OFFICE FOR HARMONIZATION IN THE INTERNAL MARKET

(TRADE MARKS AND DESIGNS)

COOPERATION FUND PROGRAMME SUPPORT OFFICE

PROJECT BRIEF

CF3.20 – Common e-learning Tool on trade marks and designs in the European Union

Version 3.0 – 31/10/2011

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2.1	07/10/2010	PSO	Amendments to ordering and formatting of text, budget
2.2	11/10/2010	SW	Amendments to time, objectives, drafting and ordering of text
2.3	02/12/2010	SD	Updated working group information
3.0	31/10/2011	PSO	Project Brief Editing

Quality Criteria (to be used by reviewers)

Is the document clear and concise?
Is the scope of the Project clearly defined?
Are the objectives of the Project clearly identified?
Have the proposals of the interested Member States been taken into account?

TABLE OF CONTENTS

1. Project definition

1.1. Introduction

1.1.1. About this document

This document has been produced to capture a "first cut" view of the scope, investment needed, dependencies on other projects and anticipated payback so that the constituent parts of the Project, herein referred to as the "Project", can be prioritized, funded and authorized. This Project Brief will provide the basis for the Programme Manager of the Cooperation Fund to present the Project to the Cooperation Fund Management Board to approve and launch the Project.

An overview of the definitions, acronyms and abbreviations used in this Project Brief can be found under Annex 1.

1.1.2. Background

The E-learning project is one of the Projects of the Cooperation Fund. The OHIM Cooperation Fund (CF) was established in February 2010 to support further harmonization in TMs and designs, modernise national offices and enhance user-experience Europe-wide.

The CF Management Board received many project suggestions from national offices and user associations. These were carefully examined and used as the basis for establishing a list of 23 projects. These projects are one-off activities delivering clear benefits, with concrete outputs and clear start and end dates.

Suggestions were called under four headings or fields:

- Harmonization projects both including existing projects like TMview and new projects like Designview, a common examiner support tool and a common tool for the classification of goods and services;

- A suggested list of software packages (e-filing, e-opposition, e-cancellation, e-renewal and e-payment) to support national offices in providing easier access to trade mark and design protection;

- Information services comprising communication and training initiatives to help companies better understand the Community Trade Mark (CTM) and the Registered Community Design (RCD) systems, including an **e-learning tool**;

- Activities to facilitate the enforcement of trade mark and design rights, helping the work of judges, customs and other relevant authorities.

This Project falls under Field 3.20, covering the information services projects. Following the 18 May 2010, the CF Management Board issued the following mandate to the Project Manager:

Common e-learning Tool on CTM and RCD	
Programme ID:	CF3.20
Expected start:	3Q 2011
Timeline	2012 – 2013
Principles	Best practice sharing on knowledge and information services
Description	This project aims to develop an e-learning tool on CTM and RCD in order to raise awareness and enable initial online training of users and other stakeholders

Table 1 - Project Mandate

E-learning comprises all forms of electronically supported learning and teaching. The information and communication systems, whether networked or not, serve as specific media to implement the learning process. E-learning is essentially the computer and network enabled transfer of skills and knowledge. E-learning applications and processes include Web-based learning, computer-based learning, virtual classrooms and digital collaboration. Content is delivered via the Internet, intranet/extranet, audio or video tape, satellite TV, and CD-ROM. It can be self paced or instructor led and includes media in the form of text, image, animation, streaming video and audio.

A common e-learning tool among OHIM and national offices is a logical consequence of the striving at always more harmonized ways of carrying out IP operations (i.e. harmonisation of practices among Offices or commonly shared databases). Also, all Offices share the vision of increasing openness and transparency among all stakeholders. This objective has to go hand in hand with information sharing and training. A common e-learning instrument ultimately increases understanding and promotion of protecting and enforcing intellectual property rights as a whole.

1.2. The challenge

Following a process of exchanges of views and data between national offices and OHIM on possible project proposals for the Cooperation Fund, an important number of national offices (Spain, Germany, Czech Republic, Hungary, Italy, Romania, Bulgaria, Greece and Slovenia) and the five users associations before the AB/BC (AIM, BusinessEurope, ECTA, INTA, MARQUES) proposed the development of an on-line training module for national offices to use in CTM and RCD related education so as to ensure commonality of messages.

The Cooperation Fund Management Board withheld such proposal and a project with a view to the development of an e-learning tool on CTM and RCD for the general public became part of the 18 May 2010 approved Project Portfolio. This tool is expected to lead to a "new generation" of users as increased harmonized IP education can only enhance the vision of the self-sufficient user to easily find his way through the IP world.

Today, there is a variety of e-learning sources where also information of RCD and CTM can be found. However, the user does not have access to a common set of material from the official authorities (i.e. the OHIM and the national offices).

At EU level, OHIM included, we can identify the pursuit of IP Offices to move forward in the field of e-learning. However, today the approach is not co-ordinated and individual. National offices encourage the development of such a tool that would allow them to ensure commonality of messages without neglecting truly national particularities (i.e. language and specific content). From the SMEs point of view

it seems important to find information on both the national and the community trade marks that co-exist in the market and can be combined.

However, the IP e-learning market for the general user is already quite exploited (A summary of the major projects which exist today in the IP learning field can be found at **Annex 2**). All mayor IP players such as WIPO, the EPO or the European Commission, but also some of the most influential national offices (i.e. USPTO) cater this facility.

OHIM is contributing to some of these initiatives with material on the CTM and RCD such as: **http://www.ip4inno.eu/** and **http://www.innovaccess.eu/** always at the request of the driving Institution.

1.3. Objectives

<u>Guiding Principles</u>

The project will operate based on several guiding principles:

- **Self-managed content**. The national offices themselves will be responsible for providing the agreed elements of content and maintaining it up to date. OHIM will be responsible for providing the CTM and RCD elements. Language needs will be supported by national offices.

  The content of the tool will covers topics such as:

  - **IP** in general, explaining legally and conceptually why IP was created by law makers and how it benefits businesses. This part will provide a closer look at what exactly is behind "IP".

  - **TMs** with a focus on what a good trademark is in general and how or why to obtain it, the importance of searching, registration (systems in national, community, international registration and how they can be combined), strategy to chose, requirements´(fees, documents, classification) for filing nationally, in the European Community as well as internationally. Here would be the point of access for "national sections" and would information be available on national examination, application procedures, use requirements, renewal, cancellations and other procedures. It will cover business questions like the coexistence of trade mark and domain names and how to administer trade marks in the digital world.

  - **Design** with a focus on what a good design is in general, and how or why to obtain it. This part will provide information on what can be protected as a design and what not, and why; when a design application should be files; what priority means as well as examination, invalidation, publication or deferment questions; where to file OHIM, national, international designs and in which language; how representation of the design works and what happens or what can be done if a design is copied. An overview of the fees will be presented as well as the possibilities of getting a discount. It will also cover items like the RCD/UCD and the grace period, the importance of registering before the grace period ends and national protection systems.

  The tool would need to be accessible in all languages (currently 24).

- **SME oriented.** The material will be targeted at SMEs. This will be reflected in the way the tool is designed and the selected content.

The objectives of the Project are the following

- **Make learning material available online to the user 24h/7:** This project will constitute an opportunity for many offices to take one more step forward in terms of modernisation (use of latest technological standard) and service provided to users.

- **Create a common, single repository for e-learning information**. The information will be accessible to the user via a single search tool, which will allow online access to selected information about National and Community trade marks and designs based on information provided by the national offices and OHIM. The definition of the features will be done by a workgroup participated by different NOs, which will enrich and foster knowledge and best practices sharing.

