

REGIONAL TRADE FOR DEVELOPMENT

REQUEST FOR PROPOSAL/TERMS OF REFERENCE FOR

The Development of ASEAN Guidelines on AI-Generated and Digital Trademarks

I. Summary

Title	Development of ASEAN Guidelines on AI-Generated and Digital Trademarks
Start Date	January 2026
Completion Date	December 2026
Reports to:	RT4D Manager: Dr. Heng Molyaneth, Regional Manager
Interacts With	RT4D: - Regional Manager: Heng Molyaneth - Program Performance and Quality (MEL, Communications and GEDSI) Lead: Sebastian Cortes Sanchez - Systems Manager (MEL and Communications): Tran Anh - Gender Equality, Disability, and Social Inclusion (GEDSI) and Trade Manager: Yooke Damopolii - Operations Lead: Isradi Alireja - Cambodia Program Officer: Chhorn Chamna ASEAN Secretariat (ASEC): Competition, Consumer Protection, IPR Division FTA Subsidiary Body: Intellectual Property Committee (IPC) Project Proponent: Intellectual Property Office of the Philippines (IPOPHL)
Requires Approval from:	RT4D: RT4D Team via Regional Manager ASEAN Secretariat: Competition, Consumer Protection, IPR Division FTA Subsidiary Body: Intellectual Property Committee (IPC) Project Proponent: Intellectual Property Office of the Philippines (IPOPHL)
Timetable for Tender Process	Request for Proposals: 27/11/2025 Closing Date for Queries: 10/12/2024 Closing Date for Proposals: 21/12/2025
Submission Instructions	The provider should submit Technical and Financial submissions in alignment with the requirements outlined in Section XII of this ToR. The Submissions or any questions should be sent to the following emails: AANZFTA Implementation Support Program: AISP@regionaltrade4dev.org Copy the email to: RT4D Regional Manager: molyaneth.heng@regionaltrade4dev.org

	RT4D Cambodia Program Officer: chamna.chhorn@regionaltrade4dev.org RT4D Operations Lead: muhamad.isradi@regionaltrade4dev.org
	Scope of Work Summary: The Regional Trade for Development Facility (RT4D) is seeking a consulting firm/consortium to implement the project “Development of ASEAN Guidelines on AI-Generated and Digital Trademarks” by providing both technical and event organisation support. RT4D will manage the project in close consultation with the ASEAN Secretariat, FTA Subsidiary Body and Project Proponent. This project will develop ASEAN Guidelines to address the most pressing challenges in trademark protection posed by generative AI, virtual goods, and commerce on digital platforms, raised by IP practitioners and IP officers across ASEAN Member States (AMS). Under the scope of services set in this ToR, Consultant will support both the technical and event organisation for the following activities under the project: - Activity 1 – Inception Phase: Developing Project Workplan - Activity 2 – Contextual Study: Regulatory and Situational Mapping - Activity 3 – AI & Digital Trademark Examination Toolkit Development - Activity 4 – Developing and disseminating the ASEAN Guidelines - Activity 5 – Online Public and Private Stakeholder Consultations - Activity 6 – Online and In-Country Training Workshops to Implement the Guidelines - Activity 7 – Project Reporting

II. Project Background

As artificial intelligence technologies and digital platforms reshape how trademarks are created, used, and protected, ASEAN Member States (AMS) face inconsistent approaches and capacity gaps in examining and managing these new forms of intellectual property challenges.

The Regional Trade for Development Facility (RT4D) is seeking a consulting firm/consortium (hereafter referred to as the Consultant) to implement the project “Development of ASEAN Guidelines on AI-Generated and Digital Trademarks” by providing both technical and event organisation support. RT4D will manage the project in close consultation with the ASEAN Secretariat, FTA Subsidiary Body and Project Proponent.

The Consultant must have demonstrated experience conducting legal and policy research, mapping national IP frameworks, analysing examination practices, and preparing structured technical outputs such as toolkits, checklists, model office actions, and procedural flowcharts. A strong understanding of ASEAN cooperation mechanisms, along with experience in research, consultation, and guideline development processes, is required.

The Consultant must also possess strong project management and communication skills to coordinate timelines, engage ASEAN stakeholders, and manage consultations, workshops, and training activities. They should be able to collect and analyse stakeholder feedback, apply MEL

principles, and produce accessible, high-quality technical and communication materials. A strong commitment to GEDSI, cultural awareness, and the ability to work effectively across AMS with diverse institutional capacities are essential. Further details are provided in Section XII.

III. Objectives, Beneficiaries and Outcomes

3.1. Project Objectives

The project will bridge critical implementation gaps in AI and digital trademark management across ASEAN by providing practical tools, institutional capacity-building support, and regional harmonisation mechanisms, including legal provisions mapping and stakeholder consultations.

The project will improve trademark examination practices in the digital era to reduce trade and investment barriers and promote effective IP creation, utilisation, protection, and enforcement across AMS with varying development levels and capacities.

To achieve this overarching goal, the project will implement a series of activities with the following specific objectives:

- Activity 1 – Inception Phase: Developing Project Workplan
- Activity 2 – Contextual Study: Regulatory and Situational Mapping
- Activity 3 – AI & Digital Trademark Examination Toolkit Development
- Activity 4 – Developing and disseminating the ASEAN Guidelines
- Activity 5 – Online Public and Private Stakeholder Consultations
- Activity 6 – Online and In-Country Training Workshops to Implement the Guidelines
- Activity 7 – Project Reporting

3.2. Intended Beneficiaries

- **Primary beneficiary group:** This group includes IP officials across AMS, including trademark examiners, as well as policy officials involved in developing examination procedures for AI-generated and digital trademarks. These officials will gain an increased understanding of issues surrounding AI-generated and digital trademark examination and registration, as well as access to harmonised guidelines, practical examination toolkits, and standardised checklists that enhance their institutional and technical capacity and quality management system to consistently and effectively handle emerging IP challenges.
- **Secondary beneficiary groups** are divided into two sub-groups.
 - The first group includes businesses across AMS, especially those led by women and PWDs, and IP holders. They will benefit from an increased understanding of AI-generated and digital trademark examination and registration through inclusive consultation and the publication of accessible, plain-language Guidelines and their corresponding communication materials. In addition, they will also gain an increased understanding of the impacts of existing IP frameworks on access, participation, and benefit distribution for women entrepreneurs, PWDs, and MSMEs. In the long run, they will also benefit from the increased predictability and harmonised AI-generated and digital trademark examination and registration procedures.
 - The second group includes legal practitioners, IP consultants, trademark associations, and civil society organisations who will have access to comprehensive resources for advising clients on AI and digital trademark matters, contributing to broader regional IP literacy and capacity

3.3. Project Outputs and Outcomes

This project directly addresses the AANZFTA IP Committee's Strategic Sectoral Directions and Priorities (SSDP) by supporting SSDP Priority 4 (primary priority) and SSDP Priority 1 (secondary

priority). Each project activity generates specific outputs that drive measurable SSDP Intended Outcomes, as outlined below and detailed in the Monitoring and Evaluation (M&E) framework (Section 9).

SSDP Priority 4: Improved IP examination practices and quality management

a) Intended Outcome 4a: IP officials across AMS, including trademark examiners, legal experts, and policy officials, will have improved IP quality management systems to ensure the high-quality and consistent examination of IP rights through final endorsement of the Guidelines with annexes that address various needs of AMS regarding AI-generated and digital trademark examination and registration.

- **Key outputs leading to the achievement of this outcome:**
 - Contextual study report (Activity 2)
 - Examination toolkits (Activity 3)
 - Final ASEAN guidelines and validation/endorsement (Activity 4)
 - Online public and private stakeholder consultation sessions (Activity 5)
 - Training workshops for implementation (Activity 6)
- **Evaluation indicator:** Quality improvements of the management systems will be demonstrated by official endorsement of the Guidelines and toolkits by IPC members (measured by Indicators 3 & 4).

b) Intended Outcome 4b: IP offices across AMS will have increased institutional capacity to administer trademark rights systems in the context of AI-generated and digital trademarks.

