

Committee on Development and Intellectual Property (CDIP)

Fourteenth Session
Geneva, November 10 to 14, 2014

EVALUATION REPORT ON THE PROJECT ON INTELLECTUAL PROPERTY (IP) AND SOCIO-ECONOMIC DEVELOPMENT

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1. The Annex to the document contains an external independent Evaluation Report on the Project on Intellectual Property and Socio-Economic Development, undertaken by Mr. Daniel Keller, Consultant, Hanoi, Viet Nam, and Mr. Pierre Mohnen, Professor of Economics, Maastricht, the Netherlands.

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

[Annex follows]

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LIST OF ACRONYMS

BADEPI	Database on intellectual property for statistical purposes (Brazil)
CDIP	Committee on Development and Intellectual Property
CHF	Swiss Francs
DA	Development Agenda
DAC	Development Assistance Committee (of the OECD)
DACD	Development Agenda Coordination Division
IP	Intellectual Property
IPR(s)	Intellectual Property Rights
INPI	Instituto Nacional da Propriedade Industrial
LDCs	Least Developed Countries
OECD	Organization for Economic Co-operation and Development
SMART (indicators)	Specific, Measurable, Ambitious, Relevant and Time-bound
ToRs	Terms of Reference (of this evaluation)
UN	United Nations
WIPI	World Intellectual Property Indicators
WIPO	World Intellectual Property Organization

EXECUTIVE SUMMARY

This report covers the independent final evaluation of the Development Agenda (DA) project on “Intellectual Property (IP) and Socio-Economic Development” (DA_35_37_01), subsequently referred to as (“the Project”). Adopted during the 5th session of the Committee on Development and Intellectual Property (CDIP) in April 2010, the Project aimed at narrowing the knowledge gap faced by policy makers in developing countries in designing and implementing a development enabling IP regime. Project implementation started on 1 July 2012 and ended in December 2013, after a six months extension approved by the 10th session of the CDIP. The Project’s key deliverables included studies, workshops and a symposium.

The evaluation was guided by the Terms of Reference (ToRs) dated 12 June 2014 and conducted between 15 June 2014 and 15 November 2014 by two external evaluators¹ in close coordination with the Development Agenda Coordination Division (DACD).

CONCLUSIONS

The findings and assessment of the evaluation resulted in the following conclusions:

Conclusion 1: The Project was operationally well planned and managed.

The project document includes a clear, well-thought through approach, outlining the different steps needed to deliver the required outputs. Certain implementation delays were mainly due to external factors, such as coordination challenges beyond WIPO’s control. While clear objectives were defined, the application of WIPO’s standard project planning tools (in particular the logical framework) at the design stage and as a basis for reporting leaves room for improvement.

Conclusion 2: The Project was highly relevant to Member States

In terms of assisting them in collecting data on the use of IP at the micro level as an input to policy making and for linking the use of IP to economic and social performance. As a result of a highly participatory approach in designing specific demand-driven assistance, practical support fully met the needs of beneficiary IP offices. The availability of accurate statistical data in developing countries is also relevant to the information needs of IP stakeholders in developed countries. By potentially assisting Member States to fulfill their reporting duties, the Project is also relevant to the needs of the Secretariat to timely deliver the high quality data (e.g. World Intellectual Property Indicators, WIPI) to the Member States.

Conclusion 3: Beneficiary countries expressed a high degree of ownership.

As a further indication of high relevance, the evaluation found significant in-kind contributions by beneficiary offices in terms of providing significant staff resources and in establishing dedicated functions for economic data collection and analysis. Beneficiary institutions clearly articulated their needs and actively participated in the design and preparation of the studies.

Conclusion 4: The right type of high quality support was delivered in the right way.

Studies produced under the Project were of good quality. The approach to construct and digitalize information on IP applications and grants with a possible common identifier, enabling to link these IP data with other micro data from the statistical offices, was appropriate. This approach was highly innovative for middle-income countries and reflects best practices used in developed countries. The Project successfully strengthened capacities within national IP offices

¹ Mr. Pierre A. Mohnen (UNU-MERIT, Maastricht University) and Daniel P. Keller (Swiss Consulting, Vietnam, team leader); both evaluators are independent and have not been involved into project preparation or implementation.

and among local experts in beneficiary countries in better understanding the factors determining the use of IP. The Project also helped to create awareness among policy makers in beneficiary countries on how to use economic data for policy making. Beneficiaries confirmed that the studies provided useful input to policy making, which in one case is evidenced by incorporating the findings of a study into a draft for new IP legislation. Studies were presented at different stages to a variety of interested circles ranging from academics to statisticians and policy makers. Last but not least, the Project helped to create a network among beneficiary countries and linked them to WIPO.

Conclusion 5: The approach that was successfully piloted in a limited number of countries has the potential to be replicated in other countries.

Consolidating and broadening initial promising results would, however, require replicating assistance through a follow-up project, expanding to other countries. Understanding the importance of using economic data for policy making is in certain countries still limited. Awareness raising targeted at policy makers would increase the chances that the studies are used for evidenced-based policy making. Efficiency of a possible follow-up phase could be significantly enhanced by using expertise built in the Project's beneficiary countries to assist other countries. Condensing and publicizing key findings, conclusions and recommendations of individual studies under a follow-up phase would further contribute to dissemination of the knowledge gained.

Conclusion 6: Incorporating capacity building into the Project is likely to increase sustainability of results.

Training provided and the institutionalization of economic analysis within IP Offices is likely to contribute to sustainability of initial results. Moreover, the methodology for collecting, cleaning, merging, analyzing data, constructing the data set and using it to analyze specific trends and characteristics of IP use is documented in detail and to a large degree replicable.

RECOMMENDATIONS

Recommendation 1 (from conclusions 5 and 6): To the WIPO Secretariat on preparation of a follow-up project to broaden and consolidate the existing results along the following lines:

- (a) Continue to assist IP offices in other countries, including in Least Developed Countries (LDCs), to create databases of IP use and link them to other socio-economic databases;
- (b) Conducting additional studies in other countries, including LDCs, using the datasets created, with a particular focus on topics that have not yet been looked at;
- (c) Continue using the methodological approach applied under the Project, with a particular emphasis on awareness raising among policy makers prior to agreeing on specific ToRs for each study;
- (d) Publicize a summary of all studies conducted under the Project and the follow-up phase;
- (e) Capitalize on local expertise built under the Project for providing technical assistance to other countries;
- (f) Explore the option to incorporate statistical training into the national IP Academies supported under project DA_10_02, where feasible;

- (g) Continue coaching existing beneficiary countries of the Project on a demand basis;
- (h) Prepare, for the consideration by the Member States, a roadmap for mainstreaming assistance in building up data sets and using them appropriately into WIPO's regular services.

Recommendation 2 (from conclusions 5 and 6): To the CDIP on approval of a follow-up project

Approve a follow-up project to enable Member States to establish and use Statistical IP Data for the purpose of providing input to policy making along the lines suggested in recommendation 1.

Recommendation 3 (from conclusion 1): To the Secretariat on strengthening the application of planning and monitoring tools

- (a) Quality control of projects at the design stage should be strengthened in a way to ensure proper application of existing project planning tools;
- (b) Consider introducing the logical framework as a basis for project cycle management.

Recommendation 4 (from conclusion 6): To IP Offices in beneficiary countries of the Project on training of additional staff and documenting dataset constructions.

