



ANNEX C1: Twinning Fiche

Project title: Supporting and upgrading the institutional, technical and raising awareness capabilities of the Egyptian Patent Office (EGYPO)

Beneficiary Administration: Egyptian Patent Office (EGYPO)

Twining Reference: EG 16 ENI EC 01 18

Publication Notice Reference: EUROPAID/162909/DD/ACT/EG

EU Funded Project

TWINNING INSTRUMENT

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List of Abbreviations

ASRT	Academy of Scientific Research and Technology
BC	Beneficiary Country
BPCS	Best Practices Case Studies
BPR	Business Process Reengineering
EC	European Commission
EGYPO	Egyptian Patent Office
ENP	European Neighbourhood Policy
ENPI	European Neighbourhood and Partnership Instrument
EPO	European Patent Office
EU	European Union
ICT	Information and Communications Technology
IP	Intellectual Property
IPC	International Patent Classification
IPEA	International Preliminary Examining Authority
IPR	Intellectual Property Rights
ISA	International Searching Authority
IT	Information Technology
ITIDA	Information Technology Industry Development Authority
MS	Member State
MTI	Ministry of Trade and Industry
NGO	Non-Governmental Organisation
PAO	Programme Administration Office
PCT	Patent Co-operation Treaty
PL	Project Leader
PSC	Project Steering Committee
R&D	Research & Development
RTA	Resident Twinning Adviser
SME	Small and Medium Enterprise
STE	Short Term Expert
TA	Technical Assistance
ToR	Terms of Reference
TRIPS	Trade-Related Aspects of Intellectual Property Rights
VPN	Virtual Private Network
WIPO	World Intellectual Property Organization
WTO	World Trade Organisation

1 Basic information

- 1.1 Programme: EU Facility for Inclusive Growth and Job Creation CRIS number: ENI/2016/039-543 financed under the European Neighborhood Instrument.

For British applicants: Please be aware that eligibility criteria must be complied with for the entire duration of the grant. If the United Kingdom withdraws from the EU during the grant period without concluding an agreement with the EU ensuring in particular that British applicants continue to be eligible, you will cease to receive EU funding (while continuing, where possible, to participate) or be required to leave the project on the basis of Article 12.2 of the General Conditions¹ to the grant agreement.

1.2 Twinning Sector: Trade and Industry EC

1.3 EU funded budget: 1 500 000 EUR

2 Objectives

2.1 Overall Objective(s):

Contribute to the improvement of the Egyptian economy and enhanced scientific research through better use of the patent system.

2.2 Specific Objective:

To upgrade the institutional, technical and raising awareness capacities of the Egyptian Patent Office (EGYPO) towards accepted international standards thereby leading to improved operations that attract more patent filings by Egyptian inventors, particularly in the scientific community.

2.3 The elements targeted in strategic documents Association Agreement/ENP action plan

The project reflects the obligations of Egypt arising from the EU-Egypt Association Agreement referring to the protection of Property Rights, promoting scientific research, introduction of e-society and promotion of dialogue between governmental bodies, and business and academic institutions.

In this context the proposed project particularly responds to the Article 37 (1) of the EU-Egypt Association Agreement *pursuant to the provisions of this Article and of Annex VI, the Parties shall grant and ensure adequate and effective protection of intellectual property rights in accordance with the prevailing international standards, including effective means of enforcing such rights.* The core of the project is therefore focused on aligning the relevant legislation with the EU law, aligning practices and standards of the Egyptian Patent Office with the best practices and standards of the patent offices of the EU Member States, and introduction of the e-filing, e-publication, and e-processing of patent applications in accordance with the best models applied in the EU.

Similarly the ENP action plan lists the following obligations relevant for the proposed project:

In the field of the scientific research:

- Promote cooperation in the area of science and technology, develop national capabilities of technical, scientific and technological research and innovation, the development of R&D and transfer of technology, promote links in scientific research, strengthen efforts to implement the EU-Egypt Agreement on Scientific and Technological cooperation, strengthen links between higher research institutes and education institutions.

In the field of the information technology:

- Promote cooperation in the area of information technology and communications through promoting information society and its sustainability, including the use of ICT in development,

the development of the ICT industry, innovation, in addition to the use of new technologies and electronics means of communications by businesses, government and citizens, as well as strengthening scientific and business links.

In the field of intellectual property rights:

- Accede to the conventions within the timeframe stipulated in the Association Agreement and apply the standards of protection stated in such conventions or other conventions and agreements to which Egypt is party. Strengthen enforcements of IPR legislation within TRIPS requirements.
- Increase awareness at both public and private level and encourage the establishment and effective functioning of associations of rights holders and consumers.
- Initiate a policy dialogue covering all aspects of IPR, including further legal/administrative improvements and possible membership of additional relevant conventions etc.

In the field of the social dialogue:

- Create a dialogue between business, administration and academic institutions for the identification of priority actions for business improvement and the exchange of best practice

Egypt has already achieved the goals set up in the ENP Action Plan, but the constant change of the legal environment, practices and standards referring to the protection of IPR require further actions. Therefore, there is urgent need for enhancement of the practices and modalities of the EGYPO to reflect changes taking place in the modernized world.

In the general framework of the cooperation between EU and Egypt as described by the Association Agreement, EU-Egypt partnership priorities are defined for the years 2017-2020. The proposed project contributes in particular to Egypt's Sustainable and Modern Economy and Social Development by cooperating across sectors in research and innovation and in advancing digital technologies and services, creating a more conducive environment for inclusive growth and job creation, strengthening the role of private sector and enhancing the business climate, supporting Egypt's efforts towards public administration reform taking into account the digital revolution and new business models and strengthening the existing trade and investment relationship.

EU and Egypt signed the financing agreement entitled "EU Facility for Inclusive Growth and Job Creation", governed by the Financing Agreement ENI/2016/039 543 and will combine EU support to economic development through a number of interventions. This project falls under the result 5 of this action:

Result 5: IPR – Improved enabling environment for innovation within the Egyptian economy:

- technical assistance and capacity building support to the Government of Egypt in strengthening the regulatory framework for protection of intellectual property rights. The support would focus on the areas of patents and trademarks. A limited budget for supplies in support of strategic automation and communication processes is envisaged.

