U.S. Chamber International IP Index 2023, Overall Scores, % Available Score
Executive Summary

Now in the eleventh edition, the International IP Index benchmarks the IP framework in 55 global economies across 50 unique indicators. The Index creates a roadmap for economies seeking to strengthen the ecosystem for innovation and creativity through more effective IP standards.

Geographic Coverage

Algeria  Argentina  Australia  Brazil  Brunei  Canada  Chile  China  Colombia  Costa Rica  Dominican Republic  Ecuador  Egypt  France  Germany  Ghana  Greece  Honduras  Hungary  India  Indonesia  Ireland  Israel  Italy  Japan  Jordan  Kenya  Kuwait  Malaysia  Mexico  Morocco  The Netherlands  New Zealand  Nigeria  Pakistan  Peru  Philippines  Poland  Russia  Saudi Arabia  Singapore  South Africa  South Korea  Spain  Sweden  Switzerland  Taiwan  Thailand  Turkey  United Arab Emirates  Ukraine  United Kingdom  United States  Venezuela  Vietnam
However, there was still modest progress to strengthen IP protection in some global markets, with scores improving in 18 economies, while nine took steps backwards.

Morocco, Thailand, and Vietnam had the largest improvements in their overall score at 2.5%, 2.5%, and 2.02% respectively. Asia had the greatest improvement in the regional average score as a result of score improvements in Malaysia and Singapore, in addition to Thailand and Vietnam.

Russia’s score dropped 21.62% as a result of a series of measures taken by Russia targeting international rightsholders.

IP was critical to the research & development of innovative vaccines, therapeutics, and diagnostics that underpinned the global response to COVID-19. IP rights facilitated 143 licensing agreements in 31 different countries for COVID-19 therapeutics alone, in turn ensuring that global supply well exceeds demand.

The continued deployment of 5G and other information and communications technologies (ICT) is dependent upon economies creating an enabling environment through strong IP standards. The Index illustrates how economies with the most effective IP frameworks are more likely to have increased availability of ICT technologies, a stronger digital environment, and greater ability to deploy 5G.

Mobile technologies like 5G, which helped consumers remain connected during the global pandemic, also generate a significant, positive economic impact.

While the deployment of 5G has already contributed over $100 billion to U.S. GDP, studies estimate that the 5G standard will contribute $1.5 trillion to U.S. GDP and create or transform 16 million U.S. jobs by 2025.

The U.S. still lacks a comprehensive, modern statutory framework to combat online commercial piracy.

Likewise, policy proposals under consideration in the European Union that condition IP protection, reduce the term of regulatory data protection, and undermine investment in rare disease treatments will jeopardize the EU’s long-standing leadership on IP-driven innovation.

In Latin America, Peru’s national IP Office (INDECOPI) and Brazil’s “Operation 404 against piracy” disabled access to hundreds of websites hosting pirated content.

In Canada, the Federal Court issued a dynamic injunction order requiring Canadian ISPs to disable access to illegal live streaming of National Hockey League matches online.

In the United States, a U.S. District Court issued injunctions ordering U.S. ISPs to disable access to copyright-infringing content online. However, the U.S. still lacks a comprehensive, modern statutory framework to combat online commercial piracy.

Building upon the positive momentum on copyright enforcement in the tenth edition of the Index, many economies continued to take steps to address copyright-infringing content online in 2022.
Twenty-three economies achieve a score of 70% or more and 30 economies achieve a score of 50% or more in the patent indicators. The average score on the category is 59.31%, which is the fifth highest scoring category on the Index.

» While Brazil’s Supreme court declared that a 10-year term of patent exclusivity was unconstitutional in 2021, in a positive development in 2022, a member of the Brazilian Chamber of Deputies introduced draft legislation to provide a period of patent term restoration.

» China’s Supreme Court issued the first judgement related to its early resolution mechanism, which provided clarification on the mechanics of the notification process and the responsibilities of follow-on applicants.

» In Malaysia, amendments to the Patent Act created a defined pathway for post-grant opposition proceedings.
Thirty economies achieve a score of 50% or more on the copyright indicators. The average score on the category is 49.70%.

