

APPENDIXES - DRAFT DEVELOPMENT AGENDA PROJECT:

**EVALUATION REPORT ON THE PROJECT ON COPYRIGHT AND THE
DISTRIBUTION OF CONTENT IN THE DIGITAL ENVIRONMENT**

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[Appendix I follows]

APPENDIX I. PROJECT OUTCOMES FRAMEWORK

Outcome	Activity	Outputs	Indicators
O1. Increased awareness of the role of copyright and related rights in the distribution of audiovisual content online	A1. Delivery of a study on the copyright legal framework and licensing of audiovisual works in the digital environment	Part 1: Audiovisual over-the-top (OTT) business models in Latin America: recent trends and future evolution	<ol style="list-style-type: none"> 1. Delivery of a study on the copyright legal framework and licensing of audiovisual works in the digital environment 2. Delivery of a summary of national copyright and related rights applicable for the licensing of audiovisual content online 3. Delivery of a study on audiovisual works in the public domain in the participating countries
		Part 2: The legal framework of the audiovisual sector in the digital environment	
		Part 3: The legal treatment of foreign authors of audiovisual works	
		Part 4: Contractual practices in the Latin American audiovisual sector in the digital environment	
		Part 5: The identification and use of metadata in audiovisual works	
		Part 6: WIPO alternative dispute resolution (ADR) methods for audiovisual OTT business models	
	A2. Delivery of a summary of national copyright and related rights applicable for the licensing of audiovisual content online	Annex to part 2: Summary of national legal frameworks	
	A3. Delivery of a study on audiovisual works in the public domain in the participating countries	Study on audiovisual content in the public domain and orphan works: an analysis of legislation in Argentina, Brazil, Costa Rica, Ecuador, Peru and Uruguay	

Outcome	Activity	Outputs	Indicators
O2. Better understanding the current status of licensing in the digital environment	A1. Delivery of an assessment regarding the process of content distribution through digital channels in selected countries	Case study I: Women in the audiovisual industry: a panorama of Latin American countries and Spain	<ol style="list-style-type: none"> 1. Delivery of an assessment regarding the process of content distribution through digital channels in selected countries 2. Delivery of an economic study on the digital audiovisual market 3. Holding of two workshops (two days each) to exchange information and assess the implementation of outcomes one and two 4. Holding of a seminar on copyright and content distribution in the digital environment.
		Case study II: The experience of a Brazilian independent producer with online distribution of audiovisual content	
		Case study III: Development of a local OTT	
		Case study IV: The clearance of rights from the perspective of a Brazilian independent producer	
		Case study V: The role of an aggregator in video-on-demand (VOD) distribution in Brazil and Latin America: the experience of Sofá Digital	
		Case study VI: Data in the audiovisual business: trends and opportunities	
		Case study VII: Study on audiovisual content in the public domain and considered as an orphan work	
		Case Study VIII: The CINE.AR and CINE.AR.PLAY streaming platforms	
	A2. Delivery of an economic study on the digital audiovisual market	Website: Creative economy notes. Includes three interactive summaries of original economic research.	
	A3. Holding of two workshops to exchange information and assess the implementation of outcomes one and two	Seminar 1: Audiovisual content and the digital environment in Latin America. Lima, 2022.	
Seminar 2: Audiovisual production in the digital context in Latin America. Buenos Aires, 2022.			

Outcome	Activity	Outputs	Indicators
	A4. Holding of a regional seminar on copyright and the distribution of content in the digital environment	Seminar: Regional seminar on audiovisuals in the age of streaming. Brasilia, 2023.	

[Appendix II follows]