- **Key outputs leading to the achievement of this outcome:**
 - Examination toolkits (Activity 3)
 - Final ASEAN guidelines and validation/endorsement (Activity 4)
 - Online public and private stakeholder consultation sessions (Activity 5)
 - Training workshops for implementation (Activity 6)
- **Evaluation indicator:** Institutional capacity improvements will be demonstrated by 70% of IP officials participating in the online and in-person training workshops reporting increased knowledge to examine and register AI-generated and digital trademarks (measured by Indicator 17).

c) Intended Outcome 4c: IP officials and stakeholders will have increased knowledge on emerging IP areas, specifically AI-generated trademarks, digital goods classification, and virtual platform enforcement.

- **Key outputs leading to the achievement of this outcome:**
 - Contextual study report (Activity 2)
 - Plain-language summaries and infographics accessible to public and private stakeholders (Activity 4)
 - Online public and private stakeholder consultation sessions (Activity 5)
 - Training workshops for implementation (Activity 6)
- **Evaluation indicator:** Knowledge improvements will be demonstrated by at least 70% of online consulted IP officials and IP officials participating in the online and in-person training workshops reporting increased understanding of AI/digital trademark issues via post-event surveys (measured by Indicators 11 & 16).

SSDP Priority 1: Improved access to IP rights by MSMEs and other disadvantaged groups

a) Intended Outcome 1a: Underrepresented groups such as MSMEs, women entrepreneurs, entrepreneurs with disabilities, and stakeholders from LDE economies will be more equitably included in IP rights processes and policy development.

- **Key outputs leading to the achievement of this outcome:**

- Contextual study report (Activity 2)
- Online public and private stakeholder consultation sessions (Activity 5)
- Final ASEAN guidelines with GEDSI, sustainability, and LDE annexes (Activity 4)
- **Evaluation indicator:** Equitable inclusion will be demonstrated by achieving 30% participation by MSMEs, including those led by women and people with disabilities, and 30% of private sector stakeholders from LDE in Activities 2 and 5 (measured by Indicators 2 and 9). Additionally, this indicator is achieved through the development of the LDE-specific section and case study in the Guidelines and examination toolkits (measured by Indicators 3 and 4).

d) Intended Outcome 1d: Underrepresented groups will have increased public awareness and visibility of IP rights information related to AI-generated and digital trademarks.

- **Key outputs leading to the achievement of this outcome:**
 - Final ASEAN guidelines with GEDSI, sustainability, and LDE annexes (Activity 4)
 - Communication materials, including the plain-language summaries and infographics of the Guidelines, adapted for non-technical audiences (Activity 4)
 - Online public and private stakeholder consultation sessions (Activity 5)
- **Evaluation indicator:** Increased public awareness will be demonstrated by at least 70% of online consulted participants reporting increased understanding of AI and digital trademark challenges via post-event surveys (measured by Indicator 11), and successful dissemination of plain-language materials and localised Guidelines versions (measured by Indicator 8).

RT4D End of Investment Outcomes and Intermediate Outcomes¹

The project also contributes to RT4D's End of Investment Outcomes (EOIO) 1 and 2 through achieving Intermediate Outcomes (IO) 1 and 4.² Through the development of ASEAN Guidelines and toolkits with clear guidance for LDEs and a strong focus on and inclusion of MSMEs, especially those led by women and PWDs in the project activities, the project enhances the technical and institutional capacity and policy options of IP office officials to better protect IP rights.

3.4 Complementarity with Other Efforts

This project builds upon and complements several existing regional and international initiatives in intellectual property development:

Regional and Institutional Complementarity:

The project advances trademark harmonisation under the *ASEAN IPR Action Plan 2016-2025* (and the upcoming *ASEAN IPR Action Plan 2026-2030*), addressing emerging digital economy challenges not fully covered in existing frameworks. It aligns with the *ASEAN Digital Masterplan* and the *ASEAN Guide on AI Governance and Ethics*, filling IP gaps related to digital transformation

¹ Regional Trade for Development (RT4D) is the umbrella program for the AANZFTA Implementation Support Program (AISP) and the RCEP Implementation Support Program (RISP). Across its programs, RT4D follows a set of common "End of Investment Outcomes (EOIOs)" and six Intermediate Outcomes (IOs) that are expected to be achieved by the end of the Program (30 June 2028).

² EOIO1: Selected FTAs are effectively implemented: Parties have enhanced cross-border cooperation and increasingly consistent regulatory frameworks, in targeted sectors, that have considered the needs of SMEs, women, and people with disability.

EOIO2: Regional and national institutions, particularly within LDCs, have improved skills, networks, and policy options to implement FTAs in targeted sectors.

IO1: FTA workstreams supported by RT4D effectively assist economic cooperation and integration as prioritised by FTA Parties, particularly LDCs.

IO4: FTA Parties and their institutions, particularly LDCs, have improved knowledge and skills to increasingly implement priority areas within FTAs.

and AI technologies. The Guidelines will integrate with existing ASEAN IP databases and portals to enhance accessibility and coordination.

The project leverages the ASEAN Working Group on IP Cooperation and ASEAN Trademark Task Force for review and implementation, while complementing national IP office initiatives to avoid duplication and create synergies between regional and domestic efforts.

International Alignment:

The project incorporates international best practices from WIPO AI and digital trademark initiatives, adapted to ASEAN contexts and development levels. It complements AANZFTA Chapter 13 and related IP agreements by providing specialised guidance that enhances implementation and prevents emerging IP challenges from creating new barriers to regional trade and investment.

IV. Project Activities, Outputs and Timelines

A. Project Activities

This project supports the development, localisation, and dissemination of regional ASEAN Guidelines on AI-Generated and Digital Trademarks, to be adopted by ASEAN IP offices and stakeholders. The Guidelines aim to enhance institutional readiness, harmonise practices, and build regional consensus around new trademark challenges associated with AI and digital platforms.

The project is structured around seven interlinked activities, designed to deliver progressively more detailed, co-created, and user-friendly resources aligned with the IPC SSDP priorities. A consulting firm (hereinafter referred to as the consultant) will be engaged to support project implementation.

4.1. Activity 1 – Inception Phase: Developing Project Workplan

The project will begin by establishing foundational administrative and strategic arrangements (project scope definition, work plan development, and stakeholder alignment) to enable the efficient delivery of subsequent technical activities.

To achieve this objective, a project workplan will be developed, and a kick-off session will be organised to officially launch the project, present the detailed work plan to key stakeholders (e.g., the Project Proponent, RT4D, ASEC, and IPC), and establish governance mechanisms for ongoing project coordination.

The Consultant will support the project implementation through the following key tasks:

1. Prepare a detailed project workplan that includes the roles and responsibilities of relevant stakeholders in the project, an implementation strategy for every activity across the project implementation, including GEDSI integration, accommodation for LDEs' needs, potential stakeholders involved and their means of involvement, and a sustainability plan.
2. Organise a kick-off meeting with relevant stakeholders (namely RT4D, Project Proponent, Working Group, IPC, ASEC) to present the workplan and develop subsequent engagement mechanisms following RT4D and project requirements.
3. Finalise the detailed project workplan based on comments from all relevant stakeholders.

Output:

- 1.1. Final project workplan (for internal use)

Relevant SSDP Priorities and Intended Outcomes: 4a, 4b, 4c, 1a, 1d

4.2. Activity 2 – Contextual Study: Regulatory and Situational Mapping

IP offices across AMS currently lack regional guidance for responding to AI-generated marks and digital-only trademark use. This gap has produced fragmented regulatory frameworks, inconsistent examination practices, and barriers to cross-border digital commerce, all of which drive up compliance costs for industry across AMS.

To understand the current contextual posture of trademark protection in AMS, the project will conduct a study that will establish a baseline of (a) existing legal frameworks, (b) examination practices, (c) institutional capacities, (d) national policy and practices efficacy in addressing digital-era IP challenges, and (e) access of business communities to IP protection – especially MSMEs led by women and people with disabilities. To this end, the project will also assess how current legal frameworks and practices impact the participation, access, and benefit-sharing of women entrepreneurs, PWDs, and MSMEs in the trademark system.

The study will be conducted through desk research of national regulations and its implementation, key informant interviews with IP office officials and practitioners from all AMS (ensuring gender balance and inclusion of underrepresented groups), and institutional capacity assessments. The research will incorporate GEDSI analysis throughout the design, data collection, and analysis, with a particular focus on the barriers faced by underrepresented communities.

