



**Internal Oversight Division**

Reference: IA 2016-02

**Audit Report**

Audit of Business Solutions for IP Offices

May 10, 2016



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**LIST OF ACRONYMS**

<b>AIPMS</b>	Arab IP Management System
<b>ASPAC</b>	Asia Pacific Group
<b>CISAC</b>	International Confederation of Societies of Authors and Composers
<b>CIS-NET</b>	Common Information System Network
<b>CMO</b>	Copyright Collective Management Organization
<b>DPPF</b>	Department of Program Planning and Finance
<b>EPO</b>	European Patent Office
<b>ER</b>	Event Request
<b>EU IPO</b>	European Union Intellectual Property Office
<b>Ework</b>	Electronic Workflow System
<b>HRMD</b>	Human Resources Management Department
<b>ICS</b>	Individual Contractual Services
<b>ICT</b>	Information and Communication Technology
<b>IIA</b>	Institute of Internal Auditors
<b>IOD</b>	Internal Oversight Division
<b>IP</b>	Intellectual Property
<b>IPAS</b>	Industrial Property Office Administration System
<b>IPOBSD</b>	IP Office Business Solutions Division
<b>LAC</b>	Latin America and Caribbean Region
<b>LDCs</b>	Least Developed Countries
<b>OHIM</b>	Office for Harmonization in the Internal Market
<b>P&amp;B</b>	Program & Budget
<b>PID</b>	Project Implementation Document
<b>PPBD</b>	Program Performance and Budget Division
<b>PPR</b>	Program Performance Report
<b>RBM</b>	Results Based Management
<b>RFP</b>	Request For Proposal
<b>SLA</b>	Service Level Agreement
<b>TA</b>	Travel Authorization
<b>TIGAR</b>	Trusted Intermediary Global Accessible Resources
<b>TMS</b>	Travel and Missions Support
<b>UN</b>	United Nations
<b>WINS</b>	WIPO Inquiry Notification System
<b>WIPO</b>	World Intellectual Property Organization
<b>WIPO CASE</b>	WIPO Centralized Access to Search and Examination dossier information
<b>WIPO Connect</b>	WIPO Copyright Connection Application
<b>WIPO DAS</b>	WIPO Digital Access Service for transmission of priority documents
<b>WIPO EDMS</b>	WIPO Electronic Document Management System
<b>WIPOCOS</b>	WIPO Software for Collective Management of Copyright and Related Rights

## EXECUTIVE SUMMARY

1. The objective of Business Solutions for IP Offices (Program 15) is to strengthen the business processes of IP Offices/Institutions in Member States by providing tools and services aiming to improve their efficiency and effectiveness.
2. The mandate of the Program would benefit from further clarification as the Program currently develops databases for users that are neither IP Offices nor IP Regional Institutions. This includes Copyright Collective Management Organizations (CMOs). This may help benefit from economies of scale in terms of systems, processes and knowledge required to support IP Offices/Institutions. However, the business model and needs for technical support of CMOs differ from the requirements of IP Offices/Institutions. Therefore, the rationale and benefits of including the CMO support in the Program need further consideration.
3. Establishing a strategic business plan that would enable the Program to achieve its goals and objectives, effectively address the needs of its internal and external stakeholders, and clearly identify resource needs is a key component to successfully manage and sustain the Program activities. Such a plan could include *inter alia* the following:
  - (a) A framework for providing technical support to IP Offices/Institutions, including the use of Service Level Agreements (SLA) for those requiring additional services; and
  - (b) Clear funding options that are aligned with any WIPO strategy on extra budgetary resources<sup>1</sup>.
4. The current structure of the Program can be enhanced with appropriate measures that align the current and future needs of both the Program and the users of the tools and systems. This will enable the Program to effectively address certain conditions that could impair its operational effectiveness and efficiency. For instance, two Sections within the Program have only one staff each (the Heads of Sections), and the post of Head of the Project Deployment Section is vacant.
5. Establishing well defined eligibility criteria for IP Offices/Institutions requesting assistance from WIPO Business Solutions would further enhance consistency and efficiency of the business processes.
6. Capacity building and training activities are key components for sustainability. The survey conducted with IP Offices/Institutions using WIPO business solutions show that 35 percent of the respondents were concerned with the frequency and variety of training provided by the Program. Tailored online trainings, jointly developed with the WIPO Academy, would considerably enhance efficiency in capacity building activities.
7. Thirty-nine percent of the respondents have not yet signed a cooperation agreement with WIPO. A cooperation agreement would serve to mitigate risks that could affect licensing rights and dispute settlements among others.
8. Finally, the survey indicates that 85 percent of the respondents assess the goods and services provided by WIPO Business Solutions for IP Offices as good to excellent.

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<sup>1</sup> At the time of writing this audit report, the draft WIPO Partnerships and Resource Mobilization Strategy was under consideration.

## 1. BACKGROUND

9. As part of the Global Infrastructure Sector, the objective of Business Solutions for IP Offices is to implement activities that would contribute towards achieving the expected result of enhancing technical and knowledge infrastructure for IP Offices and other IP institutions, leading to better services (cheaper, faster and higher quality) to their stakeholders. The Program is expected to ultimately assist the Organization in achieving the strategic goal of coordinating and developing a global IP infrastructure.

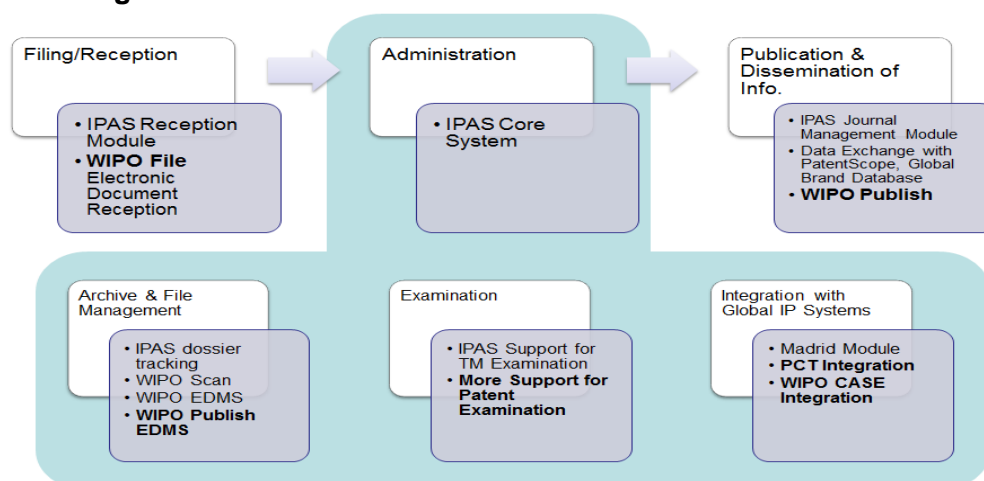
10. The Program provides:

- (a) Customized software solutions and associated training and project management services to support the efficient processing of IP applications in Member States;
- (b) Effective collaboration between IP Offices; and
- (c) Support to CMOs. The activities of the Program are particularly targeted towards IP Offices and other IP Institutions in developing and least developed countries.

11. Systems and tools provided include the Industrial Property Automation System (IPAS)<sup>2</sup> WIPO Scan (to convert IP documents into digital formats), WIPO EDMS (Electronic Document Management System), the Arab IP Management System (AIPMS), WIPO Publish, used to help IP Offices provide online access to published documents, and WIPO Connect, to support the operations and processes of CMOs.

12. The Program also develops and provides international platforms to support processing IP applications, such as the WIPO DAS<sup>3</sup> (Digital Access Service for transmission of priority documents) and the WIPO CASE<sup>4</sup> (Centralized Access to Search and Examination dossier information), to facilitate international cooperation among IP Offices and to provide cost-effective and efficient services to global users of the IP system.

