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Committee on Development and Intellectual Property (CDIP)

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COMPLETION REPORT OF THE PROJECT ON ENHANCING THE USE OF INTELLECTUAL PROPERTY FOR MOBILE APPLICATIONS IN THE SOFTWARE SECTOR

prepared by the Secretariat

1.   The Annex to the present document contains the completion report of the Development Agenda (DA) project on Enhancing the Use of Intellectual Property (IP) for Mobile Applications (Apps) in the Software Sector. The report covers the entire period of the project implementation, i.e. from January 2019 to December 2021.

2.   *The CDIP is invited to take note of the information contained in the Annex to this document.*

[Annex follows]

PROJECT SUMMARY	
Project Code	DA_4_11_23_24_27_01
Title	Enhancing the Use of Intellectual Property (IP) for Mobile Apps in the Software Sector
Development Agenda Recommendation	*Recommendation 4*: Place particular emphasis on the needs of small and medium-sized enterprises (SMEs) and institutions dealing with scientific research and cultural industries and assist Member States, at their request, in setting-up appropriate national strategies in the field of intellectual property. *Recommendation 11*: To assist Member States to strengthen national capacity for protection of domestic creations, innovations and inventions and to support development of national scientific and technological infrastructure, where appropriate, in accordance with WIPO's mandate. *Recommendation 23*: To consider how to better promote procompetitive intellectual property licensing practices, particularly with a view to fostering creativity, innovation and the transfer and dissemination of technology to interested countries, in particular developing countries and LDCs. *Recommendation 24*: To request WIPO, within its mandate, to expand the scope of its activities aimed at bridging the digital divide, in accordance with the outcomes of the World Summit on the Information Society (WSIS) also taking into account the significance of the Digital Solidarity Fund (DSF). *Recommendation 27*: Facilitating intellectual property -related aspects of ICT for growth and development: Provide for, in an appropriate WIPO body, discussions focused on the importance of intellectual property -related aspects of ICT, and its role in economic and cultural development, with specific attention focused on assisting Member States to identify practical intellectual property related strategies to use ICT for economic, social and cultural development.
Project Budget	Total non-personnel cost: 361,000 Swiss francs
Project Duration	36 months
Key WIPO Sectors/Areas Involved in the Project Implementation	Copyright and Creative Industries Sector Programs 1; 2; 3; 7; 11; 17 and 30 in the Program of Work and Budget for 2020/21. DA_7_23_ 32_01; DA_19_24_27_01; DA_1_2_4_10_11_01; DA_1_2_4_10_11_02.
Brief Description of the Project	The project aimed at enhancing the use of IP in the software sector, in particular in relation to mobile applications, by providing a set of tools that could further support economic growth in the three beneficiary

	countries. Through its activities and deliverables, the project built capacities of stakeholders in the mobile apps sector, on when and how to use various IP tools in support of developing and commercializing mobile applications. The project created linkages among beneficiary countries and within each country between IP offices, ICT hubs, research institutions and industry representatives. Originally proposed by Kenya at the 21st session of the CDIP (document CDIP/21/7), the project was developed further to respond to the comments made by Member States during that session. Hence, a revised version was considered and approved by the CDIP at its 22nd session.
Project Manager	Mr. Dimiter Gantchev, Deputy Director and Senior Manager, Information and Digital Outreach Division, Copyright and Creative Industries Sector
Links to Expected Results in the Program and Budget (2020/21)	E.R. III.2 Enhanced human resource capacities able to deal with the broad range of requirements for the effective use of IP for development in developing countries, LDCs and countries with economies in transition. E.R. IV.2 Enhanced access to, and use of, IP information by IP institutions and the public to promote innovation and creativity. E.R. III.6. Increased capacity of SMEs, universities and research institutions to successfully use IP to support innovation.
Overview of the Project Implementation	The project was implemented in three organic phases, namely: Phase 1: During the first phase of project implementation, the organizational structure of the project was set up. That included: establishing reporting lines and appointing national focal points; carrying out of a scoping study to identify specific issues in the beneficiary countries; carrying out first workshops in the beneficiary countries to provide an overview of the IP issues in relation to mobile apps; introducing the issues to the stakeholders; and establishing a dialogue with them. Phase 2: The second phase was dedicated to producing the tools envisaged in the project document; preparing the platform for communication between the stakeholders; launching the website of the project; and strategizing on the impact of the pandemic on the project implementation. During this phase, since holding activities on the ground was not possible, beneficiary countries requested to develop more tools. Five educational modules on the relevance of IP have been developed and made available online for students and developers. In addition, during this phase, cooperation with international partners, in particular to offer mentoring possibilities, was intensified.

