

# Models of Intellectual Property Governance and Administration





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# Foreword

The World Intellectual Property Organization (WIPO) is often asked for advice by its member states on how a country should organize and administer its intellectual property (IP) system, as well as for good practices on models of governance and administration. However, there is no reference material currently available that could offer governmental policymakers in WIPO member states guidance on alternative governance approaches and ways to organize the administration of their IP system.

Against this background, WIPO assigned the study on “Models of IP Governance and Administration” to the Fraunhofer Institute for Systems and Innovation Research (ISI). The objective of the study is to provide WIPO member states with information and an evidence base on different forms of IP governance and administration against which they could adjust or revise their own approaches. The study also identifies emerging trends in view of the increasing importance of IP policy and administration as a tool for governments to advance broader policy objectives relating to innovation, creativity and economic development.

We initiated this study with the original goal of identifying specific models of IP governance and administration which government policymakers could draw from in considering adjustments to their current approach. What emerged are not specific models in themselves, as the exact configuration is very dependent on the legal framework, the policy priorities and the organization of government institutions and practices in each country.

However, the study documents and analyzes prevailing approaches, trends and emerging directions which can assist government policymakers in making decisions on their system of IP governance and administration. These conclusions are drawn from initial research undertaken by Fraunhofer ISI as well as from the observations of 12 heads of IP offices who offered their views during individual interviews. We are grateful for their time and for the insights they brought to the study.

We hope that this study will equip policymakers with valuable insights to support well-informed decisions in designing IP governance and administration frameworks, thereby unleashing the full potential of the intellectual property system for the benefit of society.

**Marco Alemán**  
WIPO Assistant Director General

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The authors and WIPO are most grateful to the heads and deputy heads of IP offices as well as staff from national ministries who participated in the structured interviews carried out as part of this study. Without the valuable information and the insights they provided, this study would not have been possible.

# Executive summary

## Chapter 1: IP policy framework and governance

### Overview

This chapter looks at the major priorities and challenges for innovation and intellectual property, and the various public policy tools that governments use in which IP plays an enabling role. It then delves into governance considerations and examines various ministerial responsibility models. This includes how countries organize the policy oversight and responsibilities of relevant ministries and consequently the structure of their IP administration functions. This chapter also explores policy development and coordination, and public consultation mechanisms in place in various jurisdictions and the role of IP offices in these processes. The ways in which IP offices engage with stakeholders in their own governance and the key benefits this engagement provides are also explored in more detail.

### Key insights

#### **Growing importance of IP in government policies**

The opportunities for countries to improve their innovative capacity are driven by big societal challenges, rapid technological progress and an increasingly global economy.

Governments recognize the need to address IP considerations in a range of broader policies, including innovation, creativity, and sustainable economic development. Concurrently, there is a strong push to equip the players in the innovative and creative ecosystems with the tools and knowledge they need to better leverage IP for economic and social benefit.

Governments therefore use a variety of program and policy tools not only to facilitate domestic innovation but also to foster global commercialization. National IP strategies that shape and support national innovation systems, and that consider the international IP marketplace, are an important public policy tool.

An important consideration for heads of IP offices engaging in policy discussions is to help catalyze a balanced IP legal framework that responds to the needs of a dynamic marketplace while reflecting the public interest and ethical considerations.

#### **IP offices are key partners in their government's policymaking processes**

IP offices are being solicited for the strategic value they can bring. They provide policymakers with valuable data and insights about innovation trends, emerging technologies and IP-intensive sectors in their national economy that can influence the direction of government strategies and policies. IP offices are centers of competence for intellectual property at the national level.

Broader national policies touch on the IP dimension, requiring government-wide coordination mechanisms involving several ministries. Active involvement by the IP office can help ensure

that IP issues are addressed in such policies – for example, research and development, innovation and trade, among others.

### **Prevailing governance models and emerging trends**

This section examines how countries organize the policy oversight and responsibilities of the various ministries, and the structure of their IP administration entities.

Governance options range from the more traditional model, where IP is seen primarily as a legal and regulatory function, to a more modern approach, which recognizes IP as an enabling tool for broader innovation, creativity and economic development goals.

There is no single model for the integration of national IP offices into the national ministerial structure. The prevailing models observed place the IP office within a lead ministry with an innovation or economic portfolio, or with justice and legal affairs. The responsibility for copyright and related rights is often with the ministry of culture or arts. However, in some jurisdictions there is a single IP office responsible for the administration of both industrial property and copyright matters.

Some countries are creating IP agencies which combine all IP-related functions of various ministries under one roof. The intent is to create a single focus within the government hierarchy, which should lead to more coordinated and effective IP policies and services.

While IP governance and administration frameworks worldwide serve similar purposes, their design may require special consideration in developing countries. Lower IP filing volumes and a generally more resource-constrained environment may warrant different institutional approaches that prioritize the IP functions most relevant to the local context. They may also give rise to regional cooperation models, as illustrated in the case of the African Intellectual Property Organization (OAPI).

### **Inter-ministerial coordination and public engagement mechanisms**

Due to the crosscutting nature of IP and the range of ministries involved, most countries observed in this study have established formal or informal inter-ministerial coordination mechanisms, which not only deal with IP-specific matters but also broader interrelated policy areas.

Similarly, governments also seek input and feedback from stakeholders on proposed policy initiatives and engage in international cooperation to address global IP challenges.

IP offices often play a central role in these coordination and consultation mechanisms, acting as central hubs for engaging with domestic and international stakeholders, conducting research and formulating policy recommendations.

Many IP offices also involve stakeholders in their own governance through various mechanisms. Heads of IP offices interviewed cited a range of benefits, including bringing in specialized knowledge to help shape policies and practices.

## **Chapter 2: IP office administration**

### **Overview**

In examining various models of IP office organization and administration, the study probes interviewees on the role and appointment of the head of the IP office, the institutional and legal status of the office, its mandate and scope of responsibilities, the degree of administrative autonomy, and service improvement strategies.



## Key insights

### **Head of the IP office is a multi-faceted role, bridging policy and administration**

Heads of IP offices interviewed say that their role involves balancing legal, administrative, strategic and diplomatic aspects while contributing to national public policy objectives and priorities of the government. In many countries, the head of the IP office is the most senior public official responsible for the administration of IP rights. As such, it is usually a senior position, reporting to the senior official or head of a ministry, in some cases to a minister, or even directly to the head of the government.

The appointment process varies depending on the legal, administrative and political systems of each country. Nevertheless, the importance of the position in the government apparatus and the decision on who heads the IP office can be a signal of the importance that the government places on IP issues.

### **Mandate and range of IP office functions**

The mandate of many national IP offices is to encourage innovation, creativity and economic development by providing a framework for the protection and management of IP rights within a specific jurisdiction. While the core functions remain consistent, two general types of mandates are observed: one has a broader economic and societal ambition; the other focuses on the optimal operation of IP services.

While all offices emphasize service quality and efficiency, offices with a broader mandate undertake other activities, including policy development, technical assistance and capacity-building, and economic research. Generally, most IP offices go beyond their regulatory function and are actively engaged in improving knowledge of IP and building an IP culture, as well as providing specific programs for small and medium-sized enterprises (SMEs), the research and science community, and others.

### **Administrative autonomy models**

This section examines the degree of independence that the IP office has in managing its day-to-day operations and resources. The key parameters include the degree of administrative autonomy, the office's legal status, the source of its operating budget and the degree of control over revenues and expenditures (including fee-setting), as well as its capacity and flexibility in hiring staff.

The level of administrative autonomy that an IP office has varies by country, although this is difficult to judge in absolute terms. Some of the IP offices in the study sample have the status of a national government agency. In most cases, such agencies are linked or subordinated to a ministry, and may be known as, for example, a special operating agency, decentralized public agency or parastatal agency.

A key parameter relates to financial autonomy. At one end of the spectrum, some IP offices can be described as self-sustaining agencies. They finance their operations entirely from the fees they collect and receive no additional budget from the government. Although this brings some benefits, including the capacity for longer-term investments, there are also risks should there be a downturn in the economy or lower revenues.

Some IP offices operate on a "cost recovery" model, which allows them to cover operational costs, while providing a certain level of revenue to the central government. In some countries, IP offices receive annual budget allocations from the ministry or government, while revenues from fees collected are returned to the central government.

The study also looks at the determination and management of IP fees. In principle, the ability to set fee levels provides additional flexibility to cover increases in costs; but this is usually subject to political realities and stakeholder dynamics. Furthermore, fee-setting involves delicate trade-offs to ensure the IP system functions effectively and does not encourage speculative or low-quality IP applications.

While many offices have a certain autonomy in the recruitment of staff, most face constraints related to staffing levels and allocated budgets. A common priority among heads of IP offices relates to training, skills development and capacity-building. All offices face challenges in recruiting the expertise required, including scientific, legal, technology and industry specialists.

### **Service improvement strategies**

IP offices operate in a national and global marketplace where speed and ease of service has become commonplace, and client-centered service models have become the norm. Increasingly, global businesses are using multiple forms of IP in a range of countries, requiring IP offices to harmonize practices, procedures and technological platforms with other jurisdictions.

A common preoccupation of heads of IP offices is improving the quality, effectiveness and efficiency of their services. Administrative efficiency is paramount as it serves innovators, creators and businesses operating in a fast-paced global marketplace. Depending on their capacities, IP offices strive to be at the forefront in harnessing the latest advances in digital technologies and artificial intelligence (AI). Globally, international collaboration by IP offices is essential for harmonization of processes and more efficient processing of IP rights, and for dealing with challenges that transcend borders and demand common action.

Now more than ever, a country's innovation capacity and creative potential rest on the ability to leverage intellectual property effectively. With the dynamic technological advances in new and emerging technological fields combined with important global and societal challenges relating to sustainability, governments should look to equip their IP offices with the capacity and tools to keep pace with the evolving landscape.

# Introduction

WIPO is often asked for advice by its member states on how a country should organize and administer its IP system as well as for good practices on models of governance and administration. However, there is no reference material currently available that could offer governmental policymakers in WIPO member states guidance on alternative governance approaches and ways to organize the administration of their IP system.

Due to developments in science and technology, such as AI, but also in markets, for example litigation practices, countries throughout the world have evolved their IP regimes. Governments have adopted different approaches toward organizing IP policy, laws and administration, reflecting their own governance traditions, constitutional arrangements and historical legacies.

Against this background, WIPO assigned the study on “Models of IP Governance and Administration” to Fraunhofer ISI. The idea of the study is to document and analyze the different forms of IP governance and IP rights administration that exist among WIPO member states, and to describe their main features and dynamics. The objective is to provide WIPO member states with information and an evidence base on models of IP governance and administration against which they could adjust or revise their own approaches. Besides the documentation and analysis of the different forms of IP governance and IP rights administration, the study aims to identify emerging trends in view of the increasing importance of IP policy and administration as a tool for governments to advance broader policy objectives relating to innovation, creativity and economic development.

The study analyzes which government agencies or ministries are responsible for the development of IP policies and laws, and whether the responsibility for the development of the IP policy framework rests with the same government agency that is responsible for administering IP rights. Furthermore, the role of IP rights administration entities in the development and formulation of IP policy and interrelated policy areas such as economic development, innovation, science and technology, and trade is examined. Moreover, the connections between IP policy and related policy areas, for example innovation, trade, competition, industrial and economic development, and culture, are studied. The study also analyzes which coordination mechanisms, such as inter-agency committees or working groups on IP, exist among the various actors and who participates in such committees or groups.