- **Harmonise user experience**. A common e-learning tool will have a common and harmonised approach (e.g. same templates, same content, same format). In addition, the Project will work on the usability aspect of the tool in order to provide a user-friendly environment through the provision of an ergonomic user interface

Overall, this project sets out to develop within twenty-one months a common model for a harmonized multi-lingual e-learning tool for SMEs on trade marks and designs to be implemented by national offices and OHIM.

The E-learning Project is well aligned with the 3 Cooperation Fund goals, as detailed below.

CF goals	Project alignment	Comments
Modernizing and streamlining National Office systems along common lines to provide effective and efficient services	Very high	The content of the e-learning tool would be developed in collaboration with national offices with a focus on business-oriented Trade Mark and designs knowledge (as opposed to learning material with a purely legal orientation). A useful basis could be OHIM s quick-guides to IP, CTM and RCD that would need to be developed to integrate the most advanced e-learning technologies and development of new content (integrating also the national components).
Encourage harmonization and use of EU TM systems and practices across the EU	Very high	The tool will cover CTM, RCD as well as national trade marks and designs from participating national offices.
Assisting the competent authorities in the EU Member States to better promote and enforce trademark and design rights in their jurisdictions.	Very high	This project seeks to develop an information platform available online and thus easily accessible to all stakeholders. This will make trade mark and designs knowledge more accessible and less cumbersome for users.

Table 2 - Alignment Project Objectives with CF goals

1.4. Expected benefits

Each stakeholder group will have different business benefits from this Project:

General Benefits:

- Reputation: Information from official institutional sources will be perceived as more trustworthy by users;

- User autonomy and predictability of user findings will be increased;

- Publicity: Services and activities of IP Offices will be promoted through common channel of communication in different languages with access to common and specific information on trade marks and designs;

National Offices (NOs):

- NOs will be able to offer an increasingly harmonized, predictable and coherent service to users which will as a result become even more self-sufficient; and

- Knowledge exchange and intra-office practice will be increased;

- NO services (e.g. e-business) and activities will be promoted within their own borders, offering the possibility of reflecting national (local) content and language; and

Users:

- Enhanced IP protection as a result of greater appreciation and awareness of the importance, value and contribution of IP to society, consumers and brand owners will be enhanced;

- Ease of use: IP rights become more understandable, harmonized and thus predictable as well as quicker, cheaper and at all times available.

- Users understanding of the need to integrate IP into their innovation strategies and their business planning will be raised.

2. Project plan

The project plan establishes the preliminary basis for managing the Project, including the project approach, the project team and stakeholders, the work description, the deliverables, planning (tools), time and cost estimates and tolerances, the project risks and dependencies as well as reporting, quality, communications and close-out management strategies.

2.1. Project approach

2.1.1. Overall approach

The Project will have a four-phased approach, as detailed in the figure below:

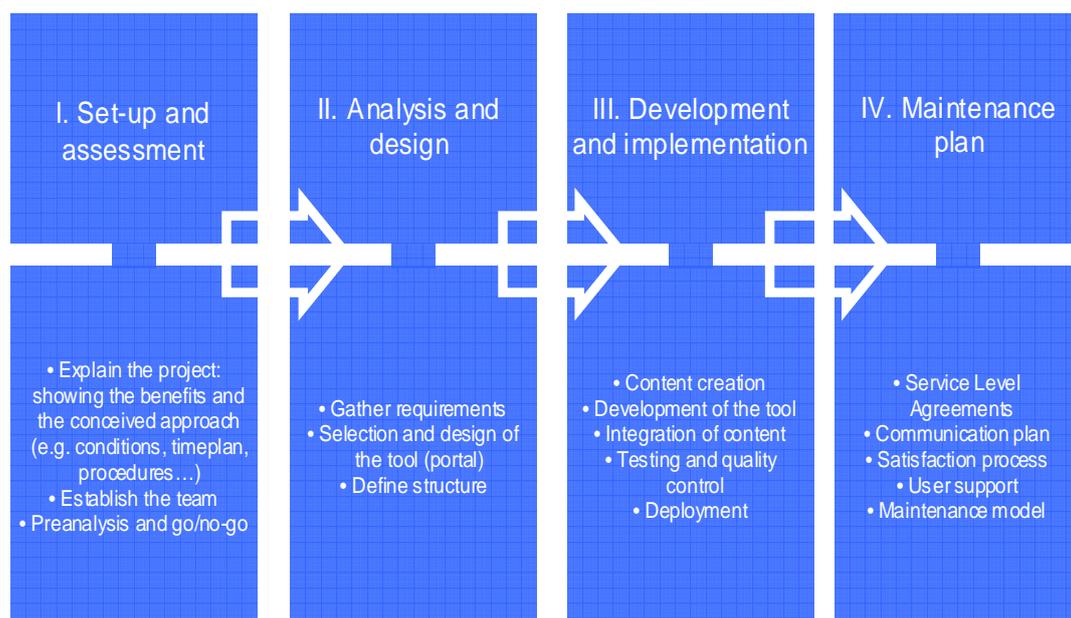| I. Set-up and assessment	II. Analysis and design	III. Development and implementation	IV. Maintenance plan
• Explain the project: showing the benefits and the conceived approach (e.g. conditions, timeplan, procedures…) • Establish the team • Preanalysis and go/no-go	• Gather requirements • Selection and design of the tool (portal) • Define structure	• Content creation • Development of the tool • Integration of content • Testing and quality control • Deployment	• Service Level Agreements • Communication plan • Satisfaction process • User support • Maintenance model

Figure 1 - Overall Project Approach

▪ **Phase 1 - Assessment**

This first phase will consist in a fact finding analysis and assessment of the usefulness of creating a common e-learning tool. This will include screening existing tools and projects in order to avoid overlapping with existing tools, and in order to generate synergies with existing successful projects at EU and WIPO levels. If the outcome of this phase confirms the need for the creation of a common e-learning tool, the Project will proceed into its second phase. If the results should present serious overlapping / saturation / repetition of existing initiatives, the Project would be halted in its present format. This is described as the Go / No Go Phase of the Project.

▪ **Phase 2 – Analysis and Design**

The second phase will involve the preparation of the e-learning tool, which includes the gathering of requirements for a common and multi lingual e-learning tool that should provide common and country specific modules. In summary, a platform (one single access) will be developed. This platform will contain an overall structure including identical headings for national sections, to be completed by national offices, who retain ownership and responsibility for their own content and up-date.

- **Phase 3 – Development and Implementation**

This third phase will involve the tasking of an external developer for e-learning tools and platform. In addition, content will also be developed at this stage.

- **Phase 4 – Maintenance plan**

This fourth phase will specify the service level agreements with participating Offices as to maintaining and up-dating the site and the awareness rising actions to be implemented.

2.1.2.   Alternative approaches

In determining the Project approach, 2 alternatives have been considered:

- **A model for a harmonized internal e-learning tool to be used commonly by national offices and OHIM**

If Phase 1 of the Project should lead to a negative appreciation of an e-learning tool on trade marks and designs for SMEs due to serious overlapping / saturation / repetition of existing initiatives, the Project could possibly be envisaged for staff of the NOs Offices.

This instrument could be used to create a common e-learning tool for increased CTM and RCD education among OHIM and national offices. All offices strive at always more harmonized ways of carrying out IP operations: approximation in legislation and procedures, harmonization of practice among offices, commonly shared databases, use of same standard and IT codes, licenses of software.

