Agenda principles into ongoing WIPO activities.	
Effective monitoring, assessment and reporting on implementation of recommendations	Establishment of robust project planning and monitoring mechanisms and project evaluation criteria	A robust project mechanism is an integral part of the project-based methodology approved at the third session of the CDIP. Each project has its own criteria/indicators for self-evaluation and require periodic reporting using the pre-defined templates. In addition, a thematic project combining Recommendations 33, 38 and 41 which aims to strengthen the RBM framework of the organization to <i>inter alia</i> assess its suitability to monitor Development Agenda implementation was also approved by the Committee.	
	Number of progress and evaluation reports submitted to Member States	A progress report on the 19 Recommendations for which implementation commenced in October 2007 was submitted to the third session of the CDIP and a report on nine projects for which implementation began in early 2009 were submitted to the fourth session.	

## IV. BUDGET UTILIZATION

Resource Utilization Revised Program and Budget 2008/09  
(in thousands of Swiss francs)

<u>Allocation</u>	<u>Actual Expenditure</u>	<u>% Utilization</u>
5,468	4,893	89.5%

6. Under-expenditure under Program 8 was the result, primarily, of the revision of its mandate, originally the Intellectual Property and Economic Development Division (IPEDD) and now the Development Agenda Coordination Division (DACD), from a basic focus on economic research and analysis on the benefits of the IP system, to providing support to the work of the Committee on Development of Intellectual Property (CDIP). The change took place midway through the biennium and a revised work plan became available in June 2009.

**Program 9: Africa, Arab, Asia and the Pacific, Latin America and the Caribbean Countries, Least Developed Countries**

**OBJECTIVE** Enhanced and sustainable IP capacities, knowledge base and institutional infrastructure, dovetailed with national strategies and enabling effective use of IP for development objectives

**Program Manager:** *Mr. G. Onyeama*

**I. ANALYTICAL SUMMARY**

1. The Revised Program and Budget for 2008/09 stipulated that “a main plank of the strategy during the 2008/09 biennium will be to encourage and support countries to develop national IP and innovation strategies containing specific targets which would enable them to assess existing IP systems and determine the elements which need to be strengthened and reinforced”. National IP strategies and development plans have served as integrated and comprehensive frameworks for addressing the goal of building strong and sustainable IP capacities covering the institutional, policy and legal and human capital aspects. Because they typically go through a thorough needs assessments process based on a review of the existing situation in a country and its development programs and requirements, and several stages of stakeholder and multi-sectoral consultation, national strategies/plans are, as a result, country-specific, needs-based, demand-driven and inclusive.

2. The biennium saw active implementation of this strategy, as a result of increasing demand from Member States. Successful formulation processes have been completed in Colombia, Ghana, Liberia, Malawi, Mauritius, Mozambique, Rwanda and Zambia. Implementation of these IP strategies and plans are ongoing. During the same period, formulation of IP strategy processes were initiated in Bahrain, Bhutan, Cameroon, Cote d'Ivoire, Democratic Republic of Congo, Fiji, Guinea, Mali, Morocco, Papua New Guinea, Senegal, Seychelles, Tanzania, Uganda, Uruguay and Viet Nam.

3. Either in parallel or as integral parts of these national strategies and plans, national capacity building programs, defined as a set of integrated activities within the larger framework of such strategies and plans or a program or series of activities to develop competencies in a specific area of IP, have been designed and are under implementation in more than 40 countries. These programs, which are based on specificities, needs and development priorities of each country, run the whole gamut of institutional, human resource and enterprise concerns in building and/or strengthening capacities in IP creation, protection and use. Capacity building likewise is aimed at enhancing the knowledge of policy makers, particularly where it concerns the policy implications of emerging IP and IP-related issues such as use of copyright works in the digital environment, flexibilities, IP and health, food security, climate change and the environment, creativity and innovation, IP and trade agreements. Significant progress was achieved in this regard through high level fora and dialogues which have proven to be valuable platforms for exchange of information and cross-fertilization of ideas. The High Level Forum on Intellectual Property for the Least Developed Countries, in Geneva in July 2009, in which Ministers, Permanent Representatives and senior policy makers participated, was one such forum. In adopting the Ministerial Declaration on “An Agenda for the Strategic Use of IP for Prosperity and Development in the LDCs”, the Forum was able to identify areas of cooperation between WIPO and LDCs for building capacities in the formulation of policies and strategies, and their implementation, focusing on the specific needs and requirements of LDCs.

4. The modernization of IP administrations contributes to the establishment of strong and effective national IP infrastructure and institutions. The installation of the Intellectual Property Automated System or IPAS, the provision of modern equipment and tools, the digitization of records and training of IP administrators and examiners have resulted in the updating of working methods, streamlining of operations and automation of business processes, all leading to the modernization of IP infrastructure in many countries. The launching of the Southern and Eastern Africa Copyright Network (SEACONET), a network of copyright societies and authorities engaged in building and sharing common databases involving 15 countries in Africa, and the Caribbean Copyright Link project, which audits and trains member collective management societies of four countries in the Caribbean region,

are examples of IP related information and service centers which are functioning to the benefit of many countries.

5. A total of 36 countries received legislative or legal advice in connection with the upgrading or implementation of their IP legislation with some 65 separate instances of response or other action by WIPO. It should be noted that, the legislative process and its timing leading to the actual enactment or promulgation of laws by the countries that receive legislative assistance, is an on-going process which is also dependent on various factors within the countries themselves. Nevertheless, data on national legislation in the countries assisted show a total of 13 countries having adopted various types of IP legislation while four countries are at a very advanced stage of adoption of new legislation.

6. Much progress has been achieved in the area of strengthening regional cooperation for capacity building and infrastructure development. Sub-regional and regional groupings have provided valuable platforms for pursuing horizontal cooperation in each region. Examples in Africa included the OAPI pilot initiative in Africa, aimed at enhancing access to and sharing of patent and other commercial and technical information by research institutions and industry groups, and the ARIPO projects on patent document scanning, on electronic data exchange and a draft protocol for the protection of traditional knowledge and traditional cultural expressions. Examples from the Asia and the Pacific region included various ASEAN and SAARC capacity building programs that deliver on specific sub-regional needs and the Traditional Knowledge Action Plan of the South Pacific countries. Latin America saw the continuing development of the LATIPAT project and other projects related to the establishment of a regional system for the administration of patents and a regional framework for the protection of TK, TCEs and GRs in the Caribbean.

7. In addition, meetings and events were organized in many countries aimed at facilitating the interaction between the public and private sector on a wide range of topics such as commercialization of IP assets; technology licensing; protection of appellations of origin in the agri-industrial sector; the creation and development of trademarks and other distinctive signs; collective management of reprographic reproduction rights; the film and music industries; journalists; health and the pharmaceutical sector; and creative industries. These led to partnership agreements in some 17 countries. Regional platforms have also provided tools that pave the way for the successful conclusion of public-private partnerships in IP development and use.,

8. Continued support was extended to national and regional IP Offices and other SME support institutions for creating awareness amongst, and strengthening the capacity of, entrepreneurs and SMEs regarding the key role of the IP system in managing and leveraging intangible assets to enhance competitiveness. Support was provided primarily through the creation of customized local versions of materials on IP asset management for entrepreneurs and SMEs using international versions of SME publications, especially the 'IP for Business' series, and incorporating national legal and regulatory framework and case studies on the use of IP by enterprises at the national level. The availability of such local materials provided a good background for localizing projects and activities aimed at sensitizing SMEs on the importance of IP in their business strategies. The period saw an increase in requests for the translation and customization of the guides on IP for Business and several agreements to this effect were signed and projects completed.

9. Continued efforts were undertaken to develop materials for awareness creation and capacity building purposes. In this regard, two more modules were created for the IP PANORAMA multimedia toolkit, an interactive e-learning tool, bringing the total number of modules to 12. The first 10 modules, developed by WIPO jointly with the Korean Intellectual Property Office and the Korea Invention Promotion Association were completed in 2007. A number of countries have requested the right to translate IP PANORAMA.

10. While national and regional IP Offices as well as SME support institutions remained the principal partners for SME related activities, efforts to reach out directly to SMEs continued via the SMEs website in six UN languages and the monthly e-newsletter with over 30,000 subscribers.

II. IMPLEMENTATION OF THE DEVELOPMENT AGENDA

11. Program 9 is one of the major implementers of the WIPO Development Agenda. A number of the Development Agenda Recommendations relate to WIPO's technical assistance and capacity building work, in particular the recommendations under Cluster A. These recommendations shape the design and implantation of Program 9 activities. In addition, Program 9 has responsibility for a number of Development Agenda Projects: DA\_05\_01 "Intellectual Property Technical Assistance Database (IP-TAD)"; DA\_09\_01 "IP Development Matchmaking Database (IP-DMD)"; DA\_10\_04 "Strengthening the Capacity of National IP Governmental and Stakeholder Institutions to Manage, Monitor and Promote Creative Industries, and to Enhance the Performance and Network of Copyright Collective Management Organizations"; and DA\_10\_05 "Improvement of National, Sub-Regional and Regional IP Institutional and User Capacity". In addition, Program 9 was closely involved in DA\_02\_01 "Conference on Mobilizing Resources for Development" and is a main partner Program in DA\_33\_38\_41\_01 "Project on Enhancement of WIPO's Results-Based Management (RBM) Framework to Support the Monitoring and Evaluation of Development Activities".

III. PERFORMANCE DATA

Key to Traffic Light System (TLS)

- Fully achieved (100%)
- Partially achieved (50% or more)
- Limited achievement (below 50%)
- Discontinued

Expected Results	Performance Indicators	Performance data	TLS
National IP capacity-building programs dovetailed with the country-owned IP National Strategies and development plans	Some 20-25 countries with national IP capacity-building programs taking into account national development plans	<p><u>Note:</u> National capacity building programs in relation to this indicator include any of the following: a set of integrated activities within a larger framework of a national IP plan/strategies or policies; or, a program or a series of activities to develop competencies on a specific area, including the design and planning of such programs, e.g. IP protection or IP management. Performance data is broken down into programs/plans/strategies adopted, programs initiated, and ongoing programs.</p> <p><u>African region:</u> Implementation of IP strategies/development plans/policies on-going for Ghana, Mozambique, Rwanda, Zambia, Malawi, Liberia, Mauritius and underway in Cameroon, Cote d'Ivoire, Democratic Republic of Congo, Senegal, Tanzania, Guinea, Mali, Seychelles and Uganda.</p> <p><u>Arab region:</u> National capacity building programs are underway in Morocco,</p>	



Expected Results	Performance Indicators	Performance data	TLS
		<p>aimed at establishing a national innovation strategy, and in Bahrain, aimed at developing an IP strategy. In Jordan, a national capacity building program on patent drafting was concluded and in Tunisia, a national program and plan for enhancing innovation in R&amp;D centers is under implementation.</p> <p><u>Asia and the Pacific region (ASPAC):</u></p> <p>Nine countries, Afghanistan, Bhutan, Bangladesh, India, the Philippines, Papua New Guinea, Samoa, Tonga and Viet Nam having national IP capacity building programs (general awareness raising and on examination skills and enforcement).</p> <p>Four countries, Bhutan, Fiji, Papua New Guinea and Viet Nam, have completed the initial needs assessment phase for development of customized national IP strategies. These processes will continue in 2010.</p> <p>42 regional capacity building programs were held to address the common challenges and needs of countries in the Asia and the Pacific region taking into account their individual IP development level and requirements.</p> <p><u>Latin America and the Caribbean region (LAC):</u></p> <p>Collaboration between WIPO and Colombian institutions contributed to the launching, in 2008, of a National IP Strategy and its adoption.</p> <p>In Uruguay, using the WIPO Audit Tool Methodology, the process of mapping its IP assets was concluded at the end of 2009 with the objective of establishing an IP National Strategy.</p> <p>Capacity building programs, comprising a series of training courses aimed at creating and consolidating IP-related competencies for the strengthening of the IP system, were established in Brazil, Colombia, Uruguay and Chile.</p> <p><u>Least Developed Countries (LDCs):</u></p> <p>National capacity building programs were launched in: Tanzania, on the role of IP in strengthening Tanzania's trade capacity; and Ethiopia, to finalize</p>	

Expected Results	Performance Indicators	Performance data	TLS
		<p>the national chapter in support of technology licensing and on IP for development (The Case of Trade Marking and Licensing of Specialty Coffee Designations).</p> <p>In Cambodia, a Joint WIPO-Sida follow-up Program to the Fifth Training and Advisory Program on IPRs in the Global Economy for LDCs was organized and, in November 2009, a new cycle of the same training program commenced in Stockholm.</p> <p>At least 43 countries have either adopted, initiated and/or are implementing national capacity building programs based on national IP strategies and plans and/or national development plans.</p>	
<p>National IP infrastructure and institutions providing effective user-friendly services, through strengthened administrative and management capacities</p>	<p>Some 20-25 countries with modernized IP infrastructure, including updated working methods and streamlined IP office operations</p>	<p><u>Note:</u> Performance data for this indicator reflects countries which received assistance to modernize their IP administrations/infrastructure in the form of tools, equipment, IPAS, training of IP staff in IT, examination, and general administration.</p> <p><u>African region:</u> The following countries received assistance to modernize their IP administration: Angola, Algeria, Botswana, Cape Verde, Cameroon, Guinea Bissau, Kenya, Liberia, Mauritius, Mozambique, Seychelles, Sierra Leone, and the United Republic of Tanzania (Zanzibar).</p> <p>Countries with modernized IP infrastructure included: Cameroon, Cote d'Ivoire, Kenya, Madagascar, Senegal, United Republic of Tanzania (Zanzibar) and Zambia.</p> <p><u>Arab region:</u> Morocco received assistance to support local inventors' use of the patent system and in Sudan a project for digitizing archives and museum collections was initiated.</p> <p><u>ASPAC region:</u> 13 countries including Bangladesh, Bhutan, Cambodia, Iran, Lao PDR, Nepal, Pakistan, Papua New Guinea, Maldives, Philippines, Samoa, Sri Lanka and Tonga were assisted in modernizing their IP administration, including digitization of records, provision of automation tools and equipment.</p>	

Expected Results	Performance Indicators	Performance data	TLS
	<p>Some 20-25 countries with effective functioning of IP-related information and service centers</p>	<p><u>LAC region:</u> Assistance was provided to Argentina, Barbados, Bolivia, Cuba, Dominica, Guyana, Honduras, Jamaica, Nicaragua, Panama, Paraguay, Peru, St. Vincent, Trinidad and Tobago and Uruguay for the modernization of business processes, installation of IPAS and provision of equipment.</p> <p><u>Note:</u> For this indicator, IP related centers include centers/units/ organizations dealing with copyright related services, patent information and services or IP information and advisory services, and may be attached, not necessarily only to IP offices, but also to universities or R&amp;D institutions. The performance data reflects countries in which centers/units were established or countries with centers/units assisted or strengthened.</p> <p><u>African region:</u> Copyright collective management and IP infrastructure established or strengthened in: Seychelles, South Africa, Togo, Kenya, Zambia, Zimbabwe, Niger, Benin, United Republic of Tanzania (Zanzibar) and Kenya.</p> <p><u>Arab region:</u> Establishment of a Technology Information Support Center in Morocco; in Tunisia, the establishment of a technology transfer office for universities and R&amp;D institutions is ongoing;</p> <p><u>ASPAC region:</u> Mongolia assisted in the establishment of a national IP information and service center; Papua New Guinea assisted with an assessment of needs and requirements for the creation of an IP information center.</p> <p><u>LAC:</u> Caribbean Copyright Link (CCL) Member Societies were audited and trained in collective management service provision. This initiative comprises a network of the following countries: Barbados, Jamaica, St. Lucia, and Trinidad and Tobago.</p> <p><u>LDCs:</u> The Cambodian Innovation and Creativity Center, the Tanzanian IP Advisory Services and Information Center, and the Ethiopian IP Advisory Services and Information Center were</p>	

Expected Results	Performance Indicators	Performance data	TLS
		<p>launched in 2008 and continued to receive support in 2009.</p> <p>Capacities in more than 20 countries were strengthened in order to provide effective IP-related information and services.</p>	
<p>National IP legislation consistent with national development priorities as well as with international IP treaties and agreements</p>	<p>Some 15-20 countries with updated national IP law and/or regulations</p>	<p>A total of 36 countries, eight from the African region, nine from the Asia/Pacific region, 14 from the Latin American and Caribbean region, one from the Arab region, three countries in transition and one European country, received legislative or legal advice in connection with the upgrading or implementation of their IP legislation consistent with their national priorities and international obligations. That advice comprised some 65 separate instances of response or other action by WIPO.</p> <p><u>Africa:</u> Botswana, Burundi, Rwanda, Chad, Mali, Senegal and United Republic of Tanzania (Zanzibar) adopted new national IP legislation during the period.</p> <p><u>Arab region:</u> A new Trademark Law was signed in 2009 as a prerequisite to the accession by Sudan to the Madrid Protocol; In the case of Oman, adherence to UPOV in 2009 was preceded by adoption of enabling law; a draft model law and Arab Convention on the protection of folklore has been prepared.</p> <p><u>ASPAC region:</u> In 2008, legal advice and written comments were provided to the Pacific Islands Forum Secretariat (PIFS) on the draft Memorandum of Understanding (MoU) for the setting up of a Regional Mechanism for Trademark Administration in the South Pacific region. The Patent Law (amended) of China was promulgated on December 2008 and entered into force on 1 October 2009.</p> <p><u>LAC region:</u> Peru introduced a National Decree on trademarks in order to make possible the accession to the TL; Trinidad &amp; Tobago adopted a copyright law; Dominica adopted IP legislation; In Panama, Brazil and Paraguay, proposals for</p>	

Expected Results	Performance Indicators	Performance data	TLS
		<p>reform of copyright legislation are being examined in the respective Parliaments; Grenada has a draft IP legislation proposed for adoption.</p> <p>A total of 13 countries have adopted various types of IP legislation while four countries are in the last stage of adoption of IP legislation.</p>	
<p>Increased awareness of the availability of IP flexibilities that Member States can use for implementing national public policies</p>	<p>Policy processes that have benefited from WIPO advice on flexibilities</p>	<p>Three Member States have included recommendations emanating from WIPO activities in their public policies. While all recipients of legislative advice generally take into account, in their internal policy processes, the information and considerations they receive on legal options and flexibilities, feedback in quantifiable form is not always available</p>	
	<p>Inclusion of recommendations emanating from studies on flexibilities in Member State public policies</p>	<p>Awareness-building activities on the use of flexibilities, such as in relation to public policies in the health sector, on the implementation and management of IP provisions in trade agreements, were implemented in Ecuador and Panama; on IP and pharmaceuticals in Oman; and flexibilities available in the field of copyright for ASEAN countries, in Singapore.</p>	
<p>Domestic partnerships between the public and private sectors (PPPs) encouraging greater utilization of IP systems</p>	<p>Some 15 countries with partnerships among public and private sectors for IP development and use</p>	<p><u>African region:</u> In Burkina Faso, Cameroon, Kenya, Malawi, Mauritius and Namibia, reprographic licensing agreements and in Seychelles, a broadcasting licensing agreement were concluded. In Ghana, Kenya, Nigeria and Tanzania, licensing agreements and knowledge transfer agreements were signed between universities and research institutions and industries. The SEACONET, which involves copyright societies and authorities engaged in building and sharing common databases, is a public-private sector partnership initiative that benefits Angola, Botswana, Kenya, Lesotho, Malawi, Mauritius, Mozambique, Namibia, South Africa, Swaziland, United Republic of Tanzania, Uganda, Zambia, Zimbabwe.</p> <p><u>Arab region:</u> Conclusion of a partnership agreement between the IP Office of Morocco and the Federation of Moroccan enterprises.</p>	

Expected Results	Performance Indicators	Performance data	TLS
		<p><u>ASPAC region:</u> In Indonesia, a declaration was made for the creation of a reprographic rights organization on the occasion of a WIPO Seminar on the Protection of Reprographic Rights.</p> <p><u>LAC region:</u> A FIT/Spain Regional Project on a Platform of IP contents and services to the Latin American Private Sector was developed, financed and launched in all LAC countries</p> <p>A Guide was prepared on Creating, Managing and Expanding a Technology Transfer Office for Universities in Latin America through a collaborative process which led to the strengthening of partnerships between public and private sectors for the use of IP in: Argentina, Brazil, Peru, Colombia, Ecuador, Mexico, Chile, Cuba and Panama.</p> <p>In Colombia, two new Networks on research and IP in the agricultural and energy sectors were established. Work in the Health Network continued (the product of a pilot project on research networks and IP implemented by WIPO in 2006) and was supported through capacity building activities on patent drafting, licensing, IP institutional policies and business strategies.</p> <p>In Panama, a program to support the establishment of business strategies incorporating the use of IP resulted in the registration of collective trademarks of art craft work of indigenous communities. An IP valuation training program led to further assistance to indigenous communities to place their “molas” in the European textile market. Also in Panama, the “Universidad Tecnológica de Panamá” consolidated its Office of Technology Transfer.</p> <p>In Dominican Republic, a strategy to promote use of the IP system by the industrial and agricultural sectors resulted in the registration of collective and certification trademarks for “mango”, “coffee”, and “Rum”.</p> <p>In Brazil, an action plan to be implemented by INPI, WIPO and the National Bank for Economic and Social Development (BNDES) was prepared</p>	

Expected Results	Performance Indicators	Performance data	TLS
		<p>and presented by INPI and WIPO to BNDES.</p> <p>Platforms and tools were provided to pave the way for public-private partnerships in IP development and use. At least 17 countries have reported actual public-private partnerships and at least three regional platforms have been established to facilitate such partnerships.</p>	
<p>Strengthened regional cooperation for IP capacity building and infrastructure development</p>	<p>At least one regional or sub-regional IP capacity and infrastructure development program formulated through horizontal cooperation in each region</p>	<p><u>African region:</u> The 2<sup>nd</sup> Forum on cooperation with Portuguese speaking countries involving Mozambique, Angola, Cape Verde, Sao Tome, Guinea Bissau, Portugal and Brazil was organized. Various capacity building and infrastructure development programs with regional/sub-regional content took place in South Africa and Tanzania, including a WIPO/OAPI regional seminar on case law for magistrates and law enforcement officials. Other regional/sub-regional programs included: the pilot initiative in selected OAPI Member States to enhance access to and sharing of patent and other IP information by research institutions and industry groups; the ARIPO patent documents scanning project for the patent scope system and a pilot project on electronic data exchange; and the drafting of a protocol for the protection of TK and TCEs.</p> <p><u>Arab region:</u> One of the main recommendations of the Arab Regional meeting held in Lebanon was to enhance efforts to systematically publish updated information that will lead to a common statistical database on trademarks, patents and copyright and related rights. The LAS and WIPO are working on the setting up of an e-interface in order to link all the Arab IPOs.</p> <p><u>ASPAC region:</u> Capacity building and infrastructure development programs were held across the region and sub-regions in the areas of arbitration and mediation of IP disputes, the Madrid Protocol for the ASEAN region, and on emerging IP issues of particular concern for the SAARC group of countries.</p> <p>The groundwork for the</p>	

Expected Results	Performance Indicators	Performance data	TLS
		<p>implementation of a Traditional Knowledge Action Plan for six South Pacific countries was undertaken.</p> <p>A sub-regional workshop on collective management of copyright for the South Pacific region was held.</p> <p><u>LAC</u>: A feasibility study for the establishment of a regional system for the administration of patents in the Caribbean was prepared. Development of the LATIPAT project continued in cooperation with OEPM and EPO. A project on a regional framework for the protection of TK, TCEs and GRs in the Caribbean was initiated and is currently under implementation. A project on a cooperation system on operational information and industrial property among South American countries was launched. The following projects were underway on: a Spanish version of the International Classification of Patents; PCT-ROAD system in Latin American Countries; IP jurisprudence in Spanish; harmonization tools in the use and management of IP systems; and implementation in Latin America of the SEGIB's program related to innovation.</p> <p><u>LDCs</u>: A regional forum on IP for parliamentarians for English speaking African LDCs was organized in Uganda in December 2009.</p>	
Enhanced awareness among SMEs, policy-makers, SME support institutions and financial institutions of the relevance of the IP system to improve the competitiveness of SMEs	Increase in page views of SME website and in subscribers to the WIPO SME newsletter	In 2008, page views of the SME website reached 863,252 as compared to 772,949 in 2007. In 2009, page views reached 1,879,689, an increase of 54 per cent as compared to 2008. The number of subscribers to the monthly WIPO SME e-newsletter increased to 33,743 in 2009 as compared to 29,399 in 2008 and 25,756 in 2007.	
	Publication of nationally customized versions of WIPO SME guides by partner institutions	In 2008/09, a total of 82 agreements for the publishing of nationally customized SME guides were signed with 14 countries agreeing to publish 45 publications in 2008 and 13 countries agreeing to publish 37 publications in 2009 (in 2008: Afghanistan, Bolivia, Bosnia, Czech Republic, India, Indonesia, Italy, Mongolia, Panama, Pakistan, Peru, Thailand, Uruguay and Vietnam; in	



Expected Results	Performance Indicators	Performance data	TLS
		<p>2009: Armenia, Bulgaria, Costa Rica, Czech Republic, Ecuador, India, Malawi, Namibia, Philippines, Russia, Turkey, Uruguay and Vietnam.</p> <p>In 2008/09, a total of 66 national versions of SME guides plus two regional versions, of benefit to the 16 member countries of OAPI, were completed. (In 2008: Bosnia, Dominican Republic, India, Iran, Italy, Latvia, Malaysia, Mozambique (1), OAPI, Slovenia, Uruguay and Vietnam. In 2009: Armenia, Bosnia, Bulgaria, Czech Republic, Indonesia, Italy, Mongolia, Nepal, Pakistan, Poland, Russia, Uruguay, Thailand and Vietnam.</p> <p>In 2008, an agreement was concluded with Mongolia for using the IP PANORAMA <u>Multimedia Toolkit</u> for developing an IP for Business course. Agreements were also concluded with Portugal and Estonia for the translation, reproduction and distribution of IP PANORAMA, and with the Philippines for the local replication of IP PANORAMA .</p> <p>In 2009, an agreement was concluded with the Korean Intellectual Property Office for developing the French and Spanish versions of IP PANORAMA . The Arabic and Thai versions of IP PANORAMA were also developed.</p> <p>During 2008/09, more than 800 copies of IP PANORAMA was distributed to various SMEs and SMEs-related institutions, mainly upon their requests. Universities and companies, in particular in the Republic of Korea, also used IP PANORAMA as a basis for delivering on and off line training courses. By 2009, more than 20 universities had provided IP courses based upon IP PANORAMA as had several companies.</p>	
	<p>Funding institutions incorporate WIPO advice in their IP policies</p>	<p>Several activities contributed to the formulation of policies and practices to encourage the use of IP as collateral in financing of SMEs. The following institutions benefited from such activities: Inter-American Development Bank, European Investment Bank, European Commission, OECD, European Venture Capital Association,</p>	

Expected Results	Performance Indicators	Performance data	TLS
		<p>European Business Angels Network, Italian Business Angel Network, World Intellectual Capital Initiative, and Italian Angels for Growth.</p> <p>In 2008, events were organized for increasing the awareness of SMEs of the relevance of the IP system as a tool for accessing finance in Argentina, Panama, Peru, Tunisia and Slovenia.</p>	
<p>Enhanced capacity of SME support institutions to provide IP services to their constituencies</p>	<p>SME support institutions having established or improved their IP services for SMEs</p>	<p>It has not been possible to assess to what extent the capacity of support institutions to provide IP services to their constituencies had been enhanced without undertaking a detailed survey of such institutions. Such a survey was not undertaken.</p> <p>A needs assessment survey on IP for SMEs was launched among national IP Offices of all WIPO Member States. By December 31, 2009, a total of 87 IP Offices had responded. The survey results provide a more precise understanding of the weaknesses and gaps that need to be addressed.</p> <p>In 2009, a Meeting of Expert Group for Defining the Scope and the Methodology for national Surveys/Studies on Intellectual Property and SMEs was organized. The methodology developed by this expert group will be used for launching a series of national studies.</p> <p>WIPO contributed to or organized activities for enhancing the awareness on the importance of IP for business competitiveness for participants from: Cameroon, Estonia, India, Mongolia, Peru, Poland, Republic of Korea, Romania, Syrian Arab Republic, Russian Federation, Sudan, Thailand, Uruguay and Vietnam in 2008 and from: Benin, Bhutan, Cameroon, Dominican Republic, Dubai, Egypt, India, Italy, Jordan, Mali, Panama, Peru, Philippines, Poland, Republic of Korea, Tanzania and the United Arab Emirates in 2009.</p> <p>In 2009, the 7th WIPO Forum on IP and SMEs for IP Offices and Other Relevant Institutions in OECD Countries provided an opportunity for discussion among IP Offices and IP</p>	

Expected Results	Performance Indicators	Performance data	TLS
		<p>related institutions about IP policies, strategies, projects, activities and services for entrepreneurs and SMEs. Representatives from IP Offices, Chambers of Commerce, Business Associations, Incubators and Universities from 22 OECD countries participated.</p> <p>In 2008, WIPO contributed to, organized and/or participated in activities for highlighting the importance of IP asset management by SMEs in specific sectors (handicrafts, franchise, tourism, crafts and visual arts, agro business and finance) for participants: Albania, Dominican Republic, Egypt, Malaysia and Uruguay. In 2009, Albania (tourism) and Mexico (agro food) benefitted from such activities.</p> <p>Training of teachers/trainers' programs were organized in Egypt, India and Italy for strengthening the capacity of SME support institutions to provide IP related support to entrepreneurs and SMEs, and/or to teach business aspects of IP to undergraduate and graduate students. These programs resulted in the creation of a critical mass of trainers in at least one institution in India enabling them to run capacity building programs for the benefit of students of fashion technology.</p>	
<p>Pilot project(s) for the establishment of IP information management centers</p>	<p>Two pilot projects launched in 2009</p>	<p>LDCs: The Cambodian Innovation and Creativity Center, the Tanzanian IP Advisory Services and Information Center, and the Ethiopian IP Advisory Services and Information Center were launched in 2008 and continued to receive support from WIPO in 2009. In 2009, the Mongolian IP information center was launched. Work also commenced on the establishment of similar centers in a number of other LDCs, i.e., Bangladesh, Nepal, Uganda.</p>	
<p>A diagnostic tool for assessing the IP-related development needs of countries in the context of National IP and Innovation Strategies</p>	<p>Development of the tool completed</p>	<p>A benchmarking toolkit for the IP system was prepared, including a needs assessment tool. This tool will be useful as part of the methodology in formulating national IP strategies. The toolkit is undergoing internal review.</p>	

## IV. BUDGET UTILIZATION

Resource Utilization Revised Program and Budget 2008/09  
(in thousands of Swiss francs)

<u>Allocation</u>	<u>Actual Expenditure</u>	<u>% Utilization</u>
48,786	41,203	84.5% (88.7% if DA projects allocation excluded)

12. The actual budget utilization rate of this Program, based on the original allocation of 46,445 Swiss francs was 88.7%.

