WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

Committee on Development and Intellectual Property (CDIP)

**Nineteenth Session
Geneva, May 15 to 19, 2017**

PROJECT ON INTELLECTUAL PROPERTY MANAGEMENT AND TRANSFER OF TECHNOLOGY: PROMOTING THE EFFECTIVE USE OF INTELLECTUAL PROPERTY IN DEVELOPING COUNTRIES, LEAST DEVELOPED COUNTRIES AND COUNTRIES WITH ECONOMIES IN TRANSITION PROPOSED BY SOUTH AFRICA

Document prepared by the Secretariat

1.   By way of a communication dated March 15, 2017, the Permanent Mission of South Africa has submitted a revised project proposal entitled "Intellectual Property Management and Transfer of Technology: Promoting the Effective Use of Intellectual Property in Developing Countries, Least Developed Countries and Countries with Economies in Transition", for consideration by the nineteenth session of the Committee on Development and Intellectual Property (CDIP).

2.   It is recalled that the Committee at its eighteenth session following the consideration of the document entitled "Compilation of Member States Inputs on Activities Related to Technology Transfer" (CDIP/18/6 Rev.), had requested the Delegation of South Africa to revise its proposal incorporating Member States inputs.

3.   The Annex to this document contains the above-mentioned project proposal. The estimated budget for the project amounts to 584,000 Swiss francs of which 314,000 Swiss francs relate to non-personnel costs and 270,000 Swiss francs to personnel costs.

4.   The CDIP is invited to consider and approve the Annex to this document.

[Annex follows]

PROPOSAL FROM THE DELEGATION OF SOUTH AFRICA
PROPOSED WIPO ACTIVITIES IN THE AREA OF TECHNOLOGY TRANSFER

RELEVANT DEVELOPMENT AGENDA RECOMMENDATIONS:
1, 10, 12, 23, 25, 31 and 40

1.	SUMMARY
Title	*Intellectual Property Management and Transfer of Technology: Promoting the Effective Use of Intellectual Property in Developing Countries, Least Developed Countries and Countries with Economies in Transition*
Development Agenda Recommendations	*Recommendation 1:* WIPO technical assistance shall be, *inter alia*, development-oriented, demand-driven and transparent, taking into account the priorities and the special needs of developing countries, especially LDCs, as well as the different levels of development of Member States and activities should include time frames for completion. In this regard, design, delivery mechanisms and evaluation processes of technical assistance programs should be country specific. *Recommendation 10:* To assist Member States to develop and improve national intellectual property institutional capacity through further development of infrastructure and other facilities with a view to making national intellectual property institutions more efficient and promote fair balance between intellectual property protection and the public interest. This technical assistance should also be extended to sub-regional and regional organizations dealing with intellectual property. *Recommendation 12:* To further mainstream development considerations into WIPO's substantive and technical assistance activities and debates, in accordance with its mandate. *Recommendation 23:* To consider how to better promote pro-competitive intellectual property licensing practices, particularly with a view to fostering creativity, innovation and the transfer and dissemination of technology to interested countries, in particular developing countries and LDCs. *Recommendation 25:* To explore intellectual property -related policies and initiatives necessary to promote the transfer and dissemination of technology, to the benefit of developing countries and to take appropriate measures to enable developing countries to fully understand and benefit from different provisions, pertaining to flexibilities provided for in international agreements, as appropriate. *Recommendation 31:* To undertake initiatives agreed by Member States, which contribute to transfer of technology to developing countries, such as requesting WIPO to facilitate better access to publicly available patent information.

	Recommendation 40: To request WIPO to intensify its cooperation on IP related issues with United Nations agencies, according to Member States' orientation, in particular United Nations Conference on Trade and Development (UNCTAD), United Nations Environment Programme (UNEP), World Health Organization (WHO), United Nations Industrial Development Organization (UNIDO), United Nations Educational, Scientific and Cultural Organization (UNESCO) and other relevant international organizations, in order to strengthen the coordination for maximum efficiency in undertaking development programs.
Brief Description of Project	Many countries around the world have enacted legislation to ensure greater socio-economic returns from public investment in research and/or development. This top-down approach mandates a bottom up response in terms of awareness, training and skills development in the field of IP management and transfer of technology for funders, developers, managers and users of IP. There are many factors that stifle innovation (in all forms be it incremental, social, open, radical, etc.), one of which is the shortage in the required skills in IP management and transfer of technologies for funders, developers, managers and users in the innovation value chain. The project aims to enhance the innovation capabilities of Developing Countries, Least Developed Countries and Countries with Economies in Transition by deploying training/capacity building opportunities, cooperation opportunities, and learning materials such as guides and best practices documents (both academic and practical in nature) for a range of players along the innovation value in a more targeted manner. The project will be implemented in four (4) selected pilot countries, including South Africa, where it will aim at building capacities of key stakeholders (ranging from funders, developers, to managers and ultimately users) and increasing cooperation between Member States to facilitate knowledge transfer. The project is particularly relevant in the context of the Development Agenda, where it seeks to demonstrate how developing, emerging and least developed countries can benefit from capacity development in IP management and transfer of technologies, with the overall end goal of enhanced innovation. Focusing on experiences in selected pilot countries including South Africa, the project will showcase how the strategic use of IP tools can create opportunities for socio-economic development.
Implementing Program	Program 14

