APPENDIXES - PROJECT EVALUATION:

Intellectual Property (IP) Management and Transfer of Technology: Promoting the Effective Use of IP in Developing Countries, Least Developed Countries and Countries with Economies in Transition

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APPENDIX I EVALUATION MATRIX

DESIGN			
EVALUATION ASPECTS	KEY INDICATORS/QUESTIONS	DATA COLLECTION TECHNIQUES	STAKEHOLDERS INVOLVED
Validity of project design	▪ Clarity of conceptualization ▪ Appropriateness of methodology ▪ Clear and effective organization and complementarities ▪ Inclusion of transferring models of intervention, promising practices, and lessons learned ▪ DA project adjustments to changes (context, priorities…)	▪ Document review ▪ Interviews	▪ Project management and staff in WIPO ▪ WIPO evaluation management team ▪ Country focal points ▪ Cross-cutting issues focal points ▪ WIPO Secretariat ▪ Member States
Does the initial project document serve as a guide for project implementation?	▪ Quality of description and alignment of activities, outcomes/outputs, indicators, objectives in the project document and the log frame ▪ Realism of assumptions and risks ▪ Institutional arrangements, expectations, roles, capacity, and commitment of stakeholders.	▪ Document review ▪ Interviews	▪ Project management and staff in WIPO ▪ Country focal points ▪ Cross-cutting issues focal points
Were the project monitoring, self-evaluation and reporting tools useful and adequate to provide the project team and key stakeholders with	▪ Usefulness of project indicators and means of verification ▪ Relevance of the information from monitoring and reporting tools for decision-making purposes	▪ Document review ▪ Interviews	▪ Project management and staff in WIPO ▪ Country's focal points ▪ Cross-cutting issues focal points

relevant information for decision-making purposes?			▪ Implementing partner agencies (academia, entrepreneurs, investors)
To what extent other entities within the Secretariat have contributed and enabled an effective and efficient project implementation?	▪ Contribution of other entities within the Secretariat in project implementation ▪ Level of engagement and participation ▪ Institutional arrangements, expectations, roles, capacity, and commitment of other entities	▪ Document review ▪ Interviews	▪ Project management and staff in WIPO ▪ WIPO's Secretariat ▪ Cross-cutting issues focal points
To what extent the risks identified in the initial project document have been materialized or have been mitigated?	▪ Identification of risks, external factors, and assumptions ▪ Realism of risks, external factors, and assumptions ▪ Mitigation measures	▪ Document review ▪ Interviews	▪ Project management and staff in WIPO ▪ Country's focal points ▪ Cross-cutting issues focal points ▪ Implementing partner agencies (academia, entrepreneurs, investors)
Has the project the ability to respond to emerging trends, technologies, and other external forces?	▪ Consideration of emerging trends, technologies, and other external factors ▪ Quality of problems and needs analysis	▪ Document review ▪ Interviews	▪ Project management and staff in WIPO ▪ Country's focal points ▪ Cross-cutting issues focal points ▪ Implementing partner agencies (academia, entrepreneurs, investors)
To what extent a strategy for sustainability of the project' results has been clearly defined at the design stage of the project	▪ To what extent a phase-out strategy has been defined and planned, and what steps have been taken to ensure sustainability. ▪ Were these strategies articulated/explained to stake holders.	▪ Document review ▪ Interviews	▪ Project management and staff in WIPO ▪ WIPO's Secretariat ▪ Country's focal points ▪ Cross-cutting issues focal points