13. A number of factors contributed to the under-expenditure including: the introduction of cost-saving initiatives, such as the organization of back-to-back events, and savings related to travel of staff and experts. This resulted in savings of at least 5%. In addition, some budgeted activities were postponed to the 2010/11 biennium at the request of counterparts, in some cases due to political and security conditions and in others due to unforeseen internal developments and delays.

14. The Program received an additional allocation of 2.34 million Swiss francs for Development Agenda projects 5, 9 and 10. However, the major components of these projects which require substantial expenditures are foreseen to take place only in 2010/11.

**Program 10: Cooperation with Certain Countries in Europe and Asia**

**OBJECTIVE** Enhanced and sustainable IP capacity in certain countries in Europe and Asia enabling effective use of IP for development objectives

**Program Manager** *Mr. J. C. Wichard*

**I. ANALYTICAL SUMMARY**

1. In 2008/09, WIPO continued to focus on providing relevant technical assistance to countries with different levels of economic and social development and, hence, also different levels of IP infrastructure development. This assistance aimed at building national capacities, a relevant knowledge base and an infrastructure in support of their development priorities and national plans, as well as at developing IPR strategies.

2. WIPO intensified its cooperation with countries in Eastern Europe, the Caucasus Region and Central Asia. WIPO supported these countries in developing and modernizing their IP systems consistent with their development priorities and national plans. As far as Central European and Baltic states were concerned, WIPO continued to provide assistance to upgrade and align their legal and administrative IP environment, including the national IP infrastructure.

3. The key focus consisted of supporting countries in building national capacities in terms of IP infrastructure and human resources, combined with enhancing the general and specific awareness and knowledge base for effective use of IP for economic, social and cultural development.

4. Activities were undertaken within the framework of technical assistance and capacity building, human-resource development, awareness-raising, and regional and international cooperation, in line with the following strategies:

- (i) Further promotion of IP, taking into account different levels of economic, social and cultural development, as well as different levels of existing IP infrastructure;
- (ii) Continued cooperation in building national capacities, a relevant knowledge base, and infrastructure, with a view to enhance the development of IPR strategies and their inclusion in overall national development plans.
- (iii) Development of relevant IP tools or guidance, taking into account the specific requirements of countries in transition, responding to their specific needs and challenges; taking advantage of experience gained through implementation of IP-related activities.

**II. IMPLEMENTATION OF THE DEVELOPMENT AGENDA**

5. Program 10, like Program 9, has a key role to play in the implementation of the WIPO Development Agenda, specifically in relation to cooperation with certain countries in Europe and Asia. This is particularly the case for those Development Agenda Recommendations relating to WIPO's technical assistance and capacity building work; the recommendations under Cluster A. These Recommendations shape the design and implementation of Program 10 activities.

III. PERFORMANCE DATA

Key to Traffic Light System (TLS)

- Fully achieved (100%)
- Partially achieved (50% or more)
- Limited achievement (below 50%)
- Discontinued

Expected Results	Performance Indicators	Performance data	TLS
Enhanced national IP capacities in line with national development strategies and plans	Some 10 countries with national IP capacity-building programs and IP strategies, dovetailed with national development plans	<p>IP strategies developed in Bulgaria, Bosnia and Herzegovina, Croatia, Czech Republic, Hungary, Kazakhstan, Poland, Romania, Russian Federation, Slovakia and Slovenia.</p> <p>Work in progress on guidelines for development of national IP strategies; a process which started in Albania, Malta, Moldova, Kyrgyzstan, Serbia, Tajikistan and Ukraine.</p>	
More effective and user-friendly services by national IP institutions	Some 20 countries with modernized IP infrastructure and upgraded management of IP services, including updated working methods and automated IP office operations	17 countries improved the capacity of their IP centers to provide the necessary information and services to users and potential users of the IP system, namely: Albania, Belarus, Bulgaria, Croatia, Czech Republic, Estonia, Hungary, Kazakhstan, Latvia, Lithuania, Poland, Russian Federation, Romania, Serbia, Slovakia, Slovenia and Ukraine.	
	Some 20 countries with well functioning IP-related information and service centers	Continued modernization of IP related information and service centers in Armenia, Azerbaijan, Georgia, FYR Macedonia, Moldova, Montenegro, Tajikistan, Turkmenistan, Turkey and Uzbekistan.	
Enhanced capacity of IP professionals	Some 10 countries with regular IP training programs for professionals	Training programs organized for IP professionals from Albania, Armenia, Belarus, Bulgaria, Czech Republic, Kazakhstan, Kyrgyzstan, Lithuania, Moldova, Russian Federation, Slovakia and Ukraine.	

Expected Results	Performance Indicators	Performance data	TLS
National IP legislation is consistent with international IP treaties and agreements, and conforms with national development priorities	Some 25 countries with updated national IP laws and regulations	22 countries amended or are planning to amend their national legislation to make them consistent with international IP treaties and national development plans: Armenia, Azerbaijan, Belarus, Bosnia and Herzegovina, Bulgaria, Croatia, Czech Republic, Georgia, Hungary, Kazakhstan, Lithuania, FYR Macedonia, Malta, Moldova, Poland, Romania, Serbia, Slovakia, Slovenia, Tajikistan, Turkmenistan and Ukraine.	
Greater utilization of IP systems prompted by the establishment of domestic partnerships between the public and private sectors (PPPs) in the area of IP	Some three-five countries with partnerships among public and private sectors for IP development and use	Partnerships between public and private sectors established in the following countries: Czech Republic, Georgia, Kazakhstan, Latvia, Poland, Romania, Russian Federation, Serbia, Slovakia and Ukraine.	
Enhanced regional cooperation and exchange of experience among countries in the region	IP policies of three-five countries incorporating regional best practices	<p>Work started on special WIPO Tools to facilitate the exchange of experience and best practice, elaborated for the specific needs of the countries of the region.</p> <p>Four countries (Hungary, Poland, Russian Federation and Serbia) started incorporating regional best practices in their IP policies following the results of studies carried out, such as: "Management of Academic IP and Early Stage Innovation in Countries in Transition"; the "Special Features of Copyright Systems of Countries in Transition"; and "Recommendations on Strengthening the Role of Innovative Small and Medium-sized Enterprises (SMEs) in Commonwealth of Independent States (CIS)".</p>	
Survey of specific economic development trends in countries in transition with the aim to identify strategic targets for IP development	Surveys of priority areas identified in the national IP plans of two countries	Surveys of priority areas fulfilled in Moldova and Russian Federation.	

## IV. BUDGET UTILIZATION

Resource Utilization Revised Program and Budget 2008/09  
*(in thousands of Swiss francs)*

<u>Allocation</u>	<u>Actual Expenditure</u>	<u>% Utilization</u>
5,691	4,923	86.5%

6. Lower than expected utilization of resources in the biennium 2008/09 was primarily in the areas of third party travel, other contractual services and fellowships.



**Program 11: The WIPO Academy**

**OBJECTIVE** Strengthened IP educational and training infrastructure with enhanced access to IP knowledge and information

**Program Manager:** *Mr. G. Onyeama*

I. ANALYTICAL SUMMARY

1. During the 2008/09 biennium, the Academy continued its efforts to strengthen IP education infrastructure and human resources development, enhancing access to IP knowledge and information as well as responding to the increasing number of requests for IP training from Member States. To enhance the quality of services to various target audience, a more state-of-art distance learning platform was deployed, new courses launched and training methodologies improved. The Academy also continued to seek an international and inter-disciplinary approach to IP education and training. A Global Network of Intellectual Property Academies (GNIPA) was established in 2008 to promote better communication and exchange experience in IP teaching and training among Member States.

2.

14. The Academy achieved its expected results through the organization of various programs. Under the Professional Development Program, 48 courses were organized on industrial property and copyright and related rights, with the support and cooperation of 26 partner institutions around the world. A total of 522 participants from 106 countries participated in these courses. Participants' feedback confirmed that the training had enhanced their knowledge and skills in the administration of IP rights and had enabled them to provide better services to users of the IP system. In 2008, under the then Executive and Research Program, three training programs and two conferences were organized on IP management. Under the then Policy Development Program, 21 courses were organized on various topics of IP policy and administration.

3. The WIPO Summer School program was well received by young professionals and was perceived as a useful source of learning and training in the field of IP. Four new Summer Schools were launched in 2008 (Croatia, Mexico, Republic of Korea and Thailand) and another three launched in 2009 (Russian Federation, South Africa and Ukraine) at the requests of Member States. The programs attracted applicants from many parts of the world and 398 young professionals and senior students from 75 different countries were trained in 2008 and 2009 through the WIPO Summer School program.

4. Demand for Distance Learning Courses continued to increase during the period under review. To respond to the increasing and changing demand, seven new advanced on-line courses were launched during 2008/09: Patents (DL301); Trademarks, Industrial Designs and Geographical Indications (DL302); Arbitration and Mediation Procedure under the WIPO Rules (DL317); Patent Information Search (DL318), Basics on Patent Drafting (DL320), Basics on IP Management (DL340) and the Patent Cooperation Treaty (PCT). These new courses provided participants with more systematic, in-depth knowledge and practical skills. In 2009, the distance learning program registered a record number of 44,500 participants, the highest number ever in a single year, from 186 countries who attended the 13 courses (64 sessions) offered in various languages. In addition, the Arabic version of Advanced Copyright (DL201) and IP and E-Commerce (DL202) was launched. In order to provide the most updated information to participants, the content of three advanced courses are currently being reviewed and upgraded. To further improve the quality and efficiency of on-line teaching, the Distance Learning Management platform was deployed and a workshop for 36 distance learning tutors and administrators from around the world was organized in 2009.

5. To enhance the efficiency of IP education, cooperation with universities continued for the training of trainers and other IP specialists under the Partnership program. During 2008/09, two sessions of the Master of Intellectual Property Law program were organized by WIPO and the Turin University and with the assistance of the Government of Italy and the International Training Center of the International Labor Organization (ILO). A total of 75 students from 50 countries were enrolled in the program. In addition, four new Masters of IP programs were launched with the Africa University





and ARIPO (in which 46 students from 19 countries were enrolled); Haifa University, Israel; the Technical University of Lisbon and the National Institute of Industrial Property, Portugal; and Queensland University of Technology, Australia. In order to enhance networking and efficiency of IP education and training worldwide, a Colloquium for IP Teachers was organized jointly by WIPO and the World Trade Organization (WTO) in 2008 and 2009. A total of 43 teachers from 34 countries participated in the program.

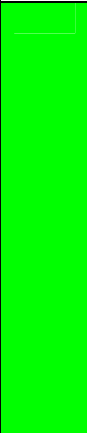
## II. IMPLEMENTATION OF THE WIPO DEVELOPMENT AGENDA

6. Program 11 activities provide a major contribution to human capacity building in developing countries. The design and implementation of those activities reflects the related Development Agenda Recommendations on technical assistance and capacity building work. The online distance learning training programs responds in particular to Development Agenda Recommendation 19. In 2008/09 the Program prepared and began implementation of the WIPO Development Project DA\_10\_01: "A Pilot Project for the Establishment of "Start-Up" National IP Academies".

## III. PERFORMANCE DATA

Key to Traffic Light System (TLS)

	Fully achieved (100%)
	Partially achieved (50% or more)
	Limited achievement (below 50%)
	Discontinued

Expected Results	Performance Indicators	Performance data	TLS
Upgraded and enhanced knowledge and skills of staff of IP offices and other stakeholders	90% end-of-course satisfaction rate with professional training programs	<p>93% satisfaction rate of participants in the Professional training program.</p> <p>Participants included technical and senior officials of IP offices or other relevant IP institutions. They considered their knowledge and skills to have been upgraded as a result of the information provided at these courses.</p> <p>93% satisfaction rate of participants in the Summer School programs.</p>	

Expected Results	Performance Indicators	Performance data	TLS
Strengthened infrastructure for human resources development and IP education in Member States	At least one university in each region to introduce specialized IP courses	Six universities in various regions were assisted with the introduction of specialized IP courses in their universities.	
	Establishment of at least five IP academies and/or training centers in Member States	WIPO assisted in the establishment of five IP academies and/or specialized IP training centers in several Member States.	
	High end-of-course satisfaction rate of the Turin Master of Law in IP (LL.M) and Africa University Masters degree in IP (MIP).	A 90% cent satisfaction rate was achieved in the Turin Master of Law in IP (LL.M) program. A 85% satisfaction rate was achieved in the MIP program at the Africa University.	
Wider use of distance learning as a complement to IP education	40,000 registrations and 70% completion rate of WIPO on-line courses	A total of 71,500 participants registered for the on-line courses in 2008/09. The average satisfaction rate was 94%. The average completion rate was 69%. A total of 23 participants graduated from the two-year IP Specialization program organized jointly by WIPO and the University of South Africa (UNISA) utilizing distance learning as the main teaching methodology.	
	Use of the Academy Distance Learning courses in educational programs of five academic institutions	A total of nine academic institutions used the Academy's distance learning courses in their educational programs. In addition, the DL 101 course was used at the eight IP Summer School programs organized throughout the world.	
	Four institutions in Member States offer Academy Distance Learning programs in national languages	Five institutions in Member States offered the Academy's Distance Learning programs in national languages.	
Enhanced networks and efficiency of international cooperation for IP education and training worldwide	Projects completed within the framework of the Global Network of IP Academies	A Global Network of IP Academy (GNIPA) was established in 2008. A total of 21 regional and national IP academies or IP training centers had joined the network by the end of 2009. Six projects were implemented within the framework of GNIPA.	

Expected Results	Performance Indicators	Performance data	TLS
	Satisfaction rate (at least 80%) of partners of the Academy for IP education and training	The satisfaction rate was 95% for IP education and training delivered with partner institutions.	

## IV. BUDGET UTILIZATION

Resource Utilization Revised Program and Budget 2008/09  
(in thousands of Swiss francs)

<u>Allocation</u>	<u>Actual Expenditure</u>	<u>% Utilization</u>
8,309	7,853	94.5%

7. Underexpenditure during the biennium was primarily due to, on one hand, cost saving initiatives introduced, such as reduced number of staff missions for participating in training programs organized outside Geneva; and, on the other hand, the postponement or cancelation of several training programs. Most of the Academy training programs are organized with financial contributions from partner institutions, and due to financial constraints as a result of the economic crisis in 2009 several institutions could not contribute as anticipated.

**Program 12: International Classifications in the Field of Trademarks and Industrial Designs**

**OBJECTIVE** Further development of the Nice, Vienna and Locarno Classifications, reform of the Nice Classification Revision Procedure, and enhanced use of those Classifications by industrial property offices and the private sector

**Program Manager** *Mr. Y Takagi*

I. ANALYTICAL SUMMARY

1. 13. The Preparatory Working Group (PWG) of the Committee of Experts of the Nice Union held its 27<sup>th</sup> and 28<sup>th</sup> sessions during the biennium 2008/09. At those sessions, about 700 proposals for modifications to the Nice Classification were examined by the PWG, thus keeping the normal pace of work compared to previous sessions.

2. The *ad hoc* Working Group (Nice Union) created in 2007 with the purpose of considering the introduction of amendments to the revision process of the Nice Classification held three sessions during the biennium. The *ad hoc* Working Group considered, agreed on and confirmed its agreement to the introduction of an electronic forum to facilitate the submission and discussion of proposals for amendments and other changes to the Nice Classification. Such electronic forum is currently under construction and testing in-house and will be used for the first time in 2010 for the submission of documents related to the 21<sup>st</sup> session of the Committee of Experts of the Nice Union (CE) to be held in November 2010.

3. The *ad hoc* Working Group also discussed and agreed in principle on the revised draft of the Rules of Procedure of the Committee of Experts of the Nice Union. Such Rules should allow for a more flexible and rapid evolution of the Nice Classification as regards the addition or deletion of items from the alphabetical list, while keeping a certain stability in relation to structural changes such as the creation or deletion of classes or the transfer of products or services from one class to another. The final draft of the amended Rules of Procedure will be submitted for approval at the above-mentioned 21<sup>st</sup> session of the CE.

4. The official Spanish version of the ninth edition of the Nice Classification, established in 2008 in accordance with the provisions of Article 1(6) of the Nice Agreement and in cooperation with the five interested Spanish-speaking countries party to that Agreement, was published in January 2009 on paper and in electronic format. The electronic version, NIVILO:CLASS 2.3, is available on CD-ROM and on the Internet.

5. Five expert missions were undertaken to provide practical training on the Nice, Locarno and Vienna Classifications to officials and trademark lawyers from seven States and one international non-governmental organization.

6. During the biennium, three countries adhered to the Nice Agreement, three to the Vienna Agreement, and two to the Locarno Agreement.

7. The *ad hoc* Working Group created by the Committee of Experts of the Locarno Union in 2007, with the purpose of studying the introduction to the Locarno Classification of an additional level of subclasses, held its first meeting in 2008. At that meeting, the *ad hoc* Working Group established a pilot group to work on the development of a search system for industrial designs based on visual search features. The meetings of the pilot group during 2008/09 resulted in the creation of an index of categories common to all classes of the Locarno Classification, which was tested for classification of products belonging to Cl. 6 at the end of 2009. The results of the test will be analyzed in the course of 2010.

II. IMPLEMENTATION OF THE DEVELOPMENT AGENDA

8. As indicated in the Revised Program and Budget 2008/09 (Publication No. 360E/PB0809), there were no links to Development Agenda Recommendations. This Program has now been merged with Program 13 in the 2010/11 Program and Budget with the title "International Classifications and WIPO IP Standards". The new Program has links to Development Agenda Recommendations 8, 30 and 31.

III. PERFORMANCE DATA

Key to Traffic Light System (TLS)

- Fully achieved (100%)
- Partially achieved (50% or more)
- Limited achievement (below 50%)
- Discontinued

Expected Results	Performance Indicators	Performance data	TLS
Further revision of the ninth edition of the Nice Classification	Two sessions of the Preparatory Working Group of the Committee of Experts of the Nice Union	The 27 <sup>th</sup> and 28 <sup>th</sup> sessions of the Preparatory Working Group of the Committee of Experts, were held on October 6-10, 2008 and November 16-20, 2009, respectively	
	Adoption by the Preparatory Working Group of recommendations for modification of the 9 <sup>th</sup> edition of the Nice Classification	Of the 672 examined proposals for modifications to the 9 <sup>th</sup> edition of the Nice Classification, the Preparatory Working Group recommended 374 for approval by the Committee of Experts to be held in November 2010.	
Initiation of the Reform of the Revision Procedure for the Nice Classification	Project document setting out the terms of reference for an electronic forum for the Committee of Experts under the Nice Union	Electronic forum already created and being tested in-house	
	Draft revised Rules of Procedure for the Committee of Experts under the Nice Union developed in three sessions of an ad hoc Working Group	Draft revised Rules of Procedure have been developed. Final draft to be submitted to the Nice Union Committee of Experts in November 2010.	

Expected Results	Performance Indicators	Performance data	TLS
Definition of a policy for the production and dissemination of authentic and official texts of the Nice, Vienna and Locarno Classifications	Completion of a review of the procedure for the production of authentic and official texts of the Nice, Vienna and Locarno Classifications in electronic and paper versions	Not assessed	
	Publication of an official version of the Nice Classification (9 <sup>th</sup> edition) in two official languages of the Nice Agreement (in addition to the existing authentic language versions)	An official version of the ninth edition of the Nice Classification in Spanish was published in 2009.	
Revision of the Locarno Classification	Identification of different options for developing the Locarno Classification with a view to rendering it more responsive for carrying out searches in large industrial design data bases on the basis of visual design features	Creation of an index of categories of visual features common to all the classes of the Locarno Classification. Index tested for Class 6.	
Wider acceptance and more effective use of the Nice, Vienna and Locarno Classifications	Four new Contracting Parties to the Nice Agreement	Three new Contracting Parties to the Nice Agreement.	
	Two new Contracting Parties to the Vienna and Locarno Agreements	Three new Contracting Parties to the Vienna Agreement and two to the Locarno Agreement	
	Four additional countries apply the Nice, Vienna and Locarno Classifications.	Not assessed	

#### IV. BUDGET UTILIZATION

Resource Utilization Revised Program and Budget 2008/09  
(in thousands of Swiss francs)

<u>Allocation</u>	<u>Actual Expenditure</u>	<u>% Utilization</u>
738	659	89.3%

9. Lower than expected utilization of resources under Program 12 is attributed primarily to cost savings in the capital investment for the e-Forum as the technological solutions of the e-Forum developed for IPC were applied to the e-Forum for NICE classification.

**Program 13: Patent Classification and WIPO IP Standards**

**OBJECTIVE** Enhanced efficiency of the use of IP information and documentation by IP Offices, applicants and the general public worldwide

**Program Manager** *Mr. Y. Takagi*

**I. ANALYTICAL SUMMARY**

1. Key activities undertaken to support the achievement of the expected results in the biennium are summarized below.

2. In 2008, an IPC Workshop was organized for the first time bringing together representatives of IP Offices responsible for the revision and development of the IPC, and representatives of IPC users from the industry and patent information providers, to exchange their experience and opinions on the IPC in a critical way. The IPC Committee of Experts took decisions for the simplification of the procedures for revision, publication and use of the IPC. The core and advanced levels are discontinued and core level offices will use the more simplified main groups. The procedure of revision is unified. The IPC will be revised by the Committee of Experts (the ALS is discontinued) and published once a year. This corresponds to the initiatives taken by the International Bureau. All these decisions will enter into force on January 1, 2011.

3. In 2008, two sessions of the Standards and Documentation Working Group (SDWG) were organized, where one new WIPO Standard was adopted (ST.86 XML for industrial designs) and six other were revised (ST.9, ST.13, ST.14, ST.22, ST.36 and ST.60). The results of two surveys were approved, one in particular concerning citation practices. Further progress was achieved regarding the revision of WIPO Standard ST.10/C and the development of a new WIPO Standard concerning the electronic management of the figurative elements of trademarks. In 2009, one session of the Standards and Documentation Working Group (SDWG) was organized, where one new WIPO Standard was adopted (ST.67 concerning the electronic management of trademarks' figurative elements) and five other were revised (ST.3, ST.10/C, ST.25, ST.36 and ST.50) and one new survey on correction procedures of patent offices was approved. The above standards and survey were published on the WIPO Handbook website. In view of the replacement of SDWG by the new Committee on WIPO Standards (CWS), relevant pages on WIPO internet site were introduced and several others were amended.

4. Support was provided to SDWG Task Forces, some of which were led by the International Bureau, and 13 meetings of the Task Forces were organized. New Wiki Confluence spaces (Wiki eForums) were created for the discussions of the SDWG Task Force. These Wiki eForums have been used by four Task Forces since March 2009 and have replaced the former email-based electronic forum platforms. The Wiki eForums will be extended to other CWS Task Forces

5. A project for the implementation of the WIPO Standards Administration Database (STAD) was initiated on the basis of Prince 2 methodology. On this basis the part of the Database corresponding to part 3 of the Handbook was developed and partially demonstrated during the above mentioned SDWG. WIPO Standards were dematerialized to a large extent in the course of this development.

6. In 2008, following the invitation by the IB, 94 Annual Technical Reports (ATRs) on patent, trademark and industrial design information activities in the year 2007 were prepared by the IPOs, and, subsequently, processed and published on the Internet. The SDWG approved a revision of the recommended contents of the ATRs. The IB updated the online ATR Management System and the associated guidelines for preparing the ATRs. In 2009, following the invitation by the IB, 80 Annual ATRs on patent, trademark and industrial design information activities in the year 2008 were prepared by the IPOs, and, subsequently, processed and published on the Internet. The IB completed the two-year project to improve the visibility and access to the ATRs and reported on the results to the SDWG.



7. IT automation efforts were devoted to reduce the delay for the preparation of IPC publications from two months to one week, thus allowing for the timely publication of IPC versions and their associated products. In view of facilitating the use of IPC in national languages, software packages and toolkits to allow IPC member states to create and maintain their own translation of the IPC (i.e. IPCA6TRANS) and to publish it on the Internet (i.e. IPCPUBPREP) were made available for download.

8. The IPC internet publication system redesign, on the basis of the above mentioned decisions for simplification, was started and made available to offices for testing.

9. IT support was provided to Trilateral Offices/IP5 offices through the enhancement of the Trilateral Eforum platform to stimulate classification systems harmonization toward the IPC which was extended to be used by the IP5 cooperation.

10. The IPC categorization assistance system IPCCAT was retrained with IPC 2009.01 classified patent documents in English and French and was made available on the Internet.

11. IT support was provided for the publication and maintenance of the Spanish version of the IPC ensuring its timely publication. Several tools were also developed to further automate the translation assistance by the OEPM.

12. Further assistance was also provided to the Polish Patent Office (UPRP) for the development of the IPC in Polish, and to the Brazilian, Dutch and the Greek patent offices (OBI) for similar purpose. OBI completed the translation and publication of the IPC core level using the above tools.

13. IPC related Standards and Master Files specifications were revised in order to become compliant with the simplification of the IPC. Specifications concerning changes to the IPC management system (RIPCIS) were also developed and forwarded to the subcontractor for implementation.





14. Requirement specifications of the XML web services for reclassification in the IPC have been developed. Project initiation was delayed due to the shortage of resources and withdrawal of EPO from the project.

