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EVALUATION REPORT ON THE PROJECT ON INTELLECTUAL PROPERTY AND
PRODUCT BRANDING FOR BUSINESS DEVELOPMENT IN DEVELOPING COUNTRIES
AND LEAST-DEVELOPED COUNTRIES (LDCS)

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1. The Annex to this document contains an external independent Evaluation Report on the Project on Intellectual Property and Product Branding for Business Development in Developing Countries and LDCs, undertaken by Mr. Glenn O'Neil, Founder, Owl RE, Geneva.
2. *The CDIP is invited to take note of the information contained in the Annex to this document.*

[Annex follows]

Table of contents

| | |
|---|----|
| Executive summary | 2 |
| I. Introduction | 6 |
| II. Description of the project | 6 |
| III. Overview of evaluation criteria and methodology | 7 |
| IV. Key findings | 7 |
| <i>A. Project design and management</i> | 7 |
| <i>B. Effectiveness of the project</i> | 9 |
| <i>C. Sustainability</i> | 12 |
| <i>D. Implementation of Development Agenda (DA) Recommendations</i> | 12 |
| V. Conclusions | 13 |
| VI. Recommendations | 14 |
| Appendix I: Persons interviewed/consulted | 1 |
| Appendix II: Documents consulted | 2 |
| Appendix III: Inception report | 1 |

List of acronyms used

| | |
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| CDIP | Committee on Development and Intellectual Property |
| DA | Development Agenda |
| IP | Intellectual Property |
| LDCs | Least Developed Countries |
| SMEs | Small and Medium-Sized Enterprises |
| WIPO | World Intellectual Property Organization |

EXECUTIVE SUMMARY

1. This report is an independent evaluation of the Development Agenda Project (DA_4_10_01) on Intellectual Property (IP) and Product Branding for Business Development in Developing Countries and Least-Developed Countries (LDCs). The project was approved during the fifth session of the Committee on Development and Intellectual Property (CDIP) in April 2010. The project was based on a proposal presented by the Republic of Korea at the third session of CDIP. The project implementation started in July 2010 and was completed in December 2013.
2. The project set out three objectives: to contribute to the business development of local communities, medium-sized enterprises (SMEs) and public institutions by building product brands through the strategic use of IP rights; to improve the capacities of national institutions, including IP Offices, to handle the procedures for registration of trademarks and geographical indications; and to raise awareness on the impact of product branding on the business development of local communities and SMEs. The project was comprised of three components: research and IP strategy development; capacity building; and awareness-raising. The project was implemented in Panama, Thailand and Uganda with three sub-projects per country and an international conference, held in the Republic of Korea.
3. The aim of this evaluation was to learn from experiences during project implementation. This included assessing the project management and design including monitoring and reporting tools, as well as measuring and reporting on the results achieved to date and assessing the likelihood of sustainability. The evaluation utilized a combination of methods including a document review and interviews with 11 staff at the WIPO Secretariat and three experts/partners in the three countries.

Key findings

Project design and management

4. **Finding 1:** The described activities in the project documentation were more model activities as necessary adjustments were needed in project implementation, given the different contexts and factors of the sub-projects and countries. In addition, the project documentation did not list initial risks foreseen for the project and provided limited guidance on the roles and responsibilities of the various partners and experts involved in the project.
5. **Finding 2:** The project monitoring tools were appropriate for reporting to Member States at the CDIP on the overall progress of the project, notably through the Project Progress reports. Several observations were made about the reporting and analysis tools, notably the development of common assessment tools that facilitated selection, the challenges faced in reporting, given the broad scope of the project, and the absence of final report(s) at the level of the sub-projects summarizing the achievements made and the next steps for the communities.
6. **Finding 3:** The activities of this project were managed by a Project Manager (later integrated within the Special Projects Division) of the Development Sector with the support of other entities within the Secretariat. The Regional Bureaus were involved and supported the sub-projects. The Brand and Design Sector had the relevant technical expertise for the project within WIPO but their participation consisted of participating in one country assessment (Thailand) and the International Conference. More so, the Special Projects Division used its own know-how and that of the international and national experts for technical needs.
7. **Finding 4:** Several risks and challenges were identified by this evaluation, notably: ensuring the management and ownership at the country level; project management and coordination at the sub-project level; expectations of the involved communities in terms of the

success that could be anticipated from the use of IP rights for product branding; the personnel resources allocated to the project were disproportionately limited compared to its ambitions; and project was extended by six months mostly due to these risks and challenges.

8. **Finding 5:** External forces did have an impact on the project and were responded to by WIPO, with two significant external factors identified; the response, buy-in and ownership by stakeholders and other elements aside from IP rights, such as marketing strategies and financial sustainability, were found to be key to the project progressing. The project identified early on these elements and responded appropriately. However, the complete management and integration of all these elements went beyond the mandate of this project.