**Figure A: WIPO Solutions for IP Office Business Processes**



Source: Program 15

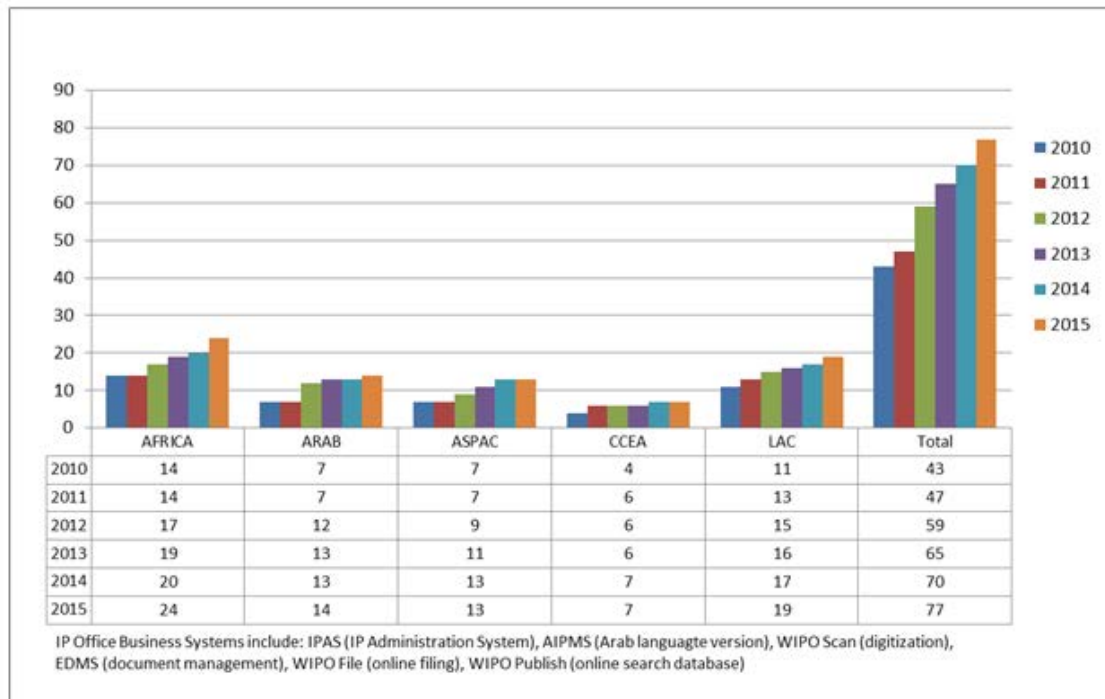
<sup>2</sup> IPAS is an integrated IP administration system used to automate the processing of trademarks, patents and industrial designs.

<sup>3</sup> The WIPO DAS, initially developed in 2009, is now in use in 11 participating Offices (see [www.wipo.int/das](http://www.wipo.int/das)). It is used to exchange of priority documents between participating offices, and to support the secure exchange of documents for Trademarks and Industrial Designs.

<sup>4</sup> The WIPO CASE system was deployed in 2011 and is now in use in four participating Offices. The system allows Offices to share search and examination results for patent applications, in order to facilitate work sharing programs.

13. At the end of the 2014/15 biennium, 77 IP Offices were using systems deployed and supported by WIPO and 31 CMOs had been provided with technical assistance for their operations. An additional 25 IP Offices participate in WIPO infrastructure platforms such as WIPO DAS and WIPO CASE.

**Figure B: IP Offices using WIPO Business Solutions by Region**



ASPAC: Asia Pacific Group; LAC: Latin America and Caribbean Region; CCEA: Certain Countries in Europe and Asia  
Source: Program 15

14. The Program activities are managed through the IP Office Business Solutions Division (IPOBSD).

**Table 1: Program Budget for 2014-15 Biennium in Thousands of Swiss Francs**

Description	2014/15 Final Budget (a)	2012/13 Final Budget (b)	Variation (a)-(b)	Var. %
Personnel Resources	6,374	4,427	1,947	44%
Non-Personnel Resources	5621	3,607	2,014	56%
Operating Exp. and Equip & Supplies	0	70	-70	-100%
<b>Total</b>	<b>11,995</b>	<b>8,104</b>	<b>3,891</b>	<b>48%</b>

Source: WIPO Program & Budget (P&B) 2014/15 and Program Performance Report (PPR) 2014

15. The 2014/15 Budget includes:

- (a) Additional non-personnel resources provided to cover Information and Communication Technology (ICT) related costs for the Trusted Intermediary Global Accessible Resources (TIGAR), an international database of some 286,000 titles in 55 languages, accessible to people with print disabilities; and
- (b) A transfer of one position into the Program to assist with the deployment and support of WIPO business solutions for IP Offices. The Program receives additional resources from the Japanese Funds-In-Trust for specific projects such as digitization, data management, workflow optimization, training and others.

## A. OBJECTIVES

16. The objectives of this audit were to:

- (a) Assess the current organizational structure, reporting lines and cooperation and collaboration of Business Solution for IP Offices with other WIPO Programs, with a view to effectively deliver its program objectives;
- (b) Review the effectiveness and efficiency of risk management and compliance processes as well as adequacy of Information systems and tools; and
- (c) Assess the performance of the Program given the existing financial and human resources, its efficiency and economy in implementing planned activities.

## B. SCOPE AND METHODOLOGY

17. The audit scope covered operations of Business Solution for IP Offices work plan activities for the 2014/15 biennium. The audit methodology included: analytical reviews, walkthroughs, sample testing, surveys, document reviews and interviews as appropriate. Specifically, IOD :

- (a) Interviewed key staff members to gain an understanding of the governance, risk management and compliance practices in place, and how the Business Solution for IP Offices Program interacts with other Programs to effectively and efficiently deliver work plan activities in line with its expected results;
- (b) Performed walkthroughs of operational workflows, to assess whether key controls are adequate, functioning as intended, and in compliance with applicable set of policies and procedures;
- (c) Tested a sample of program activities to assess relevance and value added, and also assessed the adequacy of methods and tools used to report on program performance;
- (d) Reviewed the current organizational structure of the Program to assess whether it is equipped with adequate human resources and required skillsets and competencies, as well as the appropriate level of budget to implement its work plan activities;
- (e) Reviewed information systems and tools to assess whether they provide: adequate support and timely and accurate information to management; and
- (f) Surveyed a sample of IP Offices to get their feedback on the services and products offered by WIPO Business Solutions.

18. The audit was performed in accordance with the International Standards for the Professional Practice of Internal Auditing issued by the Institute of Internal Auditors (IIA).



### C. RESULTS - ACHIEVEMENTS

19. The IPOBSD has taken a series of measures to improve the services provided to IP Offices in the 2014/15 biennium. These include the following:

- (a) Completed and deployed the WIPO Publish software to facilitate extraction, formatting and dissemination of IP data;
- (b) Developed WIPO File, to enable IP offices to provide online services to their applicants. This will be deployed in low-income and Least Developed Countries (LDCs) that cannot develop or support this functionality themselves;
- (c) Integrated WIPO CASE with the One Portal Dossier system, creating a global network of IP offices, and enabling offices of all sizes to participate in patent work sharing activities;
- (d) Established a formal and systematic approach to providing technical support to IP offices using WIPO systems;
- (e) Increased the number of developing country IP offices using WIPO systems from 65 to 77, indicating interest in, and relevance of, WIPO business systems;
- (f) Organized technical training workshops in all regions to increase skills and knowledge of users;
- (g) Completed digitization and/or data management projects in nine developing country IP offices; and
- (h) Contracted staff from IP Offices to provide support to other IP Offices in the same region, to foster cross-country collaboration, capacity building, and sustainability.

## 2. OBSERVATIONS AND RECOMMENDATIONS

20. The following observations and recommendations would help further enhance services provided to IP Offices, and overall management of the Program.

### A. THE STRATEGY AND STRUCTURE OF THE PROGRAM

#### (i) The Responsibilities of Business Solutions for IP Offices

21. The objective of Program 15 through its IPOBSD is to strengthen the business processes of IP Offices by providing tools and services that enable these Offices to participate in the global IP system in an effective and efficient manner. The tools include IPAS, WIPO Scan, and WIPO EDMS.

22. The IPOBSD is also responsible for a series of tools that do not necessarily fit the above role. For instance, the IPOBSD has been assigned as business owner and developer of the systems to provide operational support to CMOs. These CMOs are private and semi-private entities whose role is to act in the interest of authors regarding the rights to use their works, by collecting and redistributing royalties.

23. The location of the technical support for CMOs within the Program is intended to take advantage of economies of scale in terms of the systems, processes and knowledge required to support IP institutions, especially in developing countries.

24. The technical support to CMOs was initially under Copyright and Related Rights (Program 3), and was later transferred to Business Solutions for IP Offices (Program 15). This change was reflected in the 2014/15 Program and Budget approved by Member States. However, IP Offices and CMOs have different business models and needs for technical support. Therefore, the rationale and benefits of including the CMO support in the Program need to be further examined.

25. The IPOBSD is also responsible for developing and providing support for databases such as:

- (a) The WIPO Green database for information on green technology products, services and intellectual property assets;
- (b) WIPO Research database which provides information on intellectual property assets to help develop medical products for neglected tropical diseases, malaria and tuberculosis; and
- (c) The TIGAR database which provides a catalogue and rights clearance mechanism for the exchange of books in accessible format between authorized entities (libraries).

26. The above activities (WIPO Green, WIPO Research and TIGAR) are funded by the respective business units, but represent human resource utilization for the Program. Also, these databases are not directly related to the mission of the Program which is to provide services to IP offices and other IP institutions. The business rationale for continuing support for such small systems within the Program needs to be further clarified, especially since WIPO Programs are increasingly autonomous in managing the development of such databases.