The Consultant will support the project implementation through the following:

1. Conduct desk research on national trademark laws, regulations, practice directives, and institutional guidelines in each AMS, accompanied by identifying harmonisation opportunities, analysis on GEDSI/LDE barriers, and their efficacy analysis in providing IP protection in response to AI-generated and digital platform innovation, with specific attention to MSMEs led by women or PWDs, and MSMEs in LDE contexts.
2. Develop and conduct key informant interviews with national IP office officials, legal experts, and practitioners in each AMS, ensuring inclusion of MSMEs led by women or PWDs and incorporating questions examining how current practices affect access, participation, and benefit distribution for these groups.
3. Assess the institutional capacity of AMS IP offices by analysing existing IP office initiatives, pilot programmes, and internal practices related to AI tools, digital goods classification, and the examination or enforcement of AI-generated trademarks used or disseminated in virtual environments and digital platforms.
4. Compile legislative references, procedural norms, and best practice examples on AI-generated and digital trademark registration for Guidelines annexes, including a dedicated GEDSI/LDE section to support LDE implementation needs.
5. Develop and finalise a contextual study report, incorporating findings from desk research, stakeholder interviews, legal analysis and harmonisation recommendations, based on comments from relevant stakeholders.

Outputs:

- 2.1. A contextual study, providing regulatory and situational mapping of trademark registration frameworks and IP office institutional readiness in responding to AI-generated and digital trademark registration across all AMS, including GEDSI and LDE analysis highlighting access barriers for underrepresented communities. (for internal use)

Relevant SSDP Priorities and Intended Outcomes: 4c, 4c, 1a

4.3. Activity 3 – AI & Digital Trademark Examination Toolkit Development

AMS lack practical examination and registration guidance on AI-generated and digital platform trademarks. This gap leads to inconsistent decision-making, varied procedures, and reduced confidence among practitioners, ultimately undermining the AEC Blueprint's harmonisation goals.

To address this challenge, the project will develop examination toolkits that will include (a) a model cases compilation, (b) sample office actions and procedural follow-up guidance, (c) hypothetical IP examiner scenarios, and (d) standardised checklists that reduce examination unpredictability AMS. This toolkit package will be annexed to the Guidelines. The toolkit development will consider GEDSI aspects and the LDE context, examining how current examination procedures affect MSMEs, women-led businesses, and entrepreneurs with disabilities

The Consultant will support the project implementation through the following:

1. Research and compile real trademark cases involving AI-generated marks and digital platform use from AMS and international jurisdictions on AI-generated logo registrations; virtual goods disputes; cross-border infringement actions involving digital intermediaries; and pilot AI-trademark filings by AMS IP offices.
2. Design hypothetical case studies for common examination scenarios, such as enforcement challenges and procedural decisions for AI and digital trademarks, with examples relevant to MSMEs, reflecting LDE context and principles of equality, equity and inclusivity.
3. Create standardised examiner checklists to assess AI-generated trademark applications, digital goods classifications, and evidence of virtual platform use. Finalise the checklists based on comments from all relevant stakeholders.
4. Develop sample IP office action documents, including rejection letters, approval templates, and a flowchart explaining treatment to AI and digital trademarks, that incorporates ASEAN Guidelines principles and terminology in plain language accessible to diverse users. Finalise the action documents based on comments from all relevant stakeholders.

Outputs:

- 3.1. AI & Digital Trademark Examination Toolkits, including checklists, templates, and decision-making guides/flowcharts, a model of Office Actions, and its examination scenarios procedural templates for IP practitioners accompanying the ASEAN Guidelines. (to be annexed to the ASEAN Guidelines)

Relevant SSDP Priorities and Intended Outcomes: 4a, 4b, 1a, 1d

4.4. Activity 4 – Developing and Disseminating the ASEAN Guidelines

This activity establishes region-wide Guidelines to address the absence of a unified framework for examining AI-generated and digital trademarks. Building on the contextual study (Activity 2) and toolkit development (Activity 3), the guidelines draft substantive sections covering scope, definitions, examination procedures, evidence requirements, and enforcement considerations.

Along with the Guidelines, the project will develop communication materials on the Guidelines for AMS IP offices and the private sector stakeholders, and a dissemination plan for the Guidelines and its communication materials. and will explicitly adhere to principles of accessibility, equality, equity, and inclusive communications to ensure the materials are usable across diverse AMS institutional capacities and stakeholder groups

To ensure regional alignment and validate the technical soundness of the draft materials, an online regional workshop will be convened to review and validate the draft Guidelines, communication materials, and the dissemination plan. Feedback gathered from this online validation workshop, together with inputs from Activity 5 consultations, will inform the final revisions prior to dissemination under Activity 6.

The Guidelines will also include analysis of how current regulatory and examination practices affect MSMEs, women entrepreneurs, and PWDs, ensuring the final document reflects equitable access and participation across AMS.

The Consultant will support the project implementation through the following:

1. Develop ASEAN Guidelines on AI-Generated and Digital Trademarks structure and substantive sections, including definitions compendium and procedural flowcharts based on prior mapping and toolkit findings, mechanisms to ensure Guidelines remain responsive to innovation and AMS concerns, and embedding GEDSI, sustainability, and LDE elements.
2. Develop communication materials on the Guidelines for AMS IP offices and the private sector stakeholders, with consideration of GEDSI aspects and the LDE context. For IP office officials, the communication materials will be plain-language summaries and infographics to explain the Guidelines. For business stakeholders, the communication materials will include plain-language summaries and infographics to provide high-level information on current practices for AI-generated and digital platform trademark registration.
3. Develop a dissemination plan for the Guidelines and communication materials to AMS IP offices and the private sector stakeholders.
4. Organise and facilitate an online regional validation workshop to present, review, and validate the draft Guidelines, communication materials, and dissemination plan. This includes preparing the technical materials, managing the virtual session logistics, leading the technical delivery of the workshop, and capturing all feedback for refinement.
5. Revise and finalise the Guidelines, communication materials, and dissemination plan based on inputs received through the online stakeholder consultations (Activity 5) and the online regional validation workshop.
6. Disseminate the final Guidelines and communication materials and develop a dissemination report.

Outputs:

- 4.1. A package of the online regional validation workshop materials which include technical materials and a post-workshop report.
- 4.2. Final ASEAN Guidelines on AI-Generated and Digital Trademarks in English with annexes (including technical annexes, GEDSI-specific sections, LDE implementation guidance, and sustainability frameworks) (Word Document and Layout version) (for public dissemination)
- 4.3. Final Communication materials on the Guidelines in English for IP offices and the private sector stakeholders. (Word Document and Layout version) (for public dissemination)
- 4.4. Final dissemination plan, with identification of AMS that may potentially be ready to adopt the Guidelines. These AMS will be prioritised for additional virtual training sessions to support Guidelines implementation under Activity 6. (for internal use)
- 4.5. A dissemination report of the ASEAN Guidelines and communication materials.

Relevant SSDP Priorities and Intended Outcomes: 4a, 4b, 1a, 1d

4.5. Activity 5 – Online Public and Private Stakeholder Consultations

After completing Activities 2 to 4, this activity will gather input from the AMS IP office officials and other relevant external stakeholders through inclusive consultations that incorporate GEDSI and LDE perspectives. This input will help the Guidelines address AMS' varying practical needs based on their different regulatory approaches and examination experiences with AI-generated and digital trademarks.

The consultant will collect feedback on the contextual study findings, the draft Guidelines, the draft examination toolkits, the communication materials related to the Guidelines, and the dissemination plan. These materials will inform the refinement of the outputs of Activities 2-4, as well as the design of the guideline implementation training workshop under Activity 6.

Feedback collection will be done through two scheduled online, inclusive consultation sessions. The first session is with IP office officials, and the second session is with external stakeholders (public/private representatives in AMS). A public announcement of the second consultation session will be made on the ASEAN IP Portal, AMS IP Portals, RT4D website, and other relevant channels, inviting interested stakeholders to register and participate. In addition to these two online consultation sessions, the project will conduct targeted consultations with MSMEs, particularly those led by women and PWDs, as well as other key relevant stakeholders in LDEs (approximately 10-15 people).