Of particular interest for the offices is also the jurisdiction of the European Court of Justice and its interpretation at Community and national level. Also, all Offices share the vision of increasing openness and transparency among all stakeholders. This objective has to go hand in hand with information sharing and training.

- **Continuation of the IPeuropaware project**

This project, financed by Community funds, will expire in October 2010. Today all national offices and OHIM are involved in this project. If the Project is judged not feasible due to repetition of existing initiatives it could be converted into a "take-over" from OHIM and the NOs and (co-)financed through the Cooperation Fund. A certain readjustment as to format and content based on lessons learnt would then take place.

2.1.3.   Scope and exclusions

Are in scope:

- Development of a software-platform
- Development / Gathering of content and translation in 24 languages

Are out of scope:

- Integration with back-end tools at the national offices.
- Web services at national offices to access web service at OHIM for retrieving info directly from database

2.1.4. Constraints

The Project will be facing a number of constraints, as detailed below:

- **Time restrictions:** In principle there are no hard time constraints, as there are no legal obligations involved under the Project.

- **Outcome restrictions**: This Project will develop a product facing a large competitive market so for the e-learning tool to be successful it will need to maintain a strict focus on content.

- **Resources restrictions:** Success of the Project is directly dependent upon the resources that are made available. In particular the resources of national offices will be key to the success of this Project.

- **Legal restrictions:** national data protection legislation may prevent some Offices to display the information in certain formats.

- **Technical restrictions**: Some national office legislation might prohibit some Web 2.0. technologies (chat, video conferences and other multimedia functions).

2.2. Project team and stakeholders' organisation

In order to carry out these activities, intensive interaction and coordination with the national offices is needed to gather different ideas, approaches, experiences, requirements, constraints and preferences. Besides the intensive participation of the national offices, the Project will also involve the participation of a Project Manager, a Project leader, an OHIM Coordinator of the national offices, OHIM DIPP and TMD department experts, the PSO, and the CF Procurement team.
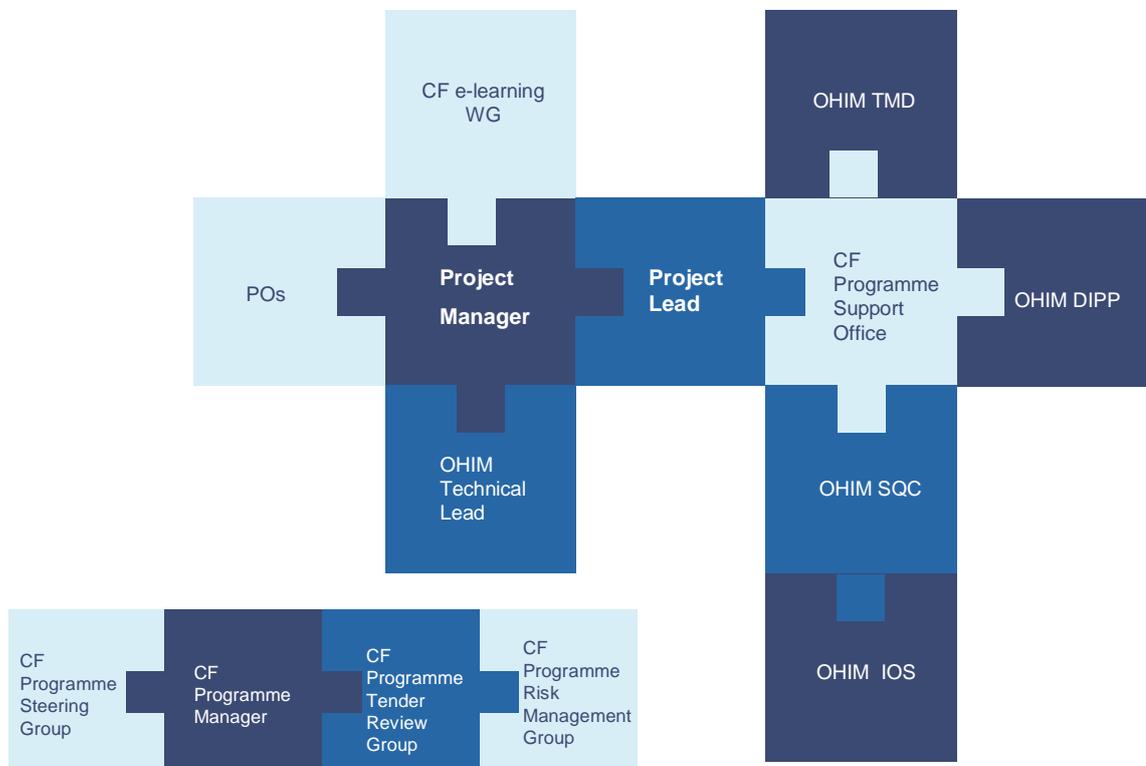

Figure 2 - Overview of the Project Team and Stakeholders

2.2.1. Roles and responsibilities

This table summarises the **key roles** involved in the Project as well as their main responsibilities:

Roles	Responsibilities
Project Manager (PM)	The PM is appointed by OHIM. The PM is authorised to lead the Project on a day-to-day basis on behalf of the CF Management Board within the constraints laid down by the Board. The PM is responsible for the management of the lifecycle of the Project and the quality of its products delivered within the specified constraints of time and cost. The PM plans, monitors and reports on the Project to the Programme Manager. The PM produces project management documentation. The PM is responsible for presenting the Project at the gate review process. The PM acts as a central point of communication.
Internal Field Specialists (IFS)	Approximately 5 to 10 OHIM people will be appointed as Internal Field Specialists. The Internal Field Specialists will deliver general support and share knowledge in their respective specialist fields. The Internal Field Specialists will include: ▪ **A IAERD Line Manager** The IAERD Line Manager will provide general support to the Project Manager, in particular with respect to NO-communications and managing cooperation projects. ▪ **A Technical Lead** The Technical Lead is responsible for assisting the Project Manager in providing any technical clarifications. The Technical Lead is also the bridge between the business requirements and the technical requirements, and is responsible for identifying any interdependency. The Technical Lead will also be the intermediary person to liaise between the Project Manager and the External Provider to be contracted. ▪ **A QMD Expert** The QMD Expert is responsible for assisting the Project Manager in providing assistance in terms of quality requirements, quality control and quality assurance. ▪ **An E-learning Content Expert** The E-learning Content Expert is responsible for assisting the Project Manager in filling-up e-learning tools with content, developing such content as well as sharing experience and knowledge in this respect. ▪ **An HR E-learning Expert** The HR E-learning Expert is in charge of assisting the Project Manager in terms of E-learning in general though with a special focus on developing external e-learning tools on RCD and including SME-targeted sections, as well as sharing experience and knowledge in this respect.

