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Please reply to this Office:
FRANK J. PENNA
Managing Director
16 High Street (Noank)
Groton, Connecticut 06340
Tel: (860) 326 5813
Fax: (860) 326 5812
E-mail: FJPennaPSC@aol.com

Capabilities on Developing Cultural Industries

Frank J. Penna

(summary 1.5 pages)

I offer the following qualifications: 10 years of full-time consulting experience to the World Bank, leadership, creativity, breadth of experience, and excellence:

My Experience at The World Bank:

The World Bank is the premier institution for economic development in the world. After World War II, it followed the Marshall Plan to redevelop countries (e.g. such as Austria). Then it developed the five Asian Tigers (e.g. Hong Kong, Singapore, Korea). Currently, it has been developing the BRIC countries (i.e., Brazil, Russia, India, and China). It loans \$50 billion per year with 5000 loan officers, supported by 2000 economists with PhD's.

I worked as a “consulting manager” (i.e. on cultural industries and intellectual property rights) designing and negotiating loans, instead of a “management consultant” who just does studies. My last three-year contract at the World Bank was financed by the Contingency Fund personally controlled by the President, Mister James Wolfensohn. For a public citation to my working relationship with Mister Wolfensohn (e.g. for Ghana), please Google: “James Wolfensohn and Frank Penna, BAPMAF”. (For a public record of my managerial accomplishments, for the World Bank, please Google “Frank Penna at the World Bank”.)

I hired teams of Associates consultants (including one Nobel laureate). In 2002, I supervised 120 persons around the world.

Leadership and Creativity:

For the World Bank, I initiated and directed programs to: develop the music industry in five countries in Africa; to develop the artisanal industry in three of the 26 states in India; the ethnobotanicals industry for indigenous peoples (quoted in the Economist); and the worldwide community-based tourism industry (i.e.

cultural, ecological, adventure and farm). My final title was Lead Consultant, Traditional Knowledge Industries (entertainment industries) and Intellectual Property Rights.

Breadth of Experience:

In terms of coastal and urban development, I was the deputy team leader of a project for the World Bank to develop the province and capital city of Saranda, including World Heritage Site of Butrint, in Albania. That included the ‘bricks and mortar’ of the walkway (the “giro” surrounding the harbor, the plans for restaurant areas and cafés along the walkway, a sewerage system and cultural and farm tourism for 1000-year-old villages, all in the last 60 miles of undeveloped European Riviera). I worked with Lord Jacob Rothschild (Chairman of the Rothschild banking empire in England, who has agreed to serve as a reference for me).

Excellence:

In 2003, I earned the highest consultant rating for the World Bank. For example, I hired and co-authored a website on the significance of developing the music industry in Africa, with the Nobel Laureate In Economics, Professor Amartya Sen. (For citation to this work, please Google “Amartya Sen and Frank Penna”.)

My Role

As you can read from above, in any of my teams, I am a General Manager or Team Leader. I am not a specialist, but rather I coordinate specialists. I am Managing Director of the Policy Sciences Center (an NGO, founded by three professors from the Yale Law School in 1948, please Google: www.policysciences.org), I have also been the Founding President of Frank J Penna and Associates (that manages projects as a subcontractor to the Policy Sciences Center). I have recently established a new business, as the Founding President of Carbon Brokerage LLC, please Google: www.carbonbkr.com.

Education. I hold an MA from Yale University in International Relations focused on the planning and politics of public policy; a DP certificate from Edinburgh University, Scotland in political economy; and a BA from Union College in Economics, where I won a joint award from Phi Beta Kappa and Sigma Xi for simultaneous achievements in the humanities and the sciences.

(Resume Detail Follows)

Experience at World Bank

- 2003-2005 Lead Consultant, Traditional Knowledge (cultural) Industries (highest consultant level – A4 in 2003), (peak of 66 staff, 10 countries, 12 projects).
- 1997-2003 Managing Director, Development Grants Program for Culture, a Fund to develop cultural industries (peak of 12 pilots, 20 countries, 120 staff) (for example established the first radio station to be owned by an NGO, like NPR) in Albania).
- 2002-2003 Task Manager, Projects to Develop the Music Industry in Africa (5 countries), International Trade Group, Development Economics Committee.
- 2002 Task Manager, “Strategic Investment Recommendations to Develop Cultural Industries in Africa,” (confidential document) Africa Region.
- 1998-1999 Deputy Task Manager, Albanian Coastal Development Project.
- 1996 Deputy Task Manager, “Multi-Party Stakeholder Negotiations” in Albania and Macedonia.