The Consultant will support the project implementation through the following:

1. Prepare a consultation plan that includes a feedback-gathering timeline, key stakeholders to be consulted, consultation milestones, and the consultation approach. This will include a plan to solicit perspectives on how current systems support or hinder participation by women-led enterprises, PWD entrepreneurs, and MSMEs.
2. Develop comprehensive consultation facilitation materials, including session agendas, online engagement guides, ensuring accessibility and inclusive participation, PowerPoint Presentation Slides, and so on.
3. Organise two consultation sessions and targeted outreach to LDE stakeholders, explicitly inviting and involving women-led businesses, entrepreneurs with disabilities, and MSME representatives to ensure inclusive participation and feedback. The consultation questions will explicitly explore how current practices and regulations shape access, participation, and benefit distribution for these groups.
4. Produce a stakeholder consultation report with a dedicated section on GEDSI analysis and three separate sections of consultation results with: (1) AMS IP Office Officials; (2) public and private stakeholders in AMS, and (3) targeted LDE stakeholders. (for internal project).

Outputs:

- 5.1. A stakeholder consultation plan (for internal use)
- 5.2. Three packages of consultation materials (1 package for AMS IP Officials, 1 package for open session with public and private stakeholders in AMS, and 1 package for LDE stakeholders)
- 5.3. Online stakeholder consultation report (for internal use)

Relevant SSDP Priorities and Intended Outcomes: 4a, 4b, 4c, 1a, 1d

4.6. Activity 6 – Training Workshops to Implement the Guidelines

Activity 6 will deliver targeted capacity-building support for AMS through two complementary components:

- 1) Component 1: One (1) one-day online regional training workshop for IP officials from all AMS; and
- 2) Component 2: Two (2) in-country one-day workshops for two AMS (one per AMS) that voluntarily commits to implementing the Guidelines in full or in part. (Tentatively planned for the Philippines and Thailand for budgeting purpose. Final confirmation on selected AMS will be done during the project implementation)

The in-country workshops will build upon the regional online training and provide tailored support addressing each country's specific implementation gaps. Where appropriate, and depending on national needs, the in-country workshops may combine IP officials and private-sector stakeholders to maximise relevance and inclusivity.

All training activities will be designed and delivered to ensure clarity, usability, and alignment with GEDSI principles, including examining how current trademark examination practices affect women-led MSMEs, PWD entrepreneurs, and MSME applicants. Training content will incorporate LDE considerations, plain-language materials, and practical case examples.

Component 1 – One-Day Online Regional Training Workshop for IP Officials

This workshop will introduce AMS officials to the ASEAN Guidelines and Examination Toolkits, providing a shared regional understanding of concepts, procedures, and emerging digital trademark challenges. The training will include interactive discussions, practical demonstrations of the Toolkit, and targeted exercises on applying the Guidelines to AI-generated and digital trademarks.

Indicative Topics (Online, for IP Officials)

- Overview of the ASEAN Guidelines and Examination Toolkits
- Applying harmonised procedures to AI-generated and digital trademarks
- Classification and distinctiveness challenges for digital and virtual goods
- Evidentiary assessment in virtual environments (platform evidence, digital logs, screenshots, blockchain)
- Model case walkthroughs and hypothetical scenarios
- Integrating GEDSI and LDE considerations into examination practices
- National implementation pathways and readiness assessments

Component 2 – One-Day In-Country Training Workshops for Selected AMS

Two AMS will host an in-country workshop each tailored to their specific implementation needs. The workshops will build upon the regional online training and address country-specific procedural gaps, capacity constraints, and operational challenges identified during Activities 2-5.

Depending on the implementation context, the session may involve both IP officials and private-sector participants (e.g., MSMEs, women entrepreneurs, PWD-led businesses, local practitioners).

Indicative Topics (In-Country, for Officials and Private Sector, as appropriate)

- Country-specific application of the ASEAN Guidelines and Toolkits
- Filing strategies for AI-generated and digital trademark applications
- Addressing implementation gaps identified through contextual study and consultations
- Case studies relevant to local MSMEs, including women-led and PWD-led businesses
- Protecting trademarks across digital platforms and virtual environments
- Understanding cross-border implications for national Examination practices
- Practical guidance on national implementation steps and institutional readiness

The Consultant will support implementation through the following:

1. Prepare all technical materials required for both the online regional training workshop and the in-country training workshops, ensuring they integrate GEDSI and LDE considerations.
2. Provide event organisation and management support for both in-country training workshops in close coordination with RT4D, the Project Proponent, ASEC, and host AMS.

3. Lead the technical delivery of the online and in-country workshops, ensuring content is adapted to regional and national needs.
4. Prepare two workshop completion reports (one for the online regional workshop, and one for the in-country workshop) summarising workshop proceedings, participant feedback, lessons learned, and recommendations for next steps.

Outputs:

- 6.1. Three complete sets of technical materials for the virtual workshop and in-country workshops.
- 6.2. Two complete sets of materials associated with in-country workshop organisation and management support delivered (one set for each workshop). The package should include event planning materials, including pre-workshop coordination, on-site management, and post-workshop follow-up.
- 6.3. Technical delivery of both the in-person training and the virtual training workshops, following the approved agendas.
- 6.4. Three short workshop completion reports (one for each workshop) summarising workshop proceedings, participant feedback, lessons learned, and recommended next steps.

Relevant SSDP Priorities and Intended Outcomes: 4a, 4b, 4c

4.7. Activity 7 – Project Reporting

The project will produce the following two reports to provide RT4D and relevant stakeholders with oversight of the project:

1. **Project Progress Report:** The report will summarise project implementation results from January to June 2026, following RT4D's templates. The report will be shared with the project proponent, IPC, and ASEC by June 2026.
2. **Project Completion Report:** After all project activities are completed, the Project Completion Report assesses the achievement of project objectives and the delivery of outputs. The report will follow RT4D's template, and the draft will be submitted to the Economic Cooperation Sub-Committee (ECSC) in December 2026, in close consultation with RT4D, the project proponent, ASEC, and IPC.

The consultant will support the project implementation through the following:

1. Prepare and submit the Project Progress Report.
2. Prepare and submit the Project Completion Report.
3. Ensure all outputs and relevant documentation are provided to RT4D.

Outputs:

- 7.1. A Project Progress Report submitted to RT4D.
- 7.2. Final Project Completion Report submitted to RT4D.

Relevant SSDP Priorities and Intended Outcomes: N/A

B. Project Work Plan and Timeline

Working closely with the RT4D team, the ASEAN Secretariat, the FTA Subsidiary Body-IPC, and the IPOPHL, the Consultant is expected to deliver the outlined deliverables in line with the work plan and timeline below. The support from the selected Consultant, will be undertaken over a continuous effective period of **12** calendar months with an estimated **129** person days of professional services. The actual time will be agreed upon in negotiation with the selected Consultant. Work will commence immediately after the contract is signed.

Table 1 – Summary Project Work Plan and Timeline

Activity / Task	Responsible Party	Implementation Timeline (Jan – Dec 2026)
Activity 1: Inception Phase: Developing Project Workplan		Jan-Feb 2026
Task 1.1: Prepare a detailed project workplan outlining stakeholder roles, implementation strategy, and GEDSI/LDE integration	Consultant	By week 4 Jan 2026
Task 1.2: Organise kick-off meeting with key stakeholders (RT4D, project proponent, ASEC, IPC)	Consultant, RT4D, project proponent, ASEC, IPC	By week 1 Feb 2026
Task 1.3: Finalise the detailed project workplan based on stakeholder comments	Consultant, RT4D, project proponent, ASEC, IPC	By week 4 Feb 2026
Activity 2: Contextual Study: Regulatory and Situational Mapping		Mar-May 2026 (Draft) Aug 2026 (Final)
Task 2.1: Conduct desk research on AMS national trademark laws, regulations, and practice directives	Consultant	By week 2 Mar 2026
Task 2.2: Develop and conduct key informant interviews with IP office officials and stakeholders across AMS	Consultant	By week 4 Mar 2026
Task 2.3: Assess the institutional capacity of AMS IP offices on AI & digital trademarks	Consultant	By week 2 Apr 2026
Task 2.4: Compile legislative references and best practice examples	Consultant	By week 4 Apr 2026
Task 2.5: Develop a draft contextual study report	Consultant	By week 4 May 2026
Task 2.6: Finalise the contextual study report based on feedback from online stakeholder consultation sessions	Consultant, RT4D, project proponent, ASEC, IPC	By week 4 Aug 2026
Activity 3: AI & Digital Trademark Examination Toolkit Development		Apr-Jun 2026 (Draft) Oct 2026 (Final)
Task 3.1: Research and compile AI & digital trademark cases from AMS and international sources	Consultant	By week 2 Apr 2026
Task 3.2: Design hypothetical examination scenarios for common IP cases	Consultant	By week 3 May 2026
Task 3.3: Create standardised examiner checklists for AI/digital trademarks	Consultant	By week 4 May 2026
Task 3.4: Develop sample office actions and templates	Consultant	By week 2 Jun 2026

