



Innovation, Science and
Economic Development Canada

Innovation, Sciences et
Développement économique Canada

Canada

Evaluation of the National Intellectual Property Strategy

Audit and Evaluation Branch

FINAL REPORT

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ISED Citizen Services Centre
Innovation, Science and Economic Development Canada
C.D. Howe Building
235 Queen Street
Ottawa, ON K1A 0H5
Canada

Telephone (toll-free in Canada): 1-800-328-6189
Telephone (international): 613-954-5031
TTY (for hearing impaired): 1-866-694-8389
Business hours: 8:30 a.m. to 5:00 p.m. (Eastern Time)
Email: ISED@Canada.ca

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Program Context

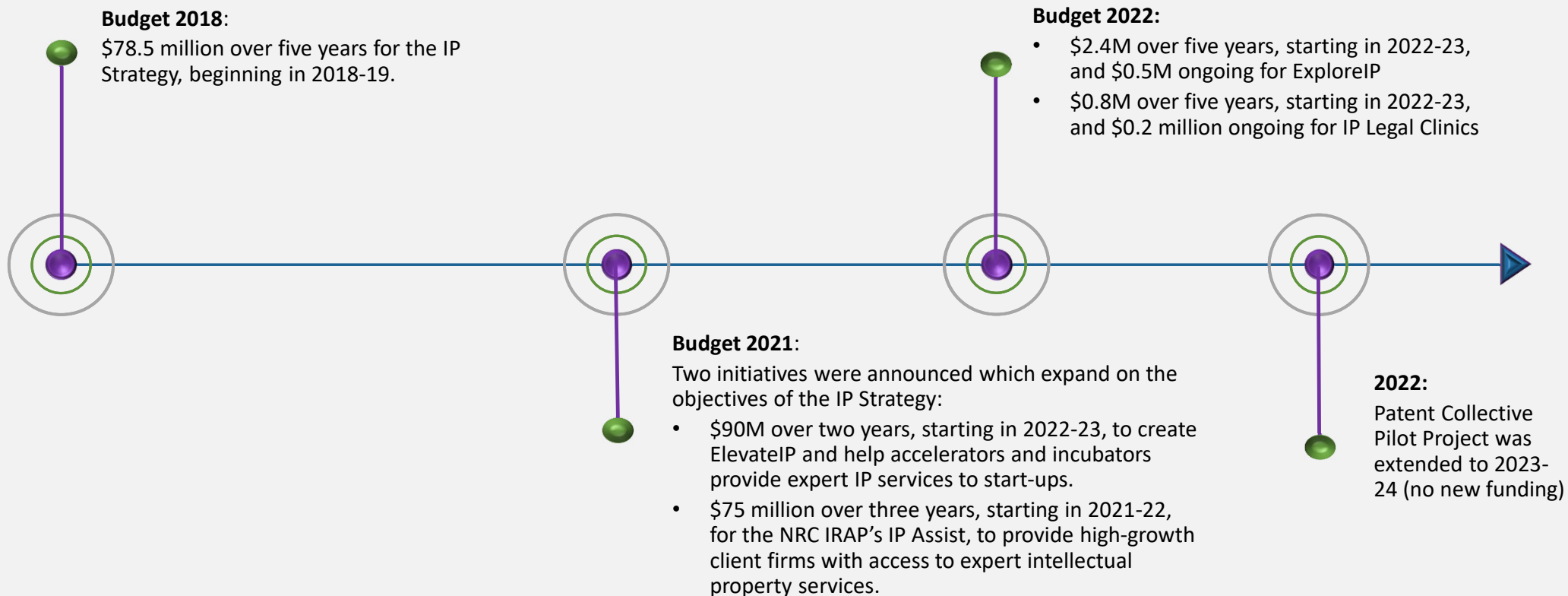
The National Intellectual Property Strategy (the IP Strategy) was launched in 2018-19.

The IP Strategy is an Innovation, Science and Economic Development Canada-led (ISED) initiative that includes programs and activities undertaken by Innovation Canada and the Marketplace Framework Policy Branch (of the Strategy and Innovation Policy Sector – SIPS), as well as the Federal Court, Standards Council of Canada, and the Copyright Board of Canada. The IP Strategy’s objective is to help Canadian innovators and entrepreneurs better understand, protect, and monetize their IP.

The IP Strategy was designed to address four main challenges:

1. **Gaps in IP literacy** due to a lack of awareness and understanding of IP and its value to Canadian businesses;
2. **Access barriers** created by the cost and complexity of engaging in the IP system¹ and the need for affordable access to IP advice;
3. **IP not being fully recognized** in Canadian federal programming and government officials having an uneven knowledge of IP; and
4. **Limited visibility and accessibility** of IP owned by public institutions which makes licensing and commercializing public sector IP difficult.

Timeline for the IP Strategy and its complementary initiatives:



¹The **IP system** refers to legal measures such as copyright, trademark, and patents that are used to protect intangible assets such as designs, software, and inventions.

Program Activities

The Strategy consists of measures to help companies, academics, government officials, inventors, and underrepresented groups improve their IP literacy and awareness, and to help them access IP supports and incentives to optimize the use of their IP.

The initiatives of the IP Strategy recognize that all elements of the Canadian innovation ecosystem need to increase focus on IP to maximize returns and to foster competitiveness in an economy increasingly rooted in financial returns from ideas and intangible assets. The IP Strategy makes changes in three key areas: *IP education and advice*, *IP tools for growth*, and *IP legislation*. All the IP Strategy initiatives below work together to ensure a modern and robust IP regime. This evaluation covers the five program areas that are under ISED’s management (highlighted):



1. IP Centre of Expertise (CoE) includes IP experts who provide professional IP advice, deliver training, and facilitate collaboration to ensure that federal public servants have the IP resources necessary to carry out their duties and that IP is addressed and managed in a way that adds value for Canadian businesses and the Canadian public.



2. Indigenous IP Program supports Indigenous awareness, education, and participation in domestic and international discussions about the relationship between the IP system and the protection of Indigenous knowledge and cultural expressions.



3. IP Legal Clinics encourages the establishment or enhancement of IP legal clinics within Canadian law schools. It supports low-cost funding of IP information to businesses and individuals and familiarizes students with practical IP-related issues.



4. Patent Collective Pilot Program brings together firms through a membership model to support small to medium-sized firms in collaborating to facilitate better IP outcomes for collective members.



5. ExploreIP (formerly, Canada’s IP Marketplace) is an online tool where businesses, entrepreneurs, and innovators can find IP that is held by government, academia, and other public sector institutions and is available for licensing and/or commercialization.



IP Awareness and Use project entails an “IP awareness and use survey” to identify how businesses in Canada understand and use IP.



IP dispute resolution provides IP rights’ owners and users with more efficient and less costly IP dispute resolution and copyright tariff-setting at the Federal Court and Copyright Board of Canada.



Innovation, IP, and Standards Setting Strategy enables the Standards Council of Canada to work with innovative Canadian companies to leverage their IP during the standards-setting process.

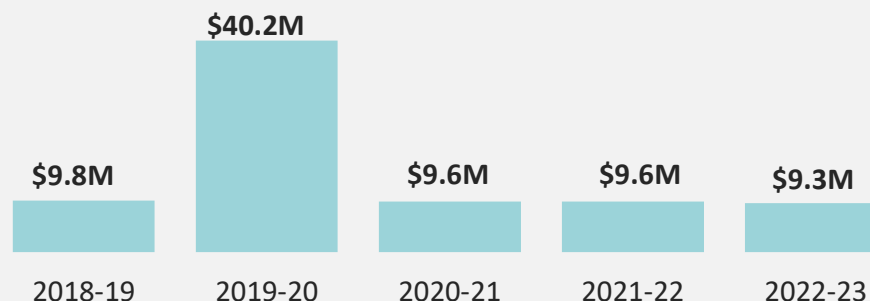
The cost of the ISED IP Strategy initiatives was \$78.5M from 2018-19 to 2022-23.

Figure 1: Total funding for the IP Strategy



The evaluation covers all Grant and Contribution (G&C) spending in addition to operating expenditures for administering the ISED-led initiatives (i.e., the Indigenous IP program; IP Legal Clinics Program; Patent Collective Pilot Program; IP Centre of Expertise; and ExploreIP).

The funding for the IP Strategy includes a total of \$31.7M in G&Cs that was committed to the Indigenous IP program (\$0.7M), IP Legal Clinics Program (\$1M), and the Patent Collective Pilot Program (\$30M).



Evaluation Context

An evaluation of the National IP Strategy is required in accordance with the *Financial Administration Act*.



The **objective** of the evaluation was to assess the relevance, performance, and efficiency of the IP Strategy.



The **scope** of the evaluation was the three grant and contribution programs, the IP Centre of Expertise, and ExploreIP. The evaluation covered the period from April 1, 2018, to March 31, 2022.



The evaluation was conducted in-house by ISED's Audit and Evaluation Branch. A **results-based approach** was used to examine the achievement of expected outcomes, as identified in the logic model in Appendix A.

Evaluation Questions

Relevance

1. To what extent is there a continued need for a national approach to supporting the development of the IP ecosystem in Canada?
2. To what extent do ISED-led IP Strategy initiatives address a unique and demonstrable need?

Performance

3. To what extent have ISED-led IP Strategy initiatives contributed to improving IP literacy and awareness among target and underrepresented groups?
4. To what extent have ISED-led IP Strategy initiatives increased access to IP services and supports?
5. To what extent have ISED-led IP Strategy initiatives demonstrated early progress towards supporting businesses in IP decision-making?

Efficiency

6. To what extent is a national delivery model an efficient approach for supporting the development of the IP ecosystem in Canada?

Evaluation Methodology

Multiple lines of evidence were used to answer the evaluation questions (see Appendix B for more details).



Document and Literature Review



Case Studies



Virtual Interviews



Document Review



Performance and Administrative Data

Findings

- Relevance
- Performance
- Efficiency

Findings—Unique and demonstrable need

Relevance

Performance

Efficiency

Finding 1: A national approach supports the development of a strong IP ecosystem in Canada and the ISED-led initiatives are contributing towards meeting specific needs. This includes addressing gaps in IP knowledge among federal officials and SMEs, and increasing access to IP services and supports among SMEs, Indigenous businesses, and other underserved or underrepresented groups. Gaps remain in the area of targeted support for Indigenous IP applications (e.g., patent, trademark, and copyright applications).

Canadian companies see fewer returns on innovation investments.

The 2022 Global Innovation Index ranked Canada 9th on innovation inputs, but 23rd on innovation outputs. This means that Canada invests in innovation but does not see as many returns in terms of IP creation and protection or business- and technology-related outcomes. Canada generally lags behind similarly situated economies in global IP filings—only 1.1% of businesses in Canada filed for patents between 2017 and 2019, while the OECD average in 2016 was 5.9%.

SMEs are less likely than larger firms to invest in IP

According to the IP Awareness and Use Survey (IPAUS), which covered the period from 2017 to 2019, larger firms were more likely to own IP than smaller firms. Specifically, 72.6% of businesses with 500 employees or more owned at least one type of IP, compared with 20% of businesses with fewer than 100 employees. The survey also found that smaller firms were significantly less likely than large organizations to seek out IP information (10% versus 58%), hold a formal IP strategy (8% versus 42%), file for IP (9% versus 46%), and own IP abroad (13% versus 46%).


A lack of perceived benefit and the cost and complexity of the IP system were significant contributors to the underutilization of IP.

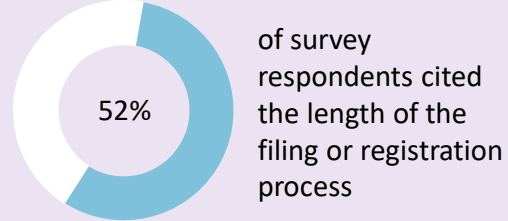
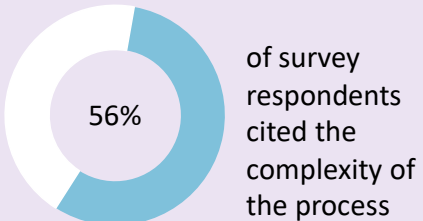
In 2011, 83% of Canadian SMEs that did not seek IP protection indicated that IP was not relevant to their business when citing reasons for not seeking IP rights. The main reasons cited by respondents in the 2019 IP Awareness and Use Survey who had IP but decided not to formally protect (6% of the total number of respondents) were: the financial costs associated with obtaining IP rights (49.0%); no observed benefits in protecting IP (42.2%); and difficulties enforcing IP rights (31.1%). The literature indicates that, both domestically and internationally, the cost and complexity of the IP system create significant challenges in accessing IP services, particularly the complexity of the rights filing procedure and the filing and attorney fees, which typically exceed \$10,000 for one asset.

| Year | Input Rank | Output Rank |
|------|------------|-------------|
| 2022 | 9 | 23 |
| 2021 | 8 | 23 |
| 2020 | 9 | 22 |
| 2019 | 9 | 22 |
| 2018 | 10 | 26 |

Figure 1: Canada’s rankings on the Global Innovation Index

Figure 2: The IP Awareness and Use Survey findings on barriers to access

 For those who filed IP, the IP Awareness and Use survey found that the length and complexity of the filing process were the main barriers to accessing the IP system.