Regarding IP rights administration, the study explores the IP rights administration authorities for the various forms of IP rights, including patents, trademarks, industrial design, geographical indications, copyright and plant varieties, and to which ministries they are accountable. The institutional and legal status of the IP offices, their mandates and how they are financed are also examined. Moreover, the study examines the most common core functions of the IP rights administration entities and identifies additional functions, such as IP information and outreach, SME support programs, and initiatives to promote the innovation ecosystem.

The analysis of the report is based on desk research of 25 IP offices and is followed up by structured interviews with 12 IP offices from WIPO member states (see Table 1). The interviews are based on pre-set questions (see Annex A.3) and were conducted with the heads or deputy heads of the IP offices. More details on the methodology applied and on the complete set of countries considered in the study can be found in Annexes A.1 and A.2. The full names of the IP

offices considered for this study are listed in Table 1 and Annex A.2. Throughout the text and in the tables, the IP offices are referred to by the name of the country/region.

**Table 1 IP office interviewed**

<b>Country/Region</b>	<b>IP office name</b>
Azerbaijan	Intellectual Property Agency of the Republic of Azerbaijan
Botswana	Companies and Intellectual Property Authority (CIPA)
Canada	Canadian Intellectual Property Office (CIPO)
Chile	National Institute of Industrial Property (INAPI)
Colombia	Superintendence of Industry and Commerce (SIC)
Egypt	Egyptian Authority for Intellectual Property (EAIP)
Estonia	Estonian Patent Office (EPA)
Germany	German Patent and Trademark Office (DPMA)
India	Office of the Controller General of Patents, Designs and Trade Marks, Department for Promotion of Industry and Internal Trade (CGPDTM)
Philippines	Intellectual Property Office of the Philippines (IPOPHL)
Saudi Arabia	Saudi Authority for Intellectual Property (SAIP)
West Africa	African Intellectual Property Organization (OAPI)

# 1 IP policy framework and governance

## 1.1 Major priorities and challenges for innovation and IP

Intellectual property rights encourage creativity and innovation by providing incentives for creators and inventors, and by facilitating the sharing of knowledge. The provision of robust legal frameworks and effective enforcement mechanisms is therefore crucial to safeguard IP and foster innovation. Strengthening IP protection in response to technological advances while considering international best practices is key to making this possible.

Strong IP rights are valuable assets for businesses engaged in cross-border trade, enabling them to protect and exploit their innovations, brands and creative content. Trade agreements often include provisions on IP protection, enforcement and harmonization to facilitate trade, and IP policies and systems are critical for industrial and economic development. A well-functioning IP framework supports the growth of IP-intensive industries such as pharmaceuticals, biotechnology, software and the creative sectors. It facilitates the creation of high-value jobs, encourages entrepreneurship and startups, and contributes to economic diversification. IP can attract foreign direct investment and promote technology transfer, enabling countries to move up the value chain and strengthen their industrial and economic base.

The opportunities for countries to improve their innovative capacity are driven by big societal challenges, such as poverty, health and food security, environmental sustainability and climate change, and rapid technological progress.

### The growing importance of IP in government policies

In this context, it is important for governments to align their innovation and economic development policies with IP considerations. This includes policies which encourage research and development, initiatives for SMEs in high-growth sectors of the economy, measures to facilitate commercialization and technology transfer, and incentives to facilitate domestic innovation and foster business growth and export, to name a few. Furthermore, cultural policies have IP dimensions that serve to encourage cultural and creative expression and protect the rights of creators, particularly in the digital age.

The broader impact and importance of IP for government policymakers was reflected in our interviews with senior officials and heads of IP offices. Increasingly, they are being solicited to provide advice to governments on how to better leverage IP to improve a country's innovative capacity, creative potential and economic development.

One important function of the IP system is to facilitate technological progress and technology transfer. A particular challenge mentioned by our interviewees is the extent to which IP laws, regulations and administrative practices can keep up with the accelerating pace of change and the dynamic technological advances in new and emerging technology fields. Notably, the rapid evolution of AI has economic and social implications in many areas for policymakers, including the IP system.

In recognition of the growing importance of IP as a policy tool, many countries undertake public awareness campaigns and educational initiatives to enhance the understanding of IP rights and foster a culture of respect for IP. Educating the public, businesses and creators about the importance of IP protection and its role in driving innovation and economic growth can help to exploit its benefits, but also address infringement and misuse.

## Program and policy tools

A natural focus of most countries is to strengthen domestic IP creation. Facilitating transfer of knowledge and technology from research institutions to industry was mentioned throughout our interviews as a national priority. Governments use a variety of policy and program tools such as encouraging partnerships, licensing agreements, and fostering technology transfer infrastructure and networks to help commercialize inventions and maximize their societal impact. Another important priority is to nurture entrepreneurship and support startups by providing funding and mentorship programs, and through the creation of incubators/accelerators to help entrepreneurs bring their innovative ideas to market.

Governments are increasingly aware that their national IP system must not only facilitate domestic innovation but also foster global commercialization. In this context, countries are looking to align their national IP system with those of their major trading partners and global IP trends. On a practical level, accession to international IP treaties such as the Madrid Agreement for the international registration of trademarks can facilitate companies' access to foreign markets and protection of IP rights.

Collaboration with international partners and participation in multilateral forums are important to address global IP challenges. Countries actively engage in international cooperation, harmonization efforts and information sharing to stay updated on global best practices and develop effective responses to cross-border IP challenges. The sale of counterfeit goods on online marketplaces, digital piracy and online infringement are growing threats confronting creators and innovators, and show where cross-border collaboration by countries can provide successful solutions.

Another priority of many heads of IP offices is to provide their government and the public with improved access to IP-related data to better understand marketplace, technological and innovation trends, particularly in IP-intensive sectors of the economy. The use of the technological information contained in patents and other IP documents as a source of information for effective innovation has long been recognized as an important policy tool, and is becoming more valuable in a global digital and data-driven economy.

## Public interest and ethical considerations

IP touches many public policy aspects affecting a country's economy, society and culture. As such, reflection of public interest is an important consideration for heads of IP offices and policymakers. Striking a balance between protecting IP rights and ensuring access to knowledge is an ongoing challenge. Issues such as monopolies based on patents, open access to scientific research, and affordable access to essential medicines require careful consideration.

Similarly, ethical considerations in fields such as AI, biotechnology and genetic engineering are the subject of much public and policy debate. IP plays a vital role in cultural policies and the development and protection of artistic expression and traditional knowledge. Ensuring a coherent and balanced approach that takes all stakeholders' interests into account is crucial to maximize the benefits of IP while addressing potential challenges and promoting the public interest.

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### Key insight 1. Major policy challenges and priorities

In Colombia one important priority is to foster the regional innovation ecosystem and the democratization of knowledge throughout all parts of the national territory, as reflected in the Colombian National Development Plan (Pacto por Colombia, Pacto por la Equidad) 2019–2022.

Under Saudi Arabia's Vision 2030, the direction is to shift from being an oil-based economy to a more diversified knowledge- and innovation-based economy. The National Strategy for Intellectual Property launched in 2022 for a period of five years is one of the tools to achieve the objectives of Vision 2030.

The major priority in Botswana is to move from a resource-based to a knowledge-based economy making use of science, technology and innovation. This priority is enshrined in the national development Vision 2036 and in the Botswana Intellectual Property Policy (BIPP) 2022.

The Azerbaijan 2030 strategy, approved by the President in 2021, sets the country's national priorities for socioeconomic development, including the development of IP that supports innovation, creativity and competitive markets.

Egypt has a number of national strategies aimed at strengthening its sustainable development, innovation and competitive landscape, including Vision 2030, a strategy for sustainable development; the State Strategy for Science and Innovation 2030, an economic and structural reform program; the national Climate Change Strategy 2050; and its first-ever national IP strategy, launched in 2022.

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## 1.2 National IP strategies as public policy tools

Increasingly, governments see the benefit of having a national IP strategy as a key public policy tool. Such a strategy plays a crucial role in shaping and supporting a national innovation system and serves as a roadmap for how a country manages its IP assets and leverages these aspects to foster innovation and economic development. It helps align the IP framework with a country's economic and innovation goals, supports innovation across sectors, and ensures a balanced approach to IP protection that benefits both creators and inventors, and the economy and the public.

National IP strategies are being formulated using a whole-of-government approach that includes all ministries involved in the issue. Draft strategies are often the subject of broad public consultations with experts and relevant stakeholders. In our interviews, some heads of IP offices pointed out the value of such an inclusive process in highlighting the important role that IP plays in a country's broader goals of fostering innovation, promoting creativity and supporting economic development.

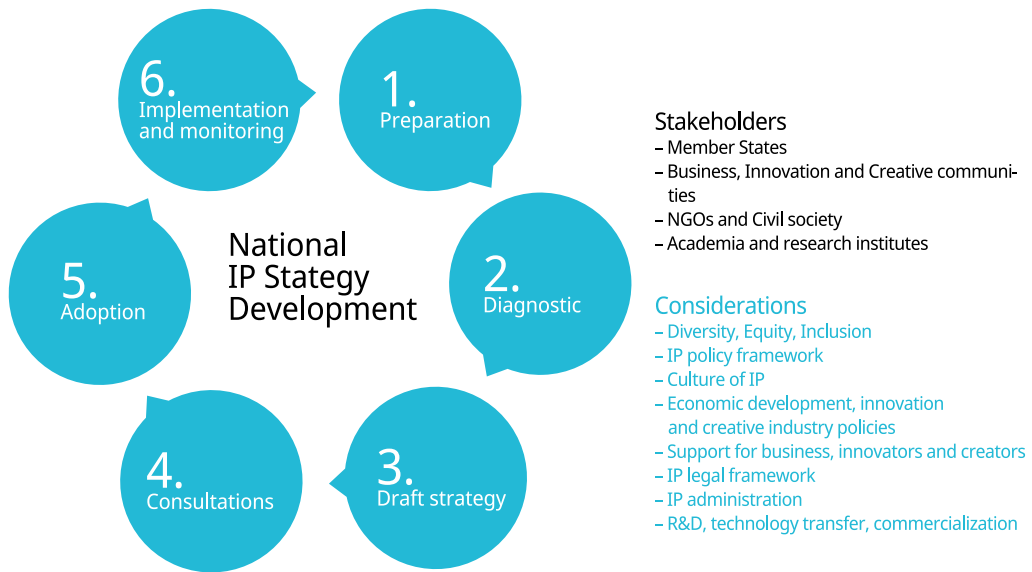
Important elements of a national IP strategy include encouraging and incentivizing innovation and creativity by providing a clear and structured framework for the protection and utilization of IP rights; strengthening the legal framework for IP rights and their enforcement; supporting SMEs and startups; promoting technology transfer; and improving IP awareness. Figure 1 shows the framework that WIPO encourages member states to use in developing their national IP strategies.

In some countries IP is part of broader national innovation policies and strategies, for example in Germany and Estonia. In West Africa, OAPI uses a multilayered approach to encourage its member states to develop their own strategy, while also leading activities which support the implementation of national strategies.

Naturally, IP offices often lead or play an important role in the development of national IP strategies. They possess specialized knowledge and expertise in IP law, enforcement and administration. They are also an important source of IP-related data that can help inform the strategy's focus and provide valuable insights into the challenges and opportunities in the country's IP landscape. Consequently, they can help to identify areas for improvement, creating opportunities for innovation and growth. They are actively involved in developing action plans and in the strategy's implementation, monitoring and evaluation.

