Methodology for the Development of National Intellectual Property Strategies

Second edition

WIPO
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Suggested citation: World Intellectual Property Organization (WIPO) (2020). *Methodology for the Development of National Intellectual Property Strategies*, 2nd edition. Geneva: WIPO.

First published 2012
Reprinted with minor updates in 2016

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Photo credits: © AdobeStock/Yurii Andreichyn

Printed in Switzerland

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Acknowledgements

The revision, consolidation and updating of the WIPO *Methodology and Tools for Development of National Intellectual Property Strategies* was undertaken under the general direction and supervision of Dr. Francis Gurry, Director General, and Mr. Mario Matus, Deputy Director General, Development Sector (DS). Collaborative work and the contributions of all concerned were supervised and managed by Mr. Marcelo Di Pietro, Director, Office of the Deputy Director General (ODDG), DS.

This publication is a result of an extensive collaboration between external experts and many colleagues from WIPO, who took into consideration input, conclusions and recommendations from the *Meeting of Experts on Formulation and Implementation of National Intellectual Property Strategies: Updating and Improving the Methodology and Tools of the World Intellectual Property Organization (WIPO)*, held at WIPO headquarters in Geneva in May 2019.

The publication team takes this opportunity to express their gratitude to the experts for their professionalism throughout this publication – specifically, contributions made by Dr. Wendy Hollingsworth (Barbados), Ms. Liew Woon Yin (Singapore) and Mr. Maximiliano Santa Cruz Scantlebury (Chile), which were finalized and consolidated by Mr. Ian Heath (Australia).

The publication team wishes to thank and acknowledge the support of Mr. Ye Min Than, Senior Program Officer, Regional Bureau for Asia and the Pacific (ASPAC), not only for providing advice and drafting contributions, but also for initiating the proposal to revise and improve the previous version of this Methodology. They are grateful for the useful discussions and essential input provided by colleagues from departments and divisions of different sectors of WIPO – namely, ASPAC, Regional Bureau for Arab Countries, Regional Bureau for Africa, and Regional Bureau for Latin America and the Caribbean; the WIPO Academy; the Copyright Development Division, Copyright Management Division and Copyright Law Division; the Traditional Knowledge Division, Global Challenges Division and Building Respect for IP Division; the Composite Indicator Research Section under the Department for Economics and Data Analytics; the Department for Transition and Developed Countries; and the Internal Oversight Division – without which this publication would not have been possible.

They also wish to express their gratitude to Mr. Bajoe Wibowo (ODDG, DS) for his support and coordination, Ms. Rhoda Dixon-Lancia (ODDG, DS) for her administrative and editing assistance, and Ms. Mary Hayrapetyan (ODDG, DS) for her contribution to the revision and consolidation of the final publication.

Background

For many years, the World Intellectual Property Organization (WIPO) has supported developing countries and least developed countries (LDCs) in the formulation of national intellectual property (IP) plans and strategies. The program was designed to help countries develop and strengthen their national and regional IP institutions, infrastructure and resources, enabling them to use the IP system in an optimal manner to achieve their desired level of economic, social, cultural and technological development. Initially, WIPO responded on a case-by-case basis to member states' requests for assistance in the formulation and implementation of such plans and strategies. In 2010, as part of WIPO's commitment to the Development Agenda, Project DA_10_05 (2010–2012) was commissioned to develop and document a more coherent and harmonized process, including a set of tools and mechanisms to guide member states in the development of national IP strategies. The WIPO *Methodology for the Development of National Intellectual Property Strategies* was published in three parts in 2012 and republished in 2016 with minor updates and revisions.

Feedback from widespread use of the Methodology in different countries from different regions over the years led to a decision in 2019 to undertake a comprehensive review and updating of the existing Methodology. The review suggested that the Methodology should be revised to be more easily adaptable to the different development needs of different countries and that a more flexible approach to the use of the Methodology should be promoted, which would be more effective in supporting the national IP strategy formulation process than a standardized or prescriptive approach.

This publication presents the revised Methodology. It sets out a guide to the formulation process and outlines some broader issues that need consideration in creating a national IP strategy. The revised general framework set out in this guide should accommodate the range of different development needs and capacities of member states – from the creation of a comprehensive national IP strategy covering all major sectors of interest to the country to a more modest version matching the development needs and resource constraints of any particular country. In addition, the revised guidelines can also be used with some adaption to support the development of a wide array of more narrowly focused types of national IP plan or sectoral project, such as:

- undertaking a resource and management diagnostic of an IP office (IPO), including the institutional status of the office;
- developing specific IP strategies for the promotion of innovation, competitiveness and creativity;
- strengthening the capacity of national IP governmental and stakeholder institutions to manage, monitor and promote creative industries;
- elaborating on IP policies/plans for specialized institutions;
- bolstering the use of IP in the informal economy; or
- promoting the commercialization of research and the development of technology.

The revised general guide to the Methodology is presented in one volume for easy reference and use.

The prime audience for this guide is the national project team that has been charged with the responsibility of developing a national IP strategy. A secondary audience is any steering committee that has been established to oversee the team and any other management arrangements put in place to oversee the work of the national project team. The guide can also be used by any interested parties to gain a better insight into or understanding of how national IP strategies could be formulated and implemented based on the experiences of WIPO in working closely with the national authorities and stakeholder groups from member states in different regions of the world.

While the bulk of the guide assumes that a decision has been taken to develop a national IP strategy, it is important to be clear about the terminology when we refer to a national IP strategy (the "what"), as well as the purpose and benefit of creating a national IP strategy (the "why"), so that this guide can focus on guiding the national project team on what needs to be done to create a national IP strategy (the "how"). The "what" and the "why" are briefly set out next before turning to the Methodology itself (the "how").

What is a national IP strategy?

A comprehensive national IP strategy should be a set of measures formulated and implemented by a government to encourage and facilitate a coordinated approach to the effective creation, development, management and protection of IP at a national level in order to support a country's development directions. A national IP strategy should outline the interface between IP and the economic, social, cultural, technological, legal and institutional context of the country, and it should help the government to create and manage IP policies and regulatory settings that will add value to the development framework of the nation.

It needs to be recognized that IP is a cross-cutting issue which is relevant to all types of industry and service, as well as to important public policy issues such as climate change, access to medicines, cultural development, food security, etc. Moreover, being a key part of any national innovation policy, an IP strategy can be instrumental in shaping the national innovation system and making it serve the goal of increased economic and innovation performance. Thus forging functional linkages between these areas and IP is essential if a country is to harness its national IP system to support its national development directions. All countries have an inherent capability for innovation and creativity, as well as wealth generation, by taking advantage of their human capital, infrastructure and resources to create and market competitive goods and services and enhance the value of their products. In this regard, a national IP strategy can provide a coherent framework to create and support these linkages and outline how policy developments related to IP and their implementation can take place in a coordinated manner at a national level.

Depending on the particular circumstances of a country, a comprehensive national IP strategy covering all industries,

services and public policy areas may not always be appropriate. The local context may suggest more focused IP planning is appropriate, such as improving the existing IP infrastructure (through, for example, an IP office diagnostic process); or improving the integration of IP policy and implementation in a country's national innovation ecosystem; or developing a detailed sectoral plan for a country's creative industries, including the role of IP policies and practices. All such plans should be recognized as forming part of a country's national IP strategic planning activities and should be aligned, coordinated or a part of the national innovation/creativity promotion strategy.

What is the value of a national IP strategy?

The potential role of IP in economic, cultural, social and technological development of a country should be recognized and managed appropriately. It is commonly accepted that IP plays an important role in fostering economic competitiveness and increasing the innovative capacity of a country.

The role of IP in achieving broader development goals and directions should also be recognized. The competitiveness of many industries (not only the research-based and innovative technological industries) is underpinned by national IP systems and the international IP system. The cultural industries of a country can be both protected and enhanced through appropriate use of the IP system and IP policies. How well a country integrates and coordinates its various sectoral policy settings is a crucial development issue for most countries. IP policy and its implementation are key cross-cutting issues for development planning in all countries, and should be designed to help achieve the United Nations Sustainable Development Goals for 2030.

The aim of developing a national IP strategy is to avoid a siloed sectoral approach by creating functional linkages and integrating the IP aspects of relevant public policies into a national development framework to:

- enable strategic use of the IP system in all economic sectors, such as agriculture, culture, energy, food, health, science and technology, industry, services such as tourism, etc.;
- create an enabling environment that strengthens and sustains a nation's ability to generate economically valuable IP assets in both the formal and informal economies;
- promote IP as a driver for macro-economic growth and development;
- strike an appropriate balance that affords IP protection without stifling innovation, creativity and competitiveness; and
- ensure better alignment and coordination with national policies.

A national IP strategy should provide a country with a clear view on how to manage and utilize the IP system to contribute

The role of IP in innovation and economic growth: The Global Innovation Index

Economies at all development levels now ask questions on how to instill scientific curiosity and entrepreneurship in children and students, how to make public research more relevant to business, how to promote inward technology transfer and foster business innovation expenditures, or how to make IP work for local innovation. The Global Innovation Index (GII) is a tool to measure the progress of countries in this respect. It measures a country's innovation performance, providing 80 detailed innovation metrics for about 130 economies. Over the last 13 years, the GII has established itself as a central policy tool for innovation around the world, creating a deeper understanding of the essential ingredients for the development of innovation policies that help promote economic growth and development. A relevant number of countries now have innovation policy legislation in place that refer to the GII as a "yardstick" for innovation performance. IP is considered an important tool to promote innovation by policymakers and in the GII framework; thus, IP strategies are often considered an integral part of national innovation strategies.

to its existing national development priorities, policies and economic objectives. The strategy should provide a "road-map" of where a country would like to go, where it stands today, and how it could get where it wants to be by effectively developing and using the national IP system in an optimal manner. The strategy should promote a more structured and planned approach for a government in determining how national IP policy should be best deployed and implemented so that all stakeholders can work together effectively within the context of a systematic framework to create, protect, manage, promote and commercialize IP assets emanating from their innovations and works of creativity.

The United Nations envisions 17 goals to transform the world by 2030

In September 2015, the General Assembly of the United Nations (UN) adopted the 2030 Agenda for Sustainable Development that includes 17 Sustainable Development Goals (SDGs). Building on the principle of "leaving no one behind", the new Agenda emphasizes a holistic approach to achieving sustainable development for all.

The 17 SDGs to transform our world are:

GOAL 1: No Poverty
GOAL 2: Zero Hunger
GOAL 3: Good Health and Well-Being
GOAL 4: Quality Education
GOAL 5: Gender Equality
GOAL 6: Clean Water and Sanitation
GOAL 7: Affordable and Clean Energy
GOAL 8: Decent Work and Economic Growth
GOAL 9: Industry, Innovation and Infrastructure
GOAL 10: Reduced Inequalities
GOAL 11: Sustainable Cities and Communities
GOAL 12: Responsible Consumption and Production
GOAL 13: Climate Action
GOAL 14: Life below Water
GOAL 15: Life on Land
GOAL 16: Peace, Justice and Strong Institutions
GOAL 17: Partnerships for the Goals

IP strategies will help member states use the power of the IP system for sustainable development purposes, to foster an environment in which innovation and creativity can flourish, and to help identify creative solutions to development challenges.

Innovation and creativity are at the heart of the objectives of a national IP strategy and are central to achieving the SDGs, because many of the SDGs are dependent upon the development and diffusion of innovative technologies geared to meeting the particular development challenges in different contexts around the world. National IP strategies could be a powerful tool for the implementation of the SDGs, in particular SDG 9 (Industry, Innovation and Infrastructure), which itself is a powerful vector for other SDGs, because innovation has a direct impact on the attainment of most of the 17 SDGs.

The WIPO Methodology

The objective of the WIPO Methodology is to provide support and guidance to member states who are interested in developing a national IP strategy. The prime audience for the Methodology is any national project team that has been tasked with development of a national IP strategy, along with any steering committee that may be established and the lead government agency responsible for formulation of the strategy.

This general guide to the Methodology sets out, step by step, the issues a national project team should consider and plan for in the creation of a national IP strategy. In addition to the general guide, more detailed tools and guidance information have been developed for use as appropriate by the national project team as development of the strategy progresses. These more detailed tools and guidance information are set out after the Methodology and also provided on WIPO's website so that WIPO can easily modify and update them, and the national project team can download and adapt them to local circumstances as required.

The Methodology is presented and discussed in seven phases or steps as shown in Diagram 1.

These seven phases reflect a broad consensus on the main steps in the development and implementation of a national IP strategy based on the experience of many countries to date. However, there is no fixed model and individual national project teams may find it useful to break the phases down into more detailed steps; the discussion of each phase should assist in identifying the detailed steps involved. (Template 1 gives an example of an overall workplan that further illustrates the steps likely to be involved in the planning and development process.) The key is for any national project team to adjust and manage the phases to suit their own national circumstances. In some countries, there may be more prescriptive national planning processes that are different from the phases set out in the Methodology. Again, the discussion of each phase should provide national project teams with guidance on the considerations that they may need to adapt to any national planning approach.

Diagram 1: Phases of the process of developing and implementing a national IP strategy

1 Phase one Initiation: is the country ready?

The reasons for initiating development of a national IP strategy may differ from country to country, but the predominant driving force should be recognition of the integral role played by IP in encouraging and promoting competitiveness, creativity and innovation. Not all countries will start from the same position. Some countries may have well-developed and long-standing IP infrastructure but no national strategic IP planning in place or no IP strategic planning in key development sectors. Some countries may have minimal IP infrastructure in place but recognize the need for broader strategic planning to manage the development of the IP infrastructure consistently with other development goals.

In the initiation phase, some form of formal assessment by the national authorities concerned may be necessary to determine what sort of strategic IP planning is appropriate for the country. The assessment might consist of preparing a preliminary audit report or findings[1] about the current IP infrastructure (legal, political, institutional and administrative) to identify the appropriate focus for any IP strategic planning. Depending on the individual circumstances, the appropriate IP strategic plan might be to develop a comprehensive national IP strategy, or to develop a strategic plan to improve the IP institutional and administrative arrangements (for example through an IP office diagnostic process), or to develop a strategic plan for a particular sector (creative industries, innovation sector, etc.) with better integrated IP policy and implementation arrangements.

There may also be issues of "political" readiness to undertake a strategic IP planning process. The proposal to develop a national IP strategy may not initially have sufficient support beyond the leadership of the national IP office (noting that, in many countries, there are separate IP offices responsible for copyright and, in some countries, separate offices responsible for different industrial property rights) to carry the task through. The initiation phase needs to identify this issue and propose how to proceed. What actions and processes will need to be planned to create an environment in which broader commitment (i.e. active involvement and contribution by whole-of-government and private stakeholders) to the value of the development of a national IP strategy will be forthcoming. Undertaking, finalizing and adopting a comprehensive national IP strategic planning process will require the commitment of substantial local resources. Such resources may not be made available without broader commitment or may be wasted if the process does not have such broader commitment.

The key questions therefore to be addressed in the initiation phase are as follows.

- Do we have the capacity to undertake a comprehensive national IP strategy development process?
- How does the IP strategy synchronize with any possible national innovation/creativity strategy? What are the respective timelines and interactions?
- Should our national IP strategic planning be more focused on some identified key sectors or on the further development of our IP infrastructure or specialized institutions rather than a comprehensive national IP strategy?
- Do we have the necessary political commitment to secure the required cooperation and allocation of resources to undertake the proposed national IP strategy development process?

Ideally, the initiation phase should result in an assessment report that sets out an analysis of the country's current IP policies, institutional and administrative framework, and legislation. This assessment report may also indicate which key economic, social sectors, creative industries or institutions of the country should be focused on in the proposed development of national IP strategies.

Many countries should have the capacity and expertise to undertake an appropriate initial assessment, but in some cases external expertise may be required to analyze the current IP context and fully identify the capacity issues that may need to be considered and addressed in committing to development of a comprehensive national IP strategic planning process. The discussion in Phase three on planning and managing data collection should be useful guidance for the necessary data collection and analysis for this initial assessment phase. WIPO can also provide advice and assistance with identifying expertise to undertake an initial assessment.

1. In some cases, the preliminary audit report is the preliminary audit findings.

2 Phase two Inception: preparing and planning

2.1 Identifying the key institution or body driving the process

Once there is a political decision to develop and implement a national IP strategic planning process, this decision should usually also clarify which key national institution or body is responsible for setting the process in motion. The role of the identified lead agency should be clearly spelled out. It will usually include:

- driving the project and ensuring its goals are met;
- providing the necessary resources and/or ensuring the availability of the essential resources;
- identifying the public and private stakeholders and their roles for the relevant stages of the development of the project and ensuring their active involvement in and commitment to the process;
- overseeing the coordination and planning efforts undertaken to accomplish the end result of the project; and
- delivering the finalized strategy to the government for endorsement.

There is no fixed or single approach to identifying the lead agency, but in most countries that have undertaken a national IP strategy planning process, the leadership role is generally taken by the ministry responsible for the main IP office or, in some cases, the office itself. However, if the strategic IP planning process has a particular sectoral focus, close involvement with and/or leadership by other concerned agencies may be more appropriate. A key necessary requirement for any lead agency undertaking a national IP strategic planning process will be the capacity to develop and maintain close ties with other ministries to facilitate the links with them and to align national IP strategies to priorities reflected in national innovation and economic policies, as well as to all appropriate national policy objectives. As such, in order to be effective, it is essential that any lead agency should have sufficient mandate or authority to liaise, network and coordinate directly and effectively with all relevant ministries, government agencies and stakeholder groups concerned from the private sector and/or civil society.

2.2 Forming a steering committee and a national project team

How the lead agency decides to manage the national IP strategic planning process is the next major decision. The lead agency may decide to manage the process through existing structures in the agency or through the formation of a dedicated national project team. The lead agency may decide that the process will be directed by a responsible senior manager or through a steering committee representing a range of relevant interests. Experience shows that most countries choose to establish some form of national project team and direct the team through some form of steering committee, which in turn is usually accountable to the relevant minister or head of the lead agency. Some of the considerations in the formation of steering committees and national project teams are discussed next.

Formation and role of a steering committee

It is advisable for the steering committee to have the ability and authority to outline the governance of the project and sometimes make strategic decisions. It can then provide political, technical support, guidance and overall direction to the national project team and report on progress to the head of the lead agency or minister. Any terms of reference for a steering committee should include:

- providing direction and advice on the development of the project;
- identifying the priorities, where the most effort should be directed to achieve the project outcome;
- identifying and monitoring potential risks and appropriate mitigation measures;
- keeping track of timelines;
- keeping track of the quality of the project as it progresses;
- giving advice and sometimes making strategic decisions about changes to the project as it develops; and
- reporting regularly to the lead agency or minister on the progress of the project.

Careful consideration should be given to the appropriate membership of the steering committee. Because there is usually more than one agency responsible for IP in most countries, it is highly desirable that at least all such agencies are properly represented on the steering committee, including agencies responsible for the national innovation/creativity strategy and task forces, when relevant, dealing with the Global Innovation Index. Within government, there are also usually good reasons to include representatives of certain key relevant non-IP agencies, such as any central planning agency and agencies with responsibility for national economic policies, as well as key sectors likely to be of special interest to the development of the national IP strategy. Agencies with responsibility for agriculture, creative industries, foreign affairs, science and technology, research, small and medium-sized enterprises (SMEs), information and communication technology (ICT), sports, tourism, commerce and education would represent some of the key sectors, but this is not an exhaustive list.

Consideration should also be given to whether the steering committee should include representatives from non-government key stakeholders in the private sector and civil society.