3 Description

3.1 Background and justification:

Starting by the domestic legal framework, Egypt has been applying protection for patents since 1949 under the Law No. 132 of 1949 on patents and industrial models. That law was repealed in 2002 and replaced by the Law no. 82 of 2002 on protecting intellectual property rights, which remains in force today.¹ It should be emphasized that Law No. 82 is a modern patent law prepared in co-operation with international experts. However, patent law is developing constantly, and therefore it is necessary to

¹ In 2014 a new constitution was adopted in Egypt, reaffirming the protection of IPR. In accordance with Article 69 of this new Constitution the State shall protect all types of intellectual property rights in all fields and establish a specialized agency to uphold such rights and their legal protection as regulated by Law.

adapt the current patent law of Egypt to modernized international standards and rules. Additionally, the rapid progress in information technology allows the EGYPO to switch from paper to e-filing and e-processing of files, thereby reducing costs and improving performance. In line with this switch to a fully computerized system, an amendment to the law N.8, has been proposed which has to be ratified by the EoG (proposed amendment included in Annex 3).

Egypt is also a Party to several IPR related international treaties and agreements:

- In 1951 Egypt became a member of the Paris Convention.
- Egypt is a member of the World Intellectual Property Organization (WIPO) since 1975.
- In 1975 Egypt joined Strasbourg Agreement Concerning the International Patent Classification (IPC).
- Egypt has been a member of the WTO since 1995 and applies the TRIPS Agreement.
- Egypt is party to the Patent Co-operation Treaty (PCT) since 2003. In 2013 the EGYPO became an international searching and examining authority under this Agreement.

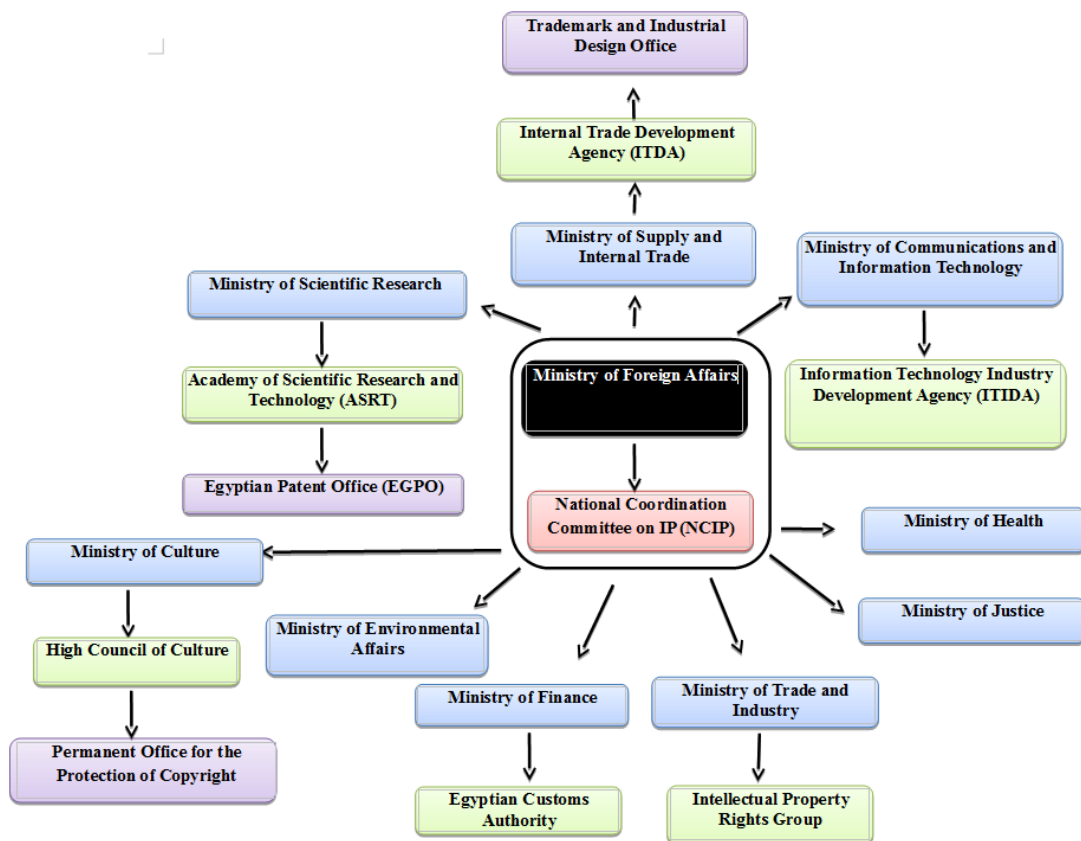
Egypt has established several institutions to deal with IP rights protection within different ministries. The **Egyptian National Coordination Committee on Intellectual Property (NCIP)** was established in 2007. The **Ministry of Foreign Affairs** coordinates the work of the committee on the policy formulation level and undertakes the responsibility of the General and Technical Secretariat of the Committee. The NCIP is the only national-coordinated, unified entity on IP issues in Egypt.

The Ministry of Trade and Industry hosts a **newly established in 2017 Intellectual Property Rights Group**, which has the following responsibilities:

- Coordinating policy positions for Egypt's WTO negotiators, following up and participating in negotiations held under the auspices of the WTO TRIPS Council, as well as coordinating policy positions for Egypt's WTO negotiators;
- Presenting developments in negotiations to the Subsidiary Committee of IP rights. The IP Rights Group acts as the technical body of the committee, reporting its recommendations to the Minister of Industry and Foreign Trade for approval;
- Carrying out public awareness campaigns directed at relevant stakeholders from governmental authorities, the business community, and NGOs.

A detailed mapping of Ministries and National Bodies responsible for IP-related issues in Egypt is provided **under Figure 1**.

Figure 1 Mapping of Ministries and National Bodies responsible for IP-related issues in Egypt



The Egyptian Patent Office is the authority in Egypt charged with examination and granting of patents for Egyptian and foreign patent applicants. The EGYPO was established in 1951. Since 1971, the EGYPO has operated under the Academy of Scientific Research and Technology (ASRT). The EGYPO is responsible for examination of inventions and utility models. Since 2013, the EGYPO has become a PCT international searching and examining authority and consequently Egypt is one of the first Arab states examining patents in Arabic language.