- (a) IP Offices in Member States should pay proper attention to continue training of new specialists to maintain and transmit the knowledge gained through the Project and to mitigate the risk of staff turnover;
- (b) Furthermore, processes of construction of the dataset should be clearly documented in order to ensure continuous harmonious updating.

1. INTRODUCTION

1. This report covers the final evaluation of the Development Agenda (DA) project “IP and Socio-Economic Development” (Project Code: DA_35_37_01), referred to as “the Project”.

2. Evaluation work was guided by the Terms of Reference (ToRs) dated 12 June 2014 and undertaken between 15 June 2014 and 15 November 2014 by a team of two external evaluators² in close coordination with the Development Agenda Coordination Division (DACD).

(A) PROJECT BACKGROUND AND DESCRIPTION

3. Adopted during the fifth session of the Committee on Development and Intellectual Property (CDIP) in April 2010, the Project was formulated to directly respond to DA recommendations 35³ and 37⁴. The project document (CDIP/5/7 rev. 1) is included in Appendix I.

4. Developing countries consistently expressed a high interest to better understand the effect of IP on socio-economic development, mainly to craft tailor-made policies, which are conducive to the achievements of their own socio-economic development objectives. Developed countries benefit from comprehensive insightful evidence on economic effects of different dimensions of IP. Policy makers in the developing world lack credible empirical guidance.

5. The Project aimed at narrowing this knowledge gap between the developed and developing world by contributing to better informed decision making on IP policies at national and international levels. A secondary objective was to strengthen analytical capacity in countries, where little economic studies work on IP has been undertaken so far.

6. Within this broader scope, the Project primary aim was to enable policymakers in developing countries in designing and implementing a “development-promoting” IP regime through conducting 6 – 8 country studies around the following three broader themes: (a) domestic innovation, (b) the international and national diffusion of knowledge, and (c) institutional features of the IP system and its economic implications.

7. These studies were to be conducted by research teams involving the WIPO Office of the Chief Economist, international experts, and local researchers.

8. Project implementation started on July 1, 2012 and ended in December 2013 (duration of 42 months, including a 6 months extension approved by the 10th session of the CDIP). As per December 31, 2013, CHF 1,165,000 (or 86%) of the budget amounted of CHF 1,341,700 (excluding CHF 150,000 for personnel costs) were spent.

9. According to the last progress report available to the evaluators⁵, which was updated through interviews in August 2014, the Project reported the following outputs, which will be described in more detail in section 2.C below (assessment of effectiveness):

- (a) Brazil: A study on IP use based on firm-level survey data was submitted to the 11th session of the CDIP (CDIP 11/INF3); completion of IP unit-record database at Brazilian IP

² Mr. Pierre A. Mohnen (UNU-MERIT, Maastricht University) and Daniel P. Keller (Swiss Consulting, Vietnam, team leader); both evaluators are independent and have not been involved into project preparation or implementation.

³ Recommendation 35 (Cluster D): To request WIPO to undertake, upon request of Member States, new studies to assess the economic, social and cultural impact of the use of intellectual property systems in these States.

⁴ Recommendation 37 (Cluster D): Upon request and as directed by Member States, WIPO may conduct studies on the protection of intellectual property, to identify the possible links and impacts between IP and development.

⁵ See CDIP 12/2, Annex V (progress report)

office and substantial progress in drafting study on IP use in Brazil based on these data; substantial progress in conducting analysis for study on IP use and export performance.

(b) Chile: A study on IP use in Chile was submitted to the 11th session of the CDIP (see CDIP/11/INF4) and translated into Spanish. Furthermore, two studies on pharmaceutical patenting (titled: “foreign pharmaceutical patenting”) and trademark squatting in Chile (titled: Trade Mark Squatters – Evidence from Chile) have been completed and are awaiting publication.

(c) Uruguay: A study on IP in the forestry sector was submitted to the 11th session of the CDIP (CDIP/11/INF/2). The Project also undertook an analysis for study on patenting and market structure in the pharmaceutical industry, which will be presented to the 14th session of the CDIP.

(d) Egypt: A study on the role of IP in the information and communications technology (ICT) was conducted.

(e) China: The Project completed two studies, one on foreign patenting behavior by Chinese applicants and one on patenting strategies of Chinese firms.

(f) Thailand: The Project assisted the IP Office to establish a unit-record database of utility model registrations. Based on this newly constructed database, a study on utility model use was undertaken.

10. The work on the studies was accompanied by extensive meetings and seminars to educate policy makers about the use of economic data for policy makers, define the scope of the studies and present key results.

11. Moreover, WIPO provided beneficiary IP offices with practical support and training in establishing and using databases.

12. In order to gather the key contributors of the six country studies and selected international experts, a research symposium was organized in December 2013. Its objective was to distill the main lessons learned from the different studies, their broader applicability, and their implications for policymaking at the national and international levels.

13. According to the desk study of documents validated by interviews, all planned outputs have been delivered as per the date of this report.

(B) PURPOSE, METHODOLOGY AND LIMITATIONS OF THIS EVALUATION

14. The framework for this evaluation is provided by WIPO’s Evaluation Policy⁶, which is aligned to the Organization for Economic Co-operation and Development Assistance Committee (OECD-DAC) evaluation criteria and quality standards⁷.

15. The evaluation, which was undertaken by a team of two external consultants, was coordinated by the DACD. It was guided by an inception report dated 3 July 2014, which operationalized the Terms of Reference (ToRs) dated June 12, 2014 (enclosed in [Appendix II](#)). The evaluation covered the period from January 1, 2012 to August 15, 2014. Subsequent developments prior to the presentation of this report to the CDIP were not taken into account.

⁶ WIPO, Revised Evaluation Policy, May 2010, in particular Annex 1 on evaluation criteria, which makes reference to the DAC Criteria of evaluating development assistance.

⁷ DAC Guidelines and Reference Series, Quality Standards for Development Evaluation, OECD-DAC, OECD 2010.

(i) Key purpose and methodology

16. The key purpose of this evaluation was to assess whether the Project as a whole provided the right type of support in the right way to achieve its objectives.

17. While also serving the purpose of ensuring accountability of WIPO towards its Member States, the emphasis of this particular evaluation was on organizational learning.

18. Within this general purpose, the specific evaluation objectives stated were two-fold:

(a) Learning from experiences during the Project's implementation, what worked well and what did not work well for the benefit of possible further activities in the field of IP-related economic studies and research.

(b) An evidence-based assessment of the Project to support the CDIP's decision making process.

19. The ToRs call for an assessment of the Project's quality, in particular in terms of project design, its management (including application of project cycle management tools), effectiveness and sustainability. In line with standard evaluation practices, the assessment was conducted based on four main evaluation criteria⁸:

(a) Relevance: The extent to which project objectives were consistent with beneficiaries' requirements, member countries' needs, global priorities and policies.

(b) Efficiency: How efficiently inputs (e.g. funds, expertise, and time) were converted into results. The evaluation mainly looked at the Project's approach.

(c) Effectiveness: The extent to which objectives were achieved or are expected to be achieved, taking into account their relative importance.

(d) Sustainability: The likelihood of continuation of project benefits after the assistance has been completed.

20. The evaluators combined different evaluation tools to ensure an evidence-based qualitative and quantitative assessment. The methodological mix included desk studies, individual interviews (by phone and through physical meetings), and direct observation. A list of persons interviewed and documents used is included in Appendix III and Appendix IV.