	Phase 3: All tools envisaged in the project document were developed. In addition, at the request and based on the needs of the beneficiary countries, three additional tools were developed in the course of the project implementation. Numerous webinars were organized in the beneficiary countries on all the topics covered by the tools (IP commercialization, Alternative Dispute Resolution, etc). The platform for exchanges between stakeholders was made functional, and exchanges between stakeholders in the beneficiary countries were initiated.
	Major events were held in each country with online contributions and participation of international partners. The website and of the infographics developed under the project registered an active use. Activities took place with the view of supporting organizational efforts to represent the interests of mobile app developers in the beneficiary countries.
Key Results and Impact of the Project	The following were the key achievements of the project: - it improved the understanding among app developers in the beneficiary countries on the relevance and benefits of IP protection of their work. 98% of participants assessed the project positively and 93% considered that it had achieved its objectives, while 92% viewed it as useful for their field of work. - it produced and made available practical tools – by the end of February, there were 17,922 total number of downloads of the tools and materials developed through the project. - 92% of participants rated positively the outputs of the project, which introduce best practices from around the world. This is an indication of sustainability of the project outputs. Moreover, the following key results by output could be highlighted: - The Scoping Study on the Availability and Use of IP Tools to protect Mobile Apps in the beneficiary countries was an important point of departure in the project implementation. It revealed that the app developer community in the three beneficiary countries was not well organized, and that many of the developers were not resorting to IP protection. It also showed that data relevant to the project was largely not available. The conclusions of the study were subsequently used throughout the project implementation. The Study registered 4,792 downloads from the project website. It continued to generate interest throughout the entire implementation period.

- The Study on IP and Mobile Applications was made available as a document at an early stage of the project implementation, and became a reference material for all project activities.

  It was later published as an official WIPO publication and registered 958 downloads in the period from April to December, 2021. 96% of users found that the publication was useful and that there was demand for its use outside the beneficiary countries. The publication is now being translated into the 6 official UN languages.

- The charts, providing an overview of the typology of IP rights available to developers, were prepared at the early stages of the project. They were later on enriched with some infographics focusing on the role of copyright and trademarks for app developers, which are better appreciated by this community. 96% of participants in the surveys rated them useful. The charts had 1,367 downloads.

- The training tool on the Role of IP in the Development and Commercialization of IP based Mobile Apps was among the preferred topics by participants for many of the webinars and capacity building activities that were organized in the context of the project. The tool focused on the lifecycle of an app demonstrating the applicability of IP at each stage.

  It was positively appreciated by 96% of respondents in the activities of the project and had 880 downloads.

- The training module on Key Contracts in the Mobile Applications sector focused on practical advice to creators of apps on how to ensure the respect of their interests in the development process.

  The module, which ultimately became a Handbook, was found very useful by 94% of participants in project activities and had 3,841 downloads.

- The Guide on Arbitration and Mediation were originally meant to address two different types of users. In the course of the project, it was agreed with the beneficiaries to present the material as one single tool, enabling a more comprehensive approach to address the issue.

  The Guide on Alternative Dispute Resolution for Mobile Applications Disputes had 1,475 downloads and was actively used throughout the project implementation.