Effectiveness

9. **Findings 6-9:** WIPO successfully completed the necessary preparatory steps, development of IP strategies and capacity building for all nine sub-projects. Three out of nine projects progressed well in the implementation phase, given that other elements had to be in place to bring product brands to the market. For projects that progressed slower, issues were seen with the absence of a project manager at the national and sub-project level, relevant partners developing a sense of ownership and understanding WIPO's role. Although some baseline data was collected, it was beyond the project and possibly too early to assess more in-depth impact.

10. **Findings 10-13:** The processing of IP registrations made as part of this project was a positive experience for the national IP office and in some cases, the first time of processing a given IP registration. However, improved capacity would only be possible to develop over time with the processing of further registrations. National IP offices were consulted on the different steps of the project with the experience illustrating that national IP offices did not have in place the necessary structures and staff to manage branding development projects at the community-level, so they were limited in the support they could provide when the project experienced challenges in this respect. Other positive results were also seen for the national IP offices, such as illustrating gaps in the national laws through the mapping studies of the project. Other national institutions participated in the project and it is estimated that their awareness on the potential role of IP in product branding would have been increased.

11. **Findings 14-16:** A main activity to raise awareness was the international conference on the theme of "IP and Product Branding for Business and Local Community Development" held in the Republic of Korea in April 2013. The conference was attended by some 200 participants from 18 countries and according to participants, was very useful in facilitating a sharing of knowledge and experiences on IP and branding, also considering that it was the first international gathering of this nature. The development of the document "A Framework for Action for IP and Origin Branding: Supporting Local Businesses in Developing and LDCs" was foreseen to be an important step for raising further awareness, as was the production of a series of video documentaries illustrating the experiences of the communities involved.

Sustainability

12. **Findings 17-19:** The nine sub-projects have the potential to contribute to the long-term sustainability of IP and product branding within the concerned communities. However, as six out of nine sub-projects are yet to be fully implemented, the sustainability of these sub-projects is in question. Sustainability will depend upon finding support for these projects to continue into, and conclude their implementation phase and to consider their place within national IP strategies. The above-mentioned Framework will be an important document to guide WIPO and other interested parties in its continued work on IP and product branding. Within WIPO, there has been an increased demand in past years to support IP and product branding projects from

Member States. As a result, in 2014, WIPO has established a cross-organization working group to review WIPO's support for these projects.

Implementation of Development Agenda (DA) Recommendations

13. **Findings 20- 21:** A focus of the project was in supporting SMEs in IP and branding strategies with local communities relevant to Recommendation 4. Through this work, the project contributed to the implementation of this recommendation, although only to a certain extent given that the project was less about national IP strategies and more about support at the community level and working with individual SMEs. A focus of the project was on developing the capacity of national IP offices relevant to recommendation 10. The project was positive in its contribution to the offices developing capacity in IP registration although further processing of registrations would be necessary to develop more significant capacity, as stated above.

Conclusions and recommendations

14. **Conclusion 1 (Ref: Findings 1-5).** The project proved challenging to manage, given its broad scope and ambitious objectives, and limited WIPO resources available. In managing the project, it became apparent that challenges were faced for an international organization such as WIPO to coordinate projects at the community-level without a permanent presence or national partners with the capacity to do so. WIPO competently managed the IP element for the community-level sub-projects. However, the successful use of the IP element in bringing brands to market was largely dependent on external factors outside the control of WIPO. Ultimately, the perseverance and commitment of WIPO staff and partners to overcome these challenges and provide support beyond the IP element led to the successful implementation of the project. This was commendable but also indicates that for such projects to succeed, these other elements that need to be supported are largely outside the competencies of WIPO and national IP offices.

15. **Conclusion 2 (Ref: Findings 6-9).** The project was effective in developing IP strategies for sub-projects and exceeding the targets set for IP registrations (eight compared to the target of six). WIPO was able to demonstrate the importance of IP rights in business development for communities. However, the number of communities that were able to fully capitalize on this within the project timeframe and bring new brands to market was three out of nine. Given the challenges as described in Conclusion 1, this in itself should be considered as a success. In supporting communities, the project struggled with defining where its support in the implementation phase should extend to, given that other factors rather than the IP element were equally or more crucial for successful implementation.

16. **Conclusion 3 (Ref: Findings 10-13).** The project was able to contribute to positive experiences for the three relevant national IP offices. However, the project illustrated that these national IP offices currently have limited capacity to be involved with and manage such projects at the community-level. This is understandable as there are undoubtedly higher priorities for these national IP offices, and community-level projects may not feature significantly in national IP strategies. If such projects are to be considered a priority for national IP offices in the future, then their capacity to manage and support them would have to be reviewed.

17. **Conclusion 4 (Ref: Findings 14-16).** The project was successful in raising awareness on the potential contribution of IP to branding for communities. The production of a Framework was commendable in that it has used the experience of the project to produce practical and concrete guidelines for future work in this area.