There are strong reasons for the inclusion of non-government stakeholders if this is possible within a country's governance processes. The business sector generally (and specific sectors within the private business sector in particular, e.g. creative industries, collecting societies, academia, think tanks and research centers, press and media, ICT corporations, artists and performers, food producers, tourism industry, chambers of commerce and industry, chambers of exporters, etc.) will have very strong interest in and experience with the legal, sociocultural and policy settings for IP in the country. This perspective will need to be captured in the overall process and could be facilitated by appropriate representation on the steering committee. The legal profession in the country will also be a key stakeholder in the implementation of a strategy and could be usefully represented on a steering committee.

Whatever decisions are made on the composition of the steering committee, there will be a requirement for detailed consultation with all relevant government and non-government stakeholders to ensure the variety of views and interests. (See Phase three.)

Formation and role of a national project team

The key role of the national project team will be to undertake a thorough analysis of the IP and innovation/creativity environment in the country by:

- identifying particular sectors/institutions of interest and opportunities for using the country's IP system for improving its innovation/creativity and economic performance;
- studying the possible (ideally, mutually reinforcing and complementary) interactions of the planned IP strategy and existing or future national innovation/creativity strategies, or the national task forces, when relevant, dealing with the Global Innovation Index;
- undertaking the detailed research and consultation necessary to identify these sectors/institutions and understand how the IP system can support or hinder the achievement of their development goals;
- drafting the strategy under the direction of the steering committee or lead agency; and
- developing relevant action plans for the implementation of the strategy.

The provision of secretariat services, such as minute taking, arrangements for meetings, contacting relevant parties and dissemination of documents, would be part of the necessary assistance for the whole process and responsibility for these services would normally rest with the national project team.

Careful consideration should be given to the composition of the team. Where possible, it is desirable to create a gender-balanced and interdisciplinary national team with the right mix of skills sets (ideally to complement each other) to ensure the smooth and successful execution of the project. The team should preferably include members that have professional experience in the field of IP, as well as members with sound knowledge and understanding of the country's economic, social, political and infrastructural context. Diversity among the members will introduce different perspectives, which will enable better decision-making. Skill sets such as drafting, analysis and advocacy will also be useful. The team members, in many cases, will be seconded government employees from various agencies; in some cases, outside skills have been included (such as economists, technologists, artists, creators, business people, journalists and engineers, public figures, intellectuals or members of the legal fraternity). Practicality and resource availability will drive some of the decision-making on the composition of the national project team, particularly whether the national project team will include individuals from outside the government service.

Using consultants

Because the activity may be a new experience for most members of the national project team, some countries have also requested the participation of one or more national or foreign consultants for additional guidance and recommendations on strategy options. Several countries have also taken the approach of working with WIPO to identify and select one or more consultants to work with the national project team to develop their national IP strategies.

The national project team is normally tasked with doing the groundwork such as preparing a preliminary audit report of the current national IP system, consulting with relevant stakeholders and proposing the draft IP strategy framework, while the consultant(s) will provide guidance to the national team and steering committee on the strategy formulation process, including making recommendations for improvements following a thorough review of the draft strategy. Some countries may even involve the consultant(s) in both the data collection and validation phases, in addition to the formulation of the national IP strategy.

If an international consultant's involvement is necessary, there may be a need to provide qualified interpreters if the consultant and the team do not share a common language. Provision of such a service will facilitate communication between the consultant and participants at meetings, which makes for greater productive engagement of the consultant.

To assist countries with their recruitment of consultants, WIPO has prepared sample terms of reference, which countries may adapt and use for the engagement. See Template 2 for an example of terms of reference for engaging an international consultant. Template 3 illustrates a modified version

of the terms of reference for the appointment of a national consultant to assist the national project team or for additional members of the national project team.

In setting up steering committees, appointing national project teams and deciding to use national or foreign consultants, there is no single correct approach. Template 4 sets out some examples of the arrangements that may be put in place, depending on the decisions taken, but the variety of arrangements possible is wide. What is important is that, whatever approach is chosen, it suits the local context, the national IP strategy is clearly developed and managed by national leadership, and the recommendations have broad support from all stakeholders. Ideally, consultants that are chosen need to have the right mix of skills too, including the ability to work on fields related to economics and the collection and use of statistics.

2.3 Training the national project team

If the national project team members have little or no experience in developing strategies, it would be useful for them to undergo some form of training based on the Methodology to help them understand and appreciate issues such as:

- the rationale for having a national IP strategy;
- the roles and responsibilities of a member of a national project team;
- the support and assistance to be accorded to the steering committee;
- the types of data to be collected (quantitative and qualitative), data collection techniques and data analysis;
- how to organize and conduct the consultation and validation processes in a comprehensive and optimal manner; and
- how to draft strategies and action plans.

Consultants may be engaged to undertake the desirable training of the national project team members. WIPO can also provide some assistance in developing IP knowledge and skills, including learning about successful experiences with IP policies and the use of the guidelines, templates and principles within the Methodology to enable the members of the national project team to undertake their responsibilities.

2.4 Publicity

Communication to stakeholders should start as early as possible in the process once the national project team has been identified. Every effort should be made to keep the stakeholders/public updated on key elements of the process, including mechanisms such as national consultations. Draft final documents should also be made accessible for wide stakeholder input and should not be limited to a few selected individuals. Because of the range and number of stakeholders to be consulted during the national IP strategy development process and the need for different stages and levels of consultations, the national project team must view communication as an ongoing process, including during the implementation phase. Phase six on implementation further elaborates on communication for successful implementation of the national IP strategy.

2.5 Signing a memorandum of understanding between WIPO and the member state

If WIPO support and assistance is desired or required, it would be useful for the country concerned to enter into a memorandum of understanding (MoU) with WIPO once a decision has been made to move forward with the initiative. Such an MoU would formalize the support and assistance that WIPO will provide and the commitments of both parties to the project. The agreement would reflect the mutual understanding of the scope of the exercise, the assistance and training that WIPO will provide, including any training on the use of the Methodology, the responsibilities and resource arrangements to be provided by the country concerned, and the key deliverables based on an agreed work plan for the implementation of the project.

The MoU should facilitate the allocation of required resources and cement national commitment to the project for the national authorities concerned. The MoU needs to be approved at an appropriately high level within government to ensure that it has the authority to be implemented. The signing of the MoU should provide a good communication opportunity to inform the relevant government authorities (various concerned ministries and institutions with links to innovation, creative industries and IP policy) and members of the private sector and civil society that will be expected to participate in the development of the national IP strategies of the government's commitment to the process. The communication should signal the importance and political will supporting the development of national IP strategies and provide a clear message about what is expected from stakeholders.

3 Phase three Planning and managing the data collection process

Gaining a comprehensive understanding of the actual and potential linkages between a country's IP system and the key economic, social, technological sectors and creative industries identified by the country for its national development is the foundation stone for the development of a comprehensive national IP strategy. A critical step for the process is therefore the planning and management of the collection and analysis of the necessary data to feed in this comprehensive understanding.

If a country has undertaken a fairly detailed initial assessment process as discussed in relation to Phase one, some of the information collection and analysis may have already been done. Nonetheless, further more detailed data collection and analysis is likely to be necessary.

The data collection process generally consists of two main steps: (i) detailed desk research; and (ii) a comprehensive consultation. Both steps are briefly described in this section, starting with desk research, because this establishes the context in which the national consultation is undertaken within the country. See Template 5 for an example of a data collection work plan, which may be adapted by the national project team to plan these steps.

3.1 Desk research

Desk research is an important step in developing a national IP strategy that allows the national project team to get a comprehensive and clear picture of the country's national IP legal and institutional systems, as well as a detailed understanding of the existing economic, social, cultural context and the actual and potential links with the national IP system. Thus it provides a framework for planning for the stakeholder consultation phase. Desk research should be an ongoing process, and new data and information collected during the consultation process should be taken into consideration in the analysis and validated.

Desk research should focus on obtaining data and information related to a wide range of factors in the country, including, but not limited to:

- the economic, social, cultural and institutional context (e.g. history, evolution and challenges);
- national development visions, plans and goals (e.g. long-term vision or goals, national socioeconomic and human development plans, innovation policy, cultural development strategy, etc.);
- core and emerging sectors of the economy;
- the national innovation and research system;
- the legal framework across all IP fields (e.g. institutional, regulatory – treaties and legislation – and policy);
- IP statistics and data on creative industries; and
- related regulations (e.g. competition and consumer protection, broadcasting, food and drug administration, enforcement authorities, legislation and policies).

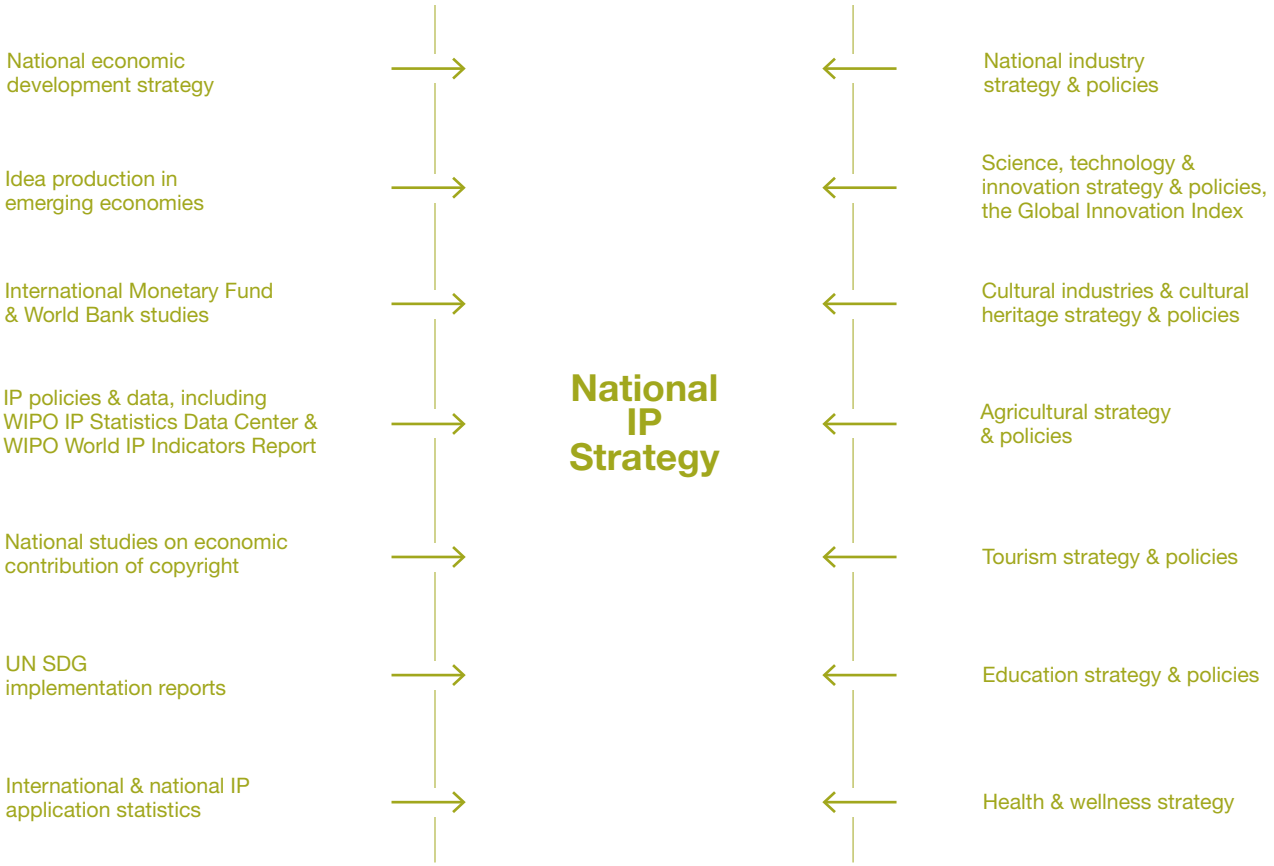
This process will take into account all available and accessible documents obtained from a wide range of sources, including the public, private and academic sectors and civil society. Relevant data and information can also be obtained from international sources. Diagram 2 illustrates the range of materials that could be relevant for the national project team to collect and consult. A more complete list with web links to some of the international material is set out in Annex. It is important that those responsible for collecting the data undertake reasonably exhaustive and thorough research, searching for every possible source of relevant information and data.

The data analysis and examination process should collect relevant and useful information, which should inform the reasoning and support the decision-making process of the national project team. In many national IP strategy development processes, some form of a preliminary audit report of the current status of IP law, administration and usage in the country has been created. This report is an analysis of strengths, weaknesses, opportunities and threats (SWOT), which facilitates the development of full awareness of all factors and variables that need to be taken into account in the development of a strategy. The national project team may use a kind of SWOT analysis to explore possible strategic actions or policy directives, with a focus on leveraging strengths and opportunities to overcome weaknesses and threats.

Such a report may be the product of the initial assessment process discussed in Phase one. Often, any report that is the product of the initial assessment sets out the current position in relation to IP institutions in the country and identifies the key sectors/institutions that should be focused upon when looking to improve the development outcomes from better formulation and implementation of IP policy and practice. If there is no preliminary report arising from an initial assessment process, the team should consider the usefulness of creating such a report during the desk research. A report could be created by summarizing the desk research to date and providing some preliminary analysis of the current state of IP institutions in the country and the evidence of potential sectoral issues that should be addressed in a national strategy.

The collected data and its analysis will provide the basis for the consultation with stakeholders and for the development of the national IP strategy, as well as understanding of the

Diagram 2: Data and strategic policy resources for developing a national IP strategy



state of the national IP system and how it could be further strengthened for the development of the country concerned.

Additionally, the data analysis will enable the national project team to understand the country's capacity to manage the macro-level and sectoral impacts of the strategy. Template 6 provides a practical tool for managing the collection and documentation of data and information collected on national development and sectoral/institutional policy.

3.2 Consultations with stakeholders

The data collected during desk research needs to be discussed and revised through a consultation process with stakeholders. The prime purpose of the consultations will be to confirm, correct, enhance or uncover additional information and test the national project team's preliminary understanding and analysis of the potential role of IP in the country's economic, social, cultural and technological development. The planning and management of the consultation process is therefore a very important part of the process of developing national IP strategies.

The key preparation steps for the consultation process should include:

- mapping stakeholders (to ensure that all relevant perspectives are consulted);
- identifying clearly what data may be able to be collected through consultations;
- selecting the methodology (e.g. interviews, questionnaires, open sessions); and
- summarizing and consolidating main sources of data collected, so that it can be easily managed and understood during the consultation exercise.

Each of these steps is discussed next.

Mapping stakeholders

Stakeholders with a clear interest in the formulation and implementation of a national IP strategy will include leaders from the business community, cultural community, academia and research centers, media and civil society, as well as policymakers from the public sector. While there

will be particular variations in groupings and emphasis in every country, generally the following parties will all have a crucial role in framing and shaping the development of a national IP strategy:

- IP regulatory body or bodies;
- government agencies handling innovation and creativity policies and dealing with the Global Innovation Index;
- government agencies handling agriculture, arts, commerce, culture, education, environment, health, science and technology, tourism and trade;
- chambers of commerce, associations of manufacturers, associations of SMEs, associations of crafts industries and the ICT industry;
- technological research and development (R&D) institutions, think tanks and universities;
- associations of various creative industries, (visual arts, film and media, publishers, writers, artists and performers, entertainment and music industries, broadcasters, libraries, museums, etc.), and representatives of any collecting societies;
- patent attorneys, legal practitioners, IP agents and business consultants (i.e. business intermediaries);
- parliamentarians with special interest or expertise in IP;
- indigenous peoples and local communities (especially if the national IP strategy addresses the protection of traditional knowledge and traditional cultural expressions);
- agencies that deal with enforcement of IP rights; and
- judicial authorities.

Using this list as guidance, the national project team will need to identify as comprehensively as possible the various groups and interests that may need to be consulted in the process of developing national IP strategies. The national project team will also need to consider how it plans to identify and understand the interests of particular consumers of IP that may not be covered in the list, as well as the general public interest, which may not be fully represented through the groups listed.

Identifying and linking data collection with stakeholders

A common problem with consultations (especially survey questionnaires) is using large common sets of questions for all stakeholders. Too many irrelevant questions will reduce the potential efficiency of face-to-face meetings or using questionnaires and will lead to confused and unusable replies from stakeholders. A better approach is to tailor all discussions with customized surveys for each type of stakeholder group by clearly identifying questions relevant to the stakeholder group.

The range and coverage of questions needs to be prepared by the national project team for each proposed interaction with stakeholders. To assist national project teams using this Methodology, a more detailed guide to some of the relevant types of question, organized according to likely different stakeholder groups. However, given the variety of particular circumstances in each country, the guide is not meant to be comprehensive and is generalized for suggested stakeholder group, is set out later. A key task for the national project team is to prepare the specific and particular sets of questions for the identified stakeholder groups for the consultations they plan to undertake in their country.

Selecting the consultation methodologies

There are numerous ways to carry out the consultation process. No one method will be applicable in all situations and therefore flexibility in the methodology used to collect data and information is highly recommended. The methodology or combination of methodologies chosen will depend on the particular stakeholder group and the type of data and information sought. The different options include the following.

Administering a questionnaire

Questionnaires may be developed and submitted to stakeholders to obtain data required for analysis. Using questionnaires can be an efficient way of collecting information from a large number of potential respondents (provided that the survey is targeted at a widest possible variety of respondents representing a reliable sample of the stakeholder group concerned). Determination of sampling size depends on a number of factors and the national project team administering the survey questionnaire should use the most appropriate sampling method for the purpose. For example, variables such as business type, size, equity and others should be taken into account in determining the sampling size in the most optimal manner possible among SMEs (especially in countries with a large population and large number of SMEs). Therefore, carefully mapping potential respondents from the outset in order to obtain representative sample feedback is very important. A targeted questionnaire for specific entities can also be efficient from the respondents' point of view. The national project team needs to develop and validate the questionnaire prior to it being administered. Experience has shown that the following can greatly facilitate the data collection process.

i. Prepare a short survey instrument for any given stakeholder group or specifically identified entity.
ii. Forward a letter from the executing agency to accompany the survey. This correspondence serves to introduce the purpose of the national IP strategy process, as well as to signal to stakeholders that the process is approved and endorsed by the government.
iii. Prior to sending the survey instrument, ascertain who the key person is within the institution who will be responsible for preparing the response to the

questionnaire. Thereafter, follow up with them with clarifications and guidance as to what is expected with regard to the data and information required.

iv. Be cognizant of and sensitive to the fact that, unless the individual and the institution is aware of IP and its potential relevance to the institution, the survey will not yield satisfactory responses and there may be a need to follow up with a face-to-face or telephone meeting.

Individual visits to institutions

Undertaking individual visits to institutions allows the interviewer to focus on one institution and has the advantage of providing the opportunity to meet with several individuals of the institution at once. Such face-to-face meetings are useful because they tend to be more flexible than using a questionnaire and allow the national project team interviewer to probe beyond the brief responses provided in questionnaires. However, for the visits to be as productive as possible, it is essential to ensure that the individuals for interview are those directly responsible for the subject matter concerned. This is a powerful tool, which should be integrated into the overall data collection methodology, because the interviewer can gain an insight of how IP issues are managed throughout the organization.

One way of enhancing the value of face-to face meetings is to provide in advance an introductory letter from the national project team, along with a brief questionnaire, proposed topics/issues for discussion, and/or an overview of the type of data and information being sought. A telephone call to a key person in the institution often proves useful to help set the tone of the meeting and ensure appropriate individuals from the institution will be invited to attend. Managing these contacts carefully is very useful when it is anticipated that there will be a low level of understanding of IP among the stakeholders involved.