Music Industry (especially poor musicians in Africa)

- Initiated and directed workshop for strategic planning to develop the music industry in Africa – June 2000 (attended by President Wolfensohn for opening luncheon and Dr. Paul Collier, author of The Bottom Billion, Director of Research for Keynote Speech).
- Oversight of website on Developing Music Industry in Africa, with introduction by Professor Amartya Sen., Nobel Laureate in Economics 1998.
- In Senegal, initiated and provided technical assistance to Association of Senegalese Musicians on components of \$66 million Private Sector Investment Loan of \$5.3 million initially earmarked for music industry and \$14 million, eligible for musicians but, not earmarked (first loan to develop music industry in any country in 50 year history of World Bank). His team secured enforcement of 2 laws on radio stations paying royalties when airing music of Senegalese musicians, and banderoles with holograms to reduce piracy – before the loan was disbursed. Team members included Attorney Sibylle Schlatter, affiliated as Head of Department, Max Planck Institute of Intellectual Property, Competition and Tax Law, Munich, and Mr. Aziz Dieng, President of Association of Musicians of Senegal, and Chairman of the Copyright Commission of Parliament. Mr. Penna was interviewed by Radio France (French Public Radio) about this project.
- In South Africa, assessed feasibility of electronic commerce hub, and secured the support of the two national collection societies. Team members included Attorney Coenraad Visser, then Dean of the Faculty of Mercantile Law, University of South Africa.
- In Mali, directed Team on “Integrated Framework” for music, crafts, adventure and cultural tourism, negotiated between the Government and the World Bank as a part of the Country Assistance Strategy.
- In Kenya, led Evaluation of Copyright Law, by Attorney Sibylle Schlatter affiliated, as Department Head, with the Max Planck Institute for Intellectual Property, Competition and Tax Law, Munich.
- In Ghana, provided Technical Assistance for 5 years to six Musicians Unions (10,000-20,000 members) resulting in \$10 million Request for Financing and Cabinet incorporating music industry development into Poverty Reduction Strategy Paper required by the World Bank. He delivered the Keynote Address to initiate negotiations between the Bank and the Government. Those unions currently lead the development of the music industry sector in Ghana. His team was led by Professor John Collins, at the University of Ghana, one of the leading musicologists in Africa.

Ethnobotanicals (especially indigenous peoples in Latin America)

- In Ecuador, for the Shuar Nation in the Oriente of the Amazonian Andes, initiated, planned, and incorporated the Shuar Nation Corporation for intellectual property as well as physical property royalties, from ethnobotanicals, ecological tourism and a small oil project . His team was led by Sr. Juan Carlos Jintiach, President of the Shuar Nation Corporation, and Co-Director of the Amazon Alliance, Washington, D.C. Mr. Penna was quoted in the Economist for this project (listed in citations that follow).
- In Venezuela, for the 12 Dhekuana Tribes in the Orinoco Basin, initiated and directed the incorporation of Kuyuaní Originario Foundation for receiving intellectual property royalties. His team leader was Dr. Nelly-Arvelo Jimenez, Dr. Domingo Medina.
- In Venezuela, for the 12 Dhekuana Tribes, directed a Market Research Report on potential copyright royalties from literature of myths, stories, legends, and poetry. His team leader was Dr. J. Gary Taylor, President of the Environment Group, LLC.