	▪ **A Contractual Expert** The Contractual Expert will help the Project Manager with establishing and monitoring any contractual agreements to be concluded under this Project, including the Service Level Agreements.
E-learning Working Group	The E-learning Working Group will be composed of maximum 4-5 members. These members will be selected on the basis of objective selection criteria within the national offices and user associations, interested in participating in the specification of the Project. The E-learning Working Group will provide general support and knowledge throughout the Whole Project. More specifically, the E-learning Working Group is responsible for the requirements of the tool as well as to the definition of the content structure. In addition, the E-learning Working Group is responsible for the content (fill-up) of the database of his National Office.
CF Programme Support Office	The PSO supports the Programme Manager and Project Managers. It aids those involved in the Project by provision of technical and administrative capacity, and quality assurance.
External contractor	This group will be in charge of the technical development of the e-learning platform, by providing support in terms of: ▪ Software development ▪ Business analysis ▪ Software Quality Control ▪ Usability testing

Table 3 - Roles and responsibilities within OHIM

Apart from the main roles in the Project, there will also be **other parties and stakeholders** involved in the Project:

Roles	Responsibilities
CF Programme Steering Group	Ensuring that all internal OHIM issues are addressed by the Programme Manager.
CF Programme Manager	The Programme Manager is responsible to the CF Steering Group for the operations of the CF, overall planning, and leading the development and implementation of the Project portfolio.
CF Programme Tender Review Group	Supporting the OHIM procurement team, they will assure that tendering procedures across the CF are carried out efficiently, consistently and in accordance with best practice.
CF Programme Risk Management Group	Established to: ▪ recognise possible risk factors and identify related risks ▪ assess the potential impact of these risks for the programme ▪ select the adequate risk response and implement action plans

	▪ monitor the status of the risks and keep stakeholders informed
	They will be in close contact with the Project Manager, Project Lead and the PSO in order to identify and register any new risk that could arise along the duration of the Project.

Table 4 - Roles and responsibilities within the Cooperation Fund

2.2.2. Assignments

Role	Who	Commitment (detailed further below)
Project Manager	Sabina Rusconi	90 days (20%)
IAERD Line Manager	José Izquierdo	TBD
OHIM Technical lead	Diego Eguidazu	75 days (15%)
OHIM E-learning Content Expert	Ulrika Rendel, in cooperation with DIPP and DD	22 days (100% when required)
OHIM QMD expert	Caroline Hetterschijdt	7 days (upon demand)
OHIM HR e-learning expert	Francois Femia/Juan Suarez	7 days (upon demand)
OHIM Contractual expert	TBD	30 days (upon demand)
E-learning Working Group	3 members in addition to OHIM	210 days (70 days per member)
Programme Support Office	Miguel Moro Carolyne Vande Vorst Sofie Declercq	10 days
External Contractor: Business Analyst		143 days (60%)
External Contractor: Project analyst		80 days (35%)
External Contractor: Developer		88 days (100%)
External Contractor: SQC (testing)		46 days (100%)
External Contractor: Usability Expert		33 days (100%)
Participating Offices	25 offices considered	300 days (12 days per office)

Table 5 - Overview commitment in mandays per profile

2.2.3. Recruitment

Recruitment of additional resources will be required on the following levels:

▪ **National offices and user associations**

Experts from national offices and user associations will be selected among those interested to participate, based on objective selection criteria.

–   All members must have a good level of oral and written English.

–   Members will need to comply to one of the following profiles;

1.   Specialist in education/training: 5 years experience in the field, with experience in projects related with users needs.

2.   IT-specialist: in web services: 3 years experience

3.   E-business, communication or information officer: 3 years experience

- **External provider**

Six different profiles of external experts will be required for this Project:

- – Business Analyst
- – Project Analyst
- – IOS Expert
- – IT Developer
- – Software Quality Control Provider
- – Usability expert

2.3. Work description

Under this chapter the work to be done under the Project is first broken down into high-level tasks and activities, with a specification of the roles involved and the estimated man days per profile. This is followed by a detailed overview of all profiles required for the delivery of the Project, together with an overview of their respective responsibilities. The chapter concludes with an overview of the resources dedicated to each role and the amount of time they will commit to the project. This information will be the basis for the cost estimates calculated under **Chapter 2.6**.

2.3.1. Tasks and activities

A preliminary overview of the tasks and activities follows below, followed by a table indicating the estimated effort per role for each task or activity. These tasks and activities, as well as their planning are further elaborated in the Project Time Plan under **Chapter 2.5**.

This project will involve a number of areas of activities in the following order:

- **"Working Group creation"**: in this phase, stakeholders (e.g. NOs and users associations) will be contacted and invited to participate.

- **"Kick off meeting"**: this initial meeting enables the Project approach to be explained in detail, including time plan, tasks, resources, communication strategies, deadlines and other possible constraints.

- **"Analysis"**: in this phase the requirements (business and technical) are specified through an incremental and iterative process involving all team members. The specification ("what") focus on the definition of content and the structure (including creation of templates). As much of possible, this team work will be conducted using IT technologies (e.g.use of videoconferences, use of e-mails).

- **"Procurement"**: A request for offer is sent to the external provider. This is followed by a clarification round, where any doubts the provider might have is solved.

- **"Development"**: In this phase the external provider develops the tool and periodically reports to the OHIM project manager. Development of a comprehensive and user-friendly toolbox of materials on IPR, including manuals and training materials, storytelling, education technology (web 2.0) The supervision, testing, and acceptance of the relevant e-learning materials and e-learning platform.

Development of a prototype that should be used as a model of what the "e-learning tool" should look like.

- **Maintenance:** This phase includes **the "Go-live"**: promotion event of "go-live" tool, the **"Communication"** plan and actions that should attract users to tool once it has been constructed and the **"Review"**, i.e. the user satisfaction of tools, including identification of new needs, possible deficiencies and opportunities for improvements with a view for a Version 2 establishment.

2.3.2. Major deliverables and acceptance criteria

The table below shows the expected deliverables under this Project, as well as the acceptance criteria, the responsible person and the estimated date of completion for each deliverable.

Deliverable	Acceptance Criteria	Responsibility	Estimated Date
Feasibility study	It would be signed-off by the WG and the Project manager	Project manager + workgroup	T0+ 5 months
Requirements document	It would be signed-off by the WG and the Project manager	Project manager + workgroup	T0+ 8 months
Definition of content structure	It would be signed-off by the WG and the Project manager	Project manager + workgroup	T0+ 10 months
Content	It would be signed-off by the WG and the Project manager	POs + Project manager + workgroup	T0+ 14 months
Usability study	It would be signed-off by the WG and the Project manager	Project manager + workgroup	T0+ 9 months
Tool selection report	It would be signed-off by the WG and the Project manager	Project manager + workgroup	T0+ 10 months
Functional design	It would be signed-off by the WG and the Project manager	External contractor + Project Manager	T0+ 11 months
Technical design	It would be signed-off by the WG and the Project manager	External contractor + Project Manager	T0+ 12 months
Testing approach (it includes test plan)	It would be signed-off by the WG and the Project manager	External contractor + Project Manager	T0+ 12 months