21. Particular emphasis was given to cross-validation of data and an assessment of plausibility of the results obtained.

22. While complying with WIPO's evaluation policy and maintaining independence the evaluators applied a participatory evaluation approach, seeking the views of all stakeholders. Enrolment of key stakeholders in the process and seeking alignment on key findings, conclusions and recommendations significantly contributes to organizational learning, which was the main purpose of this evaluation. The evaluation process itself is an important element of ensuring organizational learning.

23. Interviewees openly shared information, experiences and derived lessons learned from them. The evaluators were able to work freely and without interference. All WIPO staff

⁸ Beyond effectiveness and sustainability, the evaluators also briefly assessed the Project's relevance (in particular for the beneficiary IP Offices) and efficiency (mainly an analysis of the approach used), although this was not required by the ToRs.

members supported the evaluation process actively and provided timely access to all relevant information. Factual information obtained was comprehensive, consistent and clear.

24. In order to facilitate organizational learning, this report includes clear, targeted recommendations, which are expected to be used to enhance future work in the field of IP and socio-economic development, both within WIPO and through own initiatives of Member States.

25. The presentation of the evaluation report at the 15th session of the CDIP in November 2014 will ensure the dissemination of information and input to the CDIP's decision making process contribute to accountability of WIPO towards its Member States.

(ii) Main limitations to this evaluation

26. Most of the studies under the Project have only been completed relatively recently. Some are still awaiting publication. Experience shows that it takes time, before studies and reports, through their use, result in measurable effects. The same applies to the use of capacities on statistics and economic analysis built in national IP Offices. An attempt to assess their outcomes of even broader impact would thus be premature, as it would in most cases not be plausible to assume sufficient causality between the Project's outputs and changes observed.

27. No field visits were conducted. Fact finding focused on actors directly involved into the Project (the Secretariat, IP offices in beneficiary countries, WIPO experts) only. Data collection did not include a broader range of stakeholders, such as IP users in developing countries, as they were not directly targeted.

28. The above factors necessarily limited the scope and depth of the evaluation. The findings and assessment in section 2 below should be read in consideration of these the limitations.

2. FINDINGS AND ASSESSMENT

This section presents the findings of the evaluation and provides an assessment of the Project against the evaluation criteria.

(A) PROJECT PREPARATION AND MANAGEMENT

(i) Project preparation

29. Generally, the Project was carefully prepared.

30. Based on consultation with Member States, three main "themes" to be looked into were defined: promoting domestic innovation, the international and national diffusion of knowledge, and institutional features of the IP system and its economic implications. The project document also articulates a detailed methodological approach and a delivery strategy. The sequencing of activities was appropriate and conducive to achieving objectives.

31. In retrospect, the Project Manger recognized that the planned project duration of 36 months for delivering all outputs was not commensurate. Particularly, the participatory approach required to prepare for conducting the studies required extensive and time-consuming consultations, in particular in countries where different ministries were involved.

32. Although no specific strategy for the continuation of benefits beyond the Project's duration was established, the planned approach implicitly includes specific measures to enhance likelihood of sustainability, such as for instance technical assistance to statistical and economical functions within IP Office, as well as an emphasis on training and coaching.

(ii) Use of project planning tools

33. Since the standard template for DA projects was not used for this Project, the project document does not include a logical framework. Logical frameworks as a basis for project planning, monitoring and evaluations of development assistance projects are now widely used by almost all organizations active in the field of cooperation for development. They can be considered as generally acknowledged good practice for result-based project management. Even so, it should however be noted that the intervention theory is clearly explained. Reasonably clear objectives, separated according to the output⁹ and outcome¹⁰ levels, were defined. Results at both levels are linked to performance indicators.

34. Good practice in result-based monitoring calls for the linking objectives at all levels to indicators, which should be specific, measurable, relevant and time-bound (SMART).

35. Some indicators defined do not fulfill one or several of these requirements. Not all of them are time-bound (achievable within the duration of the project) and/or relevant (providing evidence for achieving the expected outcome). While most of them are theoretically measurable through the foreseen means of verification, retrieving the information needed to assess some outcomes would require extensive data collection, for which no resources were budgeted.

36. As an example, the attendance of workshops is not a suitable indicator to measure the outcome objective of "(...) better understanding of the economic effects of IP policies and more informed decision-making (...)" More relevant to measure effects of studies on decision making would for instance be the use of studies for policy papers of the government.

37. Objectives at the impact level¹¹ were not defined, but the broader positive changes, which the Project is expected to contribute to, are clearly explained. Accordingly, conducive policies tailored to the particular needs of countries would result in a positive socio-economic impact.

38. Moreover, the evaluation found no evidence that risks and assumptions for each of the objectives were identified at the planning stage. Assumptions and risks refer to external factors that are relevant for translating outputs into outcomes and outcomes into impact¹².

39. Categorizing risks according to the likelihood they materialize and the potential degree of negative impact would help project managers to focus more closely on monitoring those risks that need to be controlled in order to achieve objectives. All of this is also part of the logical framework approach and considered as a good practice in project design.

40. Again, it should be positively noted that the Project's approach included specific measures to mitigate certain obvious key risks, e.g. the broad and extensive consultations with stakeholders in order to prevent the production of studies that are not of practical use for beneficiary countries.

⁹ Output: The products, capital goods and services, which result from a development intervention; may also include changes resulting from the intervention, which are relevant to the achievement of outcomes (OECD, Glossary of Key Terms in Evaluation and Results Based Management, 2010).

¹⁰ Outcome: The likely or achieved short-term and medium-term effects of an intervention's outputs (OECD, Glossary of Key Terms in Evaluation and Results Based Management, 2010).

¹¹ Impact: Positive and negative, primary and secondary long-term effects produced by a development intervention, directly or indirectly, intended or unintended (OECD, Glossary of Key Terms in Evaluation and Results Based Management, 2010).

¹² Hypotheses about factors or risks, which could affect the progress or success of a development intervention (OECD, Glossary of Key Terms in Evaluation and Results Based Management, 2010)

(iii) Project Management

41. Evidenced by the timely delivery of all outputs in the expected quality (see detailed assessment of outputs in section C Effectiveness), the Project was well managed. Moreover, activities at the operational level are well documented and reported on.

42. Beneficiary interviews confirmed a high degree of satisfaction with the assistance received. The tailored support to different beneficiary IP offices also indicates responsiveness and flexibility of management.

43. The project document identified a number of “WIPO sectors involved”¹³ and links to other programs¹⁴. While synergies resulting from cooperation with other sectors and programs within WIPO were rather limited, coordination worked generally well. The evaluation found no overlaps between this Project and other activities of the Secretariat.

(B) RELEVANCE

Relevance assesses the extent to which project objectives were consistent with beneficiaries’ requirements, member countries’ needs, global priorities and WIPO’s policies.

(i) Policy relevance

44. Project relevance for Member States at the macro level is evidenced by the approval of the CDIP through consensus. Project objectives at the outcome level are well aligned with WIPO’s Strategic Goals and Programs.

45. By seeking to address a number of recommendations, namely on conducting studies on the protection of IP (recommendation 35) and on identifying the possible links and impacts between IP and development (recommendation 37), the Project was also relevant to the DA.

(ii) Relevance to target groups

46. All beneficiaries interviewed confirmed the high relevance of support received. More at the macro level, the randomly selected sample of beneficiary countries confirmed the importance of the studies to assist evidence-based policy making relating to the use of IP for promoting socio-economic development. As a result of a highly participatory approach in designing specific demand-driven assistance, practical support fully met the needs of beneficiary IP offices.