Interviewing groups of stakeholders

Interviewing groups of stakeholders allows for the collection of data and information in a timely manner because "interviews" can be conducted with several persons in one meeting. Usually, there would be a common theme to any particular group of stakeholders to assist with keeping the discussion focused and relevant to all attendees.

The same preparations suggested for individual stakeholder meetings should be carried out for groups of stakeholder meetings: introductory letters explaining the purpose, brief indication of questions to be discussed, and direct contact by telephone with as many of the invited attendees as practicable.

The national project team representative who is leading the group session needs to be able to guide the discussion in the meeting so that relevant information for developing a national IP strategy is revealed, while allowing participants to hear and discuss the perspectives of others and, at the same time, avoiding any one individual dominating the session.

It is important to remember that the process of data collection is not static or fixed and the national project team can use a combination of methodologies to obtain the data and information required. Ultimately, it is about finding the right mix of data collection tools to collect valuable information in an optimal manner.

Summarizing and discussing the data and information

One step in the process that all national project teams need to consider is how to communicate their information and analysis in an optimal manner.

In many national IP strategy development processes, a preliminary audit report of the current status of IP law, administration and usage in the country has been used to provide a framework for planning for the stakeholder consultation phase. Such a report, which is a product of the desk research discussed earlier, is used to inform and bring additional focus to individual consultation meetings with stakeholders. Therefore, it is a very useful document to circulate to stakeholders in preparation for consultations in the process of developing national IP strategies.

In some countries, preparing any sort of audit report has been delayed until the first round of consultations has been finalized. This allows the report to be more comprehensive and reflect all the information gathering undertaken so far. Further consultation is desirable to validate the findings. In many cases, for efficiency reasons, consultation on the audit report is combined with consultation on an initial draft of the proposed national IP strategy. All the inputs collected so far should be consolidated into the audit report, which may lay the foundation for drafting the strategy.

The process of developing a draft of a national IP strategy is discussed next in Phase four, and the process of validating and finalizing the strategy is discussed in Phase five.

4 Phase four Drafting the strategy

Once the data collection and initial round of consultation is finalized, a draft national IP strategy needs to be formulated based on analysis of all the data and information collected and the perspectives provided through consultation with the various stakeholders.

Some countries have very particular requirements for the presentation of national development plans. The national project team in each country should be aware of (or able to discover) what the requirements are (if any) in the particular country (e.g. format, structure or contents of similar government documents to adhere to). The discussion that follows assumes that no particular requirements are imposed and presents some generic approaches to writing a national IP strategy.

Key aspects to consider when drafting the national IP strategy include the following.

4.1 Summary of the data collection phase: key diagnostic

As discussed in Phase three, it is highly desirable that a documented and consolidated audit report has been produced at some stage in the previous processes. This audit report should now be updated and finalized to form the foundation material for the development of the national IP strategies. While a comprehensive audit report is a necessary precursor to the development of a national IP strategy, the strategy itself should be a stand-alone document. For this reason, it is useful to include a summary of the key findings and challenges identified in the audit report that the national IP strategy will address.

4.2 Linking the strategy with the national development agenda

The exercise of producing an audit report should have provided critical information on the status of the national IP system by sector/institution and revealed how IP currently fits within the long-term strategic goals of the country, particularly in the fields of promotion of innovation, competitiveness and creativity performance. The national IP strategy must be able to link these elements so that the gaps identified in the report between the status quo and the planned future development of the country are addressed by the strategic actions or policy directives set out in the strategy roadmap. This task needs to be done systematically. Diagram 3 is a graphic illustration of one approach to identifying the strategic actions that need to be included in the national IP strategy as part of the formulation process.

4.3 Strategic goal, vision, mission

As a first step, and as part of the presentation of the results of the data collection phase for stakeholder review and discussion, the opportunity should be taken to use the consultations to develop and test thinking about the strategic goal, vision and mission of the proposed national IP strategy. Stakeholder engagement at this stage is critical because their input will help shape the strategic development of the national IP strategy, as well as facilitate its widespread adoption at a later stage. The national project team should develop some proposed language to test with stakeholders and guide the discussions.

See Template 7 for examples of how some countries have documented their goals, vision and mission statements.

4.4 Strategic objectives and actions

To realize the vision and mission of the national IP strategy, it is necessary to develop a set of objectives, which will articulate government's policy on a particular issue. Additionally, a set of strategic actions or policy directives must be developed in association with each objective. These objectives serve as a roadmap to achieving the overarching goal of the national IP strategy. The process illustrated in Diagram 3 will identify many of the strategic actions.

An illustrative example is shown setting out a suggested approach to the framing of strategic objectives and actions within the national IP strategies.

Example of drafting strategic objectives and strategic actions

Strategic Objective
To strengthen the national IP system to improve its administrative operations and accessibility.

Strategic Actions
1. Undertake institutional strengthening of the administration of the IP system, through improved training and qualifications of staff.
2. Expand use of technology in the administration of IP rights including the implementation of electronic systems for the management and filing of IP rights.
3. Modernize and update the IP legislative and regulatory framework to support reform of administrative practices and the introduction of electronic administrative systems.

Diagram 3: Representation of the IP strategy formulation process

4.5 Developing an action plan

Once the strategic objectives and accompanying strategic actions for achieving these objectives have been articulated, the next step in the process of developing the national IP strategy is to develop an action plan, which sets out how each proposed strategic action will be implemented. The action plan will define a time frame, required resources and responsibilities for implementation for each action under each strategic objective. The success of the national IP strategy is predicated on a well-articulated implementation plan.

It should be noted that one of the keys to success in developing an action plan is monitoring. Good monitoring of the plan will enable successful intermediate and final evaluations. These evaluations are useful in understanding: what works in the strategy? What does not work and why? Evaluation aims at increasing knowledge of one or several aspects of the strategy for learning, informing decision-making processes, and being accountable to stakeholders and public.

Both monitoring and evaluation should be the elements to be integrated from the very beginning in the design of the strategy in order to be used later during the implementation and review processes.

In some countries, the development of an action plan has been undertaken and incorporated in the draft version of the national IP strategy that is made available for the validation and finalization phase (Phase five). In many cases, the development of a detailed action plan is undertaken in the implementation phase (Phase six) after the draft national IP strategy has been validated and finalized. In this guide, further details on developing an action plan and its importance to successful implementation of the national IP strategy are discussed in the implementation phase section (Phase six).

Where the number of national project team members is more than two, it may be useful to have agreed working arrangements among them in relation to this phase (drafting). Given the complex and challenging nature of the drafting of strategy, the national project team should develop and agree on specific working arrangements, such as peer-to-peer review of the drafts. Having predefined working arrangements also applies to other phases (e.g. data collection, as well as validation and finalization). Clear definition of individual roles and responsibilities of the national project team is also essential for productivity and efficiency of their collaborative efforts.

5 Phase five Validating, finalizing and adopting the strategy

5.1 Plan and implement validation with stakeholders

The next phase of the project is validation with all relevant stakeholders of the recommendations for the proposed national IP strategy. Such an activity is generally coordinated and facilitated by the national project team or steering committee.

The objectives of the validation phase are to:

- validate the contents of the draft national IP strategy;
- engage stakeholders to enable them to provide any additional materials, feedback and inputs to improve the draft national IP strategy;
- manage expectations of what a national IP strategy can achieve and seek consensus on the strategic directions set out in the draft national IP strategy;
- ensure the coherence of the IP strategy with any national innovation and creativity strategies, including with respect to overall timelines and the respective strategies' execution;
- increase stakeholder support for the contents of the draft national IP strategy, as well as for its eventual implementation;
- facilitate stakeholder understanding of the strategy and the opportunities it may present; and
- assist policymakers to identify potential risks in the implementation phase and plan how to enhance risk management to achieve better project outcomes.

Validation and consultation at this stage of the development of the national IP strategy is a significant step in the whole process. The validation phase, when properly conducted, will foster a strong foundation for a long-lasting and constructive relationship between policymakers and stakeholders because the implementation of strategy will encompass a range of activities, projects and approaches over a period of time involving the different stakeholders.

5.2 Select the participants

All the public and private institutions and agencies who participated in the data collection process – in particular interviewees who have given valuable feedback, as well as organizations and key stakeholders who will play a role in the execution of the national IP strategy – should be invited to participate in the validation exercise. To underscore an open and transparent validation exercise, subject experts who are willing to share their experiences and members of the public who are interested and committed to contribute should also be invited.

5.3 Timing and frequency

Depending on the complexity and scope of the strategy and the contribution of the stakeholders, there could be more than one consultation exercise.

A schedule for undertaking the validation exercise should be drawn up to meet the timeline stipulated for the delivery of the project to the government.

To enable stakeholders to contribute constructively in the validation exercise, the draft strategy should be forwarded early to all relevant stakeholders before the meeting. Sufficient time should be given to them to prepare for the engagement.

The decision to have one plenary session or a number of separate discussions would depend on the scope of the strategy, range of topics to be covered and the number of stakeholders involved. For focused feedback and in-depth discussions, it may be advisable to have separate meetings if there are expected to be large representations for the sectors and/or where discussions are envisaged to be intense. Furthermore, validation may also be conducted in many different ways to achieve the same objective (i.e. vetting and approval of the draft strategy by the participants concerned). For example, discussion could be organized whereby the participants may provide their feedback and inputs based on the draft provided beforehand, or it could be done in a more thorough manner whereby the discussion and exchange of views are done based on the projection of draft strategy on a big screen, proceeding through the vetting process section by section.

More consultations may be necessary to give the stakeholders a final opportunity to contribute further comments and for the national project team or steering committee to seek any clarification. As not all suggestions from stakeholders may be acted upon, this forum allows the national project team or steering committee to explain the limitations, challenges and obstacles in meeting all stakeholders' requests.

5.4 Finalize the national IP strategy

Upon finalization of the validation exercise, the national project team, under the guidance of the steering committee, would have to finalize the national IP strategy in a format that would be acceptable to the government. This also means the inputs and comments received during the validation process should be incorporated appropriately in the draft strategy in order to produce a final version that has been validated by all concerned.

The steering committee would then have to deliver the proposed strategy and the action plan to the lead agency for government endorsement. The process to achieve final endorsement and adoption of the national IP strategy may be different for each country, but it will generally involve a final step that requires formal endorsement and acceptance at the highest level of the government.

6 Phase six Implementing the strategy

Formulating and adopting a national IP strategy, including preparation and planning, collecting information, drafting, validating and finalizing, requires considerable effort. Implementation of a national IP strategy requires similar commitment, communication and effort. This section discusses and provides guidance on some of the key elements that, based on experience, need to be considered to achieve a successful implementation. These suggestions should be taken considering the context of each country.

6.1 Political support at the highest level possible

The political commitment that was necessary for the process of developing a national IP strategy is equally important in the implementation phase. In most countries, the finalization of the development of a national IP strategy is marked by formal endorsement of the document at a political level. This endorsement should be the foundation for ongoing political commitment to the implementation of the national IP strategy. Ideally, this is also true in the context of existing national innovation and creativity strategies, which are implemented in tandem with mutually reinforcing elements and processes.

Because the national IP strategy addresses the national IP ecosystem across various institutions, high-level political support will be an indispensable factor towards ensuring effective cooperation between and among relevant government agencies and other stakeholders. High-level political support also contributes to securing sustained momentum throughout the implementation of the national IP strategy. Public acknowledgement of political commitment at the highest level possible is also important. The adoption of the national IP strategy should be launched by the highest political authority of the country or at least at a ministerial level. If this is not possible, efforts should be made for the mentioning of the strategy by political authorities in interventions, interviews, columns or articles. It is not enough to simply have political support; this support should be made public, because it will empower those in charge and will align efforts in fulfilling the successful implementation of the national IP strategy.

Finally, planning should aim to maintain and sustain political support over time. The national IP strategy will include medium- or even long-term goals. With the passing of time, the initial level of commitment is likely to lessen, implementation teams may lose focus and there may suffer many personnel changes. Part of the implementation planning should include using the reporting and celebrating of progress milestones to maintain political level engagement to motivate and refocus implementation teams.

6.2 Communication of the strategy and the implementation plan

Communication planning and delivery is another critical aspect of the implementation of the national IP strategy.

Some of the communication channels used in the national IP strategy development process will continue to be important in the implementation phase. However, the implementation team should carefully review what the communication needs are for the successful implementation of the national IP strategy – what needs to be communicated, to whom it needs to be communicated, when it needs to be communicated and how it needs to be communicated.

There will be different communication needs at national, sub-national and regional levels; different sectors/institutions of society and the economy will have different communication needs; different aspects of the agreed national IP strategy will have different communication challenges. The process of identifying these different communication needs is a significant task, which the national implementation team will need to address early in its planning.

Communication strategies must be adapted to the context, needs and priorities of local communities to ensure they achieve their overall objectives of garnering the necessary support for the process and sustaining the achievements of the strategy during and after its implementation. Different communication strategies may be used either individually or in combination, ranging from television, newspapers, media products, Internet and social media platforms, etc.

6.3 Leading and steering implementation

Leadership in the implementation phase is crucial. As in the formulation phase, it is highly desirable that there is a lead agency and that a national implementation team should be established. In some cases, strengthening the role of existing agencies, which are responsible for the execution of national plans, has proved to be realistic and efficient.

Ideally, there should be some continuum between the membership of the team that managed the formulation and the one that will be involved in the implementation. It does not have to be exactly the same membership, but there should be some overlap, so that some members can contextualize the recommendations of the national IP strategy. Members of the team who were involved in the development of the national IP strategy will most likely have a strong interest in its successful implementation.

A crucial role to be filled is the individual who provides actual and visible leadership to the implementation team. Generally, a senior well-placed individual in the lead agency should

fulfill this role. The role requires communication skills, sound judgement and the ability to manage the coordination issues that will arise across a wide range of agencies, as well as good political liaison skills to maintain political engagement of the relevant minister or ministers. Ideally, this person is capable of communicating well both nationally and in regions to the broad public, to special interest groups and to senior ranks of other agencies.

6.4 Developing an action plan for implementation

The national IP strategy must be supported by a corresponding implementation action plan. The success of the national IP strategy is predicated on a well-articulated implementation action plan that facilitates easy monitoring of progress and evaluation of results achieved. Experiences have shown that implementation plans with a results-based management framework are more effective to monitor and evaluate, and programs and activities implemented through a project management approach have a higher rate of success. Persons, individuals or agencies responsible for implementing the action plan should be familiar with results-based management framework and should have a certain level of competence and skills in project management. If they do not, urgent attention should be given to provide an early opportunity for them to develop their knowledge and skills in these areas so that they could contribute effectively to the implementation of the action plan. Simple Gantt charts can be used to manage some of the implementation planning.

In general, the action plan should identify responsibilities for implementation, indicate a time frame for finalizing (or milestones to be achieved, in particular with reference to the national innovation/creativity strategies or goals), identify the necessary legal means (e.g. legislation, regulations, decrees, orders, etc.), outline the required systems and human resources, and identify the parties who will need to be coordinated and the financial resources needed for each action under each strategic objective. Some of the issues that need to be taken into account are discussed next.

Persons and teams responsible (the "who")

1. There should be clear and coherent identification of the roles and responsibilities for individuals and agencies involved in the implementation process.
2. There should be an individual nominated as the responsible person for each of strategic actions in the implementation action plan. The nominated individual would be responsible for managing the delivery of the strategic action and reporting to the national implementation team to the steering committee or to the lead agency.

Short, medium or long term (the "when")

1. The implementation action plan should identify whether the specific actions and goals should be implemented in the short, medium or long term. In this regard, prioritization of projects and activities under the implementation action plan based on their importance and urgency to be addressed is essential. A brief on priority setting can be found in Template 8.
   Furthermore, the logic of sequencing projects and activities should also be taken into account. A balanced mix of the three is desirable. Short- and medium-term actions are useful to show early gains and maintain motivation in the implementation teams. Longer-term actions are necessary to deliver necessary structural changes and more complex development objectives.
2. A balanced strategy should have a mix of the three and, where practicable, should have clear dates for implementation.

Means and mechanisms (the "how")

The means to be used to deliver each strategic action should be clearly identified. This is not just a matter of identifying the relevant agency or other organization to be responsible for delivering the action. While, in most cases, existing agencies and organizations will have the legal ability to carry out the tasks required of them, there will be some cases where existing authority may not be sufficient to deliver the actions. Legislative change (laws, regulations, decrees or government orders) may be required in these cases. These issues need to be addressed early and the often lengthy time frames to deliver such changes need to build into the action plan.

Systems and human resources (the "with what")

The national implementation team, working with each of the teams responsible for the delivery of specific actions, will have to identify the non-financial they will need (human, ICT systems, institutional resources and hardware), including whether they will be better delivered by external providers. This information should be identified in the implementation action plan.

Coordination with other implementation partners (the "with whom")

1. The various implementation teams need to identify the other agencies and stakeholders that have an interest in the specific strategic action to ensure they are included in the implementation planning documentation. In most cases, these other agencies and stakeholders should have been involved in the process to develop the national IP strategy, but additional agencies and stakeholders may need to be contacted and involved in the implementation planning to properly engage them

and ensure that the strategic actions will be achieved within the time frame.

2. A key role for the lead agency will be to manage conflicting directions and activities that the various agencies involved in the implementation may have. (Overlap and duplication is common among organizations.) If the national IP strategy has received high-level political endorsement, this will assist to convince participating agencies to assign personnel, time and resources to the common goal. Also, to ensure effective coordination, it will be important that the lead agency holds periodical meetings with those agencies responsible for the delivery of the various strategic actions to follow up on progress and resolve any difficulties that may arise. Establishing a steering committee, with appropriate representation, which meets regularly, will assist with resolving coordination issues.

3. Financial resources (the "how much")

The national implementation team, as well as the teams responsible for specific goals, will have to estimate not only the cost of each measure, but also where will the resources come from (additional funding, regular budget, a single or various agencies), for how long they will be needed and who will manage them. These details need to be built into the implementation action plan to allow monitoring and follow-up and to provide appropriate mechanisms for learning and accountability.

Items to consider for the implementation of national IP strategies

1. Political support Political support is critical to give the lead agency for implementation of the national IP strategy and the national project team the required authority to coordinate different institutions, stakeholders and teams in charge of implementation. Additionally, such support will have an impact on the mobilization of necessary resources for implementing the strategy. Securing government endorsement at the highest level for the finalized strategy is an important step to secure strong political support. Such support should be made highly visible through a sound communications strategy.

2. Leadership Leadership, together with political support, is the key to carrying the national IP strategy forward. The national implementation team charged with the planning, communicating, evaluating and monitoring of the implementation of the strategy need a well-placed individual at a senior level to provide visible leadership and guidance to the national implementation team, as well as those in charge of specific goals.

3. Appropriate human resources The national implementation team should have appropriately qualified and experienced members who are capable of the necessary planning, communicating, evaluating and monitoring of the implementation of the national IP strategy. In this regard, one of the essential competencies is project management, including monitoring and evaluation of results and impact. Similarly, the human resources involved in the implementation of specific goals and strategies within the various government agencies should have the appropriate skills and experience to deliver the desired outcomes.

4. Financial resources The action plans included in the national IP strategy should have identified the necessary resources needed to deliver the various goals and strategies. Securing budget commitments to make these resources available is a critical implementation requirement. High-level political support and senior leadership are keys to securing appropriate resource commitments in all agencies involved in implementation.

5. Coordination Implementation of the national IP strategy will be carried out by different teams within various agencies that need to be coordinated. Although many of the goals set out in the strategy may be the prerogative of a single agency, there will be many that are inter-agency or need involvement of both the private and the public sector, as well as civil society. A key role for the leadership and the national implementation team will be coordination across all the different strategic actions within single agencies, as well as the coordination of inter-agency and multi-sector/multi-institution strategic actions. A challenge will be to keep the broader directions of the strategy in view as the individual strategic actions are implemented.