18. **Conclusion 5 (Ref: Findings 17-21).** The contribution of the project to the DA objectives and long-term sustainability of bringing community brands to market with a strong IP element could be considered pending, given that most sub-projects are yet to advance substantially at the implementation phase. It would be unfortunate if support is not found to conclude the sub-

projects or at the minimum, provide the necessary follow-up to encourage progress. At the broader level, WIPO is currently considering its support to Member States for IP and branding projects and the findings of this evaluation should be of use for this purpose.

19. **Recommendation 1 (Ref: Conclusion 1, Findings 1-5).** It is recommended that for projects of this nature in the future (i.e. at the community-level) the WIPO Secretariat has to consider if it is best suited to manage such projects, and if so, to use alternative project management methods, for example, sub-contracting to implementing partners present in the given countries or having an expanded project manager role in-country with clearly defined roles and responsibilities for key partners.

20. **Recommendation 2 (Ref: Conclusion 2, Findings 6-9).** It is recommended that for projects of this nature in the future (i.e. at the community-level) the WIPO Secretariat would have to define further the extent of its involvement and support during the implementation phase.

21. **Recommendation 3 (Ref: Conclusion 3, Findings 10-13).** It is recommended that for Member States that are interested in developing IP and branding projects at the community-level that they invest in developing the capacity of their national IP offices to support such projects and they are featured appropriately in national IP strategies.

22. **Recommendation 4 (Ref: Conclusion 4, Findings 14-16).** It is recommended that the WIPO Secretariat and Member States support and promote the IP and branding Framework with the aim of increasing greater awareness and application of the Framework.

23. **Recommendation 5 (Ref: Conclusion 5, Findings 17-21).** It is recommended that the WIPO Secretariat continues to support the nine sub-projects in their implementation phase in 2014 through targeted support and follow-up visits (from WIPO staff or external experts) but limits support by defining an exit strategy (detailed in a final report) for hand over to Member States; WIPO considers a more in-depth study of the project's impact (possibly by a third party research/academic institute); and the cross-organization working group on IP and branding takes into consideration the findings and conclusions of this report.

I. INTRODUCTION

24. This report is an independent evaluation of the Development Agenda Project (DA_4_10_01) on Intellectual Property (IP) and Product Branding for Business Development in Developing Countries and Least-Developed Countries (LDCs). The project was approved during the fifth session of the Committee on Development and Intellectual Property (CDIP) (document CDIP/5/5), held in Geneva, in April 2010. The project was based on a proposal presented by the Republic of Korea at the third session of CDIP (document CDIP/3/7). The project implementation started in July 2010 and was completed in December 2013.

II. DESCRIPTION OF THE PROJECT

25. **Objectives:** The project document set out the following specific objectives for this project:

- (a) To contribute to the business development of local communities by developing strategic alliances of producers/farmers associations, small and medium-sized enterprises (SMEs) and public institutions, to build product brands through the strategic use of IP rights.
- (b) To improve the capacities of national institutions, including IP Offices, to handle efficiently the procedures for registration and examination of trademarks and geographical indications.
- (c) To raise awareness on the impact of product branding on the business development of local communities and local SMEs, in the framework of sustainable development priorities.

26. **Components:** The project consisted of three main components:

- (a) Research and IP strategy development: Three countries were selected for the project: Panama, Thailand and Uganda. Within these countries, a mapping and identification of products, or clusters of products, with unique characteristics linked to a particular community or region was carried out, with three sub-projects selected per country (nine in total). For each identified sub-project, WIPO then assisted the local communities and their SMEs to develop an IP and branding strategy.
- (b) Capacity building: This phase included a series of training workshops, aimed at producers and farmers' associations of the sub-projects, as well as government officials and staff in national IP Offices, focusing on technical IP issues, branding and commercialization options, and on raising awareness of a range of stakeholders.
- (c) Awareness raising: this phase showcased the experiences and the strategic approaches documented during the project at a Conference on the theme of "IP and Product Branding for Business and Local Community Development" held in the Republic of Korea in April 2013. The conference included the participation of policy makers, representatives of local communities, the private sector, NGOs and international organisations.

Within WIPO, this project has been managed by a Project Manager of the Development Sector, who was later integrated within the Special Projects Division (created in 2012) of this Sector.

III. OVERVIEW OF EVALUATION CRITERIA AND METHODOLOGY

27. The aim of the evaluation was to assess the project's performance, including project design and management, coordination, coherence, implementation and results achieved. The evaluation also aimed to provide evidence-based evaluation information to support the CDIP's decision-making process.

28. The evaluation was organized around eleven evaluation questions split into four foci: Project Design and Management, Effectiveness, Sustainability and Implementation of Development Agenda Recommendations. These questions are responded to directly in the section "Key findings" below.

29. The evaluation utilized a combination of methods. In addition to a review of all relevant documentation, interviews were conducted with 11 staff at the WIPO Secretariat in Geneva and telephone interviews with three experts and/or partners in the countries where the project was implemented.

IV. KEY FINDINGS

30. This section is organized on the basis of the four evaluation areas. Each evaluation question is answered directly under the headings of each area.

A. Project Design and Management

Appropriateness of the initial project document as a guide for project implementation and assessment of results achieved.