Artisanal Works (Museum Quality) as well as Crafts (Souvenir Quality) especially in India

- Initiated Study Handmade in India by Ms. Maureen Liebl, Director of the Museum Store Association of India, and of the Museum at the Merhangarth Museum Trust, and Dr. Tirthankar Roy, economist, documenting \$5.6 billion in GDP, 9-10 million artisans, 20% manufacturing work force (in 2000).
- Initiated and directed workshop for Strategic Planning, including Indian Commissioner for Handcrafts, Executive Director of World Bank for India and Attorney Jerome Reichman, professor of intellectual property law, Duke University School of Law.
- Initiated and Directed “Innovations Crafts Project” as prototype in 3 states of India for direct marketing (led by Ms. Maureen Liebl) from artisans to 800 foreign museum shop buyers organized by Mr. Martin Bernstein, a Director of the Freer and Sackler Galleries of Smithsonian Institution (to overcome 1:70 price spread), expanded by Government to 8 of 26 states (by Ms. Tinoo Joshim Commissioner for Handicrafts).

Community-based Tourism

- Initiated and directed workshop for Strategic Planning on adventure, cultural and ecological tourism lending by World Bank. His team included Ms. Mara Delliprescoli, Director of the trade association of cultural tourism companies in the U.S. (TLC, Inc.), and Mr. Jerry Mallett, then President of the Adventure Travel Trade Association.

- Initiated pilot project on adventure tourism in Bolivia and ecological tourism in Indonesia, and evaluated World Bank loans for \$5 million in Bolivia and \$40 million in Ecuador (confidential). His team was led by Mr. Jerry Mallett, President of the Adventure Travel Trade Association.
- **1998-1999.** In the preparation of the Albanian Southern Coast Development Project, \$60 million of the World Bank, he planned how to mobilize international trade associations in the international hotel (i.e. capital-intensive tourism) and trekking (i.e. labor-intensive ecological, adventure and cultural tourism) industries, both to provide advice to the government on the investment climate and to broker joint ventures with Albanian entrepreneurs and community organizations. His team identified 38 trekking companies in the U.S. and Europe (out of a potential population of 10,000 companies) and 3 trade associations with an interest in investing; and developed a plan for participation of high quality hotels that the President (Mr. Kenneth Hine) of the International Hotel and Restaurant Association confirmed in writing as a “solid opportunity.”

A close participant in the above project was **Lord Jacob Rothschild**, and the Executive Director for the World Bank for Italy, **Mr. Franco Passacantando**, now a Managing Director of the Central Bank of Italy. The President of the World Bank, **Mr. James Wolfensohn** personally visited the project, and authorized loan decisions.

- **1996.** Planned and organized negotiations among governments, business and non-profit organizations in Albania and FYR Macedonia, as well as members of the International Hotel Association, on sustainable tourism development of a World Heritage Site (Lake Ohrid). He identified 3 national trade associations from developed countries (out of 70) with potential corporate investors (a World Bank loan is underway).

Illustrative Citations and Publications

For a comprehensive list of work for the World Bank, please Google: “Frank Penna at World Bank”, for the Policy Sciences Center, please see: www.PolicySciences.org, search for Project Directors, search for Managing Director, Frank Penna.

Following is an illustrative list:

Citation for Frank Penna in: “The Role of Intellectual Property Rights in Global Economic Governance”, by Carlos Correa, Initiative for Policy Dialogue at Columbia University, April 2011, page 19.

Citation for Frank Penna in: The Global IP (Intellectual Property) System and the Consequences on Artistic Expression” in The Copy South Dossier, March 1, 2009.

Citation for Frank Penna in: Trademark Law and Theory: A Handbook of Contemporary Research, by Graeme Dinwoodie and Mark D. Janis, 2008, page 476.

Multiple Citations for Frank Penna by the Association of the Bar for the City of New York, for his work at the World Bank, in “Piracy and Its Effects on African Musicians and the African Music Industry”, by Akenata Hammagaadji, May 5th, 2000.