Activity / Task	Responsible Party	Implementation Timeline (Jan – Dec 2026)
Task 3.5: Finalise the examination toolkit package based on feedback from online stakeholder consultation sessions and the regional validation workshop.	Consultant, RT4D, project proponent, ASEC, IPC	By week 4 Oct 2026
Activity 4: Developing and Disseminating the ASEAN Guidelines		Apr-Jun 2026 (Draft) Oct 2026 (Final)
Task 4.1: Develop ASEAN Guidelines substantive sections	Consultant	By week 2 Apr 2026
Task 4.2: Prepare communication materials for IP offices and business stakeholders	Consultant	By week 3 May 2026
Task 4.3: Develop a dissemination plan, including identification of AMS for training workshops	Consultant	By week 2 Jun 2026
Task 4.4: Prepare and deliver an online regional workshop to validate the Guideline with AMS officials	Consultant, ASEC, RT4D, IPC	By week 2 Sep 2026
Task 4.5: Disseminate the final Guidelines and communication materials and develop a dissemination report	Consultant, RT4D, project proponent, ASEC, IPC	By week 4 Oct 2026
Activity 5: Online Public and Private Stakeholder Consultation		Jul-Aug 2026
Task 5.1: Prepare a consultation plan detailing stakeholders and schedule	Consultant	By week 2 Jul 2026
Task 5.2: Develop facilitation and presentation materials	Consultant	By week 4 Jul 2026
Task 5.3: Organise two online consultations and targeted LDE outreach	Consultant, RT4D, project proponent, ASEC, IPC	By week 2 Aug 2026
Task 5.4: Prepare stakeholder consultation report with GEDSI and LDE focuses	Consultant, RT4D	By week 4 Aug 2026
Activity 6: Training Workshops to Implement the Guidelines		Oct-Nov 2026
Task 6.1: Prepare technical materials for in-person and virtual training workshop delivery	Consultant	By week 3 Oct 2026
Task 6.2: Provide event organisation and management support	RT4D and Consultant	By week 4 Oct 2026
Task 6.3: Technical delivery of in-person and virtual training workshop sessions	RT4D and Consultant	By week 1 Nov 2026
Task 6.4: Deliver short workshop completion reports summarising workshop proceedings, participant feedback, lessons learned, and recommended next steps	Consultant, RT4D, project proponent, ASEC, IPC	By week 3 Nov 2026
Activity 7: Project Reporting		Nov – Dec 2026
Task 7.1: Develop and finalise a Project Progress Report using RT4D standard template	Consultant, RT4D	By week 2 Jun 2026
Task 7.2: Prepare and finalise a Project Completion Report for ECSC endorsement	Consultant, RT4D, project proponent, ASEC, IPC, ECSC	By week 4 Dec 2026

V. Gender Equality Disability and Social Inclusion

5.1. GEDSI Dimension of the Project

The project embeds GEDSI considerations into both its design and intended outcomes. It promotes inclusive access to trademark registration and protection systems by ensuring the ASEAN Guidelines are accessible to MSMEs, especially those led by women and people with disabilities. The project seeks to ensure these stakeholders benefit from the emerging digital economy, including metaverse and AI-generated content marketplaces, by addressing barriers related to legal literacy, digital access, and procedural complexity.

5.2. GEDSI Dimensions of the Sector

Women-led enterprises, MSMEs, and persons with disabilities, informal sector entrepreneurs, and those in rural or remote areas face distinct challenges in accessing IP systems, especially in digital environments, due to low legal awareness, limited digital skills, and constrained institutional support.

Additionally, these groups are often excluded from the development of trademark policies and enforcement in digital marketplaces (such as metaverse platforms or social commerce). Without intervention, the shift toward digital trademarks and AI-generated branding risks reinforcing exclusion, particularly for first-time applicants, women-led enterprises, or MSMEs with limited legal or financial resources. The project will thus examine these differentiated impacts systematically to ensure the Guidelines address structural barriers and support more equitable participation in IP systems.

This project directly addresses these barriers by designing Guidelines that are accessible through simplified language, clear visual examples, and the inclusion of illustrative case studies. The project will engage various stakeholders during consultations to ensure its outputs respond to MSMEs' needs, especially those led by women and PWDs.

5.3. GEDSI Mainstreaming

A. *How will this project mainstream gender considerations? Describe how the project's content, practitioners, and delivery will reflect RT4D's GEDSI requirements?*

- Project's contextual study (Activity 2) will embed GEDSI analysis and apply a GEDSI-focused lens throughout its stages.
- Ensure that at least one session in each public consultation or capacity-building activity directly addresses gender-related challenges and use cases within the digital IP space.
- Stakeholder consultation will invite and involve representatives of women, people with disabilities, MSMEs, and LDEs.
- Invite up to 30% female representation in speakers, trainers, and panellists in each public-facing event across all project activities.
- Achieve 30% female participation in project activities.
- Collect and report gender-disaggregated data for all participant engagement and incorporate gender and barrier analysis into all project reports.
- Ensure accessibility in the organisation of project's events, entailing accessible accommodations and venue, provision of English to national language interpreters, and other support as needed.
- Provide reasonable accommodation as requested by the participants and within the limit of the project's resources.
- Guidelines and materials developed will adhere to the principles of accessibility and inclusive communications, for example: providing plain-language outputs in accessible digital formats aligned with WCAG 2.1 AA standards, including ensuring all materials avoid

technical jargon and meet readability standards (Flesch Reading Ease score above 60), development of audio-based materials, etc.

B. *Who are the targeted participants of the project's activities? What will be the planned proportion of male and female participants? Will there be participants with disabilities and/or other participants representing underrepresented and/or underprivileged groups?*

The target participants include national IP officials, trademark examiners, policymakers, and representatives of MSMEs and digital economy actors. The project aims to:

- Achieve a minimum representation target of women and persons with disabilities, including extending formal invitation to the relevant stakeholders (see point A).
- Review all project materials using the following GEDSI indicator checklist before publication or distribution.
 - Percentage of female participants (target: minimum 30%)
 - Extended invitations sent to organisations of people with disabilities (OPD) and women entrepreneurs' business associations.

C. *How does this project benefit disadvantaged groups (e.g. people with disabilities, ethnic minorities, MSMEs)? Are any measures needed to ensure that work in this sector, and specific to the subject of the project, "Does No Harm"?*

The project will benefit disadvantaged groups by:

- Developing plain-language summaries (maximum 1,500 words)
- Ensuring all materials meet accessibility standards (see point A).
- Establishing anonymous feedback mechanisms, including offering multiple input channels, such as live discussion, written comments, and email submissions, during all consultations.

D. *How will the proposed project activities ensure the voices and aspirations of all participants, including those representing woman and other marginalised groups, be heard? What mechanism is provided to solicit input from participants or stakeholders that may not proactively contribute? Please elaborate.*

In line with the RT4D Guidelines for Inclusive Events and Communications, the project will ensure that all events and outputs adhere to inclusive practices, including:

- Offer multiple input channels, such as live discussion, written comments, and email submissions during all consultations, and provide session recaps.
- Make targeted outreach to MSMEs, especially those led by women and people with disabilities and their representatives, for involvement and consultation (Activities 2 and 5).
- Ensure all physical and online interactions meet the accessibility standard (see Point A).
- Conduct post-event feedback survey, including on accessibility aspects.