- **Brazil**: The National Telecommunications Agency and the national Film Agency signed a cooperation agreement to create a new administrative injunctive relief mechanism targeting online piracy.
- **Thailand**: Enacted a new Copyright Act that creates a notice-and-takedown system, defines liability for service providers, and creates additional remedies for the circumvention of technological protection measures (TPMs).
- **Vietnam**: Amended the Copyright Law to promote cooperative action against online piracy and provide intermediaries with defined responsibilities related to copyright infringement.
Only ten of the 55 sampled economies fail to score 50% or more on this category. Overall, the average score on this category was 62.39%.

- The Saudi Authority for Intellectual Property (SAIP) continued to improve its enforcement efforts by disabling access to over 3,000 websites hosting infringing content and conducted over 5,000 physical in-person visits to investigate the sale of IP-infringing goods.

- In France, a 22-month special operation conducted against the online sale of counterfeit toys and children’s articles resulted in the seizure or take down of over 16 million counterfeit goods.

- In Thailand, the Memorandum of Understanding (MOU) between rightsholders, online retailers, and the Thai Government has resulted in increased enforcement efforts against counterfeit goods available online.
Most economies included in the Index have in place some form of statutory law defining design rights and a term of protection for registered design rights. The average score on this category this year was 63.77%.

» China and Morocco both became full contracting parties to the Hague Agreement.

» Brazil’s Senate and Chamber of Deputies also approved accession to the Hague Agreement, though the accession has not yet been formalized.
Overall, only 23 of the 55 economies included in the Index achieved a score of 50% or more on this category while 22 economies achieved a score of 33.33% or less. The average score on this category is the weakest on the Index at 48.97%.

- While Vietnam passed amendments to its Law on Intellectual Property, the amendments did not resolve the lack of clarity on availability of regulatory data protection (RDP).

- The U.S. State Department’s 2022 Investment Climate Statement stated that the Saudi Food and Drug Authority and SAIP reaffirmed their support for the availability of RDP in the Kingdom.

- While the UAE published new Executive Regulations in 2022, the regulations did not clarify existing uncertainty around the availability of an eight-year RDP term.
Twenty economies fail to achieve a score of 50% or more, with a 13 scoring 33.33% or less on the category. The average score on this category was 58.62%.

- China’s new Anti-Monopoly Law expands the government’s basis for action against anti-competitive behavior and substantially increases fines and penalties including with respect to IP rights.
- Following the WTO ruling on Turkey’s discriminatory biopharmaceutical market access and localization policies, the Turkish government committed to implementing the panel’s recommendation in a matter consistent with their WTO obligations.
- New legislation in Thailand improved the technology transfer environment by providing IP-based incentives for the commercialization of academic and publicly funded research.
A majority of the sampled economies in the Index struggle on this category with only 23 Index economies achieving a score of 50% or more. Only 11 economies achieve a score of 75% or more. The average score on this category is 50.10%.

» In Malaysia, the government has taken action in 500 cases of physical sales of set-top boxes and disabled access to over 2,000 websites.

» A new law in Chile, which entered into force in January 2022, introduced statutory damages for trademark infringement.

» In Indonesia, the government increased inspections of shopping malls and created a program to certify legitimate physical and online places of commerce.
Many economies outperform their overall Index scores on this category, with countries such as Brazil, Colombia, India, and the Philippines achieving a score 70% or more. Overall, the average score on this category is one of the strongest on the Index, at 62.73%.

» **Morocco** launched new technical assistance programs for academic researchers, research institutes, and small and medium-sized enterprises (SMEs) on the commercialization of IP assets.

» The **Korean Intellectual Property Office** provides SMEs with educational and technology assistance programs that has resulted in an increase in patent applications by SMEs.

» The **UK’s new IP Counter-Infringement Strategy 2022-2027** seeks to strengthen the UK’s already world-class enforcement environment by improving coordination of activities related to IP infringement.
Many economies achieve a high score on this category with 22 economies achieving score of 75% or more and 14 economies achieving a score of over 96%. This category remains one of the stronger overall categories on the Index achieving an average score of 62.70%.

- Vietnam and Thailand both acceded to parts of the WIPO Internet Treaties in 2022.

- Morocco acceded to the Singapore Treaty and is now a full member of each of the two trademark-related treaties included in the Index.

- Chile acceded to the Protocol Relating to the Madrid Agreement Concerning the International Registration of Marks.

- Nigeria became a full contracting party to the Convention on Cybercrime with the treaty entering into force in November 2022.