Findings—Need for a national IP approach

Relevance

Performance

Efficiency

The IP Strategy and the ISED-led initiatives align with government and ISED priorities. The National IP Strategy is a key component of the Innovation and Skills Plan and its IP objectives.



Budget
2017

Budget 2017 announced the Innovation and Skills Plan, which put in place key programs and approaches to facilitate an innovation ecosystem in Canada. A key item within this plan was a commitment to develop a new comprehensive IP strategy to support commercializing Canadian innovation, foster an ecosystem that supports businesses in scaling, and ensure firms have the awareness and incentives to strategically use IP to grow and compete.

Budget
2018

Budget 2018 subsequently announced the National IP Strategy and its proposed investments, noting that a well-defined IP strategy that manages and protects IP was needed to help businesses, creators, entrepreneurs, and innovators better understand and access IP.

Budget
2021

The National IP Strategy aligns with the objectives of subsequently announced federal IP initiatives.

Budget 2021 noted that Canadian IP offered huge growth opportunities and, to this end, furthered the federal government's commitment to the IP Strategy objectives, with the announcement of new IP supports, ElevateIP and the National Research Council's (NRC) IP Assist, to provide start-ups and high-growth firms with increased access to expert IP services.

Budget
2022

Budget 2022 noted that investing in and protecting IP and research are vitally important pieces in building an innovative economy, but Canada still lags behind other countries in its IP performance. To this end, the budget announced additional IP supports and expanded funding for some of the National IP Strategy initiatives.

Findings—Unique and demonstrable need

Relevance

Performance

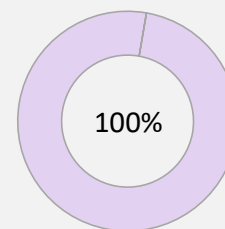
Efficiency

IP Centre of Expertise

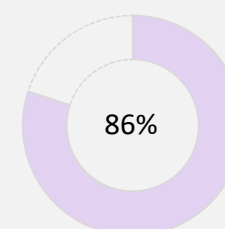
There is a need for improved IP awareness and knowledge among federal officials.

Federal organizations can play a key role in increasing the knowledge and capacity of Canadian companies in strategically using IP. However, there is generally a need to increase IP awareness/knowledge among federal officials, and to increase departmental IP expertise and capacity, so as to ensure more even distribution across departments. Federal programs also lack consistency and sophistication in the way they deal with IP, deterring Canadian companies from pursuing projects with the government. Interviews revealed that the need is particularly pronounced among G&C programs since they have more projects with complex and variable IP requirements (e.g., Industry 2.0 projects), and where standard IP clauses cannot be applied. The need is less pronounced among organizations with strong internal IP capacity as they often have their own IP training, advisory supports, and/or networks.

To develop programming to address these gaps, the IP CoE consulted federal organizations and identified a need for increased consistency in federal IP approaches, for IP training to enhance IP knowledge, and for an IP community of practice to collaborate on IP issues. Interviews and the document review indicate that the IP CoE has helped to address these identified needs.



of those who submitted training requests said that the IP CoE provided options or solutions that addressed their needs.



of advisory clients surveyed said the IP CoE provided options or solutions that addressed their needs.

Figure 3: Annual IP CoE Performance Survey results on needs met

ExploreIP

Public sector IP is underutilized, as many businesses are unaware of technology that they may be able to commercialize.

The 2017 federal budget noted that public sector IP is scattered across various platforms and institutional websites, making it difficult for businesses and innovators to search for specific solutions. The ExploreIP platform was established to address this gap by centralizing public sector IP in a format that is more easily available to industry. On the input user side, ExploreIP enables holders of public sector IP (i.e., tech transfer administrators at universities, federal organizations) to build awareness of their IP, encourage commercialization, and maintain an inventory.

Document review identified a need to make public sector IP accessible to facilitate industry collaboration and commercialization.

According to ExploreIP's survey, tech transfer offices and federal organizations agreed there is a need for a tool such as ExploreIP. Tech transfer office stakeholders noted that prior to ExploreIP, they struggled to keep patent information up-to-date on the university website. They said ExploreIP facilitated more regular maintenance of patent information on the platform, which improved the quality of information for industry stakeholders.

Findings—Unique and demonstrable need

Relevance

Performance

Efficiency

Indigenous IP Program

IIPP addresses some needs through IP capacity building, education, and awareness-raising activities.

Interviews revealed there is a great need for funding to be allocated to IIPP. The IP system is complex/costly and there is a lack of perceived benefits to protecting Indigenous Knowledge (IK) and Cultural Expressions (CE). Formal IP protections can be used to protect some forms of IK and CE (e.g., trademarks can protect Indigenous signs and symbols and copyright can protect forms of cultural expression); however, IK and CE often cannot be protected under the official system. The official system is designed to protect the rights of individual creators and innovations that exist in physical format; this is not easily adapted to protecting collectively owned IK or CE.

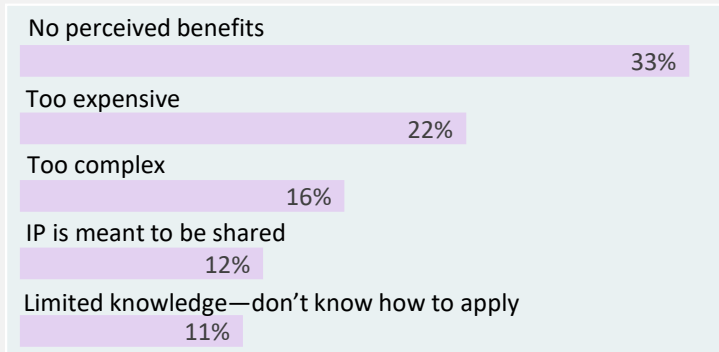


Figure 4: Reasons cited for not protecting IP

Within the limits of its funding, IIPP's primary activity—IP grants—is unique in that it specifically supports the need for protection of Indigenous IP that may not be protected by the formal IP system, as grant funding can be used to develop alternative protections (e.g., voluntary guidelines and protocols). However, interviews and documents indicated that a national framework and/or adjustments to laws and regulations around IP would be required to effectively protect CE and IK at a systemic level.

Interviews indicate that while the grant is flexible in the activities that are funded, it is geared to education and capacity development rather than financial support for IP applications. Interviewees noted this is partly due to limited program resources; however, a financial barrier for Indigenous entrepreneurs remains in the application space.

IP Legal Clinics

The document review and interviews confirmed a need for IP legal clinics in Canada and their role in supporting the IP ecosystem.

The document review identified a lack of IP and business law clinics in Canada—especially in comparison to the U.S. Interviewees stated that IP law has been an underserved area of pro bono assistance in Canada. Partnerships between law schools and legal practices can provide pro bono legal supervision and assistance, which supports the IP development efforts of under-resourced and underrepresented inventors and entrepreneurs. In their report to the Centre of International Innovation Governance, the Osgoode Innovation Clinic found that similar programs had been launched and disappeared over time because of a lack of faculty and school involvement and government support.

IP Legal Clinics is unique in its learning model for students and in its accessibility to businesses in terms of cost and availability.

The IP Legal Clinics program is unique in that it enhances the IP ecosystem system by providing knowledge and education to both innovators and law students. The program aims to reduce the cost and complexity of the IP system by providing access to IP knowledge and to free/low-cost services for SMEs and underrepresented groups, thereby removing barriers to entry. At the same time, the program also improves the capacity and competency of law students to provide IP legal services via hands-on, practical learning.

Findings—Unique and demonstrable need

Patent Collective Pilot Program (Innovation Asset Collective)

Canadian firms lack sufficient understanding in how to develop and use IP strategically to support business objectives.

This leads to lower IP use and protection and a deprioritizing of IP. Innovation Asset Collective (IAC) members said there is a need for programs such as IAC that support IP awareness/education and provide SMEs with access to IP professionals and resources.

Businesses have a limited amount of time and rely on external IP experts for IP guidance. IAC helps develop a broad IP knowledge, teaching businesses to strategically prioritize IP assets that support their business objectives and to communicate their needs to IP experts.

IAC addresses IP ecosystem gaps:

- A lack of focus, understanding, and IP service expertise in the ecosystem;
- Cost of navigating and complexity of the IP ecosystem;
- Lack of support for early-stage IP development;
- A need for flexible services due to limited SME capacity.

IAC is flexible in meeting a diversity of business needs, including those of some underrepresented groups.

IAC has a diverse mix of IP experts and professionals, advisory and IP supports, as well as various educational resources and membership tiers tailored to businesses IP maturity/growth levels. Interviews revealed that IAC is designed to allow companies to come in at different stages of growth and IP maturity, with different needs, and use any area of the program relevant to their needs.

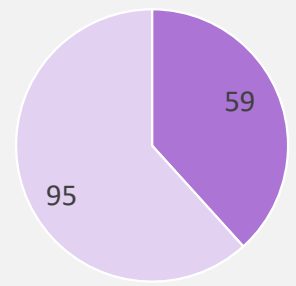
To address identified needs for women in IP, IAC launched a grant, a community of practice, and some education sessions for women in IP. However, IAC management interviewees said that IAC did not have enough time (given the 2.5-year funding period) to design and deliver targeted programming for other underrepresented groups.

Foundational: 19 members
Siloed, ad hoc approach to IP, little to no understanding of IP Strategy or data, and no understanding how to extract value

Conversational: 29 members
Siloed but evolving approach to IP including IP risk, and an understanding of the basics of IP Strategy but not of how it applies to their business

Functional: 4 members
A portfolio of IP assets are being generated based on an IP Strategy integrated with the business strategy

Associate Members
Early-stage start-up and seed companies with fewer than 25 employees and less than \$500K in annual revenue.



Full Members
Start-up and scale-up companies with fewer than 500 employees.

Figure 5: IAC members, by tier of membership

Figure 6: IP maturity of Full Members*

*Note: As of December 2022, there were 6 members whose IP maturity level had not yet been assessed.

Findings—Complementary programs or duplication of programs

Relevance

Performance

Efficiency

Finding 2: There are programs with similar mandates and objectives as the ISED-led IP Strategy initiatives; however, these programs are largely complementary, and do not duplicate ISED activities. The ISED-led initiatives largely targeted specific aspects of IP that were not being addressed by other federal, institutional, or private sector services and initiatives. However, for the IP CoE, there was a lack of clarity among some stakeholders regarding roles and responsibilities and a need for improved coordination of legal and non-legal IP advice.

IP Centre of Expertise

There are no other organizations that provide IP services comparable to those of the IP CoE.

The Canadian Intellectual Property Office's (CIPO) IP training is provided to businesses, while the IP CoE provides IP training to federal employees across all departments. Previously, CIPO provided some IP training to some federal employees via memorandums of understanding (MOUs), but this training was transitioned over to the IP CoE. The IP CoE also received support from CIPO and leveraged its experience in the development of its training (e.g., building off CIPO's training materials). CIPO remains a key collaborator; they refer stakeholders to each other and partner in the delivery of some training sessions.

When legal advice is required, the IP CoE consults with the Department of Justice (DOJ) and/or refers clients to them, while the DOJ also refers its clients to the IP CoE's advisory services. The DOJ provide their own separate legal advice, but it is not necessarily integrated or consistent with the IP CoE's advice. Interviews indicated that this issue could potentially be mitigated if the IP CoE had a DOJ legal resource within the IP CoE team to address the legal component of IP advice.

The NRC also provides support to other organizations, with respect to IP management and technology transfer, including filing IP applications or negotiating licences to crown-owned IP. Some federal organizations, particularly science-based ones, also have their own IP training and experts; however, they are internal facing and may also still use some CoE services. For some stakeholders, roles and responsibilities may not be entirely clear. For example, some stakeholders lacked clarity regarding the CIPO's roles and responsibilities versus that of the IP CoE.

ExploreIP

ExploreIP has made efforts to ensure that there is no duplication between complementary programs.

ExploreIP provides a centralized online portal for Canadian businesses, entrepreneurs, and innovators. It provides access to public sector IP that can be licensed and/or commercialized. While the U15 Group of Canadian Research Universities platform Cognit.ca is most similar in its focus on post-secondary institutional research, ExploreIP offers a wider access to all public-sector IP held by government, academia, and other public sector institutions across various industries. ExploreIP was also developed with the intent to reduce transaction costs and encourage collaboration, bridging the gaps in previously disparate IP databases.

Other IP data platforms do not replicate the scale and policy scope of the ExploreIP marketplace.

In the private sector, "business-to-business" (B2B) models of IP marketplaces have been created at a smaller scale for specific clients. For instance, PCTxs offers a global free digital marketplace for private sector patent transactions and Santé Libre organized the procurement of medical supplies during the COVID-19 pandemic in Quebec. Interviewees noted that paid platforms with bigger databases are expensive (e.g., \$10,000 a year) and less accessible.

Findings—Complementary programs or duplication of programs

Relevance

Performance

Efficiency



Indigenous IP Program

IIPP is unique and there are no duplicate programs.

Interviews and documents revealed that there are few programs that fund general IP capacity building or the IP aspects of IK and ICE (Indigenous Cultural Expressions). Due to limited capacity, IIPP provides many referrals to complementary programs, such as CIPO. CIPO resources are not specifically tailored to the Indigenous context, although some training with Indigenous organizations was developed. CIPO's services are also focused on working within the IP system, but much of IK and CE falls outside of the IP system, so IIPP has a unique role in helping to protect IK and ICE when traditional protections cannot be used.