31. **Finding 1:** The project document provided an overview of the delivery strategy, activities and schedule. The described activities were more model activities as necessary adjustments were needed in project implementation, given the different contexts and factors of the sub-projects and countries. In addition, the project documentation did not list initial risks foreseen for the project (these were identified in later Project Progress reports) and provided limited guidance on the roles and responsibilities of the various partners and experts that would be essential in running the project.

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.

32. **Finding 2:** The project monitoring tools were appropriate for reporting to Member States at the CDIP on the overall progress of the project, notably through the Project Progress reports. Several observations were made about the reporting and analysis tools:

(a) The project was able to develop some common assessment tools, such as a matrix to assess the suitability and potential of the products developed by communities. Positively, this was used across all nine sub-projects, facilitating comparison and assessment. Onsite visits, consultation with the relevant stakeholders and the matrix supported the selection of communities. Persons interviewed were of the opinion that the selection process needed to be complemented by a more in-depth feasibility study assessing the interest, commitment and ownership of the project by the local community and the relevant authorities.

(b) A challenge faced in monitoring and following the project was its broad scope: nine sub-projects in three countries in addition to an international conference. This implied a range of actors including Member States, external and national experts, national IP

offices, partners and the local communities. As a consequence, in managing the project, the Special Projects Division had inconsistent reporting across the project and lacked staff resources to reinforce this aspect, making it difficult at times to follow and support all aspects of the project.

(c) With the project completed in December 2013, no final report(s) exists at the level of the sub-projects summarizing the achievements made and the next steps for the communities. Such a report(s) would inform Member States and facilitate future support for the sub-projects, from Member States, WIPO or other organizations.

The extent to which other entities within the Secretariat have contributed and enabled an effective and efficient project implementation.

33. **Finding 3:** The activities of this project were managed by a Project Manager (later integrated within the Special Projects Division) of the Development Sector with the support of other entities within the Secretariat. The Regional Bureaus were involved and supported the sub-projects underway in their given regions. The Brand and Design Sector had the relevant technical expertise for the project within WIPO but their participation consisted of participating in one country assessment (Thailand) and the International Conference. More so, the Special Projects Division used its own know-how and that of the international and national experts for technical needs.

The extent to which the risks identified in the initial project document have materialized or been mitigated.

34. **Finding 4:** The initial project document did not identify potential risks for the project. However, in consequent Project Progress reports, several risks were mentioned and are summarized as follows, in addition to other challenges identified by this evaluation:

(a) A major challenge for the project was ensuring management and responsibility at the country level. The project used a combination of national and international experts to liaise with the communities and stakeholders at the sub-project level but lacked overall coordination to drive the project forward at the country level. This was difficult to manage fully from the WIPO Secretariat and a clear responsibility and ownership in-country was challenging to establish.

(b) Related to the above point, the project was also challenging within the sub-projects in the coordination between the various actors – national and local authorities, farmers/producers, national IP offices and other stakeholders. In this regard, the sub-projects lacked a project manager on the ground to oversee and manage the developments completely, which impacted on project implementation. According to persons interviewed, the sub-projects which progressed significantly were where a national expert or partner took on this role but this meant they went beyond the initial role foreseen for them.

(c) A risk that emerged during the project was the expectations of the involved communities in terms of the success that could be anticipated from the use of IP rights for product branding. This was mitigated by project staff, experts and partners stressing the long-term benefits of IP rights and the necessity for other key elements, such as marketing strategies and inventory management to be in place for successful product branding.

(d) During the 42 months of project implementation, the project was managed by one professional staff utilizing some 50% of her time. She was supported by a project

assistant for some 16 months utilizing some 50% of her time. Given the broad and ambitious scope of the project - nine sub-projects spread across three countries in addition to an international conference - the personnel resources allocated to the project were disproportionately limited compared to its ambitions, creating substantial challenges for the project management. According to the concerned staff, this issue was repeatedly raised with senior management but no solution was found.

(e) The project was extended by six months (from July 2013 to December 2013), mostly due to the challenges described above. In addition, the core nature of the project, the use of IP rights for product branding at the community level, was such that it required a longer time period than foreseen. This implied that WIPO was able to accompany communities in the IP elements of their product branding but communities in most cases were not able to finalize all branding elements (IP and otherwise) to fully benefit from the project as described below (Findings 7-8).

The project's ability to respond to emerging trends, technologies and other external forces.

35. **Finding 5:** External forces did have an impact on the project and were responded to by WIPO. The local contexts of the sub-projects were evidently a key influence on the project's progress. For example, flooding in Thailand in late 2011 meant realigning priorities, and in Uganda, a project initially foreseen for cotton branding for the North Nile zone was extended to the whole country at the request of national authorities. However, two more significant external factors were identified:

(a) The response, buy-in and ownership to the project by stakeholders such as local and national authorities, private sector and trade promotion agencies was found to be key to the project progressing. This was recognized by the project and responded to, although it proved challenging linked to the coordination issues described in Finding 4.