The tasks of the EGYPO are wider than just accepting patent applications (refer to Annex 2 for an overview of the organisational structure and the patent application workflow at EGYPO) and granting patents. The EGYPO also contributes to the economic success of Egypt by providing information and expertise in intellectual property, supporting creativity, and enhancing innovation. Specifically, the EGYPO mission consists of:

- Protecting the intellectual property of the applicant;
- Granting patents to Egyptians & foreigners;
- Protecting patents, innovations & inventions;
- Promoting scientific innovation;
- Encouraging scientists to patent their works;
- Supporting industries;
- Providing greater certainty in the marketplace through high-quality and timely IPR;
- Fostering & supporting invention and creativity through knowledge sharing;
- Transferring technological information from patents all over the world and providing it to specialists in order to develop their works and develop local industries; and
- Publishing (monthly) the official patent gazette, which includes accepted applications, granted patents, assignment applications, amendment of the applications, merger of the applications,

publication for exploitation of patents, technical refusal applications, annuity refusal applications

An assessment of EGYPO operations and organisational structure was undertaken in February 2015 and together with the consultations during the preparation of the current project fiche confirmed that patenting in Egypt remains a real bottleneck. Patent grants are constantly decreasing since 2012 for both residents and non-residents and patent applications from non-residents are constantly decreasing since 2010 while they slightly increased for residents between years 2012-2014. Moreover, revealed several gaps between the patent law of Egypt, and the patent law of the EU were identified such as lack of clarity on how to define novelty and the state of art for inventive step, non-publication of patent applications and lack of provisional protection of them, absence of specific provisions on protection of biotechnological inventions and of rules for refusal of the applications.

The analysis of the procedures being in place at the EGYPO, training needs, staff capabilities equipment and space necessary for carrying the tasks, co-operation and interrelations between the EGYPO and research centres revealed shortcomings in the execution of duties, and the grant of patent rights. For instance, the numerous Focal points at universities and research facilities need to improve the level of IP awareness and use at their institutions in order to better channel the efforts of researchers to create IP.

EGYPO is currently operating on a paper-based mode, which hampers its ability to streamline work. It takes in average 3 years from the filing date of the patent application to mature into a granted patent. These delays affect negatively Egyptian inventors (mostly in the scientific research community) and result to a low level of use of patents. It is therefore important for EGYPO to undertake all means possible to decrease the size of backlogs (amended applications, waiting time for start of examination of Paris Convention Priority and PCT applications, use of Document Access Service). There is adequate infrastructure to conduct everyday workflow, but certain improvements should be applied horizontally to all departments and new-online services should be designed and implemented. EGYPO hires quality staff with significant background but especially the technical examination department needs further skills development and access to additional ICT.

Although the scientific research community in Egypt creates a great deal of IP, particularly patentable inventions, many of them never turn into patent applications filed at the EGYPO due to factors such as:

- Lack of information and understanding of the patent right and the value of patent information in research., both in Egypt and internationally;
- Failure to know where to seek for help when filing a patent.
- Cost both in money and time to complete, file and prosecute an application.

EGYPO prepared and published guidelines for applicants but they do not explain in details, how to evaluate an invention and how to prepare patent specifications and claims. The Legal Department has no manual and there are not enough interactions with the Technical Department. There is urgent need for change of procedures referring to opposition, appeal, publications and examination. EGYPO quality standards on International search and Preliminary examination work well but there is opportunity to extend them.

The proposed intervention aims at addressing the above-mentioned shortcomings and enhance practices and modalities of the EGYPO to reflect changes taking place in the modernised world by:

- Establishing IP Strategic plan for scientific research in Egypt;
- Establishing sustainable cooperation and coordination with rightholders and SMEs within the institutional approach
- Increasing the level of EGYPO staff training;
- Utilizing newly installed state-of-the-art ICT and services; and
- Reforming patent processing and the organizational structure of the EGYPO to a fully automated system, matching the best practices used in EU Member State patent offices.

EGYPO could benefit from the proposed Twinning programme, which promotes institution and capacity building through support provided by experts from Member States' to EGYPO and covers an area part of the priority sectors in **2017-2020** EU's assistance to Egypt under the ENI, in particular Economic modernization. Once these changes are in place inventors including the scientific research community should be encouraged to increase usage of patents. Such increased usage will enhance research and thereby improve the competitiveness of the Egyptian economy. The numerous patents that have been granted overtime virtually constitute a substantive and valuable database of technical and scientific information. Encouraging invention, investment in innovation, and disclosure of new technology is the rationale behind modern IP protection systems. Finally, the increased capacities of EGYPO will enhance legal certainty and effectiveness of patents administration and management that constitute a major incentive for foreign business and investors to do business with Egypt.

3.2 Ongoing reforms:

The Egyptian economic scene is undergoing a major transition period conducive to innovative or innovation-based solutions. The transition is driven by the Government's commitment to restore macroeconomic balances (notably trade), spur economic growth, secure inclusiveness and achieve the SDS2030 development goals, i.e. to transform an efficiency-based economy into a knowledge-based one. Beyond knowledge and the digitalization of the economy that forms the second pillar of the SDS2030, national priorities include water management and irrigation, energy efficiency, environment conservation, inclusive education, access to financial services, etc. Innovation will in all these sectors play a great role, if not as factor of disruption, at least as game changer.

The Government of Egypt *is willing to aggressively push the innovation agenda* through IPR and innovation facilities and partnerships, as reflected in the Ministry's of Trade and Industry, **Industry and Trade Development Strategy 2016-2020**. It underlines the need to promote an innovation culture, incentivize market-oriented research and development, build strong links between academia and industry as well as between companies, foster innovative capacities in industries and enable companies, especially SMEs to bring innovations to the market. The Ministry's strategy focuses on five key pillars (industrial development, micro, small and medium enterprises end entrepreneurship development, exports development, development of technical and vocational education and training, government and institutional development) which will be addressed in parallel to achieve the industrial growth rates through which the desired job can be created. These pillars include comprehensive initiatives that aim at creating a business climate that is appropriate to strengthen the national economy through the private sector, particularly Micro, Small and Medium enterprises and integrating them into the local and global supply chains and linking them to major economic entities. This will be done in order to make Egypt's economy able to cope with the global volatility and ensure the stability and balanced growth for all the relevant economic indicators, as well as rationalizing imports and increasing exports. This includes creating and developing the business climate and fulfilling the required legislative, procedural and institutional reforms.