IIPP complements non-IP focused IK and CE programs.

There are complementary programs that deal with IK or ICE but they don't have an IP focus (e.g., Canada Council for the Arts—Creating, Knowing and Sharing; Canadian Heritage—Indigenous Languages and Cultures and Movable Cultural Property; and Parks Canada—Working Together). For example, one recipient said that the IP focus ensured that the funding complemented their federally funded work in cultural tourism, but did not overlap with it.



IP Legal Clinics Program

Although there are complementary services, there is no duplication of the legal clinic student focus and accessibility for clients.

The legal clinics provide a unique range of experiential education for emerging IP legal professionals through a variety of projects that include client casework, coursework, and IP research. Through the client casework projects, the program provides affordable and personalized advisory services to businesses. Meanwhile, CIPO provides complementary IP education and advisory services more broadly, as do others. For instance, the IP Institute of Canada provides capacity-building resources to its broader membership base, including patent/trademark agents and lawyers. However, these resources are for professional IP service providers and do not include students in their scope.

There are complementary ISED initiatives, which involve the provision of IP advice. The new ElevateIP program leverages incubators and accelerators to ensure that their clients have good IP awareness and provides supports necessary for start-ups to develop and implement an IP strategy. Similarly, the new IP Assist program provides funding to support the creation of a company IP Landscape briefing and also provides two-hour consultations to help companies understand, map, and secure their IP opportunities. These two programs are largely complementary as the advice is technically oriented, rather than legally oriented. According to interviewees, regular communication among these IP Strategy stakeholders is necessary to help avoid duplication.



Patent Collective Pilot Program (Innovation Asset Collective)

There are many IP resources, but they are fragmented and the content, cost, and quality varies.

The IP ecosystem includes complementary, and to a degree, overlapping programs: innovation agencies and Business Accelerators and Incubators (BAI) advisory support; government resources and tools (e.g., CIPO Academy, IP Assist); government-supported programs (CIPO Regional Advisory webinars, IP Village); and private advisory services and training/courses. Interviews and documents revealed that it is confusing to know where to go and IAC helps members navigate these resources. These resources also do not adequately cover IP strategy or the business perspective, as many are developed by lawyers/patent agents and are focused on securing IP rights and disputes. IAC focuses on this area of unmet need.

IAC complements other advisory services

IAC members rely on external advisory services, such as patent agents and lawyers, for the development of IP. IAC complements these services as it is focused on IP capacity and literacy, while these groups are focused on IP rights and litigation. IAC's educational services help members to more effectively work with these organizations, while the IP grant and credits fund these services.

The ElevateIP program complements, and to a degree, overlaps with the objectives of the IAC as it funds BAIs across the country to increase IP knowledge and support the development and implementation of IP strategies by Canadian start-ups. However, IAC has a national focus on businesses in the data-driven cleantech sector and has also been collaborating with and providing support to the ElevateIP-funded BAIs.

Findings—IP literacy and awareness

Relevance

Performance

Efficiency

Finding 3: The ISED-led initiatives contributed to increased IP literacy and awareness among federal officials, SMEs, and underrepresented groups, particularly for those with a low baseline level of IP knowledge. However, data collection was limited for some programs, activities, and targeted stakeholders, in part due to the small scale of some initiatives. Challenges around low awareness of services among some stakeholders and a need for more advanced or specialized IP training were identified.

IP Centre of Expertise

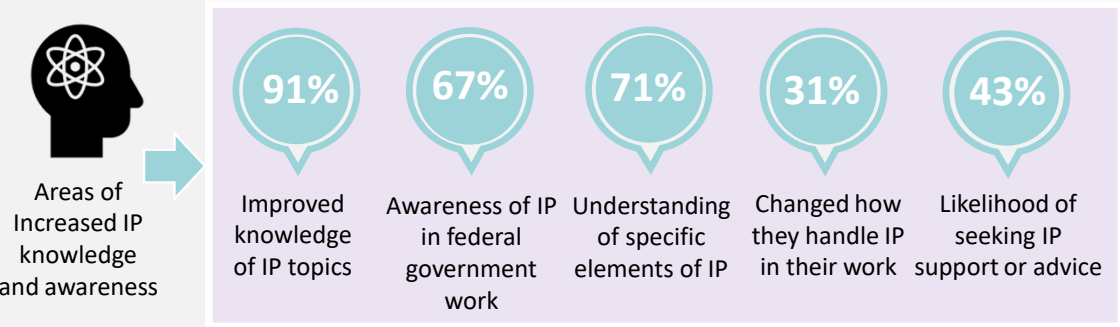
The IP CoE develops training in consultation with federal organizations, collaborates in delivering courses, and provides tailored courses.

The IP CoE received 5 training requests in 2019-20, which later increased to around 15 requests per year. These requests, as well as consultations with federal organizations, resulted in the provision of ongoing and tailored training. Formal IP training sessions were delivered by the IP CoE beginning in January 2021, with two sessions delivered to 205 participants in 2020-21. Interviews indicated that demand exceeded expectations. In 2021-22, 20 training sessions were delivered to 947 participants from 26 different organizations, and training sessions in 2022-23 were fully booked and had waiting lists. In the first two quarters of 2022-23, the IP CoE reached more organizations (17 in the first quarter and 29 in the second), as a result of outreach (e.g., promoting services on Interconnex and GCcollab). The IP CoE is also developing self-paced IP e-courses, beginning with an IP Fundamentals course to be available through its website. However, interviews indicated some stakeholders had limited awareness of the IP CoE’s full-service offerings.

Interviews revealed that the CoE was effective in tailoring training to the needs of its clients and that the services were particularly useful for those with a low level of IP expertise, such as new employees. However, it was less useful for IP specialists and those with their own internal IP training, and was also too generic for organizations with specialized/unique needs. To address these unmet needs, the IP CoE is in the process of developing specialized courses on topics such as Crown copyright, IP clauses, and IP and data.

Interview results showed that the training had increased understanding of IP. The IP CoE met its target (average perceived increase of at least 4 on a 5-point scale) for increased IP knowledge, with an average perceived increase of 4.6/5 from post-training surveys, and the annual survey found that the training increased IP knowledge and awareness in several areas:

Figure 7: Annual IP CoE Performance Survey results on learning outcomes



Survey results showed that most participants were satisfied with the training, found it useful and informative, and would recommend it.

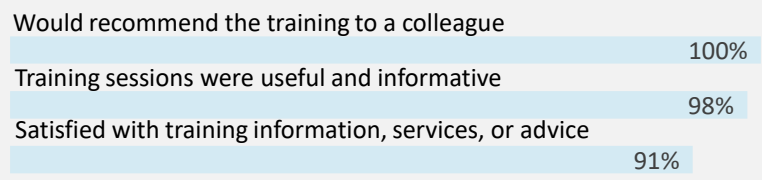


Figure 8: Annual IP CoE Performance Survey results on training satisfaction

The training also met participant expectations, participants were satisfied with the training design and content, and training was useful for the participants’ areas of work.

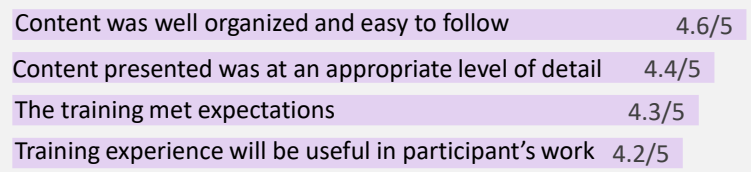


Figure 9: Post-training survey on training quality

Findings—IP literacy and awareness

Relevance

Performance

Efficiency



Indigenous IP Program

| IIPP Grant Results - 2021-22 | |
|------------------------------|---------|
| Applications | 37 |
| Eligible | 23 |
| Funding requested | \$1.1M |
| Funding provided | \$0.12M |
| Funding recipients | 5 |

For the first three years of the grant program, the funding was awarded to three preselected national Indigenous organizations.

The IIPP required time to build its capacity to launch and deliver the open application process. In 2021-22, IIPP launched its first open application, funding 5 organizations, followed by another five organizations funded in 2022-23. IIPP also transferred funds to the World Intellectual Property Organization (WIPO) to support 5 Indigenous participants in the Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore.

Figure 10: IIPP grant applicants and recipients

There has been a positive response to the Indigenous IP Grant among recipients.

Document review found that the IIPP funded the development of guides and fact sheets on IP, IK, and ICE; background research; consultation sessions; presentations/discussions/workshops; attending WIPO meetings; hosting symposiums; and developing IK policy frameworks. According to documents, the grants supported capacity building; development of policy positions/frameworks, tools to protect IP/IK/ICE, and educational resources; stakeholder engagement activities; and the development of networks.

Indigenous organization interviewees said that the grant was helpful in contributing to increased knowledge and putting IP issues on their radar, enabled them to connect with different groups and resources to help with their project, and provided access to different tools and documents that have helped them better understand the IP subject matter. One Indigenous organization recipient said the funding helped build their capacity as an IP liaison within their community and increased their understanding of trademarks and certifications.

Outreach sessions/workshops:

Other activities included the delivery of 6 workshops/outreach sessions for the period 2018-19 to 2022-23 and funding (\$109K) to the Canadian Council for Aboriginal Business for the Indigenous Business IP Use and Awareness survey.

One of these sessions was a training workshop, which had mostly positive survey feedback, and participants noted that it was well organized, had good speakers and case studies, and had useful information.

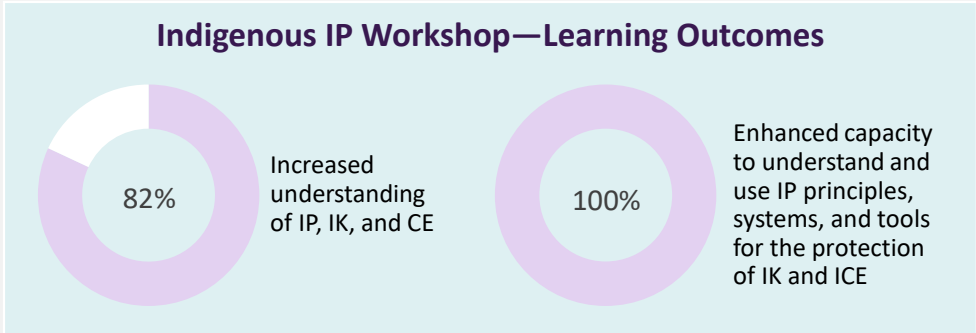


Figure 11: Post-workshop survey results on learning outcomes

Findings—IP literacy and awareness

Relevance

Performance

Efficiency

IP Legal Clinics

| University Recipient | Grants |
|--------------------------------|--------|
| York University | 4 |
| University of Ottawa | 3 |
| University of Windsor | 3 |
| Université de Montréal | 2 |
| University of British Columbia | 1 |
| University of Calgary | 1 |
| Queen’s University | 1 |
| Dalhousie University | 1 |
| University of Western Ontario | 1 |

Figure 12: Legal Clinic grant recipients

For example, the Osgoode Innovation Clinic’s project received positive feedback on their ChatBot, which is a publicly accessible and free tool designed to cost effectively deliver information and answer preliminary questions on IP for students, entrepreneurs, and businesses. Given that the IP assets of businesses are important from the onset, the ChatBot aims to alleviate the barrier to accessing early-stage legal information about their IP rights. Also, UWindsor’s IP training program successfully pivoted towards online delivery during COVID-19, allowing a total of 140 students to enroll from all over Canada. Through their online seminar, Queen’s University was able to provide IP training to 24 student caseworkers.

Recipients said that legal students found the learning and hands-on experience valuable.

For UWindsor’s IP training program, 96.9% of surveyed student participants said that they found the program informative and 93.8% found the quality of the program content (i.e., keynote and guest speakers) high. The training program also received testimonials mentioning the high level of engagement, accessibility of the course material, and uniqueness of the interactive experience. Other legal clinics are now focused on gaining more insight into the experiential training they provide to students and reporting on the benefits achieved.

The funded projects addressed IP literacy and knowledge building in a multitude of ways.

From 2018 to 2022, there were a total of 17 grant agreements, including three amendment agreements. The projects varied in their focus. While the Université de Montréal, Queen’s University, and University of Western Ontario had students as caseworkers on client cases, others were aimed at establishing new IP legal techniques and tools, with students providing support as researchers.

The pandemic provided an opportunity for recipients to expand their educational services and improve engagement in underserved areas.

As IP legal services moved into the digital space during the pandemic, interviewees identified an opportunity to further expand educational resources, service capacity, and engagement with underrepresented groups. They found that technology could be leveraged to reduce costs, improve agility, and deliver services to more remote, under-served areas.

Underrepresented Groups:

Queen’s University partnered with WE-CAN (a WES-funded woman entrepreneurship support organization), as well as Indigenous organizations in the Southeastern Ontario region to deliver free workshops to improve IP literacy for underrepresented groups. As a result of these IP literacy workshops, the project report found that more clients were able to obtain IP-related funding for their businesses, especially newcomer women and Indigenous entrepreneurs.