(ii) A Strategic Business Plan for Business Solutions for IP Offices

27. A strategic business plan that outlines the Program's goals and objectives, identifies both internal and external stakeholders, clarifies roles and responsibilities, and outlines resources and technical requirements, is a key component for a successful and sustainable Program.

28. While Program 15 provides products such as the IPAS system, and services such as: digitization of records, data capture and quality improvement, workflow optimization, and training among others, the Program has yet to establish a formal strategic business plan that would serve as an overarching guide for its activities.

S

- Expertise
- Leading authority in IP
- Global IP provider
- Developed Tools
- Cost effective solution

BUSINESS  
SOLUTIONS

T

- Public/Private partnerships
- Resource mobilization plan
- Member States commitment
- Long-term sustainability
- Cooperation with other Programs for better delivery
- Gap in the market for similar product

- Limited resources (human and financial)
- Limited presence on the field
- Limited influence on IP Offices' commitment
- Unclear IP Offices long-term support strategy
- No exit strategy

- Lack of resources and budget reduction
- Inability to meet demand
- Pressure from Member States
- Inability to continue providing support
- IP Offices cannot become autonomous (unsustainability)
- Inability to keep up with changing technology
- Inadequate staffing (numbers and skillsets)

29. Elements of a strategy can be found in documents such as the Program and Budget (P&B) and the Program Performance Report (PPR).

30. The Program's expanding portfolio of products and services supports the need to establish a formal strategic business plan, including an assessment of the Program's strengths and weaknesses, as well as the opportunities and challenges it could face in achieving its expected results.

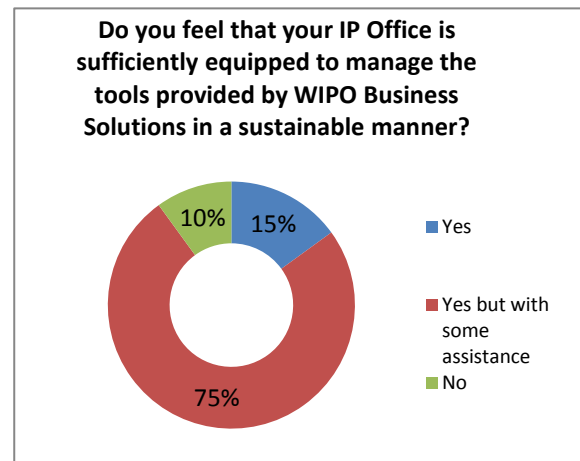
31. Furthermore, the current funding structure of Business Solutions for IP Offices may not be sustainable and adequate to support any future expansion or increased demand in services and technical support because of its dependency on the regular budget and on one Funds-In-Trust. A strategic business plan that is aligned with the WIPO Partnerships and Resource Mobilization Strategy could help address any future funding needs.

32. The absence of a strategic business plan that would serve as a roadmap for the next five years, could lead to, misaligned goals, unsustainable activities, and inefficient use of resources.

(iii) Enhancing Support for Activities of Business Solutions for IP Offices

33. The business processes of the Program include providing technical support for IP Offices using its tools and systems. Currently, over 1 million Swiss francs are spent annually to provide support to IP Offices using WIPO business solutions.

34. While the Program has established an approach to providing technical assistance, this approach could benefit from additional enhancements such as outlining both the types and duration of technical support, and the timelines and conditions for handing over support to respective IP Offices. This will allow better management of resources and contribute towards sustaining activities of the Program. IOD's survey shows that 75 percent of respondents need assistance in managing the tools provided by the IPOBSD.



35. Furthermore, the process of handing over technical support would require that the IPOBSD:

- (a) Establish a training program for IP Offices support staff; and
- (b) Maintain a minimum contact with IP Offices for development requests, at a cost to be determined.

36. Aligning the approach to providing technical assistance with the future evolution of the business and forecasted resource needs of IP Offices, would support sustainability and relevance of the Program's activities.

(iv) Service Level Agreements

37. Support and maintenance are key components to sustain the use of products offered through Business Solutions for IP Offices, and in particular the IPAS system.

38. The cost of providing support and maintenance is expected to increase as the number of users increase.

39. Furthermore, the Program also provides a variety of other services to IP Offices as shown in the result of IOD's survey.

40. To address challenges ahead, the IPOBSD has drafted a SLA that outlines the roles and responsibilities of both the IPOBSD and IP Offices using WIPO business solutions. The use of a SLA has so far been discussed with two IP Offices, but there has been no agreement on the terms and conditions and resource commitments outlined in the SLA.

41. Going forward, aligning the SLA with the strategic business plan, and further engaging IP Offices that require additional level of services, to agree on a suitable and balanced SLAs that commits both parties, would further strengthen the Program's current support framework.

(v) The Organizational structure of Business Solutions for IP Offices

42. There are currently 15 fixed term staff members and one temporary staff in the IPOBSD. The Program is further supported by Individual Contractual Services (ICS) contractors for support services and activities on the field, including regional focal points.

43. The current organizational structure of the IPOBSD exhibits certain characteristics that could impair the effective and efficient implementation and management of its activities. For instance:

- (a) While the IPOBSD currently has five P5 staff members and four Sections, the post of Head of the Project Deployment Section in charge of implementing business solutions to IP Offices, is not filled;
- (b) The Technical Support function is part of the Product Development Section, whereas technical support works in close collaboration with the Project Deployment Section, to address IP Offices' support queries;
- (c) The Business Development Section in charge of the assessment of the business needs and capacity of IP Offices only has one staff member (Head of Section); and
- (d) Likewise, the External Web Application Section presently has one staff (Head of Section). This Section has seen demand for its services decrease in 2014 and 2015, which has led to reduced staffing, tasks and responsibilities. The Section is currently responsible for developing the extension of the TIGAR database scheduled to go live by end 2016, after which it is unclear whether there will be further demand for its services. If unaddressed, this condition could result in inefficient use of available expertise and resources.

44. Although the Program has already begun addressing some of the conditions outlined above, more needs to be done to establish a more fit-for-purpose structure that will enhance program management and delivery.

(vi) Training and Capacity Building

45. Effective training and capacity building would help support autonomy of IP Offices that use the products and services offered by the Program. The Program has organized 18 workshops in the 2014/15 biennium, and foresees increased training activities and growing demand for its products. However, it has yet to develop a training quality assurance framework that will help ensure consistency in the methodology and quality of trainings.

46. In addition, currently no feedback mechanism is in place to:

- (a) Assess the quality and relevance of the trainings;
- (b) Measure the outcome and subsequent impact of trainings provided to IP Offices; and
- (c) Share feedback results, to further improve training content and delivery.

47. While IOD's survey indicated that 60 percent of the respondents were satisfied with the current training mechanism, respondents who were partly or not satisfied (35 percent) were concerned with, the length, frequency and variety of training provided by the Program.

48. More can be done in-house to further support training needs of IP Offices by improving information sharing and cross-cutting initiatives among Programs involved in capacity building activities. The IPOBSD is well positioned to identify and capture capacity building and training needs during its interaction with IP Offices.

49. For instance, information on training needs could be shared with Programs involved with capacity building, such as the WIPO Academy, which could in turn develop online training solutions for IP Offices. This would contribute towards enhancing synergies among Programs that provide capacity building activities, as well as streamline training costs.

## Recommendations

1. The Global Infrastructure Sector should:
  - (a) Review the rationale for the current roles, responsibilities, and objectives of Business Solutions for IP Offices, with a view to ensuring consistency with its mandate, structure and expected results; and
  - (b) Subsequently prepare and propose an Office Instruction, to the Office of the Director General, which clarifies the role and responsibility of Business Solutions for IP Offices.

(Priority: High)
2. The IP Office Business Solutions Division should develop a strategic business plan that would serve as the overarching guide for the activities of the Program over the next five years. This strategy should also include components such as:
  - (a) A comprehensive approach for providing technical support to IP Office, that outlines the types and duration of technical support, including timelines and conditions for handing ownership and maintenance to respective IP Offices; and
  - (b) Funding options that are aligned with the WIPO Partnerships and Resource Mobilization Strategy, in order to sustain and support an expansion of the Program's activities.

(Priority: High)
3. The IP Office Business Solutions Division should work with IP Offices to establish suitable Service Level Agreements that outline roles and responsibilities of both parties, and are aligned with both the Program's strategic business plan and technical support framework.

(Priority: High)
4. The IP Office Business Solutions Division should work with the Human Resource Management Department (HRMD), and the Program Performance and Budget Division (PPBD) to:
  - (a) Establish a structure that is aligned with both the Division's, and IP Offices' needs;
  - (b) Review and align the roles, responsibilities and job descriptions of existing staff members with current and future activities; and

(c) Determine human resources and related level of budget needed to effectively and efficiently implement and manage activities of the Program.