EFFECTIVENESS			
EVALUATION ASPECTS	KEY INDICATORS/QUESTIONS	DATA COLLECTION TECHNIQUES	STAKEHOLDERS INVOLVED
To what extent has the project been effective for training researchers, developers, and entrepreneurs on three range of available IP tools? How such tools can be used to support related endeavors?	▪ Capacities: researchers, developers, and entrepreneurs ▪ Number of researchers, developers, and entrepreneurs that have been trained ▪ Number of research carried out, products developed and registered after the training ▪ The usefulness of tools to support endeavors ▪ Degree and type of efforts	▪ Document review ▪ Interviews ▪ Focus groups interviews	▪ Project management and staff in WIPO ▪ Country's focal points ▪ Implementing partner agencies (academia, entrepreneurs, investors) ▪ Direct beneficiaries
Has the project been able to raise awareness among entrepreneurs, financial institutions, venture capitalists, and other investors on using IP as an asset and collaboration tool by furthering the exchange of knowledge and experience?	▪ Number of new exchanges of knowledge and experience among entrepreneurs, financial institutions, venture capitalists and other investors ▪ Visits to the project's website ▪ How well has the project helped to coordinate and collaborate among entrepreneurs, financial institutions, venture capitalists, and other investors? ▪ Number and type of awareness-raising activities, actions, documents, etc. ▪ Consultation's process undertaken to ensure active involvement of entrepreneurs, financial institutions, venture capitalists, and other investors	▪ Document review ▪ Interviews ▪ Focus groups interviews	▪ Project management and staff in WIPO ▪ Country's focal points ▪ Implementing partner agencies (academia, entrepreneurs, investors) ▪ Direct beneficiaries
To what extent are the tools and procedures developed in	▪ Validity of the tools and procedures developed	▪ Document review	▪ Project management and staff in WIPO ▪ Country's focal points

the context of the project effectiveness with the aim to protect IP rights in mobile applications, including mediation and arbitration?	▪ Did the tools and procedures contribute to protect IP rights in mobile apps? ▪ Did this contribute to the overall effectiveness of the project?	▪ Interviews Focus groups interviews	▪ Implementing partner agencies (academia, entrepreneurs, investors) ▪ Direct beneficiaries
Delivery of the projects outputs in terms of quality quantity, and timeliness	▪ Timely delivery of activities ▪ Delivery of project outputs ▪ Quality and quantity of outputs delivered.	▪ Document review ▪ Interviews ▪ Focus groups interviews	▪ Project management and staff in WIPO ▪ Country's focal points ▪ Implementing partner agencies (academia, entrepreneurs,) ▪ Direct beneficiaries
To what extent have the specific objectives been achieved?	▪ Quality and quantity of outputs delivered. ▪ Effectiveness of the Projects (at country levels) and project activities in contributing to the project meeting its outputs and immediate objectives. ▪ Project´s contribution to enhancing the use of IP in support of mobile apps by training researchers, developers, and entrepreneurs on the range of available IP tools. ▪ Project´s contribution to raising awareness among entrepreneurs, financial institutions, venture capitalists, and other investors on using IP as an asset and collaboration tool ▪ Project´s contribution to building respect for IP in the software sector by educating researchers, developers, and entrepreneurs on tools and procedures for effectively	▪ Document review ▪ Interviews ▪ Focus groups interviews	▪ Project management and staff in WIPO ▪ Country's focal points ▪ Implementing partner agencies (academia, entrepreneurs, ▪ Direct beneficiaries

	protecting IP rights in mobile apps, including mediation and arbitration.		
Have there been unforeseen or unintended outputs/results/ consequences?	▪ Have the assumptions required to translate project results into the project purpose been realized? If not, why, and how did this affect the project? ▪ If there were unforeseen results, how did that happen, and what were the implications for all stakeholders and what was the impact?	▪ Document review ▪ Interviews ▪ Focus groups interviews	▪ Project management and staff in WIPO ▪ Country's focal points ▪ Implementing partner agencies (academia, entrepreneurs, ▪ Direct beneficiaries