UWindsor’s Training Program

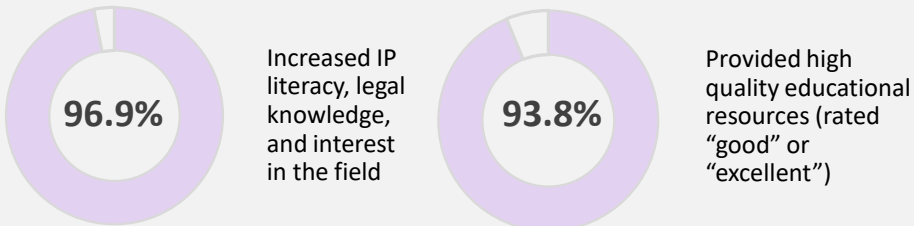


Figure 13: UWindsor’s post-training student survey results

Findings—IP literacy and awareness

Relevance

Performance

Efficiency

Patent Collective Pilot Program (Innovation Asset Collective)

IAC training aims to increase understanding of IP in relation to business objectives and translate learnings to actions via public webinars (outreach events), self-study content (via the Learning Management System), and membership workshops and networking sessions.

Public webinars (outreach/member drive events):

IAC delivered 29 events as of September 2022. These events provide high-level discussions to members and non-members, including the Innovator Series and the partner events. For the Innovator Series, members receive materials to prepare for the follow-up networking session. 58% of members surveyed said they consulted these materials.

Synchronous workshops and networking sessions (member events):

Workshops provide targeted learning to members and networking sessions allow members to connect with each other and explore IP-related business challenges.

Asynchronous self-study content:

IAC delivered 16 events as of September 2022. This content is delivered through IAC's Learning Management System (LMS), which was launched in October 2022 and is accessible through the IAC Member Portal. The LMS includes micro-learning sessions, tools, reference documents, case studies, templates, additional reading, webinar recordings, and eight published IP modules (plus nine in active development) aligned with IAC's IP Maturity Framework.

There has been strong demand for IAC's learning sessions

Interviews revealed that there has been high demand for IAC's sessions. The IAC survey found members attended multiple events, with 36% attending 5-6 events and another 27% attending 3-4 events. The primary reason for not attending was that the timing of the event did not work for their schedules (52%). For member-oriented sessions (including the Innovator Series), where participation data was available, there was an average of 28 attendees per session (21 sessions, with a total of 583 participants).

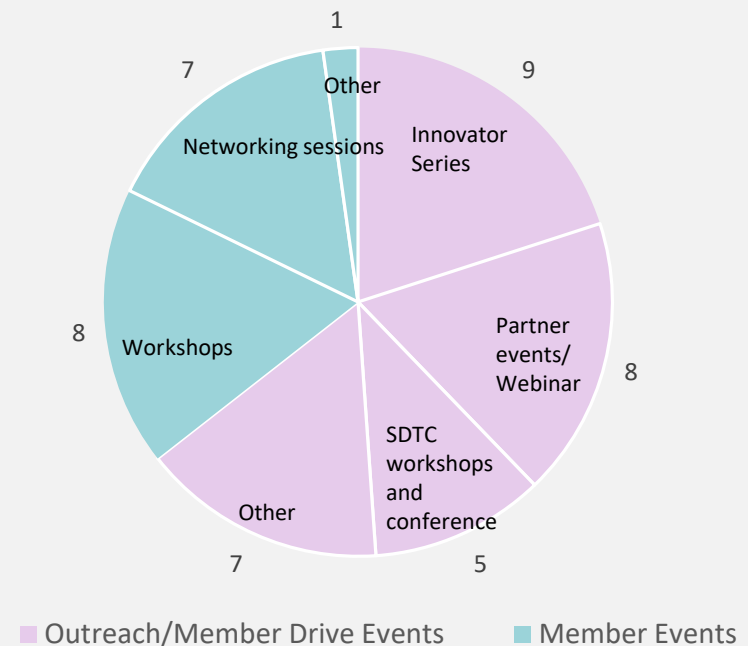


Figure 14: IAC learning events, by type

Findings—IP literacy and awareness

Relevance

Performance

Efficiency

Patent Collective Pilot Program (Innovation Asset Collective)

Members were satisfied with the design and delivery of the training and felt that the content was relevant. However, a few members noted a need for more advanced IP sessions.

Members said there are a lot of good educational resources that helped improve IP literacy and awareness and they were accessible and understandable regardless of IP literacy levels. The key informant interviews and the IAC survey found that events were well run, informative, and well organized, and that the topics were useful. The speakers had sufficient IP expertise, knew their audience, provided good examples, answered questions well, and followed up to answer questions after sessions.

A few members identified an opportunity for improvement, noting that many events were too basic and IAC needed an IP 201 course, an advanced IP strategy course, and other specialized courses, so that IAC can continue to support companies as they grow in IP maturity. This is partially being addressed through recently developed learning modules, with 7 courses currently available (6 foundational and 1 conversational level) and nine in active development (3 foundational and 6 conversational level).

Interviews found that training increased IP knowledge, helped members have more meaningful conversations with service providers, and helped members develop an IP culture.

Companies often have a low level of IP knowledge when they first come to the IAC, particularly early-stage companies. For longer-time members, some interviews revealed that IAC has been quite effective in increasing IP literacy. For example, one member said that after 8 months, they had a full understanding of their IP approach and a very strong IP plan. Results also indicated that members are starting to understand that IP is not just the purview of the legal department—the entire organization should be involved. IAC has also helped members have more meaningful conversations with IP service providers because they can now speak the language and communicate their IP-related business objectives.

According to some interviews, IAC helped develop an IP culture by providing organizations with a foundational IP knowledge base, a common understanding of IP concepts and terminology, and an understanding of IP strategies and their importance to business objectives.

Figure 15: IAC’s membership survey results

Most members were satisfied with the frequency of IAC’s education, networking and innovator series, although a few noted a desire for more frequent Innovator Series sessions:



Most members surveyed by the IAC agreed that the webinar topics were relevant.



Member testimonials

Members said educational resources increased their understanding of IP and IP terminology, provided valuable insights, and raised members’ IP IQ. They also noted that IAC helped improve their IP strategy and decision-making capabilities, and increased their understanding of the value and importance of IP, IP management, and IP protections. However, interview results showed that it will take longer to achieve a systemic change in the ecosystem.

Findings—Co-operation, collaboration, and relationship building on IP

Relevance

Performance

Efficiency

Finding 4: The ISED-led initiatives collaborated with other IP-related initiatives, programs, and organizations to further advance IP objectives. The initiatives also helped facilitate instances of increased collaboration among targeted stakeholders such as federal stakeholders, legal clinic programs, and underrepresented groups. For some initiatives, there were opportunities identified for increased collaboration.

IP Centre of Expertise

The IP CoE aims to increase collaboration among federal organizations.

The Federal Intellectual Property Partnership (FIPP) fulfils a need previously met by the Federal Partners in Technology Transfer, which ceased in 2012. The FIPP provides a forum for federal officials to discuss IP issues, share information, and improve IP understanding, awareness, and consistency. The IP CoE met its target of 5 FIPP meetings per year, and has exceeded its membership targets (150 members from 25 federal organizations), with 275 members from 33 organizations as of 2022-23.

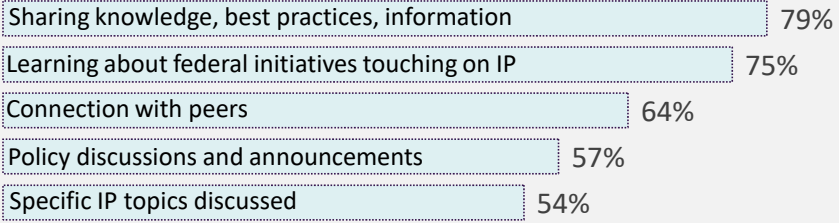
Interview results showed that the FIPP has good speakers, is well organized, and helped participants learn about IP. All members surveyed said that the format and content of the FIPP meetings were useful, that the meetings were informative, and that most members (93%) would recommend the FIPP to a colleague. Over half the members surveyed (54%) said that the FIPP impacted their thinking in their current approaches, policies, or practices regarding IP.

Interviews revealed that the FIPP has been effective in generating cross-government discussions on IP and has helped make connections among its members. Interviews also indicated that the FIPP increased information sharing, providing members with information on new programs and IP issues.

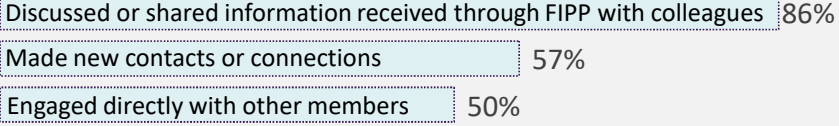
The IP CoE is also involved in other collaborative activities.

- Participating in the IP Village (collaboration among federal organizations);
- Collaborating with partners in the conduct of an IP metrics study (to identify best practices in measuring IP outcomes);
- Exploring, in consultation with partners, procurement options for organizations to access IP professional services; and
- Providing support to SBDA's in updating their departmental IP Management Policies.

Members surveyed participated for the following reasons:

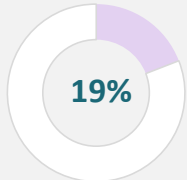


Members surveyed said that through the FIPP, they:



Discussion Forums and Working Groups

In response to member feedback, IP CoE established four informal discussion forums as subgroups on the FIPP MS Teams channel and launched its first informal working group for a subset of FIPP members (with 19 participants from 10 organizations attending the first meeting).



In addition to the connections made through their participation in the FIPP, another 19% of members surveyed said that the IP CoE helped make connections or contacts on IP-related issues or topics outside of FIPP, and all of these members said that the connections were useful and helpful.

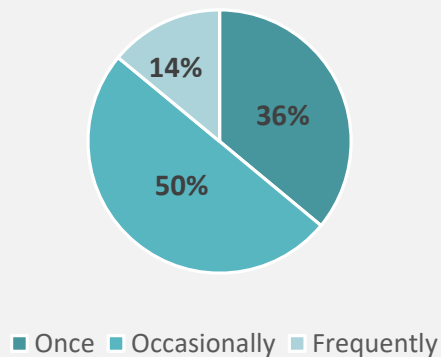
Figure 16: Annual IP CoE Performance Survey results on collaboration 19

ExploreIP

ExploreIP pursued collaborations to improve the platform.

ExploreIP has an information-sharing MOU with U15, and meets with them monthly to exchange updates on their respective platforms. They engaged in outreach with federal programs to raise awareness of the platform, such as the Clean Growth Hub. ExploreIP also partnered with WIPO to use its translation software to ensure the patent information/documentation was fully bilingual and with Clarivate to make the patent information/documentation more accessible and marketable (e.g., use of “plain language” descriptive text).

Figure 17: *Frequency of data updates among IP holders surveyed*



ExploreIP mainly operated as a passive tool for public sector IP holders to provide information.

Interviews and surveys suggested that industry awareness and engagement with the tool may be lacking due to communication barriers and engagement gaps. This observation was supported by the analytics data of the proportion of returning visitors, which was between 15%-17% in 2020-21. In particular, the pandemic limited the ability of ExploreIP to undertake in-person outreach and it was more difficult to effectively reach targeted stakeholders via online platforms. To address this challenge, ExploreIP is now pursuing partnerships with key ecosystem players to reduce its dependency on in-person promotional activities.

The extent to which public sector organizations have actively used ExploreIP varies widely. Generally, those who have seen limited results to date (i.e., few or no connections made between researcher and industry) are also not actively using ExploreIP. According to the program’s survey (see Figure 17), only 4/28 IP holders (14%) said they update information frequently, while 10/28 (36%) said they had only uploaded “one time.” One half (14/28) said they update “occasionally.” The survey concluded that a number of IP Holders use ExploreIP for awareness and general promotion of their organization’s IP—as opposed to active promotion.

Interviews identified a need for more mechanisms to bridge the gaps between academic and industry interests.

Interviewees pointed to a disconnect between academic and industry interests. Academic institutions have mandates that prioritize research publication, and the long processes involved in commercialization divert time and resources from publishing research and are a disincentive.

Additionally, some universities prioritize collaborative research projects with larger companies (i.e., multinationals) that have the funding for commercialization-oriented projects, which results in fewer collaborations between SMEs and universities. This finding is consistent with the literature on Canadian SMEs being historically at a disadvantage when it comes to pursuing public sector research collaborations. To help address these challenges with academic-industry collaborations, ExploreIP added a feature that allows businesses to submit their collaboration needs through the platform, which are then shared with the public sector IP networks on the platform.

After two years of virtual networking, interviewees emphasized that ExploreIP is refocusing on marketing and building those relationships between industry and academic stakeholders. Interviewees also noted that engaging directly with industry associations and research partnership offices at public sector institutions would provide insights into both industry and academic needs.

Findings—Co-operation, collaboration, and relationship building on IP

Relevance

Performance

Efficiency

Indigenous IP Program

Indigenous Organization Engagement

Program staff said capacity for outreach is limited with the funding available. Since inception, the IIPP engaged in 6 outreach sessions, in Ontario, Nunavut, B.C., and Quebec, four of which were held in collaboration with partners (Centre for International Governance Innovation, WIPO, and CIPO). No sessions were held in 2020-21 and 2021-22 due to COVID-19. The outreach sessions included two online sessions (although very few attended), two outreach events, a consultation session on Indigenous IP, and an IP workshop. IIPP consulted with national Indigenous organizations, such as CCAB and the Assembly of First Nations, and with regional organizations to provide a local perspective. Through the open application process, IIPP consulted with potential applicants and received many applications from organizations outside of its existing network. IIPP was also in the process of developing an Indigenous Advisory Panel that would focus on IP, IK, and ICE.