(Priority: High)

5. The IP Office Business Solutions Division should work with the WIPO Academy to develop:

(a) A quality assurance framework for training and capacity building which includes feedback from IP Offices on the quality of training delivered by the Program; and

(b) Online trainings that address the needs of IP Offices.

(Priority: Medium)

## B. BUSINESS SYSTEMS FOR COLLECTIVE MANAGEMENT ORGANIZATIONS

50. The WIPO Software for Collective Management of Copyright and Related Rights (WIPOCOS) is an application developed for CMOs, to enable them to perform the main operations involved in managing copyright and related rights of authors of works. This tool has been in use for over ten years, and has been deployed in 31 countries to date. It is currently no longer deployed and will be discontinued and replaced by the WIPO Connect solution.

51. The WIPO Connect solution is being developed on a more modern platform and would also provide new features that will improve the efficiency and effectiveness of collective management of copyrights and related rights, taking into account the significant changes that have taken place in the rights management industry in the last decade. The first module of WIPO Connect, covering musical copyright, is expected to be deployed in pilot CMOs in 2016.

### (i) Project Management Practices

52. Planning, effective communication and coordination are prerequisites for successful project management. The table below summarizes events and actions that have impacted the WIPOCOS and WIPO Connect projects.

**Table 2: Evolution of WIPOCOS AND WIPO Connect PROJECTS**

Initiative	Timeline	Actions that Impacted the Projects
<b>Re-engineering of WIPOCOS</b>	Initiated in 2011	Proposal to transfer the project to Global Infrastructure Sector from Culture and Creative Industries Sector in 2012; the latter remained the Business Owner. The project was subsequently suspended in 2013, in favor of WIPO Connect
<b>Development of WIPOCOS WEB</b>	Initiated in 2014	The purpose was to modernize WIPOCOS, including adding features to facilitate data export. The project was suspended in the same 2014.
<b>Establishing a WIPO Connect high level business requirement</b>	Developed end 2013	Decision taken to develop WIPO Connect to replace WIPOCOS; also, enhancement made so far to WIPOCOS will not be used as the basis for WIPO Connect.

Initiative	Timeline	Actions that Impacted the Projects
<b>Request For Proposal (RFP) for WIPO Connect supplier</b>	RFP Completed and expected start date set for July 2014	The WIPO Connect Project's effective start date was December 2014 due to four months delay in finalizing the contract.
<b>WIPO Connect Migration strategy</b>	Established in 2014	The migration strategy has not been updated since its inception in 2014
<b>Recruitment of a Project Manager for WIPO Connect</b>	Contracted in November 2014	The Project Manager was initially on an ICS contract and later moved to a temporary contract which ends in August 2016. This contract can no longer be renewed as per WIPO contracting rules, and the project will still be in progress.
<b>Establishing a Project Implementation Document (PID) for WIPO Connect</b>	Completed in May 2015	The project began in December 2014 and the PID was finalized in May 2015. Furthermore, the Business Owner was changed from the Culture and Creative Industries Sector, to the Global Infrastructure Sector.

53. The above illustration highlights a lack of communication and coordination which has resulted in multiple software development initiatives, interruptions, unclear ownership and responsibilities, as well as unnecessarily incurred costs for the Organization, that could have otherwise been avoided.

(ii) Supporting WIPO Connect

54. The IPOBSD has taken the following actions as part of initiatives to enhance relevance and sustainability of the WIPO Connect system:

- (a) Implementing features that enable international operations that utilize the International Confederation of Societies of Authors and Composers' (CISAC) Common Information System Network (CIS-NET). This is a significant factor for the relevance and success of WIPO Connect, and will provide CMOs with access to a global repository of registered works and interested parties, which will in turn enable faster and more efficient international operations and distribution of royalties. Discussions on a cooperation framework with CISAC were started in May 2015 and to date, the CISAC has yet to formally agree on the terms and conditions;
- (b) The IPOBSD plans to charge a fee to CMOs for the use of WIPO Connect. While the final decision is pending and the modalities for fees have yet to be finalized, it would be relevant to consider criteria such as level of activities, revenues, and size when setting the appropriate level of fees to charge.

55. IOD encourages the IPOBSD to continue to engage, the CISAC on the cooperation agreement, and CMOs on the fee structure for WIPO Connect.

### Recommendations

6. The IP Office Business Solutions Division should update the strategy for migration from WIPOCOS to WIPO Connect; and establish knowledge transfer and handover procedures to address the end of the WIPO Connect Project Manager's contract.

(Priority: High)



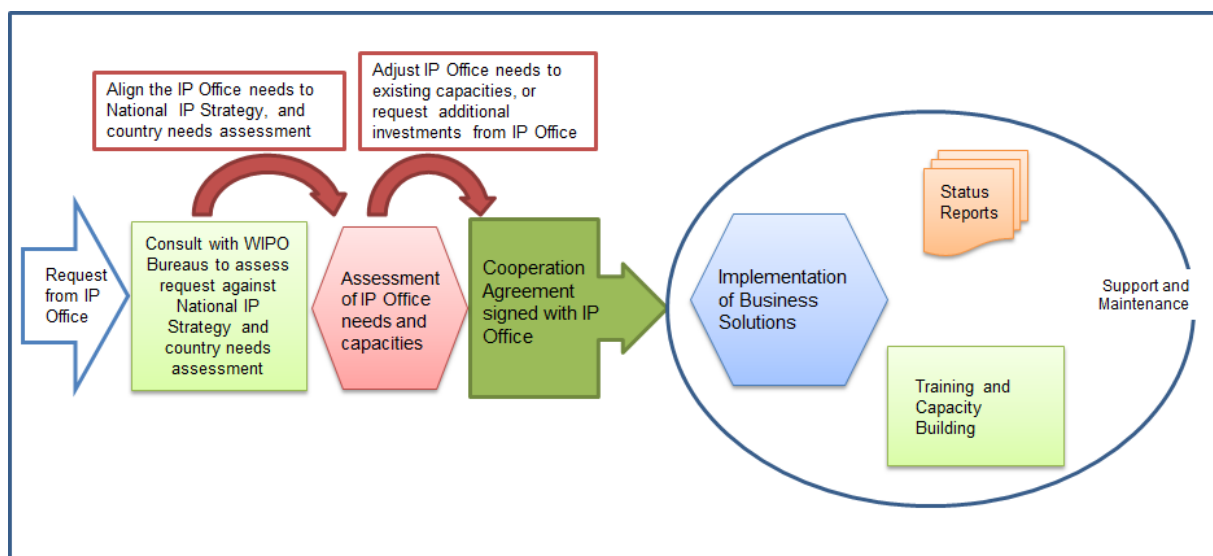
## C. PROGRAM MANAGEMENT

### (i) The Implementation Process of Projects in IP Offices

56. The IPOBSD's services are demand driven whereby, IP Offices make a formal request through WIPO Bureaus or directly to the Program. An assessment of the requesting IP Office's needs and capacity is performed prior to any implementation of business solution product(s). This includes collaborating with WIPO Bureaus to assess the needs against the national IP strategy of the requesting Office. A cooperation agreement is signed subsequent to the assessment of the IP Office.

57. During the implementation of business solutions, training and capacity building is provided to staff members of the requesting IP Office, and subsequent support and assistance is provided throughout the lifecycle of the tool(s).

**Figure C: Request for WIPO Business Solutions – Condensed Workflow**



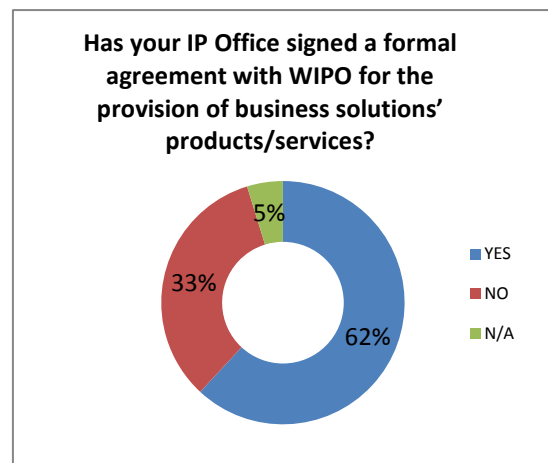
58. The current process as described above, presents the following conditions which need to be addressed:

- (a) There are no eligibility criteria for requesting assistance from WIPO in implementing products offered by the IPOBSD. Although the main objective of this Program is to support Countries that lack internal capacity and resources, IOD observed that some users of the business solutions can be considered to have sufficient means and resources to implement and support the tools without the financial assistance of WIPO. The absence of eligibility criteria could impair the efficient use of WIPO resources;
- (b) There is currently no formal guideline that outlines the different requirements and prerequisites for each service/product offered by the IPOBSD. Developing such a guideline would help streamline requests, and assist IP Offices in performing a self-assessment prior to requesting the services of the Program;

- (c) Formal cooperation agreements are not always signed prior to implementing tools in an IP Office. For instance, out of 77 IP Offices and Regional IP Organizations that use products offered by IPOBSD, 30 (39 percent) have not signed any agreement with WIPO.