SUSTAINABILITY			
EVALUATION ASPECTS	KEY INDICATORS/QUESTIONS	DATA COLLECTION TECHNIQUES	STAKEHOLDERS INVOLVED
Design and implementation of the project's sustainability strategy	▪ To what extent a phase-out strategy has been defined and planned ▪ What steps have been taken to ensure sustainability? ▪ Were these strategies articulated/explained to stakeholders. ▪ Level of implication of the beneficiary' countries in the design and implementation of the project activities	▪ Document review ▪ Interviews ▪ Focus groups Interviews	▪ Project management and staff in WIPO ▪ Country's focal points ▪ Cross-cutting issues focal points ▪ Implementing partner agencies (academia, entrepreneurs.)
What is the likelihood of continued use of the tools	▪ Grade of success of the tools developed ▪ Utility of the tools and materials developed	▪ Document review	▪ Project management and staff in WIPO ▪ Country's focal points

developed in the project to ensure continuous use of the IP system as an effective tool for socio-economic development?	▪ Awareness of the use of the IP system as an effective tool for socio-economic development	▪ Interviews ▪ Focus Groups Interviews	▪ Implementing partner agencies (academia, entrepreneurs.)
Potential good practices and models of intervention	What are the good practices, lessons learned in terms of sustainability? ▪ Institutional ▪ Technical ▪ Policy ▪ Financial ▪ Local Ownership	▪ Document review ▪ Interviews ▪ Focus Groups Interviews	▪ Project management and staff in WIPO ▪ Country's focal points ▪ Implementing partner agencies (academia, entrepreneurs) ▪ Direct beneficiaries

[Appendix II follows]

APPENDIX II INTERVIEW GUIDES AND CONSULTATION PROTOCOLS

Introduction to the Interview Guides

Interviews and focus groups with key stakeholders will be based on qualitative questions that will be open-ended, that is, the respondents will provide their responses in his/her own words, in order to get in-depth information about their perceptions, insights, attitudes, experiences, or beliefs regarding the project.

Interviews/focus groups will also be useful to follow-up with questions the evaluator may have after analyzing data from other evaluation methods such as document review.

The evaluator may ask the same question to different individuals or informant categories to compare their responses and analyze how these individual differences may reflect on the project.

The items included in the interview guide are exhaustive but generic. As the interview guides are intended to help the evaluator develop semi-structured interviews/focus groups, it **will be adapted depending on the profile and attitudes of the respondent; and the results of previous interviews** with other stakeholders in order to help focus each interview.

I. INTRODUCTION TO THE INTERVIEW

Thank you for participating in this interview. My name is **<insert name>**. I am the consultant conducting the DA Project on IP and Mobile Apps evaluation.

The purpose of this interview is to help me to better understand the project, its results, and its effects in **<specify name of the country>**. To do so, I would like you to respond to some questions, **based on your experience and perspective** as a stakeholder on the DA Project on IP and Mobile Apps.

Your answers will be treated in strict **confidentiality**.

The evaluator will ask the respondent to introduce himself/herself and his/her role/participation in the project.

Do you have any questions before we begin?

II. EVALUATION QUESTIONS

General

1. What is your role? How does your work relate to or address the DA Project?

2. In your view, what have been the three most relevant changes in the IP landscape since 2018 that have affected WIPO's work in relation to the DA Project on IP and Mobile Apps?

3. **General assessment** on the DA Project: **Strengths** and **weaknesses**

4. How has the DA Project on IP and Mobile Apps responded to positive and negative factors (both foreseen and unforeseen) that arose throughout the 2.5 years of implementation?

5. What do you consider are the main results obtained with the DA Project on IP and Mobile Apps?

DA Project

DESIGN

6. Validity and quality of the **project design**

7. What is the degree and level of interaction with different stakeholders while designing the DA project on IP and Mobile Apps?

8. Was the projects' design logic and coherent?

    - Are/Were the objectives of the project clear, realistic, and likely to be achieved within the established time schedule and with the allocated resources (including human resources)?

    - How relevant are/were projects indicators and means of verification?

    - Are/Were the expectations of the roles, capacity and commitment of stakeholders realistic and likely to be achieved?

9. Does the initial project document serve as a guide for project implementation?

10. Was the project monitoring, self-evaluation and reporting tools useful and adequate to provide the project team and key stakeholders with relevant information for decision-making purposes?