E. *How will you ensure the organisation and/or implementation of project activities is inclusive (please refer to the RT4D Guidelines for Inclusive Events and Communications)?*

To ensure all activities adhere to RT4D Guidelines for Inclusive Events and Communications:

- **Inclusive Planning and Design**
 - Review all materials using GEDSI checklist (see point B) prior to finalisation
 - Earmark budget explicitly for GEDSI measures, including interpretation, accessible materials, outreach costs, and venue accessibility, if possible.
- **Accessible Communications:**
See point A.
- **Platform and Venue Accessibility:**

- See point A.
- **Representative and Diverse Speakers:**
 - See point A.
- **Proactive Participant Outreach:**
 - See point A.
- **Monitoring and Continuous Improvement:**
 - Include GEDSI analysis sections in all activity reports, Public Consultation Report, and Project Completion Report with specific findings and recommendations.
 - Conduct quarterly GEDSI reviews with the project team and AMS focal points to assess progress and adjust strategies based on the indicators in Point B.

VI. Communications, Media, and Business Engagement

The project supports the AANZFTA Parties in clearly communicating how the Agreement addresses emerging digital challenges, particularly in the context of the metaverse, AI-generated content, and digital trade. It highlights the AANZFTA's capacity to provide forward-looking, practical, and inclusive solutions to emerging intellectual property issues, reinforcing the Agreement's relevance to ASEAN and Australia/New Zealand stakeholders in a rapidly evolving digital economy.

Clarity of Message

The project's scope, objectives, and intended outcomes are communicated through accessible, plain-language documentation and stakeholder consultations. The project supports clear messaging around how AANZFTA provisions can be operationalised in practice by translating complex and technical legal developments into business- and citizen-friendly. Guidelines and supporting materials will feature case studies and examples that demonstrate how AANZFTA-aligned policies and tools benefit businesses, IP offices, and consumers across Member States.

Alignment with Project Objectives

All communication outputs directly reinforce the project's core objectives: enhancing legal clarity, institutional capacity, and cross-border coherence on AI-related trademark issues. Outputs such as the ASEAN Guidelines, examiner checklists, and business-facing toolkits are themselves public communication instruments that serve both implementation and education purposes. To guarantee public access and transparency, the following approved outputs will be published at these milestones:

- **ASEAN Guidelines:** published on the ASEAN IP Portal website within two weeks of approval of ASEAN Working Group on Intellectual Property Cooperation (AWGIPC); and
- **AI & Digital Trademark Examination Toolkit:** made publicly available as downloadable PDFs on project and ASEAN IP Portal websites within two weeks after AWGIPC's endorsement.

Call to Action and Stakeholder Engagement

Following the Guidelines launching, the project includes a structured dissemination and capacity-building phase, during which communications will encourage stakeholders (e.g. national IP offices, examiners, business users, and legal practitioners) to internalise the guidelines. Post-project engagement is supported through the Guidelines' publication with the ASEAN IP Portal.

External Communications

Several project outputs will be suitable for public dissemination, including the ASEAN Guidelines themselves, selected case studies and toolkits, and summaries of public consultation findings.

Where appropriate, RT4D and ASEC may adapt these materials into press releases, blog posts, or digital campaign content to be shared via official websites and social media platforms.

The ASEAN Guidelines will be published on the ASEAN IP Portal within two weeks of approval by AWGIPC. Plain-language summaries and localised versions will also be published.

6.1. Engagement, Building Relationships and Facilitating Feedback from Businesses

The project strongly supports the objective of enhancing engagement and feedback loops between AANZFTA Parties and the private sector, particularly in the rapidly evolving space of AI-generated and metaverse-related trademarks. Engagement activities will also assess how current IP practices affect MSMEs led by women or PWDs, and identify opportunities to enhance their participation in digital trademark systems.

To this end, LDE considerations will be embedded in the ASEAN Guidelines through a dedicated LDE Implementation Section, which provides insights for LDEs in general, country-specific guidance for Cambodia, Lao PDR, and Vietnam, as well as broader adaptation guidance for other AMS.

The business community, including IP-intensive industries, digital platforms, metaverse developers, and innovation-driven MSMEs, will also be directly engaged throughout the design and dissemination of the ASEAN Guidelines.

Collaborative Partnerships and Knowledge Transfer

Business and private sector partners will be meaningfully involved from the outset, particularly during the consultative workshops and public comment rounds. These engagements will not only shape the design of the ASEAN Guidelines but also foster long-term partnerships with key industry actors, including those operating in AI, creative industries, virtual goods, and digital marketplaces.

These engagements are designed to encourage two-way knowledge transfer: public-sector actors gain insight into real-world trademark challenges, while businesses benefit from early exposure to regional approaches that may influence future regulatory or procedural changes.

Leveraging Expertise and Capacity Building

The project will tap into business stakeholders' specialised expertise to develop high-quality reference materials (e.g. case studies, sample marks, procedural challenges). Their contributions will improve the operational relevance of the Guidelines and strengthen regional alignment with emerging global practices.

Training activities and knowledge toolkits developed under the project will also support capacity-building for private sector stakeholders. These will be tailored to the needs of MSMEs led by women or persons with disabilities, start-ups, and innovators navigating the complexities of trademark protection in digital spaces. Where feasible, co-branded training sessions or resource materials may be developed in partnership with business associations or innovation hubs.

Marketing, Visibility, and Strategic Alliances

The launch of the ASEAN Guidelines will be supported by a communications and dissemination campaign that includes business-facing messaging and targeted outreach to key industry sectors. This creates an opportunity for joint visibility between AANZFTA Parties and influential business actors, highlighting the Agreement's responsiveness to innovation-driven economic developments.

Strategic alliances with business groups, chambers of commerce, and regional associations (e.g. ASEAN BAC, International Trademark Association, ASEAN Intellectual Property Association) will also be explored to maintain engagement beyond the project's formal close. These partnerships can support continued awareness-raising, uptake of the Guidelines, and future updates as the IP and digital landscapes evolve.

VII. Monitoring & Evaluation

The M&E framework incorporates analysis of how existing IP practices affect women-led MSMEs, PWDs, and MSMEs, and tracks improvements in their access and participation.

Table 2– Suggested Performance Indicators and Target

#	Suggested Indicator	Indicator Type	Target	Activity Number	GEDSI Mainstreaming
1	Delivery and approval of Project Workplan by project stakeholders	Output	1 report	1	Yes (gender/disability/LDE disaggregated stakeholder analysis; identifies women entrepreneurs and PWD organisations to be engaged)
2	Delivery and Approval of Contextual Study Report on Legal and Procedural Mapping Assessment by project stakeholders	Output	1 report	2	Yes (consulted stakeholders: 30% MSMEs, 30% in LDEs, 10% PWDs/OPDs; a dedicated GEDSI barrier analysis on gender-specific gaps and disability-related constraints in IP system access, especially in the context of LDE)
3	Delivery and Approval of AI & Digital Trademark Examination Toolkits by project stakeholders	Output	1 package	3	Yes (at least a case study demonstrating women entrepreneurs and PWD-owned businesses in the LDE context)
4	Delivery and Approval of ASEAN Guidelines on AI-Generated and Digital Trademarks by project stakeholders	Output	1 document	4	Yes (comprehensive GEDSI analysis section; case studies with gender/disability/LDE representation; disability inclusion principles throughout)
5	Delivery and Approval of online regional validation workshop documents by project stakeholders (technical workshop materials and post-workshop report)	Output	1 package	4	Yes (GEDSI and LDE lens integrated)
6	Delivery and Approval of communication materials on the Guidelines (in English) by project stakeholders	Output	2 packages (1 for IP office officials, 1 for businesses)	4	Yes (using plain language and complying with accessible document requirements)
7	Delivery and Approval of dissemination plans for the Guidelines and communication materials by project stakeholders	Output	1	4	Yes (including targeted outreach to MSMEs, including those led by women and PWD in LDEs)
8	Delivery and Approval of dissemination reports on the final Guidelines and communication materials by project stakeholders	Output	1 report	4	Yes (disaggregated by gender, disability and LDE vs. non LDE)