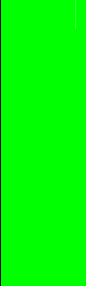
## II. IMPLEMENTATION OF THE WIPO DEVELOPMENT AGENDA

15. The work of Program 13 supports the implementation of Development Agenda Recommendations 8, 30 and 31, by facilitating access for developing countries to publicly available patent information. In doing so, it also contributes to efforts related to the transfer of technologies.

## III. PERFORMANCE DATA

## Key to Traffic Light System (TLS)

	Fully achieved (100%)
	Partially achieved (50% or more)
	Limited achievement (below 50%)
	Discontinued

Expected Results	Performance Indicators	Performance data	TLS
Efficient functioning of the new IPC revision procedure and timely publication of new versions of the IPC core and advanced levels and of related material	Increase in the number of amendments introduced in the 2009 edition of the IPC core level	443 amendments were introduced in the core level in 2009 compared with an annual average of 389 per year during 2006-2008	
	Increase in the number of new entries in the IPC advanced level	1,010 amendments were introduced in the advanced level in 2009 compared with 306 entries in the second half of 2008	
	Publication of new versions in accordance with the IPC revision procedure	In 2008, two new versions of the advanced level and one of the core level were published. In 2009, one version of the core and one version of the advanced level were published on time as foreseen by the decisions of the IPC Committee of Experts	
Use of the IPC for classifying non-patent literature	Increase by 10% in the number of technical and scientific articles classified according to the IPC	This activity was discontinued in the summer of 2007.	
Establishment, revision and promotion of WIPO Standards for the transmission, exchange and sharing of IP information and documentation	New standards and revisions to existing standards adopted by the SCIT Standards and Documentation Working Group	Two Standards adopted and eleven Standards revised as decided by SDWG	
Enhanced user awareness of information activities carried out by IP Offices	Increase in the number of users accessing Annual Technical Reports on patent, trademark and industrial design activities made available on WIPO's website	During the period February to September 2008, a total of 1,903 users accessed Annual Technical Reports available on WIPO's website  During the period February 2008 to May 2009, a total of 5,843 users accessed Annual Technical Reports available on WIPO's website	

Expected Results	Performance Indicators	Performance data	TLS
Enhanced use of WIPO Industrial Property Information Services for developing countries (WPIS) and improved IP information dissemination channels	Increase, from the existing 15, of the number of donor countries participating in WPIS	The current number of donor countries is 18.	
	Increase by 10 % in the number of searches carried out by donor countries	Total number of searches carried out by donor countries was slightly increased by 2% (2009) despite the declining requests by 12%.	
	Increase in the number of IP information units in universities, chambers of commerce and industry	The activity was transferred to Program 14 and strategically realigned to a project for establishing Technology Innovation Support Centers (TISCs) to implement Recommendation 8 under the Development Agenda (access to specialized databases of scientific and technical literature, including commercial patent databases) with focusing on preparatory work for TISCs in 2009	
Use of the clustering analysis for the computer-assisted revision of the IPC by Member States of the IPC Union	Number of IPC revision projects initiated by Member States, with the clustering-based IT assistance	The company chosen to implement this activity went bankrupt. Alternatives were explored in order to support this activity in house by hiring a consultant, however due to a number of factors this was not possible.	
Development of XML web services for reclassification of patent collections in the core and the advanced levels of the IPC	Number of IP Offices using XML web services for reclassification	The project was delayed due to shortage of resources and also to the withdrawal of the EPO's initial interest in the project. User requirements drafted in 2009 need to be revised to reflect simplifications of the IPC procedure. Project Implementation is foreseen during 2010 for a move into production in 2011.	

## IV. BUDGET UTILIZATION

Resource Utilization Revised Program and Budget 2008/09  
(in thousands of Swiss francs)

Allocation	Actual Expenditure	% Utilization
7,632	6,929	90.8%

16. Non-personnel resources initially allocated were under-spent by 365 thousand Swiss francs due to:

- Following the approval of IPC simplification in 2009, one initially planned IPC publication was not issued (70 thousand Swiss francs)
- IPC reclassification project was postponed by Member States to the 2010/11 biennium (165 thousand Swiss francs)
- IPC management system RIPCIS experienced a delay in the deployment of its new system, resulting in the delay in the second installment of the payment of the project cost (30 thousand Swiss francs)
- The cost of outsourcing (RIPCIS) was lower than expected because internal upgrading solutions were found (80 thousand Swiss francs)
- Savings in mission costs by actively using the e-Forum (20 thousand Swiss francs)

17. In addition, personnel resources were underspent by 339 thousand Swiss francs due to the non-filling of two posts. One G staff left in July 2009 and a decision was taken not to fill the vacated post.

**Program 14: PATENTSCOPE® and Associated Patent Services**

**OBJECTIVE** Enhanced availability, to the broadest possible audience, of the technological, business and legal information that is disclosed through the use of the PCT and national patent systems; and improved patent services internationally

**Program Manager:** *Mr. Y. Takagi*

**I. ANALYTICAL SUMMARY**

1. Progress was made on several existing initiatives and several new ones were started in the 2008/09 biennium. The Patentscope® service was upgraded and new search features were added, including the ability to analyze large volumes of search results. Usage of the PATENTSCOPE® search service has continued to increase – it is the most-used resource on the WIPO web site – and subscribers to the PATENTSCOPE® data services increased as well.

2. A significant achievement in 2009 was the extension of the PATENTSCOPE® search service to include the national patent collections of eight national or regional IP Offices. The new service provides high-quality patent search and retrieval facilities, including in some cases full-text search, for participating Offices. The service is continually being extended to include more content from participating Offices and to new Offices.

3. The inclusion of national and regional patent collections in the PATENTSCOPE® service is the result of technical assistance and digitization projects in the participating countries. Depending on the needs of the Offices, WIPO offers technical and financial assistance ranging from consulting and advisory services to the provision of equipment and resources for digitization.

4. With the objective of sharing information and documents between Offices, the Digital Access Service for priority documents became operational in 2009 with seven participating Offices. Another project was initiated in late 2009 with the IP Offices of Australia, Canada and the United Kingdom for exchange of patent search and examination documents. The results of these initiatives are expected in the 2010/11 biennium.

5. A new program was launched in 2009 to provide access to databases of scientific and technical journals for IP Offices and non-profit organizations in LDCs and for IP Offices in certain developing countries. This new program (aRD<sub>i</sub> – Access to Research for Development and Innovation) is the result of a partnership between WIPO and scientific publishers. The launch was a first step in the new service which will eventually be extended to more scientific publications and to specialized patent databases.

6. Also in 2009, a program for the establishment of “Technology and Innovation Support Centres” (TISCs) was started. This program aims to increase the capacity of IP Offices and associated institutions to make use of the information resources of patent databases and scientific and technical journals in the context of local innovation systems. The program has commenced in several countries with a series of assessment and advisory missions followed by local training.

**II. IMPLEMENTATION OF THE DEVELOPMENT AGENDA**

7. A large part of the work of Program 15 in terms of the implementation of the WIPO Development Agenda is achieved through the project based approach:

- DA\_08\_01 (Specialized Databases’ Access and Support): as noted in the Analytical Summary above, the aRD<sub>i</sub> service was launched in 2009. Similarly, the TISC initiative was launched in 2009. Both activities are in progress.

- DA\_19\_24\_27\_01 (IP, Information and Communication Technologies (ICTs), the Digital Divide and Access to Knowledge): This project was approved by the CDIP in 2009. Preliminary work on digitization projects has already started in 2009, and implementation will accelerate in 2010.
- DA\_19\_30\_31\_01 (Developing Tools for Access to Patent information): This project was prepared and approved by the CDIP in 2009 and implementation will start in 2010.

III. PERFORMANCE DATA

Key to Traffic Light System (TLS)

- Fully achieved (100%)
- Partially achieved (50% or more)
- Limited achievement (below 50%)
- Discontinued

Expected Results	Performance Indicators	Performance data	TLS
Enhanced availability and use of PCT and national patent data disclosed in the patent system	Use of the PATENTSCOPE® Search facility by users in offices, industry and the general public	By the end of 2009, up to 35,000 search requests were being conducted per day representing a 20% increase compared to 2008	
	50% increase in the number of direct subscribers to the PATENTSCOPE® Data Services for high-volume data delivery	Before 2008, 14 companies had subscribed to WIPO data products; by the end of 2009, the number of subscribers had grown to 25; an increase of 79%.	
	90% of users express satisfaction with the offered services (customer surveys and feedback)	Information not available.	
	Availability of national patent collections for search in PATENTSCOPE®. At least five collections online in 2009	Eight national/regional collections became available online in 2009: ARIPO, Cuba, Israel, Mexico, Republic of Korea, Singapore, South Africa and Vietnam	
	Cooperation projects with IP offices for digitization and dissemination of national patent collections	Cooperation agreements were concluded with 11 countries: Brazil, Colombia, Cuba, Dominican Republic, Israel, Kenya, Mexico, Panama, Peru, South Africa and Vietnam. In addition a Cooperation agreement was also concluded with ARIPO.	

Expected Results	Performance Indicators	Performance data	TLS
Enhanced sharing of information between IP Offices of search and examination reports delivered in respect of particular patent applications	Number of Offices whose search and examination reports are made available on a centralized web site.	A project is currently being initiated with three Offices (Australia, Canada, UK) for the sharing of search and examination information using a WIPO-supported platform. The project is in the requirements definition phase, and further progress will be made in 2010.	
Increased understanding of the value of patent information, particularly in developing countries and by SMEs (Development Agenda Recommendations 30 and 31)	Guides and training materials on the use of patent information are actively used in patent information centers.	<p>The following publications on patent information are currently available:</p> <ul style="list-style-type: none"> <li>- Access to the World of Technology. Three new languages added (JP, KR, PL)</li> <li>- Finding Technology Using Patents in five languages (EN, FR, JP, PL, SP)</li> <li>- WIPO Guide to Using Patent Information in three languages (English, French and Spanish)</li> </ul>	
Cheaper and easier exchange of priority documents for the purposes of the Paris Convention for applicants and IP Offices	The priority document service is used in processing patent applications at patent Offices worldwide.	The Digital Access Service became operational April 1, 2009, with services initially offered by the Japan Patent Office and the International Bureau. By the end of 2009, seven Offices offered services and around 600 applications had been registered with the system for future use as priority documents. The International Bureau is in discussion with several more Offices about implementing services during 2010 and has begun to develop a secure web-based portal allowing small scale use by Offices which would like to use the Service but either do not process their applications electronically or do not wish to integrate the Service into their systems.	
Access to specialized databases of scientific and technical literature, including commercial patent databases (Development Agenda Recommendation 8)	A program is initiated to negotiate access to specialized databases for users in LDCs and other developing countries.	Access to Research for Development and Innovation (aRDi) was launched on July 23, 2009 offering access to 50 scientific and technical journals from 12 publishers. First contact was made with specialized database providers.	

## IV. BUDGET UTILIZATION

Resource Utilization Revised Program and Budget 2008/09  
*(in thousands of Swiss francs)*

<u>Allocation</u>	<u>Actual Expenditure</u>	<u>% Utilization</u>
6,735	6,391	94.9%

8. Lower than expected utilization was primarily due to the delays in the filling of several posts. The underexpenditure in the non-personnel resources was largely related to “other contractual services”.



**Program 15: IP Office Modernization**

**OBJECTIVE** Enhanced efficiency of IP registration activities and improved services provided by IP institutions to their stakeholders through use of modern tools, systems and best practices; and facilitating their participation in the international IP system

**Program Manager:** *Mr. Y. Takagi*

## I. ANALYTICAL SUMMARY

1. In 2008/09, the Program provided modernization services to IP institutions<sup>4</sup> from 52 countries, across all regions, of which 23 were LDCs, 25 developing countries and four countries in economic transition. In addition, two regional IP institutions in Africa, namely ARIPO and OAPI, were assisted in their modernization projects. The Program's work also included four regional workshops focusing on key automation topics, training and sharing of national experiences and best practices. Countries assisted included both those where new modernization projects were initiated, as well as those where modernization projects were already in progress but in different stages of implementation. In order to meet the expected results and to address the challenges faced in assisting IP institutions with diverse levels of development, infrastructure, skills and resources the Program's assistance covered a comprehensive set of modernization services. These included: technical advice and guidance; needs assessment; simplification of business processes; provision of standard automation components customized to specific national requirements; establishment of national IP databases; e-communication with the Madrid System; linkage with the WIPO Patentscope; extensive training of IP institutions' staff and knowledge transfer to their technical focal points; follow-up and monitoring and post-implementation progress review evaluations. Technical capacity building and knowledge transfer activities accounted for about 60 per cent of the Program's work and were critical in achieving the desired results.

2. Achievements during the 2008/09 biennium included completion of the new enhanced web-based version of the WIPO Industrial Property Automation System (IPAS) for processing of trademarks, patents and industrial designs by IP offices. Along with the re-designed and improved automation system, the Program strategy, methodologies, services, tools and technical support structures were strengthened to improve the effectiveness and quality of the assistance provided. The new system was successfully deployed in Costa Rica, Trinidad and Tobago and Uruguay and preparations were made to deploy it in other countries in 2010. Another achievement related to the recognition of the IPAS functionality and technology by IP and IT experts from some medium-to-large IP offices (e.g. Brazil, Philippines) who have their own legacy automation systems but would like to replace them with IPAS.

3. An external evaluation was undertaken of the automation assistance provided by the Program to the Kenya IP Institute. The evaluation found that automation had made a significant positive impact and brought several benefits to the institution including: enhanced administrative efficiency; reduction in backlog due to faster processing of IP applications; enhanced integrity of searches; savings in cost and time for publication of official gazettes and notices; and access to databases. The evaluation also identified challenges and made recommendations for further improvements.

4. To achieve its results, and as an ongoing exercise, the Program continued to improve its approach, services, tools and systems based on lessons learned, evaluation results and feedback from countries.

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<sup>4</sup> IP institutions include IP offices and collective management societies (CMOs).

II. IMPLEMENTATION OF THE DEVELOPMENT AGENDA

5. Given the nature of the work of Program 15, it is particularly suited to the project based approach to implementation of the WIPO Development Agenda. Project DA\_10\_02: "Smart IP Institutions Project" is aimed at the implementation of Development Agenda Recommendation 10, and involves the deployment of components and business solutions customized for modernizing IP infrastructure of national and regional IP institutions. The project comprises sub-projects for selected national or regional IP institutions across all regions. This project is a partnership activity and hence depends as much on WIPO's assistance as on the expected contribution and commitment from the partners. All sub-projects follow standard project stages including needs assessment, business process re-engineering, deployment of customized automation solutions to adapt to specific national/regional requirements, extensive training and knowledge transfer, progress monitoring and post-deployment impact evaluation.

6. Some project activities were planned for 2009 while most were planned for 2010 and 2011. The ones planned towards the end of 2009 included some needs assessment missions and regional automation workshops. Nevertheless, by the end of 2009, only planning and preparatory work had been completed for the needs assessment activities in consultation with some national and regional IP offices (e.g. Algeria, Cambodia, Chile, Equator, Ethiopia, Nepal, Yemen, Zimbabwe, and regional offices OAPI and ARIPO). In addition, a Regional Automation Workshop was organized in Singapore, which focused on priority topics, technical discussions, national experiences, country reports, evolving business and technology trends, and future directions and strategies successfully implemented.

III. PERFORMANCE DATA

Key to Traffic Light System (TLS)

- Fully achieved (100%)
- Partially achieved (50% or more)
- Limited achievement (below 50%)
- Discontinued

Expected Results	Performance Indicators	Performance data	TLS
Modernized business procedures of IP institutions	44 IP Offices (14 new ones and 30 ongoing) with: <ul style="list-style-type: none"> <li>— availability of national IP databases (e.g. trademarks, patents, industrial designs) through capture of paper records</li> <li>— reduced backlog of IP applications</li> <li>— faster processing of IP applications</li> </ul>	47 IP Offices (18 new ones and 29 ongoing) with: <ul style="list-style-type: none"> <li>— availability of national IP databases (e.g. trademarks, patents, industrial designs) through digitized paper records</li> <li>— reduced backlog of IP applications</li> <li>— faster processing of IP applications</li> </ul> Evaluations were conducted in four IP Offices. The evaluations confirmed that in these Offices, the backlog had been reduced and the efficiency had increased, as measured by the agreed evaluation criteria.	

Expected Results	Performance Indicators	Performance data	TLS
	<p>Twenty CMOs (12 new ones and eight ongoing) with:</p> <ul style="list-style-type: none"> <li>— availability of national databases (e.g. musical works, authors, etc.) through capture of paper documentation</li> <li>— reduced backlog of work</li> </ul>	<p>11 CMOs Offices (two new ones and nine ongoing) with:</p> <ul style="list-style-type: none"> <li>— availability of national databases (e.g. musical works, authors, etc.) through digitization of paper documentation</li> <li>— reduced backlog of work</li> </ul>	
IP Offices equipped for electronic communication with WIPO Treaties	<p>Time and cost savings for 15 IPOs for processing Madrid applications through direct electronic communication with WIPO systems</p>	<p>Time and cost savings for 13 IPOs for processing Madrid applications through direct electronic communication with WIPO systems</p>	
	<p>Patent information from IPOs linked to the WIPO PATENTSCOPE® website (actual number will depend on the availability and quality of the information from IPOs)</p>	<p>Patent information from four IPOs extracted as input to the WIPO PATENTSCOPE® website</p>	

#### IV. BUDGET UTILIZATION

Resource Utilization Revised Program and Budget 2008/09  
(in thousands of Swiss francs)

<u>Allocation</u>	<u>Actual Expenditure</u>	<u>% Utilization</u>
4,959	4,530	91.3%

7. Utilization of resources was lower than expected for the implementation of Development Agenda activities, and for other contractual services in relation to the IPAS and linking the system with PATENTSCOPE®, benchmarking of IPAS and tools and translation of IPAS user interface and manuals.

**Program 16: Economic Studies, Statistics and Analysis**

**OBJECTIVE** Availability of high quality empirical information and analysis to inform policy makers on the economic impacts of the IP system, particularly with respect to developing countries

**Program Manager:** *Director General*

**I. ANALYTICAL SUMMARY**

1. The Economic Studies, Statistics and Analysis Division was created in 2009 with the Head of the Division, WIPO's Chief Economist, joining the Organization in August 2009. Upon creation, the Division consisted only of a Statistics Section. The Economic Studies Section will be resourced in the course of 2010. Program performance thus refers to the statistical work accomplished in 2009 and the limited economic studies work performed by the Chief Economist from August to December, 2009.

2. The statistical work fully achieved its objective in providing high quality empirical input for policymaking. As in previous years, a comprehensive survey of national IP offices was conducted, substantially expanding country coverage compared to previous years. The collected data were made available free of charge on WIPO's statistical webpage and are used by researchers around the world. The Program's flagship statistical publication, the World Intellectual Property Indicators (formerly the World Patent report), offers rich data and commentary on patents, trademarks, industrial designs, and utility models. It has been well-received around the world, generating a large number of news reports and numerous citations in policy publications and research reports. The Program also responded in a timely way to the unfolding of the financial crisis, carefully monitoring PCT filings and providing WIPO's Senior Management with regular analysis of filing trends.

3. Reflecting its recent creation and limited human resources, the achievements of the economic studies work program mainly consisted of the launch of the work program itself. That said, the Chief Economist offered analytical input to the Advisory Committee on Enforcement, which contributed to a new mandate, asking the Secretariat to undertake comprehensive economic studies on the effects of IPRs infringements.

**II. IMPLEMENTATION OF THE DEVELOPMENT AGENDA**

4. The establishment of this Program in the revised Program and Budget 2008/09 responded to the strong demand, especially in the context of the Development Agenda, for the Organization to provide empirical economic analysis and impact studies for use by policy makers. This demand is of particular note in terms of the implementation of Development Agenda Recommendations: 34, 35, 37, 38 and 39. The Program is in its infancy and it is too early to report on performance. As mentioned in the Analytical Summary above, the Program will be resourced in 2010. Towards the latter half of 2009, the Program prepared the Development Agenda Project DA\_35\_37\_1: "Project on Intellectual Property and Economic and Social Development". This project was approved by the CDIP in April 2010.

III. PERFORMANCE DATA

Key to Traffic Light System (TLS)

- Fully achieved (100%)
- Partially achieved (50% or more)
- Limited achievement (below 50%)
- Discontinued

Expected Results	Performance Indicators	Performance data	TLS
Availability of high quality empirical information for policy makers	Preparation of the first World IP Report, covering all major fields of IP, with a target publication date of end 2009/early 2010	Reflecting the recent creation of the economic studies program, the publication of the first World IP Report is only envisaged for 2010.	n/a
	Availability of an initial set of methodological studies aimed at improving the analysis of the economic impact of the IP system worldwide	Reflecting the recent creation of the economic studies program, only limited methodological input was provided in the context of the Advisory Committee on Enforcement. See document WIPO/ACE/5/11.	
Increased use of WIPO statistical publications	Feedback and citations on the publications	<p>In 2009, there were 47,129 downloads/views of the main statistical publications in all languages (World Patent Report 2008, WIPI 2009, PCT Yearly Review 2008/09, PCT Quarterly and Monthly Reports). 6,500 copies of the WIPI 2010 were printed and 3,000 copies of the PCT Yearly Review 2009 were distributed (with only small stocks remaining).</p> <p>As for the statistical data itself, there were 42,655 downloads of the various data spreadsheet during 2009.</p>	
	Publication of economic studies and analysis on specific policy issues related to the IP system, economic growth and development and/or public policy issues using WIPO statistical publications	It is difficult to precisely estimate the number of newspaper articles based on the statistical publications/data and the number of citations in academic writings and policy reports. A Google search (in English) in late January for "World Intellectual Property Indicators" generated 39,800 hits and for "PCT Yearly Review" generated 8,820 hits, though these figures are difficult to interpret.	

## IV. BUDGET UTILIZATION

Resource Utilization Revised Program and Budget 2008/09  
(in thousands of Swiss francs)

<u>Allocation</u>	<u>Actual Expenditure</u>	<u>% Utilization</u>
1,306	876	67.1%

5. Lower than expected utilization of resources in the 2008/09 biennium was due to the following reasons:

- (i) Resourcing of this new Program only started in 2009. Due to some delays in recruitment processes, a significant share of the allocated personnel resources was not utilized.
- (ii) A major study on the impact of the financial crisis on the IP system, with a contract value of 75 thousand Swiss francs, was commissioned in the first half of 2009. However, the contracted consultant did not deliver on this study and the contract was eventually cancelled.
- (iii) Following directions from Senior Management, cost savings, in the form of reduced travel expenditures, were realized.

**Program 17: Building Respect for IP**

**OBJECTIVE** Strengthened capacity in Member States for the effective enforcement of IP rights in the interest of social and economic development and consumer protection, and informed policy discussions at the international level to support the creation of an enabling environment that promotes respect for IP in a sustainable manner

**Program Manager** *Mr. J. C. Wichard*

**I. ANALYTICAL SUMMARY**

1. A defining challenge in the biennium was in achieving the Program's Expected Results while constrained by the lack of personnel resources needed for Program implementation, compared with what had been incorporated in the Program and Budget 2008/09. Nevertheless, owing to significant efforts by Program staff the Program managed to fully meet its Expected Results and continued to enjoy growing recognition for its contribution to building respect for IP in Member States and at the international level.

2. Another of the key challenges in the biennium was to effectively adapt Program activities to the important policy changes resulting from Member States' adoption of Strategic Goal VI "Building Respect for IP" and Recommendation No. 45 of the WIPO Development Agenda. In this regard, consultations were held with Member States in 2008 which resulted in the identification of a mutually agreed theme for discussion at the 5<sup>th</sup> Session of the ACE, and in a renewed commitment to the ACE by Member States at the 2009 WIPO Assemblies. The 5<sup>th</sup> Session of the ACE embraced development-oriented concerns relating to building respect for IP, and Member States agreed on a detailed, research-based work program for its 6<sup>th</sup> Session.

3. Under Strategic Goal VI, and in order to support the implementation of Recommendation 45 of the WIPO Development Agenda, Program 17 further worked towards an integration of development-oriented concerns in its cooperation with partner organizations. This led, for instance, to the inclusion of development-oriented discussions at the 5<sup>th</sup> Global Congress on Combating Counterfeiting, held in Cancun, Mexico, in December 2009. Generally, in order to further improve coordination between the many international initiatives addressing counterfeiting and piracy, the Program intensified its cooperation with a number of key partners, and entered into new strategic partnerships with four international/regional organizations.

4. As regards technical assistance, in addition to the large number of requests for training for law enforcement administrations, the biennium saw a strong demand from Member States for assistance in developing strategic and practical approaches to building respect for IP. This resulted in the formulation of strategies to address the issue, both at the national and the (sub)regional levels. In all its technical assistance activities, the Program strived to build on its strong cooperation with its many partner organizations to ensure the provision of quality services and further eliminate duplication of work.

**II. IMPLEMENTATION OF THE DEVELOPMENT AGENDA**

5. The reformulation of this Program in the Revised Program and Budget 2008/09 and the creation of Strategic Goal VI (International Cooperation for Building Respect for IP) centres on the implementation of Development Agenda Recommendation 45. The description of the Program's activities in the Analytical Section above, makes clear that Program 17 is strongly guided by the over-riding imperative: "To approach intellectual property enforcement in the context of broader societal interests and especially development-oriented concerns, with a view that "the protection and enforcement of intellectual property rights should contribute to the promotion of technological innovation and to the transfer and dissemination of technology, to the mutual advantage of producers

and users of technological knowledge and in a manner conducive to social and economic welfare, and to a balance of rights and obligations”, in accordance with article 7 of the TRIPS Agreement.” (Development Agenda Recommendation 45).