47. The relevance went, however, beyond the original project objectives. Clearly, the key value added for IP Offices was the assistance to collect data on the use of IP at the micro level as an input to policy making and for linking the use of IP to economic and social performance.

48. The availability of accurate statistical data in developing countries is also relevant to the information needs of IP stakeholders in developed countries.

49. By potentially assisting Member States to fulfill their reporting duties, the Project is also relevant to the needs of the Secretariat to timely deliver the high quality data (e.g. World Intellectual Property Indicators, WIPI) to the Member States.

¹³ Key WIPO Sectors involved: Economic Studies, Statistics and Analysis Division; Global Issues Sector; Patents Sector; Trademarks, Industrial Designs and Geographical Indications Sector; Cooperation for Development Sector

¹⁴ Intended linkages to WIPO Programs included: Programs 1 (Patent Law), 2 (Trademarks, Industrial Designs and Geographical Indications), 4 (Traditional Knowledge, Traditional Cultural Expressions and Genetic Resources), 8 (Development Agenda Coordination), 9 and 10 (Countries), 16 (Economics and Statistics) and 30 (SMEs and Innovation).

50. Ownership of beneficiary countries as an indication for relevance is evidenced by significant in-kind contributions by beneficiary offices in terms of providing staff resources and in establishing dedicated functions for economic data collection and analysis. Beneficiary institutions clearly articulated their needs and actively participated in the design and preparation of the studies.

(C) EFFECTIVENESS

51. This section primarily compares planned against expected results at the output level.¹⁵ According to the project document, three types of outputs were planned: (a) papers on 6 to 8 countries, (b) local workshops and (c) a final research symposium.

52. The delivery of the following main outputs reported by the Project were validated through desk study and interviews:

(i) Studies on six countries

53. Brazil (three studies):

(a) The paper entitled “Intellectual property and socio-economic development, country study Brazil” (CDIP 11/INF/3) examines the split of Brazilian patent and other IPR instruments by country of the applicants, technological area, sector and region, and examines the method of appropriation (formal appropriability mechanisms and strategic methods) by firm size, collaboration, type of applicant and public incentives.

(b) The paper entitled “Use of intellectual property in Brazil” (to be presented to the 14th session of the CDIP) describes in detail the creation of the “database on intellectual property for statistical purposes” (BADEPI), which was jointly built with the *Instituto Nacional da Propriedade Industrial* (INPI). It then provides a first descriptive statistical overview of the use of IP in Brazil (by technological sector, by country, by route, by economic sector, etc.). It also describes the IP system in Brazil.

(c) The paper entitled “Use of intellectual property and export performance of Brazilian firms” (to be presented to the 14th session of the CDIP) uses panel data from innovation surveys to explore possible links between the past use of IPRs and export performance of Brazilian firms.

54. Uruguay (two studies):

(a) The paper entitled “The potential impact of intellectual property rights on the forestry chain in Uruguay” (CDIP/11/INF/2), of which at the time of the evaluation only a summary version was available, examines to what extent present and future prospective IPR instruments can favor the forestry sector of Uruguay in a global value chain perspective.

(b) The paper entitled “Study on the impact of intellectual property on the pharmaceutical industry of Uruguay” (CDIP/13/INF/5) focuses on the pharmaceutical sector in Uruguay and examines the applications and grants by residents and non-residents, the evolution of the patent pendency, the commercialization of granted patent, the comparative use of patents and trademarks, and the effect of patent protection on market structures in the form product prices and degrees of competition.

¹⁵ In section 2.C.iv below, the evaluators also attempted to identify unexpected negative and positive effects (outcomes) of the Project to the degree this was possible (recognizing the limitations further explained in section 1.B.ii above).

55. Chile (three studies):

(a) The paper entitled “Intellectual property and socio-economic development country study Chile” (CDIP/11/INF/4) reports on the construction of the INAPI-WIPO database that contains all patent, trademark, utility model and registered design filings in Chile for the period 1991-2010, ensuring that names on different applications are harmonized and that different datasets can be linked through common identifiers. The appendix describes the IP system in Chile and documents in detail the various steps undertaken in constructing this dataset. The paper then provides a descriptive analysis of IP use in Chile (by type of applicants, technology class, IP bundles, grant ratios, co-assignments, patents granted abroad).

(b) The paper entitled “Foreign pharmaceutical patents in Chile” (to be presented to the 14th session of the CDIP) is another example of careful data construction leading to new insights. Here all pharmaceutical products registered in Chile are matched on the one hand to the patents of active ingredients contained in these products and the patents that protect the processes used in the production of the patents and on the other hand to the trademarks associated with the products. A descriptive analysis of these data shows that more drugs are associated with trademarks than with patents and that most registered pharmaceutical products in Chile are protected by secondary patents, i.e. on other things than active ingredients.

(c) The paper entitled “Trademarks squatters: Evidence from Chile” (to be presented to the 14th session of the CDIP) examines the squatting behavior of trademarks in Chile. On the basis of nine characteristics it constructs an index of squatting behavior and then examines whether squatting has any real effect on trademark applications. It finds that brand owners file preemptively and broaden their trademark applications in response to squatting.

56. Two studies were undertaken on China:

57. The paper entitled “Patents’ role in business strategies: research on Chinese companies’ patenting motives, patent implementation and patent industrialization” (CDIP/13/INF/8) uses the WIPO IP statistics database and the PATSTAT database to describe the characteristics of patenting strategies in China as regards actors, technology fields, sectors in levels and in trends.

58. Within the broader aim to gain a better understanding of the linkages between IP activity and socio-economic development in China, the study “International Patenting Strategies of Chinese Residents” (CDIP/13/INF/9) offers descriptive statistics and econometric evidence on the observed increase in Chinese foreign patenting and its drivers.

59. Thailand (two studies):

(a) The paper entitled “Study on the use of Utility Models in Thailand” (CDIP/12/INF/6) sets up a dataset of all registered utility models in Thailand from October 1996 to September 2012 and presents descriptive statistics on how this IP instrument has been used, by whom and in which sector.

(b) The paper entitled “Study on the impact of utility models in Thailand” (to be presented to the 14th session of the CDIP) is a follow up of the previous paper. It investigates how utility models protection affects the economic performance of Thai firms.

60. Egypt (one study):

The study entitled “Exploratory study on the Egyptian information technology (IT) sector and the role of intellectual property: Economic assessment and recommendations” (CDIP/13/INF/7) concentrates on a particular sector in Egypt, namely the ICT sector. Using the WIPO and the PATSTAT databases it analyses the uptake of intellectual property by the Egyptian ICT industry and on the basis of this proposes some policy measures regarding ICT in Egypt.

(ii) Local workshops

61. A series of workshops were held in the partner countries at the beginning, during and at the end of the Project. At the beginning, it was mainly with persons from the IP and statistical offices to determine what could be done and how to achieve it. Later on, descriptive statistics from the data sets and econometric analyses regarding links between IP and innovation, IP and the diffusion of knowledge, and institutional aspects of IT and their socio-economic repercussions were presented to larger circles including policy makers. Papers from the project were also presented in conferences to get feedback from the academic community.

(iii) National research symposium

62. The Secretariat organized a two day WIPO Experts’ Meeting on Intellectual Property and Socio-Economic Development in Geneva from December 3 and 4, 2013. The Project’s main results were presented and discussed by the experts at this meeting.

(iv) Initial outcomes observed

63. Collaboration with the national IP offices created useful contacts between the national IP offices, WIPO and also among the national IP offices. The evaluation observed that beneficiary countries actively enhanced their expertise in constructing and maintaining datasets linking IP to other statistics and in exploiting these datasets for analytical studies useful for policy makers. In at least two countries a function has been set up in the IP offices to deal with the statistical and economic analysis of the IP data sets and to maintain and update the data sets.