Figure 18: IIPP sessions and participants

| Fiscal year | # of sessions | Participants |
|--------------|---------------|--------------|
| 2018-19 | 1 | 49 |
| 2019-20 | 3 | 109 |
| 2020-21 | 0 | 0 |
| 2021-22 | 0 | 0 |
| 2022-23 | 2 | 7 |
| Total | 6 | 165 |

OGD Collaboration

IIPP has engaged with some OGDs, including CIRNAC and FedNor (to have them refer Indigenous organizations), CIPO (to leverage resources, refer organizations to CIPO advisors, and co-host events), and Canadian Heritage (to leverage resources).

Recipient Collaboration Activities

The grant contributed to increased collaboration. Three recipients leveraged each other's work and identified synergies. For example, one organization supported another's application that built on their grant work. Another organization used the other's grant activity as a case study in their IP course. These recipients became aware of each other's work on their own and said that it would be helpful if IIPP were better able to facilitate connections for current and future grant projects.

IP Legal Clinics

Interviewees noted that the IP Legal Clinics initiative is helping to create a network of legal clinics in Canada.

First developed as a listserv network, the current network has expanded to allow clinics to share specialized knowledge and expertise, to bridge knowledge gaps, and to avoid duplication. The IP Clinics Toolkit was the first funded collaborative project between University of Ottawa, York University (Osgoode), University of Windsor, Université de Montréal, University of British Columbia, and University of Calgary. It established a set of guidelines and documents useful to Canadian universities operating an IP legal clinic, or who were interested in developing one. From the onset of the initiative, Osgoode also hosted a listserv for Canadian law schools to share best practices and identify opportunities for collaboration.

The network facilitated knowledge-sharing and collaboration.

For example, UWindsor and Osgoode have been engaged by UOttawa to provide preliminary feedback on developing a tool for the patent landscape in Canada. Such a tool is intended to give innovators an advantage when it comes to navigating and utilizing their innovation potential. Additionally, it could help students better understand their innovation space and provide early-level advice to innovators.

There have been further collaborations that expand the scope of IP services.

In collaboration with UWindsor's IP Legal Clinic, the newly formed College of Patent Agents and Trademark Agents has initiated a research project to review qualifications, licensure requirements, and best practices for training and education. The project aims to collaborate with other Canadian universities to leverage the expertise of legal clinics to provide training for aspiring Canadian patent and trademark agents.

Findings—Co-operation, collaboration, and relationship building on IP

Relevance

Performance

Efficiency

Patent Collective Pilot Program (Innovation Asset Collective)

Interviews revealed that IAC has made progress in building partnerships.

- Partners with MOUs**
- SDTC
 - Innovate BC
 - Ontario Centre of Innovation (OCI)
 - Canadian Council of Innovators (CCI)
 - Axelys

As of February 2022, IAC was collaborating with 13 organizations and had 11 early-stage connections. IAC also has informal partnerships with federal organizations, economic development agencies, educational institutions, industry associations, and business accelerators and incubators. IAC’s engagement with partners included co-hosted workshops, panel discussions, and round tables (e.g., IAC partnered with Innovate B.C. and OCI in the delivery of six events—mostly IP 101 sessions).

According to interviews, these partnerships contribute to IAC’s objectives by:

- 1 Enabling IAC to reach more companies to provide thought leadership, knowledge, and awareness on IP
- 2 Increasing credibility and awareness of IAC to grow membership.
- 3 Increasing consistency in how IP is addressed by partners.

IAC collaborates with some provincial IP organizations that have similar mandates (e.g., IP Ontario). IAC also provided support to five ElevateIP recipients by helping them to develop their IP education activities.

Interviewees said that IAC would benefit from more collaboration with federal programs, especially those of ISED (e.g., Global Innovation Clusters), to share information and provide support. IAC management said there are many collaboration opportunities with CIPO, and IAC had some initial discussions.

The document review indicated leadership turnover at potential partner organizations slowed progress. On several occasions, a primary contact left, forcing IAC to rebuild relationships. However, IAC now identifies multiple contacts to prevent this from occurring.

A few interviews indicated that IAC should focus more on marketing since they revealed a low awareness of IAC among incubators, accelerators, innovation districts, and ecosystems.



SUSTAINABLE DEVELOPMENT TECHNOLOGY CANADA

Interviews said IAC and SDTC have an effective partnership and they work closely together:

- The president of SDTC is on IAC’s Board of Directors.
- They collaborate on activities (e.g., landscape reports).
- IAC delivered IP 101 courses and participated in SDTC conferences.
- SDTC’s Seed-funded companies are automatically enrolled as Associate Members.

Interviews said the *Seed Stream* referrals are mutually beneficial as they bring in more companies to IAC that are actively working on projects with IP, and increase the likelihood that SDTC recipients will protect their IP. To further enhance synergies, IAC and SDTC are also working on integrating IAC’s IP maturity framework into SDTC’s due diligence process for its assessment of *Seed Stream* applicants.

For SDTC’s *Start-up and Scale Stream*, interviews indicated that there is an opportunity to include IAC as an optional resource for recipients to use when their projects have IP conditions/clauses.



Member Collaboration

Members said IAC provides opportunities for collaborating with other members, but had not done so because they were focused on their own IP objectives. However, IAC collaborates with its members. For example, one member was helping IAC review patents for its portfolio and another was helping develop a landscape report. To further its collaboration, IAC also established a Member Advisory Committee and assigned a relationship manager to ensure its consultations are not burdensome.

Findings—Increased access to IP services and supports

Relevance

Performance

Efficiency

Finding 5: The ISED-led initiatives have contributed, in varying degrees, to increased access to IP services and/or supports for federal officials, SMEs and entrepreneurs, and underrepresented groups. However, for some initiatives, particularly smaller-scale programs, the availability of performance data was limited due to the resource constraints of the programs and the recipients, making it difficult to collect extensive data. Similarly, the impact of the smaller initiatives on the IP ecosystem was correspondingly minor due to the limited scope/scale of the funded activities.

IP Centre of Expertise

Advisory requests increased over time and clients were satisfied with the advice.

Requests nearly doubled since 2018-19 (as per Figure 19) and the IP CoE met its target of supporting 90% of these requests. Initially, most advice was provided to ISED, with the Strategic Innovation Fund (SIF) being the most frequent client, but they increased their reach to OGDs over time (from 0 in 2018-19, to 14 in 2021-22) and reached their annual target, although OGDs still represented a minority of IP CoE’s clients (27%). All the clients surveyed were satisfied or very satisfied and would recommend the advisory services. Clients (93%) discussed or shared the advice they received with their colleagues and/or management. Most (13/15) indicated that the advice helped them achieve their objectives and understand IP considerations relevant to their file (87%). Client interviews similarly found that the IP CoE staff was knowledgeable and that the advice was helpful, met their needs, was provided in a timely manner, and increased IP knowledge.

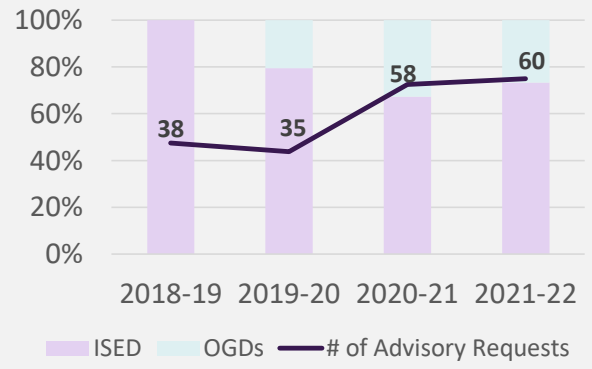


Figure 19: # of advisory requests and % distribution

According to interviews and surveys, clients implemented the IP CoE’s advice.

G&Cs were the largest area of support, and advice was provided on IP issues such as ownership (34%), licensing (34%), and IP Strategy (27%). The document review indicates detailed advice and guidance was provided on IP negotiations with contribution agreement recipients (e.g., IP CoE created 19 and tailored 41 term sheets in 2021-22); IP elements of program design and delivery; and IP guiding principles and roadmaps.

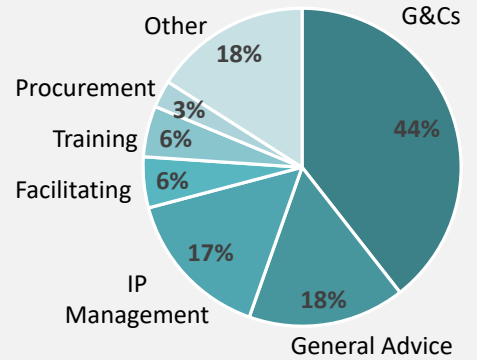
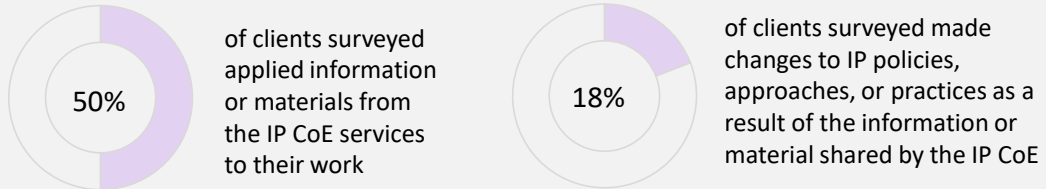


Figure 21: IP advice, by type of support

Figure 20: Annual IP CoE Performance Survey



The SIF has been the largest client for advisory services, with advisors integrated into most files with IP considerations. The IP CoE also contributed to the design of the IP elements/clauses of the SIF’s negotiation and contribution agreement templates. Interviews revealed that they use IP CoE advisors on contentious IP issues and almost always follow their advice.

In some cases, issues with the programs’ pre-existing terms and conditions made it difficult to implement the preferred IP approach.

To address this gap, the IP CoE developed IP tools and resources and is now formally consulted in the development of the terms and conditions for ISED programs. While IP CoE has been successful in integrating with ISED programs, the program’s midterm review noted that program managers outside of Innovation Canada appear to be less familiar with the IP CoE, and interviews noted it has been more difficult to engage OGD programs at the development stage (e.g., terms and conditions, program design), where similar early consultation could further help the implementation of IP CoE advice.

Findings—Increased access to IP services and supports

Relevance

Performance

Efficiency

ExploreIP

ExploreIP’s engagement metrics exceeded their 2019 baselines and stakeholders were satisfied with the ease of use of the platform.

The program’s midterm review found that industry users and tech transfer offices were satisfied with the ease of searching on the platform, although some tech transfer offices noted challenges related to uploading patent information. One co-promoter interviewed by the Audit and Evaluation Branch (AEB) noted that the amount of IP information on the platform can be overwhelming.

| Engagement metric | 2019 baseline | 2022-23 metrics |
|----------------------|---------------|-----------------|
| Contact requests | 200 | 370 (+85%) |
| IP holders signed up | 35 | 62 (+77%) |
| IP assets uploaded | 2,700 | 5,350 (+98%) |

Interviewees emphasized the importance of engaging industry to increase collaborative promotion and usage of the tool.

The program has made efforts to increase engagement, such as integrating other IP opportunities and marketing at industry events. However, some stakeholders noted that other databases (e.g., CIPO) provide more complete coverage than ExploreIP, and that organizations tend to seek out patents within their industry circles rather than patents held by public sector institutions. To make the platform stand out from the others, interviewees called for more mechanisms to demonstrate value, drive traffic, and encourage repeat visits. One co-promoter suggested providing a value proposition around patents, which would help companies understand the value of the asset and how it could be beneficial for them. They also suggested a program intermediary to actively build relationships and engagement between public and private sector stakeholders. Interviewees also pointed to how national programs such as Global Innovation Clusters and industry associations often showcase patents of relevance to their membership on their website. They identified an opportunity to link these patents to the ExploreIP website, as highlighting ExploreIP on these websites could increase industry uptake. The program is in the process of addressing some of these issues by expanding collaborations with key ecosystem players and leveraging existing networks in key government-funded technology areas.

Indigenous IP Program

IIPP is limited in activities it can undertake or fund, and so its impact on the accessibility of the IP system is proportional.

Advice to Indigenous organizations has largely been provided via the grant process, whereby the program provides support to applicants. IIPP also has a contact database of funding and advisory services, and it tailors its referrals based on applicant needs. For example, IIPP refers some applicants to CIPO’s advisory services, although one interview indicated little engagement occurring through these referrals. The ability to address IK and ICE issues is also limited because interviews and documents indicate that a national framework is needed to help IK and ICE that falls outside of the IP system.

IP Legal Clinics

Although the IP legal clinics received positive feedback, outcomes were often difficult to track.

With the exception of casework projects (e.g., Université de Montréal, see right), the reporting requirements in the terms and conditions did not initially provide detailed requirements. Recipients are now required to report on specified benefits achieved (e.g., number of students benefitting from the project, number of businesses and innovators benefitting from the project; the project’s impact on gender and diversity). However, to date, there is insufficient data on how needs have been met for clients and underrepresented groups, particularly during the pandemic. With the new reporting requirements in place, Queen’s University reported serving 26 new clients, 8 of whom were from underrepresented groups. Interviewees did note challenges meeting reporting requirements for long-term outcomes given that clinics are running their own operations on low budgets.