APPENDIX II. EVALUATION MATRIX

Aspect, criterion and evaluation question	Themes or sub-questions	Indicators	Sources and techniques for collecting information
Project design			
<p>E.Q.1 Suitability of the initial project design document as a guide to carrying out the project and assessing its outcomes <i>(relevance, quality of planning)</i></p>	<p>Clear design facilitating an understanding of the project's aims (outcomes) and how to achieve them (activities and outputs)</p> <p>Internal consistency between the project's component parts in relation to achieving the desired outcomes</p> <p>External consistency of the project with the Development Agenda recommendations</p>	<p>The purpose of the project is clear to various actors</p> <p>Respondents deem the project internally consistent, meaning that implementation of the planned activities should logically lead to achievement of the desired outcomes</p> <p>The project's internal logic can be reproduced and flows smoothly</p>	<p>Document analysis: initial design and study document, Development Agenda recommendations</p> <p>Interviews: project team</p>
Project implementation			
<p>E.Q.2 Usefulness and suitability of project monitoring, self-evaluation, and reporting tools for providing the project team and key stakeholders with relevant information for decision-making <i>(efficiency)</i></p>	<p>Sufficient availability of suitable tools</p> <p>Clear definition of the channels for transmitting monitoring information to the stakeholders concerned</p>	<p>Progress and monitoring indicators defined in order to determine whether the project is progressing as planned and in the desired direction</p> <p>The reporting tools make it possible to clearly reproduce how the project is developing</p> <p>Respondents consider that the project provided them with</p>	<p>Document analysis: initial design document, progress reports and completion report</p> <p>Interviews: project team, government officials of missions to WIPO</p>

Aspect, criterion and evaluation question	Themes or sub-questions	Indicators	Sources and techniques for collecting information
		relevant and timely information, at sufficiently regular intervals, to support their decision-making processes	
E.Q.3 Extent to which other units of the WIPO Secretariat have contributed to, and enabled effective and efficient implementation of, the project <i>(coordination)</i>		Other units contributed in their areas of specialization Their contribution was timely (deadlines were met) and relevant (requirements were met) The respondents consider that the units' involvement was satisfactory	Document analysis: initial design document, progress reports, completion report and outputs to which other units contributed Interviews: project team, staff from other units that contributed to the project
E.Q.4 Extent to which risks identified in the initial project document arose or were mitigated <i>(efficiency)</i>		Respondents' statements on the pertinence of the risks identified Respondents' statements on their view of project capacity to mitigate the identified risk	Document analysis: initial design document, progress reports, completion report, information from meetings Interviews: project team, key respondents
E.Q.5 Project capacity to respond to emerging trends and	The project evolved throughout its development	Mention is made in the reports of how the project was adapted and the ensuing advantages	Document analysis: progress reports,

Aspect, criterion and evaluation question	Themes or sub-questions	Indicators	Sources and techniques for collecting information
technologies and other external factors <i>(effectiveness and adaptation)</i>	The project was adapted to reflect new trends and technologies	The respondents consider that due account was taken of emerging or growing trends in the life of the project	completion report, scheduling of seminars Interviews: project team, officials of mission to WIPO from beneficiary countries, national industry bodies, seminar and meeting participants
Effectiveness			
E.Q.6 Effectiveness and usefulness of outputs developed in the project ¹ <i>(results)</i>	Suitability of outputs Contribution to identification of the needs of Member States Contribution to the means or resources for partially or totally satisfying those needs	The outputs are high quality and up to date Overall, the outputs helped to identify the beneficiary countries' needs in this area Overall, the outputs helped to identify the means or resources for partially or totally satisfying those needs	Document analysis: peer review report, project document, completion report, seminar and meeting outputs and programs, final seminar survey Interviews: project team, officials of mission to WIPO from beneficiary countries, national industry bodies, seminar and meeting participants, other respondents

¹ Study on the copyright legal framework and licensing practices for audiovisual content in the digital environment; summary of national copyright and related rights applicable for the licensing of audiovisual content online; study on audiovisual works in the public domain in the participating countries; assessment regarding the process of content distribution through digital channels in selected countries; economic study on the digital audiovisual market.