64. The conclusions of the study “Trademarks squatters: Evidence from Chile” (to be presented to the 14th session of the CDIP) were an important element that the National Institute of Industrial Property (INAPI) took into account for the proposed establishment of a compulsory use requirement for trademark owners in a new draft bill on Industrial Property¹⁶.

65. Egypt plans to use the findings of the “Exploratory study on the Egyptian information technology (IT) sector and the role of intellectual property: Economic assessment and recommendations” (CDIP/13/INF/7) as an input for developing an action plan. One of its elements will be to introduce IP training in engineering and computer science programs.

66. These two examples indicate that data and studies produced under the Project are suitable and useful to inform decision makers in formulating their IP strategies.

67. The evaluation did not reveal any negative project outcomes.

(v) Impact

68. At this time, it was too early to assess results at the impact level.

¹⁶ The draft amendment law is contained under a draft bill, which is currently under discussion in the Chilean Congress, specifically in the Commission of Economy of the Chilean Senate. It is not yet a law but it is in the process to be. The draft bill is under Boletín N° 8907-03 “Proyecto de Ley que sustituye la ley N° 19.039 de propiedad industrial”, please also refer to <http://www.senado.cl/appsenado/templates/tramitacion/index.php>

(D) EFFICIENCY

(i) Financial implementation

69. Based on the official financial reports as per end of December 31, 2013, around 86% or CHF 1,165,000 of the total budget of CHF 1,341,700 (excluding CHF 150,000 for personnel costs) was disbursed. CHF 88,192 or 7.6% of the budget was used to organize the symposium in Geneva, while the rest of the budget was spent on the production of studies (including workshops).

70. It should be highlighted that some national IP offices made significant in-kind contributions, mainly by devoting manpower such as for establishing contacts with national statistical offices, policy makers, and lawyers and collaborated in setting up IP datasets.

(ii) Assessment of approach

71. From the beginning, the Secretariat decided a) to work on individual countries instead of doing a cross-country comparison; b) to work with micro data; c) to address different questions in different countries so as to learn more than by conducting the same study in different countries. This approach was appropriate.

(iii) Assessment of quality and timeliness of outputs

72. The evaluation assessed the quality outputs in detail and validated this assessment through obtaining beneficiary feed-back and the results of peer reviews conducted under the Project. Generally, outputs were delivered on time and in good quality. Beneficiaries interviewed particularly highlighted their satisfaction with the data constructions and the initiation of data sets. They realize that with these data, many interesting issues regarding the determinants and the effects of IP can be analyzed in the future.

73. The way IP data have been linked to other data, the steps undertaken to clean the data are carefully documented and can serve as examples for similar data base constructions in other countries.

74. The papers analyzing the socio-economic effects of IP in the six countries were properly conducted and are well written. Moreover the executive summaries give a concise and complete overview of the respective papers.

75. Coordination challenges at the country level, which were beyond control of the Secretariat, led to some delays. This was the main reason why a project extension was required. IP policy making was typically in the hands of various national agencies, which had to agree with each other in the way of collaborating with WIPO. While these coordination problems caused some delays, it was at the same time a beneficial learning experience for WIPO in understanding the functioning of national IP offices, as well as for those offices to understand the concerns of WIPO.

76. With a few exceptions, neither major coordination challenges nor significant synergies within the Secretariat were observed (for planned synergies, please refer to footnotes 13 and 14 above). On the other hand, there were also no duplications with other activities. The active involvement and the value added of WIPO's regional office in Brazil collaborating with the project team should be particularly highlighted.

(E) LIKELIHOOD OF SUSTAINABILITY OF RESULTS

77. It would be premature to attempt assessing the likelihood of sustainability of results at the country level.

78. With the problem of continuation of benefits in mind, the project design incorporates different elements that potentially increase chances of sustainability. Those include training provided and an attempt to institutionalize economic analysis within IP Offices. In particular the methodology for collecting, cleaning, merging, analyzing data, constructing the data set and using it data on IP linked to other micro data in order to analyze specific trends and characteristics of IP use is well documented and to a large degree replicable.

79. Sustainability of results also depends on the continuing availability of expertise within IP offices. Expanding trainings to a larger number of officials and a clear documentation of processes would be an appropriate way to address the risk of losing know-how if staff leaves or is re-assigned to other duties.

80. Finally, the demand from developing countries and LDCs in using data for policy making is likely to continue beyond the limited time and scope of a project, which would call for a roadmap on mainstreaming this type of assistance as a regular service of the Secretariat.

3. CONCLUSIONS

81. The findings and assessment above leads to the following conclusions:

Conclusion 1: The Project was operationally well planned and managed

82. The project document includes a clear, well-thought through approach, outlining the different steps needed to deliver the required outputs. Certain implementation delays were mainly due to external factors, such as coordination challenges beyond WIPO's control. While clear objectives were defined, the application of WIPO's standard project planning tools (in particular the logical framework) at the design stage and as a basis for reporting leaves room for improvement.

Conclusion 2: The Project was highly relevant to Member States

83. The project was highly relevant to Member States in terms of assisting them in collecting data on the use of IP at the micro level as an input to policy making and for linking the use of IP to economic and social performance. As a result of a highly participatory approach in designing specific demand-driven assistance, practical support fully met the needs of beneficiary IP offices.

84. The availability of accurate statistical data in developing countries is also relevant to the information needs of IP stakeholders in developed countries.

85. By potentially assisting Member States to fulfill their reporting duties, the Project is also relevant to the needs of the Secretariat to timely deliver high quality data (e.g. World Intellectual Property Indicators, WIPI) to the Member States.

Conclusion 3: Beneficiary countries expressed a high degree of ownership which is further evidence for the high relevance of WIPO's support

86. As a further indication of high relevance, the evaluation found significant in-kind contributions by beneficiary offices in terms of providing significant staff resources and in establishing dedicated functions for economic data collection and analysis. Beneficiary institutions clearly articulated their needs and actively participated in the design and preparation of the studies.

Conclusion 4: The right type of high quality support was delivered in the right way.

87. Studies produced under the Project were of good quality. The approach to construct and digitalize information on IP applications and grants with a possible common identifier, enabling to link these IP data with other survey data from the statistical offices, was appropriate.

88. This approach was highly innovative for middle-income countries and reflects best practices used in developed countries. The Project successfully strengthened capacities within national IP offices and among local experts in beneficiary countries in better understanding the factors determining the use of IP.

89. The Project also helped to create awareness among policy makers in beneficiary countries on how to use economic data for policy making. Beneficiaries confirmed that the studies provided useful input to policy making, which in one case is evidenced by incorporating the findings of a study into a draft for amending IP legislation. Studies were presented at different stages to a variety of interested circles ranging from academics to statisticians and policy makers.

90. Last but not least, the Project helped to create a network among beneficiary countries and linked them to WIPO.

Conclusion 5: The approach that was successfully piloted in a limited number of countries has the potential to be replicated in other countries

91. Consolidating and broadening initial promising results would, however, require replicating assistance through a follow-up project, expanding it to other countries.

92. Understanding the importance of using economic data for policy making is in certain countries still limited. Awareness raising targeted at policy makers would increase the chances that the studies are used for evidenced-based policy making.