6. Accountability The commitments agreed to by various agencies and stakeholders in the development of the national IP strategy will need to be followed through in the implementation phase. The national implementation team should take responsibility for monitoring and reporting to the leadership and to government on the delivery of the required strategic actions by all parties. Such accountability is critical and sensitive but necessary for successful implementation of the strategy.

7 Phase seven Monitoring and evaluating (revising the strategy)

Monitoring and evaluation of the implementation of the strategy is the foundation for identifying what progress is being made to implement the strategy and what elements of the strategy may need attention if they are not progressing as anticipated.

A key role of the national implementation team will be to implement good progress-monitoring mechanisms and provide regular reporting on progress and effectiveness to the steering committee (if one has been established), to the leadership of the implementation in the lead agency and, periodically, to the appropriate political leadership. For progress to be monitored over time, national IP strategies will ideally contain measurable goals that are proposed *ex ante* and implemented, monitored and evaluated once the strategy is adopted. The strategy may contain agreed metrics that correspond to the goals set out within it.

Some consideration should be given in the development of the implementation plan to how progress is going to be monitored and measured. Formal reporting from implementation teams should be required on a regular basis, but consideration should also be given to developing in advance the key measures that will be used to monitor progress.

The leadership through the national implementation team should decide on the approach and system for monitoring and evaluation of performance. The indicators (qualitative and quantitative) that are going to be used for each strategic goal and its actions to measure progress should be decided in advance and set out in the implementation planning.

There are various approaches to setting up such monitoring and evaluation systems. Gantt charts with milestones can show progress against a plan but usually do not include qualitative or quantitative measures. An example of one type of approach to monitoring and measurement, which can include qualitative and quantitative measures, is some form of results-based management framework. Results-based management frameworks encourage the planning process to identify what measures will be used to measure and determine progress towards the identified outcome in the strategy. They focus on performance and the achievement of outputs, outcomes and overall impact of an intervention, collectively known as results. Results-based management uses a structured, logical approach that identifies expected results, as well as the inputs and activities necessary to achieve them. It aims at promoting management effectiveness and accountability through:

- clearly defining realistic results and targets;
- linking planned activities to the results to be achieved;
- monitoring progress towards the achievement of expected results and targets;
- assessing whether results were achieved and why;
- integrating lessons learned into management decisions; and
- reporting on performance.

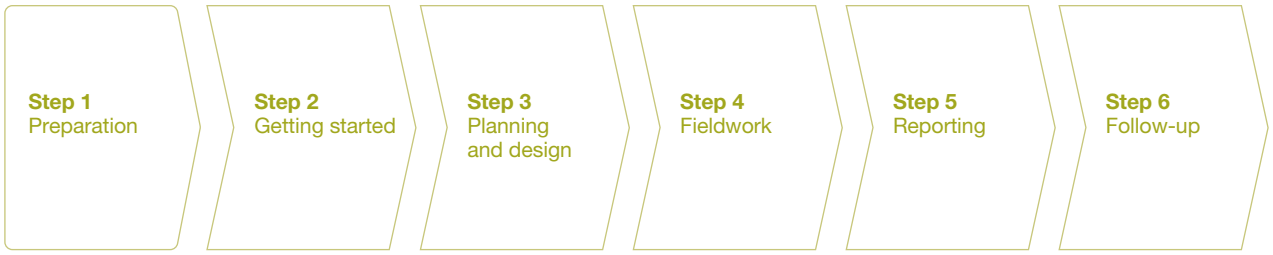
A model results-based management framework is set out as Template 9.

Equally as important as establishing regular monitoring and measuring in the implementation plan is establishing a clear formal review process. This review process normally takes the form of an evaluation. There are two types of evaluation depending on their purpose: mid-term evaluations, with the main purpose focused on learning; and final evaluations, with a focus on accountability.

An intermediate evaluation is an opportunity for national stakeholders to contribute their knowledge and views about the design and implementation of the strategy. At the end of the process, the evaluation provides feedback by recognizing achievements that have been made. Furthermore, it identifies areas for improvement and supports evidence-based decision-making. The purpose of the review is not to find failings; the goal should be to identify where the strategy's implementation is on track and where attention may need to be given to get the strategy's implementation back on track. Intermediate evaluations ideally occur at the midpoint of implementation of the national strategy. Normally, it would be commissioned and designed at the end of year two and conducted during year three after the national IP strategy is endorsed by government. However, the timing may be driven by other factors, such as the government’s own review planning cycle or linkage to the overall government review cycle. If the national IP strategy has a time horizon of longer than about five years, then scheduling a second review point should also be considered.

The intermediate and the final evaluations of the strategy follow a standard linear process that begins with the design of the evaluation, followed by the collection of data and information that will subsequently analyzed and reported. The process is finalized with the generation of recommendations for different stakeholders and the dissemination of findings and conclusion attained during the evaluation (see Diagram 4). Any evaluation report produced and its recommendations should be able to be actioned by the lead agency and the national implementation team. This will ensure that the feedback mechanism of the evaluation is useful to improve the implementation of the strategy.

Diagram 4: Steps of a standard evaluation process



Intermediate and final evaluations should fulfill basic principles of independence, impartiality and ethics, in order to be credible and useful. In this sense, the evaluation should be undertaken by someone who has some objective distance from the implementation team – a person seconded from the national audit office reporting their findings to the lead agency or the steering committee, or an outside consultant employed to undertake the review for the lead agency.[2]

Finally, the national IP strategy reflects national priorities at a given time and their successful implementation should ideally lead to advancing the national IP ecosystem from one stage to another, building on the best practices and lessons learnt from earlier stages of implementation.

As such, the periodic complete revision of national IP strategy, based on intermediate and final evaluations, will be important to ensure that the national IP strategy continues to respond to a country's needs at each subsequent phase of advancing its IP ecosystem. The strategy itself and its implementation plan should include provision for how the strategy will be reviewed and kept current. While there is no standard period of time for the delivery of all the strategic actions in a national IP strategy, it is common for the strategy to cover at least a period of five years or longer, preferably closely linked with the overall existing national development plans or similar national planning frameworks. Such a comprehensive revision should trigger the whole process again, from Phase one to Phase seven.

2. Further information on the evaluation process can be found in the WIPO Evaluation Manual, available at www.wipo.int/export/sites/www/about-wipo/en/oversight/iaod/evaluation/pdf/evaluation_manual.pdf

Guide to data collection by sector and cluster

The material in this section has been included to assist national project teams in undertaking the critical data collection and analysis phases in the development of national IP strategies. The material reflects the experience of many national project teams in preparing questionnaires, undertaking interviews and holding focus group discussions to uncover information to assist with the creation of various national IP strategies.

The sample questions set out in this section are designed to help guide the national project team (and consultants, if used) through the data collection process. The questions are organized by those individual sectors/institutions or clusters of interests that are the most likely to be important to a country's economic, social, cultural and technological development and may be impacted (positively or negatively) by the IP system in the country. There may be other sectors or clusters that should be addressed in different countries. The questions are necessarily generic: every country has different legal and institutional arrangements, different development priorities and opportunities, and different political, social and cultural histories. Nonetheless, these generic questions should assist national project teams to develop their own more specific questions to uncover the particular relevant circumstances of each country and help identify the gaps and shortcomings that may have to be addressed through the proposed strategies.

For most of the sectors/institutions or clusters, the sample questions are grouped under five headings, as follows.

- *Status* – What are the main economic or other characteristics of the sector/institution or cluster?
- *Legislation* – What are the main legislative settings relevant to the sector/institution or cluster, especially IP-relevant settings?
- *Institutions* – What are the main institutional arrangements in the sector or cluster?
- *Opportunities* – What are the potential opportunities in the sector/institution or cluster that the existing or improved IP system could support?
- *Challenges* – What challenges are faced by the IP system in the sector/institution or cluster?

There are information overlaps between some of the sectors/institutions and there is therefore some duplication of the information sought by the sample questions. The sample questions should provide the national project team with a basic framework to start to develop their understanding of the sectors/institutions or clusters and uncover some of the possible strategies that could be considered for inclusion in the national IP strategy.

The sample questions are clearly not exhaustive. The questions need to be adapted to local circumstances and more detailed questions will need to be developed by national project teams and further elaborated in response to the replies and explanations revealed through the various data collection processes.

1 IP agencies and administration

Before turning to information gathering and analysis of the sectors/clusters or institutions, the national project team will need to examine the current administrative arrangements for the main government IP agencies. What are the main IP agencies? Is there one agency responsible for all the different types of IP? Is there an industrial property office (IPO) and a separate copyright office (CO)? Is there a separate agency responsible for plant variety rights? Which agencies are responsible for policy and administration relating to other areas of IP such as geographical indications, trade secrets, traditional knowledge (TK) and competition policy? Which ministry is responsible for which agency?

Many of the issues that may be raised by stakeholders in the consultations will be directly connected to the efficiency and effectiveness of the operations of the various government agencies responsible for IP matters. In the development of a comprehensive national IP strategy, some aspects of the efficiency and effectiveness of the various IP agencies will therefore inevitably be included. In some circumstances, however, it may be appropriate for the country to undertake a more comprehensive formal review of the efficiency and effectiveness of one or more of the IP administrative agencies in the country, which are the backbone of any national IP systems. This approach may even be the main focus of national IP strategy planning for some countries. Apart from the support WIPO provides for developing national IP strategies, WIPO also has dedicated tools focusing on resource and management diagnostic of IP administration, which can support countries to undertake more detailed reviews of IPOs.

These sample questions do not fully cover all the matters a comprehensive review of the operations of an IP agency should cover. The sample questions are designed to reveal the issues of efficiency and effectiveness of IP administration that may need to be addressed in a national IP strategy, but more in-depth analysis may be needed for a more comprehensive formal review of the IP agencies, which may be addressed separately through a focused initiative or specific project.

National laws on IP

i. Which laws provide protection to IP subject matter? Which laws may require revision and why?
ii. Which international agreements is the country party to? Are IP laws currently in force compliant with international obligations?

Administrative arrangements

i. Identify the various agencies responsible for IP matters.
   - Is IP administration centralized under one agency, or is it handled by two or more agencies?
   - To which government minister(s) are the CO, IPO, IP and plant varieties office answerable? Which ministries are responsible for policy relating to TK, trade secrets, competition policy, etc.?
   - Are the offices or some of them financially autonomous or semi-autonomous?
   - Is copyright policy and administration under the same national authority as the IPO? If not, what arrangements are in place to coordinate activities between these offices?

ii. Do any of the IP offices have branch offices in other parts of the country? What functions do the branch offices manage?

Key functions

i. Identify the types of IP rights (IPRs) each IP office grants, registers and administers. Are there plans to expand the scope of responsibilities of the office?
   - Does the IPO conduct formal and substantive examination for some or all industrial property rights before registering or granting them? Are some or all of the functions outsourced to other institutions or foreign IP offices? Are there formal agreements or other collaborations with other foreign IP offices?
   - Is there a voluntary recordation scheme for copyrights?
   - Is a register of works maintained by the CO? If no, does it fall within the competence of other public agencies (e.g. national library, ministry of culture, etc.)?
   - What is the subject matter that is recorded (works, contracts, licenses, etc.)?
   - Is there a national register of TK-related products?

ii. Is the IP office also responsible for the protection of new plant varieties or breeders' rights? Is the protection of plant varieties a joint effort with other agencies (such as the ministry of agriculture)?
iii. Is the IPO/CO responsible for policies on traditional cultural expressions (TCEs), TK and genetic resources? If not, which office is responsible for the policies?
iv. What role does the IPO/CO have in the design of IP policymaking and development legislation?
v. What role does the office responsible for copyright play in the authorization and establishment of collective management organizations? If none, who does? Does it have a role in promotion effective collective management?

vi. Does the CO have a role in overseeing collecting societies? If so, what is the scope of the mandate?
vii. Does the IPO/CO administer the use of works and productions owned by the government or which are in the public domain?
viii. What role does the IPO/CO have in addressing any gender gap and other biases in the IP system? What other agencies are involved and what are their roles?
ix. What role does the IPO/CO have in the development of domestic and international IP policies? What other agencies are involved and what are their roles?
x. Which IP treaties have been ratified and implemented?
xi. Do the IPO/CO have a stated vision, goals and targets? If so, do they have any linkage with those from the supervisory ministry or government?
xii. What role do the enforcement agencies play and under what type of mandate?

Staffing

How many staff does the IPO/CO have in total and in each respective section?

i. Is this number enough to meet current and projected increase in workload?
ii. What is the average tenure of the staff, in the last ten years, in particular among the technically qualified and technically trained staff?
iii. What are the qualifications of the staff?
iv. Do all the staff have up-to-date profiles?
v. Are there difficulties in recruiting staff at all levels or only at some levels?
vi. Do the IPO/CO have a staff management and/or development policy/framework in place?
vii. Does a training policy exist regarding the staff? If yes, what are its main pillars?

Financial resources

i. How is the IPO/CO funded? Are there challenges to the present funding model? What are these challenges?
ii. Are there any plans or strategies for modernizing or strengthening the IPO/CO, such as expanding its functions, obtaining additional resources, acquiring an autonomous institutional character, etc.?
iii. Does the IPO provide value added information services in the field of patents, technological documentation, trademarks, industrial design?
iv. Does the CO provide information services on metadata or archives?
v. What are the sources of funds of the IPO/CO, e.g. regular budget allocation, fees for services?
vi. What mechanism or strategy is in place (or should be in place) to ensure that the IPO/CO operate in a financially sound manner and that their activities are sustainable?

Automation/information services

i. Which functions of the IPO/CO have already been automated and for which functions are automation plans presently in place?
ii. Are databases of industrial property applications and registrations and copyright recordation available online for public access? Is the national collection available? Is there any other metadata collected and publicly available?
iii. Are online filings of applications and other electronic submissions, responses and requests available? What is the percentage of these filings?
iv. Is there an office website where IP legislation, training materials, IP guidelines, case studies, etc., may be easily accessed?
v. Are IP services responsive to constituent's needs? Are the services easily accessible and reliable?

IP applications, grants and recordation

i. What is the application and registration rate of the various industrial property rights, new plant varieties rights and the recordation of copyright over the last five years? What proportion of applications and registrations for each type of right are domestic applicants?
ii. To what extent do local businesses seek IP protection abroad and by what means?
iii. Who are the major filers of industrial property locally? Is there a breakdown by sectors or technology, by country of origin, by applicants (i.e. universities and research institutions, natural persons, companies, government)?
iv. What is the rate of pending industrial property applications in the last five years?
v. How long does it take, on average, for the office to grant or refuse an application for an industrial property right (by type of industrial property right) after a filing date has been accorded?

Adjudication and enforcement

i. Is the IPO/CO involved in any review decision-making processes relating to IPRs, such as review of office decisions?
ii. Is the IPO/CO involved in the provision of alternative dispute resolution (ADR) services (conciliation, mediation, arbitration)? What are the details of these arrangements, if any?
iii. Is the IPO/CO involved in IPR enforcement activities directly or through other agencies such as customs and police activities? If so, what specific role do they play and what is their mandate?

Public outreach and awareness activities

i. What IP public outreach and awareness activities have been conducted in the last five years? Are there details of such activities such as locality, frequencies, target audience and type of campaigns?
ii. Are these activities developed and delivered with other partners such as other government agencies, industry bodies, civil society organizations, international organizations, etc.?
iii. Is there a strategic and structured plan for public outreach and awareness activities?
iv. Have surveys or other forms of assessment been conducted to determine effectiveness of the activities?

Training and capability development

Is the IPO/CO involved in IP education and capacity building of human resources (such as school students, undergraduates, IP professionals – IP practitioners, business advisors and consultants – creators and innovators, SMEs, researchers, etc.) to support a thriving IP ecosystem? What is its involvement and what are the challenges?

Innovation/creation and commercialization

i. What is the role of the IPO/CO in the development of innovation/creativity promotion policy of the government?
ii. What arrangements are in place to link agencies formally responsible for innovation/creativity policy and programs with the IPO/CO?
iii. What role do the IP Offices play in innovation/creativity promotion, commercialization and monetization of IP?
iv. What arrangements are in place to support and promote the use of IP by SMEs?

Challenges and priorities

i. What are the major challenges faced by the IPO/CO?
ii. Is there a policy document or strategic plan on the development of the IP system?
iii. What should be the priorities in terms of enhancing the IPO/CO over the next five to ten years? Who are the main partners involved in consulting/meeting these priorities?

2 Enforcement of IP rights

The national project team will need to gain an understanding of the current situation regarding the enforcement of intellectual property rights (IPRs) across all sectors of the country. In every country, both the rights-holders and the rights users have an interest in how IPRs are enforced. From the rights-holders' point of view, the ease of bringing infringement actions, the level of state support for enforcement activity, and the adequacy of penalties and remedies are key considerations. From the users' perspective, heavy-handed police enforcement or overreaching by rights-holders (particularly foreign rights-holders) to secure and enforce rights can undermine community acceptance of the legitimacy and general benefits of the IP system.

The sample questions in this cluster explore some of the aspects of enforcement that a national project team should look into.

Status

i. Is there evidence that enforcement of IPRs is a particular issue for some sectors/institutions? Has enforcement of IPRs been raised as an issue in any of the sector/institutions specific strategic plans? Have any of the sectors/institutions raised particular issues during the consultation process about the role of enforcement in their sector/institutions? Is there an effective coordination mechanism in place among enforcement agencies to facilitate communication, information sharing and cooperation? What are the main issues and challenges?
ii. What are the key concerns about enforcement raised by the different sectors/institutions (insufficient enforcement activity by relevant authorities, insufficient penalties and/or remedies in legislation, widespread infringement in the community, slow and/or expensive judicial proceedings, etc.)?
iii. Are there statistics of IPR infringement activity over the last five to ten years (including illegal downloads, sale and purchase of infringing goods online)? Are there statistics over a similar period of civil and criminal proceedings concerning IPR infringement? Is there data on IPR infringement investigations and action taken by relevant authorities?
iv. Is there any data on costs and timelines of IPR infringement court proceedings?
v. Has a study been carried out on the impact of counterfeit and pirated goods on the economy of the country? If yes, what were the main findings of this study? If no, is there a plan to undertake such a study?

Legislation

i. Are IPR enforcement-related provisions contained in the various IP laws (e.g. patent enforcement provisions in patent law, trademark enforcement provisions in trademark law and copyright enforcement provisions in copyright law) or consolidated into one piece of legislation? (The detail of these provisions should be documented by the national project team.)
ii. Are there IPR enforcement provisions in other non-IP laws such as customs legislation, consumer protection legislation or the general criminal code?
iii. Are there other non-IP-specific laws that are also relevant for the enforcement of IPRs such as a civil law code for the assessment of damages, criminal law, civil procedural law, criminal procedural law, competition law, etc.?
iv. Are the legislative arrangements for the enforcement of IPRs consistent with the detailed requirements of Part III of the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS) on enforcement of IPRs?

Institutions

i. What role, if any, does the IPO/CO have in IPR enforcement?
ii. Is IPR enforcement handled by one agency or several agencies? (Identify these agencies.) How is the coordination of enforcement of IPRs implemented where several agencies are involved to avoid duplication of roles?
iii. What are the resources (staffing, budget, etc.) of the IPR enforcement agencies?
iv. Which other agencies (general police, economic police, customs officers, etc.) are involved in IPR infringement investigations and prosecution? Are these public authorities entitled to initiate such proceedings on their own initiative or only after submission of a complaint, or both? Is there a formal coordination arrangement between these agencies relating to IP enforcement matters?
v. What training do law enforcement officials (police, customs, market inspectors, etc.) receive with regard to IP-related matters?
vi. Is there an agency or institution that deals with computer crime or cybercrime? Does this agency also investigate and prosecute online IPR infringement?
vii. Identify any non-court institutions that can adjudicate on IPR infringement matters (IPO/CO, other administrative body).
viii. Which courts have jurisdiction to handle which type of cases of IPR infringement? Is there a specialist IP court?