Links to other related Program(s)/ DA Project(s)	DA_16_20_03
Links to Expected Results in the Program and Budget	*Expected Result III.2*: Enhanced human resource capacities able to deal with the broad range of requirements for the effective use of IP for development in developing countries, LDCs and countries with economies in transition.
Project Duration	31 months
Project Budget	Total non-personnel costs: 314,000 Swiss francs

Total personnel costs: 270,000 Swiss francs |

2.   PROJECT DESCRIPTION

2.1.   Introduction to the issue

Innovation alone is not the answer to faster growth and inclusive development, however, it remains a significant and vital source and catalyst. In particular, it is worth noting that Sustainable Development Goal 9 (Build resilient infrastructure, promote inclusive and sustainable industrialization and foster innovation) implies that *"without technology and innovation, industrialisation will not happen, and without industrialisation, development will not happen."*[1]

It is universally acknowledged that "Developments in science and technology are fundamentally altering the way people live, connect, communicate and transact, with profound effects on economic development*"* with innovation as a critical catalyst regardless of the developmental status of a country or region. Intellectual property (IP) and the associated rights are a critical aspect to innovation and economic growth and this is summed up aptly as follows: "IP rights include patents, copyrights, trademarks, (designs) and trade secrets, each of which is subject to separate laws in every country. IP laws evolved over centuries as a tool to derive public benefits from the innovation cycle. Because it is so tightly linked to innovation, intellectual property (and in many instances the associated rights) holds a key to our future"[2].

However, IP and the associated rights remains a poorly understood instrument in many jurisdictions, let alone the ability to ensure that the IP finds application within an innovation value chain to ensure that the products, processes and services that embody the IP end up in the hands of end users.

---

[1] Industrial Development Report 2016: The Role of Technology and Innovation in Inclusive and Sustainable Industrial Development;https://www.unido.org/fileadmin/user_media_upgrade/Resources/Publications/EBOOK_IDR2016_FULL REPORT.pdf

[2] http://iipdigital.usembassy.gov/st/english/publication/2009/11/20091106141914ebyessedo0.5504833.html#axzz36yvEkIZ9

There are a number of players along the innovation value chain required to take a product (including process) or service to market, and these players include:

(a)   *funders of research* commercialization / utilization[3] (including employees within government funding agencies);

(b)   *developers of the IP* (including researchers);

(c)   *managers of the IP* (including individuals within research offices and technology transfer offices based at higher education institutions or public research organizations); and

(d)   *users of the IP* (including SMMEs and industry/ private sector players).

These various players all require a clear understanding of:

(a)   Intellectual property and associated intellectual property protection strategies, relevant for different technology types;

(b)   Effective active intellectual property management including infringement monitoring with a particular emphasis to empower developing, emerging and least developed countries to ensure no third party is abusing their IP;

(c)   Usage of IP tools, including flexibilities to access technologies relevant to the technological needs of a particular country;

(d)   IP marketing and how to engage with industry partners (including SMMEs and industry players);

(e)   Conclusion of transactions for commercialization / utilization including negotiation strategies and pitfalls to avoid, as well as how to set up a start-up and ultimately spin it out; and

(f)   An understanding of commercialization in the global market.

The project is particularly relevant in the context of the Development Agenda, where it seeks to demonstrate how developing, emerging and least developed countries can benefit from capacity development in IP management and transfer of technologies, with the overall end goal of enhanced innovation. Focusing on experiences in selected pilot countries including South Africa, the project will showcase how the strategic use of IP tools can create opportunities for socio-economic development.