III. PERFORMANCE DATA

Key to Traffic Light System (TLS)

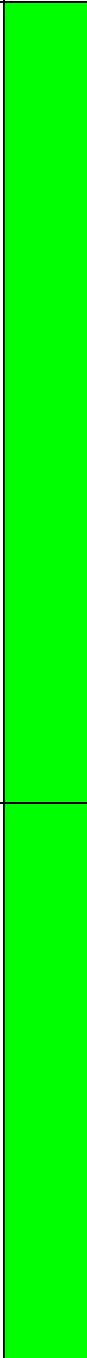
- Fully achieved (100%)
- Partially achieved (50% or more)
- Limited achievement (below 50%)
- Discontinued

Expected Results	Performance Indicators	Performance data	TLS
<p>Support in the formulation and implementation of national, sub-regional or regional strategies and systems to promote respect for IP, which reflect the balance of rights and obligations in accordance with Article 7 of the TRIPS Agreement and WIPO Development Agenda recommendation 45</p>	<p>Formulation of strategies to build respect for IP in three Member States/sub-regions, involving the various stakeholders</p>	<p>The majority of technical assistance activities included policy consultations with the various stakeholders in order to define needs and develop strategic approaches for building respect for IP.</p> <p>The conclusions of the WIPO Asia-Pacific Regional Symposium on the Protection and Enforcement of Intellectual Property Rights in Combating Counterfeiting and Piracy, Kuala Lumpur, January 24-25, 2008, inter alia, emphasized the need to address authentic product pricing in the context of the WIPO Development Agenda, and the need for focused awareness programs to point to the socio-economic importance of the protection of IP rights.</p> <p>Recommendations adopted by representatives of 20 Arab countries at the UNDP-WIPO Regional Conference on IP Crimes, Bahrain, April 13 to 14, 2008, embraced various strategies how to improve criminal enforcement in the region, including with a view to legislative developments, public awareness, training needs, and the need for keeping a balance between IP protection and economic, social and cultural development.</p> <p>Following the recommendations adopted by the 15 Member States of the Southern African Development Community (SADC) at the WIPO Consultation Workshop on the</p>	



Expected Results	Performance Indicators	Performance data	TLS
		<p>Enforcement of IP Rights, in July 2008, a cooperation mechanism was launched between the enforcement administrations of the SADC Member States. That cooperation was reviewed and further developed in two subsequent WIPO-SADC workshops, held in May and November 2009.</p>	
	<p>New or updated legislative framework for effective IP enforcement in four Member States</p>	<p>In its legislative assistance in enforcement-related matters to Member States, provided upon request, the Program ensures that the attention of policy makers is drawn to flexibilities that exist under the relevant international treaties. In 2008/09, the Program received and processed four such requests.</p>	
<p>Enhanced international cooperation to help develop an enabling environment to build respect for IP</p>	<p>Number of examples of international cooperation, technical assistance and capacity building activities done with Member States and intergovernmental organizations which support the development of an enabling environment to build respect for IP in line with the WIPO Development Agenda</p>	<p>In the biennium, the Program responded to 42 requests by Member States for technical assistance to build respect for IP, including training and policy consultations. These included discussions on Strategic Goal VI and Recommendation 45 of the Development Agenda and took place in cooperation with one or several partner IGOs/NGOs, and/or with other Member States, namely under Funds-in-Trusts (FIT) with the governments of France, Japan, and the USA, respectively.</p>	
<p>Constructive and balanced international policy dialogue</p>	<p>Identification of issues of common global concern in the field of IP enforcement in the ACE resulting in commonly agreed conclusions by the Chair</p>	<p>In the 5<sup>th</sup> Session of the ACE, Member States discussed the agreed theme "The contribution of, and costs to, right holders in enforcement, taking into account Recommendation 45 of the WIPO Development Agenda". A range of issues of common concern were identified and reflected in the adopted Conclusions by the Chair (document WIPO/ACE/5/11).</p> <p>Member States further agreed on the following work program for the next session of the ACE: "Developing on the substantive study contained in WIPO/ACE/5/6, analyze and discuss IPRs infringements in all its complexities by asking the Secretariat to undertake:</p> <ul style="list-style-type: none"> <li>- A literature review of methodologies and gaps in the existing studies;</li> </ul>	

Expected Results	Performance Indicators	Performance data	TLS
		<ul style="list-style-type: none"> <li>- Identification of different types of infractions and motivations for IPR infringements, taking into account social, economic and technological variables and different levels of development;</li> <li>- Targeted studies with an aim to developing analytical methodologies that measure the social, economic and commercial impact of counterfeiting and piracy on societies taking into account the diversity of economic and social realities, as well as different stages of development;</li> <li>- Analysis of various efforts, alternate models and other possible options from a socio-economic welfare perspective to address the counterfeiting and piracy challenges.”</li> </ul>	
	<p>Strengthened strategic partnerships through new joint activities, including special projects, with other IGOs and NGOs</p>	<p>The Program intensified and expanded its strategic alliances with partner organizations to ensure a balanced international dialogue on IP enforcement. For instance, in the framework of the Global Congress on Combating Counterfeiting and Piracy, a strategic cooperation with Interpol, the WCO and the private sector was initiated, and development-oriented issues were introduced into the Congress agenda. Cooperation with the IPR Business Group was also strengthened and a strong private sector involvement in many technical assistance activities ensured.</p> <p>Close cooperation continued with UNECE; UNCTAD; WHO; WTO; the Interpol Intellectual Property Crime Action Group (IIPCAG); OECD; the Association of Southeast Asian Nations (ASEAN); the European Commission; SADC; the G8 IP Experts Group (IPEG); the International Centre for Trade and Sustainable Development (ICTSD), and SNB React. Cooperation was initiated with the Commonwealth Secretariat; the newly established WCO Counterfeiting and Piracy (CAP) Group; the European Enforcement Expert Group; and the Universal Postal Union (UPU).</p>	

Expected Results	Performance Indicators	Performance data	TLS
<p>Enhanced capacity of the judiciary and law enforcement officials in handling enforcement matters</p>	<p>More efficient enforcement actions in four Member States by the judiciary, customs and police officials</p>	<p>Program 17 has no mandate to undertake and monitor operational law enforcement in Member States. It does not attempt, therefore, to assess the effectiveness of IP enforcement at the national levels. Yet, various indicators suggest that IP enforcement has strongly developed in various countries the Program has worked with, especially in Asia; certain countries in Eastern Europe and Central Asia; and the countries of the Southern African Development Community (SADC). These indicators include right holder information provided to Program 17; media coverage of enforcement actions and case law; and the level of knowledge by law enforcement officials which the Program has experienced in its training activities. The latter is reflected in the development of advanced/specialized training courses in the respective countries.</p>	
	<p>Improved right holder participation in the enforcement process in six Member States</p>	<p>Through the IPR Business Group, SNB React and the Global Congress Steering Group, the Program worked closely with the private sector and ensured broad right holder participation in its assistance to Member States. This enabled interaction and information exchange between right holders and national law enforcement administrations, and the establishment of contact points. Feedback from right holders suggests that their participation in operational law enforcement benefited from these activities in various countries, thus exceeding the target of six Member States.</p>	

Expected Results	Performance Indicators	Performance data	TLS
Integration of IP issues in enforcement related activities of partner Organizations	Reflection of two substantive contributions provided by WIPO to relevant initiatives of IGOs or NGOs	<p>Comments provided, at WHO's request, on the IMPACT "Draft Principles and Elements for National Legislation against Counterfeit Medical Products".</p> <p>Comments provided, at the request of Interpol, to the Working Document of Interpol's OASIS Training Project in Africa.</p> <p>In the framework of cooperation with WCO, advice was provided on possible pitfalls in the process of setting up the new WCO CAP Group.</p>	

#### IV. BUDGET UTILIZATION

Resource Utilization Revised Program and Budget 2008/09  
(in thousands of Swiss francs)

<u>Allocation</u>	<u>Actual Expenditure</u>	<u>% Utilization</u>
3,211	2,504	78%

6. Lower than expected utilization of resources under Program 17 was primarily in relation to personnel resources and third party travel.

**Program 18: IP and Global Challenges**

**OBJECTIVE** To lead public policy initiatives on IP and global challenges, and support policy deliberations, access to and use of information, and enhanced capacity of WIPO Member States to assess and exercise policy, legal and practical options, concerning IP and global issues.

**Program Manager:** *Mr. J. C. Wichard*

## I. ANALYTICAL SUMMARY

1. Under this Program, WIPO consolidated its role as a central player in the international policy environment and reinforced its reputation as a source of solid, technically sound and neutral information on current policy issues, through:

- a series of highly topical public policy symposia focusing on current cross-cutting issues;
- judicious input to other international policy processes, responding to growing demand;
- the consolidation of public policy patent landscaping initiatives concerning health and food to provide unique insights into areas of significant policy concern;
- technical contributions to emerging IP policy issues, such as the fast evolving debate on IP and climate change; and
- development of studies and issues briefs in areas of current policy interest, developed through careful consultation and dialogue.

2. Resource constraints led to the Program concentrating on quality over quantity in these outputs. The biennium 2008/09 can be viewed as a transitional phase, moving from preliminary pilot-level work on life sciences issues to a firm basis for the broader program on global challenges introduced in the revised Program and Budget 2008/2009. The Program continued to elaborate its outputs, through consultation within and beyond WIPO, e.g. through the WIPO Life Sciences Policy Symposia, in order to increase their salience and accessibility.

3. Working relationships with international organizations were strengthened, including with the CBD, FAO, UNCTAD, UNESCO, UNFCCC, WHO, the International Centre for Genetic Engineering and Biotechnology (ICGEB), the African Union and in the framework of the UN Inter-Agency Committee on Bioethics (UNIACB), with NGOs, the private sector and academia. Positive feedback was received from these partners as well as from third parties and Member State representatives. Focus remained on providing neutral, technically sound and topical information and policy analysis responsive to the needs of international policymakers and on promoting dialogue and cooperation. The first cross-disciplinary Symposium on Public Policy Patent Landscaping in the Life Sciences was convened, promoting cross-fertilization between the separate policy domains of agricultural biotechnology and biomedical technologies, and of environment-related technologies in a Symposium on Patent Landscaping and Transfer of Technology under Multilateral Environmental Agreements.

4. The Program supported international policy dialogue through consultation with stakeholders and targeted capacity building for policymakers who seek firmer grounding in technical intellectual property issues touching on their policy concerns. Tailored briefings and policy analysis were provided upon request for diplomats, officials of cooperating intergovernmental organizations (IGOs), regional bodies, postgraduate students and academics, national experts and industry groups. The Program also contributed extensively to a series of WTO capacity building workshops.

5. In July 2009, this Program contributed to the organization of a major WIPO Conference on Intellectual Property and Public Policy Issues held in Geneva. The Conference was organized following a proposal by the Standing Committee on the Law of Patents (SCP) at its 12<sup>th</sup> session in June 2008 and addressed issues relating to the interface of IP with other areas of public policy, such as public health, the environment, climate change and food security; and at serving as a forum for

public policy debates on the role of IP and the balance between innovation and access to new technologies. The Conference also created opportunities for WIPO to deepen collaboration with other IGOs, such as FAO, UNFCCC, WHO, WMO, WTO as well as with private sector stakeholders, NGOs and academia.

6. Outreach to the private sector was undertaken through high-level meetings in which WIPO explored direct collaboration in several areas including on improving access to essential medicines as well as on environmentally sound technologies.





7. WIPO engaged actively in cooperation with the WHO, in particular in the context of the implementation of the Global Strategy and Plan of Action on Public Health, Innovation and Intellectual Property (GSPOA) and the initiative of the Special Programme for Research and Training in Tropical Diseases (TDR) to establish an African Network for Drugs and Diagnostics Innovation (ANDI). It also included the UNITAID Medicines Patent Pool Initiative, that aims at establishing a voluntary patent pool for medicines with an initial focus on increasing access to newer antiretroviral medicines (ARVs) and encouraging the development of new formulations, and the Intergovernmental Meeting (IGM) on Pandemic Influenza Preparedness: Sharing of Influenza Viruses and Access to Vaccines and other Benefits.

## II. DEVELOPMENT AGENDA IMPLEMENTATION

8. Program 18 has been involved in the implementation of the Development Agenda both with respect to mainstreaming relevant DA Recommendations into its regular program activities and through the preparation and implementation of two Development Agenda projects. The Analytical Summary above provides further information the programs activities which support the implementation of a range of relevant Development Agenda Recommendations, in particular in the areas of technology transfer and patent information. The Program also led on the Development Agenda Project DA\_7\_23\_32\_01: "IP and Competition Policy". The project supports the implementation of Development Agenda Recommendations 7, 23, 32 and 1. Its aim is to promote a better understanding of the interface between intellectual property and competition policy, particularly in developing countries and countries with economies in transition.

## III. PERFORMANCE DATA

### Key to Traffic Light System (TLS)

   	<p>Fully achieved (100%)</p> <p>Partially achieved (50% or more)</p> <p>Limited achievement (below 50%)</p> <p>Discontinued</p>
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Expected Results	Performance Indicators	Performance data	TLS
	<p>Use of WIPO inputs in international and national processes.</p> <p>Target: eight processes</p>	<p>WIPO contributed policy materials and other inputs to WHO (the Intergovernmental Working Group on Public Health, Innovation and Intellectual Property (IGWG), GSPOA, IGM), the UNITAID Medicines Patent Pool Initiative, the Human Rights Council (High Level Task Force on Implementation of the Right to Development), the UN Inter-</p>	

Expected Results	Performance Indicators	Performance data	TLS
<p>Recognition of WIPO's role in international policy, and increased capacity of policymakers to monitor developments in IP and global issues, to review the implications of policy options, and to assess the policy interests and perspectives concerned</p>		<p>Agency Committee on Bioethics (UNIACB), FAO, UNFCCC (Subsidiary Bodies and Conferences of the Parties (COP) in Poznan 2008 and Copenhagen 2009 with side events organized at the COPs), WTO (national and regional seminars on certain aspects of the WTO TRIPs Agreement), as well as to several national and regional processes, including the World Trade Institute at the Berne University (on animal genetic resources), the African Union Pharmaceutical Manufacturing Plan for Africa and the WHO TDR/ANDI project.</p>	
	<p>Feedback and reported impact from policy forums that WIPO convenes or contributes to.</p>	<p>Positive feedback on WIPO inputs was received from the WHO, the FAO, the UNIACB, TDR and the African Union as well as several civil society and industry NGOs and Member State representatives.</p>	
	<p>Requests for WIPO inputs from Member States, IGOs and other organizations</p>	<p>WIPO has been requested to deliver input on IP issues related to the life sciences by, inter alia, FAO, UNFCCC, UNIACB, WHO, WTO, the African Union, national processes, NGOs and academia.</p>	
<p>Enhanced interactive exchange between governments, international organizations, civil society actors, and the private sector.</p>	<p>Requests for WIPO participation in policy forums.</p>	<p>WIPO was invited to take part in a range of high profile academic and policy forums within Geneva policy circles, in Member States and elsewhere within the UN system, as well as in civil society and private sector meetings, reflecting growing demand for WIPO input.</p>	
	<p>Feedback and reported impact from policy forums that WIPO convenes</p>	<p>WIPO received positive feedback from participants from Member States, IGOs, NGOs, the private sector, academia and the press on the policy forums convened by WIPO. Topics included public policy patent landscaping, multilateral environmental agreements, public sector IP management in the Life Sciences and patenting of biotechnology. Particularly the neutral, technically sound and topical information, the policy analysis and the opening of a forum for exchange of pertinent experiences between relevant stakeholders have been welcomed.</p>	

Expected Results	Performance Indicators	Performance data	TLS
	<p>Range and diversity of policy dialogue partners and reported impact of enhanced dialogue.</p> <p>Target: enhanced cooperation with four existing partners, and cooperation with four new partners. Six policy forums convened by WIPO.</p>	<p>WIPO enhanced its cooperation inter alia with the FAO, UNCTAD, WHO, WTO, UNIACB and the African Union. WIPO has engaged in initiating joint activities for 2010/11 with WHO and WTO on the implementation of GSPOA. New partnerships were built with the UNFCCC on climate change related technology, with TDR on ANDI, with the African Union on a Pharmaceutical Manufacturing Plan for Africa, and with the World Trade Institute at the Berne University on future challenges of patenting biotechnology.</p> <p>Four policy forums have been convened (Symposium on Public Policy Patent Landscaping in the Life Sciences, Life Sciences Symposium on Patent Landscaping and Transfer of Technology under Multilateral Environmental Agreements, Life Sciences Symposium on Public Sector Intellectual Property Management, Symposium on Future Challenges of International Law: The Way Forward in Patenting Biotechnology).</p>	
<p>Practical availability of new patent analysis tools and studies and patent information resources regarding IP and global challenges</p>	<p>Number and scope of new policy tools and studies, and patent information analyses and data tools</p>	<p>Dialogue was initiated with industry on establishing tools and projects to facilitate access to technology in the area of public health and green technology.</p> <p>Development of Issues paper on IP and climate change (consultation draft) and first draft on IP Management for Public Health.</p>	
	<p>Feedback from users and partners on the quality and relevance of tools developed</p> <p>Target: six new outputs</p>	<p>Strong positive feedback was received on the presentation of a draft study on technology transfer and IP issues under multilateral environmental agreements.</p> <p>Two side events organized at the UNFCCC COPs in Poznan 2008 and Copenhagen 2009.</p>	



Expected Results	Performance Indicators	Performance data	TLS
Enhanced capacity of Member States and partner IGOs to make informed decisions regarding practical options for use of patented technology in fields most relevant to global policy challenges	<p>Requests for patent information products</p> <p>Feedback from users of products</p> <p>Target: Requests for six new products</p>	Information on the use and effect of patents as well as information directly resulting from the patent system is increasingly sought in policy processes by Member States, IGOs, NGOs and the civil society. WIPO's work on patent information tools was of particular interest to the FAO, UNFCCC, WHO, the African Union and UNITAID who encouraged WIPO to further develop and build on the results achieved.	

#### IV. BUDGET UTILIZATION

Resource Utilization Revised Program and Budget 2008/09  
(in thousands of Swiss francs)

<u>Allocation</u>	<u>Actual Expenditure</u>	<u>% Utilization</u>
1,522	1,221	80.2%

9. Since Program 18 is a relatively new program, underexpenditure was primarily due to the non-filling of several key staff positions, including that of the Director which remained unfilled in 2009. In addition, expenditure on experts' honoraria was lower than expected.

**Program 19: Communications**

**OBJECTIVE** Better understanding of IP issues and of WIPO's role worldwide and greater service orientation within the Organization

**Program Manager** *Mr. J. C. Wichard*

I. ANALYTICAL SUMMARY

1. Promoting a better understanding of IP issues and WIPO's role worldwide required more creative approaches to disseminating WIPO's messages to Member States and all stakeholder groups, particularly in developing countries. A key challenge was to further involve Member States in the process, providing assistance and cooperation on launching national outreach activities as well as making WIPO information products available to a broad and diverse audience. A greater emphasis on value for money led to more cooperative and joint projects, which resulted in the launching of more products with broader dissemination. These efforts met with success on numerous fronts; several highlights are outlined below.

2. Achieving Expected Result 1 – *Broader understanding of the role of IP, and of WIPO and its activities, among policy makers and the general public* – required a multi-faceted approach which continues to evolve to meet the needs of WIPO stakeholders. A key new strategy was to provide Member States with the basic tools to conduct outreach campaigns: a new "IP Outreach Tools" section was created on the WIPO website, containing the web-version of the WIPO Guide to Intellectual Property Outreach and two databases containing information on IP outreach initiatives worldwide and summaries of empirical IP research studies. As an example of their impact, material provided in these databases was extensively used in a high-profile report by the ICC initiative 'Business Action to Stop Counterfeiting and Piracy' (BASCAP) on consumer attitudes and perceptions on counterfeiting and piracy. Contacts and cooperation with IP offices and stakeholders in the private sector and civil society were reinforced in response to the increased awareness of the importance of public outreach in creating a better understanding of IP. An agreement to license and distribute an IPR e-learning module created by the United States Department of Commerce was reached in 2009, and collaboration between WIPO, the Geneva Invention Fair and the Swiss IP office was further developed for a stronger and more effective participation in this important event which attracts inventors from around the world. Work was started on a joint project with the Japan Patent Office, foreseeing the creation of a database of case studies and other materials illustrating instances of the successful use of the IP system.

3. WIPO's general information materials continued to generate increased interest: individual requests from 20 Member States were processed in 2009 – for specific use of teaching and awareness-raising materials in universities, schools, SME organizations, and governmental institutions – representing a two-fold increase from the previous biennium. Readers demonstrated a very strong interest in the WIPO Magazine which resulted in a sharp rise in its online reading (2.3 million page views in 2009 against 0.9 million in 2007), a 19% increase in subscriptions to the paper version and an excellent feedback received from a recent survey on its quality and relevance.

4. The recognition of young people as key consumers of IP – today and tomorrow – was a key impetus for the Organization's increasing efforts to reach this group. In response to requests from Member States, efforts were stepped-up to make more educational materials available to more schools and school teachers to educate students about IP. As many Member States face budgetary issues in printing and distribution of materials, WIPO began an effort to identify partners in the private and public sector, at a regional level, who are willing to sponsor printing costs and participate in other aspects of outreach campaigns. In Jordan, for example, agreement was reached with the Queen Rania Center for Entrepreneurship to reprint the WIPO comic books on Patents, Trademarks, and Copyright for use in schools in Jordan. Ten schools were to be targeted in the first year, with plans to expand the program to other countries in the region by training local teachers to use WIPO IP educational materials. A pilot program to use the "Learn From the Past, Create the Future" series for young people in the International Baccalaureate primary years curriculum was launched by the

International School of Geneva, to be made available to other schools worldwide using the IB curriculum.

5. In close cooperation with Peru's IP institute (INDECOPI) and the Korean Government's Funds-in-Trust, the animation of WIPO's popular "Copyright" comic (originally developed in partnership with INDECOPI), was completed, and will be made available to Member States for broadcast on national television stations, on DVD for use in schools, and on social media such as YouTube, in early 2010.

6. The Organization followed both traditional as well as new routes to extend its reach to its global audiences. WIPO worked with Member States to translate and publish new (non-UN) language versions of WIPO publications, with an annual increase of 35 per cent over the previous biennium's figures. WIPO publications were made available in 14 new WIPO Depository Libraries in developing countries, further extending the Organization's reach into academic institutions. WIPO free-of-charge information products, in all available languages, continued to be uploaded onto Google Books and Scribd. Previously only WIPO for-sale publications, in English, had been included in Google Books and no WIPO documents were available in Scribd, a new and increasingly popular document sharing website. Additionally, some 1.1 million Swiss francs was generated by the sale of publications during the biennium, and some 380,000 information products were distributed worldwide.

7. The WIPO briefings program, which seeks to promote a better understanding of WIPO's mission, its activities and the role of IP, welcomed over 4,100 individuals comprising 161 groups including government officials, business people and university and high school students. High transport costs and the global economic downturn had a tangible impact on the numbers of requests received from overseas student groups in 2008 and 2009. That said, demand for more specialized, in-depth briefings on specific IP issues remained constant, indicating a continuing interest among these target audiences in substantive IP issues.

8. Recognizing a significant gap in WIPO's outreach activities – materials on the subject of counterfeiting and piracy – the Organization produced a film on the effects of counterfeit medicines on consumers. "Tolomeo's Story" puts a human face to the problem, and addresses the issue in a simple, dispassionate manner, its message geared towards policy makers and the general public alike. This project again was a cooperative endeavor, reducing the cost of the production significantly. A key strategy shift during the year was to focus more on distribution of WIPO films on social networking websites such as YouTube (viewings doubled in 2009 with nearly 50,000 individual views). Two promotional films on The Hague and Madrid Systems were produced as well, for use on both the web as well as at conferences and seminars. In light of reduced budgets, most of these works were produced in-house, resulting in increased production at lower cost.

9. Activities undertaken with regard to Expected Result 2 - *Improved customer focus throughout the Organization* - led to the creation of a Customer Service team which is now the central point of reference for all customer service-related aspects within the Organization. The team initiated a number of activities which generated several improvements, namely: the creation of an internal group of customer service focal points to develop and implement effective inquiry processing procedures across all sectors; the implementation of a new WIPO 'Contact Us' page and related supporting structure, providing a much more consistent and comprehensive central point of contact for any external user (including Member States, IP Offices and Institutions) while improving the customer experience by ensuring a more prompt and systematic response by WIPO; the streamlining of the processing of generic or misdirected email inquiries; and extensive training and awareness-raising on the importance of service-orientation and the need of increased efficiency in inquiry processing. All of these efforts contributed to the ongoing development of a culture of service throughout the Organization.

10. Achieving Expected Result 3 - *Higher global media profile for WIPO activities*, centered on nourishing long-term interest in IP issues, and ensuring accuracy of content, through the use of press conferences, press communiqués, briefings and interviews (written press, television and radio) with WIPO officials on a variety of subjects. The organization of seminars for journalists in Geneva and abroad helped expand the network of journalists that appreciate and understand the value of reporting on IP, thereby furthering the strategic objective of developing sustained media interest in IP issues. This, coupled with proactive media outreach, explains the strong growth in media contacts in 2008/09. A 36% increase in the number of articles appearing in the world press on WIPO's activities was also the result of more proactive media efforts at an international level. In 2009, the media shifted its

attention away from institutional matters at WIPO and more toward substantive issues. The distribution of some 312 WIPO Awards to inventors and creators in 34 Member States, primarily in developing countries or countries in transition, helped generate significant press coverage as well.

11. Expected Result 4 - *Increased use of the WIPO Library's information resources.* The WIPO Library joined Program 19 at the end of 2008. Over the biennium, the Library assisted in a better understanding of IP issues through the enrichment of its services, resulting in more resources available to its customers. The majority of information requests received by the Library were through email, amounting to an increase of 15% between 2006/07 and 2008/09 for internal requests and showing a steady number of external requests. The increase from internal customers was likely due to the in-house marketing efforts of the Library in the promotion of its services. In order to support WIPO's presence in the IP community, the Library launched a new service in 2009, providing up-to-date country profile reports to colleagues undertaking missions. Identifying the need for preserving and for increasing accessibility to important WIPO historical material through electronic means, the Library initiated a digitization project which will come into full fruition in 2010.

## II. IMPLEMENTATION OF DEVELOPMENT AGENDA

12. A joint project was begun with the Japan Patent Office, using Japan Funds in Trust and existing WIPO experience in outreach databases. This project, tentatively called E-SPEED, is a database of case studies and other materials (articles, videos, etc.) which illustrate instances of the successful use of the IP system. The technical framework was finalized and initial work on standardizing existing studies was begun for the creation of a "beta" version. In October 2009, the joint project was endorsed by the CDIP. The E-SPEED database project is related to Development Agenda Recommendations 4, 5, 9 and 11.

13. The activities under Program 19 as a whole contributed to implementing Recommendation 3 and 5 of the Development Agenda.

## III. PERFORMANCE DATA

### Key to Traffic Light System (TLS)

- Fully achieved (100%)
- Partially achieved (50% or more)
- Limited achievement (below 50%)
- Discontinued

Expected Results	Performance Indicators	Performance data	TLS
<p>Broader understanding of the role of IP, and of WIPO and its activities, among policy makers and the general public</p>	<p>Core messages on the value of IP (via printed materials, multimedia products, and the WIPO website) are used by Member States in ten national public outreach activities</p>	<p>Core messages on the value of IP via printed WIPO information materials and multimedia products were used in 13 national public outreach campaigns, in Abu Dhabi, Cambodia, Dubai, Ireland, Jordan, Lebanon, Mexico, Morocco, Nicaragua, Peru, Saudi Arabia, Singapore and Tunisia.</p> <p>70 new versions of WIPO publications translated and published into non-UN languages.</p>	

Expected Results	Performance Indicators	Performance data	TLS
		<p>14 WIPO Depository Libraries were established in Member States making IP material available to the public.</p> <p>Five new documentaries about creators and innovators from France, Brazil, Ukraine, Peru, Nigeria, about the value of IP in their work; available on demand on the WIPO website and social networking sites such as YouTube.</p> <p>Visitors to the web version of the WIPO Magazine more than doubled (1.8 million page views in 2008 against 2.3 million in 2009, i.e., an increase by almost 28%) while subscriptions to the paper version increased 19% over the previous biennium. Email subscriptions to the three language versions of the Magazine continued to increase, reaching 13,400 by the end of 2009. In a readers' survey launched in 2009 to assess the impact and appreciation of different types of articles in the Magazine, some 88% of respondents rated the overall Magazine "good" or "very good".</p>	
	<p>IP educational materials for young people are used in ten Member States in national school systems</p>	<p>IP educational material for young people were used in at least ten Member States, including Cuba, Germany, Jordan, Lebanon, Luxembourg, Morocco, Peru, Philippines, Qatar and the United Arab Emirates.</p> <p>Pilot project begun for use of WIPO material in international schools worldwide.</p>	
	<p>Broadcast of two WIPO public information spots on at least two international networks and 40 national networks in Member States</p>	<p>Broadcast quality spot not produced for 2008 due to lack of funds for external production. 2009 broadcast-quality spot delayed to end of year due to filming and post-production constraints, currently available on DVD.</p> <p>A World IP Day video animation produced for Member States for download via Internet. Production of WIPO films posted on social networking sites generated 50,000 hits on YouTube.</p> <p>More than 1,000 copies of the WIPO Video Collection DVD distributed to</p>	

Expected Results	Performance Indicators	Performance data	TLS
		Member States during the 2008 and 2009 WIPO General Assembly.	
	10% increase in the number of Member States with outreach activities on World IP Day	World Intellectual Property Day was celebrated worldwide in 2008 with the slogan "Innovation – Respect It" and in 2009 with the slogan "Green Innovation". In 2008, some 1,500 information kits were sent to Member States, observers, stakeholders and businesses while in 2009, as part of the ongoing "greening" of WIPO, promotional kits were not mailed as in past years. Instead, Member States and observers were encouraged to download the promotional material from the WIPO website. Events were reported to WIPO from 60 countries in 2008 and 79 in 2009 (a 32% increase). These countries reported 240 event summaries in 2008 and 260 in 2009 (posted on the WIPO website) representing respective increases of 45% and 57% over 2007.	
Improved customer focus throughout Organization	Completed audit and assessment of existing WIPO service activities	Phone, email and fax contacts for all WIPO sectors identified and listed.  Existing formal and informal support teams and staff – and related processes - identified and documented.	
	Completed benchmarking of customer service operations in relevant external organizations	Benchmarking completed through visits to or contacts with OHIM, UKIPO, DKPTO, EPO, USPTO and IP Australia.	
	Short-term, transitional solution introduced for initial improvement in call center/help desk operations	Re-organization of WIPO website Contact Us page.  Definition and implementation of a phone and email contact structure described by the Customer Service Routing Table.  Provision of technical tools to some teams to improve the email inquiry and phone calls processing.  Numerous training courses undertaken by customer service team.	