Most IP offices also collaborate with international organizations, other IP offices and foreign counterparts to share best practices, learn from successful strategies in other countries, and harmonize IP standards at the regional and global level.

**Figure 1. WIPO's national IP strategies framework**



Source: WIPO.



**Table 2. Examples of national IP strategies**

<b>Country/Region</b>	<b>Name of strategy</b>
Botswana	Botswana Intellectual Property Policy (BIPP) 2022, launched in 2022
Brazil	National Intellectual Property Strategy, launched in 2020
Canada	Intellectual Property Strategy, launched in 2018
Chile	Chile National Industrial Property Strategy, launched in 2016
China	National Intellectual Property Strategy, promulgated in 2008, implementation completed in 2020
Colombia	National Intellectual Property Policy (CONPES 4062), launched in 2021
Croatia	National Strategy for the Development of the Intellectual Property System, adopted in 2010
Egypt	National IP Strategy, launched in 2022
Europe	EPO Strategic Plan 2028
Ghana	National Intellectual Property Policy and Strategy, launched in 2016
India	National IPR Policy, adopted in 2016
Philippines	National Intellectual Property Strategy (2020–2025), launched in 2019
Saudi Arabia	National IP Strategy, adopted in December 2022
Singapore	Singapore IP Strategy (SIPS) 2030, launched in 2021
South Africa	Intellectual Property Policy, approved by Cabinet in 2018
West Africa	OAPI Strategic Plan 2022–2027

### 1.3 Ministerial responsibility models

One of the primary features relating to the governance of IP is how countries organize the policy oversight and responsibilities of the various ministries, and how this is reflected in the structure of the IP administration entities.

Governance options range from the more traditional model, where IP is seen primarily as a legal and regulatory function, to a more modern approach, which recognizes IP as an enabling tool for broader innovation, creativity and economic development goals. One specific feature relating to the range of institutions that deal with IP administration concerns the number and types of IP offices and the inter-coordination mechanisms between them.

From our initial research and interviews, we identified various models and approaches, outlined below.

#### Lead ministry with responsibility for IP office

In most countries, responsibility for IP lies with one lead ministry, even though the responsibility for the development of IP policies and laws involves various ministries and government agencies.

The involvement of multiple ministries can be explained by IP rights touching on various policy areas, including industrial development, scientific research and technology, international trade and export, support to innovation and entrepreneurship, culture and the arts, agriculture and plant varieties, and issues relating to IP protection and enforcement, among others.

In most jurisdictions, the lead ministry has responsibility for most IP policy issues and is seen as the department providing leadership and coordination of IP-related matters. Common examples are the ministry of innovation, economy or justice.

The IP office is usually placed under this lead ministry. This can streamline policy development, as it brings together expertise, resources and a focused approach to IP matters. It encourages collaboration between the development of policy relating to IP and its administration or implementation. It can also facilitate better coordination and integration of IP policies with broader government strategies and initiatives. This can in turn lead to more coherent and effective policy frameworks.

In our interviews with the heads of IP offices, several mentioned the various legal and administrative obligations that they must coordinate with other government agencies on a wide range of policy matters, and the increasing recognition that IP is a crosscutting policy issue.

Depending on the ministry's mandate, positioning the IP office under a specific ministry can signal a specific focus in line with the government's priorities.

Ministries of science, technology and/or innovation often play a significant role in IP policy development. These ministries work toward fostering research and development, promoting innovation and supporting technology transfer. Placing the IP office under their jurisdiction, as in Canada, reflects the emphasis on IP as a driver of innovation and technological advancement.

In some countries the ministry of commerce or industry plays a central role in formulating IP policies, for example in Botswana and India. These entities are responsible for promoting economic growth, trade and industrial development, making them important policy instruments for IP matters. Positioning the IP office under the responsibility of the ministry of economy, as in Chile, emphasizes the economic dimension of intellectual property.

Historically, in the 19<sup>th</sup> and 20<sup>th</sup> centuries IP was viewed primarily as a legal domain. In some countries, IP continues to be governed under the ministry of justice and legal affairs, for example in Germany, where copyright, patent and trademark law and DPMA are under the responsibility of the Ministry of Justice. Placing the IP office under the Ministry of Justice leverages the legal expertise and enforcement capabilities of the justice system to ensure that IP laws are developed, implemented and enforced effectively, and are in line with the overall legal framework of the country.

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## **Key insight 2. Ministerial responsibilities and IP administrative structures**

In Botswana, the Ministry of Trade and Industry is responsible for IP and coordinates any related work with other ministries. All types of IP rights are administered by CIPA within the Ministry of Trade and Industry.

In India, CGPDTM is located in the Department for Promotion of Industry and Internal Trade within the Ministry for Commerce and Industry. The IP office is responsible for all IP rights, except for plant protection varieties, which is with the Ministry of Agriculture.

In Canada, the department of Innovation, Science and Economic Development (ISED) is the federal department responsible for IP policy and legislation. Within ISED, CIPO administers and processes IP rights. Other departments are also responsible for IP; for example, the Canadian Food Inspection Agency is responsible for plant breeders' rights and the Department of Canadian Heritage is responsible for copyright policy and policies relating to cultural industries.

In Chile, industrial property is handled by INAPI under the authority of the Ministry of Economy, and the protection of plant varieties is with the Agriculture and Livestock Service under the ministry of Agriculture. INAPI's role is that of an advisor on industrial property issues to the President of the Republic and as a specialized agency when such issues arise in international trade negotiations. The Ministry of Culture is responsible for copyright policies and the copyright office.

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## Responsibility for copyright policy and administration

In many countries, the policy responsibility for copyright is under a ministry other than the one responsible for industrial property policies. Often the ministry of culture, arts or heritage takes the lead in copyright policy development and administration.

This usually leads to a model where there is an industrial property office and a separate copyright office. The copyright office often operates as a specialized agency responsible for copyright policies and administration. It is usually responsible for copyright law development, administration and enforcement guidance on copyright-related matters.

In some jurisdictions, there is a single IP office responsible for both industrial property and copyright matters. Often, the lead ministry also has policy responsibilities for both areas, facilitating a single IP office entity. In other cases, the administration functions are combined in a single office, for example by combining the copyright registry with other IP registries, which can be more efficient.

The study has not delved deeper into the question of whether there is greater IP policy coherence by putting industrial property and copyright under one administrative entity. We note, however, that there are emerging challenges around IP in the digital economy, leading to a convergence of policy issues around industrial property and copyright. In the marketplace, businesses in many sectors manage their IP portfolios in an integrated way, whether it be formal IP rights such as patents or trademarks and designs, or other forms of protection such as trade secrets. With new technologies adding to this trend for convergence, we may see more governments considering the integration of copyright with other IP policy responsibilities in future.

**Table 3. Ministries responsible for IP and copyright**

Country/Region	General IP responsibility	Copyright responsibility
Azerbaijan	IP Agency is a legal entity of public law, equal to a ministry	Yes
Botswana	Ministry of Investment, Trade and Industry	Yes
Canada	Innovation, Science and Economic Development (ISED)	Copyright responsibility is shared between ISED and the Department of Canadian Heritage. CIPO, as part of ISED, administers the copyright registry
Chile	Ministry of Economy	No Intellectual Rights Department
Colombia	Ministry of Industry, Commerce and Tourism	No National Directorate of Copyright
Egypt	The Egyptian IP Authority is a public legal body with legal personality and is affiliated with the Prime Minister	Yes (in future)
Estonia	Ministry of Justice	Yes
Germany	Ministry of Justice and Consumer Protection	No Unit of Copyright and Publishing Law at the Federal Ministry of Justice
India	Department for Promotion of Industry and Internal Trade	Yes
Philippines	Department of Trade and Industry	Yes
Saudi Arabia	Saudi Authority for Intellectual Property (SAIP), Prime Minister, government	Yes
West Africa	OAPI is a subregional institution. The ministry for industry is the official supervisory authority of OAPI in each member state	Yes

## Emerging trends

A few countries have combined all IP-related entities and their responsibilities under one overall ministerial-level organization, to address the challenges of inter-ministerial coordination and diffusion of IP-related responsibilities and policies. Doing so also elevates the importance of intellectual property in the government hierarchy.

For example, in Saudi Arabia, SAIP is responsible for the administration of all IP rights, including patents, trademarks, industrial design, geographical indications, copyright, plant varieties and integrated circuits. It is also responsible for legislation, regulations and policies related to IP, and contributes to IP enforcement and creation.

Similarly, in India, under the National IPR Policy of 2016, all IP agencies were brought together within the Ministry for Commerce and Industry (except for plant varieties, which remained with the Department of Agriculture). Coordination was improved as result of this single-agency approach.

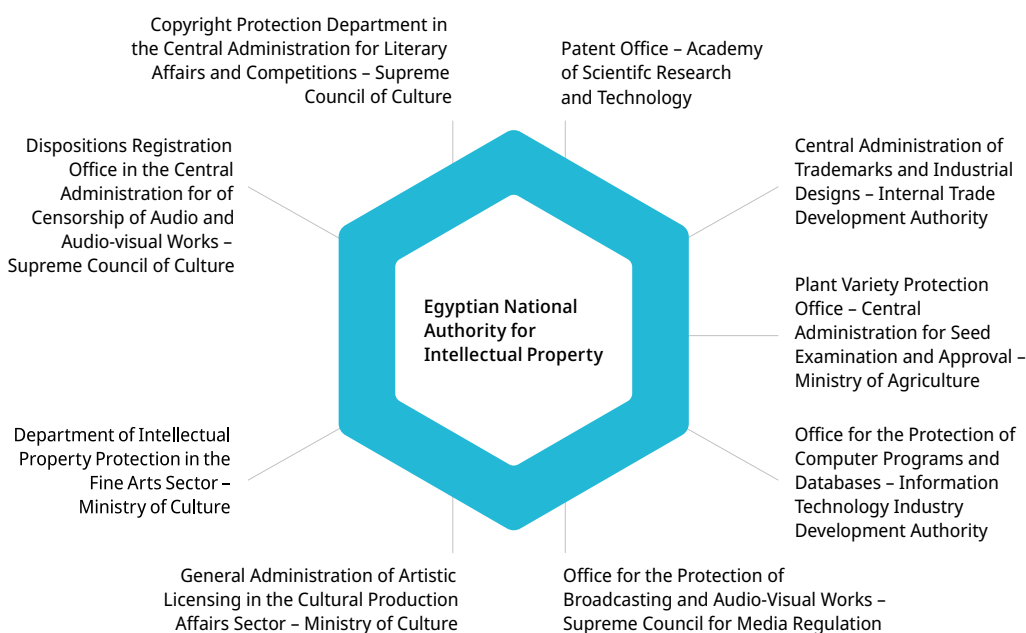
Another recent example is Egypt, which is in the process of establishing EAIP, as illustrated in Key insight 3.

## Regional IP organizations

OAPI is a unique model in that it is a regional IP institution. It provides IP registration and protection on behalf of its 17 member states in West Africa. It has a long history of cooperation, having been established in 1962, and is governed by an Administrative Council composed of the responsible ministers from its member states. National policymaking is the purview of individual member states, but OAPI has a national liaison structure through which it supports the implementation of IP policies in each member state. For example, OAPI provides model laws relating to genetic resources and traditional knowledge, in collaboration with its member states. Once there is consensus on a document, it is submitted to the Administrative Council for approval and translated into regulations that apply as national law in each country, although each is free to add additional measures to meet its specific needs.