The Industrial Innovation strategy proposed by MTI with the support of GIZ set a clear pathway towards Egypt's Sustainable Development Strategy Vision 2030 on "Innovation, Knowledge and Scientific Research" as well as the Industrial Development and Foreign Trade Strategy 2020. The strategy focuses on the following four stages of the innovation chain which are needed to turn ideas and knowledge eventually into commercial value for a company, which will generate social and economic benefits: a) stimulating innovation, b) enabling innovation, c) facilitating innovation and d) commercializing innovation. When it comes to commercialization of innovation one of the main 3 objectives is to support enterprises and universities to patent their inventions and ideas. This will be done by the creation of a patent expertise group that can advise firms on the best way to protect their IP and by helping Egyptian industrial firms to license patents inside/outside Egypt. MTI will define prior measures for implementation, assign responsible entities for the facilitation and implementation process and coordinate with different stakeholders and beneficiaries.

Finally, the National Strategy for the SMEs Development in 2020, is currently under final approval by Minister of MIT. This strategy will be divided into 6 pillars, including a strategy intervention of 115 measures. It covers aspects related to Knowledge and Business Environment.

3.3 Linked activities:

In very close link with this twinning project, a TAIEX application requested by EGYPO in December 2017 was approved during the 1st quarter of 2018 (**TAIEX request nr.28269**). The aim of this request was to carry out a study visit to the Danish Patent and Trademark Office to discuss latest developments and recent advancements on IPR Strategies. The study visit took place from 25th to 27th June 2018 and some EGYPO's representatives met with senior executives from Danish Patent and Trademarks Office to exchange experience and undertake high level analysis of restructuring workflow and get acquaintance to recent common EU practices as well as identifying modern methodology in approaching patents as a pilot experience.

In parallel with the twinning project for EGYPO, a separate **procurement to provide some ICT related infrastructure for the organisation** will be launched by the EU Delegation. The improvement of the current IT infrastructure has been deemed to be essential for the implementation of some capacity building activities which are part of the technical support for the strategic automation and communication processes (e-Filing, e-Payment, e-Tracking and e-Learning activities). This conclusion was reached through an IT expert mission and the relevant assessment. An average estimation of cost was provided by the expert consisting of an average cost of 150 000 euros for the required improvement of the current IT infrastructure.

Considering the IP and Innovation areas in a broader sense, the EU has been providing and will continue providing assistance through different initiatives.

Since 2015, the EU is funding the **Trade and Domestic Market Enhancement Programme (TDMEP)** implemented in a decentralised manner, with an **overall budget of EUR 20 million**, is structured **around two components** i) foreign trade and trade agreements, and ii) industrial policy and quality infrastructure.

The first component provides support to improving rules and procedures related to foreign trade (import/export law, intellectual property rights law, trade remedies, trade facilitation, etc.) and to reinforcing the capacity of the Ministry to build positions, negotiate trade agreements, and analyse implications of international agreements. The second component focuses on the establishment of a proper regulatory environment for the initiation of negotiations on an ACAA, including National Quality Policy, market surveillance strategy, horizontal and sector legislation, and supporting the alignment of quality infrastructure bodies. Support is also provided to update and implement an industrial development, trade, and regulatory reform, strategy Within this program, training sessions on IP for customs officers took place and further activities may be envisaged for **the newly established Intellectual Property Rights Group** (within the MIT). This IPR group has responsibilities in co-coordinating policy positions for Egypt's WTO negotiators, presenting developments in negotiations to the Subsidiary Committee of IP rights and carrying out public awareness campaigns directed at relevant stakeholders from governmental authorities, the business community, and NGOs.

In parallel, the ongoing EU funded program **Inclusive Economic Growth and Job (IEGP)** is supporting the development of private sector, especially MSMEs. The programme is composed of 2 pillars:

- i) The EUR 2,4 million service contract (MISMESIS) aiming at strengthening the business enabling environment for MSME development. As one of its main activities, the project is supporting the newly created Micro and Small and Medium Enterprise Agency, (MSMEDA) in developing their 3 pillars strategy: 1) The first pillar Knowledge and center of excellence; 2) Business Environment; 3) Enterprise level support.
- ii) The EUR 5 million grant scheme launched and contracted at the end of 2017 to support the provision of high quality BDSs towards the establishment of new, high potential and innovative, start up enterprise through the implementation of grant contracts running by different state and non-state actors.

As part of our near future programmes, a TA project funded by EU with the overall objective to strengthen the protection of **trademarks and industrial designs** in Egypt as well as the capacity of the Government to enforce these rights is currently being formulated, for a budget of 1.5 EURM and a duration of 18 months. This project, together with this EGYPO twinning, will provide capacity building support to the Government of Egypt in strengthening the regulatory framework for protection of intellectual property rights.

In parallel, a **Call for proposals for EUR 5.5 million has been launched in 2018**, with the main objective of **strengthening innovation capacities** among Egyptian SMEs and entrepreneurs as a key element to improve the competitiveness of Egyptian enterprises. More specifically, this call for proposals will aim at promoting systemic change in the enterprise ecosystem supporting the inclusive economic development potential of Egypt and its private sector. Through addressing market failures and promoting innovative and sustainable private sector development, it aims to increase the opportunity for employment and income generation and enhance the capacity of SMEs and entrepreneurs to innovate.

Among the initiatives funded by other donors, it is important to mention the project ICTI funded by GIZ. ICTI - “**Innovation program for Growth Oriented Egyptian Entrepreneurs in Creative Industries**” aims to offer combined technology business incubation services which will help creative growth-oriented start-ups & Entrepreneurs to start or grow a legal business in the fields of RMG, Leather products and Jewelry & Accessories. The program is in cooperation with and supported by German-Egyptian Promotion of Small and Medium Enterprises -implemented by German Development Cooperation GIZ- and is co-financed by the Egyptian Academy of Scientific Research & Technology (ASRT). The activity field “Innovation Policy Advisory” supports the Ministry of Trade and Industry (MTI) in creating an improved and more employment-oriented policy framework for innovation.