Expected Results	Performance Indicators	Performance data	TLS
	Coordination of existing service operations with top-level enquiry center; creations of new "second-level" service providers in relevant sectors.	Implementation of a central team in charge of generic email inquiries and of the coordination and re-distribution, at organization level, of complex or misdirected email inquiries.  Definition and documentation of responsibilities of each support team or individual, described in the internally published Service Catalogues.	
Higher global media profile for WIPO activities	At least 5% increase in world press articles which use information provided by WIPO	11% increase in the number of press articles as compared to previous biennium.	
	At least 5% increase in the number of media contacts regularly reporting on WIPO	36% increase in number of media contacts as compared to previous biennium.	
	At least 5% increase in number of WIPO-generated articles in specialized business and academic publications	10% increase in number of WIPO generated articles as compared to previous biennium.	
Increased use of the WIPO Library's information resources	10% increase in the number of customers using the Library services (from 10/week in 2006)	The number of visitors to the WIPO Library increased by 10% being mostly IP professionals from the Geneva area (researchers, university students) and from the WIPO Academy programs.	

## IV. BUDGET UTILIZATION

Resource Utilization Revised Program and Budget 2008/09  
(in thousands of Swiss francs)

<u>Allocation</u>	<u>Actual Expenditure</u>	<u>% Utilization</u>
13,788	13,442	97.5%

14. Budget utilization is close to target. The slight underexpenditure is due to continuing cost saving efforts in the area of supplies and materials.

## Program 20: External Offices and Relations

**OBJECTIVE** Enhanced and more effective engagement of WIPO with the external community

**Program Manager:** *Mr. J. C. Wichard*

### I. ANALYTICAL SUMMARY

1. During the biennium, the major focus for this Program was engagement with WIPO's key strategic partners to support WIPO's work and ensure that the Organization was effectively networked with its external environment to support intergovernmental processes as they relate to IP and key public policy issues, such as IP and trade, public health and climate change. This work was given further impetus following the introduction at the end of 2008 of the nine new strategic goals and in particular Strategic Goal VII: "Addressing IP in relation to Global Policy Issues" and the establishment in the revised Program and Budget 2008/09 of a new program focused on these issues (Program 18: IP and Global Challenges). This push to reestablish WIPO as the leading intergovernmental forum for addressing the intersection between IP and global public policy issues necessitated a strengthening of WIPO's external relations function which could ensure WIPO's systematic monitoring and engagement in key intergovernmental negotiating processes.

2. The focus of activities has been on WIPO's engagement with key partners:

- (i) **WTO:** Work to support the effective implementation of the WIPO/WTO Technical Assistance Agreement. In 2008-2009, there was a concerted effort to strengthen cooperation with the WTO through an increased level of joint workshops and activities on issues related to support for developing countries in relation to IP and trade.
- (ii) **WHO :** WIPO has engaged in active partnerships with the WHO on issues related to public health and access to medicines. In addition to the organization of WIPO/WHO and WIPO/WTO/WHO workshops on related public health and IP issues, it has also included WIPO's substantive engagement in the WHO Executive Board, World Health Assembly, and the Global Strategy and Plan of Action on Public Health, Innovation and Access to Medicines.
- (iii) **UNFCCC/UNEP:** WIPO was increasingly active in the intergovernmental negotiating process and inter-agency initiatives in relation to climate change in particular in the context of the United Nations Framework Convention on Climate Change. WIPO organized a joint event with the ITU at COP15, which attracted significant interest and participation.

3. In addition to these key strategic activities, work to deliver on the objectives and expected results of Program 20 has included active participation in inter-agency affairs and external relations with the United Nations common system, all UN Management Reform bodies for coordination and coherence such as the High Level Committee on Management (HLCM), High Level Committee on Programs (HLCP), Chief Executives Board (CEB), and the Joint Inspection Unit (JIU), among others. Activities have also included coordinating follow up reports on a range of UN Conferences and initiatives such as the World Summit on the Information Society (WSIS) and participation in major event such as UNCTAD XII in Accra.

4. WIPO's work with NGOs and industry remained a key strategic priority. In 2008, the Program responded to new requests, for example from the International Federation of Reproduction Rights Organizations (IFRRO) to help coordinate together with the "World Blind Union" and other NGOs, on the "Visually Impaired Persons - VIPs" project. Assistance was also provided in the organization of the 1<sup>st</sup> meeting proposed by AIPPI (Association Internationale pour la Protection de la Propriété Intellectuelle) on a new treaty on 'Client Professional Privilege'. During 2009, Program activities related to NGOs were affected by changes in staffing and a strategic rethink about how best WIPO might engage with these key stakeholders. It is envisaged that the 2010/11 biennium will see major



new initiatives launched with respect to the Organization's communications and engagement with civil society, including its relationship with professional associations, industry groups and NGOs more broadly.

5. The WIPO external offices have a central role to play in supporting the Organization's achievement of its objectives. During 2008, the WIPO offices in New York, Singapore, Tokyo and Brussels carried out a range of activities to help deliver services and activities related to a wide range of WIPO's Programs. At the end of 2008, the Director General signaled his intention to undertake a strategic review of the WIPO external offices aimed at ensuring that there was a clear vision of the role and function of these offices to support the effective and efficient delivery of the broader organizational objectives in a service oriented way.

6. The most significant event in terms of WIPO's efforts to mobilize resources for developing countries to support their use of IP to facilitate development, was the approval and implementation of the WIPO Development Agenda Project to convene the WIPO Conference on Building Partnerships for Mobilizing Resources for Development (November, 2009). The preparations and consultations for the Conference provided a rich learning opportunity for the Organization in terms of the modus operandi of the mainstream development agencies. This process and the Conference itself helped establish a rich network of partners which WIPO can explore in terms of the support they can offer to its developing country Member States. A range of follow up initiatives was reported to the 4<sup>th</sup> Session of the Committee on Development and Intellectual Property (CDIP).

7. WIPO's existing donors continued to provide important support. Additional support was provided through the establishment of the new Japan FIT/Africa. A contribution 1.1 million Swiss francs was made by the Government of Japan to this fund to support WIPO's work with countries in Africa. In addition, at the end of 2008, a Fund-in-Trust was established by the Government of Portugal to support WIPO's work with the Lusophone countries, particularly in Africa. The performance data in the following table provides further detail on increases in extrabudgetary resources achieved in 2008/09.

## II. IMPLEMENTATION OF THE DEVELOPMENT AGENDA

8. Program 20 was responsible for the implementation of the WIPO Development Agenda project to implement Development Agenda Recommendation 2. The approved project document (see CDIP/3/INF/2) proposed the convening of a Conference on Building Partnership for Mobilizing Resources for Development. The Conference was held on November 5 and 6, 2009 and produced the project outputs detailed in the project document. However, the Conference was only a starting point for the implementation of Development Agenda Recommendation 2. In this respect the project document and the program activities for Program 20 in 2010/11 provide more detailed targets for the mobilization of such resources and for longer term assessment of results.

9. The design of program activities under Program 20 is aimed at implementing Development Agenda Recommendations 14, 30, 40 and 43. With respect to Recommendation 14, Program 20 in cooperation with the substantive WIPO sectors ensured that activities undertaken with the WTO reflected this Recommendation. Program 20 also worked with the relevant sectors in WIPO to work in cooperation with other intergovernmental organizations to support the implementation of Recommendations 30, 40 and 43.

III. PERFORMANCE DATA

Key to Traffic Light System (TLS)

- Fully achieved (100%)
- Partially achieved (50% or more)
- Limited achievement (below 50%)
- Discontinued

Expected Results	Performance Indicators	Performance data	TLS
<p>Deliberations pertaining to IP issues in other international fora, including the UN, take WIPO's input into account</p>	<p>Eight documents and international meeting reports reflect WIPO's input</p>	<p>Inclusion of IP in the UN Joint Statement (in line with the UN Delivering as One concept) submitted and read at the Roundtable meeting of the Government of Bhutan with its Development Partners, underscoring the support for the effective use of the IP system.</p> <p>Active participation in over 30 meetings of WTO, UNFCCC, UNIDO, UNCTAD, WSIS, WHO, IADB, CEB, HLCM and HLCM contributing to deliberations in these fora.</p> <p>Performance against this indicator is also reflected in some of WIPO's substantive programs ( Programs 4 and 5) and new Program 18 (IP and Global Challenges).</p>	
<p>Greater understanding among industry groups and civil society of WIPO's work and the developmental benefits of IP; and enhanced participation of civil society in WIPO activities in accordance with criteria regarding NGO acceptance and accreditation (Development Agenda Recommendation 42)</p>	<p>Eight communications, reports and publications from governmental and non-governmental organizations reflect a more informed view on IP</p>	<p>This indicator is difficult in terms of attributing the result to WIPO's contribution and has not been systematically tracked.</p>	
	<p>Increased number of NGOs participate as observers at WIPO and engage in joint activities</p>	<p>Addition of 10 NGOs observers to WIPO in 2008.</p> <p>New platforms established for exchanging information and developing new activities in partnership with all stakeholders (NGOs, IGOs, industry as well as governments).</p>	
	<p>Increased number of joint activities with regional, sub-regional and national organizations</p>	<p>Performance data against this indicator has not been collected and consequently has not been assessed.</p>	

Expected Results	Performance Indicators	Performance data	TLS
	Additional public and private sector partnerships	<p>Participation in a UNESCO Jakarta Regional Office project to develop new teaching and learning resources to strengthen the capacity of universities within UNESCO's network in the areas of university-industry partnerships and technology management systems. This project has the potential of reaching out to 207 universities in 13 countries in Asia including 180 universities in Indonesia.</p> <p>Continued engagement with ASEAN through joint activities and sustained cooperation with national institutions such as the National Research Council of Thailand, the Technology Application and Promotion Institute-Department of Science and Technology of the Philippines and the Department of Science and Technology of Viet Nam.</p>	
Increase in extrabudgetary resources available to WIPO to support its technical assistance and capacity-building work (Development Agenda Recommendation 2)	Increase in extrabudgetary income to WIPO in 2008/09 as compared with the extrabudgetary income reported in the 2006/07 Financial Management Report	Total extrabudgetary income in 2008/09 was 15.8 million Swiss francs as compared with 13.4 million Swiss francs in 2006/07; an increase of 2.4 million Swiss francs or 18%.	
	Increase in the WIPO donor base reflected in the number of new donors, Funds-in-Trust (FIT) Agreements and other such Agreements	The number of FIT Agreements remained stable at 18 in 2008/09 compared with 2006/07.	

#### IV. BUDGET UTILIZATION

##### Resource Utilization Revised Program and Budget 2008/09 (in thousands of Swiss francs)

<u>Allocation</u>	<u>Actual Expenditure</u>	<u>% Utilization</u>
10,616	10,795	101.7%

10. The Program had an overexpenditure of 1.7% over the 2008/09 allocation. This was primarily the result of an increase in personnel resources resulting from the on-going strategic realignment. This overspending was offset to some extent by an underexpenditure in non-personnel resources.

**Program 21: Executive Management**

**OBJECTIVE** Clear policy direction and a well run Organization, to enable WIPO to fulfill its mandate, in accordance with Member States' directives and the regulatory framework

**Program Manager** *Director General*

## I. ANALYTICAL SUMMARY

1. Program 21 covers the Office of the Director General (ODG), strategic planning, the Office of the Legal Counsel (OLC) and the Protocol service.

2. The 2008/09 biennium was a period of major transition and strategic change, in which a new Director General was elected (October 2008), a new Senior Management Team (SMT) was appointed (December 2009), and the WIPO Strategic Realignment Program was launched (October 2008) to address the Organization's corporate culture, the efficiency of its business processes, and the alignment of its programs, structure and resources to the strategic goals. Following intensive consultations with Member States, a revised 2008/09 Program and Budget was approved, which redefined the strategic level goals, set out the corresponding realignment of program structure and resources, and mainstreamed development objectives across all program areas. This was the first step in re-clarifying strategic policy directions, and in repositioning the Organization so as to be better able to carry out its mandate and to address the challenges of the rapidly evolving external geo-political and technological environment. From October 2008 until the appointment of the new SMT, the development and implementation of the Strategic Realignment Program was led entirely by the Director General with support from his Office. In addition to completing the initial restructuring of some 70% of organizational units, priority during this first phase was given to strengthening customer service and communication, both internally and with Member States; strengthening performance through results-based management processes at program level and at individual staff level; identifying and plugging significant skills gaps; and increasing WIPO's engagement within the UN system to addressing global challenges. Specific initiatives which contributed to achieving these aims are listed in the table below.

3. The Director General also led decisive action during the biennium to monitor and anticipate the impact of the global economic and financial crisis, including the introduction of measures which significantly cut the cost of staff travel and the introduction of a Voluntary Separation Program. An online Observatory was established for transparency purposes to enable Member States to monitor key financial parameters and trends.

4. The first ever ministerial High Level Segment during the WIPO Assemblies was also initiated and managed by the Office of the Director General under Program 21. Attended by 54 ministers, the High Level Segment was welcomed by Member States as a positive contribution to facilitating increased, high level political engagement in WIPO's new strategic direction. This built on the Director General's meetings at ministerial and prime-ministerial level, as part of a significantly intensified program of official visits coordinated by his Office in 2009.

5. Work undertaken under Program 21 by the OLC increased significantly due to the process of the election of the new Director General, the new construction and conference hall, the increase in the number of staff cases at the WIPO Appeal Board (WAB) and the Administrative Tribunal of ILO (ILOAT) and the transfer of the Collection of Law for Electronic Access (CLEA) database to OLC with a specific mandate to develop it into a world reference source for IP laws and treaties. In the Constitutional area, adherence to the treaties administered by WIPO exceeded those in the previous biennium, with 121 new instruments of ratification or accession received and processed resulting in the issuance of 142 notifications. OLC also handled the accession/ratification by the European Union and 16 of its Member States, to the WCT and WPPT treaties, and successfully registered with the UN Secretary General, the Singapore Treaty on the Law of Trademarks that entered into force during the period under review. Contracting Parties of the 1934 London Act of the Hague Agreement decided to

freeze the application of the said Act, for which guidance was provided by the OLC on the different options to reach the expected result, to the sector concerned in WIPO as well as to the Member States.

6. OLC participated in the last phase of contract preparation and the negotiations with the General Contractor for the construction of the new administrative building, as well as the loan contract with the joint banks that were selected to finance the construction. Both contracts are being implemented in accordance with the agreed terms and conditions. Special provisions were agreed upon in order to preserve, to the maximum extent possible, the privileges and immunities granted to WIPO under its Headquarters Agreement with the Swiss Federal Council. Similar negotiations with the selected bank consortium have been initiated for the extension of the loan to finance the new conference hall, as well as the selection process for the general contractor for the construction of the said building.

7. On administrative law matters, OLC continued to provide advice to the Office of the Director General, senior management and the Human Resources Management Department (HRMD) on legal aspects of human resources issues, taxation and other administrative law matters, contributing to the good governance of the Organization. In addition, the OLC provided legal advice to HRMD on proposed improvements to the administration of justice at WIPO and individual amendments to the WIPO Staff Regulations and Staff Rules. In support of the work of the Organization in the area of good governance and improving corporate practices, it also participated in a detailed review of best practices amongst UN agencies and in certain national jurisdictions relating to financial disclosure by senior officials and other staff or employees leading to the establishment during the reporting period of a similar system in WIPO. OLC also provided legal support to other strategic initiatives in the administrative law area such as the proposed revision of the Staff Regulations and Staff Rules and the introduction of the new Performance Management and Staff Development System (PMSDS).

8. OLC also initiated in 2009 a major project to develop CLEA into a comprehensive and up-to-date database of IP laws and treaties, succeeding in completing the pilot phase and the overhaul of the technical infrastructure to house the new database.

## II. IMPLEMENTATION OF THE DEVELOPMENT AGENDA

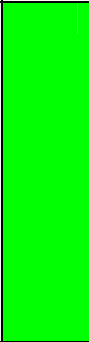

9. All Programs related to Strategic Goal IX "An efficient administrative and financial support structure to enable WIPO to deliver its programs" provide support or other services to the Organization as a whole in delivering on WIPO's Expected Results. In this regard, Program 21, which includes the work of the Office of the Director General, plays a key role in providing the overall strategic guidance and oversight to facilitate the mainstreaming and implementation of the WIPO Development Agenda by all relevant Sectors within WIPO. During 2009, the Development Agenda Coordination Division reported directly to the DG, and the Office of the Director General was closely involved in all Development Agenda related work, including providing close guidance to the Division, ensuring the availability of financial and human resources, and coordinating the mainstreaming aspect of the Development Agenda.

III. PERFORMANCE DATA

Key to Traffic Light System (TLS)

- Fully achieved (100%)
- Partially achieved (50% or more)
- Limited achievement (below 50%)
- Discontinued

Expected Results	Performance Indicators	Performance data	TLS
Successful implementation of the initial phase of the strategic realignment process	Realignment of program structure reflected in the revised 2008/09 Program and Budget; new programs established as approved by Member States	<p>Program structure realigned. Review and restructuring of the following organizational units carried out: PCT; Madrid; Patents Division; TK Division; Arbitration and Mediation Centre; Development Agenda Coordination; Communications; External Relations; IT; Finance, budget and program management. A new Division for Global IP Infrastructure was created in support of Strategic Goal IV.</p> <p>New programs were established in support of Strategic Goals V and VII covering: Economic Studies and Statistics; Global Challenges.</p>	
	Quality of skills and competences brought in to provide direction at senior management level	<p>New SMT appointed December 1, 2009. For the first time, DDGs/ADGs were appointed on the basis of a process to match competences to published roles.</p> <p>Competitive recruitment processes filled key skills at director level, notably Human Resources, IT, Chef de Cabinet, Chief Economist.</p>	
	Medium-Term Strategic Plan approved by Member States	MTSP consultation and approval process deferred to 2010 to enable input from the new SMT.	
	Realignment reflected in 2010/11 Program and Budget	The approved 2010/11 Program and Budget consolidated the realigned program structure. Results Based Management objectives reflected in a more rigorous approach to the formulating of expected results, performance indicators and targets, plus addition of baselines so as to be able to gauge progress	

Expected Results	Performance Indicators	Performance data	TLS
<p>Improved communications to Member States, senior management, staff and other stakeholders from the Office of the Director General</p>	<p>Effectiveness of Senior Management Team Processes</p>	<p>Transitional SMT process was introduced pending appointment of new SMT in December 2009, when the definitive SMT process was established. Director General's retreat with new SMT in December 2009 ensured that the new Team began with shared understanding of policy priorities and challenges. Positive feedback from SMT.</p>	
		<p>Director General's internal communications strengthened through fortnightly meetings with SMT, bimonthly meetings with all Directors, bimonthly Town Hall meetings with all staff, and monthly informal discussions with mixed groups of staff. Positive recognition from staff at all levels of overall improved communication, but highlighting continuing weaknesses in some areas</p>	
	<p>Feedback from staff and external stakeholders on quality of communications</p>	<p>Director General's communications with Member States and major stakeholders strengthened through regular contacts, including briefing lunches, with all ambassadors; and through intensive program of external speaking engagements. Supported by systematic, informal information and consultation meetings and dialogue at working level by ODG and substantive sectors. Positive feedback received from Ambassadors and Group Coordinators.</p> <p>New WIPO webpages on Director General's speeches/interviews, Strategic Realignment and Observatory used actively as new communications resources by staff and stakeholders.</p>	

Expected Results	Performance Indicators	Performance data	TLS
<p>Timely quality advice and assistance to the Director General, Member States, WIPO's internal sectors and divisions on a wide range of strategic issues related to the work of the Organization</p>	<p>Feedback from the Director General, Member States and WIPO's internal sectors and divisions on the appropriateness, timelines and effectiveness of the received advice</p>	<p>Positive feedback received from Group Coordinators on the quality of information and assistance provided by ODG.</p> <p>Internally, positive feedback was received from Director General and HRMD on advice and assistance provided by ODG in the development and timely delivery of major SRP internal management projects, including the new PMSDS; Voluntary Separation Program; first draft proposal for revised WIPO Staff Regulations and Rules/Contract Reform.</p> <p><u>Legal advice</u> and assistance to several units within WIPO or in reply to external requests, were promptly provided in respect of:</p> <ul style="list-style-type: none"> <li>- Permission to use the WIPO logo;</li> <li>- Requests regarding WIPO's domain names;</li> <li>- 53 requests for certified copies of WIPO-administered treaties were processed;</li> <li>- 20 model instruments of accession and ratification of several WIPO treaties were prepared upon request;</li> <li>- 18 notes on the advantages of accession to certain WIPO treaties were prepared;</li> <li>- 300 CLEA email inquiries or requests for IP law texts were received and promptly replied to.</li> <li>- 190 contracts and Memoranda of Understanding were drafted, reviewed and/or negotiated, resulting in 660 related actions.</li> <li>- OLC represented WIPO in 38 appeals before the WAB and 21 complaints before the ILOAT and gave advice with respect to 41 Requests for Administrative review. Succeeded in limiting the total awards (damages and costs) in the cases for which judgments were rendered to 230 thousand Swiss francs, out of the total 3.25 million Swiss francs claimed.</li> </ul>	



Expected Results	Performance Indicators	Performance data	TLS
<p>Enhanced effectiveness of the Organization's depository function of WIPO-administered treaties and agreements, including registration, certification and update of the treaties database</p>	<p>Average processing time of notifications of adherence and other treaty actions maintained at four days</p>	<ul style="list-style-type: none"> <li>- All treaty related actions were timely notified to Member States and other relevant entities and were concurrently, published on the WIPO website. The average processing time of notifications of adherence and other treaty actions was maintained at four days/notification.</li> <li>- 121 new instruments of ratification or accession;</li> <li>- Treaties mailing list grew to 6,742 subscribers;</li> <li>- Treaties website posted 11,376,255 page views;</li> <li>- Two requests for observer status received from IGOs; eight from non-governmental organizations and 10 from national NGOs;</li> <li>- Two IGOs and 16 NGOs fulfilled the criteria for becoming observers at WIPO.</li> </ul>	
<p>Efficient protocol arrangements and administrative arrangements for the Director General</p>	<p>Feedback indicating high level of satisfaction with arrangements</p>	<p>Logistical, administrative and protocol support to the DG dealt effectively with a more than 100% increase in the biennium in the number of official engagements hosted by the DG and official missions undertaken by him at ministerial and prime ministerial level. ODG also orchestrated and provided protocol support for the first High Level Segment of the Assemblies to encourage greater, higher level political engagement in WIPO's new strategic direction, which was attended by 54 ministers. Written and oral expressions of appreciation from multiple sources confirmed a high level of satisfaction with the arrangements.</p>	

## IV. BUDGET UTILIZATION

Resource Utilization Revised Program and Budget 2008/09  
*(in thousands of Swiss francs)*

<u>Allocation</u>	<u>Actual Expenditure</u>	<u>% Utilization</u>
14,086	12,940	91.9%

10. The bulk of underexpenditure for Program 21 was on non-personnel resources, (1,087 thousand Swiss francs spent out of 2,267 thousand Swiss francs allocated, i.e., 48% utilization). This was largely due to the fact that the allocation for Strategic Realignment (contractual services) activities was largely not used, as Phase One of the SRP was developed and managed by existing staff instead of contracting external consultancy services as originally expected.

## **Program 22: Finance, Budget and Program Management**

**OBJECTIVE** To ensure: efficient, transparent and accountable financial operations in conformity with applicable rules and regulations; a robust financial governance and control framework which enables effective and efficient resource utilization; and, the strengthening of results-based management to help improve organizational performance

**Program Manager** *Mr. A. Sundaram*

### **I. ANALYTICAL SUMMARY**

1. During the biennium, most payments were made on time although, without a procurement module in AIMS, it remained difficult to track the efficiency and timeliness of payments to suppliers. This problem is expected to be alleviated with the implementation of the module in January 2010. There continued to be issues with regard to the transmission of certain currencies to certain countries and with payments to various individuals and this inevitably had an impact on payment times. Finance Services worked closely with its banking partners to find 'work around' solutions for these cases.

2. A revised investment policy was drafted in autumn 2009 and is now under review internally.

3. A Finance Service Desk was successfully established in spring 2009. This client service operates four hours a day and aims to resolve all finance-related telephone queries received from WIPO's clients within a maximum period of 48 hours. As part of this initiative, this Program became involved in the pilot phase of a ticketing system software which allows queries from clients, whether received by telephone or by e-mail, to be logged and tracked in detail, thus providing a history of the communication between WIPO and its clients. Following upon the participation of and the suggestions for modifications to the software from the Finance Service users, the software (now known in-house as WINS – WIPO Inquiry Notification System) successfully passed into production in December 2009.

4. An RFP for banking services was launched by the Organization in autumn 2008. Seven banks responded and their proposals were evaluated by a panel, led by Finance Services, which also included members of the Information and Communication Technology Department, the Office of Legal Counsel and the Procurement and Travel Division, together with an external consultant. After studying the proposals in depth, it was decided to enter into contracts with three of the banks concerned. The availability of these three financial institutions now enables Finance Services to obtain, systematically and electronically, alternative quotes when making investments or conducting foreign exchange transactions.

5. During 2009, this Program was significantly involved in the FRR-IPSAS project, the principal objective of which was to add procurement and asset management modules to the automated finance system (AIMS). These enhancements support both the implementation of the new Financial Regulations and Rules (FRR) and the Organization's move towards compliance with International Public Sector Accounting Standards (IPSAS) in 2010. The project successfully went live on January 15, 2010. Extensive training was provided to staff across the Organization in respect of the use of the procurement module (both prior to and after go-live), together with the relevant elements of the FRR. Within the context of this project, a significant change was introduced in the way expenditures are recorded across the Organization, which enables better reporting capabilities both for purposes of regular management reporting as well as reporting to Member States.

6. Other IPSAS-related preparatory work was also undertaken, including the completion of a Policy Guidance Manual for IPSAS and the delivery of two training courses. The first of these courses 'Introduction to IPSAS at WIPO' was targeted at a large cross-section of staff. The second course addressed a more specialized topic and was therefore delivered to a smaller audience. Further training courses and materials will be made available during the course of 2010.

7. Regular financial reporting to Member States was introduced *via* the Financial Observatory in early 2009, providing quarterly information to Member States on the financial status and operational activities of WIPO.

8. The focus on strengthening results based management (RBM) at WIPO, as part of the Strategic Realignment Program's priority to establish a performance and service-oriented culture within the Organization, saw the introduction of a number of initiatives:

- (i) **Program and Budget:** Clearer linkages between strategic planning (WIPO's nine Strategic Goals) and program and budgeting based around the new strategic framework in the Medium-Term Strategic Plan; introduction of baselines; improvements to expected results and performance indicators; and clearer links between program design and the implementation of the WIPO Development Agenda
- (ii) **Re-design of the Program Performance Report (PPR 2008):** The PPR 2008 was redesigned to focus attention on an assessment in terms of accomplishment of results, rather than a listing of activities. While this remains an issue, the PPR 2008 represents an improvement compared to past efforts. The external validation exercise conducted by IAOD, further strengthened the value of the Report as an accountability and decision-making tool for Member States. While welcoming this, Member States were also critical of the formulation of some of the expected results as well as some of the self-assessments. Further work is required to ensure that the PPR provides a credible source of useful evaluative information.
- (iii) **Redesign of Workplan processes:** The workplanning process provides the basis for the implementation of the Program and Budget. The process was redesigned to ensure that in addition to planning the implementation of the approved budget, the Workplans ensured a cleared link to the approved expected results. The redesigned Workplan templates provide information enabling senior management to review and approve each Program's implementation plans in terms of how they would enable achievement of expected results within the resources allocated in an effective and efficient way.
- (iv) **RBM Project:** In November 2009, Member States approved a project to enhance results-based management at WIPO to support the monitoring and evaluation of the impact of the Organization's activities on development. This project, to be implemented in 2010/11, will provide for a significant strengthening of RBM at WIPO with respect to development.
- (v) **RBM Training:** As part of the training program to support the implementation of the new staff Performance Management and Staff Development System (PMSDS), a module was developed to provide an introduction to key RBM concepts and their application at WIPO for all staff. The module sets the context for the new staff performance management system.