#	Suggested Indicator	Indicator Type	Target	Activity Number	GEDSI Mainstreaming
9	Delivery and Approval of online stakeholder consultation sessions by project stakeholders	Output	12 -17 sessions 1 session with IP Office Officials 1 open session with public/private stakeholders in AMS 10-15 sessions with private sectors in LDEs	5	Yes (consulted stakeholders: 30% MSMEs, including those led by MSMEs and PWDs, 30% in LDEs; 10% PWDs/OPDs)
10	Delivery and Approval of online stakeholder consultation reports by project stakeholders	Output	1 report	5	Yes (GEDSI and LDE specific analysis)
11	Percentage of consulted participants via online channels reporting improved understanding of AI-generated and digital trademark examination and registration	Outcome	70% of participants who took the survey	5	Yes (data disaggregation by gender, disability, and LDE vs. Non-LDE)
12	Delivery and Approval of in-person and virtual training workshops for implementation	Output	1 workshop	6	No
13	Number of participants attending the in-person and virtual training workshops for implementation	Output	40 – 45 persons	6	Yes (30% female; 10% PWD, 30% LDEs)
14	Delivery and Approval of a completion report of the online and in-person training workshops	Output	1 report	6	Yes (GEDSI and LDE specific analysis)
15	Percentage of in-person and virtual training workshop participants satisfied or very satisfied with the workshop	Outcome	70% of participants who took the survey	6	Yes (data disaggregation by gender, disability, and LDE vs. Non-LDE)
16	Percentage of in-person and virtual training workshop participants reporting improved understanding of AI-generated and digital trademarks	Outcome	70% of participants who took the survey	6	Yes (data disaggregation by gender, disability, and LDE vs. Non-LDE)
17	Percentage of in-person and virtual training workshop participants who found workshop knowledge applicable to their work	Outcome	70% of participants who took the survey	6	Yes (data disaggregation by gender, disability, and LDE vs. Non-LDE)
18	Delivery and Approval of Project Reports	Output	2 reports (1 progress report; 1 project completion report)	7	Yes (GEDSI indicators reported)

VIII. Reporting and Program Management

The table below outlines the key actors and governance structures involved in the design and implementation of the project.

Stakeholder and Contact Points	Responsibilities
AANZFTA Subsidiary Body: Intellectual Property Committee (IPC)	Provides formal oversight of the project, including endorsement of the draft design and final outputs. Ensures alignment with the AANZFTA Work Plan and broader trade and IP cooperation priorities. Reviews and approves project deliverables.
ASEC Division: Competition, Consumer Protection and IPR Division (CCPID)	Acts as the key ASEAN Secretariat liaison for project implementation. Supports coordination across ASEAN Member States and relevant ASEAN sectoral bodies. Ensures procedural compliance with ASEC project management and communication protocols. Facilitates logistics, documentation, and internal circulation of outputs.
Project Proponent: Intellectual Property Office of the Philippines (IOPHL)	Acts as the lead AMS proponent. Provides substantive input into project design and implementation, including technical validation of outputs. Leads AMS-level coordination and represents ASEAN Member State interests during all stages of implementation. May also serve as a primary speaker or facilitator during workshops.
Project Manager: Regional Trade for Development (RT4D) Facility	Provides day-to-day project management, technical oversight, and coordination of consultants. Ensures delivery of high-quality outputs, timely implementation of activities, and compliance with AANZFTA and RT4D reporting requirements. Manages procurement and contracts.
External Consultants (i) IP and Trademark Law Expert; (ii) ASEAN Digital Policy Specialist; (iii) GEDSI Advisor (as needed)	Support research, drafting, and facilitation of activities. Provide technical inputs on legal mapping, drafting of the ASEAN Guidelines, and stakeholder consultations. Ensure outputs are technically robust, regionally relevant, and inclusive.

IX. Child Protection³, PSEAH (Protection⁴ from Sexual Exploitation, Abuse and Harassment) and other Policy Considerations

While this project does not directly involve children or vulnerable populations, several activities will include stakeholder engagement, workshops, and cross-border collaboration, which may require personnel to travel or interact with diverse participants.

Accordingly, the project will implement the following measures to manage risk and uphold high standards of professional conduct:

Policy Adherence and Risk Mitigation Measures

- All personnel, including external consultants, will be required to formally acknowledge and comply with DFAT's Child Protection and PSEAH policies internal guidance.
- In-person engagements (e.g. workshops, regional consultations) will be co-facilitated by multiple team members to ensure transparency and minimise the risk of inappropriate behaviour.
- Gender balance among facilitators and speakers will be proactively encouraged in all capacity-building and consultation activities.
- Where imagery or communication materials are developed (e.g. for public dissemination of the ASEAN Guidelines), gender sensitivity and cultural appropriateness will be ensured to avoid reinforcing harmful stereotypes.

Feedback and Reporting Mechanisms

- Anonymous reporting channels will be made available during any in-person events and engagements, allowing participants to safely raise concerns or report breaches of conduct.
- Clear codes of conduct and behavioural expectations will be included in workshop materials and opening remarks at events.

Inclusive Practices

³ [Child Protection Policy | Australian Government Department of Foreign Affairs and Trade](#)

⁴ In line with the newly released guidance [Protection from sexual exploitation, abuse and harassment | Australian Government Department of Foreign Affairs and Trade](#)

- In line with RT4D's guidelines for inclusive events and communications, project activities will be designed and delivered to ensure safe, respectful, and inclusive environments, particularly for women and marginalised groups.

The overall approach will prioritise preventative action, transparency, and clear accountability, with the RT4D Facility and implementing partners maintaining active oversight throughout all phases of project implementation.

X. Risk Management

The Consultant will support the RT4D Facility in the management and mitigation of activity risks as outlined in the table below.

The table below outlines the key risks identified for this project, along with their likelihood, potential impact on project outcomes, and the mitigation strategies that will be implemented to manage these risks in line with RT4D safeguards and implementation standards.

These measures are intended to ensure timely delivery, inclusive participation, and effective coordination across stakeholders.

Risk	Likelihood	Impact	Mitigation Plan
Delays in endorsement or feedback from AANZFTA Subsidiary Bodies	Medium	Medium	Plan for sufficient buffer time in the workplan to allow for 3-4 weeks for draft review and approval. Engage Subsidiary Bodies early to preview deliverables and secure informal input prior to formal submission.
Limited participation from ASEAN LDEs due to capacity constraints or resource limitations	Medium	High	Provide pre-briefings and targeted follow-ups with LDE representatives; offer flexibility in participation formats (e.g. hybrid options, translated materials, one-on-one sessions); ensure all outputs are written in accessible, plain language and accompanied by visual aids.
Low representation of women and marginalised groups in consultations and capacity-building activities	Medium	Medium	Proactively set gender and inclusion targets for participants, facilitators, and panellists; work with national IP offices to prioritise outreach to underrepresented groups; integrate GEDSI indicators and disaggregated data tracking.
Conceptual complexity of AI and metaverse-related trademark issues limits stakeholder understanding or engagement	Medium	Medium	Break down technical content using practical tools such as sample case studies, model responses, and real-world scenarios; ensure that guidelines are grounded in tangible use cases drawn from regional experiences.
Lack of stakeholder buy-in for ASEAN-wide harmonisation or soft-law instruments	Medium	High	Use participatory and consultative processes throughout guideline development to build ownership; emphasise flexibility and non-binding nature of the guidelines; align with existing ASEAN platforms such as the ASEAN IP Portal to demonstrate added value.
PSEAH or safeguarding risks during regional workshops or events	Low	High	Ensure all team members and facilitators adhere to DFAT and RT4D PSEAH and child protection policies; adopt RT4D's Guidelines for Inclusive Events and Communications; provide anonymous reporting channels and clear codes of conduct.
Coordination challenges across multiple stakeholders and jurisdictions	Medium	Medium	Maintain regular coordination through ASEC, RT4D, and the IPC; use a centralised project management approach and transparent workplan shared with all parties; assign focal points per activity to ensure accountability and information flow.