Identify potential opportunities for IP system

Based on the findings of the data collection and consultations, some of the areas in which improvements may be desirable in the enforcement of IPRs may include:

- coordination between enforcement agencies;
- training of enforcement agencies in relation to IP matters;
- IP education for judicial authorities (consideration could be given to the value of establishing an IP specialist court);
- legal framework and legislation, which may need to be reviewed and amended to become TRIPS-compliant;
- the level of penalties for IP infringement, which may need to be increased;
- the resourcing of IP enforcement agencies; and
- public awareness about the IP system (activity may need to be designed to improve understanding and support for IP enforcement).

Challenges, plans and reforms

i. What are the major challenges faced by the enforcement agency/agencies, custom authority and the judiciary?
ii. Is there a national policy document or strategic plan on IPR enforcement?
iii. What should be the priorities in terms of enhancing the IP system (with respect to IPR enforcement) over the next five to ten years? Who are the main partners (stakeholders, government agencies) involved in meeting these priorities?
iv. Which agencies/institutions have to be consulted during the process of identifying the main components of a national IPR strategy?
v. Which core institutions should manage the implementation of the strategy (with respect to IPR enforcement)?

3 IP education

Successful implementation of an IP system is heavily dependent on the existence of expertise capable of appropriately helping users and creators of IP to benefit from the IP system. Successful implementation of an IP system is also heavily dependent upon a widespread and broad understanding of the role of IP in the economic, social and cultural life of the community. Education in IP matters therefore has to both address the creation and support of expertise in the legal and business communities as well as underpin and promote broader understanding and knowledge in the wider community.[3]

The national project team needs to explore the issues associated with achieving these outcomes.

Status

i. Education of IP legal and commercialization professionals

- Is IP education included in the standard education curriculum of legal professionals? Is it a core subject or elective?
- How are IP commercialization professionals trained and qualified? How is their profession regulated?
- Are there legal firms that specialize in IP work? How many legal professionals practice in the IP field? Does this number meet demand?
- How many IP commercialization professionals are currently practicing in the country? How does this number equate with demand for their services?
- What role, if any, does the national IPO play in the training, qualification and regulatory process relating to IP commercialization professionals?
- If the IP commercialization professionals are self-regulating, to whom is the regulator accountable?
- What professional development are commercialization professionals required to undertake?

ii. General IP education and training

- Is there any general IP education included in the school curriculum? At what level(s)?
- Is any general or specific introduction to IP included in any courses at tertiary level? Which courses, apart from law courses, include any relevant aspects of IP for tertiary students (science courses, business schools, design courses, creative arts courses, etc.)?
- Are there courses available for business people, researchers and government officials that cover the principles of IP and the impact of IP on society and business?
- To what extent is any IP education followed by specific job-focused training for individuals?
- Do teachers and lecturers have sufficient knowledge of IP-related issues such as patents, copyrights, industrial design, etc.?
- What education is provided to business people, government officials, designers and students in relation to the principles of IP and the impact of IP on society and business?
- To what extent is this education followed by specific job-focused training for individuals?
- Are there any research programs focused on investigating the economic and legal impact of IP?

iii. IP knowledge building and outreach

- Is there a strategy in place for enhancing general IP knowledge in business and the community? Which agencies are involved in executing the IP knowledge programs? Which partners at the national, regional and international levels are engaged to coordinate and implement these programs?
- Has there been an assessment undertaken specifically to obtain data on the level of IP knowledge in the commercial and business community (including at the SME and micro-enterprise level)? How was the assessment undertaken? Which agencies were involved in coordinating and executing the assessment?
- What is the general level of IP awareness in the country? How has this been assessed?
- Does the level of IP knowledge differ from sector to sector (e.g. universities, business, research institutions, government departments, local government)? Does it differ regarding practitioners in different economic sectors?
- Are citizens informed on the development of IP policy or other IP-related economic/social/creative industries policies? If yes, how? How is this information communicated?
- Does the current level of IP education and knowledge meet the country's needs? If not, what actions would be necessary to improve the current situation?

3. Increasing the level of IP knowledge is an essential component of any strategy to build respect for IP. WIPO has developed a toolkit to raise IP awareness especially in terms of IP infringement. The WIPO Consumer Survey toolkit on Building Respect for IP (BRIP) is available at www.wipo.int/enforcement/en/awareness-raising/

Legislation

i. Does national IP legislation address education and public awareness? Are specific agencies or bodies identified as key to implementing education and awareness programs?
ii. Does the country's trade and technical cooperation agreements allow for providing technical assistance at the national level to support the IP system through training education and public awareness? At what levels are these provisions targeted (decision-makers, support organizations, IP offices, academic and R&D institutions, private sector, micro-enterprises, informal sector)?
iii. Review existing MoUs among national education and training institutions, and regional and international partners, to identify where provisions are made for IP education, training and public awareness.

Institutions

i. Which government institutions have responsibility for the development of curriculum in schools and tertiary institutions?
ii. Which government institutions have responsibility for training and professional standards in the legal profession and for IP commercialization professionals?
iii. Which government agencies have responsibility for IP public awareness in the business and commercial sector and in the general public? Is this responsibility divided between different agencies (such as an IPO and a CO)? Are there formal coordination arrangements in place between these agencies to manage the content and delivery of these awareness programs?

Identify potential opportunities for IP system

i. Identify existing programs that can benefit from the inclusion of an IP education and training component.
ii. Identify areas for professional development in the area of IP, e.g. IP securitization and IP asset management.
iii. Identify professional organizations (e.g. accounting, financial) that can be further integrated into the IP system to provide training on IP to their members.
iv. How can IP offices develop a sustained program of IP awareness and outreach?
v. Identify training opportunities for business support organizations in IP-related matters, so they can expand their portfolio to services offered to clients to include IP.

Challenges, plans and reforms

i. Identify the key problems and challenges in terms of building national knowledge capacity to implement an effective IP system and the human capital required to benefit nationally from the use of IP as a tool for national development. Develop strategies to address them.
ii. What are the priorities for developing the IP system with regards to IP education, awareness and training for the next five to ten years? Which strategic partners will be involved in meeting these priorities?
iii. Identify key strategic objectives for developing the national IP strategy as it relates to IP education, training and knowledge transfer. Identify which bodies need to be consulted and the resources required to implement relevant strategies in the national IP strategy.

4 Agriculture

In most developing countries and LDCs, the agricultural sector is of critical economic, social and cultural importance. The actual or potential role and contribution of the country's IP system to the well-being and development of this sector is therefore likely to be a key focus of any national IP strategy.

The national project team's data collection task for the agricultural sector therefore should focus on identifying where the IP system may impact (positively or negatively) on the agricultural sector and how these impacts should be managed through the strategic development of the country's IP system.[4]

Most of the information required about the agricultural sector should be available in any detailed government agriculture sector development strategies, but the linkage with IP issues may need further consultations with relevant government agencies and agricultural industry representatives.

Status

i. What is the sector's contribution to gross domestic product (GDP) and job creation? How are businesses in the sector categorized (large, small, micro)? Do the official agriculture statistics capture the informal sector and the value of this sector to social and economic development?
ii. What are the main commercial agriculture products (for domestic consumption and for export) in the country? What is the value of this production?
iii. What are the main products in the informal agriculture sector? How much (and what value) of the production in the informal sector is brought to market?
iv. What role does traditional knowledge play in agricultural production and/or processing? Is traditional knowledge being commercialized in this sector?
v. Is there an agro-processing sector? What products are produced? Are these products exported? How is the IP system used by agro-processors?
vi. What are the main development opportunities in the agriculture sector?
vii. How are businesses supported for local production and distribution of their products?
viii. Is there a national policy on the role of plant variety protection for encouraging agriculture development?
ix. Is there a national policy on seed protection and management?

Legislation

i. What legislation governs the agricultural sector and use of agricultural biodiversity?
ii. What are the current or planned IP legislative settings that might impinge on the agriculture sector (patenting of plants or plant varieties, sui generis plant variety protection, geographical indications protection, etc.)?
iii. Is protection provided for plant varieties of all genera and species?
iv. Analyze the status of legislation and regulations. Are they current? What amendments might be required to help agricultural stakeholders to better use IP tools to improve their competitiveness?
v. Is the country party to any international treaties or conventions relating to this sector such as the International Convention for the Protection of New Varieties of Plants or the Food and Agriculture Organization (FAO) International Treaty on Plant Genetic Resources for Food and Agriculture?

Institutions

i. What are the key organizations (government, private and non-government) involved in the agricultural sector?
ii. What is the legal status, governance and functions of the Plant Breeders Rights Office?
iii. How are the private and civil society sectors involved in the agricultural sectors in terms of advocacy for policies to support the development of the sector?
iv. How cooperative are the sectors and what type of collaborative activities and knowledge sharing occurs?

Identify potential opportunities for IP system

i. Identify potential opportunities for the IP system to play an active role in supporting the agriculture sector. These could include using:
   - IP to support technology transfer to increase productivity through mechanization, irrigation or other technology improvements;
   - IP to support the introduction or development of new plant varieties;
   - certification marks and/or geographical indications (GIs) to better differentiate, market and add value to agricultural products and agricultural production;
   - IP to support investment in R&D in the agricultural sector; and

4. Further information for the sector is available in two WIPO papers: The Potential Impact of Intellectual Property Rights on the Forestry Chain in Uruguay, available at www.wipo.int/meetings/en/doc_details.jsp?doc_id=233462, and Enhancing Innovation in the Ugandan Agri-Food Sector: Robusta Coffee Planting Material & Tropical Fruit Processing, Economic Research Working Paper No. 42, available at www.wipo.int/publications/en/details.jsp?id=4320&plang=EN.

- IP to support access to external markets through branding, trademarks, GI and certification marks.

ii. Identify any barriers in the existing IP system in the country, which may need addressing to facilitate the better use of the IP system to support development in the agriculture sector. Key questions may include the following.
   - Is plant variety protection available? Is the system accessible to small producers? Is the system compliant with the International Union for the Protection of New Varieties of Plants (UPOV)? Has there been training for relevant agencies or users of the UPOV system?
   - Are certification marks available? Is the system accessible and affordable for small agricultural producers? Is the system enforced?
   - Can GIs be protected? How accessible and affordable is the system?
   - Can plant varieties be patented? Are there foreign-patented plant varieties that need local protection to facilitate introduction?
   - Are there foreign agricultural technologies/products that need local protection (patents, designs or trademarks) to facilitate introduction? Is the protection available? Is it enforced?

Challenges, plans and reforms

Based on an analysis of the importance of the agriculture sector for the country's development and the national priorities identified in any national agricultural policy, linkages with proposed IP strategies should be explored.

i. Identify the potential IP strategies that might link with the identified key problems, directions and challenges for the agricultural sector.

ii. What should be the priorities for developing the IP system with regards to agriculture and related industries for the next five to ten years? What are the priorities in terms of plant variety protection? Which strategic partners will be involved in meeting these priorities?

iii. Identify key strategic objectives for the agriculture sector to be included in the national IP strategy.

iv. Identify which bodies need to be consulted and the resources required to implement the proposed components of the national IP strategy related to the agricultural sector.

v. Assess national strengths and weaknesses with regard to implementing the national IP strategy based on strategic objectives and actions developed for the agriculture sector.

vi. Assess the priorities of IP and agriculture discussed in international negotiations.

5 Creative industries

One significant sector in many countries is the broad grouping of activities usually described as the creative industries. In the area of the creative industries, the various interests include those of writers and journalists, composers of music, photographers, visual artists, musicians, actors, publishers, music and audiovisual producers, media, those authoring, developing and producing video games, broadcasters, libraries, archives, music and video platforms, and the consuming public. A table showing the diversity of subsectors to consider is set out in Template 10.

From an IP perspective, copyright and related rights protection are often seen as the key relevant forms of protection for the creative industries. Copyright is central to the business model that rewards and facilitates relationships and transactions between authors and composers, performers, publishers, music and audiovisual producers, broadcasters and distributors such as libraries or the various electronic distribution platforms. Design protection and trademark protection are also often important for many businesses within the sector to differentiate from their competitors in the marketplace, cement customer loyalty and generate increased revenues.

The following sample questions have been documented to assist national project teams identify the broad range of interests and activities in the creative industries and begin to explore the issues that might need to be addressed in developing national IP strategies for this sector.[5] A sectoral strategy should thoroughly analyze the market, describing the demand and supply of creative goods and services, in order to provide the appropriate instruments for government and stakeholders.

Status

i. What are the main features of the creative industries in the country? Have any mapping studies of the creative industries been done and what are their conclusions?
ii. What is the contribution of the creative industries sector to economic, social and cultural development? Is there any macro-economic data from existing studies of the creative industries (empirical evidence on the creative sector in the economy)?
iii. Is there disaggregated data on the contribution to the sector by gender?
iv. Is there a national policy for promoting the creative industries? Is this policy bundled with other public policies, such as a national culture development policy? What is the process for reviewing the policy and ensuring that its content is accurate and reflects current needs and practice?
v. What are the specific national copyright policies? What is the process for copyright policymaking in the country? Is there a formal process established (procedures, guidelines or practice)? How are these policies communicated to stakeholders and public?
vi. What policy initiatives are in place to support the development of the creative industries sector, such as tax incentives, public grants, low-interest loans, fairs, festivals, expositions, etc.?

Legislation

i. Identify all legislation relating to the copyright and other IPR protection of creative industries.
ii. Identify legislation related to creation and use of protected creative content in the digital market.
iii. Which copyright and relative rights treaties relating to the creative industries have been ratified and implemented? What are the copyright-related matters that make up the national agenda of international negotiations?
iv. Undertake an analysis of existing legislation and ascertain its consistency with current national trade and treaty obligations.
v. Undertake an analysis of the laws or regulations on collective management of copyright and related rights. What are the main features of these regulations providing for, among other things, the constitution, rights administered, legal representation, operation and oversight of the collecting societies?

Institutions

i. Is there a national institution(s) that has overarching responsibility for the strategic direction of creative industries policy and determining the overall context for its implementation and revision?
ii. Which government agencies have responsibilities for copyright and related rights administration and legislation?
iii. Are there other national bodies with responsibility for developing the creative industries? What are their mandates and how are they fulfilled?

5. More detailed information for the sector can be found in: WIPO Good Practice Toolkit for CMOs (The Toolkit), available at www.wipo.int/edocs/pubdocs/en/wipo_pub_cr_cmotoolkit.pdf; Collective Management Organizations – Tool Kit Musical Works and Audio-Visual Works, available at www.wipo.int/edocs/pubdocs/en/wipo_pub_emat_2016_1.pdf; Collective Management as a Business Strategy for Creators: An Introduction to the Economics of Collective Management of Copyright and Related Rights, available at www.wipo.int/edocs/pubdocs/en/wipo_pub_emat_2016_3.pdf; Guide – Surveying the Economic Contribution of the Copyright Industries, available at www.wipo.int/publications/en/details.jsp?id=259; Using Copyright to Promote Access to Information and Creative Content, available at www.wipo.int/meetings/en/doc_details.jsp?doc_id=202179.

iv. Who are the key stakeholders in the value chain of creative industries that should provide input to policymaking? Are there mechanisms to receive their contribution to the policymaking process? How can they support the development and implementation of the strategy?
v. Is there a high-level mechanism or an intra-ministerial board for setting creative industry policies, such as an IP board or council?
vi. Are there collective rights management organizations? Do they operate nationally or regionally? What are the entities involved in administering each type of right? What are their international affiliations?
vii. What is the legal and regulatory framework for their governance? What do they require to thrive? What are the pros and cons of each type within the national context?
viii. Which uses of works are protected as exclusive rights and which are subject to statutory collective management or remuneration rights?
ix. What is the ICT infrastructure and automated services of collecting societies?

Identify potential opportunities for IP system

i. Are there opportunities to gain value from the use of IP in the informal creative industries sector? Is there a policy to leverage IP law to assist the informal sector in the creative sector?
ii. What strategy exists for growing and strengthening the existing collective management organizations to improve operations and value to rightsholders in the creative industries?
iii. Are there opportunities to create mechanisms to support the creative industries to thrive though strengthening existing support entities, improved legislation, provision of resources and incentives, etc.?

Challenges, plans and reforms

i. What specific opportunities and threats face further development of the creative industries sector? Have these been identified in existing government or industry strategic directions?
ii. What are the key challenges facing the creative industry sector relating to IP and how can these be addressed in the strategy?
iii. What plans, if any, are there to join further international treaties relating to the creative industry sector (treaties relating to copyright and related rights in particular)? What challenges will need to be addressed for the creative industry to benefit from adherence to any of these treaties?

6 Cultural heritage, traditional knowledge and traditional cultural expressions

Indigenous peoples and local communities in many countries often have unique needs and expectations in relation to the IP system. This is most often linked to protecting cultural heritage generally, and TK and TCEs in particular. The protection of TK and TCEs intersects every category of IP and often involves other legal issues, as well as ethical, political and cultural sensitivities, reaching well beyond IP. Indeed, the protection of TK and TCEs raises a unique set of issues and questions.

While the work on developing international agreement on the protection of TK and TCEs continues in the Intergovernmental Committee on Genetic Resources, Traditional Knowledge and Folklore in WIPO, many countries have chosen to explore in the development of their national IP strategies what steps are appropriate domestically to protect TK and TCEs.[6]

Status

i. What main forms of TK and TCEs exist in the country and who are the holders?
ii. What would be the IP purposes or objectives of protection of TK and TCEs in your country (preservation, conservation, commercialization)?
iii. Are there already practical arrangements in place that may be relevant in terms of protecting TK and TCEs, such as databases and registries?
iv. What systems (e.g. customary laws, practices and protocols) are in place for the protection of TK and TCEs, and how are TK and TCEs documented,[7] stored, retrieved and used?
v. Are there any studies on gender-specific or other discriminatory issues relating to the use and protection of TK or TCEs in the country?

Legislation

i. Are there existing non-IP-related laws or regulations addressing the protection of TK or TCEs?
ii. Are there international or regional instruments that the country is a party to that have a bearing on the protection of TK and TCEs?
iii. Are there customary laws and protocols that recognize and ensure customary forms of protection of TK and TCEs in your country?

Institutions

i. Are there any government agencies with specific responsibility for policy relating to TK and TCEs?
ii. Are there any quasi-government or non-government organizations with the mandate to provide assistance to indigenous or local communities to identify, manage and protect TK and TCEs?
iii. Are there any government bodies and or business support organizations working with indigenous peoples and local communities to support the commercialization of TK and TCEs-related products?
iv. What role do women, particularly indigenous women, play as custodians of TK and as consumers and producers of products derived from the use of TK and associated genetic resources?
v. What role do women play in the policy dialogue related to TK and access and benefit sharing from the use of TK and resources associated with the use of TK?

Identify potential opportunities for IP system

i. Is the existing IP system being used by indigenous peoples or local communities to protect TK and TCEs? If yes, how is it being used?
ii. What gaps are there in terms of protecting TK and TCEs in the existing IP systems in terms of protection? What options are there to fill these gaps within or outside the IP system?
iii. Are there commercialization opportunities for some TK or TCEs that require IP or other government support to proceed?

Challenges, plans and reform

i. What policies or plans does the government have in place to explore the further protection and commercialization of TK and TCEs?
ii. What mechanism should be put in place for close consultation with indigenous peoples and local communities on the protection and possible commercialization of TK and TCEs?