The Université de Montréal’s legal clinic tracked their client cases since their launch in the fall of 2020. In total, they handled 45 IP cases from 2020 to 2022, 33 of which were copyright cases. Other cases included patents, contracts, publications, and illegal use.

Findings—Increased access to IP services and supports

Relevance

Performance

Efficiency

Patent Collective Pilot Program (Innovation Asset Collective)

Interviews revealed that IAC has been effective in increasing access to IP services and helping members understand the services they need.

Members said they have a good relationship with IAC and benefitted from membership. They said IAC has been the most helpful organization in directly supporting IP, and for the first time barriers were reduced, allowing them to develop IP. IAC was perceived as approachable, able to answer questions, and capable of providing useful information. One member said that they go to IAC whenever they need advice and that IAC is always very supportive in advancing their IP goals.

| | |
|---|-----|
| Response time to queries | 96% |
| Level of IP expertise | 84% |
| Satisfied with service objectives and offerings | 79% |

Figure 22: IAC membership survey results

In 2022, IAC added IP insurance and has had substantial uptake.

Members said it is often too costly to enforce rights when a large entity is infringing. IP insurance makes businesses less risky for investors because if there is an assertion against them, they have a defensive resource to cover a portion of the legal costs. However, some members are unable to obtain insurance as they are deemed too risky. The collective diversifies this risk across the membership and provides insurance at a discount of 35-250% compared to what an individual would pay. Members said that without IAC, they would not have IP insurance, and noted that IAC offered better coverage.

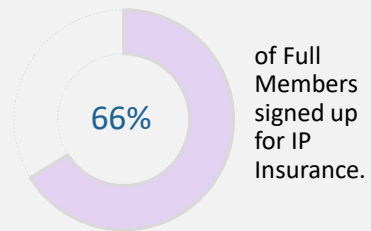


Figure 23: Uptake of IAC's IP insurance

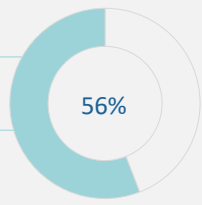
| Patent Outreach Activities | |
|--|-------|
| Individuals | 1,218 |
| Organizations | 808 |
| Professors and Technology Transfer Offices | 121 |

IAC's patent portfolio is in the build stage, as it is a longer-term activity.

IAC acquires patents and licences in technology areas relevant to members. IAC conducts market analyses of members to identify priority areas and assesses assets identified by members. The first part of the strategy is to buy IP assets from large corporations, SMEs, patent aggregators and brokers, and inventors. In response to member interest, IAC increased its budget allocation to target more asset holders, solicit third-party support to assess assets, and advance the strategic patenting initiative. IAC triages, analyzes, and evaluates patents to determine suitability and value, and had around 70 portfolios under review at a given time. As of January 2023, IAC acquired four portfolios, with 164 patents, and more deals were in the pipeline.

According to IAC management interviewees, the objective of the IP portfolio is to discourage assertions against members. It aims to provide a defence, which could mitigate companies taking action against members as they build their IP portfolio or scale internationally. IAC identified that 25% of the tech segments had a potential for assertion from the portfolio. However, interviews indicated that the scale of the IP portfolio is small compared to international models.

Energy efficiency for building & data centres: 20 members
Smart grid & energy storage technologies: 20 members



of Full Members were in subsectors that could benefit from patent acquisitions.

Strategic Patenting Initiative

IAC had discussions with 12 universities on opportunities to collaborate on producing patents but experienced challenges engaging with some of these due to IP policies and culture. However, an MOU was signed with the University of Victoria to pilot the initiative.

Figure 24: Sectoral breakdown of IAC members

Findings—Increased access to IP services and supports

Relevance

Performance

Efficiency

Patent Collective Pilot Program (Innovation Asset Collective) (continued)

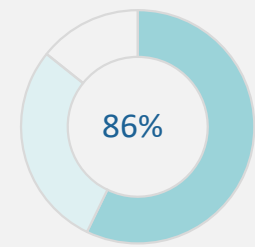
IP credits and grants encourage continuous IP activity and members are reliant on them.

Interviews revealed that IP credits help justify membership as the full-member fee (\$15K) is returned to the members in the form of credits they can use towards IP spend or as reimbursement for IP spend (e.g., fees for applications or IP experts). Members used most of their credits. In 2021-22, 37 of 39 members used credits, spending 90% of funds. As of December, the uptake for 2022-23 was low (31/73 members, spending 37% of funds). However, it was noted that credits are used at the last minute and that usage was expected to increase by year end.

IAC had provided 135 grants as of September 2022. Associate grants support early-stage companies that cannot afford full membership and women in IP grants address funding gaps for women. In response to demand and membership growth (creating increased competition for funding), grants were doubled, from \$600K to \$1.2M per year. Interviews indicated the process was straightforward, with a streamlined application and fast turnaround. According to members, the grant is a critical piece for IP protection that was missing from the Canadian ecosystem. For scaling and early-stage SMEs, the grant addresses the first roadblock: the cost and complexity of undertaking IP activities. IP activities are often de-prioritized relative to immediate business needs because of limited funds. For instance, two members said that before IAC, they never engaged in IP development because they were focused on short-term expenses.

Figure 25: IAC grant breakdown

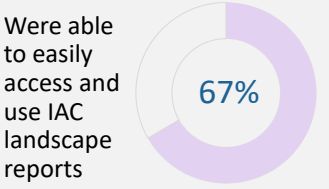
| Grant | Frequency | Amount |
|-------------|-------------|-----------|
| Full | Quarterly | \$200,000 |
| Associate | Bi-annually | \$100,000 |
| Women in IP | Bi-annually | \$100,000 |



were satisfied or very satisfied with the application process

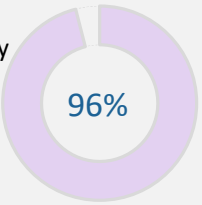
| | |
|------------------------------------|------------|
| Intelligent Transportation Sensors | 21 members |
| Smart Grid | 20 members |
| Energy Efficiency in Data Centre | 20 members |
| Precision Agriculture | 20 members |
| Energy storage | 12 members |

Figure 26: IAC completion of five landscape reports that align with the subsectors of its membership.



Were able to easily access and use IAC landscape reports

Were interested in an introductory session on using the report to guide IP and business strategy



Landscape reports aim to reduce the risk of market disruption from competitors.

Reports help members understand companies operating in their space, products offered, and the IP landscape, thus informing IP strategy and data-driven IP decisions. With a value of \$80-\$100K, some cannot afford them, and, without the collective, would be less informed and more at risk from competitors. To ensure reports meet needs, IAC surveys members and examines their subsectors. Once a topic is chosen, IAC engages members from relevant subsectors and uses feedback to tailor reports. According to documents, some do not understand how to use the reports to support IP strategy as these are too lengthy, dense, and complex, especially for less mature members.

The IAC survey found 67% were able to easily access and use reports, 76% were satisfied with structure and content, and most wanted a session on how to use them. To address this, IAC delivered four workshops and is developing a format that is shorter and easier to navigate. Since insights become obsolete over time, a longer-term objective is to publish reports in a dynamic, live format where members can access data directly. A stopgap solution has been to share report datasets via a guest login and offer an Innography license on a rotating basis. Members said this supported hands-on learning and gathering of IP intelligence.

Findings—Supporting businesses in IP decision-making

Relevance

Performance

Efficiency

Finding 6: For most of the ISED-led initiatives, it was too early to assess program impacts, the outcome was not applicable to program activities, and/or there was no data available related to achieving early progress in supporting businesses in IP decision-making.

There was little data on whether the ISED-led initiatives were supporting businesses in IP decision-making and it was too early to assess.

The **IP CoE** identified spending on IP by government-funded firms as a measure of this outcome, but it was not feasible or desirable to measure this due to the difficulty in obtaining information, measuring it consistently and accurately, and attributing the results to the IP CoE.

For the **ExploreIP and IP Legal Clinics** programs, it was too early to assess this outcome (each program only had one notable instance during the evaluation period). The program areas have since made strategic efforts to monitor their programs’ successes through stronger reporting and tracking mechanisms.

For the **IIPP**, most projects were in progress (achievement of outcomes are assessed in the final progress reports) and IP outcomes were not necessarily applicable as they were largely focused on capacity building.

For the IAC, there was some early, anecdotal evidence of improved IP decision-making.

IAC’s IP Maturity Framework puts members on a learning pathway with tailored resources to close knowledge, skill, and attitude gaps. IAC uses grant applications to measure progress along this framework. For members engaged in IAC programs, each subsequent application should show a progression in IP knowledge, sophistication in the funding requested, and articulation of the business IP needs. Interviews and documents indicated the applications are becoming more sophisticated and there is greater alignment of IP and business strategies. The use of the grants has also become broader (see Figure 27). Early on, most grants were for patent filings (85%–86% of grants in the first three rounds). There has been an increase in applications for non-patent filing activities (e.g., 64% in the Q1-2022-23 round), such as IP and data strategy, trademarks, and landscaping work. This indicates a greater IP awareness and sophistication among members, as they are integrating IP into more aspects of their business.

IP Maturity Growth Period

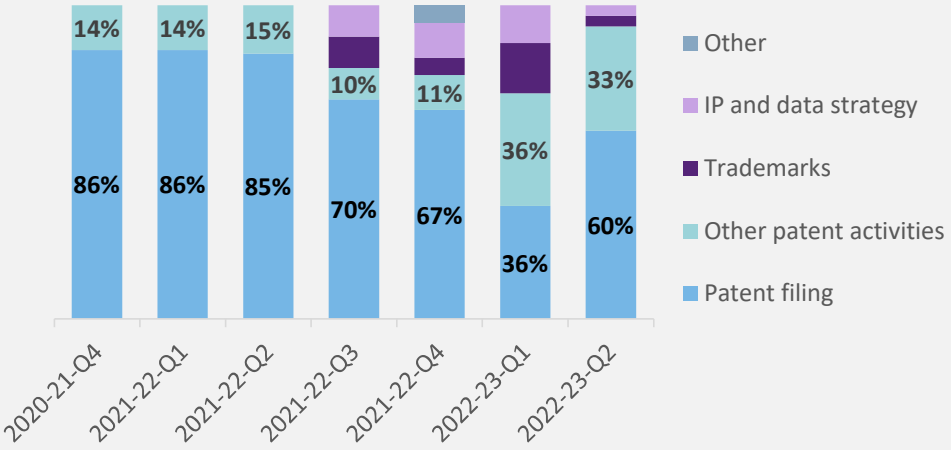
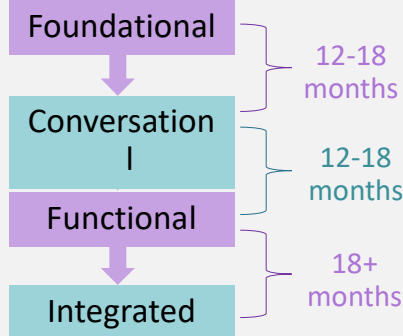


Figure 27: IP grants by type of IP activity

Interviews found some members significantly increased their IP competency.

Some members are now more adept at identifying IP milestones, mitigating IP risks, communicating with IP experts, and using resources more effectively on IP. Rather than protecting everything in their business, they are becoming more strategic in protecting key pieces of IP because they have a better understanding of what they are trying to achieve. For example, one member said before they joined IAC that IP wasn’t even discussed, but now it is a core part of their business strategy. In another example, a seed company applied to SDTC but did not receive funding: however, after working with IAC, SDTC approved their subsequent application. Document review identified IP results members attributed to IAC’s support, such as development of IP; filing patents; documenting IP assets; developing IP strategies, strategic roadmaps, and frameworks; and developing branding and trade secret management strategies.

Findings—Efficiency of design and delivery

Relevance

Performance

Efficiency

Finding 7: While ISED-led initiatives were generally perceived to have been delivered efficiently, it took longer than initially planned to initiate and implement some elements. Challenges experienced among ISED program staff often stemmed from a lack of familiarity, expertise, and/or resources to efficiently set up, implement, and administer grant-based programs. There were also some challenges experienced in aligning the grant funding periods with the funding schedules that the recipients needed to fully complete their project activities. There were also challenges experienced by the IAC in setting up and implementing their activities within the specified funding period, in part due to delays stemming from challenges in negotiating a Contribution Agreement for non-traditional G&C activities.



IP Centre of Expertise

Interviews said that the IP CoE delivery model is efficient and effective.

The FIPP and training provide reach to a broader audience to maximize impact, while advisory services provide targeted advice to address specific needs. However, program officials interviewed said that it took longer than planned to hire IP experts because the salary was not competitive with the private sector, and so it was difficult to hire staff with sufficient IP expertise. According to interviews, to continue to scale up the IP CoE in light of these hiring challenges, the program complemented its legal expertise with a broad range of non-legal IP expertise, undertook activities to build internal expertise, and used external contractors for research support. COVID-19 also made it easier for IP CoE to hire IP experts through remote working arrangements. Program officials interviewed noted that it was particularly challenging to staff bilingual IP experts, so extensive language training was provided to address this gap. However, they said that without the ability to increase pay, the sustainability of the current operations could be at risk. Clients also struggled to maintain internal IP experts, so the IP CoE helped by developing tools and templates for these clients.