UNDP Innovation for Development (I4D) (2014 / 2017) provided solutions to support youth and empowering local communities by enabling the growth of SMEs, fostering entrepreneurship and social innovation, in addition to job creation and employment. It aimed at empowering young talented women to achieve more through technology, the first “Social Innovation Hub” has been launched at the Woman Business Development Centre of the National Council for Women in Cairo in partnership with Microsoft. The hub aims to reach 5,000 young women in Egypt, to bridge the gap between public education, and job market needs, and to foster employment and entrepreneurship opportunities for young women application developers, in Cairo first, and to Ismailia, Aswan, Luxor, and Alexandria afterwards. The Social Innovation Hub is a part of Microsoft’s “Aspire Woman” Initiative launched in 2014 that reached almost 60,000 Egyptian youth and provided economic opportunities for over than 2,000 women.

UNDP – ICT4CCD, the “ICT for Comprehensive Community Development” Project (ICT4CCD), is a programme, in partnership with the IMC, GESR, the Information Technology Institute (IT), and Microsoft, holds three-day innovation camps (ex. “Innovating for Aswan” in November 2016). After the workshop, GESR provides follow-up and support to all the teams for two months, and then a

pitching session is being held in front of a panel of judges, the winning team receiving a cash prize of 5 000 EGP.

3.4 List of applicable *Union acquis*/standards/norms:

The EU *acquis* that corresponds to Law no. 82 of 2002 on protecting intellectual property rights comprises:

- Regulation (EU) No 1257/2012 of the European Parliament and of the Council implementing enhanced cooperation in the area of the creation of unitary patent protection
- Council regulation (EU) No 1260/2012 implementing enhanced cooperation in the area of the creation of unitary patent protection with regard to the applicable translation arrangements
- The text of the Agreement on the Unified Patent Court

3.5 Results per component:

Result 1 /Component 1: IP Strategic plan for scientific research in Egypt established (prepared)

The project will develop IP strategy and provide mechanisms linking the EGYPO with universities, the industrial sector and research centres affiliated with scientific research, agriculture and health ministries, etc. It will present an overall review of IP strategies, policies and mechanism linking patent offices and IP engaged bodies in EU member states.

The following indicative **sub-results** are expected to be achieved:

- i. Review of IP strategies, policies and mechanism linking patent offices and IP engaged bodies in EU member states prepared and disseminated;
- ii. Joint IP strategic plan connecting the EGYPO with the scientific researchers in Egypt developed, specifically including coordination and interrelation between the EGYPO and scientific centres in the IP sphere;
- iii. Binding document (for example: Memorandum of Understanding) for establishing coordination and interrelation between EGYPO and scientific centres in the IP sphere drafted; This Memorandum of Understanding shall be disseminated by the EGYPO between all stakeholders for their acceptance and involve NCIP, the only national-coordinated, unified entity on IP issues in Egypt.

Result 2 /Component 2: Sustainable cooperation and coordination with right holders and SMEs established within the institutional approach

The following indicative **sub-results** are expected to be achieved:

- iv. IP strategy on awareness and enforcement targeting SMEs based on EU best practices developed;
- v. A Methodological guide on patent protection (guide for applicants) and SMEs IPR booklet (on integration of IP as business model, know your rights, where to go? etc.) developed
- vi. Toolbox of IPR awareness and enforcement materials to be broadly used during the project and afterwards developed. This toolbox will provide regular and innovative services to meet the needs of the defined users' targets groups (for instance SMEs, the industry, intermediaries, academics etc.);
- vii. IPR support services to potential beneficiaries (Chambers of Commerce, Universities, business intermediaries) improved by developing a Helpdesk and info-service and setting-up local contact points (helpdesks) for SMEs and their advisors providing first-line support on IP and enforcement issues.

- viii. SMEs access to surface tailored possible by developing a web-portal for SMEs and other interested users. The website will contain documents, case studies, practical information for SMEs and other useful information such as contacts and signposting to relevant services for SMEs.

Result 3 /Component 3: EGYPO systems and Procedures revised and upgraded in line with EU standards.

The following indicative **sub-results** are expected to be achieved:

- i. EGYPO system and procedures to simulate the EU system and electronic system targeting all procedures starting from registration, E-payment, monitoring, etc. to approve/refuse inventions reviewed, applied and upgraded;
- ii. Review procedures of patent office tasks at Twinning Partner's office applied;
- iii. A comparative analysis of patent offices at EU member states on working modality including structures, tasks and responsibilities carried out;
- iv. EGYPO working modality aligned with the EU ones;
- v. EGYPO assisted to obtain ISO 9001 certification.

Result 4/ Component 4: Contribution to strengthening the patent processing and information dissemination skills of EGYPO staff

The following indicative **sub-results** are expected to be achieved:

- i. Professional skills and competences of EGYPO trainers improved through a specialized training program (train the trainer) targeted at EGYPO staff in charge of presentations to the research community;
- ii. EGYPO's Data dissemination and decision making processes improved through the delivery of a specialized training on Business Process Reengineering (principles of Business Process Reengineering; how to implement BPR; Tools to support BPR; Impact of BPR on clients; examples of successful experience in the field) for 15 well-educated trainers certified by WIPO which will enhance the Professional skills of EGYPO' staff on radical redesign of core business processes.

Result 5/ Component 5: Training and organizational skills of EGYPO staff strengthened.

The following indicative **sub-results** are expected to be achieved:

- i. Professional skills and competences of staff increased by updating and developing job specific procedures manuals;
- ii. Training needs of staff in all departments identified;
- iii. Training program based on ii) above developed;
- iv. Training based on program in iii) provided.

3.6 Means/ Input from the MS Partner Administration

The MS partner administration is expected to provide the Project Leader (MS-PL) and Resident Twinning Advisor (RTA) as well as a team of short-term experts to support them.

The MS-PL is the key link between the partners, acting at an overall operational and political level. The RTA resides in the BC and cooperates day-to-day with the BC-partners and the Member State short-term experts (MS-STEs). STEs will work in Egypt on the basis of specific Terms of Reference (ToR) which will be designed by the RTA in consultation with RTA counterpart and component leaders for each mission.

The RTA will be supported by a permanent RTA assistant who will be selected during the preparation of the Twinning contract (after selection of the partner MS).

3.6.1 Profile and tasks of the Project Leader

The Project Leader (PL) from the MS should be a high-ranking civil servant or an equivalent senior manager in a mandated MS IPR body with institutional links to the bidding consortium, with sufficient work experience in the IPR, and should have at least three years of management experience. The PL will supervise and coordinate the overall thrust of the project. He/she will direct the project and will ensure that all the required political support and operational input from management and staff of the MS side are available.