(b) Aside from IP rights, other elements were found to be key to successful product branding for communities, notably product identification and inventory, stakeholders' mobilization, capacity building, marketing strategies and financial sustainability. The project identified early on these elements and in the sub-projects encouraged the necessary collaboration and support to integrate them. However, the complete management and integration of all these elements went beyond the mandate of this project.

B. Effectiveness of the project

The usefulness of the project in contributing to the business development of local communities by developing strategic alliances of producers/farmers associations, SMEs and public institutions, to build product brands through the strategic use of IP rights.

36. **Finding 6:** The nine sub-projects contributed to the business development of local communities to varying degrees. For all nine sub-projects, WIPO carried out the necessary preparatory steps such as assessment and selection of communities. This was followed by the development of appropriate IP branding strategies, capacity building workshops, consultations with the communities and IP registrations. At this stage, the implementation of these strategies progressed to different degrees, with some projects progressing further than others, as illustrated in the summary table below with simplified steps (projects adapted these steps and their sequencing as needed).

37. **Finding 7:** The project was successful in developing IP strategies for all sub-projects. However, to build successful product brands to bring to the market in the implementation phase, other elements, as described above, needed to be in place with the necessary support and coordination. This was evident in the three sub-projects that progressed well in the implementation phase:

- **Palmira Coffee of Panama:** the project resulted in a new brand of coffee being ready for market launch, pending health certification.
- **Bang Chao Cha Bamboo of Thailand:** working closely with partners, notably the King Mongkut University of Technology, the community registered a collective mark and developed potential products based on existing and new designs.
- **Sesame in Uganda:** as a result of the project, a local company registered a trademark and is now marketing high-quality sesame oil. Based on this strengthened IP and branding strategy, the company was able to obtain, free of charge, the services of a European commercial partner to design a business plan for the production and commercialization of the product.

| | <i>Assessment visits</i> | <i>Selection process</i> | <i>IP Brand strategy</i> | <i>Community consultation</i> | <i>Capacity building</i> | <i>IP registration</i> | <i>Strategy implementation</i> |
|-----------------------|--------------------------|--------------------------|--------------------------|-------------------------------|--------------------------|--------------------------|--------------------------------|
| <i>Panama</i> | | | | | | | |
| Coffee Palmira | | | | | | App. Origin Coll. Mark. | |
| Pineapples | | | | | | Coll. Mark | |
| Mola Kuna Handicrafts | | | | | | Cert. Mark | |
| <i>Thailand</i> | | | | | | | |
| Bang Chao Cha Bamboo | | | | | | Coll. Mark | |
| Mae Chaem Handicrafts | | | | | | Geo. Ind. | |
| Lampoon silk | | | | | | (Pre-existing Geo. Ind.) | |
| <i>Uganda</i> | | | | | | | |
| North Nile Cotton | | | | | | | |
| Mukono Vanilla | | | | | | Cert. Mark | |
| Sesame | | | | | | Trademark | |

Table 1: Overview of progress towards main steps per sub-project

38. **Finding 8:** For projects that progressed slower and did not advance significantly in the implementation phase, issues were seen with the absence of a project manager at the national and sub-project level, and the relevant partners developing a sense of ownership for the project. In Thailand it was reported that communities felt that their expectations were fully not met, mostly linked to expectations for increased sales and income as a result of the collaboration (as detailed in a WIPO case study as part of a Country Portfolio Evaluation). These and other elements outside of WIPO's control, such as the necessary marketing strategies for brands and financial sustainability of the involved communities being in place meant that progress was slower than anticipated and the branding initiatives could not be concluded successfully in the 42 months of the project.

39. **Finding 9:** An indicator for this objective anticipated monitoring and controlling systems to be in place to evaluate the impact of the branding strategies. Although some baseline data was collected, it was beyond the project and possibly too early to assess more in-depth impact at this stage, also given the variances in progress as described above.

The effectiveness of the project in improving the capacities of national institutions, including IP Offices, to handle efficiently the procedures for registration and examination of trademarks and geographic indicators.

40. **Finding 10:** Given that IP registrations were made in all three countries as a result of the project, national IP offices were involved in processing these registrations. According to partners interviewed, this was a positive experience for the national IP office and in some cases, the first time of processing a given IP registration, for example, a certification mark in Uganda. However, improved capacity would only be possible to develop over time with the processing of further registrations.

41. **Finding 11:** Beyond the processing of IP registrations, national IP offices were consulted on the different steps of the project and participated as much as feasible, for example, with staff of all national IP offices benefiting from training workshops. The experience illustrated that national IP offices did not have in place the necessary structures and staff to manage branding development projects at the community-level. This was not anticipated as part of the project nor a stated priority for national IP offices, so they were limited in the support they could provide when the project experienced challenges in this respect.

42. **Finding 12:** The process of mapping the IP landscape for each country as part of the project had positive results for the national IP offices in some cases. For example, the mapping in Uganda illustrated the gaps in the national laws on geographic indicators, which contributed to a renewed push from the national IP office to reinforce the laws in this area.