- A dialogue with financial institutions, venture capitalists and investors was launched by each of the beneficiary country individually. While in some there was policy support for using available funding structures, in others the dialogue was more oriented towards supporting individual projects in the future. The restrictions imposed by the COVID-19 pandemic during the major part of the project implementation period impeded organization of in-person meetings that would have allowed to present the project to important funding partners in the private sector.

- Connecting the ICT hubs in beneficiary countries was based on the assumption that they would be very interested in participating in the project and would engage in the activities. It was discovered that ICT hubs, where available, were mostly focusing on IT issues, while IP was not of major interest to them. Due to the significant difference in time zones of the beneficiary countries, only one common event with the participation of all beneficiary countries was organized during the project implementation. The aim was to provide a platform for exchange of specific perspectives and experiences from each beneficiary country, including from stakeholders from the IT sector. However, each web-based activity was also advertised by the other beneficiary countries, and participation from them was recorded in every web-based activity throughout the project.

- The IP awareness material for students was developed in the form of [five modules](#), which were made available through the WIPO website.
  The learning resources had 3,171 downloads and were widely used by academics and other training institutions in the beneficiary countries. 96% of users assessed positively the awareness materials.

- The mentoring programs took the forms of:
  a) participation of experienced developers from developed economies in the activities of the project;
  b) direct interaction of participants on practical aspects; c) a list with projects and beneficiaries, interested in participating in further exchanges was drawn and submitted to potential mentors. Three companies and one association representing multiple companies from around the world actively participated in the exchange.

Through facilitation, a number of positive exchanges were initiated and 89% of participants indicated interest to be involved in future mentorship programs and activities.

- The IP Toolbox for Mobile App Developers was developed as a comprehensive tool with legal options. Its introductory and representative character enabled multiple uses as a topic for different activities throughout the project.

  The tool was positively assessed by 96% of participants and had 1,241 downloads.

- The online platform was made available to developers in the beneficiary countries and will continue to serve as a forum for discussion on aspects of interest to the mobile app community even after the completion of the project. 95% of the participants assessed positively the platform.

- Three workshops were held in the beneficiary countries during the first year of the project. In view of travel restrictions, the activities throughout the rest of the project implementation period were web-based.

  The total number of workshops and webinars per beneficiary country were as follows: in Kenya – five; in the Philippines – seven; and in Trinidad and Tobago – four.

  54.67% of participants in these activities were women and 91% of participants rated positively the workshops/webinars.

A coordination meeting of focal points was held only once in Geneva in 2019. Throughout the project implementation, coordination meetings were held on a regular basis (once a month or every two months) or in relation to the forthcoming activities. The meetings were efficient and enabled taking quick decisions on project delivery. On average, throughout the project, there was 30% female participation in the coordination meetings of Focal Points.

Over and above the planned outputs and with the view of optimizing the use of resources, and as per the wishes expressed by the beneficiaries, three additional tools were developed during the project, namely:

- a Tool on the Financing of IP-based Mobile Apps;
- a Tool on Open Source for Mobile Apps; and