93. Efficiency of a possible follow-up phase could be significantly enhanced by using expertise built in the Project's beneficiary countries to assist other countries. Condensing and publicizing key findings, conclusions and recommendations of individual studies under a follow-up phase would further contribute to dissemination of the knowledge gained.

Conclusion 6: Incorporating capacity building into the Project is likely to increase sustainability of results.

Training provided and the institutionalization of economic analysis within IP Offices is likely to contribute to sustainability of initial results. Moreover, the methodology for collecting, cleaning, merging, analyzing, constructing and using data on IP linked to other micro data in order to analyze specific trends and characteristics of IP use is documented in detail and to a large degree replicable.

4. RECOMMENDATIONS

94. From the conclusions above, the evaluation derives the following recommendations to relevant stakeholders:

Recommendation 1 (from conclusions 5 and 6): To the WIPO Secretariat on preparation of a follow-up project to broaden and consolidate the existing results along the following lines:

- (a) Continue to assist IP offices in other countries, including in LDCs, to create databases of IP use and link them to other socio-economic databases.

- (b) Conducting additional studies in other countries, including LDCs, using the datasets created, with a particular focus on topics that have not yet been looked at.
- (c) Continue using the methodological approach applied under the Project, with a particular emphasis on awareness raising among policy makers prior to agreeing on specific ToRs for each study.
- (d) Publicize a summary of all studies conducted under the Project and the follow-up phase.
- (e) Capitalize on local expertise built under the Project for providing technical assistance to other countries.
- (f) Explore the option to incorporate statistical training into the national IP Academies supported under project DA_10_02, where feasible.
- (g) Continue coaching existing beneficiary countries of the Project on a demand basis.
- (h) Prepare, for the consideration by the Member States, a roadmap for mainstreaming assistance in building up data sets and using them appropriately into WIPO's regular services.

Recommendation 2 (from conclusions 5 and 6): To the CDIP on approval of a follow-up project

95. Approve a follow-up project to enable Member States to establish and use Statistical IP Data for the purpose of providing input to policy making along the lines suggested in recommendation 1.

Recommendation 3 (from conclusion 1): To the Secretariat on strengthening the application of planning and monitoring tools

96. Quality control of projects at the design stage should be strengthened in a way to ensure proper application of existing project planning tools.

97. Consider introducing the logical framework as a basis for project cycle management.

Recommendation 4 (from conclusion 6): To IP Offices in beneficiary countries of the Project on training of additional staff and documenting processes.

98. IP Offices in Member States should pay proper attention to continue training of new specialists to maintain and transmit the knowledge gained through the Project and to mitigate the risk of staff turnover.

99. Furthermore, processes of construction of the datasets should be clearly documented in order to ensure continuous harmonious updating.

LIST OF APPENDIXES

Appendix I	Project document
Appendix II	Terms of reference
Appendix III	List of persons interviewed
Appendix IV	List of documents

[Appendix I follows]

APPENDIX I: PROJECT DOCUMENT

1. SUMMARY	
<u>Project Code</u>	DA_34_01
<u>Title</u>	Intellectual Property and the Informal Economy
<u>Development Agenda Recommendation</u>	Development Agenda Recommendation 34: “With a view to assisting Member States in creating substantial national programs, to request WIPO to conduct a study on constraints to intellectual property protection in the informal economy, including the tangible costs and benefits of intellectual property protection in particular in relation to generation of employment.”
<u>Brief Description of Project</u>	Better understanding how innovation occurs in the informal economy and the nexus between IP and the informal economy is required to offer helpful policy guidance – both in assessing how existing IP policy instruments influence innovation in the informal economy and what IP-related policy measures could help them expand output and employment. The project will produce four studies that will provide conceptual guidance and case study evidence on how innovation occurs in the informal economy and what role IP rights play in this process. ¹⁷ To guide the development of the studies and promote cross-fertilization between them, a mid-term workshop will be organized.
<u>Implementing Program(s)</u>	Program 16
<u>Links to other related Program(s)/ DA Project(s)</u>	Programs 1, 2, 3, 4 Project CDIP/5/7 – IP and Socio-Economic Development
<u>Links to Expected Results in the Program and Budget</u>	Result 16.2 – Take-up of WIPO economic analysis as an input into the formulation of IP policy

¹⁷ At the seventh session of the CDIP, and in line with the Discussion Paper CDIP/6/9, Members debated the scope of the Informal Economy project. In particular, the question was whether the project should focus

- (a) on the informal economy more broadly, to understand how innovation was taking place in the sector, and to better understand the role of IP in supporting or constraining this innovation, or
- (b) on potential counterfeiting and piracy in the informal sector and their relationship to employment.

At the seventh session of the CDIP, Members concluded that the project, and in particular the case studies, should focus on the former element, leaving debates surrounding counterfeiting and piracy to competent other WIPO Committees. Furthermore, it was decided that – next to a conceptual study – case studies and anecdotal evidence would be the preferred step to collect supporting evidence for this project. This proposal CDIP/8/3 reflects these decisions.

<u>Project Duration</u>	18 months
<u>Project Budget</u>	Total non-personnel cost: 90,000 Swiss francs
2. PROJECT DESCRIPTION	
2.1. <u>Introduction</u>	
<p>While neither an official definition nor precise estimates exist for the informal economy, it represents a significant share of output and employment in many developing countries.</p> <p>Anecdotal evidence suggests that innovation is taking place in the informal economy. Yet little is known about how intangible assets are generated in the informal economy and how they are monetized. The same applies to the extent to which such assets would in principle qualify for IP protection.</p> <p>Where intellectual assets in principle qualify for protection, firms and individuals operating in the informal sector may be unable to protect their intangible assets through the IP system. Legal barriers, insufficient awareness, and the costs of acquiring and enforcing IP rights might prevent them from doing so. At the same time, one also has to consider that there may be other ways for firms and individuals in the informal economy to appropriate their innovative efforts, manage their intellectual asset and lead to successful commercialization—for example, through secrecy or reputational mechanisms.</p> <p>The main reason for the lack of evidence in this area is insufficient data. The informal economy escapes official statistical recording.</p> <p>Better understanding how innovation occurs in the informal economy and the nexus between IP and the informal economy could offer helpful policy guidance – both in assessing how existing IP policy instruments influence innovation in the informal economy and what IP-related policy measures could help them expand output and employment.</p>	
2.2. <u>Objective</u>	
<p>The project objective directly emanates from DA Recommendation 34: “to contribute to greater awareness and enhanced understanding of the IP and informal economy linkages among policymakers.”</p>	
2.3. <u>Delivery Strategy</u>	
<p>The project will commission studies that will provide conceptual guidance and case study evidence on how innovation occurs in the informal economy and what role IP rights play in this process. It is proposed that the project is implemented in the following two phases:</p> <ol style="list-style-type: none"> 1. In a first step, a conceptual study that sets out what characterizes informal economic 	

activity in countries at different levels of development, what type of intangible assets individuals and firms operating in the informal economy generate, and through what mechanisms – including IP rights – those individuals and firms do and do not appropriate innovative efforts. This study would draw on the existing academic literature on the informal economy and innovation. If such an expert exists, the author will be a recognized social scientist with a credible track record of research on both the informal economy and innovation. In the elaboration of the study, the researcher will be assisted by the WIPO Economics and Statistics Division.

2. In a second step, three case studies – from different world regions – that document examples of innovation in the informal economy and provide an assessment of how innovation outcomes have been influenced by IP, and the potential lack of access to it. These case studies would be based on original field research, though they would still be anecdotal in nature.¹⁸ The authors of these studies could be academic scholars, independent consultants, or non-governmental organizations (NGOs).