43. **Finding 13:** Aside from national IP offices, other national institutions participated in the project, including various ministries (foreign affairs, industry and trade), trade promotional and tourism boards. Their level of involvement varied from country to country and more so than developing their capacities, it is estimated by exposure and involvement in the project, their awareness on the potential role of IP in product branding would have been increased.

The effectiveness of the project in raising awareness on the impact of product branding on the business development of local communities and local SMEs, in the framework of sustainable development priorities.

44. **Finding 14:** A main activity of the project to raise awareness was the international conference on the theme of "IP and Product Branding for Business and Local Community Development" held in the Republic of Korea in April 2013. The conference was organized by WIPO in collaboration with the Korean Intellectual Property Office (KIPO) with the assistance of

the Korea Trade-Investment Promotion Agency (KOTRA) and the Korean Invention Promotion Association (KIPA). The conference was attended by some 200 participants from 18 countries and according to participants, was very useful in facilitating a sharing of knowledge and experiences on IP and branding, also considering that it was the first international gathering of this nature.

45. **Finding 15:** The international conference was also key to contributing to and validating the document “A Framework for Action for IP and Origin Branding: Supporting Local Businesses in Developing and LDCs”. This Framework was commissioned by WIPO to document the experiences of the IP branding project and outline methodological guidelines for future projects of this nature. The Framework is currently being finalized by WIPO and its publication is foreseen to be an important step for raising further awareness on IP and branding.

46. **Finding 16:** As part of awareness-raising activities, a series of video documentaries were produced illustrating the challenges and experiences of the communities involved in the branding and commercialization of their products. According to WIPO staff, these videos were widely used by WIPO in various forums and conferences to illustrate the potential of IP and branding for local communities.

C. Sustainability

The likelihood for continued work on IP and Product Branding for Business Development in WIPO and its Member States.

47. **Finding 17:** The nine sub-projects launched by WIPO as part of this project have the potential to contribute to the long-term sustainability of IP and product branding within the concerned communities. However, as six out of nine sub-projects are yet to fully implement the IP and branding strategies, the sustainability of these sub-projects is in question. Given that the project has now concluded, sustainability would depend upon finding support for these projects to continue into, and conclude their implementation phase. In addition, the place of these sub-projects within national IP strategies would have to be considered.

48. **Finding 18:** The above-mentioned Framework will be an important document to guide WIPO and other interested parties in its continued work on IP and product branding. According to WIPO staff, the learnings and experience of the project have already proved useful in managing similar community-level projects.

49. **Finding 19:** Within WIPO, there has been an increased demand in past years to support IP and product branding projects from Member States, partly as a result of this project but also due to the overall advancement of the Development Agenda. In 2014, WIPO has established a cross-organization working group to review and determine its support to IP and product branding projects of Member States.

D. Implementation of Development Agenda (DA) Recommendations

The extent to which the DA Recommendations 4 and 10 have been implemented through this project

50. **Finding 20:** Recommendation 4 is concerned with assisting Member States with the needs of SMEs and scientific research and cultural institutions in setting up appropriate national IP strategies. A focus of the project was in supporting SMEs in IP and branding strategies with local communities. Through this work, the project contributed to the implementation of this recommendation, although only to a certain extent given that the project was less about national IP strategies and more about support at the community level and working with individual SMEs.

51. **Finding 21:** Recommendation 10 is concerned with assisting Member States to develop and improve national IP institutional capacity. A focus of the project was on developing the capacity of national IP offices and as stated above, the project was positive in its contribution to the offices developing capacity in IP registration, although further processing of registrations would be necessary to develop more significant capacity.

V. CONCLUSIONS

52. **Conclusion 1 (Ref: Findings 1-5).** The project proved challenging to manage, given its broad scope and ambitious objectives, and limited WIPO resources available. In managing the project, it became apparent that challenges were faced for an international organization such as WIPO to coordinate projects at the community-level without a permanent presence or national partners with the capacity to do so. WIPO competently managed the IP element for the community-level sub-projects. However, the successful use of the IP element in bringing brands to market was largely dependent on external factors outside the control of WIPO. Ultimately, the perseverance and commitment of WIPO staff and partners to overcome these challenges and provide support beyond the IP element led to the successful implementation of the project. This was commendable but also indicates that for such projects to succeed, these other elements that need to be supported are largely outside the competencies of WIPO and national IP offices.

53. **Conclusion 2 (Ref: Findings 6-9).** The project was effective in developing IP strategies for sub-projects and exceeding the targets set for IP registrations (eight compared to the target of six). WIPO was able to demonstrate the importance of IP rights in business development for communities. However, the number of communities that were able to fully capitalize on this within the project timeframe and bring new brands to market was three out of nine. Given the challenges as described in Conclusion 1, this in itself should be considered as a success. In supporting communities, the project struggled with defining where its support in the implementation phase should extend to, given that other factors rather than the IP element were equally or more crucial for successful implementation.