ExploreIP

The delivery of the program has mostly been implemented as planned, with some modifications.

Phase I development of the project was planned to start in summer 2018. However, due to the delays in finalizing an MOU with Australia and obtaining their source code, full development work only began in January 2019.

The initiative's funds were also received later than planned, which contributed to the delays. Despite these challenges, the program was able to maintain its projected expenditures and project end-of-year results (under the 20% variance threshold allowed).

Figure 28: *Variance in program expenditures and project end date*

| | Planned | Actuals | Variance |
|----------------------|-------------|---------------|----------|
| Project end date | May 2022 | July 31, 2022 | 10% |
| Program expenditures | \$2,543,014 | \$2,476,765 | -1% |

During the pandemic, the program was able to transition to an online environment remotely within a short period and maintained the service standards throughout the entirety of the project.

Document review and interviews found that stakeholders who were in the planning for Phase II of ExploreIP spent several months prior analyzing user needs, conceptualizing new features to meet those needs, and categorizing, prioritizing, and planning the development of these features. According to the program's midterm review, the technical expertise and clear communications helped ensure timely responses to any challenges and helped maintain the workflow. The required approvals were escalated in a timely manner and did not cause any delays to the initiative.

Findings—Efficiency of design and delivery

Relevance

Performance

Efficiency



Indigenous IP Program

IIPP needed time to set up the infrastructure, processes, and governance for an open application process.

Consequently, from 2018-2019 to 2020-2021, IIPP funded three preselected national Indigenous organizations via a closed process. In 2021-2022 and 2022-23, IIPP delivered the open application process, which has since funded 10 organizations.

Interviews noted challenges with program design and delivery.

ISED program management interviews indicated that there were challenges in the design/implementation of the Program. Interviews said IIPP would have benefitted from more support from within the Department in designing the program, and from additional templates, and/or checklists. These challenges were reflected in the terms and conditions and funding agreements, which had some unnecessary, overly long, and unclear clauses (e.g., the eligibility of organizations). The IIPP also had to revise its application form because it had certain information fields that were missing, unnecessary, or unclear. These issues caused a lot of back and forth that slowed down processing of applications in 2021-22. Interviews also revealed that delivering a single-year grant has required significant resources to administer existing grant agreements and to process new grant applications every year.

Recipients said the application was straightforward, easy, and short, but there was a four-month delay in processing applications.

The delay made it more difficult for some recipients to complete their projects as the new timelines did not align with their schedules (e.g., other end-of-year priorities). The delays stemmed from more applications (37 were received) and clarifications of applications (only 23 applications were eligible) than expected. IIPP redeveloped processes to mitigate these issues from recurring (e.g., new process templates and a revised application form) and increased stakeholder engagement to minimize ineligible applications.



IP Legal Clinics Program

Interviewees noted that some legal clinics experienced project delays due to disruptions caused by the pandemic.

Legal clinics adjusted to virtual delivery during the pandemic but experienced capacity challenges due to the shift to virtual work. These led to project delays, slowing down agreement negotiations and project development. A few extensions to project timelines were needed during the COVID period to allow more time to complete and submit deliverables. In the interviews, stakeholders expressed their appreciation of the program's flexibility during the pandemic.

The financial schedules of recipients were not well aligned with the funding term of the grant.

The program recognized disparities between government financial schedules and those of universities, and is taking steps to minimize these gaps. Despite being a grant program, some of its terms and conditions have elements similar to those of a contribution agreement, such as funding assigned to a specific fiscal year. Program officials found that this funding calendar does not align well with the academic calendar, frequently leaving successful applicants with insufficient time to implement their projects. Moving forward, the program management interviewees noted that the program was removing the fiscal year reference to the grant funding period to better align the funding with academic calendar decisions.

Findings—Efficiency of design and delivery

Relevance

Performance

Efficiency

Patent Collective Pilot Program (Innovation Asset Collective)

Project implementation and resource allocation

IAC's funding was originally over four years (2019-20 to 2022-23), but the agreement was not finalized until June 2020 because of the time required for it to be negotiated and signed. Due to the compressed timeline, IAC forecasted it would only be able to spend about 66% of its budget (\$21M of \$31M allocated) by the end of its funding term. Due to the delays, some prospective members were also no longer available/eligible, including a key stakeholder that was to provide reach into the Quebec ecosystem. The delay made it difficult to hire resources to plan, build, and scale up IAC's services. Early activities were carried out by IAC founders and consultants and payments were deferred to reduce immediate cash flow requirements. However, this was operationally inefficient and costlier.

Some activities, such as the patent portfolio, require time to build before being provided to members. Patent acquisition was also delayed due to time-consuming processes and asset availability, but IAC contracted with external experts to alleviate bottlenecks. As of September 2022, IAC forecasted a large increase (from \$2.6 to \$7.3 million) in expenditures on patents due to acquisitions expected by year end (see Figure 30).

Efficiency of design and delivery

According to IAC documents, the savings achieved through the collective model versus supporting SMEs directly with a comparable basket of services was \$13.3 million and the value provided per member was \$234,000. Members found the delivery of IAC to be efficient, well organized and focused, more so than other programs; IAC had no red tape, hurdles, or unnecessary requirements.

ISED interviews noted that IAC governed itself effectively against the contribution agreement. It was also indicated that ISED administration of the agreement had a lighter touch in terms of reporting requirements. It was also revealed that there was a steeper learning curve by having a policy shop administer the contribution.

There were challenges identified with the terms and conditions of the agreement, which allow funds to be put aside for maintenance for five years following acquisition, but not for royalty or license fees, thus creating a risk for members in terms of future obligations for these fees. IAC's ability to hire and retain IP talent was also considered challenging due to a ceiling on annual salary adjustments and allowable rates/salaries for service providers and staff that do not always reflect market rates.

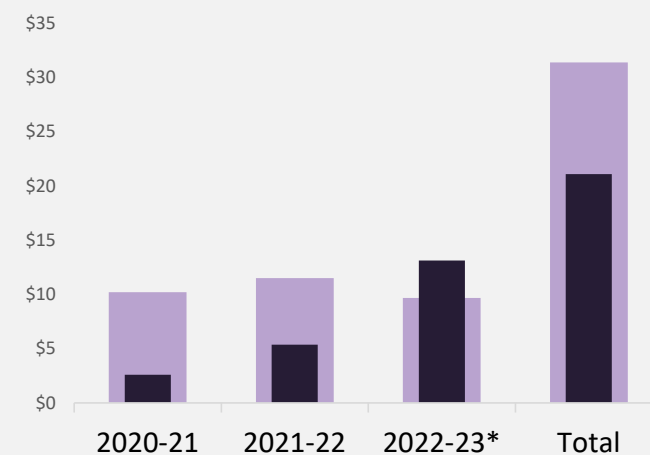


Figure 29: Baseline approved budget versus actuals, by year

| Expense | Budget | Actual* | Variance |
|-------------------|----------|----------|----------|
| Salaries | \$6.37M | \$5.16M | 19% |
| Research & Advice | \$2.15M | \$0.60M | 72% |
| IP Rights | \$6.09M | \$4.38M | 28% |
| Travel | \$0.69M | \$0.15M | 78% |
| IP Acquisition | \$9.40M | \$7.31M | 22% |
| Administration | \$6.65M | \$2.75M | 59% |
| Other Expenses | \$0 | \$0.68M | -- |
| Total | \$31.36M | \$21.06M | 33% |

Figure 30: Baseline approved budget versus actuals, by type of expense

*Data for 2022-23 includes actuals for Q1 & Q2 + forecasted expenditures for Q3 & Q4.

Findings—Equity, diversity, and inclusion

Relevance

Performance

Efficiency

Finding 8: Equity, diversity, and inclusion (EDI), as well as considerations related to regional representation and official languages, were considered in the design and delivery of the ISED-led initiatives to varying degrees, with some having very minor and others having more significant EDI components. Data collection requirements for EDI were less extensive for the smaller-scale grant initiatives, and the recipients had a limited capacity to collect data. A few initiatives are experiencing challenges in some areas, such as the provision of services in both official languages and regional representation.



IP Centre of Expertise

Given the internally focused nature of the program, EDI approaches have been more limited.

For EDI, the program has included a focus on Indigenous issues through FIPP meeting presentations and staff training on OCAP (ownership, control, access, and possession) principles. IP CoE also indicated that it has plans to engage with Indigenous organizations to inform the development of tools, resources, and best practices for public servants working in IP.



ExploreIP

ExploreIP found opportunities to further improve the EDI and accessibility of the platform.

ExploreIP took steps to ensure that a focus on underrepresented groups was embedded into all aspects of their online presence. A GBA plus analysis was also conducted to ensure that the platform was developed to meet all accessibility standards. Interviews with stakeholders found that ExploreIP had improved its outreach efforts to underrepresented groups. For example, the program developed relationships with the LGBTQ+ Chamber of Commerce and the Women in Business and Enterprise (WBE) Conference, and attended Indigenous conferences to identify needs. Feedback from these groups was then incorporated in the platform's Phase 2 development. Interviewees also noted that ExploreIP's leveraging of WIPO's translation tool and Clarivate's plain language tool improved the accessibility of the information, but pointed out that there are still gaps in technical language (i.e., some patent descriptions need to be in plainer language) and official languages (i.e., some information is still in the language of the uploader).



Indigenous IP Program

The IIPP recognizes that funding is needed for Indigenous groups.

IIPP has an intersectional approach to outreach and project selection. For its open application process, IIPP's outreach efforts encouraged applications from Indigenous organizations that cater to diverse groups (e.g., women, 2SLGBT+, persons with disabilities, rural and remote communities). In 2021-22, IIPP collected data through its applications indicating that there was diverse representation among applicants (see Figure 31).

EDI considerations are used to select projects that maximize representation.

For instance, in one round, IIPP reached out to the selected organizations and they agreed to adjust their funding so IIPP could fund another organization with diverse representation. Additionally, a major consideration for the grant evaluation panel was having Indigenous representation, so an Indigenous panelist was contracted for the first round, and two internal Indigenous stakeholders from within ISED for the second round. However, IIPP did not reach all regions as two engagement sessions were disrupted by the pandemic. The largest number of eligible applicants were from Ontario (8) and B.C. (7), but there were no applicants from Quebec, even after outreach to Quebec communities and organizations for its second grant round.

| Group | Representation |
|---------------|----------------|
| First Nations | 90% |
| Metis | 23% |
| Inuit | 23% |
| Women | 53% |
| LGBTQ2+ | 40% |
| Youth | 40% |
| Elders | 47% |

Figure 31: Representation of applicants

Findings—Equity, diversity, and inclusion

Relevance

Performance

Efficiency



IP Legal Clinics Program

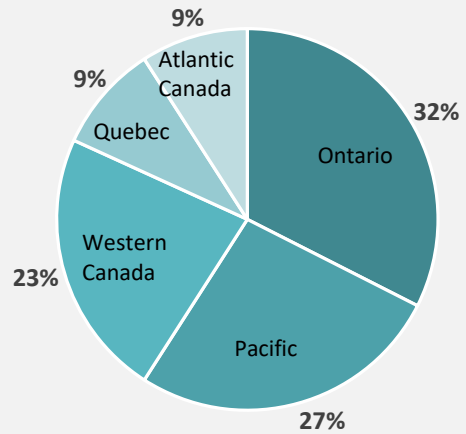
EDI considerations are incorporated into the grant application and assessment process.

All the applicants in 2021-22 included EDI measures in their proposals, and recipients were engaged in EDI activities. For example, Dalhousie, Queen’s, and Western University recipients all had components of outreach to underrepresented groups. Other recipients were conducting research on EDI. For instance, in the University of Ottawa’s feasibility study for their landscaping tool, there was a “women in tech” component that looked at female representation in science and tech and patent applications. Similarly, the University of Windsor was researching approaches to increase representation of minority groups, women, and Indigenous innovators in the IP ecosystem. While the program implemented new reporting requirements recently, interview results indicated that limited operational funding still imposed constraints on the depth of data collection for EDI.

Patent Collective Pilot Program (Innovation Asset Collective)

According to interviews, EDI was considered in design and delivery and IAC met its EDI objectives.

Interview results showed that IAC provides services that meet the individual needs of its members, recognizing that needs are not the same for everyone. IAC does this by using a diversity of learning and engagement methods, recognizing that people learn in different ways. To tailor services to the needs of women in IP, IAC commissioned a study and engaged in consultations. These activities identified a lack of support, mentoring, and funding, and systemic biases for women in IP. IAC undertook activities to address these issues. IAC was planning a similar model for Indigenous businesses, but there was not enough time left in the contribution agreement term.



One area of improvement is in its reach to Quebec. IAC’s share of members from Quebec is low (9%) and it has not yet delivered any outreach events with Quebec partners (e.g., Axelys). This in part reflects IAC’s sectoral focus (i.e., more cleantech companies in B.C. and Alberta), and may also reflect a loss of some key connections into the Quebec ecosystem due to funding delays.

IAC interviews also acknowledged that French language delivery is an area for improvement, noting the long-term plan is to make all resources available in French. This was also noted by an SDTC client who said there were not as many resources available in French.

