

# CHILE COUNTRY PORTFOLIO EVALUATION 2010 - 2014

Internal Oversight Division  
EVAL 2014 - 05  
January 30, 2015



**Level 6: IP Commercialization Advisory Services**

Ministries and IP end users require IP commercialization services

**Level 1: Legal and Policy Framework**

WIPO assisted in positioning Chile within the International IP System



**Level 2: Institutional Development**

WIPO contributed to modernise the National IP Institute (INAPI) & the nomination of ISA/IEPA



**Level 5: Dissemination of Information and Outreach to the IP Community**

Wider dissemination strategies and outreach to IP users are still required



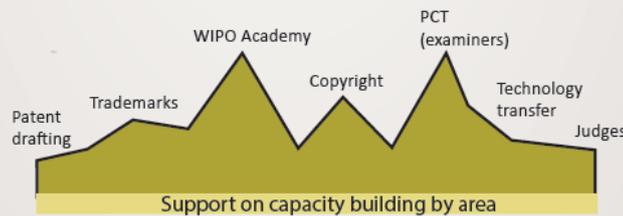
**Level 4: IP Research and Information Services**

WIPO studies used to influence policy modification at the Chilean congress

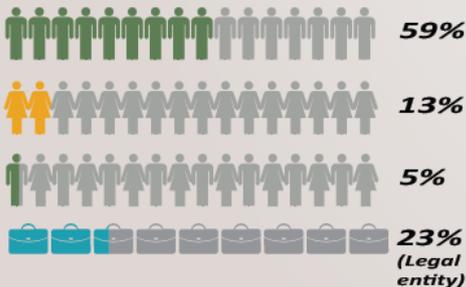


**Level 3: Build IP National Capacities**

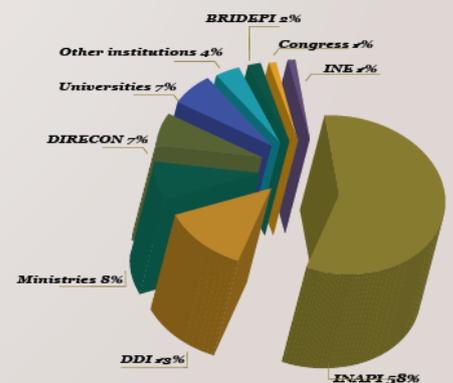
44% of activities dedicated to build national IP capacities



## Copyright Registration by gender in Chile\*



## WIPO'S support to different stakeholders



\* Source: Gender-based exploratory survey, DDI, Chile, 2010.

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### LIST OF ACRONYMS

|                     |  |
|---------------------|--|
| <b>ACHIPI</b>       | Chilean Association of Intellectual Property   |
| <b>BRIDEPI</b>      | Investigation Brigade of Chile   |
| <b>CDIP</b>         | Committee on Development and Intellectual Property   |
| <b>CERLARLC</b>     | The Regional Center for the Promotion of Books in Latin America and the Caribbean                              |
| <b>CMO</b>          | Collective Management Organization   |
| <b>CNCA</b>         | The National Council of Culture and the Arts   |
| <b>CONICYT</b>      | The National Commission for Scientific and Technological Research  |
| <b>CORFO</b>        | Corporation for the Promotion of Production  |
| <b>CPE</b>          | Country Portfolio Evaluation   |
| <b>DDI</b>          | Department of Intellectual Property  |
| <b>DIRECON</b>      | General Directorate for International Economic Relations / Ministry of Foreign Affairs                         |
| <b>EPO</b>          | European Patent Office   |
| <b>ERP</b>          | Enterprise Resource Planning   |
| <b>FAO</b>          | Food and Agriculture Organization  |
| <b>FIA</b>          | Foundation for Agrarian Innovation   |
| <b>GDA</b>          | Copyright Voluntary Registration Systems   |
| <b>ICG</b>          | Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore |
| <b>INAPI</b>        | National Institute of Industrial Property  |
| <b>INE</b>          | National Institute of Statistics   |
| <b>IOD</b>          | Internal Oversight Division  |
| <b>IP</b>           | Intellectual Property  |
| <b>IPAS</b>         | Industrial Property Automation System  |
| <b>IPEA</b>         | International Preliminary Examining Authority  |
| <b>IPRI</b>         | International Property Rights Index  |
| <b>IPRs</b>         | International Property Rights  |
| <b>ISA</b>          | International Searching Authority  |
| <b>ISP</b>          | Internet Service Provider  |
| <b>IT</b>           | Information Technology   |
| <b>KPI</b>          | Key Performance Indicator  |
| <b>LAC</b>          | Latin America and the Caribbean  |
| <b>LDCs</b>         | Least Developed Countries  |
| <b>NGO</b>          | Non-Governmental Organization  |
| <b>OECD</b>         | Organization for Economic Co-operation and Development   |
| <b>OEPM</b>         | Spanish Patent and Trademark Office  |
| <b>P&amp;B</b>      | Program and Budget   |
| <b>PCT</b>          | Patent Cooperation Treaty  |
| <b>SIPAM Chiloé</b> | Globally Important Agricultural Heritage Systems, GIAHS for inventive worldwide agricultural heritage          |
| <b>SME</b>          | Small and Medium Enterprise  |
| <b>SMT</b>          | Senior Management Team   |
| <b>TKT</b>          | Technology Knowledge Transfer  |
| <b>TPP</b>          | Trans Pacific Partnership  |
| <b>UN</b>           | United Nations   |
| <b>UNCTAD</b>       | United Nations Conference on Trade and Development   |
| <b>UNESCO</b>       | United Nations Educational, Scientific and Cultural Organization   |
| <b>USA</b>          | United States of America   |
| <b>WIPO</b>         | World Intellectual Property Organization   |
| <b>WTO</b>          | World Trade Organization   |