	▪ a [Guide to Data Protection in Mobile Apps](#).
	The three tools address issues of key importance for app developers and were appreciated by 93% of participants and. With regard to <u>outcome indicators</u>, the project helped to highlight the importance of IP issues by the app communities in the beneficiary countries. More specifically: ➕ In all three beneficiary countries, there were companies that benefited from the project and shared their positive experiences in the activities during the project. Among these companies are Bwala Africa (Kenya), De Junction (Trinidad and Tobago), Hivelabs Technologies and Saklawig (Philippines). ➕ The Focal Points in the beneficiary countries are receiving expressions of interest from stakeholders for continued cooperation with partners in this field. The significant level of attendance in the workshops and webinars stimulated discussions regarding the formation of mobile app associations in two of the beneficiary countries. This is an indication of a need to follow up to ensure sustainability of the project outcomes. ➕ All three beneficiary countries have recorded increase in the use of mobile apps, which suggests that there is a room for enhanced use of IP in their activities.
<u>Experience gained and lessons learned</u>	The following are the lessons learned to consider for similar future projects: • Regular interaction with the Focal Points on the project was of key importance for quick reaction to the needs and specific issues that may arise during the project. • Providing flexibility in the project implementation strategy was important to enable adaptation to changing circumstances and the new needs. • Keeping the project activities open for participation by other interested countries and stakeholders enabled maximization of the resources and the impact of the project outputs. • Impact indicators should be formulated in a realistic way, that is, within the allocated resources of the project, the implementation context, the availability of data, and the response by groups of beneficiaries. Those should be subject to possible revisions during the implementation phase. • Focusing on one group of stakeholders should not exclude interaction with other stakeholders and may improve the outreach potential of the project.

	• The preparation of material for interactive modules, adapted to the different groups of beneficiaries, including self-education, self-assessment and providing links to resources, could help in ensuring sustainability of project outputs. All the tools and materials should take into account the preferences of the users (*e.g.* in some cases, demand for printed material remain) The following are the key takeaways: ✓ When engaging in a multidisciplinary field where several forms of IP are relevant and applicable, the project should ensure good cross-divisional collaboration. ✓ Involving private partners in mentorship programs is a process in which WPO can play a facilitating role. The project demonstrated how useful these partnerships are. However, the follow-up of business-to-business (B2B) partnerships goes beyond WIPO's mandate. ✓ Costs related to professional editorial services for tools and materials for distribution should be included in the initial project budget estimation to ensure high-quality products. ✓ The webpage of the project generated considerable interest with its diverse content and formats. Website development for DA projects of this nature should always start early in the project so that interest can be generated in parallel with the project deployment. Search optimization can boost the perception of the project results and maximize exposure to related areas in WIPO's work. ✓ The success of online activities is a function of excellent content and technical capabilities, such as sufficient broadband connection, quality of sound and image and possibilities for interactive sessions. ✓ While app developers are original creators of IP and were a major target group of the project, any new project in the field of IP and mobile apps should address the complex ecosystem with its different stakeholders. ✓ The system of monitoring progress should be linked directly to the project delivery mechanism. ✓ The selection of Focal Points of a project is crucial as they should be able to channel communication, quickly respond to queries from WIPO, resources people and beneficiaries, have access to decision makers and master the subject matter. ✓ Awareness on the project within the WIPO membership would bring in additional synergy in the implementation. It may trigger new ideas, and can be useful for all stakeholders. ✓ Flexibility in project delivery should be maintained to be able to react to changing circumstances and address new risks.
<u>Risks and Mitigation</u>	Initially, the Project identified the following risks: 1) Low ownership at local levels; and 2) Lack of interest from potential stakeholders in the beneficiary countries (SMEs, start-ups, universities, etc.)

	The first risk was successfully addressed by appointing Focal Points, who ensured smooth project implementation in countries. The second risk was addressed through the active communication with the beneficiaries, through the webpage, the inclusion of the links to materials in the websites, and other local communication channels, as well as by sending the reference materials ahead of the events. In certain cases, information was sent through available associations (software or industry associations), university networks and other channels, as appropriate). In addition, during the project implementation, the following challenges have been considered: • Ensuring commitment of some stakeholders might be difficult, in view of opportunity costs or other professional commitments. • Ensuring the level of expertise for capacity building needs to be realistic – high level experts often come from the private sector and may not be available under the proposed terms of engagement. • Without a webpage, the project is not going to have a proper "home" and it makes it difficult to measure the levels of interest and interaction.
Project Implementation Rate[1]	The budget utilization rate at the end of December 2021 was: 85%
Previous Reports	2 progress reports have been previously submitted to the CDIP in 2020 and 2021. Progress reports are contained in Annex III, document CDIP/24/2, and Annex IV, document CDIP/26/2
Follow-up and dissemination	The following actions can be foreseen to ensure follow up and dissemination: ➢ Promote the tools developed under the project at WIPO meetings and through interested stakeholder platforms. Include the topics elaborated during the project in regular WIPO activities and raise awareness among other Member States, who could benefit from them. ➢ The project has generated considerable interest within the beneficiary Member States. WIPO will follow up on this through the Focal Points in the beneficiary countries of the project. ➢ The tools developed under the project are valuable resources,