This is also confirmed by the survey results in that, 33 percent of the respondents stated that they have not signed an agreement with WIPO.

The absence of an agreement poses risks that could affect license rights, roles and responsibilities, and dispute settlements among others.



- (d) While Business Solutions projects are managed under project management principles and guidelines, IOD observed that related risk registers are not regularly updated to help monitor existing, and capture emerging risks. This could impair effective management of risk related to the activities of the Program.

(ii) Individual Contractual Services

59. The Program provides services in various regions through the use of ICS contracts. ICS are to be used by Program for effective and timely delivery of their approved work plans, and are limited to tasks and functions that are not continuous in nature. Also, the duration of ICS contracts cannot exceed a total of 24 months over a 36 month period.

60. The review of ICS contracts and related practices of the Program identified the following:

- (a) The contract of an ICS that provided support to the Latin America and Caribbean (LAC) Region could no longer be renewed at the end of 2015 due to ICS rules. This person has been recruited by the third party service provider that now provides support, on behalf of the Program, to IP Offices in that region; and
- (b) Two persons who previously held ICS contracts up until end 2015, for supporting the database used by CMOs in Africa, have now been recruited by the third party service provider that provides support on behalf of the Program, to Collective Management Organizations in that region.

61. While the above cases do not represent a non-compliance with WIPO's Policy on ICS, they do not exhibit good business behavior and practices, and highlight the limitations and inadaptability of the current ICS policy in addressing certain resource needs of WIPO Programs.

62. Furthermore, existing regional experts, who are key focal points between IP Offices and the IPOBSD, are on ICS contracts which cannot be renewed after 2016. This may impact continuity and quality of services provided by the IPOBSD. To address the underlying risk, the IPOBSD has begun using experienced staff from IP Offices to assist other IP Offices in the same region, and will be recruiting regional focal points under fixed term contracts.

63. Finally, the evaluations of ICS contract holders are not systematically formalized and filed, to ensure that appropriate justification is available to support any contract renewal.

64. Recommendations to review the contractual period of ICS contracts, and strengthen ICS evaluation procedures have been made in IOD's audit of Individual Contractual Services Management<sup>5</sup> published in early 2016.

(iii) Assessing Technical Support Services

65. Technical Support is part of the Product Development Section in IPOBSD and is headed by a manager with a team of around six consultants from two external service providers.

66. The unit supports IP Offices that use IPAS, WIPO CASE, and WIPO DAS. Requests for support are made through dedicated email addresses linked to the WIPO Inquiry Notification System (WINS)<sup>6</sup> ticketing system and when applicable, the JIRA<sup>TM</sup><sup>7</sup> project tracking system is used to manage software development requests.

67. The table below shows the total number of tickets raised in 2014 and 2015, as well as total pending at the end of each respective year.

**Table 3: Status of WINS Tickets for 2014 and 2015**

Status	CASE	DAS	IPAS
Tickets of 2014	1087	2658	549
Tickets of 2015	490	1237	611
Open end of 2014	0	0	1
Open end of 2015	1	1	53

Source: WINS Report – WIPO Customer Service Section

68. Technical Support has established dedicated email addresses linked to the WINS ticketing system, as one of the means to address requests for assistance. While the WINS reports provide information on number of tickets closed or pending within a given period, there is currently no methodology to obtain client feedback to assess the quality of assistance provided by the support team.

69. Indicatively, IOD's survey results show that 80 percent of respondents were satisfied with the relevance and timeliness of off-site support, and 55 percent satisfied with on-site assistance provided by the IPOBSD.

(iv) Travel and Events Management

70. The Office Instruction No. 29/2013Rev on official travel and related expenses state that: Event Requests (ER) shall be submitted to WIPO Travel and Missions Support (TMS) Section at least eight weeks prior to the start of the event; and Travel Authorizations (TA) must be submitted at least 10 working days prior to the date of travel.

71. An analysis of events and travels associated with Program 15 show that 51 out of 66 (77 percent) ERs and 73 out of 250 (29 percent) TAs recorded in the Electronic Workflow System (Ework) – an application used to manage request and authorization forms for administrative services<sup>8</sup> - were submitted late in 2015.

<sup>5</sup> IA 2015-06

<sup>6</sup> WIPO Inquiry Notification System for tracking requests.

<sup>7</sup> JIRA<sup>TM</sup> is a proprietary issue tracking product, developed by Atlassian Inc. It provides bug tracking, issue tracking, and project management functions.

<sup>8</sup> Administrative services such as: events, missions, leaves, appointments, and request for supplies and equipment.

72. Late event requests associated to travels imply higher travel costs for the Organization, as the opportunity to purchase lower-priced tickets is lost and increased pressure and workload on administrative and support staff. This systemic issue has been raised in previous IOD audit reports, notably during the 2014 audit of Events Management (IA 2014-02). The Procurement and Travel Division continues to monitor ER and TA submissions.

(v) Gender Mainstreaming

73. Business Solutions for IP Offices is in a unique position to implement actions that would benefit gender mainstreaming in IP.

74. For instance, the IPOBSD provides IPAS to 77 IP Offices, and can configure the system to consider gender during the filing process. This initiative, which would provide valuable comparative data for developing gender mainstreaming activities, will however need to be supported by appropriate amendments to national IP legislations.

75. Furthermore, continuous contact with IP Offices, offers the opportunity to introduce a gender diversity dimension to its activities. This can be achieved through training programs, workshops and other capacity building activities that address the gender gap.

76. Finally, the IPOBSD only has one female professional staff member, indicating that more can be done to increase the number of female professional staff in the Program.

### Recommendations

7. The IP Office Business Solutions Division should develop criteria and prerequisites for provision of WIPO business solutions, including a self-assessment for IP Offices to use prior to making requests for WIPO systems and tools.

(Priority: High)

8. The IP Office Business Solutions Division should set a realistic timetable, to sign all pending cooperation agreements with IP Offices using WIPO systems and tools.

(Priority: High)

9. The IP Office Business Solutions Division should update their project management guidelines and templates on the WIKI<sup>9</sup> space to include:

(a) Mandatory establishment of risk registers, including a template for that purpose; and

(b) Regular update of risk assessments during the lifecycle of projects, in line with Prince 2 and project management good practices.

(Priority: Medium)

10. The IP Office Business Solutions Division should implement a feedback mechanism for assessing the performance of Technical Support services.

(Priority: Medium)

<sup>9</sup> Business Solutions for IP Offices' customizable web space for collaborative work and information sharing.

## 11. The IP Office Business Solutions Division should:

- (a) Identify and implement initiatives that would contribute towards increasing gender mainstreaming in its program activities; and
- (b) Work with the Human Resource Management Department to address the current gender gap in the professional staffing category.

(Priority: Medium)

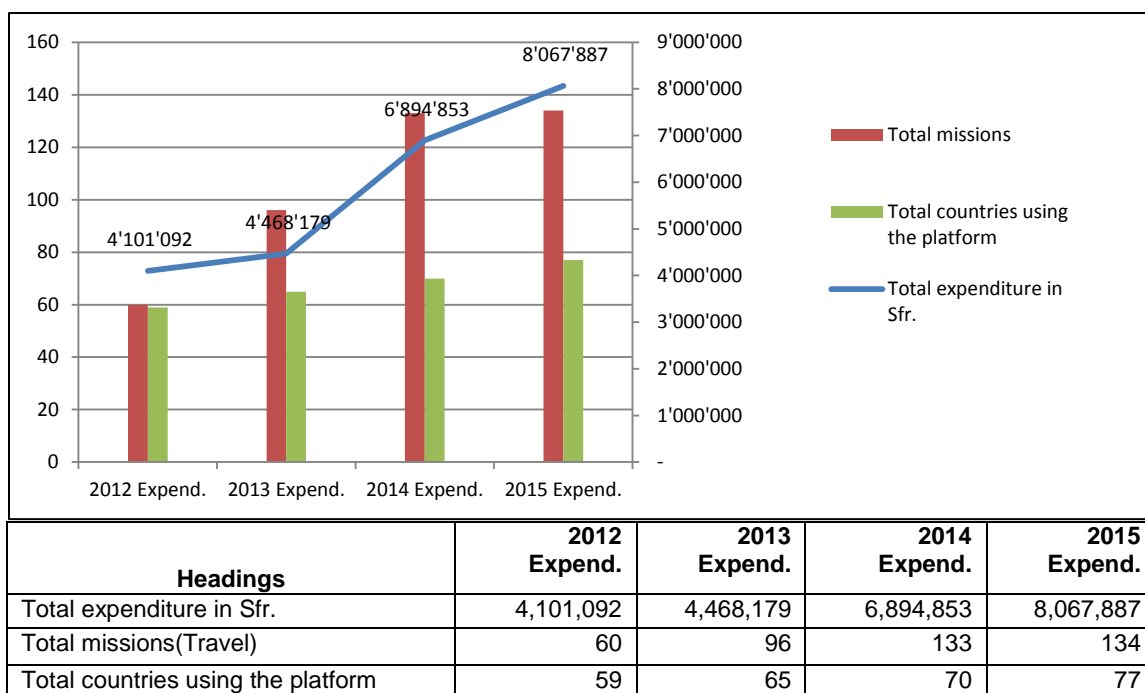
## D. MONITORING AND REPORTING ON PROGRAM ACTIVITIES

(i) Monitoring Cost Efficiency

77. Given the significant budget of the Program<sup>10</sup>, it is relevant to assess the cost efficiency over time of its activities and more specifically, activities focused on the development, deployment, and support for IPAS. For instance, establishing and analyzing cost related ratios could provide insights on the evolution and behavior of costs over time.