### Key insight 3. New Egyptian Authority for Intellectual Property

The Egyptian government formally launched its first national IP strategy in 2022. One of its key pillars was a new Egyptian Authority for Intellectual Property (EAIP), which combined into one organization the IP-related responsibilities of nine offices and administrations (see “Executive Summary,” Egypt’s National Intellectual Property Strategy 2022, p.12, [https://www.sis.gov.eg/UP/Culture/Strategic%20Book%20\(E\).pdf](https://www.sis.gov.eg/UP/Culture/Strategic%20Book%20(E).pdf)). This has been established by Law 163/2023 enacted in August 2023, which defined EAIP’s mandate, role and responsibilities.



Source: Egypt’s National Intellectual Property Strategy 2022.

## 1.4 Policy development and coordination mechanisms

One important element of IP governance relates to the formulation and coordination of IP policy within the government, the types of coordination mechanisms in place and the role of the IP office in these processes.

In our interviews with heads of IP offices, the prevailing view was that for IP policies to be effective and relevant, governments need to coordinate policy development among various entities, whether through formal or informal means.

Furthermore, these collaboration mechanisms are not only necessary for IP-specific laws and policies, but also affect how IP considerations are included in broader interrelated policy areas, such as economic development, science and technology, and trade.

## Coordination among government entities at the national level

The coordination of IP policy among various entities typically varies based on the governance structure and legal framework of the country. In most countries, the legislative process, including drafting and amending IP laws, involves multiple stages of review and public and inter-ministerial consultations, including coordination between relevant ministries and parliamentary committees.

It is interesting to observe the two prevailing types of inter-ministerial coordination mechanisms.

Many countries establish formal inter-ministerial committees or task forces comprising representatives from relevant ministries and government agencies. These committees serve as platforms for coordination, collaboration and consultation on IP policy matters. They help align the perspectives and interests of different entities involved in IP and facilitate the development of cohesive policies.

For example, in Colombia, the Intersectoral Commission on Intellectual Property is in charge of coordinating the different actors that participate in the IP system. These actors include the Superintendence of Industry and Commerce as the competent national office for industrial property, the National Directorate of Copyright as the authority for copyright and related rights, and the Colombian Agricultural Institute as the competent authority for plant varieties.

In some countries, more informal coordination mechanisms are used. Different government entities with responsibilities related to IP, such as ministries of commerce, justice, culture and technology, collaborate through regular communication, information sharing and joint initiatives. This collaboration ensures that IP policies align with broader national objectives, legal frameworks and sector-specific needs. In many countries, the lead ministry has the responsibility to reach out and consult with other ministries who either have responsibility for certain aspects of IP policies and/or may be impacted by the proposed changes.

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### Key insight 4. Multi-state coordination at regional level

OAPI is a regional IP office serving 17 member states in West Africa. In OAPI countries, there are generally three ministries working together: the ministry responsible for industry, which is the official supervisory authority of OAPI in each member state; the ministry responsible for culture, which deals with copyright; and the ministry responsible for innovation. OAPI has a national liaison structure in each member state for coordination between the three bodies. There are areas in which initiatives on IP promotion and development are started by OAPI, and these initiatives are passed on to the country level. This is the case, for instance, for patents and trademarks. Each state is then free to add further measures addressing its specific needs and preferences.

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## Public consultations and other forms of engagement with stakeholders

After inter-ministerial consultations have been conducted and a proposed policy initiative has been articulated, governments often seek input and feedback from the public, industry stakeholders and experts through public consultations. This allows for a broader range of perspectives to be considered in shaping the proposed policy. Consultations are conducted by specific ministries or IP offices, and the collected input informs the policymaking process, and subsequent legislative and parliamentary processes.

Countries also engage in international cooperation and participate in multilateral and regional forums to address global IP challenges. Through bilateral and multilateral negotiations, countries harmonize IP standards, exchange best practices and develop international agreements, such as free trade agreements or treaties, to promote IP protection and enforcement.

## Role of the IP office

Depending on the nature of the IP policy, national IP offices either lead or contribute to the exercise. They often act as central hubs for collecting input from various stakeholders during public consultations, conduct research and formulate policy recommendations. They collaborate with relevant ministries, industry associations and other entities to ensure comprehensive and coherent IP policies.

IP offices also play an active role in the development and review of IP legislation. They provide technical expertise and insights on legal aspects, aligning IP laws with international standards, and addressing emerging challenges and opportunities. IP offices collaborate with relevant ministries and legal experts to ensure that the legislative framework is robust, up to date and supports broader policy objectives.

In general terms, most IP offices provide expert advice and recommendations to the government and relevant ministries on the formulation of IP policies. They contribute insights on the impact of IP on economic development, innovation ecosystems, scientific advancements and trade competitiveness.

In addition, many IP offices collect and analyze data on IP filings, trends and relevant economic indicators that can help shape government policies. This information is very valuable to monitor the impact of IP policies on economic development, innovation and trade. By providing statistical data, market insights and economic impact assessments, IP offices contribute to the formulation of evidence-based policies.

Finally, it was noted by our interviewees that many IP offices maintain ongoing relations with their external stakeholders and thus can provide a ready source of insight and advice to government policymakers on various policy initiatives, which may not be limited to intellectual property. For example, some IP offices (and WIPO) have conducted studies on the gender gap in patenting, which has contributed to broader governmental policy objectives regarding how to increase the participation of women in scientific fields.

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### Key insight 5. IP offices providing expert advice on government policies

In Botswana, the development of IP policy is the responsibility of the Ministry of Trade and Industry, but CIPA is instrumental in leading the development and the formulation of this policy up to the point when it is approved by Parliament. Once it is approved, CIPA has the role of an implementing agency for IP policy.

In Chile, INAPI was established as an advisory body for the President of the Republic on industrial property issues. This requires INAPI to prepare IP-related recommendations for the President through the Ministry of Economy, for example in the case of a new Chilean law on technology transfer, which would be under the core responsibility of the Ministry of Science. Still, INAPI would perform its role as a specialized agency contributing to the development of this legislative initiative.

OAPI is a regional IP office that plays an advisory role for its member states. OAPI also proposes policies and activities related to areas such as economics, innovation, science and technology. One example would be the use of geographical indications by its member states. OAPI is responsible for the Dakar, Ouagadougou and Abidjan declarations on the economic impact of geographical indications on the development of states.

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## Involving stakeholders in IP office governance

Beyond policy consultations, many IP offices involve external stakeholders in their own governance through various mechanisms; for example, through advisory bodies, formal committees, more task-oriented working groups or subject-specific forums. In most cases, recommendations by external stakeholders in advisory boards and other decision-making bodies are non-binding (see Table 4).

External stakeholders represent a diverse set of perspectives, including those of industry, business, academia, inventors, artists, researchers and the public. Their involvement ensures that the IP office considers a wide range of viewpoints when formulating policies and making decisions.

Our interviewees mentioned some important benefits: bringing in specialized knowledge and expertise, for example, in fast-moving technology fields, can help shape patent guidelines and practices. On a more practical level, involving a wide range of stakeholders can help the IP office identify unintended consequences of new policies or regulations, or find solutions that balance the interests of various groups while meeting public policy objectives.

The IP office can collaborate with external stakeholders on specific projects and initiatives. This cooperation may involve joint research, educational programs, IP-awareness campaigns and capacity-building efforts. External stakeholders can be included in the review and evaluation of the IP office's performance. They may provide input on the effectiveness of policies and suggest areas for improvement.

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### Key insight 6. IP advisory bodies

The Advisory Council for Intellectual Property (ACIP) of the Philippines is a board composed of eight to ten distinguished individuals from both the public and the private sectors. Members serve up to two years at the invitation of the Director General of IPOPHL. The Council provides recommendations to IPOPHL based on an assessment of its performance (according to the Balanced Scorecard of Harvard Business School) and its achievements and partnerships with key stakeholders, and identifies challenges and issues that may impact the realization of IPOPHL's mission and vision.

In Saudi Arabia, SAIP has a Board of Directors and a Chair (a Minister from the Council of Ministers) appointed by the Prime Minister. They oversee the management and conduct of SAIP, and set its general policy.

In Chile, the Chilean Civil Society Council serves as a platform for dialogue, collaboration and engagement between civil society and the government, allowing civil society organizations to provide input on public policies and government decision-making processes. It meets regularly (four or five times a year) and provides a forum for the exchange of information with INAPI. The Council's conclusions are not binding but are a source of useful feedback.

In Germany, contact with applicants is very important to the DPMA. The office has a User Advisory Council for Patents and Utility Models. It consists of 15 members and meets twice a year with the objective of including all relevant user groups in its discussions (large, small and individual patent applicants, and search and patent management software service providers). The Council has a purely advisory function and is not involved in the office's decision-making.

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**Table 4. External stakeholder engagement in IP office governance**

<b>Country/Region (IP office)</b>	<b>Advisory/Supervisory board</b>	<b>Other form of engagement</b>
Azerbaijan (COPAT)		Representatives of the cultural sphere (representatives of collective rights management organizations, composers, scientists) are included in the Public Council.
Botswana (CIPA)	Board of Authority	
Canada (CIPO)		CIPO engages with its stakeholders when developing policy initiatives and reviewing its operations, including through Patent and Trademark Practice Committees. As part of its 2023–2028 Business Strategy, CIPO intends to establish a forum of representatives at strategic level to discuss and share input on topics relating to CIPO's programs and operational policy direction.
Chile (INAPI)		Chile's Civil Society Council includes participants representative of Chile's ecosystem, including a member from the Chilean Intellectual Property Association.
Colombia (SIC)		There are public consultations with interest groups and citizens with respect to projects, regulations, policies, programs or procedures carried out by the entity before their formulation or decision-making.
Egypt (EAIP)	Board of Directors or Governing Board	
Estonia (EPA)		EPA has well-established mutual collaborations with institutions such as Enterprise Estonia, Estonian Chamber of Commerce and Industry (ECCI) and Estonian Association of Designers (EAD). There are regular roundtables with the Chamber of Patent Attorneys.
Germany (DPMA)		The User Advisory Council on Patents/Utility Models (DPMA Nutzerbeirat) is the central advisory body of the DPMA to formulate and discuss user needs and as an instrument of customer dialogue. The User Advisory Council comprises 15 external members who are appointed by the President of the DPMA for a term of four years.
India (CGPDTM)		There are frequent consultative meetings and discussions with the industry, academia, attorneys, firms and IP creators
Philippines (IPOP/PHL)	Advisory Council for Intellectual Property (ACIP)	The National Committee on Intellectual Property Rights (NCIPR) is an inter-agency body that formulates and implements plans and policies, as well as strengthening the protection and enforcement of IP rights in the country.
Saudi Arabia (SAIP)	Board of Directors and Advisory Board	
West Africa (OAPI)	Administrative Council	

# 2 IP office administration

In examining various models of IP office organization and administration, the study probed interviewees on the role and appointment of the head of the IP office, the institutional and legal status of IP offices, their mandate and scope of responsibilities, the degree of administrative autonomy and approaches regarding service delivery.

## 2.1 The role of head of the IP office

In many countries, the head of the IP office is the most senior public official responsible for the administration of intellectual property rights. As such, it is usually a senior position, reporting to the senior official or head of a ministry, in some cases to a minister, or even directly to the head of the government.