54. **Conclusion 3 (Ref: Findings 10-13).** The project was able to contribute to positive experiences for the three relevant national IP offices. However, the project illustrated that these national IP offices currently have limited capacity to be involved with and manage such projects at the community-level. This is understandable as there are undoubtedly higher priorities for these national IP offices, and community-level projects may not feature significantly in national IP strategies. If such projects are to be considered a priority for national IP offices in the future, then their capacity to manage and support them would have to be reviewed.

55. **Conclusion 4 (Ref: Findings 14-16).** The project was successful in raising awareness on the potential contribution of IP to branding for communities. The production of a Framework was commendable in that it has used the experience of the project to produce practical and concrete guidelines for future work in this area.

56. **Conclusion 5 (Ref: Findings 17-21).** The contribution of the project to the DA objectives and long-term sustainability of bringing community brands to market with a strong IP element could be considered pending, given that most sub-projects are yet to advance substantially at the implementation phase. It would be unfortunate if support is not found to conclude the sub-projects or at the minimum, provide the necessary follow-up to encourage progress. At the broader level, WIPO is currently considering its support to Member States for IP and branding projects and the findings of this evaluation should be of use for this purpose.

VI. RECOMMENDATIONS

57. **Recommendation 1 (Ref: Conclusion 1, Findings 1-5).** It is recommended that for projects of this nature in the future (i.e. at the community-level) the WIPO Secretariat has to consider if it is best suited to manage such projects, and if so, to use alternative project management methods, for example, sub-contracting to implementing partners present in the given countries or having an expanded project manager role in-country with clearly defined roles and responsibilities for key partners.
58. **Recommendation 2 (Ref: Conclusion 2, Findings 6-9).** It is recommended that for projects of this nature in the future (i.e. at the community-level) the WIPO Secretariat would have to define further the extent of its involvement and support during the implementation phase.
59. **Recommendation 3 (Ref: Conclusion 3, Findings 10-13).** It is recommended that for Member States that are interested in developing IP and branding projects at the community-level that they invest in developing the capacity of their national IP offices to support such projects and they are featured appropriately in national IP strategies.
60. **Recommendation 4 (Ref: Conclusion 4, Findings 14-16).** It is recommended that the WIPO Secretariat and Member States support and promote the IP and branding Framework with the aim of increasing greater awareness and application of the Framework.
61. **Recommendation 5 (Ref: Conclusion 5, Findings 17-21).** It is recommended that the WIPO Secretariat continues to support the nine sub-projects in their implementation phase in 2014 through targeted support and follow-up visits (from WIPO staff or external experts) but limits support by defining an exit strategy (detailed in a final report) for hand over to Member States; WIPO considers a more in-depth study of the project's impact (possibly by a third party research/academic institute); and the cross-organization working group on IP and branding takes into consideration the findings and conclusions of this report.

[Appendix I follows]

APPENDIX I: PERSONS INTERVIEWED/CONSULTED

WIPO Staff:

Maya Bachner, Acting Head, Program Management and Performance Sector, Administration and Management Sector

Joyce Banya, Senior Counsellor, Regional Bureau for Africa, Development Sector

Georges Ghandour, Senior Program Officer, Development Agenda Coordination Division, Development Sector

Oswaldo Girones, Counsellor, Regional Bureau for Latin America and the Caribbean, Development Sector

Heum Jeng Kang, Senior Program Officer, Regional Bureau for Asia and Pacific, Development Sector

Mohamed Saleck Ould Mohamed Lemine, Strategic Adviser, Office of the Deputy Director General, Development Sector

Nathalie Montillot, Assistant Project Officer, Access to Information and Knowledge Division, Global Infrastructure Sector

Marta Fernandez Rivas, Counsellor, Regional Bureau for Latin America and the Caribbean, Development Sector

Florence Rojal, Senior Legal Officer, Lisbon Registry, Brands and Designs Sector

Ye Min Than, Senior Program Officer, Regional Bureau for Asia and Pacific, Development Sector

Francesca Toso, Senior Advisor, Special Projects Division, Development Sector

External:

Nanthana Boonla-Or, Lecturer, Product Design, King Mongkut University of Technology, Thailand

Maria Gilma Arrocha Castrellon, International consultant, AROC, Panama

Getachew Mengistie, IP Consultant & Attorney, Addis Ababa, Ethiopia (expert for Uganda project)

[Appendix II follows]

APPENDIX II: DOCUMENTS CONSULTED

WIPO (2010), IP and Product Branding for Business Development in Developing Countries and Least Developed Countries (LDCs), *Project Document*, CDIP/5/5.

WIPO (2012), CDIP, Tenth Session, *Progress Reports*, CDIP/10/2.

WIPO (2013), CDIP, Twelfth Session, *Progress Reports*, CDIP/12/2.

WIPO, (2013), CDIP, Twelfth Session, *Draft Report of proceedings*, CDIP/12/2.

WIPO, (May 2013), *Assessment forms – experts*, Conference on IP and Product Branding for Business and Local Community Development, Seoul, Republic of Korea, April 24-26, 2013.