6. The design for data collection must ensure that not only does the national IP strategy address the business case related to TK (innovation and commercialization), but it also addresses the sustainability case where continued access to the key resources and knowledge associated with these resources are assured. The questions should assist national project teams explore these issues. For additional information, see Developing a National Strategy on Intellectual Property, Traditional Knowledge and Traditional Cultural Expressions, Background Brief No. 3, available at www.wipo.int/publications/en/details.jsp?id=3864.

7. Further information is available at Documenting Traditional Knowledge-A Toolkit: www.wipo.int/publications/en/details.jsp?id=4235.

7 Environment and biodiversity

National and international concern about protection of the environment and biodiversity has become linked with the legal and policy settings of the IP system in recent decades. The role of the IP system in technology transfer, protecting TK linked with genetic resources, and promoting the development of new technologies to better protect the environment and sustain biodiversity are some of the issues that have been focused upon. The national project team should explore environmental and biodiversity issues that are linked to the IP system to better understand what strategic policy settings should be promoted in national IP planning.[8]

Status

i. The environment

- Is there a national environmental policy? Which key IP-related areas are addressed?
- Is there a national policy on trade and environment?
- Has the country undertaken a technology needs assessment to determine its climate priorities? Has the country developed a technology action plan? See unfccc.int/ttclear/tna
- What technologies are available in the country to address environmental or climate challenges? Is the country utilizing international mechanisms for the transfer of environmentally sustainable technologies available under such treaties and conventions?
- How are firms using environmental innovations? What support does the country provide to innovators or providers of green technology to help them export their technologies?
- How does government support the use of environment technologies?

ii. Biodiversity

- Is there a national policy that addresses biodiversity conservation and use? What are the national priorities for biodiversity management and does the current IP system provide a framework to achieve the objectives under these policies?
- How are firms using natural resources?
- Has a needs assessment been conducted of relevant stakeholders about the needs for services for the documentation, access, exchange and commercialization of genetic resources?
- Is there a national IP strategy for innovation based on genetic resources?
- Have the main stakeholders in genetic resources and genetic resources innovation in the country been identified and consulted, including mapping their existing IP capacities and IP capacity-building needs?
- Is there a mapping on genetic resource utilization and potential for commercial research and development activities.?

Legislation

i. The environment

- Which relevant conventions, treaties or trade agreements is the country party to? Is there a status report on the country regarding meeting its obligations under these treaties and conventions? How is this information used for decision-making and how is it used to guide the country in developing its trade agenda?
- What standards are in place to ensure access to clean water, air and management of waste?
- Is there any legislation on aspects of IP relevant for environmental policies?

ii. Biodiversity

- Is there national legislation or a national biodiversity strategy and action plan that addresses biodiversity management, as well as access to and the fair and equitable sharing of benefits arising from the use of genetic resources?
- Which regional and international treaties, conventions and trade agreements relevant to genetic resources is the country party to? Are any of these reinforced by national legislation or in the contractual practices of transfers of genetic resources by genetic resource collections and institutions under the direct management and control of the country?
- Is there national legislation that provides for disclosure requirements for genetic resources and TK?

Institutions

i. The environment

- What national institutions deal with environmental and related matters? What are their functions?
- Are there environment civil society organizations operating in country? How are they governed? Do they focus on protection and sustainable use of biodiversity?

ii. Biodiversity

- How is access to these genetic resources regulated nationally? What type of goods and services

8. Further information and case studies on the sustainable use of biodiversity and intellectual property can be found at www.wipo.int/ipadvantage/en/search.jsp?obj_protection_id=606&type_id=&ip_right_id=&industry_id=&focus_id=&territory_id=

are typically produced? What is the level of entrepreneurial activity (e.g. large, medium, small or micro firms)?
- How much entrepreneurial activity occurs within communities directly involved in the conservation and sustainable use of genetic resources? How much entrepreneurial activity based on genetic resources occurs in the national public research and private sector?
- What capacity-building measures are available to stakeholders to utilize IP tools effectively to protect and promote their innovation based on genetic resources?
- Does the government acknowledge the contribution of indigenous peoples and local communities to the conservation and preservation of genetic resources and are there systems in place to provide for incentives to these communities?
- Does the government provide incentives for local science and research, and are there systems in place to provide for incentives to these communities?

Identify potential opportunities for IP system

i. Are entrepreneurs who use indigenous genetic resources as raw materials for their products or for eco-system-based activities (e.g. eco-tourism) actively utilizing IP tools? How are their goods and services marketed and promoted, e.g. at the individual, or community and national levels, as well as at the level of external markets? Do these products and services make use of TK and know-how in terms of product/service development?

ii. What mechanisms exist to foster the identification and dissemination of clean technology (e.g. patent classification schemes to facilitate search or fast track patent examination systems for such technologies)?

Challenges, plans and reforms

i. Identify the key problems and challenges relating to national environmental management and management of biodiversity, and develop strategies to address them.

ii. What are the nationally determined contributions to limit global warming in the framework of the Paris Agreement? See unfccc.int/process-and-meetings/the-paris-agreement/the-paris-agreement/nationally-determined-contributions-ndcs

iii. What are the priorities for developing a balanced IP system with regard to sustainable environmental and biodiversity management for the next five to ten years? Which strategic partners will be involved in meeting these priorities?

iv. Identify key strategic objectives for developing the national IP strategy as it relates to relevant environmental issues, trade and the environment, and biodiversity management.

v. Identify which national agencies and stakeholders need to be consulted and the resources required to implement relevant components of the national IP strategy.

vi. What green technology marketplaces does the country run or use? See www.wipo.int/green

8 Health

The impact of IPRs on access to medical technologies depends on how they are regulated and managed. Countries have responsibility and flexibility for designing domestic IP systems within the framework of international agreements. The following questions explore relevant aspects for the health sector.[9]

Status

i. General health status

- What is the general situation in the health sector? Are data available from a national institution? The World Health Organization (WHO) publishes health data, statistics, and descriptive and analytical summaries of health indicators for each country in the country statistics of the Global Health Observatory (GHO). See www.who.int/gho/countries/en/.
- Is there universal health coverage (UHC) in the country? UHC means availability of the full spectrum of essential, quality health services, from health promotion to prevention, treatment, rehabilitation and palliative care, and protecting people from the financial consequences of paying for health services out of their own pockets. See www.who.int/news-room/fact-sheets/detail/universal-health-coverage-(uhc).

ii. Affordability of medicines

- Does the public health sector provide free access to medical services or medicines? Do patients contribute to the cost? Does a health insurance system exist in your country?
- Identify any problems the country may encounter in providing access to essential health services and safe, quality, effective and affordable medical technologies (including medicines, diagnostics, vaccines and medical devices). Do you observe an impact of the management of IP rights on access to medical technologies?

iii. Development of pharmaceutical industry

- Does the country have a domestic pharmaceutical industry (originator, generic, biopharmaceutical, vaccines)?
- Are there any national plans to develop a pharmaceutical industry? Is the government working with the UN Industrial Development Organization to establish a pharmaceutical industry (see www.unido.org/our-focus-advancing-economic-competitiveness-investing-technology-and-innovation-competitiveness-business-environment-and-upgrading/pharmaceutical-production-developing-countries).
- Does the country have a medical device industry?
- Does the country rely on imported medical technologies? What is the percentage for each field of medical technology?
- What is the situation with respect to health R&D? Is the public sector (universities, scientific institution, etc.) active in health R&D? Is the private sector active in health R&D?

iv. Traditional medicine

- Is there a role for traditional medicine and traditional medicinal practices ?
- Does the country plan to develop and promote the traditional medicine sector? What role is seen for IP protection for such commercialization?

Legislation

i. IP legislation

- Are patents granted for pharmaceutical products and processes under the current patent legislation? Are there plans to change that?
- Is the country party to bilateral or multilateral agreements that commit to standards relating to IP and medical technologies? Such standards may include: patent protection for pharmaceuticals or biotechnological inventions; defining patentability criteria; exclusions from, or limited exceptions to, patentability; extensions of the term available for patent protection; legal protection of non-disclosed information (Article 39.3 of the TRIPS Agreement); linkages between patent protection and regulatory approval for health technologies; regulatory exclusivities related to the regulatory approval of health technologies.

9. For a comprehensive review of the issues, refer to the WHO, WIPO, WTO Study Promoting Access to Medical Technologies and Innovation, available at www.wipo.int/policy/en/global_health/trilateral_cooperation.html. Further information on the policies and practices in the health sector can be found in Urgent Innovation – Policies and Practices for Effective Response to Public Health Crises, available at www.wipo.int/publications/en/details.jsp?id=4459; SCP/21/8: Study on the Role of Patent Systems in Promoting Innovative Medicines, and in Fostering the Technology Transfer Necessary to Make Generic and Patented Medicines Available in Developing Countries and Least Developed Countries, available at www.wipo.int/meetings/en/doc_details.jsp?doc_id=288136; SCP/26/5: Constraints faced by Developing Countries and Least Developed Countries (LDCs) in Making Full Use of Patent Flexibilities and Their Impacts on Access to Affordable Especially Essential Medicines for Public Health Purposes in Those Countries, available at www.wipo.int/meetings/en/doc_details.jsp?doc_id=374136; SCP/27/6: Constraints Faced by Developing Countries and Least Developed Countries (LDCs) in Making Full Use of Patent Flexibilities and Their Impacts on Access to Affordable Especially Essential Medicines for Public Health Purposes in Those Countries: Supplement to Document SCP/26/5, available at www.wipo.int/meetings/en/doc_details.jsp?doc_id=391097; SCP/31/5: Review of Existing Research on Patents and Access to Medical Products and Health Technologies, available at www.wipo.int/meetings/en/doc_details.jsp?doc_id=461021.

- In implementing international IP standards, such as those resulting from the TRIPS Agreement, countries have some flexibility (see e.g. WIPO documents CDIP/5/4 rev., CDIP/7/3, CDIP/7/3 ADD) in determining options for implementation that could accommodate both the requirements of that international instrument and the national policy objectives. Does the patent law incorporates provisions on the following?
  a. Research exception (commercial or non-commercial research on the protected invention), research tools (research with the protected invention)
  b. Regulatory review exception
  c. Exclusion from patentability to protect *ordre publique*, morality or health
  d. Exclusion from patentability of diagnostic, therapeutic and surgical methods for the treatment of humans or animals
  e. Patentability of medical indication claims (a known substance is claimed for a new treatment of a disease)
  f. Compulsory licenses (including special export compulsory licenses (see Article 31bis of the TRIPS Agreement) and government use
  g. Exhaustion of IP rights

ii. Are there regulations regarding access to genetic resources associated with TK (especially traditional medicine)? Is regulation of access to genetic resources reflected in any IP legislation?

iii. Is there legislation regulating the production, marketing or sale of traditional medicines?

iv. Does your trademark law contain health relevant provisions, such as non-conventional marks or on international non-proprietary names (INNs)? Are there guidelines to apply such provisions to medical goods and services? Does the law on regulation of medical products contain provision on labeling medicines with respect to trademark and INNs?

Institutions

i. Identify the main public and private institutions involved in the health sector. What is the role and responsibilities of each of these institutions?

ii. Is there a regulatory authority responsible for approval of medical technologies?

iii. Does the regulatory authority cooperate with the regulatory authorities of other countries? If so, to which extent do they cooperate in approval of medical technologies? Does your country rely on WHO Prequalification?

Identify potential opportunities for IP system

i. Identify potential opportunities for IP system to have an active role in supporting the health sector, such as:
- ensuring relevant IP policies are designed to facilitate collaboration with, and technology and knowledge transfer from, health and R&D institutions and pharmaceutical companies;
- working with the traditional medicine sector to identify appropriate protection to support commercial developments in the sector while protecting the interest of custodians of TK and genetic resources; and
- ensuring relevant IP policies are designed to support R&D in the health sector.

ii. What needs to be done in the national IP strategy to facilitate the better use of the IP system to support development of the health sector? Examples are as follows.
- Promote understanding of the IP system by the private sector and government agencies involved in the health sector
- Options to facilitate the full use of flexibilities in the patent system to assist with improving access to medical technologies (see www.wipo.int/ip-development/en/agenda/flexibilities/database.html)
- Strengthen the respect for and enforcement of IPRs

iii. Are there issues for coordination between the IP office and the health administration?

Challenges, plans and reforms

i. Is there a national policy or strategic plan for the development of the health sector? If yes, what are the key directions for the health sector?

ii. Does your country have, or plan to develop, an e-health/mobile health strategy?

iii. What are the major challenges faced by the health sector to achieve its key directions?

iv. What are the priorities to strengthen regulation and supply of health technologies?

v. What are the priorities in terms of enhancing the current situation of IP use in the health sector in the next five to ten years?

9 Manufacturing and industry

The broad manufacturing and industry sector is usually an important part of a country's overall economy. The actual and potential role of the IP system in this sector needs to be explored by the national project team in developing national IP strategies.[10]

The national project team needs to get information about the range of activities in the sector, achieve an understanding of the country's strategic directions for this sector, and identify what use is currently made of the IP system and what potential there is for improvement to the IP system and improved usage. The sample questions explore these areas.

Status

i. Analyze how important the manufacturing and industry sector is for the country's economy and development. Has the government developed any strategic plans for the manufacturing and industry sector? What are the key directions in these strategic plans?
ii. Has any analysis or research been carried out on the manufacturing and industry sector by academics or international, regional or national bodies, e.g. Organisation for Economic Co-operation and Development (OECD), World Trade Organization (WTO), World Bank (WB), International Monetary Fund (IMF), regional development banks, etc.? What are the findings of the Global Innovation Index (GII) relating to the sector for the last five years?
iii. What is the contribution from the sector to the GDP of the country?
    - What are the major contributors to activity in this sector – food and beverage, garment, textiles, handicrafts, furniture, etc.?
    - What is the average size of enterprises in this sector: SMEs or micro, etc.?
    - What is the labor force participation rate in this sector?
    - Is there any data or analysis of the contribution of the informal economy to this sector?
iv. What are the current policy settings and programs for government support in this sector?
    - Are there any specific policies or programs for this sector relating to use of the IP system?
    - Is there any policy for leveraging IPR to support the informal sector?

Legislation

i. Identify the range of legislation that governs activity in the manufacturing and industry sector. Are there any specific provisions relating to R&D in general, and use of the IP system in particular, in legislation relating to the manufacturing and industry sector (requirements to secure IPRs for R&D grants, product labelling laws concerning origin, etc.)?
ii. Are there any particular provisions in the IP legislation relating specifically to this sector?

Institutions

i. Identify the public and private institutions and associations involved in this sector, e.g. ministry of trade and industry, IPOs, chambers of commerce, and SME agency, etc. What are their roles and contributions to the sector?
ii. Is there any cooperation and collaboration between the private sector and public sector, as well as the private sector and R&D institutions, e.g. in the areas of joint R&D of solutions to technical issues, developing IP public education and awareness programs and activities, and IP capability and capacity-building activities? If yes, what is the extent of the cooperation and collaboration, and what are the challenges?

Identify potential opportunities for IP system

i. What are the potential opportunities for the IP system to have an active role in supporting this sector? Examples where IP system may contribute positively to this sector include:
    - access to modern technologies to improve the quality of products and efficiency of their production;
    - promotion of innovation in business and industry;
    - promotion of technology transfer;
    - increasing competitiveness of local industries;
    - promotion of added value through use of the IP system; and
    - supporting development of technology.

10. Further information is available in the following WIPO publications: Making a Mark: An Introduction to Trademarks for Small and Medium-sized Enterprises, available at www.wipo.int/edocs/pubdocs/en/wipo_pub_900_1.pdf; Inventing the Future: An Introduction to Patents for Small and Medium-sized Enterprises, available at www.wipo.int/edocs/pubdocs/en/wipo_pub_917_1.pdf; Making Intellectual Property Work for Business – A Handbook for Chambers of Commerce and Business Associations Setting up Intellectual Property Services, available at www.wipo.int/edocs/pubdocs/en/intproperty/956/wipo_pub_956.pdf; Project on Intellectual Property (IP) and Informal Economy, available at www.wipo.int/meetings/en/doc_details.jsp?doc_id=190547; Conceptual Study on Innovation, Intellectual Property and the Informal Economy, available at www.wipo.int/meetings/en/doc_details.jsp?doc_id=232525.

ii. What is the current level of usage of the IP system by businesses in this sector? Analyze the filing statistics of the various fields of IP of the last five years. How does the ratio of applications and grants from nationals and non-nationals in this sector compare? Compare usage information with data from other countries.

iii. What are the barriers in existing IP system, which may have to be addressed in the national IP strategies to facilitate the better use of the system to support development of this sector? Examples may include:
- lack of understanding of the IP system by the private sector and government agencies;
- industries not knowing how to access the IP databases;
- IP information not being embedded and integrated within programs and services offered by the government and other partners in the innovation ecosystem;
- no government grants and assistance to encourage better use of the IP system;
- cumbersome procedures and long delay in obtaining IP protection;
- resource constraints (financial and manpower) and lack of qualified examiners (trademarks, industrial designs and patents) in IP agency/ies;
- high cost of IP protection, particularly for SMEs and micro-enterprises;
- no government grants and assistance to defray costs of protection in local and overseas market;
- dearth of qualified IP practitioners to assist the companies and IP holders to secure IP protection; and
- dearth of IP advisors with the expertise to provide quality commercial IP advice.

Challenges, plans and reforms

i. Is there a national policy or strategic plan for the development of the manufacturing and industry sector? What are the main directions? Is a copy of the national policy or strategic plan publicly available?

ii. What are some policy initiatives to support the development of the manufacturing and industry sector? Are tax incentives, public grants, low-interest loans, etc., available and easily accessible?

iii. What are the major challenges faced by this sector?

iv. What are the priorities in terms of enhancing the current situation of IP use in the manufacturing and industry sector in the next five to ten years?

10 Science, technology and innovation

The linkage between science, technology and innovation (STI) and economic competitiveness is well documented. In all these fields, the role of the IP system is central to securing economic value. How well the country supports the STI sector needs to be analyzed in detail to identify the potential for the development of national IP strategies to contribute to this important sector. Some countries have prepared model IP policies, which universities and research organizations may adapt, depending on their mission, to their research culture and agenda.[11]

Status

i. Science, technology & innovation policy

- What is the government's national development plan for STI? How is this documented?
- Identify national priority sectors and provide economic data and statistics on the performance of these sectors and their contribution to GDP. How is this data collected, analyzed and made accessible?
- Has an innovation survey been carried out in the public, private, academic and R&D sectors? If yes, in what way are the results of this survey informing national policy?
- Which types of business does the government focus on (e.g. large-scale enterprises, SMEs, micro-enterprises)? Has there been an economic analysis completed on the informal sector within the country?
- What is the government's policy regarding encouraging innovation and the creation of domestic IP? Does it focus on specific clusters (e.g. manufacturing, agriculture, energy, tourism, green economy, medical technologies, ICT, etc.)?
- How is the national research agenda determined, and how is the agenda formulated and communicated to relevant stakeholders?
- What are the R&D priority areas for the country? Which sectors are engaged in R&D? Are there mechanisms in place to capture the national spend on R&D, including in the "micro/informal" sector? Is there a national R&D budget?

ii. Technology and IP information services

- What advisory services about the creation and use of technological information are provided? Which entities provide these services?
- Are there any national information centers or other governmental/non-governmental institutions that provide businesses with information on IP creation, use, commercialization and/or enforcement? How efficient are these services?
- Are technological information databases available and accessible? If yes, do businesses make use of these databases? If not, why not?
- Are IP filings digitized and available online? How does the public access these databases?
- To what extent do businesses, universities, research institutions and public sector agencies use technology and patent information systems for R&D?
- To what extent do businesses and SMEs use technology and patent information systems for innovation and the acquisition, development and transfer of technology? Which agencies provide technical assistance to businesses, especially small and micro businesses, to use these information systems to create new products and services?
- Does the government have a policy in place that is designed to encourage businesses and SMEs to use patents that are in the public domain?

