



Internal Oversight Division

Reference: IOD-INV-2020-17

Management Implication Report

June 1, 2021

1. FACTS

1. In August 2020, the Internal Oversight Division (IOD) of the World Intellectual Property Organization (WIPO) received a complaint from a former WIPO Academy student regarding the receipt of unsolicited e-mails from the WIPO Academy's Distance Learning Program (DL Program) despite his requests for removal from the mailing list and deletion of his account.
2. The DL Program, which is responsible for delivering online Intellectual Property (IP) education, sends out mass e-mails to WIPO Academy stakeholders and alumni, informing them of upcoming course offerings and registration.
3. People who register for WIPO Academy courses are automatically added to an electronic system called ACAD, which is used by the DL Program to handle course registration, processing and notifications. The alumni database in this ACAD system is used for sending e-mail invitations for future courses, which are offered in six different languages. These invitations are normally only sent to alumni who have registered for an Academy course in the prior two years. In the first semester of 2019, invitations were sent to 1,565 Arabic, 28,756 English, 3,030 French, 17,849 Portuguese, 3,577 Russian and 20,333 Spanish course alumni.
4. An e-mail account called "welc@wipo.int" is used to handle the general e-mail invitations, and all staff of the DL Program have access to it. Mass e-mails are generally sent to Academy alumni, and smaller customized e-mails are sent to three other groups - Technology and Innovation Service Centers (TISC), IP Offices and National IP Training Institutions (formerly Startup Academies). The mailing lists/target audience for these groups differ amongst each other. Of these groups, the Academy alumni has by far the largest number of recipients.
5. Prior to upgrades made to the WeLC mailer in late 2020¹, the DL Program normally proceeded as follows when sending mass e-mails:
 - (a) The designated person from the DL Program accessed the ACAD alumni database and sent to the DL Program course administrators (there are course administrators for each of the six course languages) an Excel list by language grouping containing people who had registered for a course in the past two years; and
 - (b) The language specific course administrator then invited the alumni in his/her particular language group, by preparing the invitation, translating it into his/her language, and sending out e-mail invites from "welc@wipo.int" using the "WeLC mailer" utility in ACAD. When doing so, the course administrators would copy and paste e-mail addresses from the Excel list manually into WeLC mailer. Also, they coordinated with one another to ensure that their respective mailings were spaced apart and not sent at the same time, in order to avoid the overload of the unique organizational mail server (mail.wipo.int).
6. Sometimes, alumni could request the DL Program that s/he be removed from the Mailing List. Such requests, until October 2020, were manually reflected in a "blacklist/unsubscribed list". Course administrators were required to check and remove e-mail addresses contained in the said "blacklist/unsubscribed list" from any subsequent Excel sheet they prepared for transmission using the WeLC mailer. As at October 19, 2020, there were 20 e-mail addresses present on the "blacklist/unsubscribed" list.

¹ WeLC mailer is the tool developed by WIPO Academy to transmit mass e-mails to eLearners. It was deployed and used since 2018. A number of upgrades to the WeLC mailer were implemented since then, with the latest taking place during October - December 2020 and in March 2021.

7. WIPO Academy informed IOD that, subsequent to upgrades made between October and December 2020 with the assistance of external developers and infrastructure support provided by the Information and Communication Technology Department (ICTD), the WeLC mailer utility was improved to provide the following solutions:

- (a) A tracking feature, which allows the system to monitor and maintain a history of all sent e-mails and their corresponding recipients, has recently been implemented. Also, course offering/invitation e-mails now include an "unsubscribe" link, through which users can choose to exclude themselves from further mailings.
- (b) Unsubscribed alumni are checked against the e-mail recipient list, and the WeLC mailer automatically excludes them when sending out subsequent e-mails. Even if a mistake occurs when copying and pasting from the Excel tables that course administrators use for their language groups, the WeLC mailer will not allow the transmission of the e-mail to the an unsubscribed person's e-mail address.
- (c) Automated filtering of recipients by course language and subject area has been enabled to allow administrators to select e-mail recipients by course session rather than copying and pasting e-mail addresses manually. In addition, further upgrades will be implemented to automate filtering of recipients by year, professional area, and other criteria as the DL program expands its services.
- (d) There is also no longer a need to manually coordinate the timing of the mailings, as the system automatically manages the cadence in a batch and delays the next batch for 30 minutes to avoid overloading or blocking of the WIPO mail server, which is used by the entire organization.

2. ISSUES

8. IOD notes that there remain some areas for improvement in relation to the following issues from an efficiency and integrity of data perspective:

- (a) During demonstrations/test runs of the WeLC mailer utility by WIPO Academy on March 23, 2021, the WeLC mailer would sometimes send mailings to unsubscribed user addresses. ICTD subsequently informed IOD that the "unsubscribe" function was reviewed and tested and that the production release of WeLC containing the latest adaptations were deployed on March 30, 2021. IOD has not tested the efficacy of these updates but will further verify the system in future oversight engagements.
- (b) Even though a user may be on WIPO Academy's unsubscribed list, s/he may still receive communications from other WIPO applications. This is due to the fact that course registration for WIPO Academy requires the creation of a generic WIPO user account, which is used to access different WIPO applications.²
- (c) The "Personal Data and Privacy Policy" in WIPO's website indicates that "users may 'opt out' of further e-mail contact (except for notifications regarding major changes to the service)." However, apart from WIPO Academy, the Organization as a whole currently does not provide for such "opt out" function. This inconsistency between actual practice and the "Personal Data and Privacy Policy" poses a significant reputational risk.
- (d) Due to concerns of overloading the WIPO mail server, only 1000 e-mails can be transmitted through the WeLC mailer every half an hour. Despite implementation of the

² Notably, 68 percent of all WIPO user account registrants were users of the WIPO Academy.

automatic interval timing function in WeLC mailer, the growing number of recipients of DL program communications has required it sometimes to queue e-mail announcements for lengthy periods.³

RECOMMENDATIONS

9. In view of the forgoing, IOD recommends the following:

Recommendations

1. ICTD, in cooperation with the Office of the Legal Counsel (OLC), should propose a way forward to the ICT Board to ensure that the actual practice is consistent with WIPO's Personal Data and Privacy Policy in relation to the "opt out" option for users. (Importance: High)
2. WIPO Academy, in consultation with ICTD, should improve the efficiency of mass mailings through solutions such as the exploration of tools to increase mailing size during its course promotion mailings. (Importance: Medium)

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³ As aforementioned, e-mail invitations for future courses normally are sent to all Academy alumni who have registered for a course during the prior two years.

TABLE OF RECOMMENDATIONS

No.	Recommendation	Priority	Person(s) responsible	Contributor(s)	Management comment and action plan	Deadline for implementation
1	ICTD, in cooperation with the Office of the Legal Counsel (OLC), should propose a way forward to the ICT Board to ensure that the actual practice is consistent with WIPO's Personal Data and Privacy Policy in relation to the "opt out" option for users. (Importance: High)	High	Mr. Kalejs	Mr. Bontekoe	Recommendation accepted.	June 30, 2022
2	WIPO Academy, in consultation with ICTD, should improve the efficiency of mass mailings through solutions such as the exploration of tools to increase mailing size during its course promotion mailings.	Medium	Ms. Tedla	Mr. Kalejs	Recommendation accepted. Inquiries should be made into available tools to send mass emails in a programmatic way. We envisage to deploy a revised solution by June 2022.	June 30, 2022