### A multi-faceted role, bridging policy and administration

Our interviewees emphasized that the head of the IP office plays a multi-faceted role. This involves balancing legal, administrative, strategic and diplomatic aspects to foster innovation, protect IP rights and contribute to economic development at the national level.

The head of the IP office bridges the IP policy and administration functions. This person is often solicited for strategic advice on IP matters by senior officials in their government. While the head of the IP office is a public servant, they must maintain some autonomy and exercise their powers free from undue interference and in accordance with their statutory obligations under the relevant acts and laws of the country.

The head of the IP office maintains ongoing relations with key stakeholders in the legal and business community and with others in the innovation and creative ecosystem. They have international representation responsibilities on behalf of their country, notably at WIPO, and can be part of national delegations at other international forums. They also maintain relations with other heads of IP offices and engage in collaborative projects and activities, particularly in their region of the world.

The head of the IP office is also the chief administrator, managing the financial resources and the hiring and training of qualified staff, and making strategic decisions to improve operational effectiveness, including procedures and guidelines for the processing and granting of timely and quality IP rights. Heads of IP offices are also concerned with improving the quality of client services, particularly online and digital services.

### Reporting relationship and appointment process

The appointment process for the position of the head of an IP office depends on the legal, administrative and political systems in place. Similarly, the level of the position and its reporting relationship is often due to the public service rules and customs of that country. Nevertheless, the importance of the position in the government apparatus and the decision on who heads the IP office can be a signal of the importance that the government places on IP issues.

In most instances, the head of the IP office reports to the ministry of commerce or trade, the ministry of industry or innovation, the ministry of justice or legal affairs or the ministry of science and technology or research and development, depending on how the government has organized its administrative hierarchy. In some cases, the head of the IP office reports directly to a higher-level office, such as the Cabinet or the Prime Minister's office, especially if IP is considered a top national priority.

Typically, the appointment is based on the candidate's qualifications, professional experience and credentials in the field of IP. Sometimes the appointment of the head of the IP office involves consultation with relevant stakeholders, such as industry associations, legal experts and academia. Many countries have established fixed-term limits for the head of the IP office (see Table 5: Characteristics of head of the IP office).

In some countries, the head of the IP office is appointed by a government authority, such as the President, Prime Minister or a relevant minister. For example, in Germany, the President of the DPMA is a high-ranking civil servant position, which is nominated by the Ministry of Justice and appointed by the President of the Federal Republic. The appointment may require approval from the legislative body or other responsible bodies. Often the process involves nominations, interviews and evaluations to ensure that the candidate possesses the necessary qualifications, experience and expertise in IP matters. In countries where the civil service is involved in appointments, the head of the IP office might be selected through a competitive process based on merit and qualifications.

Some countries have established independent commissions or bodies responsible for appointments to high-level positions in the government (for example, Estonia). In some countries appointments to high-level positions are approved at the level of Cabinet (for example, India). These commissions ensure a transparent and unbiased selection process. The commissions might review applications, conduct interviews and make recommendations to the relevant government authority.

To ensure competence and professionalism, certain countries use selection panels composed of experts in IP and related fields. Some countries also conduct the recruitment process with the help of a professional recruitment service provider (for example, with OAPI). Often the position of the head of the IP office is advertised publicly, inviting qualified individuals to apply (as in the case of Colombia). This approach aims to attract a diverse pool of candidates and promote transparency in the selection process.

**Table 5 Characteristics of the Head of IP office**

Country/Region (IP office)	Head of the IP office title	Appointed by	Term	Selection committee	Selection process
Azerbaijan (COPAT)	Chairman of the Board	President	Appointment for indefinite term as ministries	Administration of the President	No information about the process.
Botswana (CIPA)	Registrar General	Minister of Trade and Industry	5 years, renewable once	Board of Authority	Recruitment agency selects suitable candidates for shortlisting. Interviews conducted by the Board. Appointment by Minister of Trade and Industry on recommendation of the Board.

Country/Region (IP office)	Head of the IP office title	Appointed by	Term	Selection committee	Selection process
Canada (CIPO)	Commissioner of Patents, Registrar of Trademarks and Chief Executive Officer	Governor in Council	5 years	Selection Committee	Publicly advertised call for candidatures with Governor-in-Council appointment process.
Chile (INAPI)	Director General	President	3 years, renewable twice	The government employs an agency to assist in compiling and narrowing the list of candidates, so the agency submits a shortlist for the decision by the President	Competitive public selection process.
Colombia (SIC)	Delegate Superintendent for Industrial Property and Superintendent of Industry and Commerce	President	4 years, renewable once	No information	Publicly advertised process.
Egypt (EAIP)	No information	Prime Minister	No information	Committee of Legal Experts	Open competitive announcement (public selection process).  Committee of legal experts proposes three potential candidates.
Estonia (EPA)	Director General	Minister	5 years	Committee in the government office working alongside the Prime Minister	Public selection process
Germany (DPMA)	President	President of the Federal Republic	No information	Not public	Proposal of candidate by Minister of Justice.
India (CGPDTM)	Controller General of Patents, Designs and Trade Marks	Government	5 years	Appointments Committee of the Cabinet	Public call by the Department of Personnel and Training.  Appointments Committee of the Cabinet accords the final approvals.

Country/Region (IP office)	Head of the IP office title	Appointed by	Term	Selection committee	Selection process
Philippines (IPOP HL)	Director General	President	5 years, renewable once	Selection Committee	No information about the process.  Endorsement of potential candidates by the Secretary of the Department of Trade and Industry.
Saudi Arabia (SAIP)	Chief Executive Officer	SAIP Board of Directors	4 years, no limitation for renewal	SAIP Board of Directors	SAIP Board of Directors selects the CEO.
West Africa (OAPI)	Director General	Administrative council	5 years, renewable once	Board of Directors	Recruitment firm select three candidates for a shortlist.

## 2.2 Mandate and range of IP office functions

The mandate of many national IP offices is to encourage innovation, creativity and economic development by providing a framework for the protection and management of IP rights within a specific jurisdiction. While the core functions remain consistent, the specific details and emphasis of each function can vary based on the country's legal system, economic priorities and evolving policy landscape. The mandate of IP offices is typically covered in a mission statement.

Two general types of mandates were observed in the sample of our study (see Table 6): one with a broader economic and societal ambition; the other focusing on the optimal operation of IP services.

The broader type of mandate looks at the national system of IP as a whole (for example, in the case of Colombia and Chile) and aims at facilitating economic and social development and the national competitiveness of the country (for example, Saudi Arabia). Sometimes, the mandate also expresses general support for creativity and innovation, including building respect for IP (for example, in the case of India).

IP offices with a broad mission undertake a range of activities that go beyond their core functions. This may include policy development and advocacy as well as technical assistance and capacity-building. They may offer educational and training sessions, or consultation and guidance services for individuals, businesses and inventors, in particular in IP-intensive sectors. Other services may include IP search and information services, provision of databases, and other analysis and research studies.

Offices which have a more operational mandate deliver their core functions with a focus on providing effective and efficient services to their clients. This may include the granting and registration of IP rights, examination and evaluation (for example, patent search reports), and the provision of IP information and documentation. Public awareness and education activities as well as international collaboration are also core functions of most IP offices. Some IP office mandates also address the interests of IP system users such as rights holders and inventors (for example, Botswana and Egypt).

Depending on their mandate, some have responsibility for enforcement matters, while others play a supporting role. Responsibility for copyright policy or administration may be part of the mandate of the IP office or may rest with the copyright office.

Many IP offices offer administrative review and opposition (pre- and post-grant) proceedings and mechanisms of dispute resolution. Taking into consideration the collective expertise on IP matters in IP offices, administrative proceedings tend to be efficient and discrete. In some

countries it may be difficult to find judges with the relevant IP expertise, unless there exist specialized court divisions (like the Düsseldorf regional court in Germany) or specialized courts (like the Federal Patent Court in Switzerland).

Furthermore, IP offices play a vital role in promoting and undertaking IP education and training programs, often in partnership with other stakeholders in the innovation and creative ecosystem. They organize workshops, seminars and training sessions for entrepreneurs, innovators, researchers and SMEs to enhance their understanding of IP, including topics such as patent filing, trademark registration and copyright protection. They collaborate with innovation agencies, technology transfer offices and other stakeholders to foster the effective transfer of knowledge and technology from research organizations to industry.

Several IP offices (for example, Colombia, Estonia, Germany and Egypt) provide specific programs for SMEs and startups, or for the university research and scientific community (for example, Azerbaijan). IP offices also offer programs aimed at underrepresented groups, such as women and minorities (for example, Chile). Several offices have an economic research function (for example Canada, Azerbaijan), sometimes headed by a chief economist, that produces studies, trend analysis and forecasting.

**Table 6. IP office missions by country**

Country/Region (IP office)	Mission
Azerbaijan (COPAT)	The mission of the Agency's activity is to ensure the effective functioning, sustainable development and transparency of IP rights in the Republic of Azerbaijan, to protect the rights of IP rights holders, to enhance the knowledge and impact of information on society in the indicated field and to take the lead on principles and standards in the field of intellectual property. Within the framework of its mission, the Agency, in particular, takes part in the formation of state policy in the field of IP and ensures its implementation, regulates the IP sphere and controls compliance with legislation in this sphere, organizes and conducts examination of incoming patent applications, registers IP objects, issues protection documents, takes measures to adapt the implementation and protection of rights in the field of IP to the level of modern requirements taking into account the possibilities of digital technologies, and carries out activities aimed at enhancing the role of IP in economic entities, which has a positive impact on attracting investment, and stimulating and regulating the market.
Botswana (CIPA)	To protect the interests of investors and rights holders by providing efficient and accessible business registration and IP services.
Canada (CIPO)	To contribute to Canada's innovation and economic success by: (a) Providing greater certainty in the marketplace through high-quality and timely IP rights; (b) Fostering and supporting invention and creativity through knowledge-sharing; (c) Raising awareness to encourage innovators to better exploit IP; (d) Helping business compete globally through international cooperation and the promotion of Canada's IP interests; and, (e) Administering Canada's IP system and office efficiently and effectively.
Chile (INAPI)	Consolidate the National System of Industrial Property, through the protection of rights, the dissemination of knowledge and the promotion of a balanced and comprehensive vision of industrial property, in order to contribute to the economic and social development of Chile.
Colombia (SIC)	The Superintendence of Industry and Commerce is the national authority for the protection of competition, personal data and legal metrology, protects the rights of consumers and administers the national System of Industrial Property, through the exercise of its administrative and jurisdictional functions.
Egypt (EAIP)	Mission of the Patent Office: As a leading governmental institution, we strive to efficiently manage the patent system to share and disseminate knowledge, encourage inventors and protect their rights, through administrative development and business governance, as well as adopting national patent policies and mechanisms, which contributes to the comprehensive development of the society in all areas of life.
Estonia (EPA)	The Patent Office is a government agency providing legal protection for industrial property in Estonia. We advise entrepreneurs and inventors and raise public awareness of IP, to promote innovation and the economy and to revitalize the cooperation between science and entrepreneurship.
Germany (DPMA)	The DPMA is the German center of expertise for the protection of IP. Responsible for examination, o essential role in the international IP system.
India (CGPDTM)	National IP Rights Policy: Stimulate a dynamic, vibrant and balanced IP rights system in India to: <ul style="list-style-type: none"> <li>• foster creativity and innovation and thereby, promote entrepreneurship and enhance socioeconomic and cultural development, and</li> <li>• focus on enhancing access to healthcare, food security and environmental protection, among other sectors of vital social, economic and technological importance.</li> </ul>
Philippines (IPOPHL)	We commit to build an inclusive IP system serving the needs of Filipinos.
Saudi Arabia (SAIP)	We strive to maximize the value of IP and excel in service delivery by cooperation with our partners to drive the national economy.
West Africa (OAPI)	In the field of industrial property, OAPI's mission is, among other things, to implement the common administrative procedures resulting from the uniform regime for the protection of industrial property as well as from the stipulations of international conventions in this field to which the member states of OAPI have joined and provide services related to industrial property.