## EXECUTIVE SUMMARY

This evaluation presents results of WIPO activities implemented in Chile between 2010 and 2014. It was conducted in late 2014 and came up with the following findings and conclusions:

### Key results achieved

WIPO's services to the National Institute of Industrial Property (INAPI) and the Department of Intellectual Property (DDI) have been highly relevant. Activities implemented in Chile have partially contributed to the achievement of 5 out of 9 WIPO Strategic Goals and to one out of eight components of Chile's National Innovation Policy. The key elements that contributed to this success were:

- a) WIPO's partnership with the Government of Chile, which played an important role in the modernization of the institutional framework of the national Industrial Property System;
- b) Industrial Property Automation System (IPAS) support which resulted in reduced backlogs, abolition of manual digitization work leading to decreased time required for applications, among other benefits;
- c) WIPO Academy and Summer School, which facilitated the use of IP for development and the capacity building of more than 180 people; and
- d) WIPO's economics studies, which were used to influence policy modification at the Congress level.

Despite these positive results, the evaluation identified some areas in need of improvement:

### Country plans design

WIPO has met INAPI's infrastructure and capacity building needs, which has been a key country priority. However, other users of the IP system have been unable to benefit from WIPO's services and expertise. WIPO should :

- a) Inform Chile about WIPO's priorities for the country before initiation of the planning process. The needs and priorities of end-users, including those identified in this report, should be considered in collaboration with all country partners; and
- b) Set up clear selection criteria for the provision of services, including relevance and sustainability aspects.

### Collaboration with potential partners and synergies identification

The limited collaboration with partners outside the government impedes the identification of synergies and the multiplying effects of results. Therefore, WIPO should:

- a) Identify synergies in collaboration with key country stakeholders including the UN system, multilateral and potential donors working in the country; and
- b) Promote participatory processes among the various national IP key players or through the respective coordination focal points.

Additionally, WIPO should, as part of its country plans, identify synergies with institutions working on gender issues in the IP area and implement joint activities aimed at reducing the inequality in the access to IP between men and women.

## **Implementation of activities**

Overall, WIPO could increase its efficiency levels by making better use of its resources. In the case of Chile, WIPO has invested 56% of its resources on output-based activities rather than outcome and impact oriented ones. The current country results-based framework and indicators limit the measurement of results. This hinders strategic decision making to address country needs.

Therefore, WIPO should continue its efforts to improve the quality of results-based frameworks with clearer linkages between activities, outputs and outcomes through SMART indicators and in collaboration with their country partners.

## **Access to the IP System for women**

Chile is working on reducing existing gender disparities in the area of IP through several initiatives promoting the inclusion of women in the IP system. WIPO has not yet taken full advantage of available knowledge on assisting women in the use of IP e.g. for commercialization purposes.

WIPO should ensure country plans:

- a) Include activities, as part of the country plans, aimed at reducing the inequality in the access to IP between men and women; and
- b) Identify synergies and implement joint activities with institutions working on gender issues in the IP area.

## **Long-term sustainability**

1. The inexistence of service level agreements and exit strategies for activities developed in Chile negatively affects the sustainability of interventions. Despite the financial obligations and commitment that service level agreements imply to the agency, these are required to guarantee sustainability and accountability once WIPO withdraws its support. Therefore, WIPO should:

- a) Develop clear exit strategies and shared responsibilities adapted to the different types of services.
- b) Include business continuity plans specifying the contribution of each partner.
- c) For all IP infrastructure service level agreements, a “license agreement” should be included specifying the requirements for software modification and conditions.
- d) For all knowledge transfer services, the duration of such services should be specified.