11. To what extent other entities within the Secretariat have contributed and enabled an effective and efficient project implementation?

12. To what extent the risks identified in the initial project document have been materialized or mitigated?

13. Has the project the ability to respond to emerging trends, technologies and other external forces?

14. Has the **strategy for sustainability** of the project's results been defined clearly at the design stage of the project?

ACHIEVEMENTS (IMPLEMENTATION AND EFFECTIVENESS) OF OBJECTIVES

General

15. **Results (planned or unplanned)** obtained by the project

16. Asses the delivery of the project in terms of **quality and quantity**; have the outputs been delivered in a **timely** manner?

17. Has the project **achieved** its immediate objectives and planned targets?

18. How has the project responded to **positive and negative factors** (both foreseen and unforeseen) **that arose throughout the implementation process**?

19. Were the project **team able to adapt** the implementation processes in order to overcome these obstacles without hindering the effectiveness of the project?

20. In general, did the results obtained justify **the costs incurred**?

21. What was the role-played by the **Government, academia, researchers, entrepreneurs, and investors?**

22. To what extent has the project been effective for training researchers, developers, and entrepreneurs on three ranges of available IP tools?
How can such tools be used to support related endeavors?

23. Has the project been able to raise awareness among entrepreneurs, financial institutions, venture capitalists, and other investors on using IP as an asset and collaboration tool by furthering the exchange of knowledge and experience?

24. To what extent are the tools and procedures developed in the context of the project effective and useful to effectively protect IP rights in mobile applications, including mediation and arbitration?

25. Have there been **barriers** to implementing the DA Project on IP and Mobile Apps?

SUSTAINABILITY

26. Did the project implement a **sustainability strategy?**

27. What **is the potential to sustain the gains of the project** beyond its life and what **measures are needed** to ensure this?

28. What contributions has the project made in **strengthening the capacity and knowledge of stakeholders** and to encourage **ownership** of the project by partners?

29. What is the likelihood of continued use of the tools developed in the project to ensure continuous use of the IP system as an effective tool for socio-economic development?

Lessons learned

Main lessons learned that could inform future projects

Good practices

Emerging good practices that could inform future projects

What's next/Recommendations

30. What are the **remaining challenges and deficits**?

31. Does the organization need **further external support** to improve project design and implementation.

32. In that case, what could be the **DACD contribution**?

33. And the **WIPO Secretariat?**

34. Can you share any recommendation that could benefit the WIPO's planning process and implementation?

35. Are there any other issues you would like to address/discuss?

[Appendix III follows]

APPENDIX III DOCUMENTS CONSULTED AND DATA SOURCES

CDIP/22/8 Project Proposal on IP in the Software Sector proposed by Kenya

CDIP/24/2 Progress Report (2019)

CDIP/26/2 Progress Report (2021)

Garrote Fernández-Díez, Ignacio. Peer Review. Intellectual Property and Mobile Applications

Shemtov, N (2019) Scoping Study on Availability and Use of Intellectual Property Tools to protect mobile applications in the three beneficiary countries namely: Kenya, Trinidad and Tobago and the Philippines.

WIPO (2021) A Guide to Data Protection in Mobile Applications

WIPO (1979) WIPO Convention

WIPO (2019) Evaluation Manual

WIPO (2020) Evaluation Policy

WIPO (2020) Guide on Alternative Dispute Resolution for Mobile Application Disputes

WIPO (2020) Handbook on Key Contracts for Mobile Applications – a developer's perspective

WIPO (2021) IP Toolbox for Mobile Applications Developers

WIPO (2021) Medium-Term Strategic Plan (MTSP) 2022-2026

WPO (2022) Program of Work and Budget for 2022/23

WIPO (2021) The role of Intellectual Property Rights in the development and commercialization of Mobile Applications

WIPO (2021) Tool on the financing of Intellectual Property -Based Mobile Apps

WIPO (2021) Tool Open Source

[Appendix IV follows]