### III. IMPLEMENTATION OF THE DEVELOPMENT AGENDA

9. All programs related to Strategic Goal IX "An efficient administrative and financial support structure to enable WIPO to deliver its programs" provide support or other services to the Organization as a whole in delivering on WIPO's Expected Results. In this regard, Program 22 facilitates from a finance, budget and program management perspective the implementation of the WIPO Development Agenda.

III. PERFORMANCE DATA

Key to Traffic Light System (TLS)

- Fully achieved (100%)
- Partially achieved (50% or more)
- Limited achievement (below 50%)
- Discontinued

Expected Results	Performance Indicators	Performance data	TLS
Continued efficiency of financial operations and transparency of budget management	Timely financial reporting	Financial statements for 2006-07 were submitted to the External Auditors and Audit Committee with one week's delay. Interim statements for 2008 (which do not require an audit) were submitted on time.	
	Timely and relevant reports and analysis available to senior management, Program Managers and Member States to support daily operational tasks and key decisions	Monthly closure of accounts was carried out in accordance with timetable and reports distributed accordingly. Various other reports such as monthly cashflow analysis, trademarks and industrial designs income analysis and analysis of exchange rate movements were provided on time and in accordance with either treaty requirements or agreements with Program Managers. Online reports were available throughout the year to Program Managers as required, and regular reports were provided on time to senior management, the Crisis Management Team, as well as Member States ( <i>via</i> the Financial Observatory)..	
	Madrid and Hague Fees distributed on time	Monthly and annual distributions were made in accordance with the Regulations of the respective treaties.	
	Payments made on time	Pre-the go-live in January 2010 of the AIMS procurement module, it remained difficult to track the timeliness of payment processes for expenses. However, it is estimated that most invoices are paid within two-three days of the receipt of the invoice. Larger payments, which require an additional layer of authorization, usually require an extra one-two days from invoice	

Expected Results	Performance Indicators	Performance data	TLS
		<p>receipt to payment.</p> <p>Payments made in relation to PCT (international search fees and supplementary international search fees) were mostly made on time. Some currency-related issues (outside WIPO's control) held up a few small payments. Payments for the Arbitration Centre were made on time.</p>	
	<p>Return on invested funds in line with benchmarks established by the Investment Advisory Committee</p>	<p>Return on invested funds was in line with the benchmark established by the Advisory Committee on Investments (this is the rate offered by the BNS; it is the equivalent of ten years of Swiss government bonds). Following the completion of an RFP for banking services, quotes from three banks are now being obtained electronically when seeking rates for deposits.</p>	
<p>Coherent regulatory framework in place in respect of the use of financial resources and post management ensuring that all financial operations executed with probity</p>	<p>Revised set of comprehensive and consistent Rules and Instructions in place to enable financial governance and control</p>	<p>Work in progress to document procedures and policies following the go-live of the IPSAS/FRR project.</p>	
	<p>Program Managers trained in their roles and fully enabled to take authority and accountability for their defined areas of responsibility</p>	<p>Ongoing effort that includes training for IPSAS and FRR implementation.</p>	
	<p>Financial operations conform to the provisions of the applicable WIPO conventions and treaties, the WIPO Financial Regulations and Rules and the United Nations Accounting Standards</p>	<p>This will be formally assessed by the External Auditors in their Audit for the biennium.</p>	
	<p>Satisfactory financial report from the External Auditors confirms the conformity of accounting operations with applicable regulations, rules and standards and no remarks in the biennium from the</p>	<p>As above.</p>	

Expected Results	Performance Indicators	Performance data	TLS
	External Auditor or from Internal Oversight concerning budget control and budget management practices		
Smooth transition to the new International Public Sector Accounting Standards for 2010 implementation	Full documentation of the new rules and procedures	<p>A Policy Guidance Manual for IPSAS has been developed and is being translated into French. A document detailing IPSAS accounting policies was also been prepared.</p> <p>Work on documenting procedures within the Finance Services (several of which are related to IPSAS) began in 2009 and continues.</p>	
	Significant progress made in the implementation of the required changes to the IT system	<p>By the end of 2009, the FRR-IPSAS project had concluded the Initiation and Design stages and the majority of the tasks for the Build stage for the new IT system. Training material had been prepared and a number of training sessions provided to help the users understand the new system. User Acceptance Testing had been performed and the feedback indicated no significant issues which would prevent the go-live in early 2010. Following this feedback the Project Board met in December and gave the green-light for a January 15, 2010 go-live.</p>	
Improved organizational performance using decision-making based on learning from past performance	Member States approval of the Medium-Term Strategic Plan and Program and Budget 2010/11 which incorporates an improved results-based management framework.	<p>The Program and Budget 2010/11 was approved by Member States in September 2009. New features introduced to improve the result-based management framework included: the introduction of baselines; clearer links between WIPO's Strategic Goals and Expected Results; and, additional information to show the relationship between the Program Implementation Strategies and the Development Agenda Recommendations. Work on the further elaboration of the MTSP was delayed pending the arrival of the new Senior Management Team in December 2009.</p>	
	Degree of use of internal performance reporting in decision making	<p>For many Programs there are no systematic monitoring and evaluation systems in place for performance reporting and decision making. Work is underway to rectify this in 2010.</p>	

Expected Results	Performance Indicators	Performance data	TLS
	Application of lessons learned in program design and implementation	In the absence of organization-wide monitoring and evaluation systems, although application of lessons learned does take place, it tends to be ad hoc and sporadic. The design of Program expected results and performance indicators in the approved Program and Budget 2010/11 was aimed at supporting WIPO managers to understand better the type of performance information required and the importance of this not just as an accountability tool, but as a means to learn lessons from program implementation and to inform program design and decision-making.	
Improved reporting to stakeholders on performance	Feedback from Member States on performance reporting	Member States welcomed the redesigned PPR 2008. In particular, they gave strong support to the external validation exercise conducted by IAOD, requested that this be more extensive in the future and that full details of these reports be made available to Member States. A number of critical observations were made with respect to the self-assessments in the PPR 2008.	
	Increased use of program performance reports by Member States as a decision making tool	At the informal and formal sessions of the Program and Budget Committee in 2009, Member States had available the interim financial statements as well as the PPR 2008. There were several PBC interventions on the draft Proposed Program and Budget 2010/11 which referred to the PPR 2008. Further work is required to support the information needs of Member States with respect to program performance which will support the use of the PPR as a decision making tool.	



## IV. BUDGET UTILIZATION

Resource Utilization Revised Program and Budget 2008/09  
(in thousands of Swiss francs)

<u>Allocation</u>	<u>Actual Expenditure</u>	<u>% Utilization</u>
17,078	16,525	96.8%

10. The approved Revised Budget for Program 22 was 17.3 million Swiss francs (15.7 million Swiss francs for personnel and 1.63 million Swiss francs for non-personnel costs). The allocation of 17.1 million Swiss francs (15.5 million Swiss francs for personnel and 1.61 million Swiss francs for non-personnel costs) reflects (i) a 1.5% reduction in non-personnel allocations to take into account efficiency savings – this was done across the board for all Programs at the beginning of 2009; and (ii) an allocation of personnel expenditures which reflects the adjustments required to take into consideration the transfer of one GS staff into Program Unit 22.3 Program Management and Performance Section.

11. The overall utilization rate of 97% against allocation reflects a fairly accurate view of expected expenditures covered by the Program, despite the fact that the nature of some of the Program's expenditures makes budgetary planning fairly challenging. This is due to the fact that approximately half of the Program's non-personnel expenditures is incurred on funding the cost of the Audit Committee and the PBC meetings. Total non-personnel expenditures for 2008/09 amounted to 1.3 million Swiss francs, of which 711 thousand Swiss francs were incurred in respect of Audit Committee meetings, and approximately 170 thousand Swiss francs were for PBC meetings. The revised budget established for the Audit Committee for 2008/09 was 660 thousand Swiss francs.

12. The underspending of 553 thousand Swiss francs was primarily due to (i) differences in actual *versus* standard costs in respect of personnel expenditures, amounting to 220 thousand Swiss francs for the biennium; and (ii) lower than expected expenditures in respect of planned consultancy services for projects in Finance Department in the course of 2009.

**Program 23: Human Resources Management and Development****OBJECTIVE** Efficient and effective management of human resources**Program Manager** *Mr. A. Sundaram***I. ANALYTICAL SUMMARY**

1. The regrouping within this Program of the operational costs for common Program activities, expenses linked to work-related conflict processes, the Organization's annual contribution to the Staff Council, and the contributions to human resource-related activities within the UN system resulted in an enhanced overview and better control of costs.
2. Activities continued to ensure that staff members received their entitlements in a timely and satisfactory manner. The number of individual queries, in particular in relation to education grant claims and dependency allowances, decreased considerably compared to previous years.
3. A reduction of approximately 32,5% in the total days of absence due to ill-health was registered in 2009 compared to 2008. In 2009, the number of long-term sick-leave days (> 20 days) decreased with about 7%. In the context of overall absence management, an internal tracking procedure was created for recurrent and frequent absences of short duration, with a view to better address and manage this specific type of absence.
4. Staff members' insurance and pension issues continued to be sorted out in a timely and satisfactory manner. The total number of queries, in particular in relation to pension estimates and insurances, was considerable. This Program was also actively engaged in the "H1N1 Swine Flu" preparedness planning in 2009.
5. A Voluntary Separation Program (VSP) was launched in mid-2009. Providing estimates of entitlements and addressing the numerous queries from staff created an important additional workload. A total of 20 staff members separated under the VSP in 2009, and by end of June 2010, approximately 90 staff members will have separated on a voluntary basis through the VSP.
6. The level of recruitment has increased by 21% in the biennium. A total of 108 posts were filled, of which 55 in the Professional or higher categories, and 53 in the General Service category.
7. A several year backlog in job descriptions and classifications was cleared by April 2009. The on-going strategic realignment process which started in 2008 might require an analysis of how to deal with more recent classification requests.
8. In 2009, training was provided to 2,298 participants, compared to 959 in 2008, 1,232 in 2007 and 868 in 2006. This important increase was due to the development of regular training activities, with a strong focus on management, language courses, self-learning activities and individual training, and the Performance Management and Staff Development System (PMSDS) related workshops.
9. The new PMSDS was launched in March 2009. In the first deployment phase, all staff received an overall evaluation of their work in the previous 12 months. In the second semester of 2009, an international tender resulted in the selection of an external partner for a PMSDS comprehensive training program for all staff. The training commenced in November 2009 in preparation for phase II of the PMSDS deployment, which adds detailed staff work planning functionality to the system.

IV. IMPLEMENTATION OF THE DEVELOPMENT AGENDA

10. All Programs related to Strategic Goal IX “An efficient administrative and financial support structure to enable WIPO to deliver its programs” provide support or other services to the Organization as a whole in delivering on WIPO’s Expected Results. In this regard, Program 23 facilitates from a human resource management perspective the implementation of the WIPO Development Agenda.

III. PERFORMANCE DATA

Key to Traffic Light System (TLS)

- Fully achieved (100%)
- Partially achieved (50% or more)
- Limited achievement (below 50%)
- Discontinued

Expected Results	Performance Indicators	Performance data	TLS
The Strategic Realignment process and the focus on performance is supported by human resource policies, practices and tools	Number and type of revised policies and practices implemented which improve human resource management in line with the Strategic Realignment process	Contractual Reform Project and revision of WIPO Staff Regulations & Rules presented in 2009 to the WIPO Coordination Committee for information.  63 Office Instructions and Information Circulars were issued during the biennium in relation to enhanced HRM processes in the light of the on-going Strategic Realignment Program (SRP).	
	Degree of progress in delivery of management training to support the focus on performance management and change management to help deliver the Strategic Realignment process	At the end of 2009, an organizational training program was initiated covering performance management and communications skills for all staff, with a particular focus on managers, in support of the SRP. At end 2009, 15% of the training program had been completed.	
Improved system for appraisal of performance of staff	All staff performance appraisals are conducted in line with the new Performance Management and Staff Development System (PMSDS)	All staff members were subject to performance appraisals within the framework of the new PMSDS.	
	Staff performance appraisal is an integral part of the strengthening of the results based management framework	The training program (see Performance Indicator 2 above) includes a “RBM”- component to ensure linkage with the annual workplan exercise.	

Expected Results	Performance Indicators	Performance data	TLS
	Number of staff trained in staff performance appraisal	At end-2009, 185 staff had been trained.	
Increased training programs, priorities on the basis of policy and sectoral requirements	Training policy developed in line with policy and sectoral priorities and needs and outcome of the desk-to-desk assessment exercise	A draft training policy was developed and is expected to be revised in the context of PMSDS and the introduction of the new competency model during the first quarter of 2010.	
	Increase in the percentage of gross salary dedicated to training activities from 0.34% in the 2006-07 biennium to at least 1%	Percentage of gross salary dedicated to training activities reached 0.4% in 2008-2009.	
Reduction of absenteeism	Decrease in overall absences related to sick leave as compared to the 2006/07 biennium	Close monitoring of sick leave took place including a more systematic follow up with the Medical Service. All medical leave over 20 days/ year were registered only after validation by the UNOG Medical Service. There have been cases of extended sick leave, but frequency of short absences decreased from 2008 to 2009 resulting, for the biennium, in a decrease in overall absences by 3,413 days as compared to the previous biennium.	
Program Managers' staffing needs are met more efficiently	All external recruitment completed within four months from vacancy announcement to contract conclusion, in line with UN system best practices	The average duration of a recruitment process increased from 23 to 25.4 weeks, reflecting a rise in demand for recruitment, notably in 2009, in support of the SRP.	
More efficient administration of staff entitlements and classification services	20% decrease in the number of queries from all categories of staff regarding entitlements and social security coverage	<p>New forms were introduced for education grants, facilitating the processing of claims and requests for advances. Very few queries were received and claims were processed in a timely manner.</p> <p>The introduction of the electronic Travel Authorization form (e-TA) reduced the processing time of home leave requests.</p> <p>Precise statistics on decreases in queries are not available. A tracking system is under review.</p>	
Improved staff well-being and more cost-effective healthcare services	15% decrease in complaints related to workplace-related illness compared to the 2006/07 biennium	Data are not available to comment meaningfully on a potential decrease of complaints related to workplace-related illness.	

Expected Results	Performance Indicators	Performance data	TLS
	5% saving in healthcare and social security costs compared to the 2006/07 biennium	Savings cannot be assessed due to the re-organization of the WIPO Medical Service and outsourcing to the UNOG Medical Services. Annual insurance costs for delegates decreased as of January 1, 2009, from 82,500 to 14,751 Swiss francs.	
Work-related conflicts solved informally through established mechanism	Relevant cases referred to the Ombudsman and resolved informally	Three cases were resolved informally.  Information was provided, when necessary, to the Ombudsman.  Revised procedures for grievance processes were introduced.	

#### IV. BUDGET UTILIZATION

Resource Utilization Revised Program and Budget 2008/09  
(in thousands of Swiss francs)

<u>Allocation</u>	<u>Actual Expenditure</u>	<u>% Utilization</u>
18,382	17,093	93%

11. Overall, Program 23 underspent its biennial allotment by 1,29 million Swiss francs, comprising 460,000 Swiss francs on personnel resources, and 830,000 Swiss francs on non-personnel resources. Non-personnel expenditure was less than anticipated in several areas including:

- Planned enhancements to the Flexitime system in the context of work-life balance were not undertaken, with the allocation of 135 thousand Swiss francs therefore unspent.
- On training activities, some 550 thousand Swiss francs of the total allocation was unspent because the organization-wide training program conducted by an external partner in support of the PMSDS only started late in 2009 (the activity continued into 2010), while two anticipated training programs were not launched, namely, the ICDL (IT) program (compulsory IT skills program for all staff members) and the CMTP (Corporate Management Training Program).
- A reorganization, and savings made on medical stock refill, within the Healthcare Services resulted in an 128 thousand Swiss francs unspent allocation.

12. As regards personnel costs, for healthcare services, savings of 250 thousand Swiss francs were realized reflecting largely the non-filling of a P5 post. In addition, expenditure on PMSDS consultancies was less than expected by 133 thousand Swiss francs due to the work being undertaken by internal WIPO resources.

**Program 24: Administrative Support Services**

**OBJECTIVE** Efficient procurement, travel and premises management services which meet the Organization's needs in a cost-effective manner

**Program Manager** *Mr. A. Sundaram*

I. ANALYTICAL SUMMARY

*Procurement and contracts*

1. In 2008/09, high-quality goods and services were provided in a timely manner, at the lowest possible cost, in support of day-to-day operations of the Secretariat.

2. The total value of goods and services purchased during the period under review amounted to 229,622,684 Swiss francs following 3,177 procurement transactions (1,548 in 2008 and 1,629 in 2009). This level of procurement is consistent with the increasing trend over the last four to five years with the exception of the spike in procurement in 2008 following the launch of the construction of the new WIPO administration building.

3. More than 95% of all purchases resulted from competitive formal and informal tenders, a higher percentage than in the previous biennium. A total of 176 Requests for Proposals (RFPs) and Invitations to Bid (ITB) and 25 Requests for Quotations (RFQs) were issued (54 RFPs/ITBs and 11 RFQs in 2008 and 68 RFPs/ITBs and 14 RFQs in 2009). These figures are lower than for previous biennia, mainly due to the progressive launch of a number of long-term supply contracts since 2006 which have remained valid in 2008/09, particularly Long-term Agreements (LTAs) for goods and Framework Contracts for services. This has resulted in lower operational costs by reducing the overhead costs associated with too-frequent tendering activities, especially for goods and services that are continuing requirements whose prices remained reasonably stable over time, and greater efficiency in the provision of the goods and services required for program implementation.

4. Joint procurement with other UN system organizations, under the auspices of the Common Procurement Activities Group (CPAG) in Geneva, was effectively exploited. It continued to yield significant savings for WIPO due to more competitive prices and advantageous terms and conditions of contract through joint negotiation with vendors. Based on CPAG Secretariat statistics, it is estimated that in 2008/09 WIPO realized savings amounting to some 6.9 million Swiss francs (2.5 million Swiss francs in 2008 and 4.4 million Swiss francs in 2009).

5. WIPO's Vendor Registration System (VRS) was successfully implemented during the biennium and has served the vendor community well. As a free-of-charge, Internet-based self-registration system it enabled vendors to be notified systematically of all WIPO tenders relevant to their business interests. At the close of 2009, there were 678 vendors registered in the system, an increase of 36% over registrations in 2008. The increased interest in the vendor community of doing business with WIPO has effectively diversified and enlarged the geographical spread of potential sources of supply for the Organization, thereby ensuring larger competition and cost savings.

6. The procurement of equipment and services intended for developing and least developed countries continued within the framework of WIPO's cooperation for development Program. Total procurement under this Program amounted to 1,436,084 Swiss francs (539,296 Swiss francs in 2008 and 896,788 Swiss francs in 2009). This represents an increase of some 26.6% over the previous biennium.

*Travel and Mission Support*

7. During the biennium cost-saving measures applicable to air travel by WIPO staff departing from Geneva have been reinforced by a new travel policy which entered into force on January 2009. These measures resulted in substantial savings in 2009 despite a small increase in travel activities in 2008/09 as compared to 2006/07.

8. Important cost savings also continued to be achieved through the implementation of other measures such as: the systematic application of lowest corporate fares negotiated with airline companies or IATA lowest applicable fare when negotiated fares are not available; fares negotiated by the travel agency; local market fares via the travel agency network; observance of ticketing deadline imposed by airline companies; and use of non-refundable tickets. The main savings included:

- (i) Savings of 4.27 million Swiss francs in 2008/09 from fares negotiated by the Working Group on Joined Airlines Negotiations representing Geneva-based International Organizations as compared to 3.18 million Swiss francs in 2006/07 representing an increase of 34.3%.
- (ii) Savings of 3.29 million Swiss francs in total air ticket expenditure, or 30.5%, were realized in 2009 as compared to 2008, despite an overall increase of 1.8% in such expenditure in 2008/09 as compared to 2006/07 due to increases in air travel expenses and ticket prices.

9. The number of air tickets issued in 2009 decreased by 12.3% compared to 2008 (3,061 and 3,489 tickets respectively). The total number of tickets for the whole biennium, however, remained practically at the same level as in 2006/07 (6,550 and 6,181 tickets respectively) due to the stable number of third-party travelers in the two biennia.

10. Total expenditure for non-staff travel amounted to 7.07 million Swiss francs in 2008/09 (3.79 million Swiss francs in 2008 and 3.28 million Swiss francs in 2009). A total of 2,683 tickets were issued in 2008/09 as compared to 2,013 tickets in 2006/07 representing an increase in non-staff travel of some 33.3%. Tickets purchased via UNDP amounted to 3,026 in the biennium (1,257 in 2008 and 1,769 in 2009), compared to only 1,972 tickets in 2006/07.

9. The number of staff missions undertaken during the biennium decreased from 1,708 in 2008 to 1,607 in 2009. For the biennium as a whole, 3,315 missions were undertaken in 2008/09 as compared to 3,402 missions in 2006/07.

10. A total of 7,067 travel authorizations were processed in 2008/09 (3,440 in 2009 and 3,627 in 2008), an increase of 9.7% compared to 2006/07, of which 31.7% represented travel authorizations for WIPO staff.

11. Some 2,680 internal (staff) and external (third party participants) visa entry applications were processed in 2008/09 compared to 3,348 visa applications in 2006/07, representing a decrease of about 20%. Since January 2009, some 730 visa applications have been outsourced to the in-house travel agency thereby considerably reducing the administrative burden within the Secretariat.

12. Since April 18, 2008, with the entry into force of the new financial rules and regulations (FRR), some 6,542 events-travel related transactions (1,871 in 2008 and 4,671 in 2009) were certified to ensure conformity with the regulations and rules.

#### *Premises Management*

13. Main priorities during the biennium included ensuring an optimized use of premises, upgrading and modernizing the buildings' technical facilities and engaging the Organization towards reducing the impact its buildings have on the environment.

14. By the end of the biennium, the premises (in terms of workplaces and storage space) were occupied at a satisfactory level without requiring rental of additional premises off-site. However, until completion of the move to the new building and termination of the existing rentals (in the course of 2011), the allocation of office space will not be fully satisfactory from the point of view of re-grouping all staff belonging to given administrative units currently split between buildings.

15. Upgrading, modernization and renovation of technical facilities continued to be carried out, the baseline for the WIPO's technological standards being set in relation to the most recent facility upgrades in the PCT Building.

16. Draft rules and administrative procedures for inventory management were developed following the External Auditor's recommendations in his report "Audit of results in the field of inventory management – 2006/07 financial year"). These will be submitted for the consideration of the WIPO Property Survey Board.

17. With respect to more firmly engaging the Organization towards reducing the impact of its buildings on the environment, initiatives during the biennium included: a feasibility study for a future cooling system for existing buildings and conclusion of a contract for the future use of the cooling facilities offered by the lakewater network (the "Genève-Lac-Nations" project) once the existing system would need replacement; feasibility audits of energy-producing installations with a view to identifying technical areas suitable for improvement in order to optimize energy use; and conclusion of a new contract for the provision of natural gas which is expected to result in cost savings of between 10,000 Swiss francs and 30,000 Swiss francs per year (5 to 10% for 2009).

18. The "Carbon Neutrality Project" was launched at the beginning of 2009 with the establishment of the project management structure and the development of project Terms of Reference. As a continuation of various existing measures in place, new environmentally-friendly approaches were initiated (increasing environmental awareness, buildings, official travel, commuting from home to work, IT, etc.) for which short-, medium- and long-term implementation plans are in the process of being developed. The WIPO Secretariat also joined several major UN-wide campaigns, and invited delegates attending WIPO meetings to join those campaigns. A major achievement was the collection and provision of comprehensive data for the 2008 GHG-calculator on carbon emissions based on energy consumption and official travel.

19. Another Organization-wide project, the "WIPO Accessibility Project", was launched at the end of 2009, by which time the Project management structure and the main Terms of Reference had been established.

## II IMPLEMENTATION OF THE DEVELOPMENT AGENDA

20. All Programs related to Strategic Goal IX "An efficient administrative and financial support structure to enable WIPO to deliver its programs" provide support or other services to the Organization as a whole in delivering on WIPO's Expected Results. In this regard, the services provided by Program 24 facilitate from an administrative perspective the implementation of the WIPO Development Agenda.

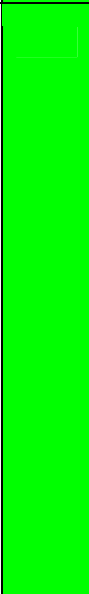


IV. PERFORMANCE DATA

Key to Traffic Light System (TLS)

- Fully achieved (100%)
- Partially achieved (50% or more)
- Limited achievement (below 50%)
- Discontinued

Expected Results	Performance Indicators	Performance data	TLS
Enhanced cost-efficiency of procurement	Number of tenders and resulting purchase orders in proportion to total procurement value, in comparison to previous periods	65 and 82 tenders were launched in 2008 and 2009 respectively, resulting in 1,547 (2008) and 1,629 (2009) purchase orders relating to total procurement values of 156 million Swiss francs in 2008 and 72.8 million Swiss francs in 2009. This compares to 59 tenders resulting in 1,101 purchase orders relating to a total procurement value of 39 million in 2006.	
	Savings of at least 500,000 Swiss francs <i>via</i> the consolidation of purchases.	Around 6.9 million Swiss francs savings or cost-avoidance realized in 2008/09 through consolidation of purchases	
More competitive prices and contractual conditions through common UN system procurement cooperation, as well as larger geographical distribution and diversification of suppliers.	More than five procurement contracts signed/renewed under UN interagency procurement initiatives and increase in the value of those contracts.	18 procurement contracts signed/renewed under UN interagency procurement initiatives in 2008 and in 2009	
	25% increase in the number of new vendors/suppliers reached through the vendor registration system compared to 1,800 vendors/suppliers in 2006.	28.4 % and 36% increase in 2008 and 2009, respectively, in the number of new vendors/suppliers reached through the vendor registration system compared to 1,800 vendors/suppliers in 2006.	
	Increase in purchases related to technical assistance from in-country suppliers in developing countries up from 48.7% of total such purchases in 2006.	Purchases from local (in-country) suppliers in developing countries related to WIPO's technical assistance activities constituted 39.0% in 2008 and 41.4% in 2009 of the total such purchases for each year.	

Expected Results	Performance Indicators	Performance data	TLS
<p>Greater cost-efficiency of travel by WIPO employees and third party travelers financed by WIPO</p>	<p>Maintain the 25-30% costs savings in negotiated corporate fares achieved in 2006/07</p>	<p>34.3% increase in savings on corporate fares for WIPO staff travels in 2008/09 compared to 2006/07.</p> <p>30.5% savings on total air ticket expenditure (including airline benefits) in 2009 compared to 2008.</p> <p>Savings realized for travel by third party participants remained stable at 17% in 2008/09 (calculated as a comparison between actual negotiated fares and full IATA fares.</p>	
	<p>3-5 % increase in the use of low cost airlines and special low cost fares</p>	<p>2.58% increase in the use of low cost airlines and special low cost fares. The number of low cost airline tickets amounted to 116 in 2008/09 as compared to 113 tickets in 2006/07.</p>	
<p>More efficient travel and visa administration</p>	<p>Travel authorizations and visa applications are processed electronically</p>	<p>All travel authorizations for WIPO staff travel were processed electronically following the deployment of the electronic travel authorization system (e-TA) as of March 2009. Travel authorizations for third party travelers continued to be processed in paper form.</p> <p>Visa applications outsourced to the in-house travel agency since January 2009 were processed on-line.</p>	
<p>Cost-efficient and optimum occupancy of WIPO premises</p>	<p>Occupancy rate of WIPO premises at optimum level (above 95%)</p>	<p>The occupancy rate of premises was 95% at the end of 2009.</p>	
<p>Improved WIPO premises and installations</p>	<p>Uniform standards of all WIPO premises in terms of comfort and technological infrastructure</p>	<p>Three major projects (each of them representing investment above 100,000 Swiss francs) and 30 medium size projects (corresponding to investments of between 20,000 and 100,000 Swiss francs each) were completed for various upgrading and renovations work, out of, respectively, six and 35 originally planned. Projects not yet executed have been postponed to 2010/11.</p> <p>Main projects implemented included: installation of new and upgrading of existing lifts; renovation of cooling towers for the air-conditioning system; modernization of some heating and air-conditioning systems</p>	

Expected Results	Performance Indicators	Performance data	TLS
		<p>enhancing cooling production in the PCT Data Center; renovation and modernization of electricity distribution panels; upgrading of lighting switches, the technical interpretation system in meeting rooms and security video recording systems; installation of additional security video cameras; replacement of fire detectors; development of a detailed proposal for the creation of a film studio; and introduction of a more systematic review, indexing and/or disposal of contents of archive spaces.</p> <p>In addition, 12,000 (115 per week or 23 per day on average) routine and/or urgent interventions were carried out with internal resources.</p>	

IV. BUDGET UTILIZATION

Resource Utilization Revised Program and Budget 2008/09  
(in thousands of Swiss francs)

<u>Allocation</u>	<u>Actual Expenditure</u>	<u>% Utilization</u>
57,092	54,091	94.7%

21. Underexpenditure for Program 24 related primarily to the procurement of goods and services (purchase of supplies and materials) and premises and building management, the latter mainly due to the following three factors: some planned works had to be postponed; the rental and service charges for the rented buildings were less than estimated; and energy consumption was lower than anticipated.