Legislation

i. What national legislation exists that addresses STI issues? Do any of these establish any national agencies to have oversight for STI development?

ii. Are there any IP special provisions on technology transfer?

iii. Is there legislation in place to address the establishment of a national R&D fund? How is/will the fund be capitalized?

iv. Is there specific legislation addressing the establishment of public R&D institutions and how IP generated from R&D at these institutions should be commercialized?

v. What legislation is in place to address support to the business sector as it relates to R&D and innovation? Does the legislation provide for incentives or fiscal benefits to innovative firms?

11. Further details on the development of institutional IP policies can be found in WIPO guidance documents, namely: Model IP Policy for Universities and Research Institutions, Version One, available at www.wipo.int/edocs/pubdocs/en/wipo_pub_transition_2.pdf; WIPO IP Policy Template for Universities and Research Institutions, Guidelines for Customization of the WIPO IP Policy Template for Universities and Research Institutions, and IP Policy Writers' Checklist: A Mechanism for Kick-Starting the Policy Drafting Process, all available at www.wipo.int/about-ip/en/universities_research/ip_policies/. WIPO also maintains a Database of IP Policies from Universities and Research Institutions, available at www.wipo.int/about-ip/en/universities_research/ip_policies/details.jsp?id=5913; Project on Enhancing the Use of IP in the Software Sector in African Countries, available at www.wipo.int/meetings/en/doc_details.jsp?doc_id=401581; Project on Intellectual Property, Information and Communication Technologies (ICTS), The Digital Divide and Access to Knowledge, available at www.wipo.int/meetings/en/doc_details.jsp?doc_id=131424.

Institutions

i. Which government organizations hold responsibility for STI policy? If there are more than one government agency involved, are there formal or informal coordination arrangements in place?
ii. Is there a national technology transfer office or separate technology transfer offices (TTOs) in the public sector, universities and research institutions or businesses? Are TTOs shared among agencies? How does this "sharing" mechanism work and how effective is it? How are these TTOs resourced, staffed and operated? In the absence of TTOs, how is commercialization from these entities facilitated?
iii. Which are current links between research institution and industry? Are there any good practices or support policy from the government?

Identify potential opportunities for IP system

Identify how the existing systems can be improved to facilitate greater use of the IP system by users. Explore, for example, some of the following.

i. Licensing of IP assets
- How is technology licensing or the licensing of IPRs facilitated nationally?
- Is there a cadre of professionals providing licensing services to businesses?
- Are there any agencies in the public sector, the private sector, or in universities or research institutions that provide technical assistance to businesses with regards to licensing of technology and other intangible business assets?
- Are there business case studies related to licensing of IP assets, which can be used to develop guidelines and best practices for businesses to use?

ii. Business (technology) incubation
- Are there business incubator systems being used nationally? Which agencies provide such services and who are their target clientele?
- Is there a national policy on providing technical assistance/incentives for incubating innovative start-up companies?
- How are these incubators systems financed and are there success stories associated with these programs?

iii. Science and technology parks
- Does the country have any science and technology parks?
- Are these parks managed by public sector or private sector entities?
- Is there a national policy that supports the establishment of science and technology parks? Are universities and research organizations involved in their development?
- How are these facilities funded and what are their success rate?

Challenges, plans and reforms

i. Identify the key problems and challenges that the public sector, businesses, universities and R&D institutions face in terms of creativity and innovation.
ii. What are the national priorities for developing the IP system with regards to creativity, innovation, technology transfer and commercialization of IP assets? What are the projections for the next five to ten years? Which strategic partners will be involved in meeting these priorities?
iii. Identify key strategic objectives for developing national IP strategy as it relates to the innovation and commercialization of IP assets. Identify which bodies need to be consulted and the resources required to implement these strategies.

11 Tourism

In many developing countries and LDCs, tourism is a particularly important part of the economy. Tourism also has significant social and cultural impacts in many countries. The further development of responsible tourism to grow the economy and manage the social and cultural impacts is therefore usually detailed in national tourism strategies. The potential role of IP in these strategies is not always addressed. Developing national IP strategies relating to tourism requires appropriate fact-finding and analysis.[12]

Status

i. How does tourism contribute to the overall economic, social and cultural development of the country?
ii. Is there a national tourism policy or strategy and how are linkages made with other sectors within the policy or strategy?
iii. What is the composition and range of the country's tourism products (e.g. eco-tourism, agro-tourism, cultural heritage tourism, health tourism, culinary tourism, sports tourism, religious tourism, conference tourism, etc.)? How are these activities branded, marketed and promoted?
iv. Is there a national tourism brand? How aware are stakeholders of the role IP plays in developing and promoting the national tourism brand(s)?
v. Are national tourism products branded and promoted under one umbrella? Which type of IP is used to protect this brand and who owns the rights to license the use of the IPR?
vi. Is there a national focus on developing origin-linked products? What system is in place to develop, protect, market and promote these unique products or services?
vii. Are expressions of local culture part of the product and services offered to visitors? Are these commercial uses properly authorized and commercialized?
viii. Are any origin-linked products protected under regional mechanisms or under an international system? How are the businesses or communities producing these products supported to protect their products?
ix. How do businesses in the tourism sector use the IP system, particularly the trademark and copyright systems? What percentage of users of the IP system are directly related to the tourism sector?
x. What are main features and contribution of the informal sector?

Legislation

i. Review national tourism and related legislation. What provisions are made in legislation to support the sector especially SMEs and micro-enterprises operating in the sector? What support, if any, is provided to the informal sector?
ii. Does existing IP legislation allow producer groups and individuals to protect origin-linked products? If so, are these groups using the IP system to do so? If not, how can they take advantage of it?
iii. Are there any advocacy groups within the business and non-government sectors that advocate for legislative reform to facilitate the ease of doing business and enhancing competitiveness in the sector? How many? What is their gender composition? How effective are they?
iv. What other national legislation is relevant to promoting competitiveness in the tourism sector?
v. Is there legislation that addresses consistent branding of the country in all sectors?
vi. Is the IP legislation and are the collecting societies properly developed to benefit local artists and producers?

Institutions

i. Is there a government agency responsible for tourism policy and promotion? How are businesses in the non-government sector engaged in the policymaking process?
ii. What other institutions are charged with developing the tourism sector? What type of projects have they implemented to promote businesses operating in the sector and to build their capacity to effectively compete in national, regional and international markets? Has the role of IP been identified in any of these projects?
iii. Is there any program to train government and stakeholders in how to use the IP system?

12. Further information for the sector can be found in: Intellectual Property in Tourism and Culture in Sri Lanka, available at www.wipo.int/export/sites/www/ip-development/en/agenda/pdf/study_ip_in_tourism_and_culture_sri_lanka.pdf; Study on Intellectual Property in Sustainable Tourism Development in Namibia, available at www.wipo.int/export/sites/www/ip-development/en/agenda/pdf/study_tourism_namibia_i.pdf; Summary of the Study on Intellectual Property, Tourism and Culture: Supporting Development Objectives and Promoting Cultural Heritage in Egypt, available at www.wipo.int/edocs/mdocs/mdocs/en/cdip_22/cdip_22_inf_4.pdf.

Identify potential opportunities for IP system

i. Identify cases of successful use of the IP system in the tourism sector. Are there other areas in the tourism sector that could achieve similar successful use of the IP system?
ii. Are there opportunities to improve the use of the IP system by the tourism sector through improved collaboration between IP agencies and the tourism sector?
iii. Are there opportunities for the informal part of the tourism sector to gain improved value through the use of the IP system?
iv. Are there opportunities to use the IP system to better support authentic cultural performances and activities in the tourism sector?

Challenges, plans and reforms

i. Identify the potential for the IP system to assist with the key problems and challenges in the tourism sector. What strategies might be able to address these challenges?
ii. What are the priorities for developing the IP system with regards to tourism for the next five to ten years? Which strategic partners will be involved in meeting these priorities?
iii. Identify key strategic objectives for developing the national IP strategy as it relates to tourism. Identify which bodies need to be consulted and the resources required to implement relevant components of the national IP strategy.

12 Trade

The international trade sector is particularly bound up with the IP system and its effective use by firms seeking to export products. While the domestic trade sector has been discussed in relation to other sectors (particularly agriculture and manufacturing and industry), a focus also has to be put on the international trade sector in developing comprehensive national IP strategies.

Status

i. Analyze how important the trade sector is for the country's development.
   - Has any analysis or research of the trade in services and goods and cross-border trade been undertaken by academics or international, regional or national bodies? What are the findings of the GII of the last five years?
   - What is the contribution of the trade sector to the GDP of the country?
     a. Which are the major contributors in this sector: agricultural products, food products, textile and clothing, footwear, electronics, etc.?
     b. What have been the major exports and who have been the major trading partners in the last five years?
     c. What are the average size (standard, small, micro) of the local enterprises that are involved in regional and international trade? What are their respective shares of markets?

ii. Identify the IP chapters of the international, multilateral, regional, bilateral free trade and preferential trade agreements that the country is party to. Has the country complied with all the requirements in the chapters? What are the main requirements?

iii. What were the national IP objectives to be achieved in international trade negotiations? Have they been complied with? Are they enforceable?

iv. Identify the international IP agreements, treaties and protocols that the country has acceded to.

Institutions

i. Identify the public and private institutions and organizations involved in this sector, e.g. IP office, ministry of commerce, trade promotion board, export promotion council, chambers of commerce, etc. What are their roles and how do they contribute to the sector? Are there formal arrangements for coordination between any of these agencies and bodies?

ii. Is there any cooperation and collaboration between the private sector and public sector in developing IP public education and awareness programs and activities, and IP capability and capacity-building activities?

Legislation

Are there any legislative requirements directed at the international trade sector? Which legislation is involved? Do any of the requirements of the legislation have any impact on the use of IP by the sector?

Identify potential opportunities for IP system

i. Identify potential opportunities for IP system to have an active role in supporting this sector. Examples of areas in which an IP system may contribute positively to this sector include:
   - increasing competitiveness of local industries;
   - promotion of branding to facilitate access to regional and international markets;
   - promotion of GIs, collective and certification marks;
   - promotion of licensing schemes to commercialize copyright protected content;
   - improving quality of products;
   - promotion of industrial designs as a differentiator to add value to brands; and
   - promotion of licensing and franchising opportunities.

ii. How do the local industries secure protection of their IP in overseas markets? What evidence is there in the filing statistics of use by local firms of international protection? Are there any success stories that other industries and firms might be able to replicate?

Challenges, plans and reforms

i. Are IP matters identified in the national policy or plan for the trade sector in enhancing market access for the country's exports?

ii. Are there some policy initiatives to support the development of the trade sector? Are tax incentives, public grants, low-interest loans, etc., available and easily accessible? Are any of these linked to securing IP protection in international markets?

iii. What are the major challenges faced by this sector and how IP can contribute?

iv. What are the priorities in terms of enhancing the current situation of IP use in the sector in the next five to ten years?

Templates

Template 1
Example of work plan for developing a national IP strategy

S / N	ACTIVITY	YEAR ONE				YEAR TWO			
		Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
1.	Approve the development of a national IP strategy.								
2.	Designate the coordinating office.								
3.	Discuss with WIPO and sign the MoU.								
4.	Appoint the national project team.								
5.	Appoint any consultants.								
6.	Train the national team on the overall process.								
7.	Carry out desk research.								
8.	Conduct interviews with stakeholders (data collection).								
9.	Consult nationally to validate the data collection/preliminary audit report.								
10.	Prepare the final data collection/audit report.								
11.	Develop the first draft of the national IP strategy.								
12.	Consult nationally to validate the first draft of the national IP strategy.								
13.	Prepare the second draft of the national IP strategy.								
14.	Present the second draft to a stakeholders' forum and/or consultation meetings.								
15.	Prepare the final draft based on feedback obtained during the forum and/or national consultations.								
16.	Prepare the final strategy document.								
17.	Submit to government for final review and adoption.								
18.	Launch the strategy and pave the way for its implementation.								

Template 2
Example of terms of reference for international consultant

Note: to be customized to individual cases and contexts

Objectives of the assignment:

- Provide technical assistance and guidance to the national project team on various aspects of the IP strategy formulation and implementation process.
- Assist the national project team in analyzing the state of the national IP system and identifying functional linkages with important economic sectors and public policy areas, as well as in drafting the draft strategy as required.
- Provide specific recommendations on revision, with a view to consolidating and finalizing the draft IP strategy, including an implementation plan for consideration and implementation by the national authorities concerned.

Suggested tasks to be undertaken by the international consultant:

- Review and analyze, as well as comment and advise on, the results of the audit report carried out by the national project team, taking into account the country's national development priorities and needs and potential strengths and weaknesses of the national IP system.
- Assist the national project team to identify key sectors or industries in which the country may have a comparative advantage and the potential to boost its trade and economic growth and development by leveraging opportunities that may be afforded by IP.
- Provide guidance and recommendations on IP strategy options on the basis of the findings from the data collection phase and prepare a roadmap for the national project team to assist them in the IP strategy drafting process.
- Participate in the national consultation and validation process and assist the national project team with the consolidation of the proposed draft national IP strategy on the basis of the feedback received during the consultation and validation process.
- Provide guidance to and/or assist the national project team in drafting, revising and finalizing the draft strategy as required.

In the course of the assignment, the international consultant may be required to visit the country to undertake a series of missions.

Timelines:

The duration of the assignment shall be
from ….....……to ….....…

Suggested deliverable(s):

- Taking into account the data collected and the feedback gathered during the consultations and validation process, a draft strategy:
  a. addressing the interface and functional linkages between IP and key public policy areas, sectors and institutions that are relevant to the national economic, social and cultural development of the country;
  b. highlighting key challenges, strategic objectives or actions, recommendations for specific programs/ projects/activities and, wherever possible, strategic partners; and
- A project-based implementation plan for the first few years (exact period depends on each country's requirements and expectations), with specific timelines, performance indicators, resource allocation, risks and assumptions.

Template 3
Example of terms of reference for national consultant

Note: to be customized to individual cases and contexts

Objectives of the assignment:

- Undertake research and assess the state of the national IP system in the country.
- Mobilize the stakeholders who will be involved in the IP strategy formulation process.
- Formulate, in consultation with the relevant stakeholders, a national IP strategy for consideration, adoption and implementation by the government.

Suggested tasks to be undertaken by the national consultant/national project team:

- Prepare an audit report of the current national IP system by collecting relevant data and analyzing information on:
  a. existing legal, administrative and enforcement structures related to IP, as well as national policies and strategies, if any, related to economic, social, cultural and technological development;
  b. existing business and innovation support infrastructures, as well as national policies and strategies, if any, to promote and support businesses, universities, and research and development (R&D) institutions in making effective use of IP; and
  c. the level of use of the IP system in view of the numbers of filings, registrations, grants of IPRs and recordation of copyright works by sectors and by type of applicant.
- Identify key sectors or industries in which the country may have a comparative advantage and the potential to boost trade and economic growth by leveraging opportunities that may be afforded by IP.
- Engage in consultations with various stakeholders, in order to gauge their level of awareness of IPRs and the role that such rights could play in the country's economic, social, cultural and technological development. Stakeholders would include relevant government departments, IP professionals, business communities, consumer group representatives, creative industries, traditional knowledge holders and users, R&D institutions and universities as well as relevant civil society organizations.
- Take into account the data collected and the feedback received during the national consultations in the drafting of a national IP strategy for the country. This strategy should address the interface between IP and the key public policy areas and sectors, as well as institutions, which are relevant in terms of achieving national economic, social, cultural and technological development objectives.
- Engage in consultations with the main stakeholders (in a national multisectoral consultation process), present the audit report and discuss the proposed draft IP strategy.
- Revise and finalize the IP strategy framework, taking into account the feedback received during the national validation process.

Timelines:

The duration of the assignment shall be
from ….....……to ….....…

Suggested deliverable(s):

- A report on the data collection and analysis process (audit report), identifying the main strengths, weaknesses, opportunities and threats (SWOT) associated with the national IP system, and the interface between IP and the country's national development priorities.
- A draft IP strategy framework, revised based on information and data gathered, as well as inputs and suggestions received from stakeholders, as appropriate.
- A report on the national consultation and validation process, identifying recommendations and amendments to be incorporated into the draft IP strategy.
- A revised and consolidated IP strategy framework, to be submitted to the government for consideration and approval.

Template 4
Examples of composition of national project teams

IP office-led: The IP office is in charge of preparing the audit report and is also responsible for strategy development. In this scenario, the national project team members would comprise staff from the IP office. The national project team members may comprise representatives from each of the key technical departments (e.g. patents, trademarks, industrial designs, copyright, documentation) appointed by the head of the IP office.

Multisectoral team: The national project team comprises representatives appointed by different government departments and bodies handling various IP-related areas. The team may be chaired by a member of the IP office.

Consultant-led: A team of experts, under the leadership of a national consultant, is appointed by the body that has taken on the responsibility for the development of the IP strategy.

Steering committee-led: A steering committee is appointed by a senior authority to assume responsibility for the development of the strategy. Membership of the steering committee may be broad and may comprise representatives of various stakeholders, including the government, the private sector and civil society. The steering committee may appoint a small team of experts to produce an audit report and prepare the draft IP strategy.

There is no single correct approach. What is important is that the process is driven and owned by the country and its people.

Template 5
Example of data collection work plan

	ACTIVITY	MONTH							
		1	2	3	4	5	6	7	8
Preparatory									
1.	Meet with WIPO and sign the MoU.								
2.	Approve the development of a national IP strategy.								
3.	Designate a coordinating office.								
Assembling the data collection team									
4.	Appoint the national project team.								
5.	Identify and appoint any consultants.								
6.	Train the national team on how to implement the data collection process and how to develop the draft strategy.								
Desk research									
7.	Agree on the key review issues.								
8.	Agree on the sectors to be reviewed.								
9.	Identify the documents to be reviewed.								
10.	Carry out review.								
11.	Prepare the report.								
12.	Validate the report.								
Consultations									
13.	Agree on the scope of the consultation process.								
14.	Identify the respondents.								
15.	Determine the the consultation method(s).								
16.	Develop the interview schedule.								
17.	Conduct interviews according to schedule.								
18.	Analyze data and cross-check.								
19.	Prepare data analysis report.								
20.	Conduct national validation consultation on data collection analysis report/preliminary audit report or findings.								
21.	Prepare the final report.								

NOTE: Data collection methods may include face-to-face interviews, completion of questionnaires, email, telephone and Skype or other online means. The interview schedule refers to a program indicating which respondent is to be contacted by whom, when and how. Cross-checking refers to filling the gaps in the desk research by carrying out interviews.

Template 6
Example of documentation of data on public policy

National development policy

- Does the country have a long-term national development policy?
- If yes, please provide the following information:
- Title of the policy _____
- Date it was launched _____
- Duration _____
- Institution responsible for its implementation _____
- What long-term vision is encapsulated in this policy?
- Does the policy have an economic pillar? If yes, what long-term vision is encapsulated in this economic pillar ?
- Does the policy have a social pillar? If yes, what long-term vision is encapsulated in this social pillar?
- Does the policy have a cultural pillar? If yes, what long-term vision is encapsulated in this cultural pillar?

Key economic and social sectors identified, and policy documents

Please list the key economic sectors identified in the national development blueprint (NDBP), as well as those identified sectors with policy. (Tick where appropriate.)