Aspect, criterion and evaluation question	Themes or sub-questions	Indicators	Sources and techniques for collecting information
<p>E.Q.7 Effectiveness of the project in raising awareness of the role of copyright and related rights in the distribution of audiovisual content online (O1) <i>(outcomes)</i></p>	<p>The conditions are conducive to raising awareness</p> <p>Key actors consider that the effort to raise awareness has been successful</p>	<p>Presence of a strategy for using the outputs to raise awareness</p> <p>Sufficiently broad and deep implementation of the strategy to achieve its objective Tailoring of the awareness strategy to the appropriate audience</p> <p>Statements by key respondents on whether they consider that awareness in this area has in fact been increased</p>	<p>Document analysis: project document, progress reports, completion report, seminar and meeting programs, seminar survey results</p> <p>Interviews: project team, officials of mission to WIPO from beneficiary countries, national industry bodies, seminar and meeting participants, other respondents</p>
<p>E.Q.8 Effectiveness of the project in improving understanding of the current licensing situation in the digital environment (O2) <i>(outcomes)</i></p>	<p>Outputs have been generated and activities that address the current licensing situation in the digital environment have been conducted</p> <p>Key actors consider that a better understanding of the situation has been obtained</p> <p>Key actors can cite specific examples to demonstrate that improved understanding</p>	<p>Presence of a theme underlying the project and its outputs</p> <p>Statements by key respondents on whether they consider that there is now a better understanding of the situation</p>	<p>Document analysis: progress reports, completion report, seminar and meeting programs, survey results</p> <p>Interviews: project team, officials of mission to WIPO from beneficiary countries, national industry bodies, seminar</p>

Aspect, criterion and evaluation question	Themes or sub-questions	Indicators	Sources and techniques for collecting information
			and meeting participants, other respondents
Sustainability			
E.Q.9 Likelihood of more work being done in the future on the use of copyright and related rights in the distribution of audiovisual content online <i>(outcomes)</i>		Stakeholders consider highly probable that the studies and materials resulting from the project will continue to be used	Document analysis: Development Agenda, WIPO program and budget and results framework, CDIP session records, case study outputs Interviews: project team, officials of mission to WIPO from beneficiary countries, national industry bodies

[Appendix III follows]

APPENDIX III. BIBLIOGRAPHY AND REFERENCES

1. Project document (CDIP/22/15 REV.).

https://www.wipo.int/meetings/en/doc_details.jsp?doc_id=421771

2. Project progress reports:

- (a) [CDIP/29/2, Annex I](#);
- (b) [CDIP/26/2, Annex VI](#);
- (c) [CDIP/24/2, Annex V](#).

3. Project outputs:

Overview of the outputs delivered in the context of the Development Agenda project on Copyright and Content Distribution in the Digital Environment (CDIP/28/INF/6). Available at:
https://www.wipo.int/meetings/en/doc_details.jsp?doc_id=571762

Study on the copyright legal framework and licensing practices for audiovisual content in the digital environment:

- Part 1: Audiovisual over-the-top (OTT) business models in Latin America: recent trends and future evolution. Available at:
https://dacatalogue.wipo.int/projectfiles/DA_1_3_4_10_11_16_25_35_01/Study_Part_1/EN/LATAM%20AV%20study_part_1_EN%20REV.pdf
- Part 2: The legal framework of the audiovisual sector in the digital environment. Available at:
https://dacatalogue.wipo.int/projectfiles/DA_1_3_4_10_11_16_25_35_01/Part_2/EN/LATAM%20AV%20study_part_2_EN.pdf
- Part 3: The legal treatment of foreign authors of audiovisual works. Available at:
https://dacatalogue.wipo.int/projectfiles/DA_1_3_4_10_11_16_25_35_01/Part_3/EN/LATAM_AV_study_part_3_EN.pdf
- Part 4: Contractual practices in the Latin American audiovisual sector in the digital environment. Available at:
https://dacatalogue.wipo.int/projectfiles/DA_1_3_4_10_11_16_25_35_01/Part_4/EN/LATAM%20AV%20study_part_4_EN.pdf
- Part 5: The identification and use of metadata in audiovisual works. Available at:
https://dacatalogue.wipo.int/projectfiles/DA_1_3_4_10_11_16_25_35_01/Part_5/EN/LATAM%20AV%20study_part_5_EN.pdf
- Part 6: WIPO alternative dispute resolution (ADR) methods for audiovisual OTT business models. Available at:
https://dacatalogue.wipo.int/projectfiles/DA_1_3_4_10_11_16_25_35_01/Part_6/EN/LATAM%20AV%20study_part_6_EN.pdf

Study on the audiovisual content in the public domain and orphan works: an analysis of the legislation in Argentina, Brazil, Costa Rica, Ecuador, Peru and Uruguay. Available at:

https://dacatalogue.wipo.int/projectfiles/DA_1_3_4_10_11_16_25_35_01/Orphan_Works/EN/LATAM%20AV%20study_Public_Domain_ES.pdf