APPENDIX IV TERMS OF REFERENCE

Title of Assignment:	Project Evaluation: Enhancing the Use of IP for Mobile Apps in the Software Sector
Name of unit/sector:	Development Agenda Coordination Division (DACD), Regional and National Development Sector, Word Intellectual Property Organization (WIPO), Geneva
Place of Assignment:	Madrid, Spain (Home-based)
Expected places of travel (if applicable):	During the assignment, you may be undertaking one mission to WIPO Headquarters; Geneva, Switzerland (dates to be determined)
Expected duration of assignment:	From January 3 to May 20, 2022

1. Objective of the assignment

The present document represents the Terms of Reference (ToR) for the evaluation of the project on Enhancing the Use of IP for Mobile Apps in the Software Sector, approved during the 22nd session of the Committee on Development and Intellectual Property (CDIP), held in Geneva, in November 2018.

The aim of the project was to enhance the use of IP in the software sector to support economic growth in the three beneficiary countries (the Philippines, Kenya and Trinidad and Tobago) by providing tools that could also be used in other countries. Through its activities and deliverables, the project aimed at building software sector stakeholders' knowledge and expertise on when and how to use various IP tools in support of developing and commercializing mobile applications; and at creating linkages among beneficiary countries and within each country between IP offices, ICT hubs, research institutions and industry.

The project was articulated in the following phases:

1. Development of a scoping study that assessed the situation in each of the participating countries and informed project activities, deliverables and targets;

2. Development of a WIPO publication on IP and Mobile Applications;

3. Delivery of capacity-building activities on IP commercialization, key contracts in the mobile applications sector, and mediation and arbitration in the software sector;

4. Development of basic awareness raising material targeting computer science students at secondary schools, universities and other research institutions in beneficiary countries;

5. Fostering the exchange of knowledge and experience among software sector stakeholders on the use of IP;

6. Conducting Mentoring programs connecting experienced business leaders and specialized lawyers volunteering to assist software start-ups in the beneficiary countries;

7. Development of an IP toolbox;

8. Delivery of an online platform to foster international exchanges of IP knowledge and good practices in the software sector;

9. Delivery of other workshops, coordination meetings, and video conferences.

The project was implemented under the supervision of the Project Manager, Mr. Dimiter Gantchev, Deputy Director and Senior Manager, Information and Digital Outreach Division, Copyright and Creative Industries Sector.

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

The main objective of this evaluation is two-fold:

1. Learning from experiences during project implementation: what worked well and what did not work well for the benefit of continuing activities in this field. This includes assessing the project design framework, project management, including monitoring and reporting tools, as well as measuring and reporting on the results achieved to date and assessing the likelihood of sustainability of results achieved; and

2. Providing evidence-based evaluative information to support the CDIP's decision-making process.

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

(a) Enhancing the use of IP in support of mobile applications sector by training researchers, developers and entrepreneurs on the range of available IP tools, and how such tools can be used to support related endeavours.

(b) Raising awareness among entrepreneurs, financial institutions, venture capitalists and other investors on using IP as an asset and collaboration tool by furthering the exchange of knowledge and experience.

(c) Building respect for IP in the software sector by educating researchers, developers and entrepreneurs on tools and procedures for effectively protecting IP rights in mobile applications, including mediation and arbitration.

<u>Project Design and Management</u>

1. The appropriateness of the initial project document as a guide for project implementation and assessment of results achieved;

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;

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

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

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

Effectiveness

1. The effectiveness of the project in training researchers, developers and entrepreneurs on the range of available IP tools, and how such tools can be used to support related endeavours;

2. The effectiveness of the project in raising awareness among entrepreneurs, financial institutions, venture capitalists and other investors on using IP as an asset and collaboration tool by furthering the exchange of knowledge and experience;

3. The effectiveness and usefulness of the tools and procedures developed in the context of the project, for effectively protecting IP rights in mobile applications, including mediation and arbitration.

Sustainability

The likelihood of continuation of the use of tools developed in the project to ensure continuous use of the IP system in the software and mobile apps sector, as an effective tool to for economic development.