Figure 32: Regional breakdown of IAC membership

Canadian Women in IP:

IAC launched a grant program for member companies led by women. IAC received positive feedback and 100% of funds were awarded.

A community of practice was established to connect female-identifying IP professionals across Canada with IP experts to share insights, network, and increase access to IP resources.

The first CWIP community event was held in June 2022 and walked participants through business funding/investment processes. A second in-person event was planned for October 2022.

IAC has an employee that is the lead on the Women in IP project and who attends meetings to ensure program development is undertaken with consideration of women’s needs.

Conclusions

- Summary of the Evaluation

Summary of the Evaluation

RELEVANCE



Finding 1: A national approach supports the development of a strong IP ecosystem in Canada and **the ISED-led initiatives are making a contribution to addressing specific needs**, particularly in addressing gaps in IP knowledge among federal officials and SMEs and in increasing access to IP services and supports among SMEs, Indigenous businesses, and other underserved or underrepresented groups. Gaps remain in the area of targeted support for Indigenous IP applications (e.g., patent, trademark, and copyright applications).



Finding 2: **There are programs with similar mandates and objectives as the ISED-led IP Strategy initiatives; however, these programs are largely complementary, and do not duplicate ISED activities.** The ISED-led initiatives largely targeted specific aspects of IP that were not being addressed by other federal, institutional, or private sector services and initiatives. However, for the IP CoE, there was a lack of clarity among some stakeholders regarding roles and responsibilities, as well as a need for improved coordination of legal and non-legal IP advice.

PERFORMANCE—Immediate outcomes




Finding 3: **The ISED-led initiatives contributed to increased IP literacy and awareness among federal officials, SMEs, and underrepresented groups, particularly for those with a low baseline level of IP knowledge.** However, data collection was limited for some programs, activities, and targeted stakeholders, in part due to the small scale of some initiatives. Challenges around low awareness of services among some stakeholders and a need for more advanced or specialized IP training were identified.




Finding 4: **The ISED-led initiatives collaborated with other IP-related initiatives, programs, and organizations to further advance IP objectives.** The initiatives also helped facilitate instances of increased collaboration among targeted stakeholders, such as federal stakeholders, legal clinic programs, and underrepresented groups. For some initiatives, there were opportunities identified for increased collaboration.


Summary of the Evaluation


 **Finding 5: The ISED-led initiatives have contributed, in varying degrees, to increased access to IP services and/or supports for federal officials, SMEs and entrepreneurs, and underrepresented groups.** However, for some initiatives, particularly smaller-scale programs, the availability of performance data was limited due to the resource constraints of the programs and the recipients, making it difficult to collect extensive data. Similarly, the impact of the smaller initiatives on the IP ecosystem was correspondingly minor due to the limited scope/scale of the funded activities.

PERFORMANCE—Intermediate outcomes

 **Finding 6: For most of the ISED-led initiatives, it was too early to assess program impacts, the outcome was not applicable to program activities, or there was no data available** related to achieving early progress in supporting businesses in IP decision-making.

EFFICIENCY—Program design and delivery

 **Finding 7: While ISED-led initiatives were generally perceived to have been delivered efficiently, it took longer than initially planned to set up and implement some elements.** Challenges experienced among ISED program staff often stemmed from a lack of familiarity, expertise, and/or resources to efficiently set up, implement, and administer grant-based programs. There were also some challenges experienced in aligning the grant funding periods with the funding schedules that the recipients needed to fully complete their project activities. There were also challenges experienced by the IAC in setting up and implementing their activities within the specified funding period, in part due to delays stemming from challenges in negotiating a Contribution Agreement for non-traditional G&C activities.

 **Finding 8: EDI, as well as considerations related to regional representation and official languages, were considered in the design and delivery of the ISED-led initiatives to varying degrees, with some having very minor and others having more significant EDI components.** Data collection requirements for EDI were less extensive for the smaller-scale grant initiatives, and the recipients had a limited capacity to collect data. A few initiatives are experiencing challenges in some areas, such as provision of services in both official languages and regional representation.

Summary of the Evaluation

The evaluation identified several opportunities for improvement:



1 – IIPP: Targeted support for Indigenous IP applications (e.g., patent, trademark, and copyright applications).



2 – IP CoE, IAC, IIPP, and ExploreIP: Increasing outreach, engagement, and marketing with clients and targeted stakeholders to expand the reach of programming and awareness of service offerings among stakeholders.



3 – IP CoE and Patent Collective Pilot Program: Offering more advanced and specialized IP training sessions and resources to meet the needs of clients that have more advanced IP competencies.



4 – IP CoE and Patent Collective Pilot Program: Increasing coordination and collaboration with federal government programs in providing IP advisory and education services.



5 – IP CoE and Patent Collective Pilot Program: Developing additional tools and approaches to attract and retain IP experts and ensure continuity of program delivery.



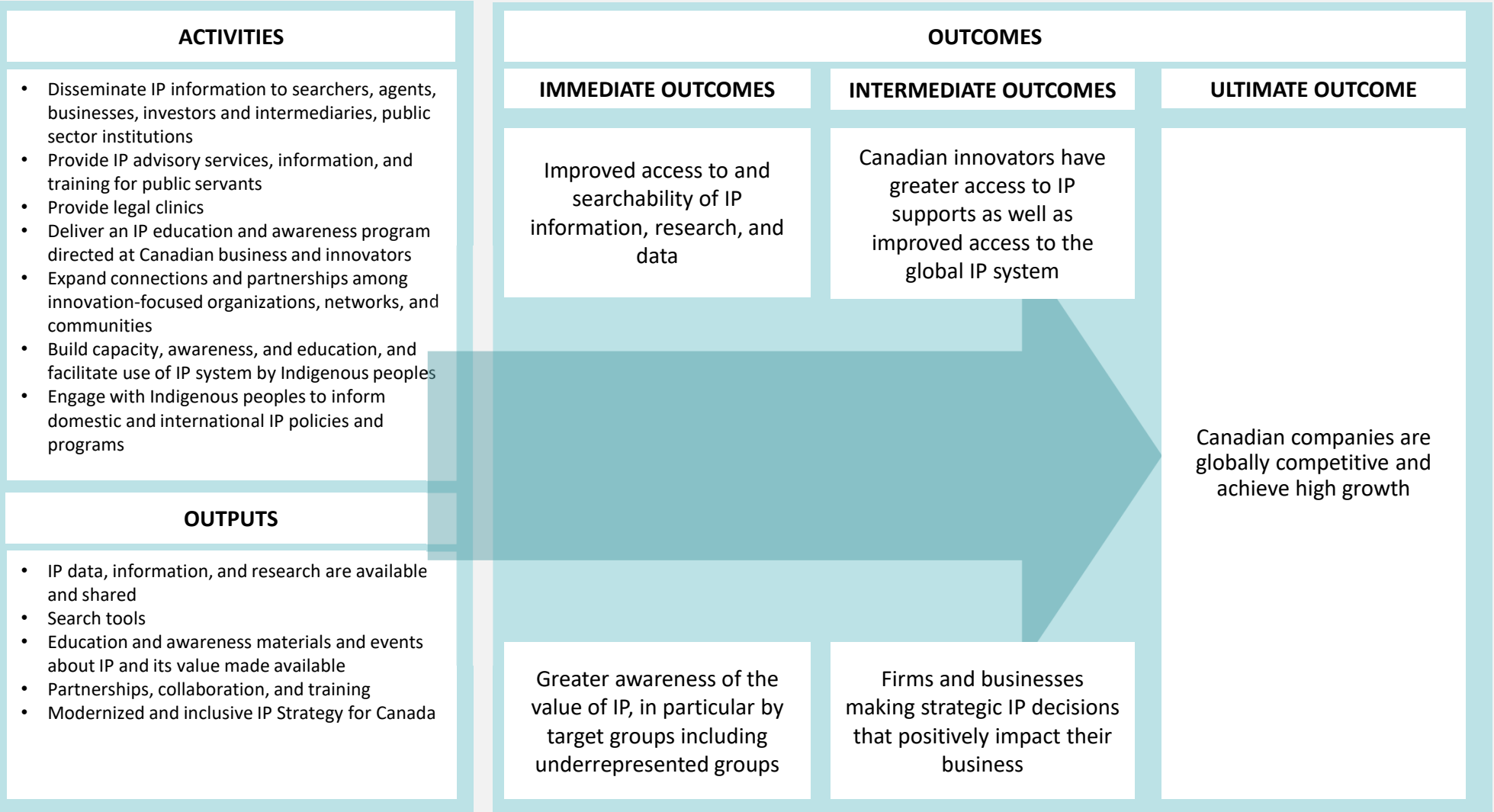
6 – IP Legal Clinics, IIPP, and Patent Collective Pilot Program: Providing additional flexibility, tools, and/or approaches to facilitate timely initiation and implementation of contribution programs that fund non-traditional activities, and to ensure the timing of grant funding meets the needs of recipients.

Appendices

- Appendix A: Logic Model
- Appendix B: Methodology
- Appendix C: Challenges and Mitigations
- Appendix D: Figures

Appendix A: Logic Model

Through the Eligible Activities funded under the ISED contribution agreement, the IP Strategy is expected to achieve the results in the logic model below, along with related short-term, medium-term, and long-term outcomes. These programs support the departmental results “Businesses, investors and consumers are confident in the Canadian marketplace, including the digital economy” under the Companies, Investment and Growth core responsibility.



Appendix B: Methodology

Multiple data collection methods were used to support the evaluation:



Document and literature review

The document review included key program and reporting documents. Due to the structure of the IP strategy as a whole and the smaller scope of the evaluation, it was decided to focus on the IP environment overall. The literature review examined recent pertinent literature (from 2017 onwards) to gain a thorough understanding of the need to invest in a national IP strategy and of the current gaps in IP literacy, awareness, and access to the IP system.



Case studies

Due to the limited scope of the evaluation, a case study format was determined to be the most effective data collection method for the five initiatives being examined. Case studies examined the relevance, performance, and efficiency of the ISED-led IP Strategy initiatives. These case studies included: 1) the Indigenous IP program; 2) IP Legal Clinics Program; 3) Patent Collective Pilot Program; 4) IP Centre of Expertise; and 5) ExploreIP. The case studies included three lines of evidence:



Virtual interviews were conducted with the following stakeholders to gather perspectives on each initiative:

- ISED management and staff;
- Program funding recipients and beneficiaries;
- Other ISED programs officials (e.g., CIPO);
- Other federal departments (e.g., NRC, SDTC).



Document review covered key program and reporting documents to provide insights into the need for ISED-led IP Strategy initiatives; progress made towards achieving immediate and intermediate outcomes; and the efficiency of program design and delivery.



Data review–performance data was examined to assess progress towards achievement of immediate and intermediate outcomes. An analysis of the administrative and financial data was also performed to assess the efficiency of the expenditures of each initiative.

Appendix C: Challenges and Mitigation

Three challenges were identified during the planning and conduct phases of the evaluation.

| | |
|---|---|
| Challenge: Data Availability for IP Strategy and ISED-led Initiatives | Mitigation |
| Due to the diverse nature of the ISED-led initiatives, it was not possible to aggregate performance or efficiency information for the ISED-led IP Strategy initiatives. The findings from the interviews, documents, and data were largely specific to each of the initiatives. Some of the initiatives also had only collected their first year of data and the smaller initiatives had a very limited amount of financial and performance data. | The evaluation used the case studies format for each initiative as a method to understand, as much as possible, the impact of the strategy through the performance of each program. |
| The ISED-led IP Strategy initiatives were new programs and there was not enough data to measure the effectiveness of medium- to long-term outcomes. | To mitigate these gaps, the evaluation focused on assessing the short-term results of the individual initiatives, and other lines of evidence were relied upon to assess results when data was not available. |
| Challenge: Response Burden | Mitigation |
| The Strategic IP Program Review occurred in parallel with the IP Strategy Evaluation, although the scope of this review (a broad assessment of IP provisions in innovation and science programming) differed from the IP Strategy Evaluation. There was also an internal midterm program review of ExploreIP and the IP Centre of Expertise, completed in October 2022 by an external contractor. | AEB coordinated with program officials to ensure that overlap was reduced when stakeholders were selected for participation in the evaluation's lines of evidence (e.g., interviews, case studies), and to ensure that the goals of the evaluation were clearly communicated to key informants. |
| Challenge: COVID impacts | Mitigation |
| Due to COVID-19, program delivery was slowed down or disrupted. | As applicable, the evaluation findings took note of pandemic-related slowdowns or disruptions. |

Appendix D: Figures

Figure 1: *Canada's rankings on the Global Innovation Index*

Figure 2: *The IP Awareness and Use Survey findings on barriers to access*

Figure 3: *CoE Client Satisfaction Survey results on needs met*

Figure 4: *Reasons cited for not protecting IP*

Figure 5: *IAC members, by tier of membership*

Figure 6: *IP maturity of Full Members*

Figure 7: *CoE Client Satisfaction Survey results on learning outcomes*

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Figure 20: *CoE Client Satisfaction Survey (cont.)*

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Figure 24: *Sectoral breakdown of IAC members*

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Figure 28: *Variance in program expenditures and project end date*

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Figure 31: *Representation of applicants*

Figure 32: *Regional breakdown of IAC membership*