2.2. Objectives

Addressing Development Agenda Recommendations 1, 10, 12, 23, 25, 31 and 40, the project aims to achieve the following general objective and more specific objectives:

---

[3] Where utilization is commercialization but not for monetary gain.

General objective:

To promote the effective use of intellectual property and any associated intellectual property rights as a tool for socio-economic development in developing, emerging and least developed countries, in particular, the use of intellectual property developed following public investment in research and/or development.

Specific Objectives:

1.   Establish a framework for more effectively targeting capacity building activities in the field of technology transfer; and

2.   Create capacity in IP management and transfer of technologies amongst the key role players in the categories of funders, developers, managers and users of IP.

2.3.   Delivery Strategy

The project objectives will be achieved through the implementation of the following activities:

1.   Developing a methodology and toolkit (including possibly surveys, interview templates, profile templates) for assessing training needs in areas related to technology transfer and commercialization/utilization to enable a better targeting of training activities in terms of audience, subject matter, and delivery;

2.   Preparing a detailed mapping of technology value chains in four pilot countries, including their elements (funders, developers, managers, and users of IP and associated support institutions such as TISCs) and the relationships between them, to determine training outcomes to be achieved;

3.   Assessing training needs among elements of the technology value chains using the methodology and toolkit and establishing training plans for the four pilot countries to address these needs;

4.   Carrying out training activities to implement the training plans established for the four pilot countries, including as appropriate, on-site activities, distance learning, and participation in educational programs; these capacity building activities would include practical training workshops on effective technology commercialization and IP management targeting the key role players and possibly on-the-job training opportunities and internships; opportunities for partnerships with IP management organizations, universities, and other institutions with relevant capabilities will be explored, with South-South cooperation as one means to maximize knowledge transfer, impact and longer term sustainability of these activities; and

5.   Evaluating the results of the training activities to refine the methodology and toolkit.

The actual selection of pilot countries, in addition to South Africa, will be based on criteria including:

1.   Existence of a national or institutional framework for intellectual property protection and/or commercialization;

2.   Need for understanding of IP and associated IP protection strategies, with an advantage being the ability to align the protection strategy to the technology type; and

3.   Ability of the local beneficiaries and their respective governments to effectively implement the project.

Member States interested in participating in the project as pilot countries will submit a proposal containing the following elements:

(a)   Indication of lead agency/institution responsible for coordinating country-level activities in coordination with the WIPO Secretariat (e.g., national IP office, national technology transfer or technology commercialization authority; research and/or educational institutions);

(b)   Brief description of the IP protection and needs for technology transfer/commercialization in the country, and the prevailing environment that would benefit through participation in the project (e.g., research and development capabilities, IP of national importance, emerging SMMEs, etc.); and

(c)   Capacity of the lead agency/institution and other stakeholders to continue with the implementation of the proposed strategies, once the current project is concluded.

The above-mentioned selection process will enable the project team (lead agency/institution at country level and WIPO project management team) to assess the commitment and the actual capacities of prospective candidates to invest time and resources in the process.

Cooperation with other stakeholders

In the strategic implementation of the project, and the desire for the long-term sustainability of the outcomes, synergies will be sought, where appropriate, with programs, projects and initiatives of relevant stakeholders and, where appropriate, with other UN Agencies, within their respective mandates.

The outcomes of this project, where appropriate, will be shared with other Member States, in order to facilitate effective sharing of technology transfer best practices.

2.4   Risks and mitigation strategies

Risks

Human resource turnover among beneficiaries of training activities

Risk mitigation strategy

Focus on training of trainers and support institutions such as TISCs to enable local support and minimize impact of turnover

3. REVIEW AND EVALUATION

3.1. Project Review Schedule

The project will be reviewed once a year with a progress report submitted to the CDIP. At the end of the project, an independent evaluation will be carried out and its report submitted to the CDIP.

3.2. Project Self-Evaluation

In addition to the project self-evaluation, an independent evaluation will be undertaken for the project.

Project Outputs	Indicators of Successful Completion (Output Indicators).
1. Provision of assessment training needs methodology and toolkit	Delivery of first finalized draft of the methodology and toolkit by mid-2018.
2. Mapping of technology value chains in four pilot countries	Delivery of mapping by mid-2018.
3. Establishment of a training plan according to assessed training needs	Delivery of training plan by end of 2018.
4. Implementation of training activities according to training plan	Completion of training by the end of 2019.
5. Evaluation and refining of methodology and toolkit	Delivery of refined methodology and toolkit by end of first quarter of 2020.