Implementation of Development Agenda (DA) Recommendations

The extent to which the DA Recommendations 11, 23, 24, and 27 have been implemented through this project.

The project timeframe considered for this evaluation is 36 months, starting from January 1, 2019. The project was finalized at the end of December 2021.

The focus of this evaluation shall not be on assessing individual activities but rather to evaluate the project as a whole and its contribution in assessing the needs of Member States and identify the resources or the means to address those needs. The evaluation will also assess the project's evolution over time and its performance including project design, project management, coordination, coherence, implementation and results achieved.

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

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

1. Desk review of relevant project related documentation including the project framework (initial project document and study), progress reports, monitoring information, and other relevant reports and documents.

2. Interviews with the WIPO Secretariat (project manager, DACD, other entities contributing to the project, etc.); and

3. Stakeholder interviews at a beneficiary-country level.

2. Deliverables/services

The Evaluator will be responsible for delivering the evaluation report as described above in accordance with other details provided in this document.

The evaluator will deliver:

1. An inception report which contains a description of the evaluation methodology and methodological approach; data collection tools (including eventual surveys of beneficiaries and stakeholders); data analysis methods; key stakeholders to be interviewed; additional evaluation questions; performance assessment criteria; and evaluation work plan;

2. draft evaluation report with actionable recommendations deriving from the findings and conclusions;

3. final evaluation report; and

4. comprehensive executive summary of the final evaluation report, structured as follows:

(i) description of the evaluation methodology used;

(ii) summary of key evidence-based findings centered on the key evaluation questions;

(iii) conclusions drawn based on the findings; and

(iv) recommendations emanating from the conclusions and lessons learned.

This project evaluation is expected to start on January 5, 2022, and be finalized on March 10, 2021. The reporting language will be English. The final evaluation report, including the executive summary, should not exceed 3,300 words.

3. Reporting

The Evaluator will be under the supervision of Mr. Georges Ghandour, Senior Counselor, Development Agenda Coordination Division. In addition, the evaluator shall:

(a) Work closely with the DACD and coordinate with the relevant Program Managers in WIPO as required; and

(b) Ensure the quality of data (validity, consistency and accuracy) throughout the analytical reporting phases (inception report and final evaluation report).

4. Profile

Ms. Carolina Del Campo Vara holds a Masters Degree in Evaluation of Programs and Public Policies. She has extensive skills and experience of all aspects of project design, program evaluation, project management, organizational assessment, policy analysis, approving final

programming documents; project management from identification to implementation, etc. Ms. Del Campo Vara is strongly familiar with the work of UN agencies and international organizations, which she acquired while working with UNFPA, UN Women, ILO-Better Work, and others. In addition to her experience in conducting evaluations, Ms. Del Campo Vara has long-standing experience working with and providing technical assistance to Government, Ministries, Head of Departments and Civil Society.

5. Duration of contract and payment

The contract will start on January 3, 2022, and will end on May 20, 2022. During this period, the following schedule should be followed:

The inception report should be submitted to WIPO by January 25, 2022. WIPO's feedback shall be communicated back by January 28, 2022. The draft evaluation report shall be submitted to WIPO by February 25, 2022. Factual corrections on the draft will be provided by March 2, 2022. The final evaluation report shall be submitted by March 10, 2022.

The final version of the evaluation report containing a management response in an annex shall be considered by the twenty-eight session of the CDIP, scheduled to take place from May 16 to 20, 2022. The Evaluator might be required to present the evaluation report during that CDIP session.

The Evaluator will receive a lump sum of 10,000 Swiss francs, payable in two instalments:

1. 40% upon acceptance by WIPO of an inception report;

2. 40% upon acceptance by WIPO of a final evaluation report;

3. 20% after the presentation of the final report to the Committee on Development and Intellectual Property (CDIP) (May 2022).

The payment will be subject to the satisfactory reception of the deliverables as per this ToR and upon completion of the tasks outlined therein.

[End of appendixes and of document]