It is understood that the case studies, will not cover activities in the informal economy which are related to counterfeiting and piracy (see footnote 1).

To guide the development of the three case studies and to promote cross-fertilization between them, a mid-term workshop will be organized. This workshop will bring together the authors of the studies as well as selected other experts from academia, NGOs and other international organizations.

One challenge in implementing the case studies will be the lack of hard data on informal economic activity. Careful selection of the case studies and authors can help mitigate the risks of unsatisfactory outcomes.

3. REVIEW AND EVALUATION

3.1. Project Review Schedule

A final project review report upon project completion will be prepared. The project outputs will be submitted to the CDIP for further consideration.

3.2. Project Self-Evaluation

<i>Project Outputs</i>	<i>Indicators of Successful Completion (Output Indicators)</i>
Conceptual study	Study published on WIPO website
Case studies	Case studies published on WIPO website

¹⁸ Members are invited to provide feedback on case studies of potential relevance and interest. In this context, written submissions should be forwarded to the Secretariat by February 1, 2012. The Secretariat shall present specific case studies to the Committee for consideration at its ninth session. The selection of case studies will be informed by feedback provided by Members, as well as by initial work undertaken for the conceptual study and consultations with relevant WIPO sectors.

<i>Project Objective(s) [please refer to section 2.2 of this template].</i>	<i>Indicator(s) of Success in Achieving Project Objective (Outcome Indicators)</i>
Main objective	Number of downloads and citations of published studies

4. IMPLEMENTATION TIMELINE

ACTIVITY	QUARTERS							
	2012				2013			
	1st	2nd	3rd	4th	1st	2nd	3rd	4th
Commissioning and implementing conceptual study	X	X	X	X	X			
Commissioning and implementing case studies			X	X	X	X		
Mid-term project workshop					X			
REVIEW SCHEDULE								
Final project review						X		

BUDGET (non-personnel resources)

TABLE 1 – PROJECT BUDGET BY COST CATEGORY AND YEAR

<u>Cost Category</u>	<u>Budget (Swiss Francs)</u>			
	<i>2012</i>	<i>2013</i>	<i>Year N</i>	<i>Total</i>
<i>Travel and Fellowships</i>				
Staff Missions				
Third-party Travel	28,000			28,000
Fellowships				
<i>Contractual Services</i>				
Conferences	2,000			2,000
Experts' Honoraria	30,000	30,000		60,000
Publishing				
Others				
<i>Equipment and Supplies</i>				
Equipment				
Supplies and Materials				
TOTAL	60,000	30,000		90,000

[Appendix II follows]

APPENDIX II: TERMS OF REFERENCE

TERMS OF REFERENCE

Title of Assignment:	Project Evaluation: Project on Intellectual Property (IP) and Socio-Economic Development
Name of unit/sector:	Development Agenda Coordination Division (DACD)/ Development Sector
Place of Assignment:	Evaluators' place of residence/duty
Expected places of travel (if applicable):	During your assignment, you will undertake two missions to WIPO Headquarters, Geneva, Switzerland (date to be determined)
Expected duration of assignment:	From June 15 to November 15, 2014

1. Objective of the assignment

The present document represents the Terms of Reference (TOR) for the evaluation of the Development Agenda Project on Intellectual Property (IP) and Socio-Economic Development, approved during the fifth session of the Committee on Development and Intellectual Property (CDIP), held in Geneva, in April 2010. The project document for this project is contained in document CDIP/5/7 Rev. The project implementation started in July 2010 and was completed in December 2013. The project consists of a series of studies on the relationship between IP protection and various aspects of economic performance in developing countries. They would seek to narrow the knowledge gap faced by policymakers in those countries in designing and implementing a development-promoting intellectual property (IP) regime.

The project was implemented under the supervision of the Project Manager, Mr. Carsten Fink, Chief Economist, Economics and Statistics Division.

This evaluation is intended to be a participative evaluation. It should provide for active involvement in the evaluation process of those with a stake in the projects: project team, partners, beneficiaries, and any other interested parties.

The main objective of this evaluation is two-fold:

1. Learning from experiences during project implementation: what worked well and what did not work well for the benefit of continuing activities in this field. This includes assessing the project design framework, project management, including monitoring and reporting tools, as well as measuring and reporting on the results achieved to date and assessing the likelihood of sustainability of results achieved; and
2. providing evidence-based evaluative information to support the CDIP's decision-making process.

In particular, the evaluation will assess the extent to which the project has been instrumental in:

- (a) Contributing to gaining a better understanding of the socio-economic effects of IP protection in developing countries; and,
- (b) creating of analytical capacity in countries, where little economic studies work on IP has been undertaken.

To this end, the evaluation, in particular, will focus on assessing the following key evaluation questions:

Project Design and Management:

- (i) The appropriateness of the initial project document as a guide for project implementation and assessment of results achieved;
- (ii) the project monitoring, self-evaluation and reporting tools and analysis of whether they were useful and adequate to provide the project team and key stakeholders with relevant information for decision-making purposes;
- (iii) the extent to which other entities within the Secretariat have contributed and enabled an effective and efficient project implementation;
- (iv) the extent to which the risks identified in the initial project document have materialized or been mitigated; and,
- (v) the project's ability to respond to emerging trends, technologies and other external forces.

Effectiveness:

- (i) The usefulness of the project in contributing to greater awareness and enhanced understanding of the socio-economic effects of IP protection among policymakers in developing countries;
- (ii) the effectiveness of the project in creating of analytical capacity in countries, where little economic studies work on IP has been undertaken; and,
- (iii) the effectiveness of the project in contributing to better-informed decision-making on IP policies at the national and international levels.

Sustainability

The likelihood for continued work on Intellectual Property (IP) and Socio-Economic Development in WIPO and its Member States.

Implementation of Development Agenda (DA) Recommendations

The extent to which the DA Recommendations 35 and 37 have been implemented through this project.

In addition, the project time frame considered for this evaluation is 42 months (July 2010 – December 2013). The focus shall not be on assessing individual activities but rather to evaluate the project as a whole and its contribution in assessing the needs of Member States and identify

the resources or the means to address those needs, its evolution over time, its performance including project design, project management, coordination, coherence, implementation and results achieved.

In pursuance to the abovementioned objective, the evaluation methodology is aimed at balancing the needs for learning and accountability. To this end, the evaluation should provide for active involvement in the evaluation process of those with a stake in the project: project team, senior managers, Member States and national intellectual property (IP) offices.

The external evaluation experts will be in charge of conducting the evaluation, in consultation and collaboration with the project team and the Development Agenda Coordination Division (DACD). The evaluation methodology will consist of the following:

- (i) Desk review of relevant project related documentation including the project framework (initial project document and study), progress reports, monitoring information, mission reports and other relevant documents.
- (ii) interviews at the WIPO Secretariat (project team, other substantive entities contributing to the project, etc.); and,
- (iii) stakeholder interviews.

2. Deliverables/services

The evaluators will deliver:

- (a) An inception report which contains a description of the evaluation methodology and methodological approach; data collection tools (including eventual surveys of beneficiaries and stakeholders); data analysis methods; key stakeholders to be interviewed; additional evaluation questions; performance assessment criteria; and evaluation work plan;
- (b) draft evaluation report with actionable recommendations deriving from the findings and conclusions;
- (c) final evaluation report which includes an executive summary and structured as follows:
 - (i) description of the evaluation methodology used;
 - (ii) summary of key evidence-based findings centered on the key evaluation Questions;
 - (iii) conclusions drawn based on the findings;
 - (iv) recommendations emanating from the conclusions and lessons learned.
- (d) comprehensive executive summary of the final evaluation report.