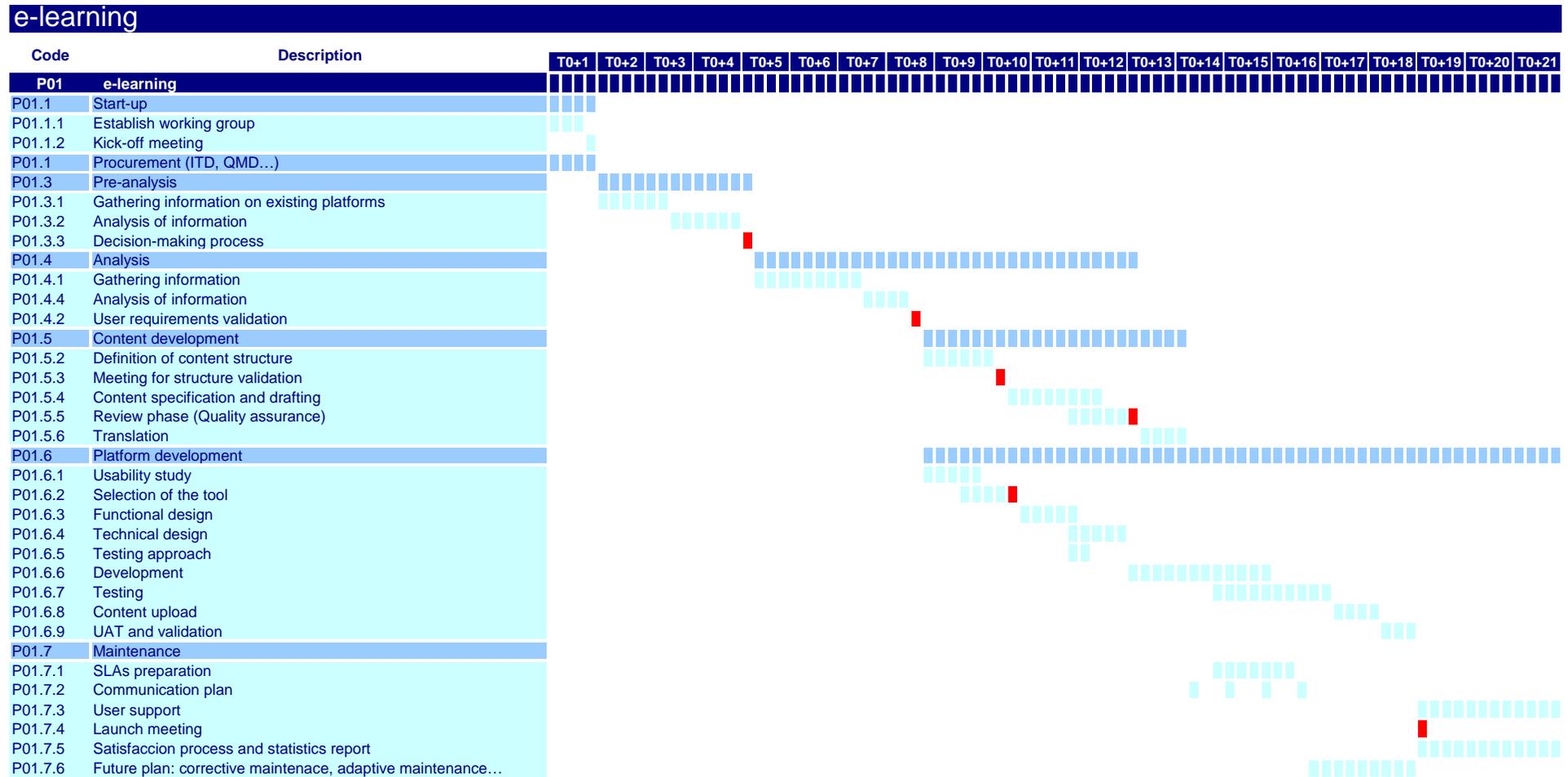| Deliverable	Acceptance Criteria	Responsibility	Estimated Date
Software application	Test plan results signed-off. Unsolved problems or bugs within the tolerance of the Project to be approved by the Project manager It would be signed-off by the WG and the Project manager	Project Manager + Working group	T0+ 18 months
Service Level Agreements	It would be signed-off by the WG and the Project manager	Project Manager + Working group	T0+ 16 months
Communication plan	It would be signed-off by the WG and the Project manager	Project Manager + Working group	T0+ 16 months
Satisfaction and statistics report	It would be signed-off by the WG and the Project manager	Project Manager + Working group	T0+ 21 months
Future maintenance plan	It would be signed-off by the WG and the Project manager	Project Manager + Working group	T0+ 18 months

Table 6 - Deliverables criteria

2.4. Project planning tools

MS-Project and MS-Excel will be used as appropriate. For broader Project management and reporting, the Project manager will make use of the Clarity tool.

2.5.   Project time plan

The total duration of the Project is estimated to **21 months**. A high-level extract of major project tasks follows:

e-learning

Code	Description
P01	**e-learning**
P01.1	Start-up
P01.1.1	Establish working group
P01.1.2	Kick-off meeting
P01.1	Procurement (ITD, QMD…)
P01.3	Pre-analysis
P01.3.1	Gathering information on existing platforms
P01.3.2	Analysis of information
P01.3.3	Decision-making process
P01.4	Analysis
P01.4.1	Gathering information
P01.4.4	Analysis of information
P01.4.2	User requirements validation
P01.5	Content development
P01.5.2	Definition of content structure
P01.5.3	Meeting for structure validation
P01.5.4	Content specification and drafting
P01.5.5	Review phase (Quality assurance)
P01.5.6	Translation
P01.6	Platform development
P01.6.1	Usability study
P01.6.2	Selection of the tool
P01.6.3	Functional design
P01.6.4	Technical design
P01.6.5	Testing approach
P01.6.6	Development
P01.6.7	Testing
P01.6.8	Content upload
P01.6.9	UAT and validation
P01.7	Maintenance
P01.7.1	SLAs preparation
P01.7.2	Communication plan
P01.7.3	User support
P01.7.4	Launch meeting
P01.7.5	Satisfaccion process and statistics report
P01.7.6	Future plan: corrective maintenace, adaptive maintenance…

Timeline columns: T0+1, T0+2, T0+3, T0+4, T0+5, T0+6, T0+7, T0+8, T0+9, T0+10, T0+11, T0+12, T0+13, T0+14, T0+15, T0+16, T0+17, T0+18, T0+19, T0+20, T0+21

2.6. Project costs estimates

The overall estimate for the E-Learning project over 22 months is EUR 1.155.580.

COST CATEGORY	PROJECT BRIEF OCT / DEC 2010	PROJECT BRIEF OCT 2011
Integration	**150.000**	**70.000**
PO	**150.000**	**70.000**
2012	150.000	70.000
IT Project Costs	**93.000**	**70.500**
Development	**70.500**	**48.000**
2012	70.500	48.000
IT Services	**22.500**	**22.500**
2012	22.500	22.500
Non-IT Project Costs	**743.495**	**912.152**
Meetings	**36.477**	**36.477**
2011	9.457	9.457
2012	27.020	27.020
Studies & Consulting	**103.100**	**262.300**
2011	41.500	36.400
2012	61.600	168.700
2013		57.200
Translation	**510.000**	**510.000**
2012	510.000	510.000
Working Group	**93.918**	**103.375**
2011	13.918	23.375
2012	80.000	80.000
Management Reserve	**103.163**	**102.928**
Grand Total	**1.089.658**	**1.155.580**

Integration

National content specification 12 days per office at estimated daily rate of EUR 500 = EUR 6.000 per office.

Estimation based on 14 offices which have expressed intent to implement = EUR 70.000.

IT Project Costs

Development EUR 96.000

All development costs planned for 2012

IT Services EUR 28.800

- Software Quality Control (more or less 25% of Development Effort) 60 days

- Installation 12 days

Hardware EUR 25.000

Software EUR 100.000

If the market study finds interesting software, some (yearly) licences costs may need to be paid in order to use them.

Non-IT Project Costs

Studies & Consulting EUR 155.500

- Feasibility Study to investigate existing software and technologies on the market
- Project Lead

        Original budget: 126 days

        Revised budget: 110 days

                2011: 77 days (including 20 days for SRS production)
                2012: 33 days

Project Lead Replacement for Analysis phase and SRS production: 20 days

Usability Services EUR 7.000

OHIM Temps EUR 830.720

Data preparation: 13 ADECCO people for 1 year + 2 month training each (260 days each) at 32,77 EUR/hour for 7,5 hours/day.

Working Group EUR 112.670,04

10 participants were selected for the Search Image Working Group (5 NOs and 2 UAs).