## 2.3 Administrative autonomy models

Administrative autonomy and legislation governing the IP office are two distinct but closely related aspects of how an IP office operates.

The legislation refers to the laws, regulations and legal framework that define the authority, functions and powers of the IP office. It sets out the rules and procedures for the protection

and administration of IP rights. It defines the rights granted to IP owners, the application and registration processes, enforcement mechanisms, and the responsibilities of the IP office.

Administrative autonomy refers to the degree of independence that the IP office has in managing its day-to-day operations and resources. This is often determined by the legal framework but also depends on the country's public administration structure, policies and practices.

The key parameters we looked at included the degree of administrative autonomy, the office's legal status, the source of its operating budget and the degree of control over revenues and expenditures (including fee-setting), as well as its capacity and flexibility in hiring staff.

Table 7 summarizes our findings from the 12 organizations interviewed.

**Table 7. Administrative autonomy of IP offices**

Country/ Region (IP office)	General autonomy	Legal status	Revenue and expenditures	Staff
Azerbaijan (COPAT)	The state provides only the office and Republican Scientific-Technical library budget. The centers under the Agency are provided by their income received from services provided.	Government agency with a status equivalent to a central executive authority	Self-sustaining organization. Service fees are regulated and established by government decisions.	Independent recruitment of staff with the exception of members of the Board.
Botswana (CIPA)	Budget plan approved by the board and subsequently by the ministry of finance and parliament; independent implementation of the budget.	Parastatal organization (statutory body).	Fees set reflected by the needs of industry and in agreement with the ministry.	Independent recruitment of staff.
Canada (CIPO)	Authority to generate revenues and has control of revenues and expenditures.	Special operating agency under ISED	Operates under a revolving fund authority over a multi-year business cycle. Changes in fees require a parliamentary review including stakeholder consultation. Fees are adjusted to inflation, but not for SMEs.	Full responsibility for staff recruitment subject to budgetary considerations and government hiring rules.
Chile (INAPI)	Draft budget sent to the Ministry of Economy and the Budget Division of the Ministry of Finance as part of the general budget for approval by Congress; some components can be modified during budgetary authority process; annual budget finances operations and is verified by the Controller General of the Republic.	Government authority with legal personality	Fees are determined by law, but indexed for inflation; revenues from fees go into the national budget.	



<b>Country/ Region (IP office)</b>	<b>General autonomy</b>	<b>Legal status</b>	<b>Revenue and expenditures</b>	<b>Staff</b>
Colombia (SIC)	Administrative, legal and financial autonomy.	Government agency	Sets fees and collects revenue; cannot use fees for investment.	Personnel autonomy.
Egypt (EAIP)	Full independence of the established office, including the budget (special status).	Government agency	Fees are determined by approval of Parliament; collected fees go into the office budget.	
Estonia (EPA)	Fixed budget from the Ministry of Justice.	Government agency	Collected fees go directly to the budget of the government; changes in fee structure by the Ministry of Justice.	Independent recruitment of staff considering the available budget.
Germany (DPMA)	No budget autonomy; subject to supervision by the ministry including procedural instructions.	Federal agency	Fees are determined by the law drafted by the Ministry of Justice; revenues flow directly in the budget of the federal government.	Staff recruitment and personnel matters are mostly delegated to the IP office.
India (CGPDTM)	Annual budget allocated by the government via central budgetary process.	Subordinate office under the Department for Promotion of Industry and Internal Trade, Ministry of Commerce and Industry, Government of India	Proposal of fee structure reflecting the needs of the customers is approved by the government; fees collected go to the Consolidated Fund of India; head of the IP office has limited expenditure autonomy of allocated annual budget.	IP office staff recruited pursuant to approval of government. Permanent staff recruited by the government.
Philippines (IPOP HL)	Self-sustaining agency relying on revenue alone for operational expenses.	Government agency	Retains all revenues collected from fees.	Staff recruitment, provided there is a regular position approved by the Department of Budget and Management; additional staff positions require approval.
Saudi Arabia (SAIP)	Government entity with financial and administrative independence. Has the right to spend its revenues in accordance with the annual budget approved by the government.	Government agency	Board proposes the budget to be approved by the Ministry of Finance.	Number of staff approved by the Board in coordination with the Ministry of Human Resources and Social Development.

Country/ Region (IP office)	General autonomy	Legal status	Revenue and expenditures	Staff
West Africa (OAPI)	Administrative and budgetary autonomy.	Intergovernmental organization with own legal personality	Self-sustaining organization. Draft annual budget is determined based on fee revenues and projections. It is submitted and adopted by the administrative council. The budget also finances IP promotion activities in OAPI structures in each member state.	Independent recruitment of international staff to consider geographical coverage and gender equity.

## Administrative autonomy

In general, the level of administrative autonomy that an IP office has varies by country, although this is difficult to judge in absolute terms.

A number of the IP offices in the study sample have the status of a national government agency. In most cases, such agencies are linked or subordinated to a ministry, as is the case in Estonia, Germany and the Philippines. Some are directly linked or affiliated to the Prime Minister, as in Saudi Arabia and as foreseen in the new national IP authority in Egypt (EAIP). In Botswana, CIPA is a parastatal organization (statutory body). Canada's IP office is a special operating agency with some quasi-judicial functions. INAPI in Chile has the status of a decentralized public agency under the supervision of the President through the Minister of the Economy. In the Republic of Azerbaijan, the Intellectual Property Agency, subordinated to the President of the country, is one entity of public law with three independent legal entities: the center for the examination of patents and trademarks, the center for the enforcement of IP rights and the center for the commercialization and transfer of technologies, as well as the Republican Scientific-Technical library.

Regardless of the level of administrative autonomy, IP offices generally must adhere to the public administration rules, policies and practices, and remain accountable to their government for their activities, performance and use of resources.

## Financial autonomy

A key parameter we studied relates to financial autonomy. At one end of the spectrum, some IP offices can be described as self-sustaining agencies. These types of IP offices finance their operations entirely from the fees they collect and receive no additional budget from the government. They have the authority to use their income to finance their operations, special programs and longer-term investments such as systems upgrades. They can hire as many staff as their revenues and financial situation permit (usually subject to government staffing rules and approvals). Of course, this level of autonomy comes with risks, should there be a downturn in the economy and lower revenues or unexpected large investments beyond the financial capacity of the office.

Offices in this category include the Philippines, as IPOPHL is a self-sustaining agency relying on income alone for operational expenses. It has full autonomy to manage the revenue generated from fees.

OAPI, the regional agency for 17 member states in West Africa, is financed entirely from its fee revenues, although its budget must be approved by the Council of Ministers. Its operational costs are covered by the fees, which are determined in the long term and the fee structure is submitted to the Board of Directors and eventually adopted by the Council of Ministers. With the fees collected, OAPI finances the institutional structures of its member states in their IP promotion activities.

In Canada, CIPO is a special operating agency, with the authority to generate revenues and to fully spend them. It operates under a revolving fund authority over a multi-year business cycle, allowing it to accumulate a surplus or run a deficit in any particular year. It can staff as many positions as it needs so long as it has the funds to pay the salaries and it meets government hiring rules.

In Saudi Arabia, SAIP is considered a government entity with financial and administrative independence. It finances its operations through allocations in the government budget and has autonomy in its expenditures. SAIP must get its budget approved by its Board and submitted to the Ministry of Finance. According to Law 163, 2023, the new Egyptian national IP authority, EAIP, shall not receive any financial allocations from the Egyptian Ministry of Finance; instead, funding shall depend on the resources raised from the services provided by the agency and fees collected for registration of IP applications.

Some IP offices operate with a level of autonomy that allows them to use a portion of the collected revenue to cover their operating costs. This is often referred to as “cost recovery.” The IP office may need to provide a certain level of revenue to the government, while it retains the remaining amount to cover its expenses. This approach may suit IP offices in less developed economies, where governments are overall more resource-constrained, to fund key government functions. However, it hinges on the assumption that IP office revenue exceeds the resource needs of providing quality and timely IP services, which may not always hold.

In most countries, IP offices receive a direct annual budget from the finance ministry or treasury or through the parent ministry, out of which they must cover all expenses. Revenues from IP fees are deferred back into the general government budget. This is the case, for example, in Estonia, India, Germany and Egypt.

The IP office may also need to obtain approval for its proposed budget plan, and make requests as part of the budgetary process from the parent ministry or the treasury for additional funding to finance new initiatives, to make investments in new technology or to hire additional staff.

## Determination and management of IP fees

The determination and management of IP fees is one important element of administrative autonomy, but also of IP governance. In principle, the ability to set fee levels provides more flexibility to adjust fees to cover increases in costs. However, most IP offices do not have the autonomy to set the level of fees independently from the related ministry and must receive approval from other government agencies, and sometimes also legislatures.

From a broader governance perspective, fee-setting entails delicate trade-offs. In addition to generating revenue that funds IP office operations, fees have important regulatory functions. If fees are set too high, they may discourage innovators from using the IP system, especially small- and medium-sized companies. If they are set too low, they may encourage speculative or low-quality IP applications that can burden IP offices and undermine the IP system at large. Renewal fees help ensure that only commercially relevant IP stays on IP registries. A substantial body of economic literature has emerged that provides guidance on how the revenue-raising and regulatory functions of fees are best combined and offers empirical evidence on how different fee levels affect the behaviour of IP applicants (see de Rassenfosse and van Pottelsberghe, 2011, and Thumm, 2023).

## Recruitment and staffing

One aspect relating to autonomy refers to the recruitment and promotion of staff.

Many IP offices have full autonomy with the recruitment of staff, for example Botswana, Estonia, Germany and others we interviewed. The constraints relate to staffing levels, which can be determined by the parent ministry or the treasury, and of course the allocated budget and level of financial resources of the IP office. Those with more financial autonomy tend to be able to hire more freely to meet needs or to face upsurges in demand, to reduce backlogs or to invest additional human resources in certain priority activities.

Notwithstanding their level of autonomy in hiring matters, all IP offices face challenges in recruiting the expertise required; notably in the examination functions, but also in hiring professionals with diverse backgrounds such as legal experts, and technology and industry specialists. A common concern of heads of IP offices relates to training, skills development and capacity-building in this field. Knowledge-sharing and collaboration among IP offices, accessing the learning and skills development programs of the WIPO Academy, and partnerships with local and national learning institutions are ways to fill skills gaps in IP offices.

## 2.4 Service improvement strategies

A common concern of heads of IP offices we interviewed is to improve the quality, effectiveness and efficiency of services, and to introduce modern work tools and advanced technological solutions to provide better support to their employees and clients. They noted that the IP office operates in a national and global marketplace where speed and ease of service has become commonplace and client-centered service models have become the norm. Increasingly, global businesses are using multiple forms of IP in a range of countries, requiring IP offices to harmonize practices, procedures and technological platforms with other jurisdictions.