Case studies:

- Case study I: Women in the audiovisual industry: A panorama of Latin American countries and Spain. Available at:
https://dacatalogue.wipo.int/projectfiles/DA_1_3_4_10_11_16_25_35_01/Case_Study_I/EN/LATAM%20AV%20case%20study%201%20EN.pdf
- Case study II: The experience of a Brazilian independent producer with online distribution of audiovisual content. Available at:
https://dacatalogue.wipo.int/projectfiles/DA_1_3_4_10_11_16_25_35_01/Case_Study_II/EN/LATAM%20AV%20case%20study%202%20EN.pdf
- Case study III: The development of a local OTT. Available at:
https://dacatalogue.wipo.int/projectfiles/DA_1_3_4_10_11_16_25_35_01/Case_Study_III/EN/LATAM%20AV%20case%20study%203%20EN.pdf
- Case study IV: The clearance of rights from the perspective of a Brazilian independent producer. Available at:
https://dacatalogue.wipo.int/projectfiles/DA_1_3_4_10_11_16_25_35_01/Case_Study_IV/EN/LATAM%20AV%20case%20study%204%20EN.pdf
- Case study V: The role of an aggregator in video-on-demand (VOD) distribution in Brazil and Latin America: the experience of Sofá Digital. Available at:
https://dacatalogue.wipo.int/projectfiles/DA_1_3_4_10_11_16_25_35_01/Case_Study_V/EN/LATAM%20AV%20case%20study%205%20EN.pdf
- Case study VI: Data in the audiovisual business: trends and opportunities. Available at:
https://dacatalogue.wipo.int/projectfiles/DA_1_3_4_10_11_16_25_35_01/Case_Study_VI/EN/LATAM%20AV%20case%20study%206%20EN.pdf
- Case Study VII: The CINE.AR and CINE.AR.PLAY streaming platforms. Available at:
https://dacatalogue.wipo.int/projectfiles/DA_1_3_4_10_11_16_25_35_01/Case_Study_VII/EN/LATAM%20AV%20case%20study%207%20ES.pdf

Creative economy notes. Available at:

https://www.wipo.int/edocs/infogdocs/creative_industries/en/

[Appendix IV follows]

APPENDIX IV. STAKEHOLDERS AND KEY INTERVIEWEES

Stakeholder	Name	Position and institution	Contact email
Government officials in the capital	Marcos de Souza Alves	Secretary for Copyright and Intellectual Property, Ministry of Culture, Brasilia D.F.	marcos.souza@cultura.gov
	Erika Chávez Huamán	Director, Audiovisual Directorate, Ministry of Culture, Peru	echavezh@cultura.gob.pe
	Mariana Martínez	Director of the Office of the Coordinator and International Affairs Relating to Intellectual Property of the National Copyright Directorate (DNDA), Buenos Aires, Argentina	mariana.Martinez@jus.gob.ar
	Ariela Peretti	Director of the Office of the Coordinator and International Affairs Relating to Intellectual Property, DNDA	arielaperetti@gmail.com
	Maria Balsa	Lawyer, Uruguayan Film and Audiovisual Agency (ACAU), Montevideo, Uruguay	info@contratosdigitales.com
Government officials in Geneva	Alison Anabella Urquizo Olazabal	Second Secretary of the Permanent Mission to the Office of the United Nations and Other International Organizations at Geneva: responsible for economic affairs (WTO), intellectual property (WIPO) and trade and development (UNCTAD)	aurquizo@onuperuginebra.ch
	Betina Carla Fabbietti	Second Secretary (Economic Affairs), Permanent Mission of Argentina to the Office of the United Nations and Other International Organizations at Geneva	betina.fabbietti@missionarg.ch
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[Appendix V follows]

APPENDIX V. LIST OF ABBREVIATIONS

CDIP	Committee on Development and Intellectual Property
DNDA	National Copyright Directorate
WIPO	World Intellectual Property Organization
OTT	Over-the-top service
UNCTAD	United Nations Conference on Trade and Development

[End of Appendix V and document]