Participants from the same NO share the maximum number of working days.

For budgeting purposes, the Working Group effort is estimated at a daily rate of 500 EUR.

Effective daily rates and maximum number of working days per participant are outlined in the CF Agreements with each NO and project budget is adjusted accordingly.

2011: 24 days * 8 NO participants = EUR 50.170,04 (includes rate correction for 2 NO participants in 2011)
2012: 25 days * 5 NO participants = EUR 62.500

Activities will include data sample testing.

Meetings EUR 97.230

In line with Decision of the President ADM – 09-33 rev 2, travel reimbursement costs have been estimated as follows:

- Travel EUR 700
- Accommodation flat rate EUR 125 / night
- Allowance EUR 92 EUR for full day, EUR 46 for half-day (when travelling to and from meeting destination)

Estimated cost for a 2-day meeting 1.351 EUR per participant.
Estimated cost for a 1-day meeting 1.134 EUR per participant.

- **Working Group Meetings EUR 40.530**
  Search Image Working Group 10 participants.

  Original budget included

  2011 : 2 * 2-day meeting * 10 participants = EUR 27.020
  2012 : 1 * 2-day meeting * 10 participants = EUR 13.510

- **Training Conference EUR 56.700**

  Train National Offices to continue tagging the dominant elements of the new trademarks.

  Specific 1-day conference with all 25 offices, 2 members per office.

  2012 : 1 * 1-day meeting * 2 participants * 25 NOs = EUR 56.700

Translation 22.320 EUR

Integration report of the web services.

Original budget

38 pages * (22 + 2 new languages) * 85 €per page (CDT cost in 2010)

Revised budget

10 pages * (22 + 2 new languages) * EUR 93 per page (CDT cost in 2011)

Management Reserve

10% for cost from 2012 onwards = EUR 93.427

No Management Reserve added to OHIM Temp cost (budget represents maximum amount).

- **IT Project Costs**

IT Project costs amount to **EUR 93.000** these include Software Quality Control and Infrastructure and Operations Services costs.

- **PO resources for E-learning working group**

The rate considered will be based on their specific actual cost of employment for the requested profiles. Since at this stage the different figures cannot be determined, an average estimated rate of 500 EUR per day has been applied. A total of 210 man days has been planned for the Working Group totalling EUR 105.000, based on 5 POs or 42 days each.

- **PO effort for Content Specification**

12 man days per PO have been planned for e-learning content specification. Based on 5 POs, this activity totals 60 days or **EUR 30.000.**

- **Project meetings**

Based on experience in similar projects, at least 2 meetings per annual work plan are required for this Project.

Taking into account the estimated costs per meeting, as described under the CF Cost and Effort Report attached in annex, the estimated total cost for meetings is **EUR 40.530**.

- **Project translations**

Based on experience in similar projects, several Project documents will need to be translated, which are estimated to amount up to 250 pages in total.

Taking into account estimated cost per page, as described under the CF Cost and Effort Report attached in annex, the estimated total translation cost for this Project is **EUR 510.000**.

2.6.1.   Total estimated effort

OHIM internal staff effort is estimated at 296 man days of which 180 days for the Project Manager over the duration of the project, 75 days for the Technical Lead, 30 days for the Procurement Team and 11 days for the Software Quality Control Coordinator.

Total effort for the external provider amounts to 379 man days including a Business Analyst, the external Software Quality Control expert and Usability Experts.

42 man days are planned for each PO in the working group. If 5 POs in the working group, this represents a total of 210 man days.

The Programme Support Team effort is estimated at 10 days.

2.7. Project tolerances

The time and cost tolerances for the Cooperation Fund projects will be set by the Cooperation Fund Programme Support Office in collaboration with the Programme Steering Group as soon as the respective projects have been approved and will be the same for all Cooperation Fund Projects.

2.8. Risk analysis

This preliminary risk matrix is specific to the Project and lists possible areas of risks. It is complementary to the "Cooperation Fund Programme Risk Matrix":

Risk	Risk Symptoms	Area	P	I	P*I	Owner	Action
Overlapping of tool with other existing tools	Despite analysis of existing tools, it may happen that the tool runs into overlap	Content	H	H	9	Project manager	**Mitigate:** Develop study

Risk	Risk Symptoms	Area	P	I	P*I	Owner	Action
	with other tools.						
Legal constraints	National data protection legislation may prevent some Offices to display the information in certain formats. Risk for the Project is not as high, taken into account that legal compliance is the responsibility of the respective national office.	Legal	M	M	6	Project manager	**Mitigate:** Ensure smooth collaboration with national offices as of beginning of the Project, including on legal aspects.
Lack of resource availability	Success of the Project has a direct dependence to the resources that are made available, both for the Project team as for the resources from the National offices.	Resources	H	H	9	Project manager	**Mitigate:** Get clear agreements with all parties on the amount of resources that should be made available in order to guarantee the size and quality of the Project.
Prohibition of use of Web 2.0 technologies in some national offices	Some Offices see serious issues related to the technical requirement of this project. Data protection in some legislation would prohibit some Web 2.0. technologies (chat, video conferences and other multimedia functions).	Technical	L	H	3	Project manager	**Watch** If this projects is to apply the latest technological standard it needs to assessed if this does not delay the Project and if it is technical feasible and realisable within the budget.
Lack of interest of national offices	An external e-learning tool could mean significant changes for IP Offices, i.e. staff will be confronted with a change of tasks: less basic assistance (i.e. call center), use of e-business will probably raise. However, most Offices are involved in different initiatives which may signify a conflict of interest or at least slowing down the pace of this project.	Supportability	M	M	6	Project manager	**Mitigate** Maintain continuous focus on project scope so as not to reinvent the wheel, maintain good contacts with national offices to liaise on work-load and share information, to ensure continuous buy-in.

2.9.   Key dependencies

A number of key dependencies can be identified with other projects under the Cooperation Fund or OHIM in general, i.e.:

- **Harmonised Forecasting Methodology Project (CF1.2.10)**

There is a synergetic potential between the Forecasting project and the E-learning project as under the former, the front end for forecasting users is envisaged as a semi-educational platform in order to help users understand results and pre-usage basics.

- **Common Call Centre Project (CF1.2.10)**

A strong interdependency can be identified with the Common Call Centre Project as feedback from the call centre could be used as a gateway to identify new content for inclusion in the E-learning tool.

- **Common Customs Support Tool (CF4.22)**

The E-learning tool could be used as complementary to the Customs Support Tool as regards content in order to reach customs authorities and provide them with additional information on trade marks and designs.

2.10.   Project plan and schedule reporting procedure

As set out in the Programme Operating Rules agreed by all internal parties involved in the CF:

- The Project Manager will report to the PSO

- Project managers create, maintain and update the following minimal documents for their projects:

  – A **risk register** and, if appropriate, the suggested contingency plans.

  – **Project plan** and **schedule** (including breakdown tasks, costs, time and resources). It will include tracking information (actual and planned) in a visual manner.

  – A **stakeholder engagement and communications plan**

- The documents will be reported upon using a standard template (according to Programme Operating Rules)

- The documents shall be kept as light as possible but the PM retains the authority to define their content and set the reporting schedule. Initially a meeting with the PSO will be set up on a fortnightly basis.

- Project Managers are responsible for preparing the content for a Gate Review. PSO will support them in the process.

As well as the Project Manager-PSO interactions, the PSO will also hold independent **monthly meetings** with the Risk Group and the Tender Review Group respectively. In each meeting the PSO will report them on the status of the Project and will bring up any topic under their fieldwork that needs either further discussion or their validation.