Together with the Beneficiary PL, he/she will organise the Project Steering Committee (PSC) meetings. The MS PL shall devote a minimum of three working days per month in his home administration with an on-site visit to Egypt at least every three months to participate in the PSC meetings.

Qualifications and skills

- A Bachelor's Degree (where a University degree has been awarded on completion of three years studies in a University or equivalent institution) in a field relevant to the policy objectives and results of the project;

OR

- 7 years of equivalent professional experience additional to the general professional experience required below;
- Good PC literacy
- Excellent command of written and spoken English

General professional experience

- 3 years professional experience in working in a field relevant to the policy objectives and results of the project;
- Proven experience in project management;
- Demonstrated leadership, management and communication skills proven through previous working experience;

Specific professional experience.

- 3 years' experience of working as a staff member in an EU Patent office;
- Proven Experience in managing internationally funded projects;
- Proven Knowledge and/or experience of IPR processing in a MS
- Proven Experience with legal drafting, organization and delivery of training courses, workshops, seminars, IT issues, public awareness.

MS-PL's main tasks:

- Liaising with MS and BC at the political level;
- Overall coordination of the project;
- Ensuring the direction of the project work;
- Ensuring the achievement on time of the mandatory project results;
- Ensuring the availability on time of MS-Short Term Experts and other MS resources

3.6.2 Profile and tasks of the RTA

The Resident Twinning Advisor (RTA) from the EU MS should be a civil servant or equivalent staff in a MS patent office with institutional links to the bidding consortium with at least five years' work experience as a staff member, working directly in the field of patent application processing. He/she should also have at least three years' patent processing management experience. The RTA will be in charge of the day-to-day implementation of the Twinning project in Egypt. He/she will coordinate the implementation of activities according to a predetermined work plan and liaise with the RTA counterpart in Egypt.

The RTA will provide significant professional input, especially at the beginning of the Twinning project. He/she will stay for the entire implementation period of 24 consecutive months in Egypt and work full-time for the project. The RTA is expected to be actively involved in the implementation of all activities. He/she should coordinate the project and have a certain level of understanding of all components.

RTA's main tasks:

- Day-to-day coordination and implementation of project activities in Egypt;
- Preparation of Terms of Reference (ToR) for STEs' missions;
- Substantial provision of own expertise;
- Liaison with the BC Project Leader and RTA Counterpart and with the EU Delegation and the Egyptian PAO;
- Reporting to the MS-Project Leader.

RTA profile Qualifications and skills

- A Bachelor's Degree (where a University degree has been awarded on completion of three years studies in a University or equivalent institution) in a field relevant to the policy objectives and results of the project;

OR

- 7 years of equivalent professional experience additional to the general professional experience required below;
- Good PC literacy;
- Excellent command of written and spoken English.

General professional experience:

- 3 years' experience of working in a field relevant to the policy objectives and results of the project;
- Proven experience in project management and managing internationally funded projects;
- Demonstrated leadership, management and communication skills proven through previous working experience;

Specific professional experience

- 3 years' experience of working in an EU Patent office
- Proven Knowledge and/or experience of the patent processing in an automated environment and of the needs of scientific research community in the area of patents.
- Previous experiences of cooperation with ENPI Countries in the relevant field would be considered an asset.

3.6.3 Profile and tasks of Component Leaders

The RTA will be assisted by Component Leaders who will complement the know-how of the RTA in order to cover the full range of expertise required by the project. They will be civil servants or staff members of the selected MS institution(s) who work in the required fields. They will have appropriate qualifications and necessary skills to implement each component's activities.

Component Leaders Profile Qualifications and Skills

- University degree in a relevant field or equivalent professional experience of 5 years (this will be considered as an integral part of the diploma and cannot be counted towards the general professional experience)
- Good PC literacy (Word, Excel, PowerPoint);
- Good command of written and spoken English.

General professional experience:

- 3 years' experience in working in a field relevant to the policy objectives and results of the project;
- Demonstrated presentation and communication skills proven through previous working experience;
- Experience in managing internationally funded projects

Specific professional experience

- 3 years' experience in working as a staff member in an EU patent office
- Experience in implementation of at least 1 similar project.
- Previous experience of cooperation with ENI Countries in the relevant field would be an asset.

3.6.4 Profile and tasks of other short-term experts

The RTA will be assisted by short-term experts (STEs) who will complement the know-how of the RTA in order to cover the full range of expertise required by the project. STEs will be civil servants or staff members of the selected MS institution(s) who work in the required fields. It is recognized that one person may have the expertise in more than one area and can serve as an STE for multiple areas.

They will have appropriate qualifications and necessary skills to implement the project's activities. A pool of short term experts is therefore required to implement the activities, covering the following indicative subjects:

General Qualifications and Skills for all short-term experts.

- University degree in the relevant field or equivalent professional experience of 5 years (this will be considered as an integral part of the diploma and cannot be counted towards the general professional experience)

General Professional Experience for all short-term experts

- 3 years' experience in working in a field relevant to the tasks to be carried out in the project.

Specific professional experience for each profile

Legal approximation – law drafting (STE-L)

- Knowledge of MS patent laws and implementing regulations
- Knowledge of MS e-signatures and e-administration laws
- Knowledge of IPR related law drafting
- Knowledge of legal procedures drafting
- Experience in implementing legal and regulatory changes
- Three years' proven experience in the IPR related law field (one expert) and at least three years proven experience in the IPR related law field (the second expert)
- Proficiency in legal English

Patent Application Processing (STE-P):

- Three years' experience in the administration of patent application processing

- Proven ability to assess complex operations and issuing recommendations
- Proven ability to author procedures manuals
- Proven knowledge of BPR including change management
- Demonstrated ability to provide training to patent office staff

ICT Implementation (STE-IT):