78. The graph below shows the trend of gross total expenditures, the number of countries using WIPO business solutions, and the total number of missions from 2012 to 2015. The graph is intended to illustrate the types of analyses that could be performed. A more granular analysis of expenditures is needed to obtain meaningful results.

**Figure D: Gross Total Expenditures against Missions and Number of IP Offices**



Note: The figures used in this analysis are gross figures to illustrate the types of trend/cost analyses possible. A more precise picture can be achieved with a more granular analysis of expenditures. Source: AIMS and Ework

<sup>10</sup> Program budget for 2014/15 – 11,995 million Swiss francs

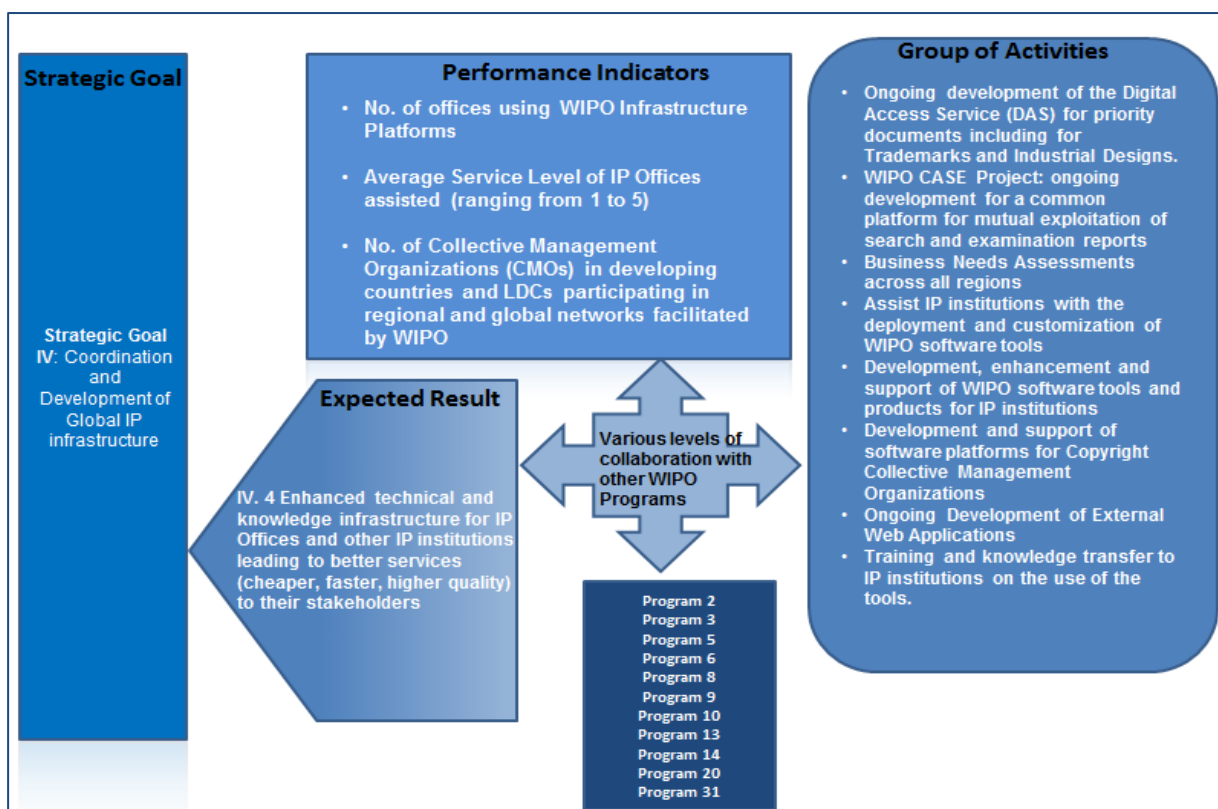
79. The current management tools and systems available at WIPO are not adequately configured to help the Program better monitor costs efficiencies at the activity or country level, or other useful analytical ratios. This is because the Program's requirements which include, costs analysis at a more granular level, and metrics that combine information from various sources, are not easily obtained with the current configuration of available tools.

80. While the Program has defined their needs and engaged in discussions with the WIPO Business Intelligence team, no action has been taken to date to address their requirements. As a result, the IPOBSD have created a series of spreadsheets, and are planning to develop a database, to help address their needs. This initiative will however require more time and resources, and would result in a stand-alone application.

(ii) Performance Indicators

81. Performance Indicators are a qualitative or quantitative means of gauging the performance and achievements of a Program against their expected results, and ultimately serve to assess a Program's contribution towards the achievement of the Organization's strategic goals. The figure below illustrates the Results Based Management (RBM) Framework of Program.

**Figure E: Program 15 - RBM Framework**



Sources: P&B 2014/15 and Enterprise Planning and Monitoring tool

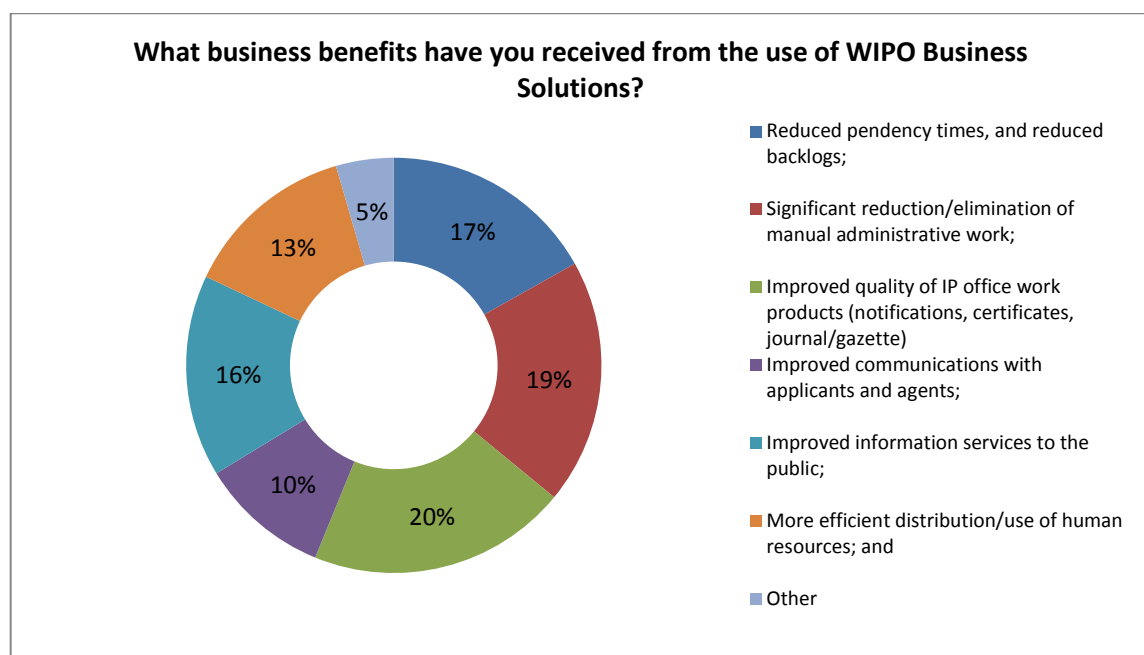
82. IOD's review of the performance indicators of the Program identified the following:
- The performance indicator for the number of CMOs in developing countries and LDCs participating in regional and global networks facilitated by WIPO, has no data because the related system is expected to be completed in 2016;
  - Although training and capacity building are key components of the expected results of the Program, no performance indicator has been identified for those activities;
  - While support and maintenance are relevant towards sustainability of the Program, there is no related performance indicator set for support and maintenance.