National IP offices generally prioritize the implementation of advanced technological solutions for application processing, document management and data sharing. One example is the use of AI and machine learning to assist with search and examination processes. IP offices can employ automated systems for document processing, fee calculations and notifications, and enhance examination processes by utilizing specialized search databases and tools to expedite prior art searches and examination of applications. This usually includes the implementation of quality control measures to ensure consistency and accuracy in examination outcomes. Part of quality assurance is the conducting of regular audits and reviews to ensure compliance with quality standards.

Furthermore, IP offices provide digital services, user-friendly interfaces and informative guides to help applicants navigate the IP system. IP services can also be improved by collaborating with other IP offices and international organizations to share best practices and harmonize procedures, and by partnering with research institutions, industry associations and legal professionals to enhance IP awareness and education.

While there are common challenges faced by IP offices globally, developing countries often face unique challenges due to resource constraints, limited technological infrastructure and varying levels of IP awareness. To address these challenges and contribute to the development of a robust innovation ecosystem, IP offices in developing countries may focus on improving specific services. They may face challenges in terms of human resource capacity and expertise. Limited training opportunities and resources can affect the quality and efficiency of IP examination and administration, while limited financial resources can hinder their ability to invest in modernization, training programs and public outreach initiatives. Weak enforcement mechanisms and limited resources for combating counterfeiting and piracy are common challenges in developing countries.

One important objective for many IP offices is the reduction of examination times, which is often facilitated by the use of general data tools, sometimes assisted by AI. In some countries, AI is used for translation and classification purposes; for example, DPMA uses it for translation and classification of patents issued in Asia. IPOPHL in the Philippines and CIPA in Botswana are introducing online applications and payment. CIPO in Canada has implemented an e-granting approach to issue entirely electronic patents. Process improvements are supported by the introduction of quality management; for example, in IP offices in the Philippines and Saudi Arabia. Estonia, Chile, Canada and others have gone through an ISO 9001 quality management certification process.

In addition, many IP offices now give their employees the opportunity to work from home with effective and secure work tools. Complementary, incentive-based contracts have been introduced for the employees of INAPI in Chile. Measures to improve employee productivity have been implemented by many offices based on an analysis of quality indicators and process improvements.

IP offices use efficiency-enhancing technologies to move from partly paper-based internal operation to paperless online IP administration systems in their journey toward full process automation and knowledge-based IP services, as exemplified in the “Smart IP office model” presented by Prihastomo et al. (2019; see Figure 2). The implementation of these technologies is expected to increase productivity of examiners and ultimately reduce the demand to hire more staff.

Looking forward, the portfolio of services offered by IP offices is expected to continue to evolve to meet the major priorities and challenges of their country and the global IP system. A number of heads of IP offices mentioned that improving the quality, timeliness and efficiency of examination and processing of IP rights remains a top priority, as are the recruitment and retention of qualified staff, the continuous transition to new technologies and digital services, improving data transparency and access, and providing outreach and IP information to their country’s innovators, creators, SMEs and others.

**Figure 2. Smart IP office model**

Basic web-based public services	Advanced internal administration	Full process automation	Knowledge-based IP services
<p><b>Model 1</b></p> <ul style="list-style-type: none"> <li>- Paper-based internal operation</li> <li>- Generation of full-text searchable national data</li> <li>- Easy paper filing</li> <li>- Digitize documents at the early stage</li> <li>- Construct and exchange IP documents</li> <li>- Preparing to join the global platform</li> </ul>	<p><b>Model 2</b></p> <ul style="list-style-type: none"> <li>- Strengthen and automate internal administration systems</li> <li>- Electronic file wrapper and document management system</li> <li>- Search system for examiner and public</li> <li>- Web-based information dissemination</li> <li>- Join the global platform as accessing office</li> <li>- AI adoption at early stage</li> </ul>	<p><b>Model 3</b></p> <ul style="list-style-type: none"> <li>- A paperless online IP administration system</li> <li>- Full online filing and payment</li> <li>- Expand the database and search system for advanced examination</li> <li>- Various information services to public</li> <li>- Data quality improvement</li> <li>- Data analytics at an early stage</li> <li>- IP marketplace development</li> <li>- Join the global platform as depositing office</li> <li>- AI adoption enhancement</li> </ul>	<p><b>Model 4</b></p> <ul style="list-style-type: none"> <li>- Knowledge-based operation</li> <li>- High value-added services to support search and examination</li> <li>- Adaptive information system to support various needs from users</li> <li>- Data exchange platform to other IPO</li> <li>- Advanced data analytics</li> <li>- Utilization and exploitation of IP information</li> <li>- IP marketplace enhancement</li> <li>- Join the global platform as leader depositing office</li> <li>- Advanced AI adoption</li> </ul>

Source: Prihastomo et al., 2019.

## Key insight 7. Snapshot of innovative IP office services

In Chile, INAPI conducts an annual user satisfaction survey to identify areas for improvement. The input from the survey also feeds into annual staff performance agreements and evaluations.

In the Philippines, IPOPHL currently maintains 16 regional field offices in the country and continues to establish IP Help Desks in every province and city to help micro, small and medium-sized enterprises (MSMEs) and creators.

In Saudi Arabia, SAIP has a Quality Department that ensures its activities are aligned with international benchmarks.

In Botswana, CIPA is in the process of implementing online services, including online filing and online payment.

In India, the office has expanded its service portfolio by introducing expedited examination, among other initiatives, for startups and SMEs, and in cases where one or more of the applicants is female.

In Azerbaijan, the office introduced a digital services platform called PANAHA, which provides a single point of information for clients, regardless of their location, 24 hours a day.

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### **Key insight 8. “IP friend” program**

In India, the government created a Cell for IP Promotion and Management (CIPAM; <https://cipam.gov.in/index.php/about/cipam/>). CIPAM is a professional body under the lead of the Department for Promotion of Industry and Internal Trade (DPIIT) within the Ministry of Commerce and Industry. The main objectives of CIPAM are to ensure focused action on issues related to IP rights. CIPAM addresses the seven objectives of the Indian National IP Rights Policy. Apart from undertaking steps to promote IP rights awareness, commercialization and enforcement, CIPAM also works toward simplifying and streamlining IP processes. CGPDTM also executes government-approved support programs, such as IP facilitators to support first-time IP applicants’ needs. These facilitators are known as “IP friends,” which means they work alongside the inventor, providing support beyond the IP granting process through to commercialization. The IP friends’ professional fees are paid by the Office of the CGPDTM.

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# Conclusion

A country's framework for IP governance and administration typically reflects numerous factors: the country's legal traditions and its level of development, its approach to multi-dimensional policies related to economic growth, industrial development and innovation, the evolution of its IP legal framework in addressing the needs of innovators and the marketplace, and a variety of global IP trends. This study's review of the governance and administration framework suggests that there is no single model that offers superior results everywhere.

The different frameworks reviewed arguably converge on the overarching objectives that they are supposed to promote. At a highest level, these fall into two categories. First, promoting a balanced IP legal framework that responds to the needs of a dynamic marketplace while reflecting broader public interests. Second, ensuring that the IP office is sufficiently equipped to carry out its core functions – above all, the provision of quality and timely IP rights. In principle, these objectives can be equally well advanced with different sets of institutional choices.

However, it would be wrong to conclude that institutional choices do not matter and that there is no scope for reforms to foster more effective IP governance and administration. Indeed, policymakers around the world have long introduced such reforms based on fresh thinking – sometimes in response to newly arising challenges. In doing so, they have frequently been inspired by approaches adopted in other countries. We hope that the rich information contained in this study can inspire radical thinking and provide insights into the pros and cons of different institutional choices.

In addition, the study points to emerging trends that invariably will shape IP governance in the future. The IP system has always been highly dynamic. It is arguably more crosscutting than ever, as IP considerations play a role in a wide variety of public policies – from promoting innovation and industrial development to protecting public health and fighting climate change. IP governance and administration choices therefore not only shape the community of IP practitioners; they also determine how coherently governments advance wider societal objectives.

As a final remark, we hope that this study is a step forward in providing government policymakers with information on global trends and practices so that they can make more informed choices in adjusting their systems of IP governance. At the same time, the findings of this report are still at a high level and may raise more questions that policymakers would want to see answered. For example, certain institutional mechanisms are not formally documented and may rely on informal practices. Assessing the effectiveness of different institutional approaches and policy tools often requires a careful understanding of the local context. For policymakers in one country to draw the right lessons from the experiences of other countries, additional dialogues with national experts may be required. This is an activity that WIPO would be glad to facilitate.

# List of abbreviations

ACIP	Advisory Council for Intellectual Property
AI	Artificial intelligence
BIPP	Botswana Intellectual Property Policy
CGPDTM	Office of the Controller General of Patents, Designs and Trade Marks, Department for Promotion of Industry and Internal Trade
CIPA	Companies and Intellectual Property Authority
CIPAM	Cell for IP Promotion and Management
CIPC	Companies and Intellectual Property Commission
CIPO	Canadian Intellectual Property Office
CNIPA	China National Intellectual Property Administration
CONPES	Consejo Nacional de Politica Economica y Social
DIP	Department of Industrial Property
DPIIT	Department for Promotion of Industry and Internal Trade
DPMA	German Patent and Trade Mark Office
EAD	Estonian Association of Designers
EAIP	Egyptian Authority for Intellectual Property
ECCI	Estonian Chamber of Commerce and Industry
EPA	Estonian Patent Office (Eesti Patendiamet)
EPO	European Patent Office
INAPI	National Institute of Industrial Property
INPI	National Institute of Industrial Property
IP	Intellectual property
IPI	Swiss Federal Institute of Intellectual Property



IPOPHL	Intellectual Property Office of the Philippines
IPOS	Intellectual Property Office of Singapore
ISED	Department of Innovation, Science and Economic Development
ISIPO	Icelandic Intellectual Property Office
JPO	Japan Patent Office
NCIPR	National Committee on Intellectual Property Rights
OAPI	African Intellectual Property Organization
PTC	Patent Cooperation Treaty
SACEPO	Standing Advisory Committee before the EPO
SAIP	Saudi Authority for Intellectual Property
SIC	Superintendence of Industry and Commerce
SIPO	State Intellectual Property Office of the Republic of Croatia
SIPS	Singapore IP Strategy 2030
SME	Small and medium-sized enterprise
USPTO	United States Patent and Trademark Office

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# Annexes

## A.1 Methodology

In the first phase, a framework for analyzing the existing models of IP governance and administration among WIPO member states was developed in close collaboration with WIPO. Based on this framework, desk research with information from the WIPO website and member states websites was conducted to identify and document the existing models among a sample of 25 WIPO member states (see Annexes A.1 and A.2). The choice of countries studied was made in close collaboration with WIPO, and was based on ensuring appropriate regional representation, a balance between developed, developing and least-developed countries, and a deliberate choice to cover different existing models of IP offices. For each member state studied a country file with the main features regarding IP governance and administration has been created (for an overview see Annex A.5).

Based on the information from the desk research and in consultation with WIPO, in a second step, 12 member states (see Annex A.2) were selected for in-depth interviews with the heads of IP offices and for structured information gathering. The interviews were conducted with the heads or deputy heads of the IP offices between April and August 2023 and lasted between 60 and 90 minutes. Particularly in under-studied research domains where no reference material is available, as in the case of models of IP governance and administration, a qualitative approach with interviews is informative in gaining initial insights (see Shah and Corley, 2006).