- a) STE-IT1: New Services Development (e-Filing)
 - Three years proven experience in ICT field focusing on web applications, web services and systems.
 - Proficiency in legal English
 - Knowledge of patent or IPR legislation, regulations and operations would be an asset
- b) STE-IT2: New Services Development (e-Payment, e-Tracking & Notification)
 - Three years proven experience in ICT field focusing on e-payment systems and notification systems.
 - Proficiency in legal English
 - Knowledge of patent or IPR legislation, regulations and operations would be an asset
- c) STE-IT3: New Services Development (Interoperability and Patent Searches)
 - Three years' proven experience in ICT field focusing on web systems, databases and interoperability.
 - Proficiency in legal English
 - Knowledge of patent or IPR legislation, regulations and operations would be an asset
- d) STE-IT4: Security
 - Three years proven experience in ICT field focusing on systems' security.
 - Proficiency in legal English
 - Knowledge of patent or IPR legislation, regulations and operations would be an asset
- e) STE-IT5: eLearning (Systems)
 - Three years proven experience in ICT field focusing on e-learning systems.
 - Proficiency in legal English
 - Knowledge of patent or IPR legislation, regulations and operations would be an asset
- f) STE-IT6: eLearning (Training modules)
 - Three years proven experience in ICT field focusing on training modules development.
 - Proficiency in legal English
 - Knowledge of patent or IPR legislation, regulations and operations would be an asset

Scientific Research Community Development (STE-R):

- Understanding the needs of scientific research community vis-à-vis patents
- Experience working with or in the scientific community
- Ability to author procedures to facilitate improved use of patents for scientific research and the filing of patent applications

Database Searching (STE-S):

- Extensive knowledge of data bases for accessing patentability including:
 - EPOQUE
 - Esp@cenet
 - PatentScope
 - STN

Training (STE-T):

- Background in training methodology

- Experience in training technical staff
- Experience in developing training plans

4 Budget

The estimated budget for this Twinning Project is EUR 1 500 000.

5 Implementation Arrangements

5.1 Implementing Agency responsible for tendering, contracting and accounting

The European Union Delegation Office is the Contracting Authority and in charge of the coordination of all activities and the administrative management of the Support to the Association Agreement Programme. The European Union Delegation will be the responsible institution for the management of this twinning project. It manages the tenders, contracts and payments in accordance with the procedures defined in the Practical Guide to contract procedures financed from the general Budget of the EU in the context of external actions.

European Union Delegation contact details:

Concepcion Perez Camaras

Programme Manager – Private Sector and Trade, European Union Delegation to Egypt.

Concepcion.perez-camaras@eeas.europa.eu

A copy to:

Bozkurt Eralp

Head of Finance and Contracts. European Union Delegation to Egypt.

Bozkurt.eralp@eeas.europa.eu

5.2 Institutional Framework

The EGYPO, an agency in the Egyptian Academy of Scientific Research (ASRT), is the agency charged with operations of the project. It is also the beneficiary institution. The project will support all EGYPO's departments with a focus at the Legal department (consisting of 29 employees) and the General Department of Technical affairs and Information (consisting of 121 employees).

Project Steering Committee

A Project Steering Committee (PSC) will be established to oversee the project implementation. The Steering Committee will be convened by the RTA, meet at quarterly intervals and will be jointly chaired by the Member State PL and the Beneficiary PL. The main duties of the Project Steering Committee will include verification of the progress and achievements vis-à-vis the result ensuring good coordination among the actors, finalizing the quarterly interim reports and discuss the updated work plan and any new CVs of experts implementing up-coming activities. The draft update of the work plan will be prepared by the RTA, who shall circulate it to all members of the Project Steering Committee at least two weeks in advance of a meeting.

The PSC should include the Contracting Authority, the EUD (if applicable), the Member State PL, the junior Member State PL(s) (in case of consortium) and the Beneficiary PL, as well as the RTA and the RTA counterpart. Member State Component Leaders and Beneficiary Component Leader counterparts should participate in the debates on topics related to their competences. Other relevant entities, such as NCIP should be invited to the meetings, taking into consideration the broader reform picture in Egypt, aiming at ensuring coherence and coordination between the project and other actions, especially ongoing horizontal public administration reform efforts and sectorial activities that could have an impact on the project.

5.3 Counterpart in the Beneficiary administration

The Egyptian Project Leader (PL) is a senior civil servant at a decision-making level. The PL will act as the counterpart of the Member State PL and will ensure the overall steering and coordination of the project from the Egyptian side, including proper policy dialogue and political support. The PL's seniority will ensure the mobilisation of the necessary staff in support of the efficient implementation of the project. H/She will lead/coordinate the Project Steering Committee (PSC) from the Egyptian side.

The RTA Counterpart is a senior civil servant who will work with the RTA on a daily basis to ensure proper coordination and implementation of all the activities of the project and achieve an efficient transfer of knowledge and information. The RTA counterpart may be involved in one or more of the components of the twinning fiche and should have good command of spoken English and preferably of written English as well.

5.3.1 Contact person:

RTA counterpart in the BC
Ms. Mona Yahia
Director General Egyptian Patent Office
Academy of scientific Research and Technology
101 Kasr Eni st., Sayeda Zenab, Cairo, Egypt
monayahia@hotmail.com

5.3.2 PL counterpart

Dr. Adel E. Ewida
President of Egyptian Patent Office
Academy Of Scientific Research & Technology
Ministry of Scientific Research and Technology
101 Kasr Eni st., Sayeda Zenab, Cairo, Egypt

5.3.3 RTA counterpart

Ms. Mona Yahia
Director General Egyptian Patent Office
Academy of scientific Research and Technology
101 Kasr Eni st., Sayeda Zenab, Cairo, Egypt

6 Duration of the project

27 months (24 months for implementation and 3 months for closure).

7 Sustainability

Achieving the results fixed in the framework of the present project will allow EGYPO to be able to ensure its role and mission according to a new and internationally best practice based standard of service. The EGYPO is an institution with a defined vision, mission, and values. It has tradition of more than 60 years. It is an indispensable part of the patent protection system in the Egyptian Republic and is funded from the government budget. A solid growth of patent applications in Egypt shall result in the self-financing of EGYPO, i.e. revenue from fees covering operating and capital expenditure, initially in part and going to increase depending on the success of the project.

All materials - Training Materials, Methods and Manuals elaborated within the project shall be submitted, both in English and in Arabic, where relevant, so as to ensure smooth dissemination of the project results and sustainability of results. The EGYPO will work to ensure that all knowledge gained

through the project will be systematically transferred to all new employees by on the job training delivered through everyday work and manuals developed. Furthermore, as outlined in the mandatory results, the project results will go on and create numerous and varied benefits due to the improvement of performance of the EGYPO, and the general improvement of innovation policy in Egypt.