This project evaluation is expected to start on June 15, 2014, and be finalized on September 15, 2014. The reporting language will be English.

3. Reporting

The Consultants will be under the supervision of the Director of the Development Agenda Coordination Division (DACD). In addition, the evaluator shall:

- (a) Work closely with the Development Agenda Coordination Division (DACD) and the Economics and Statistics Division. You shall also coordinate with the relevant Program Managers in WIPO as required; and,
- (b) ensure the quality of data (validity, consistency and accuracy) throughout the analytical reporting phases (inception report and final evaluation report).

4. Profile

Extensive experience in preparing, managing and evaluating projects, and in conducting institutional assessments both in the public and private sectors.

5. Duration of contract and payment

The contract will start on June 15, 2014 and will finish in November 15, 2014. During this period, the following schedule should be followed:

The inception report should be submitted to WIPO by July 1, 2014. WIPO's feedback shall be communicated to you by July 8, 2014. The draft evaluation report shall be submitted to WIPO by August 20, 2014. Factual corrections on the draft will be provided to you by August 30, 2014. The final evaluation report shall be submitted by September 5, 2014. The final version of the evaluation report containing a management response in an annex shall be considered by the fourteenth session of the CDIP, to be held from November 10 to 14, 2014. You will be required to present the evaluation report during that CDIP session.

Each evaluator will receive a lump sum of 10,000 Swiss francs, payable in two installments:

1. 50 % upon acceptance by WIPO of an inception report; and,
2. 50 % upon acceptance by WIPO of a final evaluation report.

Payment will be subject to the satisfactory reception of the deliverables as per this Term of Reference (ToR). Payment will be made at the completion of the tasks outlined in this ToR.

[Appendix III follows]

APPENDIX III: LIST OF PERSONS INTERVIEWED

No.	Name and function
1.	Mr. Amr Abdelaziz Counsellor, Regional Bureau for Arab Countries, Development Sector, WIPO
2.	Mr. Juan Antonio Toledo Barraza Senior Director, Regional Bureau for Latin America and the Caribbean, Development Sector, WIPO
3.	Ms. Maria Amorim Pascoa Borher Deputy Director, Global Infrastructure Sector (now in field office Brazil), WIPO
4.	Dr. Nagwa El-Shenawy Undersecretary for Information & Strategic Planning, Information Center Director, Ministry of Communication and Information Technology, Egypt
5	Mr. Sergio Escudero Head, International Affairs and Policy Department, National Institute of Industrial Property (INAPI), Chile
6.	Mr. Carsten Fink Chief Economist, Project Manager, Economics and Statistics Division, WIPO
7.	Mr. Georges Ghandour Senior Program Manager, DACD, WIPO
8.	Ms. Dalila Hamou Director, Regional Bureau for Arab Countries, Development Sector, WIPO
9.	Mr. Christian Helmers Department of Economics, Santa Clara University, Santa Clara, California, USA
10.	Mr. Albert Hu Professor, China Europe International Business School, Shanghai, China
11.	Ms. Kristen Livshin Performance Analyst, Department of Program Planning and Finance, Program Performance and Budget Division, WIPO
12.	Mr. Victor Guizar Lopez Counsellor, Regional Bureau for Latin America and the Caribbean, Development Sector, WIPO
13.	Mr. Geoffrey Onyeama Deputy Director General, Development Sector, WIPO
14.	Mr. Sergio Paulino Assessor para Assuntos Econômicos – AECON, INPI - Instituto Nacional da Propriedade Industrial, Brazil
15.	Ms. Pilar Trivelli Lawyer, International Affairs and Policy Department, INAPI, Chile
16.	Mr. Julio Raffo Senior Economic Officer, Project Team, Economics and Statistics Division, WIPO
17.	Ms. Martha Fernandez Rivas Counsellor, Regional Bureau for Latin America and the Caribbean, Development Sector, WIPO
18.	Mr. Hao Zhou Head, Data Development Section, Project Team, Economics and Statistics Division, WIPO

[Appendix IV follows]

APPENDIX IV: LIST OF DOCUMENTS

Documents relating to monitoring & evaluation

- Internal Audit and Oversight Division, Revised WIPO Evaluation Policy, May 2010.
- Internal Audit and Oversight Division, Evaluation and Inspection Section, Self-Evaluation Guidelines, Version 1.1, April 2009.
- DAC Guidelines and Reference Series, Quality Standards for Development Evaluation, OECD Development Assistance Committee (DAC), OECD 2010.
- UNEG, Standards for Evaluation in the UN System, April 2005 (last updated on 18 June 2014).

WIPO programmatic documents

- The 45 Adopted Recommendations under the WIPO Development Agenda by the General Assembly of WIPO Member States, 2007.
- Medium Term Strategic Plan 2010-15: (Document A/48/3, September 16, 2010) [*describes the different WIPO Programs, mentioned under "linkages"*].

Project documents and reports

- **Project Document:** "Intellectual Property (IP) and Socio-Economic Development" (DA_35_37_01), CDIP 5/7 revised (July 2010), and prior version, (February 2010)
- **Progress Report 2011:** CDIP/8/2 , Annex XVI, 4 October 2011
- **Progress Report 2012:** CDIP/10/2 , Annex VII, 27 September 2012
- **Progress Report 2013:** CDIP/12/2 , Annex V, 12 September 2013

Project Outputs – country studies:

- **On Uruguay:** The potential impact of intellectual property rights on the forestry chain in Uruguay - Summary (CDIP/11/INF/2).
- **On Uruguay:** Study on the impact of intellectual property on the pharmaceutical industry of Uruguay (CDIP/13/INF/5).
- **On Brazil:** Intellectual property and socio-economic development, country study Brazil (CDIP 11/INF/3).
- **On Brazil:** Use of intellectual property and export performance of Brazilian firms (to be presented to the 14th session of the CDIP).
- **On Brazil:** Use of intellectual property in Brazil (to be presented to the 14th session of the CDIP).
- **On Chile:** Intellectual property and socio-economic development, country study Chile (CDIP/11/INF/4).
- **On Chile:** Trademarks squatters: Evidence from Chile (to be presented to the 14th session of the CDIP).

- **On Chile:** Foreign pharmaceutical patents in Chile (to be presented to the 14th session of the CDIP).
- **On Thailand:** Study on the use of Utility Models in Thailand (CDIP/12/INF/6).
- **On Thailand:** Study on the impact of Utility Models in Thailand (to be presented to the 14th session of the CDIP).
- **On Egypt:** Exploratory study on the Egyptian information technology (IT) sector and the role of intellectual property : Economic assessment and recommendations (CDIP 13/INF/7).
- **On China:** Patents' role in business strategies: research on Chinese companies' patenting motives, patent implementation and patent industrialization (CDIP/13/INF/8) project China_34697).
- **On China:** International patenting strategies of Chinese residents (CDIP/13/INF/9).

Documents relating to the Symposium

- WIPO Experts' Meeting on Intellectual Property and Socio-Economic Development organized by the World Intellectual Property Organization (WIPO), Geneva, December 3 and 4, 2013, Program (Document No. WIPO/EXP/IP/GE/2/13/1, 2 December 2013).
- Conference slides of Symposium in Geneva, December 3 and 4, 2013.

[End of Appendix IV and of document]