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[1] The "Project implementation rate" is based on the proportion (in %) of the amount spent/utilized to the total project budget.

	which need to be kept up to date, in line with new developments in the field of mobile applications. ➤ Participants of activities need to be included in the distribution list of related future tools and relevant information should be communicated to them. ➤ The project focused on mobile apps as a sector agnostic area, however, mobile apps will be even more relevant in specific industry contexts where they add value and reinforce IP utilization and market performance to specific industries. Adopting a vertical approach to apps in the industry context may be an important addition to the horizontal approach followed throughout the project, and will contribute to its sustainability. ➤ The project outputs would be sustainable if they are packaged as a comprehensive material that provides possibilities for self-education, reference and further reading.

PROJECT SELF-EVALUATION

Key to Traffic Light System (TLS)

****	***	**	NP	NA
Fully achieved	Strong progress	Some progress	No progress	Not yet assessed/discontinued

Project Outputs[4] (Expected result)	Indicators of Successful Completion (Output Indicators)	Performance Data	TLS
Beneficiary countries selected	- Three countries selected (decision based on selection criteria)	- Kenya, Philippines and Trinidad and Tobago were selected, in line with the selection criteria	****
Scoping study report	- Overview of the software sector in the three beneficiary countries - Overview of availability and use of IP tools in the three beneficiary countries - Overview of challenges and	- All of the criteria were met in the scoping study	****

	needs for enhancing the use of IP in the software sector in the three beneficiary countries - Overview of the use of IP in the software sector as a means to raise capital and secure investments - Baseline indicators against which to measure the overall impact of the project in the three beneficiary countries - Proposal for specific activities to implement the project and achieve expected results - Final study report validated by beneficiary countries' local focal points and WIPO Secretariat		
WIPO publication on IP and Mobile applications	- Translation of the publication in official WIPO language(s) spoken in project beneficiary countries	- Material is available in English, French, Spanish and Russian. Translation into other UN languages is ongoing.	****
	- WIPO publication download (or publication web page visits) statistics	- Initially, made available as a document. Later, published as an official WIPO publication, which had 958 downloads in the period of April – December 2021.	
	- Percent of beneficiaries (user clusters per country) positively rating WIPO publication on IP & Mobile applications	- 96% of users found the publication useful	

	in terms of its content and accessibility		
Typology of IP rights relevant to protect mobile applications	- Three charts, providing the typology relevant in each of the beneficiary countries - At least two start-up companies in each beneficiary country validating the usefulness of the chart to enhance the use of IP - Number of research institutions/ research and development (R&D) centers, ICT hubs, and universities in each beneficiary country validating the usefulness of the chart to enhance the use of IP	- Three charts and two infographics were prepared - 1,367 downloads were registered - 96% of participants in the surveys rated them positively (37% of total participants were researchers)	****
Training module on the role of IP in the development and commercialization of new software-based products and services	- At least two start-up companies in each beneficiary country validating the usefulness of the training module to enhance the use of IP - Number of participants attending the training per sector (commercial entity, R&D organization, university, state sector, start-ups, etc.)	- The tool was appreciated by 96% of the respondents in the activities of the project - 880 downloads were registered - The training module was a subject in multiple workshops, which covered a broad range of issues	****
Training module on key contracts in the mobile applications sector	- At least two start-up companies in each beneficiary country validating the usefulness of the	- The Handbook, was found very useful by 94% of participants in project activities - It had 3,841 downloads.	****