S / N	SECTOR	IDENTIFIED IN NDBP		HAS A NATIONAL POLICY	
		YES	NO	YES	NO
1.	Agriculture				
2.	Culture				
3.	Biodiversity				
4.	Education				
5.	Employment				
6.	Energy				
7.	Environment				
8.	Health				
9.	Housing				
10.	ICT/BPO				
11.	Industry/ manufacturing				
12.	Mining				
13.	Oil				
14.	SMEs				
15.	Tourism				
16.	Trade				
17.	TK/TCE				
18.	Water and sanitation				
19.	Others (list)				

NOTE: BPO = business processing and outsourcing; ICT = information and communication technology; SMEs = small and medium-sized enterprises; TCE = traditional cultural expression; TK = traditional knowledge

Analysis of Public Policies
For each of the identified public policies, please document the following.

Policy details:
- Title
- Date of launch
- Duration
- Institution responsible for its implementation

Strategic direction of the policy: Document the vision, mission and key objectives.

Strategies required to achieve the agreed objectives: List the strategies that have been identified to achieve each of the key objectives.

Linking strategies with IP: Analyze each of the strategies and identify those for which IP will be important.

Template 7
Examples of goals and visions of national IP strategies

COUNTRY	STRATEGY TITLE	VISION	GOAL / OBJECTIVES
Albania	National Strategy of IP 2016–2020	A stronger system of IP in the Republic of Albania, which assures effective protection of IP objects, and encourages creativity and innovation to stimulate economic growth and cultural and scientific development in the Republic of Albania.	To stimulate economic, scientific and cultural development in the country, to assure an appropriate functioning of the domestic market by putting the proper balance between the rights of owners of IP objects and the interests of users, and to strengthen the system of IP registration and protection.
Australia	Australia 2030: Prosperity through innovation – A plan for Australia to thrive in the global innovation race	Australia will be counted within the top tier of innovation nations.	www.industry.gov.au/data-and-publications/australia-2030-prosperity-through-innovation
Bhutan	National IP Policy of Bhutan	To promote the use of IP for sustainable socio-economic development.	The overall objective of the National IP Policy is to develop an IP system consistent with international best practices that encourage creativity, innovation, inventiveness and provide protection through appropriate legislation. The National IP Policy comprises the following seven strategic objectives. 1. Develop a balanced and development-oriented IP laws and regulations. 2. Establish an effective institutional framework. 3. Increase strategic use of IP assets and greater use of IP system for the protection of traditional knowledge (TK), genetic resources and traditional cultural expressions (TCEs). 4. Facilitate transfer of technology. 5. Improve access to the results of innovation and creativity. 6. Participate strategically in the international IP system. 7. Offer incentives to encourage innovation and creativity.
Cambodia	National IP Strategy for 2020 to 2025	Further strengthening and improvement of the IP system in Cambodia to make a significant contribution to the achievement of the four strategic goals of the Rectangular Strategy (Phase IV) of sustainable and resilient economic growth, improved employment opportunities, poverty reduction, and the strengthening of the capacity and governance of public institutions.	**Objective 1** Improve the capability of Cambodia's business community to use the IP system and promote awareness and understanding within the broader population of the economic role of the IP system to support Cambodia's economic development. **Objective 2** Improve the capability and capacity within the Cambodian government to deliver IP policy, services and enforcement to support Cambodia's agricultural, commercial, industrial and cultural sectors, and the tourism industry. **Objective 3** Develop and maintain Cambodia's IP legislation, in accordance with international standards, to meet Cambodia's economic and social needs. **NB**: Specific initiatives under each objective are clustered by priority sectors for Cambodia, such as agriculture, culture, education and training, health, industry and commerce, tourism, and science and technology. Additionally, there are special initiatives under each objectives do not strictly fall within these clusters.

COUNTRY	STRATEGY TITLE	VISION	GOAL / OBJECTIVES
Costa Rica	Costa Rica National IP Strategy, April 2012	Strengthen the strategic use of IP in research activity, business development and creative initiatives in order to raise public awareness of the importance of IP, increase the competitiveness of the productive sector through its use, and promote the social, economic and cultural development of the country.	Increase investment in research and development (R&D) from 0.53 percent of gross domestic product (GDP) to 1 percent by 2015, through more active participation of the private sector by: 1. creating and promoting mechanisms to inventory IP rights generated from the private sector and to incorporate them into national R&D indicators; 2. consolidating the National Innovation Portal as a national consultation point for the areas of innovation and IP, including creative initiatives; 3. creating incentives to promote development and investment in strategic sectors and increase the use of IP in those sectors. biblioteca.icap.ac.cr/BLIVI/COLECCION_UNPAN/BOL_OCTUBRE_2012_55/MICIT/2012/Estrategia_Nacional_Propiedad_Intelectual.pdf
Dominican Republic	National IP Strategy, October 2012	Stimulate and promote the strategic use of IP in all areas of national productive activities, by user and sector of interest, so that, through its use and protection, creativity and innovation are encouraged, and its exploitation contributes to the economic, social and cultural development of the Dominican Republic.	1. To contribute to the achievement of the objectives of the National Development Strategy, the Strategic Plan for Science, Technology and Innovation, and the National Plan for Systemic Competitiveness in terms of innovation, competitiveness and IP. 2. Strengthen the IP system to achieve its effective use by all national productive sectors, through the protection and exploitation of national creations and innovations, through patents, industrial designs, utility models, trademarks, copyright and related rights, among others. 3. To support the industrial and productive sector, micro, small, medium and large enterprises, as well as R&D centers, cultural industries and other sectors of interest, in promoting the creation, innovation and production of intangible IP assets. onapi.gov.do/index.php/sobre-nosotros/estrategia-nacional-de-pi
Jamaica	Jamaica National IP Strategy – Draft	"A creative, innovative and productive society where Jamaicans can develop their fullest potential to ensure sustainable social, economic and cultural development to meet the challenges of a rapidly changing global economy."	1. To develop an efficient world-class IP administrative and regulatory system. 2. To maximize the full potential of the creative industries sector. 3. To foster a culture of IP asset management for wealth creation. 4. To build IP knowledge capacity through education and training. 5. To create the space for innovation to occur at all levels. 6. To manage national indigenous and natural resource assets for sustainable development.
Japan	IP Promotion Plan 2019	Japan will be a "content creation nation".	*First pillar:* Building up a global IP system for enhancing industrial competitiveness. *Second pillar:* Support for enhancing IP management by SMEs and venture companies. *Third pillar:* Improving the environment for adjusting to the digital network society. *Fourth pillar:* Strengthening soft power focusing on the content industry. www.kantei.go.jp/jp/singi/titeki2/kettei/chizaikeikaku2018_e.pdf

COUNTRY	STRATEGY TITLE	VISION	GOAL / OBJECTIVES
Jordan	National Strategy on Innovation and IP	Using IP to achieve sustainable development and boosting the productivity of the knowledge-based economy to realize "Jordan Vision 2025" adopted in May 2015 by the Hashemite Kingdom of Jordan.	The aim of the Strategy is to define specific time-bound objectives to be realized in various IP areas: 1. to ensure effective coordination between relevant ministries, state institutions and stakeholders involved in innovation-based activities; 2. to build a legal infrastructure that supports innovation through IP laws and competition laws, as well as other relevant instruments for the protection of trade secrets and patent norms; 3. to provide financial support for innovation-related activities; 4. to introduce utility models in Jordan to promote the protection of innovations made by SMEs, start-ups and innovators, thereby increasing their competitiveness; and 5. to promote the "*Made in Jordan*" brand through the "Collective Trademarks Project" and the protection of local geographical indications (GIs), to add value to traditional Jordanian products.
Korea	"Striving for IP Excellence" Framework Act on IP		"To contribute to the economic, social and cultural development of the Republic of Korea and the improvement of people's quality of life by formulating basic government policies and establishing the system for promotion thereof in order to facilitate creation, protection and utilization of IP and create the foundations thereof, thus enabling the value of IP to be displayed in our society to the fullest extent."
Papua New Guinea	Papua New Guinea IP Strategy	"Embracing IP as an instrument for stimulating socio-economic and cultural growth by protecting national creativity and natural endowments, thereby providing a mechanism to achieve prosperity in all economic sectors and at all levels of Papua New Guinea's society."	To create an enabling environment for increased use of the IP system to: 1. promote creative and innovative activities in all sectors; 2. increase the level, and forms, of protection for IP assets generated in the public and private sectors and academia; 3. stimulate R&D activity, technology transfer and commercialization in all productive sectors; 4. facilitate increased entrepreneurial activity nationally; 5. protect, enforce, preserve, conserve and use cultural heritage; 6. to achieve sustainable and responsible economic development and national prosperity.
Paraguay	Paraguay National IP Plan 2030, April 2017	Being a a value generator, promote the consolidation of the IP system as a component of the productive sector, science, arts and technology, as well as build an image of the country associated with the respect of IP rights.	1. Strengthen the national IP system. 2. Increase social awareness of IP as an instrument of development. 3. Use IP as a tool for competitiveness. 4. Improve access to knowledge and technology transfer. 5. Promote IP strategies on issues of interest for national development. 6. Optimize the level of compliance with IP laws. www.dinapi.gov.py/portal/v3/assets/archivos-pdf/plan_nacional_2030.pdf.pdf

COUNTRY	STRATEGY TITLE	VISION	GOAL / OBJECTIVES
Senegal	National Plan of IP Development 2010–2015	To provide an environment that will enable the country to derive maximum benefit for its development through the appropriate use of IP. It will also ensure the establishment and strengthening of structures responsible for the development of intellectual creations.	1. Make IP a powerful engine of technology transfer. 2. Put in place a relevant legal and institutional framework to combat counterfeiting and fraud. 3. Promote investment through the emergence of a critical mass of property titles in the country. 4. Establish a legislative framework conducive to the promotion and protection of invention and innovation. 5. Strengthen the protection of copyright and related rights granted to those involved in literary and artistic creation. 6. Provide the technical means of using the IP system for development to IP structures and potential users, such as universities, SMEs, chambers of commerce and industry, and R&D institutes. 7. Strengthen the capacities of public and private institutions in the field of IP. 8. Promote an integrated research/enterprise system. 9. Promote IP education.
Zambia	National IP Policy (2017–2030)	To ensure the effective and efficient use of IP as a tool for stimulating socio-economic, industrial, technological and cultural development.	1. Strengthen the legal and legislative framework for the administration and management of IP rights. 2. Strengthen the institutional framework for the administration and management of IP rights. 3. Promote innovation, creativity and the generation of IP assets. 4. Promote commercialization of IP assets and technology transfer. 5. Strengthen enforcement of IP rights. 6. Strengthen IP awareness in all areas of IP rights. 7. Promote IP education and training.

Template 8
Brief on priority setting for implementation action plan

The following should be taken into account when defining each of the elements of the implementation action plan.

Challenges of priority setting

- Implementation by various agencies
- Different interests of stakeholders
- Scrambling for ever-limited resources
- Different interests of various donors

Importance of priority setting

- Priority setting is key to success.
- Priority setting involves value-based decisions.
- The duration of a national IP strategy is normally three to five years. This means that decisions need to be taken with regard to which projects should be undertaken when during the implementation of the action plan.
- Optimum utilization of scarce resources.
- Implementation is synchronized with resource mobilization.
- The monitoring and evaluation process is eased.

Criteria for priority setting

- *Urgency*
  a. Meeting multilateral, regional or bilateral obligations and/or harmonization requirements
- *Benefits and impact*
  a. Benefits to the country (e.g. promoting foreign direct investment, exploiting available resources)
  b. Benefits to a larger percentage of the population
- *Cost*
  a. What is the cost and availability of resources for the project?
  b. Is this the best way to use the available resources or is there another project that would deliver greater impact if the funding were instead used for that?
- *Time*
  a. How long will it take to implement the project? Is there a project that should be undertaken in order to ensure that the current project functions optimally?
  b. Is there an organization that is willing and ready to support this project?
  c. If the project is implemented in the manner proposed, will it function optimally?

Template 9
Example of results-based management framework

STRATEGIC GOAL: [as set out in national IP strategy – e.g. enhance value of SMEs in commerce sector through improved use of IP]					
Results	**Indicators, baseline, target**	**Means of verification**	**Assumptions and risks**	**Role of partners**	**Indicative resources**
Outcome 1: Value of SMEs in commerce sector is improved	**Indicator:** Value of SMEs in commerce sector **Baseline:** Current value is xxx as measured by national statistics office. **Target:** Value is increased by xx% over 5 years as measured by national statistics office.	National statistics office annual reports on commerce sector	**Assumption:** Improved use of IP system will add value to SME commerce sector. **Risk:** Poor measurement of value in SME commerce sector will undermine confidence in strategy.	SME associations assist with development of measures and data collection Cooperation with national statistics office to develop statistical material	Small project team of 2-4 staff
Output 1.1: Significant increase in TM filings by SMEs in commerce sector	**Indicator:** TM filing data **Baseline:** xxxx TM filings from SME commerce sector **Target:** 20% increase over 5 years	Timely accurate and detailed data available from TM filing system	**Assumption:** Improved use of TM filings by SMEs will be reflected in SME value. **Risk:** Poor data in TM system does not allow accurate measurement of TM use by SMEs.		
Output 1.2: Increase in use of design registrations and other IP by SMEs in commerce sector.	**Indicator:** All current IP filing data and other evidence of use of IP system by SMEs in commerce sector **Baseline:** Current usage data **Target:** Overall 15% improvement in usage over 5 years	Timely and accurate data from IP filing systems combined with good quality survey data of SMEs in commerce sector	**Assumption:** All service areas participate in development of methodology. **Risk:** Limited results from SME surveys reduce confidence in conclusions about role of IP in value chain improvements in SME commerce sector.		

Template 10
Subsectors of cultural domains

In the Latin American Cultural Satellite Accounts (CSA), the cultural domains are divided into 12 sectors and several subsectors, as follows:

i. Artistic creation (literary, drama, music, etc.)
ii. Performing arts (theatre, dance, live music, etc.)
iii. Visual arts (photography, sculpture, graphic arts, industrial arts, etc.)
iv. Books and publishing (books, periodicals, other publications, etc.)
v. Audio-visual (film and video, radio and television, video games, etc.)
vi. Music (music publishing and music recording)
vii. Design (architectural, industrial, graphic, textile, fashion, accessories and jewellery, etc.)
viii. Games and toys
ix. Tangible heritage (museums, libraries, heritage institutes, etc.)
x. Natural heritage (botanical gardens and zoos, natural reserves, etc.)
xi. Intangible heritage (festivals and fairs, local languages, cuisine and local culinary traditions, etc.)
xii. Artistic training

Source: *Measuring the Economic Contribution of Cultural Industries: A review and assessment of current methodological approaches, 2009.* Published in 2012. UNESCO Framework for Cultural Statistics Handbook No. 1

Annex

Resources for desk research

The list of resources in this section has been included to assist national project teams in undertaking the data collection for desk research. This list is clearly not exhaustive. Other similar resources available and accessible at the time of developing the strategy should be explored and taken into account.

International sources

- Agricultural Science and Technology Indicators
  www.ifpri.org/publication/asti-website#:~:text=Agricultural%20Science%20and%20Technology%20Indicators&text=ASTI%20collects%20and%20shares%20data,%2D%20and%20middle%2Dincome%20countries
- International Monetary Fund Studies
  https://www.imf.org/en/Research
- UNESCO Institute for Statistics
  http://uis.unesco.org/
- WHO, WIPO, WTO Study Promoting Access to Medical Technologies and Innovation
  www.wipo.int/policy/en/global_health/trilateral_cooperation.html
- World Bank Studies
  www.worldbank.org/en/research
- World IP Index, IP Statistics
  www.wipo.int/ipstats/en/

WIPO studies

- Global Innovation Index
  www.globalinnovationindex.org/Home
- National Studies on Economic Contribution of Copyright
  www.wipo.int/publications/en/details.jsp?id=3223&plang=EN
- Study on Intellectual Property and Brain Drain: A Mapping Exercise
  www.wipo.int/meetings/en/doc_details.jsp?doc_id=252189
- WIPO Economic Research Working Papers
  www.wipo.int/publications/en/series/index.jsp?id=138
- WIPO IP Indicators Report
  www.wipo.int/publications/en/details.jsp?id=4464
- WIPO IP Report
  www.wipo.int/publications/en/series/index.jsp?id=38
- WIPO IP Statistics
  www.wipo.int/ipstats/en

National strategies and policies

- Agricultural Strategy and Policies
- Creative Industries and Cultural Heritage Strategy and Policies
- Education Strategy and Policies
- Health and Wellness Strategy
- National Economic Development Strategy
- National Industry Strategy and Policies
- Science, Technology and Innovation Strategy and Policies
- Tourism Strategy and Policies

Additional reading

- Collective Management as a Business Strategy for Creators: An Introduction to the Economics of Collective Management of Copyright and Related Rights
  www.wipo.int/edocs/pubdocs/en/wipo_pub_emat_2016_3.pdf
- Collective Management Organizations Tool Kit: Musical Works and Audio-Visual Works
  www.wipo.int/edocs/pubdocs/en/wipo_pub_emat_2016_1.pdf
- Documenting Traditional Knowledge: A Toolkit
  www.wipo.int/edocs/pubdocs/en/wipo_pub_1049.pdf
- Guide: Managing Intellectual Property for Museums
  www.wipo.int/edocs/pubdocs/en/copyright/1001/wipo_pub_1001.pdf
- Guide on Surveying the Economic Contribution of the Copyright-Based Industries
  www.wipo.int/publications/en/details.jsp?id=259
- Guidelines to Using Evidence from Research to Support Policymaking
  www.wipo.int/edocs/pubdocs/en/wipo_pub_econstat_research_guidelines_2019.pdf
- In Good Company: Managing Intellectual Property Issues in Franchising
  www.wipo.int/publications/en/details.jsp?id=271&plang=EN
- Intellectual Property and Folk, Arts and Cultural Festivals
  www.wipo.int/edocs/pubdocs/en/wipo_pub_1043_2018.pdf
- Inventing the Future: An Introduction to Patents for Small and Medium-Sized Enterprises
  www.wipo.int/edocs/pubdocs/en/wipo_pub_917_1.pdf
- IP Toolkit for Universities and PRIs: IP Policies
  www.wipo.int/about-ip/en/universities_research/ip_policies/index.html#toolkit
- Joining the International Copyright System: What's at Stake?
  www.wipo.int/edocs/pubdocs/en/wipo_pub_flyer_crsystem.pdf
- Making a Mark: An Introduction to Trademarks for Small and Medium-Sized Enterprises
  www.wipo.int/edocs/pubdocs/en/wipo_pub_900_1.pdf
- Making Intellectual Property Work for Business: A Handbook for Chambers of Commerce and Business Associations Setting up Intellectual Property Services
  www.wipo.int/edocs/pubdocs/en/intproperty/956/wipo_pub_956.pdf
- Urgent Innovation: Policies and Practices for Effective Response to Public Health Crises
  www.wipo.int/publications/en/details.jsp?id=4459
- WIPO Consumer Survey Toolkit on Respect for IP
  www.wipo.int/edocs/pubdocs/en/wipo_toolkit_respect_ip.pdf
- WIPO Draft Guidelines on Assessing the Economic, Social and Cultural Impact of Copyright on the Creative Economy
  www.wipo.int/export/sites/www/copyright/en/performance/pdf/escia.pdf
- WIPO Good Practice Toolkit for CMOs
  www.wipo.int/edocs/pubdocs/en/wipo_pub_cr_cmotoolkit.pdf

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WIPO Publication No. 958E/20