2.11. Quality Management

2.11.1. Project delivery

Once the project starts and the requirements are being further specified by the working group and the POs, the *quality plan* will be prepared by the project manager. This will set out the standards relevant for the project, as well as the different quality activities to be carried out during the project. This will include a short description of each quality activity, its type, timing, relevant responsible persons and other relevant information. An example entry is shown as follows:

Activity	Quality type	Approach	Review time	Sign-off responsible	Acceptance criteria
Check issue management process	QA	Check Clarity, check Alfresco and issue log	15/12/2012	Xxx	Up to date relevant data should be stored

Table 7 – Sample of Quality Activity in the Quality Plan

The quality plan will cover both *quality assurance* and *quality control*. That is, the quality of both the processes followed (e.g. System Life Cycle development) and the quality of the deliverables (e.g. functional design) will be verified against applicable standards.

In order to minimise bureaucracy, the project will apply the existing quality procedures followed by the Office. As this project has a significant IT focus, this means the comprehensive quality control procedures established by *OHIM-Quality Control group*. This entails verification of software development processes and outputs along the whole life cycle at certain specific checkpoints.
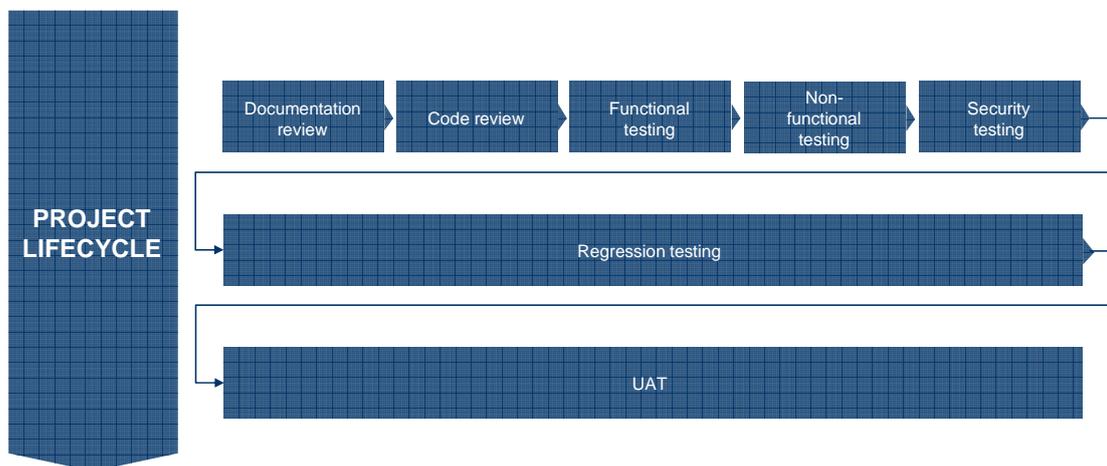

Figure 3 - Quality Assurance and Quality Control activities in a software development process

Project work-breakdown structure and time-plan (see **2.5 Project time plan**) has been designed to consider the participation OHIM-Quality Control group at specific points throughout the project life cycle.

However, non-software deliverables (e.g. studies, reports or other documentation) will have to comply with the acceptance criteria established in the deliverables section (**2.3.2. Major deliverables and acceptance criteria**). The acceptance criteria for each deliverable have been described at the *process* level. This is because the lack of detailed requirements at this stage (in fact requirements will be fully

detailed in the gathering requirements phase) make it difficult to describe the acceptance criteria at the *detail* level. The *process* level specifies high level criteria as well as the formal approval process that the deliverable should follow for its validation and sign-off. The project manager will ensure that the approval process is followed for each deliverable of the project. Moreover, the internal *OHIM-Audit team* could at any time provide additional QA measures (e.g. repeating the QC procedures, checking the qualifications of staff involved, checking procedures for project file maintenance, reviewing organizational functions and knowledge of procedures...).

During the closeout phase of the project, a formal process will take place in which the benefits realisation plan of the project will be reviewed taking into account the quality expectations defined in the quality plan.

These three perspectives for dealing with quality (quality assurance, quality control and benefits realisation) will maximize the chances of success for the project.
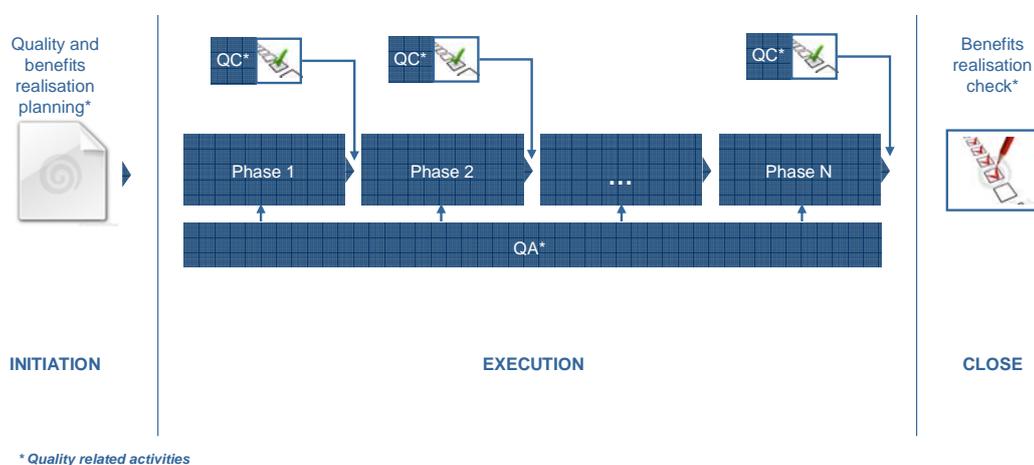

Figure 4 - Three perspectives on Quality: QC, QA and the benefits realisation

2.11.2. Project management

Apart from having a quality approach to deal with project deliverables, the project will also follow certain rules with regard to project-management related processes and deliverables.

Namely, the project will follow all the processes defined and established by the CF-PSO to handle project-management *activities* (e.g. issue management, change management, risk management, reporting...). Moreover, the content and format of each project-management *deliverable* (e.g. issue log, quality log...) will be in compliance with CF-PSO templates and rules.

2.12. Communications and knowledge management

2.12.1. National office interactions

The communication and interactions between the Project members and the national offices will take place through:

▪ **Periodic conferences** (telephone, video, in person,...) are expected between all involved Project members. Regular Project updates will be sent to workgroup members.

- **Continuous contacts**, by the use of various tools described in the chapter below.

2.12.2. Tools

Apart from using general **e-mail** for official communications, **collaborative tools** have proven very successful in past OHIM projects involving significant coordination of effort among Participating Offices. A quick assessment of the available and most widely extended collaborative tools in the market (e.g. Google Docs, wiki software…) reveals MediaWiki to be among the most powerful and appropriate tools for this type of Project. MediaWiki's simplicity, web-based operation and free-of-charge approach, allows participants in different locations to easily exchange ideas in an organised and efficient way.

To sum up, different types of tools will be used during the Project, namely:

- **E-mail**: will be used in initial communications during the Project and in formal communications to keep all the national offices updated (even if they do not actively participate), and in reporting to the Cooperation Fund PSO.

- **MediaWiki**: once the Project has been launched, all the participants involved in the should, as far as possible, keep all the communications and documentation inside a wiki. To the extent possible this must be ShareIPwiki. This will help to maintain all the information related to the Project stored in a unique and central repository and fully accessible by every participant in the Project

- **Videoconference:** will be used throughout the whole Project as an easy tool to hold conferences with different parties whenever it is needed or beneficiary to have a close contact, as if all participants were physically present in the same room.