Project Objective(s)	Indicator(s) of Success in Achieving Project Objective (Outcome Indicators)
1. Establish a framework for more effectively targeting capacity building activities in the field of technology transfer.	Survey participants indicating that the capacity building is aligned with their priorities and needs (target 60%)
2. Create capacity in IP management and transfer of technologies amongst the key role players in the categories of funders, developers, managers and users of IP.	Survey participants considering that their knowledge and skills in the areas of IP management and transfer of technology have been increased (target: 60%)

4. Total RESOURCES BY RESULTS

(a) Year 2017

Project outputs	*(Swiss francs)*				
	2017		**Total**		**Total**
	Personnel	**Non-personnel**	**Personnel**	**Non-personnel**	
Recruitment: project coordinator; training needs assessment expert; country experts	-	-	-	-	-
	-	-	-	-	-
Total	0	0	0	0	0

(b) Biennium 2018-2019*

Project outputs	*(Swiss francs)*						
	2018		**2019**		**Total**		**Total**
	Personnel	**Non-personnel**	**Personnel**	**Non-personnel**	**Personnel**	**Non-personnel**	
Assessment training needs methodology and toolkit	30,000	27,000	-	-	30,000	27,000	57,000
Mapping of technology value chains in four pilot countries	30,000	30,000	-	-	30,000	30,000	60,000
Establishment of a training plan according to assessed training needs	60,000	60,000	-	-	60,000	60,000	120,000
Training implementation	-	-	120,000	152,000	120,000	152,000	272,000
Total	120,000	117,000	120,000	152,000	240,000	269,000	509,000

* Subject to approval by the Program and Budget Committee

(c) Year 2020**

Project outputs	(Swiss francs)				
	2020		Total		Total
	Personnel	Non-personnel	Personnel	Non-personnel	
Evaluation and refining of methodology and toolkit	30,000	45,000	30,000	45,000	75,000
Total	30,000	45,000	30,000	45,000	75,000

** Subject to approval by the Program and Budget Committee

5. NON-PERSONNEL RESOURCES BY COST CATEGORY

(a) Year 2017

	(Swiss francs)					
Activities	**Travel and Fellowships**		**Contractual Services**			**Total**
	Staff Missions	**Third-party Travel**	**Publishing**	**Individual Contractual Services**	**Other Contractual Services**	
Assessment training needs methodology and toolkit	-	-	-	-	-	-
Total	0	0	0	0	0	0

(b) Biennium 2018-2019*

	(Swiss francs)					
Activities	**Travel and Fellowships**		**Contractual Services**			**Total**
	Staff Missions	**Third-party Travel**	**Publishing**	**Individual Contractual Services**	**Other Contractual Services**	
Assessment training needs methodology and toolkit	-	-	-	27,000	-	27,000
Mapping of technology value chains in four pilot countries	-	-	-	30,000	-	30,000
Establishment of a training plan according to assessed training needs	-	-	-	60,000	-	60,000
Training implementation	64,000	64,000	-	-	24,000	152,000
Total	**64,000**	**64,000**	**-**	**117,000**	**24,000**	**269,000**

* Subject to approval by the Program and Budget Committee.

(c) Year 2020**

Activities	Travel and Fellowships		Contractual Services			Total
(Swiss francs)	Staff Missions	Third-party Travel	Publishing	Individual Contractual Services	Other Contractual Services	
Evaluation and refining of methodology and toolkit	-	-	-	45,000	-	45,000
Total	**-**	**-**	**-**	**45,000**	**-**	**45,000**

** Subject to approval by the Program and Budget Committee.

6. IMPLEMENTATION TIMELINE

a) Year 2017

Activity	Quarters 2017			
	1st	2nd	3rd	4th
Recruitment (project coordinator; training needs assessment expert; country experts)	-	-	x	x

(b) Biennium 2018-2019*

Activity	Quarters 2018				Quarters 2019			
	1st	2nd	3rd	4th	1st	2nd	3rd	4th
Assessment training needs methodology and toolkit	x	X	-	-	-	-	-	-
Mapping of technology value chains in four pilot countries	x	X	-	-	-	-	-	-
Establishment of a training plan according to assessed training needs	-	-	x	x	-	-	-	-
Training implementation	-	-	-	-	x	x	x	x

* Subject to approval of the project budget by the Program and Budget Committee.

c) Year 2020**

Activity	Quarters 2020			
	1st	2nd	3rd	4th
Evaluation and refining of methodology and toolkit	x	-	-	-

** Subject to approval of the project budget by the Program and Budget Committee

[End of Annex and of document]