Citation for Frank Penna in The Copy/South Dossier, Edited by Alan Story, Colin Darch and Deborah Halbert, May 2006 (www.copysouth.org)

Citation for Frank Penna in Europaworld, 4/2/2005 “Poorer Countries Must Find New...” (www.EuropaWorld.org/week210/poorercountries4205.htm)

Citation for Frank Penna in Intellectual Property Rights Online (www.IPRSONLINE.org./resources/ipr's.htm)

Citation for Frank Penna in Info Change India News (www.infochangeIndia.org/IPRItop.jsp?section_IDV=23)

Citation for Frank Penna in Bibliography on the World Trade Organization, World Bank Legal Review, Volume I, p 161-205 (www.ppl.nl/bibliographies/all/showres...+topic=intellectual%2)

Citation for Frank Penna in TRIPS, DOHA and Traditional Knowledge, (<http://aix1.UOTTAWA.CA/-DGERVAIS/publication...ONAL%20knowledge>)

Citation for Frank Penna in Africa and the Economy of Tradition by, Graham Dutfield www.prometra.org/Documents/Note%20Graham%20English.pdf

Citation for Frank Penna in “A Treasure Trove of Wisdom: How To Capitalize On Local Knowledge,” by Tom Nevin in African Business, November 2004, p. 62.

Citations for Frank Penna in “Copyright and the Music Industry in Africa” by Marisella Ouma in Journal of World Intellectual Property, November 2004, Vol. 7, No. 8, Geneva, Switzerland.

Citation for Frank Penna by Radio France Internationale, 2/01/2004 in “MFI HEBDO: Economie Developpement, page 2 (www.rfi.fr/fichiers/MFI/EconomieDeveloppement/1137.asp).

Citation for Frank Penna in “Handmade in India: Crafts Producers and Production” by Maureen Liebl and Tirthankar Roy in Economic and Political Weekly, Mumbai, India, December 27, 2003 – January 2, 2004, Volumes # 51 and 52, pages 5366-5374.

Frank Penna, Monique Thormann and J. Michael Finger, “The Africa Music Scheme,” in

Poor Peoples' Knowledge: Promoting Intellectual Property in Developing Countries, by J. Michael Finger and Philip Schuler (eds.) The World Bank and Oxford University Press, 2004, p. 95.
cgap.org/press/press_coverage20.pdf

Frank Penna quoted in Le Sud Quotidien, November 28, 2003 in article entitled: "World Bank Industry Development Project: Senegalese Musicians Behind 1.2 Billion CFA Francs," Dakar, Senegal

Frank Penna quoted in "Meeting of the Community of Expert Practitioners" June 2003 (Google: site sources, WorldBank.org/INTCEERD/Resources).

Frank Penna quoted in "The World Bank Group Workshop on Legal Services for the Poor," Volume 1, Wednesday, April 2, 2003 (www.WorldBank.org/legal/publications/legal_).

Frank J. Penna and Coenraad J. Visser, Professor of Intellectual Property Law and Head, Department of Mercantile Law, University of South Africa, Pretoria. "Cultural Industries and Intellectual Property Rights," in Development, Trade and the WTO: A Handbook. World Bank, Washington, D.C. 2002.
www-wds.worldbank.org/servlet/WDSContentServer/WDSP/IB/2004/08/19/000160016...

Frank Penna quoted in "Patents and the Poor," The Economist, June 23-29, 2001, p. 23 (on the trade secret approach to securing royalties on ethnobotanicals for indigenous peoples).

Penna, Frank J. and Maureen Liebl, "Developing the Crafts Industry in India" (World Bank Website), 2001. www1.worldbank.org/prem/poverty/culture/crafts.htm

Citation for Frank Penna in Culture and Development Economics: Theory, Evidence, and Implications
www.ciaonet.org/olj/rjps/rjps_v2n2_wom01.pdf

Frank Penna interviewed about the African music project on French Public Radio (RFI) and Radio Afrique #1, 2001.

Citation for Frank Penna in SD: Cultural Heritage Workshop – 27 April 1999
www.iisd.ca/sd/culturalheritage/27april.html

Citation for Frank Penna in Development Marketplace – DM2000 Jury Members
Web.worldbank.org/WBSITE/EXTERNAL/OPPORTUNITIES/GRANTS/DEVMARKETPLACE/0,,co...

Frank Penna, Kreszentia Duer and Katrinka Ebbe, "Community-Based Tourism, A Project Preparation Note" (a manual for loan officers of the World Bank), 2000, revised 2002.

Penna, Frank J., J. Michael Finger, and **Amartya Sen**, (**Nobel Laureate in Economics 1998**, introductory essay), "Developing the Music Industry in Africa", 2000.