XI. Privacy and Confidentiality

Regional Trade for Development Facility (RT4D) is committed to ensuring and maintaining the security and confidentiality of all documents and information produced by its development programs and by its partners and clients. This includes ensuring the security and confidentiality of all information and documents produced by the ASEAN Secretariat and by AANZFTA FJC and their Subsidiary Bodies that are shared with RT4D's AANZFTA Implementation Support Program (AISP). RT4D security and confidentiality measures and protocols are underpinned by Tetra Tech (the managing contractor) systems.

All files/outputs associated with the delivery of outputs set in this TOR will be stored on a secure file-sharing platform (Egnyte). Access to Egnyte is controlled and will only be granted to non-RT4D users on a needs basis and as agreed with ASEC and or Subsidiary Bodies.

All RT4D sub-contractors and consultants will sign a Code of Conduct, a Deed of Confidentiality, and a Conflict-of-Interest Declaration before starting their tenure/assignment. These documents specify acceptable behaviours on confidentiality, handling of sensitive information, and information security. Training on these topics is also provided on regular basis to ensure compliance.

All personnel engaged by RT4D for the delivery of outputs set in this Scope of Services are expected to sign these documents before the implementation of this activity.

XII. Criteria for Issuing Tasking Note

A. Technical Soundness Considerations

To ensure the above can be effectively managed and completed in alignment with this TOR, the Consultant must field a multidisciplinary team with proven expertise in IP/trademark law, digital technologies, policy analysis, and ASEAN stakeholder engagement. The team should demonstrate strong project management skills and experience conducting legal research, analysing examination practices, and producing structured technical outputs such as contextual studies, toolkits, and guidelines. Demonstrated capability to deliver inclusive consultations, apply GEDSI and MEL principles, and produce accessible, high-quality materials is essential. Strong writing, documentation, and facilitation skills, along with experience working across AMS with varied institutional capacities, are required.

It is therefore recommended that the team's capabilities include, but are not limited to, the following:

- **Project Team Leader:** With advanced expertise in trademark law, AI-generated marks, digital platforms, and regional IP harmonisation. Proven ability to lead complex, multi-stakeholder projects; oversee research and drafting of the contextual study, toolkits, and Guidelines; ensure quality assurance; and coordinate with RT4D, ASEC, IPC, and the Project Proponent. The person is also responsible for the overall design, delivery, and quality assurance of all capacity building and training workshops (regional and in-country), ensuring they effectively explain the Guidelines and toolkit.
- **ASEAN Digital Policy and Regulatory Specialist:** Expertise in mapping national IP frameworks, analysing procedural practices, and aligning recommendations with ASEAN cooperation mechanisms. Experience conducting legal and procedural research across AMS and integrating findings into practical examiner guidance.
- **Trademark Examination Toolkit Development Specialist:** Demonstrated experience designing examination tools, checklists, model office actions, and decision-

flow diagrams. Ability to translate complex legal analysis into clear, operational materials for IP examiners. Experience developing hypothetical scenarios and compiling real-world case studies. Prepares technical training materials that demonstrate the application of the Guidelines and toolkit to real cases and supports AMS readiness assessments.

- **GEDSI Specialist:** Experience embedding gender, disability, and LDEs considerations across research, consultations, toolkit development, guideline drafting, training design, and reporting. Ability to assess how current frameworks affect women-led MSMEs, entrepreneurs with disabilities, and LDE stakeholders, and ensure all outputs meet accessibility and plain-language requirements. Organizes and moderates inclusive consultation sessions with MSMEs, women entrepreneurs, and PWD-led enterprises, ensuring multi-round feedback is integrated into revised outputs.
- **Monitoring, Evaluation and Learning (MEL) Specialist:** Skilled in collecting and analysing stakeholder feedback from consultation and training activities; integrating data into revisions of project outputs; and ensuring compliance with RT4D MEL indicators, including GEDSI-disaggregated reporting.

B. Value for Money Considerations

Proposals to deliver this project should adhere to DFAT's Value for Money Principles, outlined below.

Achieving value for money is a critical consideration for the achievement of DFAT's strategic objectives. It is a requirement under the Public Governance, Performance and Accountability Act (2013) and the Commonwealth Procurement Rules. Building on these requirements DFAT has developed eight Value for Money Principles to guide decision making and maximise the impact of its investments. DFAT's [website](#) includes a detailed description of VfM indicators (outlined in the table below). We expect all our delivery partners to give effect to these principles and value for money performance is measured in DFAT's Aid Performance Framework.

Economy	Efficiency	Effectiveness	Ethics
1. Cost consciousness 2. Encouraging competition	3. Evidence based decision making 4. Proportionality	5. Performance and Risk Management 6. Results Focus 7. Experimentation and innovation	8. Accountability and transparency

Bidders should note that the RT4D Facility refers to DFAT's [Aid Adviser Remuneration Framework](#) to estimate the cost of contracting international advisers for the delivery of projects and activities.

XIII. Annexes

Annex A - Response from Tenderers and Evaluation Criteria

Interested bidders should submit a Technical and Financial proposals that respond to the selection criteria outlined in the table below. As part of their Technical Proposal submission, bidders should also provide their information as outlined in Annex B.

If a bidder finds any discrepancy, error or omission in the ToR or wishes to make any enquiry concerning the ToR, the bidder is to notify aisp@regionaltrade4dev.org in writing by the last queries date indicated in the ToR summary. All answers to any such notices or questions will be provided to all registered tenderers in the form of addenda.

Component	Score
Part A – Response to Technical Component	
A.1 Approach and Methodology - Outline approach to completing the stated scope of services. The approach should include: • A brief discussion indicating your understanding of project requirements. • A description of the methodological approach to achieving the project objectives and completing project deliverables. This may include an analysis of key issues, analytical strategies that will underlie the approach, specific tools or techniques that will be employed, and practical discussion of methodological limitations.	20
A.2 Project Plan and Risk Management – Please provide the following: • A project plan that specifies deliverables, tasks and timelines in line with section IV of the ToR. • Identify your approach to mitigating the project risks outlined in Section X of this ToR. • Indicate how the project will be monitored and reported in line with section VIII of this ToR to ensure it is delivered in terms of quality, timeliness and cost. • Indicate the level of support that will be required from the RT4D Facility to complete the project.	20
A.3 Organizational Capabilities and Experience – Please specify the following: • Outline general organisational capability that is likely to affect performance of project in line with ToR requirements (e.g. size of the organisation, in-house expertise, strength of project management support, networks, etc.). • Describe past experience in undertaking similar work—referring to criteria outlined in Section XII.A of this ToR—and provide brief summaries of relevant projects undertaken. • Explain whether any work would be subcontracted, to whom, how much percentage of the work, the rationale for such, and the roles of the proposed sub-contractors.	20

A.4 Project Team and Resourcing – Describe approach to staffing in line with ToR requirements including details of all proposed experts and their role in the delivery of the required services. This should include: - Key members of the project team, including their CVs, and demonstrate their skills and expertise essential to the delivery of this project—as specified in section XII.A of this ToR. - Roles, responsibilities, and level of participation of the project team members. - An uncosted resource plan proposing the number of person days you expect each team member to undertake in delivering this project.	20
TOTAL – Technical Proposal	80
Part B – Response to Financial Component	
Complete a Financial Proposal for the delivery of the scope of services in alignment with RT4D Value for Money Principles. The Financial Proposal should specify all direct and indirect costs for undertaking the project, including: - Professional services fees for completing all deliverables in accordance with the uncosted resource plan. - Indirect costs for undertaking the project, including costs for experts and participants, such as reimbursable expenses for travel costs, daily subsistence allowance for workshops, meetings, and all other agreed activities. - Costs related to event organisation, including venue arrangements, materials, communication, logistical expenses, and other items necessary to cover all agreed activities. - Management and/or operational fees (if any), which include all costs incurred by the person/entity/company for internal coordination, communication, travels and any other associated project management cost; - Applicable taxes such as VAT, GST, PPN.	20
TOTAL – Financial Proposal	20
GRAND TOTAL – Evaluation Criteria	100

XIII.1 Annex B - Bidder Information

Consultant's general information – to be submitted together in the Technical Proposal

Name of Assignment	
Tenderer's Organisation or Person	
Address	
Contact Person and Title/Position	
E-Mail	
Telephone / Mobile Phone	
Business Name Registration (if applicable)	
Tax Registration Number (if applicable)	

Indicative number of years involved in similar business/work	
Date	