The sustainability of the project will be achieved through a suitable implementation of the project activities and availability of trained personnel in the EGYPO, and focal points. The Egyptian Government, through the provision of relevant funding to EGYPO in order to implement its tasks, will ensure the financial sustainability of the outputs attained by the project. The EGYPO is an institution playing a key role in protection of inventions and utility designs, and the ENP-AP and the Association Agreement clearly indicate that protection of intellectual property, in line with the harmonization to the EU Acquis, represents a high priority for the cooperation between Egypt and the European Union. Therefore, it's expected that the EGYPO will become even more important institution in the future. Finally, the firm commitment of Egyptian stakeholders involved in innovations at all levels (Relevant Ministries, State Universities, focal points, inventors and industry) and consulted during the preparation of the project fiche and the workshop organised in Cairo in June 2017 will guarantee the internal dissemination and communication of the results and output.

To conclude - the achievement of a Twinning project (mandatory results) will be maintained as a permanent asset to the EGYPO even after the end of the Twinning implementation.

8 Crosscutting issues

The principle of equal opportunity will be integrated into all stages of the project implementation. Practices in ensuring equitable gender participation in the project will be guaranteed. Equal participation of women and men will be secured through appropriate information and publicity material, in the design of projects and access to opportunities they offer. The main criteria for staff recruitment will be appropriate qualifications and experience in similar projects, not sex or age. Both men and women will have equal opportunities and salaries.

Implementation of the project will have no adverse effect on the environment.

9 Conditionality and sequencing

To successfully complete the activities envisaged by this project, there needs to be continuous high-level support by upper management of the EGYPO and ASRT in the form of a Project Steering Committee as described in Section 5.2. During the four to six weeks following the RTA arrival, he/she will draft a detailed work plan for the first six months of activities identified as the initial work plan.

The six months initial work plan will be the basis for the development of a rolling work plan, which will include additional details of further and/or on closed activities. As a living document, the work plan must regularly be updated to take stock of progress made, foreseen or unforeseen developments, availability of Member State and Beneficiary experts, etc. – always keeping the achievement of the mandatory results/outputs in mind. The initial and the subsequent updates of the work plan are formalized at each quarterly meeting of the Project Steering Committee

Additionally, it is critical that the ICT infrastructure be deployed and available for successful completion of this project. These must be implemented in concert with the services set forth in Activity 3.1. Many of the changes envisage by this project rely on updated ICT infrastructure and services to be in place. Member State partners are not allowed to subcontract key activities of the Twinning project. All services to be subcontracted must be included in the budget of the Twinning Grant Contract indicating clearly by which authority the item will be contracted and paid. Private sector experts included in the Twinning Grant Contract as described above must be budgeted based on their fees (invoices) and are not eligible for Twinning Project Support Cost.

Given the important duties of the Project Steering Committee, members (and observers if applicable) must make sure to attend meetings for the whole duration of the meetings. If a regular quarterly meeting cannot agree on an updated work plan, a new meeting is scheduled within the following 15 days. If again no agreement can be reached, the Contracting Authority and the EUD (when the EUD is not the Contracting Authority) decides whether a third meeting would be useful to convene within the following 15 days to agree on the updated work plan, or whether the implementation of the project shall be terminated.

Significant milestones of this project include a change to fully automated processing and an increase of awareness and use of the patent system by the scientific community.

10 Indicators for performance measurement

The results to be achieved under this project can be broken down into the following objectively verifiable indicators (OVIs):

Overall objective

OVI 1: The number of Egyptian institutions filing patent applications increased by 50% (In 2016 there have been 918 patent applications from residents, 1231 from non-residents and 134 from abroad);

Purpose

OVI 2: Shortened patent pendency before the office by 50% (It takes in average 3 years from the filing date of the patent application to mature into a granted patent. Patent pendency should be reduced to 1 and half years)

OVI 3: Guide on patent protection and SMEs IPR booklet published and disseminated.

Result 1 / Component 1

OVI 4: The strategic plan is produced as well as the MOUs for its implementation;

Result 2 / Component 2

OVI 5: Helpdesk and web-portal to support SMEs established and functioning online;

OVI 6: Information campaigns and activities for awareness building conducted, material produced;

OVI 7: Guide on patent protection (guide for applicants) and SMEs IPR booklet drafted, published and disseminated;

Result 3 / Component 3

OVI 8: Number of applications processed electronically increased to 50% (Today there are no applications processed electronically)

OVI 9: Staff performance exceeds prior performance both quality and timeliness by measuring the reduction of backlogs before and after the project and users quality satisfaction surveys (Reduce the backlog of amended applications pending in the Office from 12 to 3 months. Reduce waiting time for start of examination of Paris Convention Priority Applications and PCT national phase applications from 30 to 13 months. Reduce the number of patent application copies from 3 to 1.)

Result 4 / Component 4

OVI 10: Number of information and dissemination activities conducted (Development of IP training and diploma programs for Universities, Training at universities and research institutions by patent examiners, IP awareness campaigns, Special IP Day Events Each year. No dissemination activities conducted recently.)

OVI 11: Training materials produced and Training activities conducted (Today there are no Manuals covering all Administrative processing (complete process) and they should be produced for:

- *Legal Examination (for both national and PCT)*

- *Technical Examination (for both national and PCT)*
- *Quality Framework*
- *Information dissemination*
- *Database searching (EPOQUE, ESP@CENET, PatentScope, Commercial Databases)*
- *ICT Services)*

Result 5 / Component 5

OVI 12: Job specific procedures manuals drafted and used and number senior employees increased (From 15 to 25 WIPO certified trainers)

11 Facilities available

The BC is committed to make available the necessary office space and equipment for the MS partners to carry the project's activities. This includes the provision of suitable venues for training and meetings in the BC. During the implementation period, the RTA will be accommodated with an appropriate office space.

The BC will make available appropriate office and equipment (including desks, internet access, telephone, fax, photocopier, etc.) for the RTA, RTA Counterpart, RTA Assistant, Experts and Short-Term Experts within EGYPO premises and close to the BC's Project Leader.

ANNEXES TO THE PROJECT FICHE

1. Logical Framework Matrix
2. The organisational structure and the workflow of patent application at EGYPO
3. List of Relevant Laws and Regulations