83. The absence of relevant performance indicators would limit: visibility on the performance of the Program; assessment of the achievement of expected results; and ability to fully align staff achievement with Program and Organizational expected results.

(iii) Assessing the Impact of Program Activities

84. IOD's survey of IP Offices indicate that WIPO business products have: significantly reduced manual administrative work; reduced pendency times, and backlogs; and improved the quality of work products (notifications, certifications, and journal/gazette).

**Figure F: IOD Survey of IP Offices – Benefits from Using WIPO Business Solutions**



85. Furthermore, the IPOBSD has implemented a review mechanism to assess the impact of IP Office using the IPAS platform, and a pilot review was carried out in 2015. Given the number of IP Offices using the products and services of the Program, a clear plan including resource assessment and timelines would need to be developed to support implementation.

86. In addition, developing criteria against which to measure impact, aligned to updated performance indicators, would enhance relevance and added value of the exercise.

### Recommendations

12. The IP Office Business Solutions Division should, in close cooperation with the Business Intelligence team of the Department of Program Planning and Finance (DPPF), develop and implement analytical reports that meet the needs of the Program.
- (Priority: Medium)
13. The IP Office Business Solutions Division should:
- (a) Develop a clear plan including criteria, resource needs, and timelines to support the implementation of impact assessments of IP Offices; and
  - (b) Work with the DPPF to ensure that performance indicators are relevant, and aligned with both, the activities of the Program, and the criteria set for impact assessments.
- (Priority: Medium)

### E. RESULT OF THE SURVEY ON WIPO BUSINESS SOLUTIONS FOR IP OFFICES

87. IOD surveyed IP Offices, on the services and products provided by Program 15. A total of 21 IP Offices participated in this survey.

88. The survey results indicate that WIPO Business Solutions for IP Offices is considered as a good provider of products and services. In more detail, 55 percent of respondents feel that the products and services are good, and a further 30 percent rate the products and services as excellent.

89. Other salient points of the survey can be summarized as follows:

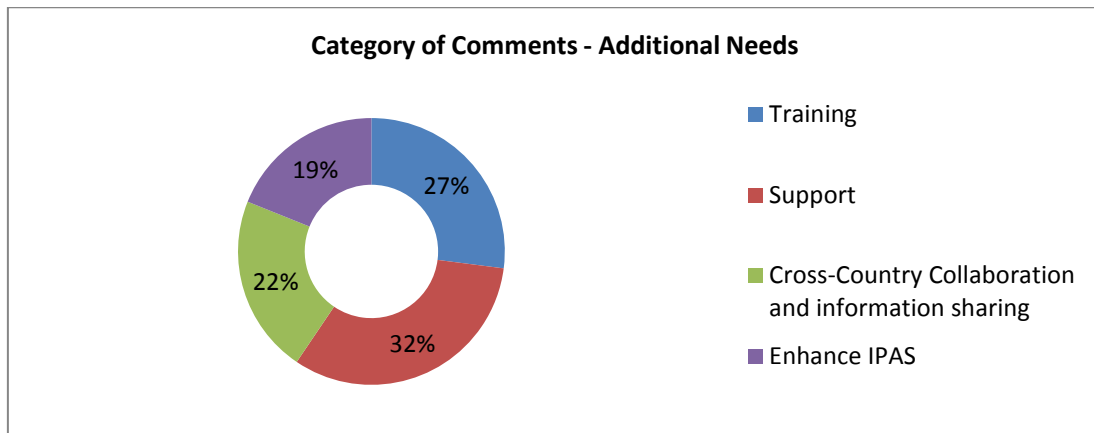
- (a) Sixty-eight percent of respondents established a project plan for the deployment of WIPO business solutions, with agreed roles and responsibilities, cost allocation, and timelines;
- (b) Fifty-three percent of respondents indicated that a post-project evaluation was conducted following the deployment of WIPO business solutions, to determine the effectiveness and results of the project;
- (c) While 86 percent of respondents were aware of alternatives to the WIPO business solutions, 44 percent felt that WIPO solutions were significantly better. Likewise, 41 percent felt that the cost of deploying WIPO business solutions was lower than the next best alternatives. The proposed alternatives were solutions offered by the European Patent Office (EPO), and the European Union Intellectual Property Office (EU IPO<sup>11</sup>). No commercially available solutions were mentioned as possible alternatives; and
- (d) Fifty percent of respondents have discussed and established a roadmap and timelines for a strategy that would lead to their IP Office autonomously manage the tools provided by WIPO.

<sup>11</sup> Previously called the Office for Harmonization in the Internal Market (OHIM)



90. Finally, comments made by respondents focuses essentially on additional assistance, and can be categorized as follows:

**Figure G: IOD Survey of IP Offices – Comments from IP Offices**



91. The detail result of the survey is found in Annex II of this report.

**ACKNOWLEDGMENT**

*IOD wishes to thank all relevant members of staff for their assistance, cooperation and interest during this assignment.*

Prepared by: Alain Garba, Senior Auditor, Internal Oversight Division

Reviewed and Approved by: Tuncay Efendioglu, Acting Director, Internal Oversight Division

**TABLE OF RECOMMENDATIONS**

<b>No</b>	<b>Recommendations</b>	<b>Priority</b>	<b>Person(s) Responsible</b>	<b>Management Comments and Action Plan</b>	<b>Deadline</b>
1.	<p>The Global Infrastructure Sector should:</p> <ul style="list-style-type: none"> <li>(a) Review the rational for the current roles, responsibilities, and objectives of Business Solutions for IP Offices, with a view to ensuring consistency with its mandate, structure and expected results; and</li> <li>(b) Subsequently prepare and propose an Office Instruction, to the Office of the Director General, which clarifies the role and responsibility of Business Solutions for IP Offices.</li> </ul>		W. Meredith	<p>An initial redesign will take place in mid-2016 to reflect re-location of resources to external offices and establishment of a new section for Copyright Institutions. The associated office instruction would include a statement on the mandate.</p> <p>A further redesign should follow the agreement on the strategic business plan (Recommendation 2).</p>	<p>July 2016</p> <p>July 2017</p>
2.	<p>The IP Office Business Solutions Division should develop a strategic business plan that would serve as the overarching guide for the activities of the Program over the next five years. This strategy should also include components such as:</p> <ul style="list-style-type: none"> <li>(a) A comprehensive approach for providing technical support to IP Office, that outlines the types and duration of technical support, including timelines and conditions for handing ownership and maintenance to respective IP Offices; and</li> <li>(b) Funding options that are aligned with the WIPO Partnerships and Resource Mobilization Strategy, in order to sustain and support an expansion of the Program's activities.</li> </ul>		W. Meredith	<p>The strategy should also include an analysis of the current and future demand, alignment of the services with the needs of IP offices for modernization, review of key processes, a product development strategy, and long term HR/resource planning.</p>	<p>Draft in Dec 2016 for final approval in Q1 2017.</p>

No	Recommendations	Priority	Person(s) Responsible	Management Comments and Action Plan	Deadline
3.	The IP Office Business Solutions Division should work with IP Offices to establish suitable Service Level Agreements that outline roles and responsibilities of both parties, and are aligned with both the Program's strategic business plan and technical support framework.		W. Meredith	The approach will be to review the agreement framework in general. The current terms and conditions and cooperation agreements could be revised to develop a general and long-term set of agreed conditions that include pre-requisites and service levels.	Dec 2016.
4.	The IP Office Business Solutions Division should work with the Human Resource Management Department (HRMD), and the Program Performance and Budget Division (PPBD) to: <ul style="list-style-type: none"> <li>(a) establish a structure that is aligned with both the Division's, and IP Offices' needs;</li> <li>(b) review and align the roles, responsibilities and job descriptions of existing staff members with current and future activities; and</li> <li>(c) Determine human resources and related level of budget needed to effectively and efficiently implement and manage activities of the Program.</li> </ul>		W. Meredith	See recommendations 1 and 2. In addition, job descriptions and titles should be revised where necessary.	July 2016 July 2017
5.	The IP Office Business Solutions Division should work with the WIPO Academy to develop: <ul style="list-style-type: none"> <li>(a) A quality assurance framework for training and capacity building which includes feedback from IP Offices on the quality of training delivered by the Program; and</li> <li>(b) Online trainings that address the needs of IP Offices.</li> </ul>		W. Meredith D. Cheng	(a) QA framework can be implemented during 2016 for all training events. (b) A pilot online training course will be developed during 2016 and extended during 2017 and beyond, depending on feedback.	Dec 2016

No	Recommendations	Priority	Person(s) Responsible	Management Comments and Action Plan	Deadline
6.	The IP Office Business Solutions Division should update the strategy for migration from WIPOCOS to WIPO Connect; and establish knowledge transfer and handover procedures to address the end of the WIPO Connect Project Manager's contract.		S. Ouedraogo	The migration strategy will be used to orient the activities with existing WIPOCOS users to prepare them for future WIPO Connect deployment.	September 2016
7.	The IP Office Business Solutions Division should Develop criteria and prerequisites for provision of WIPO business solutions, including a self-assessment for IP Offices to use prior to making requests for WIPO systems and tools.		W. Meredith	See recommendation 3. The proposed approach is to review the current framework of agreements between offices and WIPO.	Dec 2016
8.	The IP Office Business Solutions Division should set a realistic timetable, to sign all pending cooperation agreements with IP Offices using WIPO systems and tools.		W. Meredith	See recommendations 3 and 7.	End 2017
9.	The IP Office Business Solutions Division should Update their project management guidelines and templates on the WIKI <sup>12</sup> space to include: (a) Mandatory establishment of risk registers, including a template for that purpose; and (b) Regular update of risk assessments during the lifecycle of projects, in line with Prince 2 and project management good practices.		W. Meredith	The guidelines should include a categorization of project with criteria to determine which level of project management is required for different types of projects.	September 2016

<sup>12</sup> Business Solutions for IP Offices' customizable web space for collaborative work and information sharing.