**Program 25: Information Technology**

**Objective:** Reliable, secure, sustainable and cost-efficient operation of all the Organization's IT systems

**Program Manager** *Mr. A. Sundaram*

I. ANALYTICAL SUMMARY

1. 2008 was characterized by the consolidation of several infrastructure initiatives which had started in the previous biennium, through improvements in IT governance. In 2009, preparations of high impact projects began, including the launch of the Personnel Appraisal System and the tendering of the IP Telephony for the new building.

2. The main improvements in IT governance included:

- The IT Board was established, following the recommendations of SOGETI (2007). The Board took a number of strategic decisions, for example migrating the email system to an externally hosted Global Messaging System (Microsoft Exchange system hosted at UNICC);
- The Information Technology Infrastructure Libraries (ITIL) training was completed for all IT staff, and a formal project for ITIL implementation was initiated;
- The Prince2 training was significantly extended; with most of the ongoing project management largely based upon Prince2 principles;
- The IT management started to use web collaboration tools (wiki) to enhance its efficiency and transparency.

3. The outsourcing of the hosting of the PeopleSoft based AIMS infrastructure in 2007 was the first step in the direction of the strategic outsourced infrastructure hosting, focusing attention in particular on systems requiring 24/7 availability. The Vendor Registration module of the PeopleSoft system went into production in March 2008. As for other AIMS system improvements, the implementation of the new Program Management Reports and the commencement of work related to the implementation of the new Financial Rules and Regulations required special attention. This work resulted in the PeopleSoft based FRR-IPSAS system, including the new asset management and procurement modules. This system is the basis for WIPO systems becoming compliant with the International Public Sector Accounting Standards (IPSAS). Towards the end of 2009, a large scale training program was launched and more than 200 users were trained with the efficient use of the Oracle User Productivity Kit (UPK).

4. In 2008, a new Electronic Personal Action Advice system (ePAD) was launched enabling staff to have direct electronic access to their personal data. A major upgrade of the Electronic Travel Authorization system streamlined the travel support activities. This system was linked to the PeopleSoft based AIMS system in 2009.

5. Several major enhancements were made to the Internet and Intranet including the enhancement and redesign of the WIPO Intranet and the rewrite and revamping of the CLEA (Collection of Laws for Electronic Access). The implementation of the wiki technology had a major positive impact on the collaborative environment at WIPO. The system offers tools for collaboration, social bookmarking, labeling and blogging. It is a tool used on a daily basis for the collaboration of the IT management. The use of the JIRA issue tracking system started in 2008 in PCT and was extended to other IT sectors. It became an indispensable tool for running off-shore projects.

6. Collaborative editing became a regular working practice in a number of sectors. The creation of the Central Authentication Service was the prerequisite to extend the wiki based cooperation to external users setting-up wiki spaces for various working groups.

7. In the field of Information Security, procedures developed and implemented in 2007 were consolidated in 2008. In response to a series of IT security related incidents, a number of measures were implemented to enhance the security of the WIPO workstation and server environments. Network monitoring and logging solutions were investigated and a bespoke system was developed and implemented.
8. Other information security related projects included the Sanctuary system which is used to control the use of removable media (USB keys, external hard drives etc.). Identity Management and Access Control were of high priority. The Information Security Section (ISS) worked closely with the IT Technical Service team to implement a number of controls and recommendations highlighted during the recent IAOD Access Control Audit, in an effort to strengthen the security of WIPO systems and data.
9. Throughout the early part of 2009, further consolidation activities were carried out to maintain the secure perimeter and ensure the ongoing security of WIPO systems and information. Also in 2009, planning commenced for a strategic realignment of the Information Security Section with a view to providing a business information risk management based service to the Organization as a whole. This included the selection of a dedicated database activity monitoring, alerting and auditing solution designed to ensure the security of WIPO critical database systems.
10. By July 2008, all mission critical systems had been migrated to utilize a new centralized Storage Area Network (SAN) based data storage facility. An additional key component of this infrastructure is the new virtual tape library that replaces the system of backup robots. This new architecture ensures enhanced service continuity for all major business systems deployed within the Organization. The Organization's server park has also been partially renewed in response to new and expanding IT requirements from the business sectors, such as the needs of the pilot project – Electronic Document Management System (EDMS), as well as the Digital Access Service (DAS), Electronic Data Interchange (PCT-EDI) and BibAdmin projects in PCT. A rationalization of Oracle database servers has also been carried out in view of improving redundancy and enhancing service continuity by implementing Oracle Real Application Clusters.
11. Following numerous infrastructure investments the physical technical infrastructure was significantly upgraded. In 2009 several “green” initiatives were undertaken: virtualization of the servers and optimization of the settings of the workstations which resulted in energy savings.
12. The engineering plans for the new Computer Room of the new building was completed and a preliminary study on IP telephony for the new building was launched. The tendering process for the IP Telephony System (VoIP) for the new building was concluded towards the end of 2009.
13. Switching from the internally hosted e-mail system (Novell GroupWise) to the UN International Computer Center hosted Microsoft Exchange Global Messaging platform improved the service level and extended the support of the system to 24/7.
14. In 2008, a major upgrade of the Service Desk software was carried out. This software provides infrastructure for the ITIL related processes. For handling the standard IT requests par interim, an Intranet based system was developed and implemented.
15. A new online facility for electronic payments for trademarks and industrial design registrations and modifications was made available enabling payments to be made by either credit card or current account transfer. The electronic filing system for The Hague (industrial designs) registrations went live in 2008 and, by December, over 50% of applications were being filed electronically.
16. The MAPS Modernization project, including the rightsizing of the Adabas-based database system (from the mainframe to UNIX) was temporarily slowed down in 2008, due to unforeseen additional license costs. Nevertheless, the upgrade of Adabas Natural software, which is a prerequisite of the rightsizing, has been completed. The rightsizing project was accomplished by the end of 2009, making possible the switch to the UNIX-based system at the beginning of 2010. The project resulted in significant cost savings.

V. IMPLEMENTATION OF THE DEVELOPMENT AGENDA

17. All Programs related to Strategic Goal IX “An efficient administrative and financial support structure to enable WIPO to deliver its programs” provide support or other services to the Organization as a whole in delivering on WIPO’s Expected Results. In this regard, Program 25 facilitates from an IT perspective the implementation of the WIPO Development Agenda.

III. PERFORMANCE DATA

Key to Traffic Light System (TLS)

- Fully achieved (100%)
- Partially achieved (50% or more)
- Limited achievement (below 50%)
- Discontinued

Expected Results	Performance Indicators	Performance Data	TL S
Continued high system availability of mission critical systems	Availability of business systems remains greater than 99.8 %	Tools for tracking electronically systems availability were not in place, due to the postponement of the enterprise system monitoring tools (lack of resources).	
	Availability of critical network services (file servers, printers and email) remains at 99.7 %		
	Increased number of Service Level Agreements (SLAs) in force for WIPO business systems		
	Service Desk Metrics (number of Service Desk calls, average incident resolution time and the number of incidents resolved at the first level of the Service Desk)	Statistics about the average incident resolution time is expected after the full implementation of Service Desk Express in 2010.	
Efficient, cost-effective and high quality external IT service provisioning	Number of External Hosting SLAs in force	Service Delivery Agreement on PeopleSoft hosting (one)	
	Minimum number of SLA incidents	There were no incidents under the PeopleSoft hosting SLA.	
Reliable and cost-effective telecommunications	Reduced costs compared to the 2006/07 biennium	Telecommunication costs remained stable in 2008/09 compared to 2006/07 (at CHF 1.7 million) despite an increased number of users and an increased use of BlackBerrys.	

IV. BUDGET UTILIZATION 2008

Resource Utilization Revised Program and Budget 2008/09  
*(in thousands of Swiss francs)*

<u>Allocation</u>	<u>Actual Expenditure</u>	<u>% Utilization</u>
45,364	45,178	99.6%

18. Budget utilization was close to target.

**Program 26: Internal Audit and Oversight**

**Objective:** To help improve value for money, stewardship and control over the Organization's business processes, operations, programs and activities

**Program Manager** *Mr. N. Treen*

### I. ANALYTICAL SUMMARY

1. The Internal Audit and Oversight Division (IAOD) continued to contribute to WIPO's efforts to be more accountable, transparent, well managed, and to deliver relevant operations, activities and services that provide good value for money. IAOD does this by providing independent and expert reports and advice, assurance and information to WIPO management. While for the first time IAOD are able to report that some internal audit, evaluation, investigation and inspection reports have been delivered, a lack of staff for oversight services continued to be a challenge and was the main reason for preventing the full achievement of Program results in the biennium. The procedural base for carrying out internal audits, investigations and evaluations was adequate, but efforts will continue to develop a full range of guidance materials for oversight functions.

2. During the period under review, ten audits and a due diligence fact finding exercise were completed and reports issued containing a significant number of recommendations for improvements. The development with IT Division, of an MS Access Database was also initiated to help improve management follow up of all oversight recommendations.

3. A detailed internal audit work plan and a revised audit strategy for the 2010/11 biennium was submitted to the Director General and the Audit Committee, based on a full risk assessment and a complete analysis of audit needs.

4. Internal Audit related pages on the WIPO Intranet and Internet were developed to improve the visibility and transparency of internal audit work at WIPO and to better explain issues related to internal control.

5. In line with its role and mandate, advice to management was provided on an ongoing basis on issues such as: risk management strategic planning, implementation of the new Financial Regulations and Rules and the Strategic Realignment Program, internal control procedures, and cost-effectiveness and compliance with the relevant regulations and rules of the Organization as well as implementation of IPSAS and the new modules of Peoplesoft.

6. As regards evaluations, the Program Performance Report (PPR) for 2006/07 was presented to the 13<sup>th</sup> session of the Program and Budget Committee and approved by the 46<sup>th</sup> WIPO Assemblies. Improvements were introduced to the PPR reporting framework as requested by Member States, including providing information on financial and human resources used by programs and a greater level of analysis of program activity. Suggestions for improvements to the results and performance framework were also proposed, including the development of strategic and financial planning and making performance measurement less complicated and more effective. A "Review of the Program Performance Report Process" was undertaken and recommendations resulting from the report are currently being implemented as follows:

7. An initial document on Evaluation Guidelines for Program staff was developed and provided to Program Management and Performance Section, for further development. While the guidelines will be implemented by Programs, IAOD will assess the quality of the self-evaluation exercises.



8. The first independent validation of the 2008 PPR was undertaken with the aim of improving the reliability and accuracy of performance information:

- (a) In order to further operationalize the Evaluation Policy, a “2010-2015 Evaluation Strategy” was developed to support the annual evaluation planning exercises for 2008, 2009 and 2010-2011; and
- (b) An Intranet and Internet portal was developed dedicated to evaluation activities, the Evaluation Policy and Guidelines aiming to create a common understanding of the evaluation function and increased transparency.

9. As regards inspections, a review was completed concerning the integrity and ethics system at WIPO. The review noted, inter alia, the need for WIPO to follow UN good practice and establish an Ethics Officer function.

10. The investigation caseload was substantial during the period under review.

11. 39 cases were opened during the biennium of which 14 were fully investigated and five were under investigation at the close of the period. 20 cases are pending.

12. Final investigative reports provided the basis for decision making in relation to initiation of disciplinary proceedings for violations of WIPO Staff Regulations and Staff Rules. In other cases, improvements to existing procedures were recommended, including in regards to the conduct and training of Recruitment Panels, conduct befitting an international civil servant in the use of WIPO premises for informal currency exchanges, the definition of harassment and training on harassment.

13. A draft Investigation Procedures Manual based on UN good practices and the Uniform Guidelines for Investigation is under preparation. The manual is expected to be issued in 2010, once internal review and consultations with Member States have been completed as required by the Internal Audit Charter.

## VI. IMPLEMENTATION OF THE DEVELOPMENT AGENDA

14. All programs related to Strategic Goal IX “An efficient administrative and financial support structure to enable WIPO to deliver its programs” provide support or other services to the Organization as a whole in delivering on WIPO’s Expected Results. In this regard, Program 26 facilitates from an oversight perspective the implementation of the WIPO Development Agenda.

IV. PERFORMANCE DATA

Key to Traffic Light System (TLS)

- Fully achieved (100%)
- Partially achieved (50% or more)
- Limited achievement (below 50%)
- Discontinued

Expected Results	Performance Indicators	Performance Data	TLS
Compliance by the Organization with WIPO's regulations, rules and procedures	Satisfactory audit opinion by the External Auditor.	An external quality assurance review of the Internal Audit Section by the External Auditors recorded a 80% compliance with the IIA standards and concluded that internal audit work has been performed in line with internationally accepted auditing standards and good practice.	
	Recommendations made by WIPO oversight entities are expeditiously implemented.	Implementation of accepted oversight recommendations has improved and a comprehensive database has been developed to enable management to provide better information and do more effective follow up.	
	All key and high risk areas are audited.	All audits undertaken during the biennium were of high risk as assessed in the annual audit plan. The plan was based on international good practice for risk and audit needs assessment. Not all the needs for high risk audits that were identified were carried out due to lack of resources.	
	8 audits completed during the biennium.	10 audits and one fact finding exercise were undertaken.	
A reliable integrity and ethics framework is in place	All investigations undertaken within 6 months	39 investigation cases were opened during the biennium of which 14 were fully investigated and five were under investigation at the close of the period. The average time of completion for closed cases was 9 months. This was longer than the target because of a severe lack of resources.	
	Whistle-blowing procedures, an investigation policy, and a declaration and disclosure of interest system meeting UN good practices are in place	Investigative activity was carried out in accordance with the Internal Audit Charter and the Uniform Guidelines for Investigations (2003) and other accepted UN good practice. The	

Expected Results	Performance Indicators	Performance Data	TLS
		issuance of an Investigation Manual is anticipated in 2010. A financial declaration and disclosure system is operated by the Office of the Legal Counsel.	
Evidence-based information on results is being generated by evaluations and effectively used by WIPO senior management, program managers and Member States for learning, decision-making and accountability purposes	Six evaluations completed during the biennium.	Four evaluation related reports were completed, due to the lack of resources. Evaluation reports are made available on the WIPO Intranet site and are reported and available to Member States to read.	
	Recommendations from IAOD independent program or thematic evaluations are accepted by management and implemented in a timely manner.	IAOD evaluation recommendations were accepted by management. No thematic evaluations were conducted in the biennium due to the lack of resources.	

IV. BUDGET UTILIZATION 2008

Resource Utilization Revised Program and Budget 2008/09  
(in thousands of Swiss francs)

<u>Allocation</u>	<u>Actual Expenditure</u>	<u>% Utilization</u>
4,457	3,879	87.1%

14. During 2009, the budget for non personnel expenses was significantly increased by the Director General to cover exceptional and urgent investigation activities. By the end of 2009, the IAOD had six approved posts, four of which were filled, and one short term administrative staff. The posts of Head of the Internal Audit Service and Head of the Evaluation Section remained vacant at the end of the biennium. Use has been made during the period of short term contracted professional expert staff in all oversight Sections. An Investigator has been on loan from UNOG for most of 2009.

**Program 27: Conference and Language Services**

**OBJECTIVE** Enhanced efficiency and cost-effectiveness of conference, language and printing and archives services while maintaining the expected quantity and quality levels

**Program Manager** *Mr. A. Sundaram*

I. ANALYTICAL SUMMARY

1. Various initiatives were undertaken to streamline and modernize administrative procedures and work practices, as well as to increase the use of technology. This enabled the Program to face an increased demand for services without compromising quality and with no increase in staff or financial resources. The main challenges during the period are described below.
2. Services were provided to an increasing number of meetings and participants including five regular sessions of the WIPO Assemblies and the Coordination Committee. In addition, services were provided for two extraordinary sessions and three informal sessions of the latter. Also, in 2009, for the first time, a High-Level Segment was organized as part of the WIPO Assemblies. Several projects were completed aiming at providing enhanced and more responsive conference services, including the installation of state-of-the-art equipment to expand the capacity of existing facilities to accommodate growing numbers of delegates and the upgrading of equipment for more efficient delegates' registration. Internal staff redeployments and "on-the-job" training helped meet the growing demand for conference services. These improvements resulted in positive feedback from delegates.
3. Efforts continued in the biennium to expand the use of electronic distribution of documents and other printed material. The electronic mailing of circulars and meeting documents to Member States and observer organizations having confirmed their readiness to receive documents by electronic means was introduced in November 2008. The gradual replacement of paper mailings by electronic distribution should provide Member States and accredited observers with a more rapid access to information, reduce mailing costs and allow for more environmentally-friendly document services.
4. During the period under review, favorable financial conditions were negotiated with the mail shipment companies. In addition, the low price of fuel during 2009 led to a reduction in the surcharge and thus a slight decrease in the tariffs applied.
5. Translation services were provided in all six official UN languages as well as in Italian, German and Portuguese. The high quality of translated, edited, proof-read and revised documents was maintained. Considerable fluctuation, irregularity and unpredictability occurred with respect to the submission of translation requests, with many requests being received late from the requesting sectors, often only a few days before the meetings. An increasing trend noted in 2009 was the submission for translation of studies done by external consultants. The overall demand for translation services increased by 20% in 2008/2009 compared with 2006/2007, with an exceptional peak towards the end of the biennium.
6. Member States requested that all documents should be made available for all WIPO meetings held in Geneva in all working languages, with specific reference to the need for Arabic, Chinese, Spanish and Russian. WIPO agreed to translate all IGC documents into all UN languages from 2010. Member States requested WIPO to produce an analytical study on language policy for submission to the 2010 PBC.
7. Interpretation Services continued to be provided to high standards for all meetings. A trend towards a greater number of unscheduled informal and break-out meetings requiring interpretation services was noted.
8. Productivity levels in translations were maintained in 2008/2009. Cost reductions exceeded expectations in 2008/2009 with a 6% reduction in cost per page compared with 2006/2007, representing an overall reduction of 14% with respect to the benchmark set in the 2006/2007 budget.

At the same time, the high level of competence of in-house and external translators ensured that the quality of work was maintained. Benefits were also derived from the continued use of computer assisted translation tools and translation memory systems, as well as tools and resources available on the Internet.

9. For the printing of documents, continued endeavors were made to achieve the highest degree of satisfaction, despite the extremely short processing time between the receipt of the data for reproduction of requests and the resulting end product.

10. Program 27 includes the provision of a centralized chancellery supporting the registration, archiving and distribution of incoming correspondence (i.e., letters, faxes, emails and similar). An Electronic Document Management System (EDMS) project was initiated to enable the Organization to move its current registration and archiving processes from a paper-based to a fully electronic system. Following purchase of software licenses, WIPO users started to be trained in electronic marking of incoming correspondence. A system for electronic follow up of the internal flow of correspondence and its archiving was initiated and is expected to be fully deployed in 2010.

VII. IMPLEMENTATION OF THE DEVELOPMENT AGENDA

11. All Programs related to Strategic Goal IX “An efficient administrative and financial support structure to enable WIPO to deliver its programs” provide support or other services to the Organization as a whole in delivering on WIPO’s Expected Results. In this regard, Program 27 facilitates from an administrative support services perspective the implementation of the WIPO Development Agenda.

III.PERFORMANCE DATA

Key to Traffic Light System (TLS)

- Fully achieved (100%)
- Partially achieved (50% or more)
- Limited achievement (below 50%)
- Discontinued

Expected Results	Performance Indicators	Performance data	TLS
Efficient and responsive conference and meeting services to delegates and the Secretariat	Feedback from delegates and the Secretariat	<p>Delegates and staff expressed satisfaction with the quality of meeting services.</p> <p>A total of 221 meetings were held in Geneva, for a total duration of 585 days and attended by 15,900 participants. This compares with 180 meetings, 505 days and 13,300 participants in 2006/07.</p> <p>In addition, conference-support services were provided for 2,200 meeting days for other events, including group meetings, official visits and internal meetings. The steady increase in meetings in Geneva continued: from 170 intergovernmental meetings in Geneva</p>	

Expected Results	Performance Indicators	Performance data	TLS
		in 2004-2005, to 180 in 2006/07, and 221 meetings in 2008/09.	
Greater use of electronic means to distribute meeting documents	25% savings in document mailing costs compared with 2006/07	A reduction of 14% was observed in the printing of circulars and meeting documents and a 15% reduction in the number of corresponding mail items, compared with 2006/07, leading to an overall reduction of 17%, as compared to the previous biennium. Mailing costs were reduced by some 20%. In order to achieve the set goal, a revised strategy will be proposed in 2010 including for discontinuing paper mailings to Member States and observer organizations having the technological readiness to receive documents by electronic means only.	
Timely and cost-efficient mail expedition services	Number of mail items and mailing costs 25% below 2006/07 level	<p>In absolute terms, mail expedition costs in 2006/07 amounted to 6.3 million Swiss francs as compared to 6.2 million Swiss francs in 2008/09, a reduction of 1.7%. The expected 25% reduction in the cost of mail expedition was thus not achieved due to an increase in the number of items dispatched, mainly from the trademark area, of 8.8% from 3.4 million (284,702 kg) in 2006/07 to 3.7 million (227,138 kg) in 2008/09. This increase explains why a 25% reduction in the cost of mail expedition was not achieved. However, if the volume had remained stable, savings of 0.5 million Swiss francs would have been obtained.</p> <p>The figures per sector by year were as follows:</p> <p><b>2006:</b>  <u>PCT:</u> CHF 978,449 – 969,758 mails - 46,586 Kgs  <u>Trademarks:</u> CHF 1,232 0855  385,517 mails – 49,726 Kgs  <u>Miscellaneous:</u> CHF 866,981  229,372 mails – 51,830 Kgs</p> <p><b>2007:</b>  <u>PCT:</u> CHF 932,059  1'128 094 mails – 33,774 Kgs  <u>Trademarks:</u> CHF 1,485,373  498,466 mails – 47,566 Kgs  <u>Miscellaneous:</u> CHF 905,196  220,768 mails – 55,221 Kgs</p>	

Expected Results	Performance Indicators	Performance data	TLS
		<p><b>2008:</b>  <u>PCT:</u> CHF 916,239 -                      1,200,685 mails – 31,629 Kgs  <u>Trademarks:</u> CHF 1,460,421                      503,590 mails – 46,766 Kgs  <u>Miscellaneous:</u> CHF 917,554                      208,458 mails – 53,468 Kgs</p> <p><b>2009:</b>  <u>PCT:</u> CHF 863,359                      1,177,788 mails – 31,009 Kgs  <u>Trademarks:</u> CHF 1,339,366                      475,761 mails – 20,289 Kgs  <u>Miscellaneous:</u> CHF 685,027                      169,203 mails – 43,590 Kgs</p>	
Timely, good quality and cost-effective translations in all working languages	Staff and delegate feedback on quality and timeliness of translated documents	Feedback from requesting sectors reflected satisfaction with the services provided. Translation turn-around times were satisfactory for meetings documents. However, timeliness was negatively affected by the late submission of documents for translation.	
	Productivity standards for in-house translation and cost per page maintained at 2006/07 levels	Productivity levels were maintained. The cost per page was reduced by 6 % compared with 2006/07.	
On-time production of printed and electronic matter respecting PCT and Madrid treaty obligations	Quantity of printed material delivered within required deadline	PCT and Madrid Treaty obligations deadlines were regularly respected for printing of material in both printed and electronic format. Delivery of PCT material in electronic format was 100% and in paper format 95%. Delivery of Madrid material in electronic format was 68% and in paper format 75%.	
Timely and cost-efficient records management and archiving services	Savings of 30% in paper and supplies, compared to the 2006/07 level following progressive introduction of the new Electronic Document Management System (EDMS) project	Although the EDMS project was initiated in the biennium, the target to reduce paper by 30% could not be achieved. The full deployment of the project in 2010/11 is expected to result in achieving the target.	

## IV. BUDGET UTILIZATION

Resource Utilization Revised Program and Budget 2008/09  
(in thousands of Swiss francs)

<u>Allocation</u>	<u>Actual Expenditure</u>	<u>% Utilization</u>
40,716	38,371	94.2%

12. Lower than expected utilization of resources under Program 27 is attributed primarily to the postponement of a number of projects (electronic recording system for conference rooms; computer-assisted tools for translation), as well as to less outsourcing of translation work to outside agencies (due to bad quality of product), and scaling down of training and equipment components for the EDMS project.



**Program 28: Security**

**OBJECTIVE** Enhanced safety and security of all WIPO staff, visitors to WIPO buildings, delegates to WIPO meetings, and WIPO assets

**Program Manager** *Mr. A. Sundaram*

I. ANALYTICAL SUMMARY

1. The Expected Results for this Program were *Partially Achieved*. This can be considered satisfactory in view of the achievement of the qualitative outcomes discussed below.

2. As regards reduction of overall risk, the security change project's implementation phase has commenced and significant planning, studies and exercises are ongoing involving all internal and external stakeholders. In addition, an accountability framework within the WIPO Security Management System was adopted and approved by Member States that will strengthen the duty-of-care commitment by the Organization aimed at reducing risk exposure for personnel. WIPO was the first Specialized Agency in the UN Security Management System to approve such a framework.

3. Regarding the establishment of security plans and crisis management procedures, the Emergency Response Plan (ERP) policy and governance document was approved by the Director General. Furthermore, relevant emergency evacuation procedures, exercises and training continued systematically for WIPO staff at large. Concerning the reduction in risk or injury, the recruitment of a professional safety officer has been postponed to 2010. The reported number of workplace injuries/medical assistance incidents decreased in 2009 as compared to 2008. In addition, an externally commissioned fire safety gap analysis and risk assessment report was conducted at WIPO for the existing premises. The report will be useful in order to identify issues that need to be addressed in the near future. In order to ensure satisfactory security at high-level WIPO hosted conferences and meetings in Geneva and elsewhere, risk assessments were conducted for all events in Geneva. However, improved procedures and guidelines are still to be provided to Program Managers who are organizing events outside Geneva.

4. One of the objectives of Program 28 is to establish a more safety and security conscious culture within the Organization and ensure that WIPO staff become active stakeholders in this process. To this end, various training sessions and briefings were undertaken during the biennium.

5. Progress has been made for the Organization to become H-MOSS compliant according to the Security Risk Assessment (SRA) recommendations. And full compliance is expected to be achieved over the next two biennia.

II. IMPLEMENTATION OF THE DEVELOPMENT AGENDA

6. All Programs related to Strategic Goal IX "An efficient administrative and financial support structure to enable WIPO to deliver its programs" provide support or other services to the Organization as a whole in delivering on WIPO's Expected Results.