2.13. Closing-out strategy

As the main deliverables of this project are expected to have a beneficial impact for the lifetime of the products of the Fund (at least a decade longer than the Fund itself), provision - including appropriate funding - will need to be made within OHIM for their absorption and transfer into the business as usual environment.

To some extent the workgroups established during this project are expected to be useful beyond the scope of the Project. The outputs created here will become key points of reference in order to ensure long-term consistency. The Benefits Advisory Group, consisting of the Programme Manager, Project Manager and Key Benefits Manager, will therefore meet at least three months before the end of the Project to determine medium-term sustainability requirements and appropriate actions.

Once the main deliverables have been completed, all relevant payments made, and the sustainability requirements identified, the Project Manager will present the Project's results to the Management Board, which will identify main lessons learned at the programme level, direct the Programme Manager accordingly and close out the Project.

In particular the following may need to be assessed at this moment: the integration of new Offices; the correction of errors in the tool and its improvement may make necessary the creation of a next version; the format and duration of technical support once the platform is up and running.

3. ANNEXES

Annex 1 - Definitions, Acronyms and Abbreviations

The table holds definitions, acronyms and abbreviations used within the document.

Definition	Description
CTM	Community Trade Mark
RCD	Registered Community Design
CF	Cooperation Fund
PO	Participating Offices
IPR	Intellectual Property Rights 2 (EU/China project on the protection of Intellectual Property Rights)
PSO	Programme Support Office

Annex 2 – Current IP learning initiatives

Below there is a list with the most representative IP learning projects:

- Innovaccess

Innovaccess is a constituent part of the IP Awareness and Enforcement: Modular Based Actions for SMEs project (IPeuropAware) which is financed by the CIP Programme of DG Enterprise and Industry of the European Commission. Information is provided by the national offices, the EPO and OHIM, however this page only facilitates the access to the national offices but it does not constitute a link to a true e-learning facility. Important to stress is the fact that some national offices (i.e. Sweden) have a direct link to this site from their homepage as the gateway for SMEs to IP information.[1]

- IP Panorama

IP Panorama was developed jointly by the Korean Intellectual Property Office (KIPO), the Korea Invention Promotion Association (KIPA), and the World Intellectual Property Organization (WIPO) under a project entitled, 'The Joint Development of E-learning Content' from 2004 to 2007. IP PANORAMA was designed to help SMEs utilize and manage Intellectual Property (IP) in their business strategy. IP PANORAMA relies on a brand new instructional design strategy based on 'Storytelling' along with educational technology. The learning content of each module was designed with a practical story regarding intellectual property. It is informative as well as interesting. IP_PANORAMA deals with IP issues from a business perspective, especially focusing on the situation of SMEs. Uniform and single information is available in English, Thai, Arabic and Hungarian (as some of the national offices are also becoming involved in this initiative). WIPO's SME sector would be interested in OHIM cooperating in IP Panorama.

- IP4INNO

ip4inno is a project funded by the European Commission as a part of the Sixth Framework Programme for Research and Technological Development. Its main aim is to help small and medium-sized enterprises (SMEs) enhance their understanding and use of intellectual property rights with a view to promoting innovation and competitiveness in line with the European Commission's Lisbon goals.

To achieve the goals outlined above, a consortium of partners (among which OHIM) was set up which brings together a number of important actors in innovation promotion. The partners are pooling resources to carry out analyses of SMEs' needs, design and test training modules, and finally make them available on this website, enriched with a variety of material on intellectual property aimed directly at SMEs.

The European Commission and the European Patent Office have agreed to run another two year project, intending to increase the range and reach of existing ip4inno teaching materials. Many of the modules have already been revised or updated during the summer. The European Patent Office is hosting workshops at its four main offices during October & November 2010, and is pleased to be trying much of this new material in the programmes for the very first time. Many of the authors of the new materials will be presenting the modules they have written (in English), in the case of OHIM Ulrika Rendel will present the module on CTM an RCD.

- [1]This project runs until Oct.2010. At this stage its future is unclear.

The PRO INNO EUROPE website has published a report on the first ip4inno project, which is considered to be a role model for other innovation supporting projects. The "Best Practice" fact sheet explains the strengths and successes of the first project. The website also includes a short film about the Project from those involved in creating the training material, those who taught with it, and those who it helped to improve their business strategies through better IP knowledge.

Today the tool is available in 9 languages.

- **e-learning at the EPO: EPO LMS**

The EPO's learning management system (LMS) is an e-learning platform which provides access to materials covering a wide range of patent-related topics. Since you can access the modules and courses at a time and pace that suits you, the LMS is a cost-effective and flexible alternative to traditional classroom-based learning.

Further, for users enrolled in a specific e-learning course organised by the Academy, the LMS is the platform to access the e-learning materials relating to the course and to participate in discussion forums with fellow participants and tutors; the LMS also offers the opportunity to provide feedback on the courses you have completed.

In addition to the LMS, the European Patent Academy, the EPO's external training and education arm, also offers users a patent event search function (on the left) which you can use to find out about patent-related events around Europe, including courses run by the European Patent Academy.

- **e-learning at the USPTO**

The Global Intellectual Property Academy (GIPA) has produced six modules on intellectual property protection and enforcement in five languages. The languages include English, Spanish, French, Arabic, and Russian. These modules cover all areas of intellectual property protection which include patents, copyrights, trademarks, geographical indications, enforcement and trade.

The tool was presented to OHIM in August 2010 and was evaluated as follows: The USPTO chose a very linear approach, i.e. combining static material (PPT) and video taped lectures. The user can not ask questions, there is no interactivity at all and it is certainly not the pedagogical approach that OHIM should strive at if we claim to serve the users in terms of optimal excellence.

- **e-learning at the Swiss IP office**

Swiss Office: The Swiss Office has a multi-lingual static tool for SMEs called "Quick answers for ingenious SMEs" that is simple and straightforward and looks like an attractive, not complicated approach to e-learning.

- **e-learning by IPR2**

As part of its work on supporting right holders of intellectual property, IPR2 provides training modules for broad-based learning on intellectual property protection. These bilingual modules are developed from trainings on current intellectual property protection issues and knowledge and insights from IP experts over the course of IPR2's implementation (**http://www.ipr2.org/elearning**).

▪ **e-learning at the Hungarian IP office**

The HPO is quite active in developing IP e-learning programs mainly orientated for university students.

▪ **e-learning at the Spanish IP office (OEPM)**

The OEPM has also dedicated a special corner for SMEs.

▪ **e-learning at OHIM**

1. OHIM has a section for SME composed of static material and video material containing interviews with SMEs. It is divided into three parts: a quickguide on IP, a quickguide on the CTM, a quickguide on RCD. It is a linear, purely informative approach not allowing the user to interact[2].

2. Handsoffmydesign is an e-learning site in English with materials tailor made for the target group of design students & teachers[3].

Name	Owner	Scope
Innovaccess	DG Enterprise	SMEs
IP4INNO	EPO/European Commission	SMEs
IP Panorama	WIPO	Companies
e-learning modules	USPTO	General user + companies
Handsoffmydesign	OHIM	Design Students and Teachers
National Offices		Partially academic world (universities) + companies

Table 8 - Overview of existing E-learning initiatives

[2] http://oami.europa.eu/ows/rw/pages/OHIM/multimedia/SME/SMEsinAction.en.do

[3] http://oami.europa.eu/t4t/rw/pages/index.en.do