The interviews were scheduled by the WIPO Chief Economist secretariat in interaction with the individual IP offices. The interviewees were informed about the objective of the study and received guiding questions for the interview in advance. The interviews were designed as semi-structured, with pre-set guiding questions and additional follow-up questions.

The guiding questions for the interviews are included in Annex A.3. With the interviewees' permission, the interviews were recorded, and a transcript of each interview was produced as well as summaries of the interviews. Key insights from the interviews were included in text boxes as samples in the respective sections throughout the report. A list of interviews and participants is included in Annex A.4. The report is primarily based on the information retained from the desk research and from the structured interviews.

## A.2 List of IP offices included in the study

Country/Region	Name of IP office
West Africa	African Intellectual Property Organization (OAPI)
Azerbaijan	Intellectual Property Agency of the Republic of Azerbaijan (COPAT)
Botswana	Companies and Intellectual Property Authority (CIPA)
Brazil	National Institute of Industrial Property (INPI)
Cambodia	Department of Industrial Property (DIP)
Canada	Canadian Intellectual Property Office (CIPO)
Chile	National Institute of Industrial Property (INAPI)
China	China National Intellectual Property Administration (CNIPA)
Colombia	Superintendence of Industry and Commerce (SIC)
Croatia	State Intellectual Property Office of the Republic of Croatia (SIPO)
Egypt	Egyptian National Authority for Intellectual Property
Estonia	Estonian Patent Office (EPA)
Europe	European Patent Office (EPO)
Germany	German Patent and Trademark Office (DPMA)
Ghana	Registrar General's Department
Iceland	Icelandic Intellectual Property Office (ISIPO)
India	Office of the Controller General of Patents, Designs and Trade Marks Department for Promotion of Industry and Internal Trade (CGPDTM)
Japan	Japan Patent Office (JPO)
Jordan	Industrial Property Protection Directorate
Philippines	Intellectual Property Office of the Philippines (IPOPHL)
Saudi Arabia	Saudi Authority for Intellectual Property (SAIP)
Singapore	Intellectual Property Office of Singapore (IPOS)
South Africa	Companies and Intellectual Property Commission (CIPC)
Switzerland	Swiss Federal Institute of Intellectual Property (IPI)
USA	United States Patent and Trademark Office (USPTO)

Note: Interviewed offices are shown in blue.

## A.3 Guiding questions for IP office interviews

### IP policy framework and governance

- 1) Please tell us about the major priorities and challenges for innovation and intellectual property in your country.
- 2) How are IP policy issues dealt with in your government? Which government agency or ministry is responsible for the development of IP policies and laws? Is it one ministry or various ministries? For example, is there a separate entity responsible for copyright policies? How is IP policy coordinated among the various entities?
- 3) What role does the IP office play in the development and formulation of IP policy in broader interrelated policy areas such as economic development, innovation, science and technology, and trade?
- 4) Does your country have a national IP strategy adopted by the government? What are its key objectives and what is the IP office's role in the national IP strategy?
- 5) Are external stakeholders included in the IP office governance (for example, on a board of governance)? What role do they play (for example, advisory, decision-making, etc.)?

6) Please explain the appointment process for the position of the head of the IP office in your country. What are this position's general authorities, and to whom is it accountable (reporting relationship)?

## IP rights administration

7) What institutional or legal status does the IP office have?

8) What is the overall mandate and scope of functions of the IP office? Does the IP office go beyond its obligations as an IP granting authority and cover additional functions, such as IP information, awareness-building, SME and innovation support programs, economic research and data analysis?

9) What level of administrative autonomy does the IP office have within the government? For example, as it relates to budgetary matters, financing, revenue spending and fee-setting? Does it have full responsibility for staff recruitment?

10) What is the IP office's approach to making its services more effective and efficient?

## A.4 Participants and dates of interviews conducted

Name of IP office	Participants / Interviewees	Date
African Intellectual Property Organization (OAPI)	Denis L. Bohoussou, Director General	26.May.23
Intellectual Property Agency of the Republic of Azerbaijan (COPAT)	Prof.,D.Sc. Mr. Kamran Imanov, Chairman of the Board	20.Jun.23
Companies and Intellectual Property Authority (CIPA, Botswana)	Mr. Conductor Paul Masena, Registrar General	April, 28 2023
Canadian Intellectual Property Office (CIPO)	Mr. Timothy L. Moalusi, CIPA Registrar - Industrial Property	
National Institute of Industrial Property (INAPI, Chile)	Mr. Konstantinos Georganas, CEO	21.Apr.23
	Ms. María Loreto Bresky, Director General	24.Apr.23
	Ms. Denisse Pérez Fierro, International Affairs Manager	
	Mr. Sergio Escudero, Head of the International Affairs and Policy Department	
Superintendence of Industry and Commerce (SIC, Colombia)	Mrs. María del Socorro Pimienta, Superintendent for Industry and Commerce	12.May.23
	Mrs. Ligia Atheortua, Deputy Superintendent of Industrial Property	
	Mr. John Marcos Torres, Chief Advisor, Superintendencia de Industria y Comercio	
Egyptian National Authority for Intellectual Property	Dr. Mona Mohamed Yahia, President of the Egyptian Patent Office	09.Aug.23
	Dr. Mahmoud M. Sakr, President of the Academy of Scientific Research & Technology	
	Counselor Amin Magdy, Member of The Cabinet Legal Advisory	
Estonian Patent Office (EPA)	Mr. Margus Viher, Director General	17.May.23
German Patent and Trade Mark Office (DPMA)	Mr. Ulrich Deffaa, former, Vice-President,	25.May.23
	Dr. Volker Rüger, Head, Central Unit - International Affairs	
Office of the Controller General of Patents, Designs and Trade Marks Department for Promotion of Industry and Internal Trade (India)	Prof. (Dr.) Unnat P. Pandit, Controller General of Patents, Designs and Trade Marks	05.May.23
Intellectual Property Office of the Philippines (IPOPPL)	Mr. Rowel S. Barba, Director General	08.May.23
Saudi Authority for Intellectual Property (SAIP)	Dr. Abdulaziz Al Swailem, CEO of SAIP,	22.Jun.23

## A.5 Governance of the 25 IP offices studied

Country / Region	Name of IP office	Responsible ministry	Copyright with IP office	IP strategy	Advisory/ Supervisory Board	Name of head of office	Appointed by
West Africa	African Intellectual Property Organization (OAPI)	subregional institution	yes	Part of	Administrative Council	Director General	Administrative council
Azerbaijan	Intellectual Property Agency of the Republic of Azerbaijan	IP Agency is a legal entity of public law, equal to a ministry.	Yes	A strategy in the field of copyright has been adopted, and as to strategy in the field of IP in general is currently under the development.	Collegial body – Board (on principles of corporate governance)	Chairman of the Board	President
Botswana	Companies and Intellectual Property Authority (CIPA)	Ministry of Trade and Industry	Yes	Yes	Board of Authority	Registrar General	Minister of Trade and Industry
				-2022			
Brazil	National Institute of Industrial Property (INPI)	Ministry of Development, Industry, Commerce and Services	In part	Yes	No information	President	Minister of Industry and Commerce
			Secretariat of Copyright and Intellectual Rights	-2020			
Cambodia	Department of Industrial Property (DIP)	Ministry of Commerce	No	No	National Committee for Intellectual Property Rights (Supervisory Board)	Director	No information
			Department of Copyright and Related rights				
Canada	Canadian Intellectual Property Office (CIPO)	Innovation, Science & Economic Development - Government of Canada	Part of	Yes	No	Commissioner of Patents, Registrar of Trademarks and Chief Executive Officer	Governor in Council
			Administers registry	-2018			
Chile	National Institute of Industrial Property (INAPI)	Ministry of Economy	No	Yes	No	Director General	President
			Intellectual Rights Department	-2016			
China	China National Intellectual Property Administration (CNIPA)	State Administration for Market Regulation	No	Yes	No	Commissioner	No information
			National Copyright Administration of China	-2008			
Colombia	Superintendence of Industry and Commerce (SIC)	Ministry of Industry, Commerce and Tourism	No	Yes		Delegate Superintendent for Industrial Property and	President
			National Directorate of Copyright	-2021		Superintendent of Industry and Commerce	
Croatia	State Intellectual Property Office of the Republic of Croatia (SIPO)	Government	Yes	Yes	No	Director General	Prime Minister
				-2020			
Egypt	Egyptian Authority for Intellectual Property (EAIP)	Prime Minister – Government	Yes (in future)	Yes	Board of Directors or Governing Board	President	Prime Minister
				-2022			

Note: Interviewed offices are shown in blue.



Country / Region	Name of IP office	Responsible ministry	Copyright with IP office	IP strategy	Advisory/ Supervisory Board	Name of head of office	Appointed by
Estonia	Estonian Patent Office (EPA)	Ministry of Justice	Yes	No	No	Director General	Minister of Justice
Europe	European Patent Office (EPO)	Intergovernmental organization	No	No	Standing Advisory Committee before the EPO (SACEPO)	President	Administrative Council
Germany	German Patent and Trade Mark Office (DPMA)	Ministry of Justice and Consumer Protection	No	No	No	President	President of the Federal Republic
			Unit Copyright and Publishing Law at the Federal Ministry of Justice				
Ghana	Registrar General's Department	Ministry of Justice	No	Yes	No information	Registrar-General	No information
			Copyright Department	-2016			
Iceland	Icelandic Intellectual Property Office (ISIPO)	Ministry of Higher Education, Science and Innovation	No	No	No	Director General	No information
			Ministry of Culture and Business Affairs				
India	Office of the Controller General of Patents, Designs and Trade Marks, Department for Promotion of Industry and Internal Trade (CGPDTM)	Department for Promotion of Industry and Internal Trade	Yes	Yes	No	Controller General of Patents, Designs and Trade Marks	Appointments
				-2016			Committee of the Cabinet
Japan	Japan Patent Office (JPO)	Ministry of Economy, Trade and Industry	No	No	No	Commissioner	Minister of Economy, Trade and Industry
			Japan Copyright Office				
Jordan	Industrial Property Protection Directorate	Ministry of Industry, Trade and Supply	No	No	No information	Director	No information
			Department of the National Library				
Philippines	Intellectual Property Office of the Philippines (IPOPHL)	Department of Trade and Industry	Yes	Yes	Advisory Council for Intellectual Property (ACIP)	Director General	President
				-2019			
Saudi Arabia	Saudi Authority for Intellectual Property (SAIP)	Prime Minister – Government	Yes	Yes (2022)	Board of Directors and Advisory Board	Chief Executive Officer	SAIP Board of Directors
Singapore	Intellectual Property Office of Singapore (IPOS)	Ministry of Law	Yes	Yes	Board of Directors	Chief Executive Officer	Minister of Law
				-2021			
South Africa	Companies and Intellectual Property Commission (CIPC)	Department of Trade and Industry	Yes	Yes	No information	Commissioner	Minister of the Department of Trade, Industry and Competition
				-2018			
Switzerland	Swiss Federal Institute of Intellectual Property (IPI)	Department of Justice and Police	Yes	No	Institute Council (Supervisory Board)	Director	Elected by Switzerland's Federal Council
USA	United States Patent and Trademark Office (USPTO)	Department of Commerce	No	No	No	Director	President
			United States Copyright Office				

*Models of Intellectual Property Governance and Administration* documents and analyzes prevailing approaches, trends and emerging directions in IP governance and administration. This study will equip policymakers with valuable insights to support well-informed decisions in designing IP governance and administration frameworks, thereby unleashing the full potential of the intellectual property system for the benefit of society.