No	Recommendations	Priority	Person(s) Responsible	Management Comments and Action Plan	Deadline
10.	The IP Office Business Solutions Division should implement a feedback mechanism for assessing the performance of Technical Support services.		D. Cheng	Different options need to be considered, including regular surveys, automatic feedback on tickets, or random sampling.	Dec 2016
11.	The IP Office Business Solutions Division should: (a) Identify and implement initiatives that would contribute towards increasing gender mainstreaming in its program activities; and (b) Work with the Human Resource Management Department to address the current gender gap in the professional staffing category.		W. Meredith	The Quality Assurance Framework for training (recommendation 5) will include gender statistics on participants in training and other events. The long-term HR strategy (recommendations 2 and 4) will include consideration of the gender balance.	Dec 2016 July 2017
12.	The IP Office Business Solutions Division should, in close cooperation with the Business Intelligence team of the Department of Program Planning and Finance (DPPF), develop and implement analytical reports that meet the needs of the Program.		W. Meredith	Initial discussions and planning need to be done to further define the requirements and determine timelines.	September 2016
13.	The IP Office Business Solutions Division should: (a) Develop a clear plan including criteria, resource needs, and timelines to support the implementation of impact assessments of IP Offices; and (b) Work with the DPPF to ensure that performance indicators are relevant, and aligned with both, the activities of the Program, and the criteria set for impact assessments.		W. Meredith	(a) The work plan for 2017 will include resources (if available) for further evaluations in 2017. (b) Performance indicators and criteria will be reviewed for the 2018/2019 biennium.	May 2017

**LIST OF ANNEXES**

<b>Annex I</b>	Risk Rating and Priority of Audit Recommendations
<b>Annex II</b>	Consolidated Result of the Survey on WIPO Business Solutions for IP Offices

[Annexes follow]

**ANNEX I: RISK RATING AND PRIORITY OF AUDIT RECOMMENDATIONS**

The risk ratings in the tables below are driven by the combination of likelihood of occurrence of events and the financial impact or harm to the Organization’s reputation, which may result if the risks materialize. The ratings for audit recommendations are based on the control environment assessed during the audit.

**Table 1.1: Effectiveness of Risks/ Controls and Residual Risk Rating**

		Compound Risk Rating (Likelihood x Impact)			
		Low	Medium	High	Very High
Control Effectiveness	Low	Low	Medium	High	Very High
	Medium	Low	Medium	High	High
	High	Low	Low	Medium	Medium

**Table 1.2: Priority of Audit Recommendations**

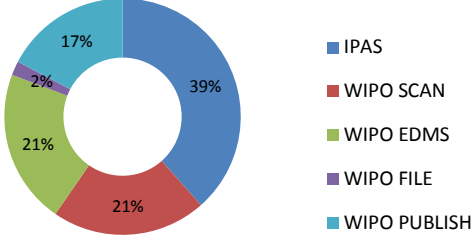
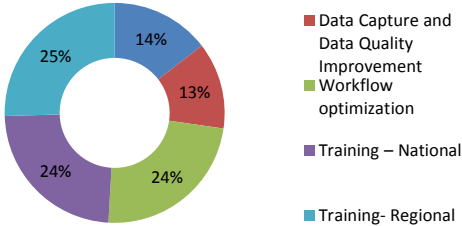
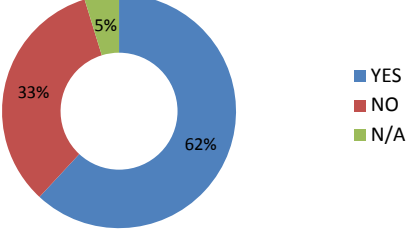
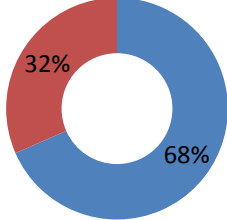
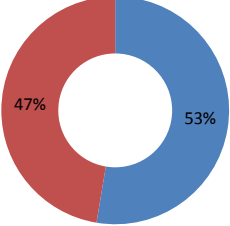
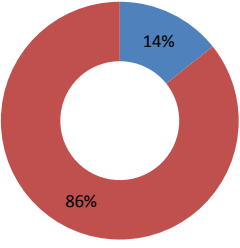
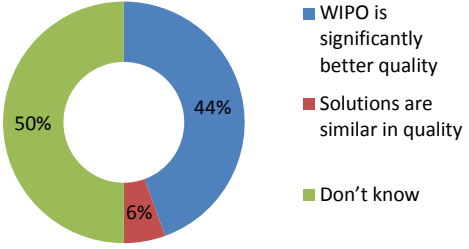
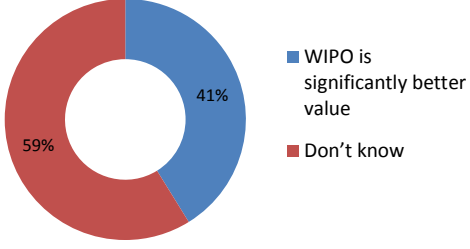
Priority of Audit Recommendations	Residual Risk Rating
Requires Immediate Management Attention	Very High
Requires Urgent Management Attention	High
Requires Management Attention	Medium
Routine in Nature	Low

[Annex II follows]



**ANNEX II: CONSOLIDATED RESULT OF THE SURVEY ON WIPO BUSINESS SOLUTIONS FOR IP OFFICES**

**Participating Organizations: 21**

<p><b>1. What WIPO Business Solutions Products/Services do you currently use?</b></p>  <ul style="list-style-type: none"> <li>■ IPAS</li> <li>■ WIPO SCAN</li> <li>■ WIPO EDMS</li> <li>■ WIPO FILE</li> <li>■ WIPO PUBLISH</li> </ul>	<p><b>2. What other services have you received from WIPO Business Solutions?</b></p>  <ul style="list-style-type: none"> <li>■ Digitization of IP records</li> <li>■ Data Capture and Data Quality Improvement</li> <li>■ Workflow optimization</li> <li>■ Training – National</li> <li>■ Training- Regional</li> </ul>
<p><b>3. Has your IP Office signed a formal agreement with WIPO for the provision of business solutions' products/services?</b></p>  <ul style="list-style-type: none"> <li>■ YES</li> <li>■ NO</li> <li>■ N/A</li> </ul>	<p><b>4. Did your IP Office establish a project plan for the deployment of WIPO business solutions, with agreed roles and responsibilities, cost allocation, timelines ?</b></p>  <ul style="list-style-type: none"> <li>■ YES</li> <li>■ NO</li> </ul>
<p><b>5. Did your IP Office conduct a post-project evaluation following the deployment of WIPO business solutions, to determine the effectiveness and results of the project?</b></p>  <ul style="list-style-type: none"> <li>■ YES</li> <li>■ NO</li> </ul>	<p><b>6. Are you aware of alternatives to WIPO's business solutions offerings?</b></p>  <ul style="list-style-type: none"> <li>■ YES</li> <li>■ NO</li> </ul>
<p><b>7. Compared with the next best alternative, what is your perception of the quality of WIPO Business Solutions?</b></p>  <ul style="list-style-type: none"> <li>■ WIPO is significantly better quality</li> <li>■ Solutions are similar in quality</li> <li>■ Don't know</li> </ul>	<p><b>8. Compared with the next best alternative, what is your perception of the cost of deploying and maintaining WIPO Business Solutions?</b></p>  <ul style="list-style-type: none"> <li>■ WIPO is significantly better value</li> <li>■ Don't know</li> </ul>