III. PERFORMANCE DATA

Key to Traffic Light System (TLS)

- Fully achieved (100%)
- Partially achieved (50% or more)
- Limited achievement (below 50%)
- Discontinued

Expected Results	Performance Indicators	Performance data	TLS
Reduction in overall security risk	Implementation of the Security Change Project, as approved by the Member States	<p>The implementation of the Security Change Project is ongoing and on schedule in cooperation with all relevant stakeholders (e.g. IPMT membership, the staff association, the Pilot for the new construction, Member States; and FIPOI.</p> <p>Risks continue to be determined for WIPO activities at headquarters and at WIPO's external offices using the UN System Security Risk Management Model (SRM).</p>	
	Risk Management system in place	<p>WIPO actively participated in the UN Security Management System through its membership in the CEB, HLCM, IASMN, Swiss SMG, Swiss SAG, and Swiss Security Cell. This network develops and endorses security risk management policies and best practices which are communicated to all Agency Fund Programme Organization (AFPO) stakeholders.</p> <p>An Accountability Framework within the WIPO Security Management System was adopted and approved by Member States which strengthened the "duty-of-care" position of the Organization.</p> <p>Program 28 continued to ensure that WIPO staff while on official mission travel adhere to rules and procedures for security training, register with the ISECT system for security clearances and security notifications to ensure that staff appear on country lists should an emergency arise.</p>	

Expected Results	Performance Indicators	Performance data	TLS
Security plans and crisis management procedures in place	Assignment of relevant roles	A WIPO policy and governance document in regards to Emergency Response Planning (ERP) was prepared and approved by the Director General. The document was released initially to a limited number of stakeholders whose job description will include a role in any future crisis management and business continuity operation.	
	Instructions and procedures for staff documented and available	<p>Instructions for staff in case of emergencies where partial or full evacuation of the Organization's premises may be necessary have been posted on the WIPO Intranet site.</p> <p>Emergency evacuation exercises were conducted bi-annually.</p>	
Reduction in risk of injury	Improved safety elements in WIPO premises	<p>The number of reported incidents of workplace injuries decreased in 2009 compared to 2008 (four reported injuries in 2008 and one injury in 2009).</p> <p>A fire safety gap analysis and risk assessment report was conducted for all WIPO premises in 2009. The recruitment of a professional safety officer was postponed. Filling the safety officer post is expected to greatly enhance the proactive and reactive safety elements within the Organization, including adequate policies, procedures, and training of staff.</p>	
Satisfactory security at high-level WIPO hosted conferences and meetings, in Geneva and elsewhere	Risk assessments carried out for all WIPO-hosted high-level conferences and meetings	Risk assessments were conducted for all high-level conferences and meetings hosted by WIPO in Geneva.	

IV. BUDGET UTILIZATION

Resource Utilization Revised Program and Budget 2008/09  
*(in thousands of Swiss francs)*

<u>Allocation</u>	<u>Actual Expenditure</u>	<u>% Utilization</u>
9,670	9,444	97.7 %

7. Underexpenditure of 98 thousand Swiss francs in personnel resources was primarily due to a lower need than expected for personnel on Special Service Agreement contracts.

8. Underexpenditure of 128 thousand Swiss francs in non-personnel resources can be attributed to a lower expenditure than expected under the security guard contract.

**Program 29: New Construction**

**OBJECTIVE** Progress of the new construction towards a completion date of April 2010, within the budgetary limits, and in accordance with the requisite quality levels and United Nations security standards (UN-H-MOSS)

**Program Manager** *Mr. A. Sundaram*

## I. ANALYTICAL SUMMARY

1. The biennium has seen the achievement of major milestones, in particular in view of the more than two-year period of project re-organization following Member States' decision in 2005 to approve the re-launch of the revised construction project.

2. The contract for a commercial loan with a syndicate of two banks was signed on February 8, 2008, for a basic amount of 114 million Swiss francs, with the possibility of an extension of 16 million Swiss francs. The fixed-price contract with the General Contractor was also signed on February 8, 2008, fixing the start of construction to April 7, 2008, and the delivery date to October 8, 2010. The budgetary envelope approved by Member States in 2005, had to be revised following the audits of the External Auditor in 2006, 2007 and 2008, the specific cost audit commissioned from the Project Pilot in 2007, and on the basis of the final fixed-price contract signed with the General Contractor. A consolidated updated envelope was prepared and presented to Member States in December 2008 which was approved with an authorization to appropriate 20 million Swiss francs from the WIPO reserves. The new envelope amounts to 145.7 million Swiss francs, financed mainly from the commercial loan (approved by Member States in 2005) and the WIPO reserves. In view of the time which had passed since the original requirements had been drafted, a number of updates to the project had to be integrated and the corresponding budgetary coverage had to be prepared and presented to Member States. A "Provision for Project Modifications" and a "Contingency Provision for Miscellaneous and Unforeseen" were approved by Member States also in December 2008, for an overall total of 16 million Swiss francs, to be financed from an extension of the approved commercial loan.

3. The unique project management structure, initiated in 2006/07, was further consolidated. The composition and mandate of the Construction Committee and the Internal Project Monitoring Team were strengthened. The monthly reports issued by the General Contractor as well as the Pilot, have proven to be essential tools in allowing the Construction Committee to closely monitor the progress of work. In addition, the distinct monthly Risk Registers issued by the Pilot (operational emphasis) and by WIPO (institutional and organizational emphasis) have become well-established tools for monitoring the interactions between the numerous angles through which the project is being executed, managed, controlled, audited, and reported on. New processes for review and approval of project phases and modifications have been introduced. Progress reports and substantial documentation are prepared for, and presented to, the External Auditor (annually), the Internal Audit and Oversight Division (bi-annually) and the WIPO Audit Committee (quarterly).

4. At the end of the biennium, the revised project was proceeding in accordance with quality standards and within the respective approved financial envelope and provisions, and, insofar as the situation reflected in the contracts signed in 2008, on schedule for a delivery date of October 8, 2010, noting that that date is however later than the indicative date of completion of April 2010 which had been reflected in the then-approved Program and Budget for the 2008/09 biennium.

5. The proposal by the Secretariat, presented to and approved by Member States in December 2008, for a New Conference Hall Project, had already been integrated in 2008 into the existing management structure, both internally and externally. Since the approval by Member States, in September 2009, of the execution of this new project, with an indicative completion date of December 2012, various preparatory work has been carried out in particular the launch of the International Call for Expressions of Interest for general contractors and the drafting and calculations for the technical specifications which will be subject to tender during 2010.

6. Major challenges which required and will continue to require dedicated attention at all levels are threefold: (i) continue to provide the best conditions for a successful operational progress according to the contractual timeframe, price and quality; (ii) provide an appropriate interface between the New Construction Project and the New Conference Hall Project; and (iii) provide an appropriate coordination mechanism in respect of implementation of the UN H-MOSS security measures to this Project and the New Conference Hall Project, throughout the delivery of all these projects.

VIII. IMPLEMENTATION OF THE DEVELOPMENT AGENDA

7. All Programs related to Strategic Goal IX “An efficient administrative and financial support structure to enable WIPO to deliver its programs” provide support or other services to the Organization as a whole in delivering on WIPO’s Expected Results. In this regard, Program 29 facilitates from an administrative perspective the implementation of the WIPO Development Agenda.

IX. PERFORMANCE DATA

Key to Traffic Light System (TLS)

- Fully achieved (100%)
- Partially achieved (50%)
- Limited achievement (below 50%)
- Discontinued

Expected Results	Performance Indicators	Performance data	TLS
Construction work on time and within the budgetary limits	Observance of key construction timelines	<p>Key construction timelines have been observed.</p> <p>As per the contract with the General Contractor, construction work started on April 7, 2008, and has been progressing in line with the established operational timetable.</p> <p>The major milestones for 2008 and 2009 were reached:</p> <ul style="list-style-type: none"> <li>- Phase I excavation work and laying of bottom two concrete slabs completed by mid-December 2008;</li> <li>- Phase II excavation work started on October 6, 2008;</li> <li>- completion of the roof of the new building in August 2009;</li> <li>- completion of the top slab above the new underground floors between the AB Building and the new building and start of the construction of the future parking ramp to the AB Building parking (before end 2009).</li> </ul>	

Expected Results	Performance Indicators	Performance data	TLS
	<p>Observance of the budgetary envelope approved by the Member States</p>	<p>The consolidated and updated budgetary envelope and the necessary additional Provisions, as approved by Member States in December 2008, have been observed in the ongoing construction work.</p> <p>On the basis of the approved provision for project modifications, it has been possible to include the implementation of a modern, purpose-built and energy efficient Data Center into the new building, where all the Organization's IT infrastructure will be centrally relocated from the existing Data Center; it has also been possible to integrate security measures required under UN H-MOSS.</p>	
<p>Construction work in accordance with required quality levels</p>	<p>Acceptance by the Pilot and the Construction Committee of the choice by the general contractor of construction materials and methods in accordance with the required quality levels</p>	<p>The Pilot and the Construction Committee have accepted, under their respective mandate, the General Contractor's choices of construction materials and methods in accordance with the required quality levels fixed in the contract. This acceptance process is carried out on a monthly and/or weekly basis, depending on the level of details of the particular matter, under the responsibility of the Pilot. Reports are issued monthly by the General Contractor and by the Pilot and are reviewed by the Internal Project Monitoring Team before being presented, on a monthly basis, to the Construction Committee.</p>	

Expected Results	Performance Indicators	Performance data	TLS
Construction work in accordance with United Nations security standards (UN H-MOSS)	Acceptance by the Pilot and the Construction Committee of the choice of construction materials and methods for implementation used by the general contractor for implementation of the UN H-MOSS security standards selected by WIPO.	The Pilot and the Construction Committee have accepted, under their respective mandate, the choices of construction materials and implementation methods by the General Contractor for implementing a number of UN H-MOSS security standards selected by WIPO. These are reflected in the reports issued monthly by the General Contractor and by the Pilot and are reviewed by the Internal Project Monitoring Team before being presented, on a monthly basis, to the Construction Committee. A first series of measures were introduced in the infrastructure work, as provided for in the contract with the General Contractor. Other measures of a "conservatory" nature, required by the construction work proceeding on schedule, were introduced. A third series of measures is being implemented partly in 2009 and partly in 2010. In all cases, the choice of materials and methods has been validated not only by the Pilot, the Internal Project Monitoring Team and the Construction Committee, but also by the Safety and Security Coordination Service as these measures must be in line with the measures approved by Member States for the WIPO existing buildings, as reflected under Program 28.	

IV. BUDGET UTILIZATION

Resource Utilization Revised Program and Budget 2008/09  
(in thousands of Swiss francs)

<u>Allocation</u>	<u>Actual Expenditure</u>	<u>% Utilization</u>
4,862	3,472	71.4 %

8. The lower than expected utilization of funds is attributed primarily to lower interest rates as well as the lower than expected outstanding loan balance for the new construction (there was a single drawdown in the amount of 50 million Swiss francs in 2008/09 from the overall credit line agreed with the banks).



## ANNEX I

## REPORT ON EXPENDITURES RELATED TO DEVELOPMENT ACTIVITIES

1. The revised Program and Budget 2008/09 provided a table illustrating the resources allocated for development activities (see Annex V of the revised Program and Budget 2008/09). This was a key aspect in ensuring that expenditure on development was properly reflected and clearly translated into the new program structure. The purpose of this Annex in the Program Performance Report 2008/09 is to report on actual expenditure on development activities in the same format as well as to up-date the table based on experience gained during program implementation..

Development Activities Resources in 2008/09  
(in thousands of Swiss francs)

<i>New Programs (relevant shares of program resources)</i>	<i>2008/09 Revised Budget</i>	<i>2008/09 Actual Expenditure as per budgeted ratios</i>	<i>2008/09 Actual Expenditure as per revised ratios</i>
1 Patents, Innovation Promotion and Technology Transfer *	3,948	3,809	3,809
2 Trademarks, Industrial Designs and Geographical Indications *	1,709	1,359	1,359
3 Copyright and Related Rights *	6,362	5,672	5,672
4 Traditional Knowledge, Traditional Cultural Expressions and Genetic Resources *	5,495	4,823	6,270
5 The PCT System	4,555	4,494	4,494
6 Madrid, Hague and Lisbon Systems *	2,814	2,293	2,293
8 Development Agenda Coordination	5,414	4,893	4,893
9 Africa, Arab, Asia and the Pacific, Latin America and the Caribbean Countries, LDCs	48,060	41,203	41,203
10 Cooperation with Certain Countries in Europe and Asia	5,604	4,923	4,923
11 The WIPO Academy	8,859	7,854	7,854
12 International Classification in the Field of Trademarks and Industrial Designs *	248	195	195
14 PATENTSCOPE® and Associated Patent Services *	833	506	506
15 IP Office Modernization	5,435	4,530	4,530
16 Economic Studies, Statistics and Analysis	1,586	876	876
17 Building Respect for IP	2,922	2,504	2,504
18 IP and Global Challenges *	1,042	870	870
19 Communications *	6,590	6,471	6,471
20 External Offices and Relations *	997	1,369	8,564
<b>SUB-TOTAL</b>	<b>112,472</b>	<b>98,643</b>	<b>107,285</b>
Costs Incurred in 2008 for Activities Discontinued in 2009	5,017	5,125	5,125
<b>TOTAL</b>	<b>117,489</b>	<b>103,768</b>	<b>112,410</b>

\* Only the relevant share for development activities in this program is displayed

2. The table provides an overview – on a comparable basis to that presented in the revised Program and Budget 2008/09 – of resources allocated to programs for development activities (column 1 above) with actual expenditure (column 2 above). In the case of certain programs, the full amount of resources allocated to the program were considered to be devoted to development activities (see paragraph 3 below), while in the case of others, only a share of the program's resources were earmarked specifically for this purpose (see paragraph 4 below). Based on the experience of program implementation in the biennium, Programs 4 and 20 considered that a greater share of their activities and resources should be considered as development related (see explanation in paragraph 4 below). Column 3 of the Table above reflects this revision.

3. The Programs, for which resources are fully dedicated to development activities comprise:

- Program 8. Development Agenda Coordination: for further information on the under utilization of resources please refer to Program 8 in this report (section IV on Budget Utilization).
- Program 9. Africa, Arab, Asia and the Pacific, Latin America and the Caribbean Countries: Least Developed Countries: for further information on the under utilization of resources please refer to Program 9 in this report (section IV on Budget Utilization).

- Program 10. Cooperation with Certain Countries in Europe and Asia: for further information on the under utilization of resources please refer to Program 10 in this report (section IV on Budget Utilization).
  - Program 11. WIPO Academy; for further information on the under utilization of resources please refer to Program 11 in this report (section IV on Budget Utilization).
  - Program 15. IP Office Modernization; for further information on the under utilization of resources please refer to Program 8 in this report (section IV on Budget Utilization).
  - Program 16. Economic Studies, Statistics and Analysis: The outputs of Program 16 are public goods (in the form of publications and analytical reports) of which all developing countries are beneficiaries (as are developed countries). For further information on the under utilization of resources please refer to Program 16 in this report (section IV on Budget Utilization).
  - Program 17. Building Respect for IP: For further information on under utilization of resources please refer to Program 16 in this report (section IV on Budget Utilization).
4. The Programs for which resources are only partly dedicated to development activities comprise:
- Program 1. Patents, Innovation Promotion and Technology Transfer: The allocation of resources for development activities undertaken by Program 1 was related to innovation promotion and technology transfer as well as services provided for the drafting of legislation for developing countries and support in relation to flexibilities. The resources allocated for development activities were fully utilized as planned.
  - Program 2. Trademarks, Industrial Designs and Geographical Indications: The allocation of resources for development activities undertaken by Program 2 was related to enabling developing country delegations to participate in meetings of the Standing Committee on the Law of Trademarks, Industrial Designs and Geographical Indications (SCT) and to the planning and implementation of technical assistance and capacity building activities, in particular in the form of national and regional awareness raising. Resources were utilized for these activities as planned. For further information on the under utilization of resources please refer to Program 2 in this report (section IV on Budget Utilization).
  - Program 3. Copyright and Related Rights: The allocation of resources for development activities undertaken by Program 3 was related to activities aimed at supporting developing countries in: the use of copyright in the digital environment; collective management of copyright and related rights and activities; and the creative industries. Resources were utilized for these activities as planned. For further information on the under utilization of resources please refer to Program 3 in this report (section IV on Budget Utilization).
  - Program 4. Traditional Knowledge, Traditional Cultural Expressions and Genetic Resources: The allocation of resources for development activities undertaken by Program 4 was related to activities to support developing countries in the following ways: (i) member-driven norm-setting activities, in particular in relation to the acceleration of the IGC process on the protection of genetic resources, traditional knowledge and folklore; and (ii) specialist capacity building activities, taking into account the priorities and the special needs of developing countries. Resources were utilized for these activities as planned. However, based on Program implementation it would be fair to state that the entire budget (100%) of Program 4 was development related instead of the 77% of the budget used as a base for calculation in the revised Program and Budget 2008/09. For further information on the under utilization of resources please refer to Program 4 in this report (section IV on Budget Utilization).
  - Program 5. The PCT System: The allocation of resources for development activities undertaken by Program 5 was related to the activities of the PCT International Cooperation

Division, Resources were utilized for these activities as planned, and in particular for the organization and funding of seminars and participants from developing countries.

- Program 6. Madrid, Hague and Lisbon Systems: The allocation of resources for development activities undertaken by Program 6 was related to legal assistance, training activities as well as information and promotion work. These activities covered: (i) provision of advice to governments of developing and transition countries before or following accession to one of the registration treaties; (ii) enabling representatives of developing and transition countries to participate in working groups; (iii) financing the participation of IP officials in training activities, and the participation of experts and speakers in seminars and workshops in developing and transition countries. Resources were utilized for these activities as planned. For further information on the under utilization of resources please refer to Program 6 in this report (section IV on Budget Utilization).
- Program 12. International Classification in the Field of Trademarks and Industrial Designs: The allocation of resources for development activities undertaken by Program 12 was related to: (i) capacity building in the form of training in the Vienna, Nice, and Locarno Classifications delivered to developing and transition countries; and (ii) assistance to developing country members of the Classification Unions to participate in translation conferences aimed at the establishment of coordinated official language versions of the classifications in languages other than English and French. Resources were utilized for these activities as planned. For further information on the under utilization of expenditure please refer to Program 12 in this report (section IV on Budget Utilization).
- Program 14. PATENTSCOPE® and Associated Patent Services: The allocation of resources for development activities undertaken by Program 14 was related to: training seminars, provision of access to scientific and technical journals as well as technical assistance projects with a view to contributing to the development of agreements to facilitate access to specialized databases for the purposes of patent searches. Resources were utilized for these activities as planned. For further information on under utilization of resources please refer to Program 14 in this report (section IV on Budget Utilization).
- Program 18. IP and Global Challenges: The allocation of resources for development activities undertaken by Program 18 was related to: (i) technical support for policy makers in the life sciences and environmental domain; (ii) practical support on specialized patent databases in areas such as public health and technology transfer; (iii) mainstreaming the health, bio-ethics, environmental, and food security aspects of development considerations into WIPO's substantive and technical assistance activities and debates; (iv) strengthening the base of neutral, practical and accessible information for promoting the transfer and dissemination of technology, to the benefits of developing countries in key areas such as health, agriculture and the environment. Resources were utilized for these activities as planned. For further information on under expenditure please refer to Program 18 in this report (section IV on Budget Utilization).
- Program 19. Communications: The allocation of resources for development activities undertaken by Program 19 was related to: the costs of publications such as treaties or outreach materials for developing countries, the Magazine of which content is geared towards promoting the use of IP for development with concrete examples from developing countries, the production of films dealing with subjects in developing countries and promoting development of IP based industries, the dissemination on their national television channels, the translation of outreach materials into non-UN languages also from developing countries, and use of WIPO educational materials in school systems in developing countries, the organization of the World IP Day, and the promotion of development activities on the WIPO website. Resources were utilized for these activities as planned with a slight underspending of approximately two per cent due to continuous efforts at cost savings whenever possible.
- Program 20. External Office and Relations: The allocation of resources for development activities undertaken by Program 20 was related to: (i) the costs of the Singapore Office, as

well as (ii) extra-budgetary resource mobilization activities. Resources were utilized for these activities as planned. For further information on the under utilization of resources please refer to Program 20 in this report (section IV on Budget Utilization).

Based on program implementation in the biennium it is considered that a larger share of Program 20's activities and expenditure could be attributed as development related, as compared to what was originally envisaged in the revised Program and Budget 2008/09. The original basis for the revised Program and Budget 2008/09 was the WIPO Singapore Office and activities related to extrabudgetary resource mobilization undertaken by this Program (including the WIPO Conference on Building Partnerships for Mobilizing Resources for Development – a Development Agenda Project). In retrospect, Program 20's work with IGOs (e.g. WTO, WHO and the UN) was directly attributable to development objectives. The work of the New York Office in support of external relations was equally focused on supporting development objectives and at least 80% of the activities undertaken could be considered development related (excluding the UN charges). The work of the NGO Section also has a significant development component (an estimated 50%) and the work of the Rio de Janeiro and Tokyo Offices directly support development objectives and should therefore also be attributed to development. It should be noted that 80% of the resources (both personnel and non-personnel) for the management of Program 20 are also estimated to have been dedicated to development-related activities in the biennium. The above described changes in the base are represented in column 3 of the table above.

[Appendix follows]

## APPENDIX

## ACRONYMS USED IN THE PRESENT DOCUMENT

<b>ABA</b>	American Bar Association
<b>ABDA</b>	Brazilian Association of Copyright
<b>ACE</b>	Advisory Committee on Enforcement
<b>AEPO-ARTIS</b>	Association of European Performers' Organizations
<b>AIMS</b>	Administration Integrated Management System
<b>APAA</b>	Asian Patent Attorneys Association
<b>AIPLA</b>	American Intellectual Property Law Association
<b>AIPPI</b>	Association Internationale pour la Protection de la Propriété Intellectuelle
<b>ALADI</b>	Asociación Latino Americana de Integración
<b>ARIPO</b>	African Regional Industrial Property Organization
<b>ASEAN</b>	Association of Southeast Asian Nations
<b>ASPAC</b>	Asia Pacific (countries)
<b>ATR</b>	Annual Technical Reports
<b>AU</b>	African Union
<b>AUTM</b>	Association of University Technology Managers
<b>CARICOM</b>	Caribbean Community
<b>CBD</b>	Convention on Biological Diversity
<b>ccTLD</b>	Country code top-level domains
<b>CDIP</b>	Committee on Development and Intellectual Property
<b>CEB</b>	Chief Executives Board
<b>CISAC</b>	International Confederation of Societies of Authors and Composers
<b>CLEA</b>	Collection of Laws for Electronic Access
<b>CPAG</b>	Common Procurement Activities Group
<b>DAS</b>	Digital Access Service
<b>DRM</b>	Digital Rights Management
<b>DVD</b>	Digital Versatile Disc
<b>ECAF</b>	Electronic Case Facility
<b>ECLAC</b>	Economic Commission for Latin America and the Caribbean
<b>ECOSOC</b>	Economic and Social Council
<b>EDMS</b>	Electronic Document Management System
<b>EPI</b>	European Patent Institute
<b>EPO</b>	European Patent Office
<b>ERP</b>	Enterprise Resource Planning
<b>E-TA</b>	Electronic Travel Authorization
<b>EU</b>	European Union
<b>FAO</b>	Food and Agriculture Organization
<b>FAQ</b>	Frequently Asked Questions
<b>FRR</b>	Financial Regulations and Rules
<b>GEF</b>	Global Environment Facility
<b>GIAN-RUIG</b>	Geneva International Academic Network
<b>GR</b>	Genetic Resources
<b>gTLD</b>	Generic top-level domains
<b>HLCM</b>	High Level Committee on Management
<b>HLCP</b>	High Level Committee on Programs
<b>HQ</b>	Headquarters
<b>HRMD</b>	Human Resources Management Department

IAEA	International Atomic Energy Agency
IADB	Inter-American Development Bank
IAOD	Internal Audit and Oversight Division
ICANN	Internet Corporation for Assigned Names and Numbers
ICC	United Nations International Computing Centre
ICGEB	International Centre for Genetic Engineering and Biotechnology
ICSEI	International Cooperation for the Search and Examination of Inventions
IFPI	International Federation of Phonographic Industries
IFRRO	International Federation of Reproduction Rights Organizations
IGC	Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore
IGO	Intergovernmental Organization
	Intellectual Property
IIPCAG	INTERPOL Intellectual Property Crime Action Group
IIPS	International Institute for Population Sciences
ILO	International Labor Organization
ILOAT	International Labor Organization Administrative Tribunal
IMPACT	International Medical Products Anti-Counterfeiting Taskforce
INTERPOL	International Criminal Police Organization
IP	Intellectual Property
IPAS	Intellectual Property Advisory Services
IPC	International Patent Classification
IPCCAT	International Patent Classification (IPC) categorization assistance system
IPO	Intellectual Property Office
IPRs	Intellectual Property Rights
IPSAS	International Public Sector Accounting Standards
ISO	International Standards Organization
IT	Information Technology
ITIL	Information Technology Infrastructure Libraries
ITU	International Telecommunication Union
JIU	Joint Inspection Unit
LAC	Latin America and Caribbean
LDCs	Least Developed Countries
LESI	Licensing Executives Society International
LL.M	Master of Law
MOSS	Minimum Operating Security Standards
NEPAD	New Partnership for Africa Development
NGO	Non-Governmental Organization
OAPI	African Intellectual Property Organization
OCR	Optical Character Recognition
OECD	Organization for Economic Cooperation and Development
OECS	Organization of Eastern Caribbean States
OHCHR	Office of the High Commissioner for Human Rights
OLC	Office of Legal Counsel
OTCA	Amazon Cooperation Treaty Organization
PBC	Program and Budget Committee
PCT	Patent Cooperation Treaty
PLT	Patent Law Treaty
R&D	Research & Development
RFP	Request for Proposals
RFQ	Request for Quotations
RMI	Rights Management Information

<b>SAN</b>	Storage Area Network
<b>SCAPR</b>	Societies' Council for the Administration of Performers' Rights
<b>SCCR</b>	Standing Committee on Copyright and Related Rights
<b>SCIT</b>	Standing Committee on Information Technologies
<b>SCP</b>	Standing Committee on the Law of Patents
<b>SCT</b>	Standing Committee on the Law of Trademarks, Industrial Designs and Geographical Indications
<b>SDWG</b>	Standards and Documentation Working Group
<b>SME</b>	Small and medium-sized enterprise
<b>STL</b>	Successful Technology Licensing
<b>SWU</b>	Staff Welfare Unit
<b>TACD</b>	The Trans Atlantic Consumer Dialogue
<b>TCE</b>	Traditional Cultural Expressions
<b>TK</b>	Traditional Knowledge
<b>TLS</b>	Traffic light system
<b>TRIPS</b>	Trade-Related Aspects of Intellectual Property Rights
<b>UDRP</b>	Uniform Domain Name Dispute Resolution Policy
<b>UN</b>	United Nations
<b>UN H-MOSS</b>	UN Headquarters Minimum Operating Security Standards
<b>UNCTAD</b>	United Nations Conference on Trade and Development
<b>UNDP</b>	United Nations Development Programme
<b>UNECE</b>	United Nations Commission for Europe
<b>UNEP</b>	United Nations Environment Programme
<b>UNESCO</b>	United Nations Educational, Scientific and Cultural Organization
<b>UNFCCC</b>	United Nations Framework Convention on Climate Change
<b>UNIDO</b>	United Nations Industrial Development Organization
<b>UNITAR</b>	United Nations Institute for Training and Research
<b>UNJSPF</b>	United Joint Staff Pension Fund
<b>UNPFII</b>	UN Permanent Forum on Indigenous Issues
<b>UNU</b>	United Nations University
<b>USPTO</b>	United States Patent and Trademark Office
<b>VRS</b>	Vendor Registration System
<b>WAB</b>	WIPO Appeal Board
<b>WCO</b>	World Customs Organization
<b>WCT</b>	WIPO Copyright Treaty
<b>WHO</b>	World Health Organization
<b>WMO</b>	World Meteorological Organization
<b>WMS</b>	WIPO Medical Service
<b>WPPT</b>	WIPO Performances and Phonograms Treaty
<b>WSIS</b>	World Summit on the Information Society
<b>WSO</b>	WIPO Singapore Office
<b>WTO</b>	World Trade Organization
<b>XML</b>	eXtensible Markup Language

[End of Appendix and of document]

[End of Annex and of document]