	training module to enhance the use of IP		
	- Number of participants per sector (commercial entity, R&D organization, university, state sector, start-ups, etc.) attending the training per country.	- The training module was a subject in multiple workshops, which covered a broad range of issues	
Training modules on mediation and arbitration	- Two training modules (one for developers and entrepreneurs and another for lawyers and governmental officials) delivered	- The two modules were merged into one Guide, which had 1,475 downloads	****
	- Percent of participants (per module) positively rating the training and materials.	- 96% rated it positively	
	- At least two start-up companies in each beneficiary country inserting an arbitration clause in a contract or referring a dispute to mediation or arbitration.		
Dialogue with financial institutions, venture capitalists and investors	- Interactive dialogue taking place in the three beneficiary countries.	- A dialogue with financial institutions, venture capitalists and investors was launched by each of the beneficiary countries individually.	**
	- Number of dialogue participants from both mobile applications sector and financial sector.		
Connecting ICT hubs in beneficiary countries	- Video conferences with participation from the three beneficiary countries.	- One event was organized with participation of the three beneficiary countries presenting their specific perspectives. The reason for this was the huge time difference between the	***

		regions.	
		- Each web-based activity was advertised in the other beneficiary countries and participation from them was recorded in every web-based activity throughout the project.	
	- Percent of video conference participants validating its usefulness	- 94% found the video conferences useful.	
IP awareness material for students	- IP awareness material in local languages spoken in the three beneficiary countries	- Five modules were developed and made available on the website. - The learning resources had 3,171 downloads	****
	- Percent of students per beneficiary country validating the usefulness of the material to enhance their awareness about IP	- 96% of users assessed positively the awareness materials.	
Mentoring program	- At least three mentors willing to contribute	- Three companies and one association, representing multiple companies from around the world, participated actively in the exchange.	***
	- At least two beneficiaries of the program in each of the three beneficiary countries committed to participate	- Through facilitation, a number of positive bilateral exchanges were initiated – a list of interested companies and projects was shared with mentors.	
	- At least two start-up companies in each beneficiary country reporting success stories/cases (practical benefits)	- 89% of participants indicated interest to be involved in future mentorship programs and activities.	

	of the mentoring program to enhance the use of IP		
IP toolbox	- IP toolbox available for use in beneficiary and other interested countries in working languages - Percent of beneficiaries (user clusters per country) positively rating IP toolbox for content and accessibility	- The IP toolbox is publicly available on the website. - It was positively assessed by 96% of participants it had 1,241 downloads.	****
Online platform	- Online platform available for use in beneficiary and other interested countries. - Percent of beneficiaries (user clusters per country) positively rating/validating the usefulness of the platform to enhance the use of IP.	- The online platform was made available to developers from beneficiary countries. - 95% of participants assessed the platform positively.	****
Workshops in each beneficiary country	- Number and cluster of participants per country per workshop. - Percent of participants (per country) positively rating the output of each workshop. - Percent of female participants.	- Three workshops were held in the beneficiary countries during the first year of the project. Due to travel restrictions, the activities through the rest of the period were web-based. - The total number of workshops and webinars per beneficiary country were as follows: - Kenya – three, Philippines – seven, Trinidad and Tobago – four. - 54.67% of participants were women. - 91% of participants rated the workshops/webinars positively.	****

Coordination meetings in Geneva	- Number of country project managers/national focal points per meeting.	- A coordination meeting of the focal points was held only once in Geneva, with 33% female participation.	****
	- Percent of participants positively rating the output of each meeting.	- Throughout the project, coordination meetings were held on a regular basis (once a month or every two months), in relation to forthcoming activities.	
	- Percent of female participants.	- On average, there was 30% female participation in the coordination meetings of focal points.	

[End of Annex and of document]