Toso, F. WIPO, (May 2013), *Mission Report - Expert Meeting and Conference on IP and Product Branding for Business and Local Community Development*, Seoul, Republic of Korea, April 24-26, 2013.

WIPO (2014). *A Framework for Action for IP and Origin Branding: Supporting Local Businesses in Developing and LDCs*, Draft.

WIPO (2014). *Evaluation Case Study, IP and Product Branding for Business Development in Developing Countries and LDCs: The Thailand Experience*, Internal Audit and Oversight Division, EVAL 2013-05/3

[Appendix III follows]

APPENDIX III: INCEPTION REPORT

1. Introduction

This document is an inception report for the evaluation of the Development Agenda Project on Intellectual Property (IP) and Product Branding for Business Development in Developing Countries and Least-Developed Countries (LDCS). This document will outline the purpose, objectives, strategy, methodology and work plan of the evaluation. The final report will be based on this inception report, pending approval from WIPO.

2. Purpose and Objectives

The main purpose of this evaluation is to assess implementation of the project and its overall performance. This will feed into the decision-making process of the Committee on Development and Intellectual Property (CDIP).

The main objective of this evaluation is two-fold:

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

3. Evaluation Strategy

- The evaluation will take a participatory approach and involve all relevant stakeholders in the different steps of the evaluation, as far as feasible.
- The information and data will be gathered from multiple sources using different research methods in order to be able to triangulate and cross-reference the results drawn.
- The evaluation will find a balance between questions of efficiency ("what worked") and questions of effectiveness ("what was achieved"). This will directly support meeting the above-mentioned objectives.

4. Evaluation Framework

| Theme and questions | Proposed indicators | Data collection tools | Sources of information |
|--|---|-------------------------------|------------------------|
| Project design and management | | | |
| 1. Appropriateness of the initial project document as a guide for project implementation and assessment of results achieved. | Modifications required during the implementation of the project | Document review Interviews | WIPO staff |

| Theme and questions | Proposed indicators | Data collection tools | Sources of information |
|--|---|-------------------------------|--|
| Project design and management | | | |
| 2. 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. | Level of usefulness of monitoring and reporting tools | Document review Interviews | WIPO staff Member States |
| 3. The extent to which other entities within the Secretariat have contributed and enabled an effective and efficient project implementation. | Number of WIPO units involved in the project and their contribution | Document review Interviews | WIPO staff |
| 4. The extent to which the risks identified in the initial project document have materialized or been mitigated. | Type of risks encountered during project implementation and how they were addressed | Document review Interviews | WIPO staff Member States |
| 5. The project's ability to respond to emerging trends, technologies and other external forces. | Level of ability of the project to respond | Document review Interviews | WIPO staff Member States |
| Effectiveness | | | |
| 1. The usefulness of the project in contributing to the business development of local communities by developing strategic alliances of producers/farmers associations, SMEs and public institutions, to build product brands through the strategic use of IP rights. | Extent to effectiveness and usefulness of the project for business development | Document review Interviews | WIPO staff Member States Project consultants |

4.1. Evaluation tools

The research tools will be used across the different themes and questions. The following table provides further information on these tools and how they will be deployed.

| Tool | Description | Information source |
|------------------------|---------------------------------------|--|
| <i>Interviews</i> | Some 15-20 semi-structured interviews | <i>By telephone & in-person:</i> WIPO Secretariat staff Member states: - Missions in Geneva - National IP Offices Project consultants |
| <i>Document review</i> | Review of main documentation | WIPO documentation including internal/external reports/publications; CDIP 8, 10, 12 reports; video reportage; WIPO magazine articles. |

Data analysis methods: The quantitative and qualitative data collected will be analysed and compiled using comparative and statistical methods where appropriate. The data will be correlated and organised to respond to the evaluation questions. These findings will then be used to inform the conclusions and recommendations proposed.

5. Work Plan and Timetable

The proposed milestones and timelines are as shown here below:

| Milestones/Deliverables | Key dates |
|---|------------------|
| Work starts | 15 December 2013 |
| Submission of inception report to WIPO | 15 January 2014 |
| Feedback from WIPO on inception report | 20 January 2014 |
| Submission of final inception report to WIPO | 25 January 2014 |
| Submission of draft report to WIPO | 28 February 2014 |
| Factual corrections from WIPO on draft report | 5 March 2014 |
| Submission of final report to WIPO | 20 March 2014 |
| Presentation of evaluation report at the CDIP | May 2014 |

6. Key Assumptions and Risks

It is assumed that the project team and the DACD will assist the consultant in identifying and accessing all key documents; informing key stakeholders about the evaluation, making necessary introductions, providing contact information and facilitating interviews as required; and providing consolidated timely feedback on deliverables. It is also assumed that the interviews to be undertaken will be successful and language will not be a barrier (the consultant speaks English and French). It is also assumed that the people to be interviewed will be available and willing to provide the required information.

[End of Appendix III and of document]