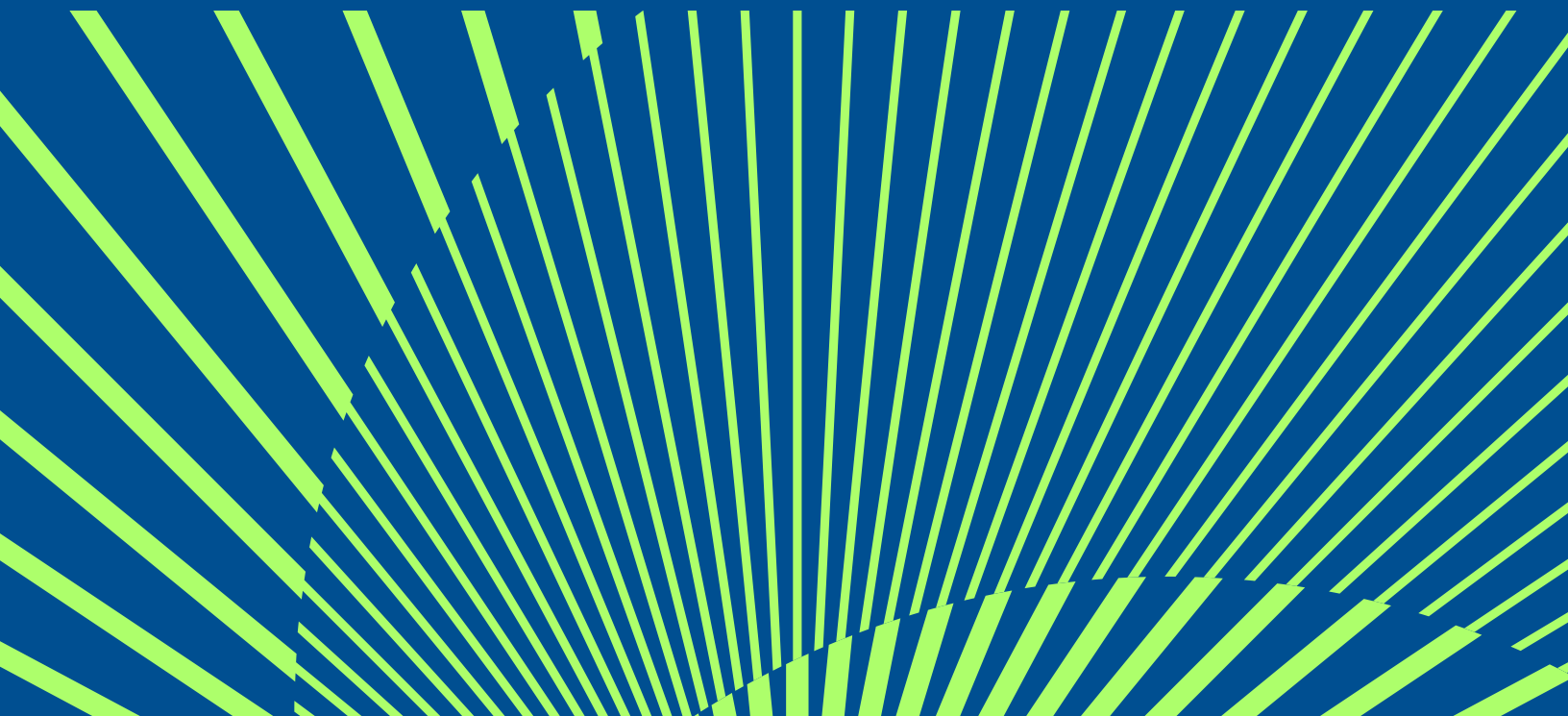


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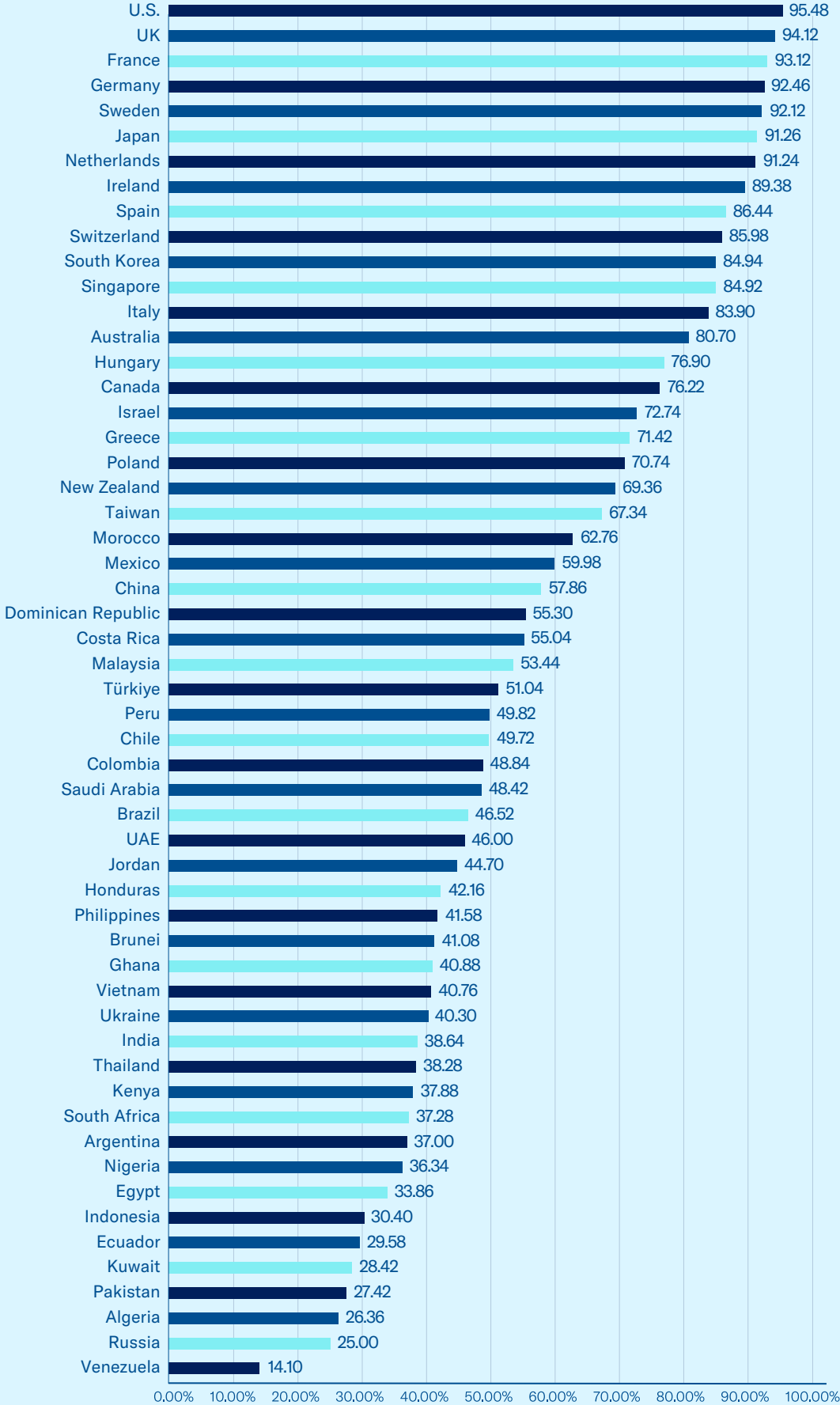
2024 Twelfth Edition

International IP Index

Executive Summary



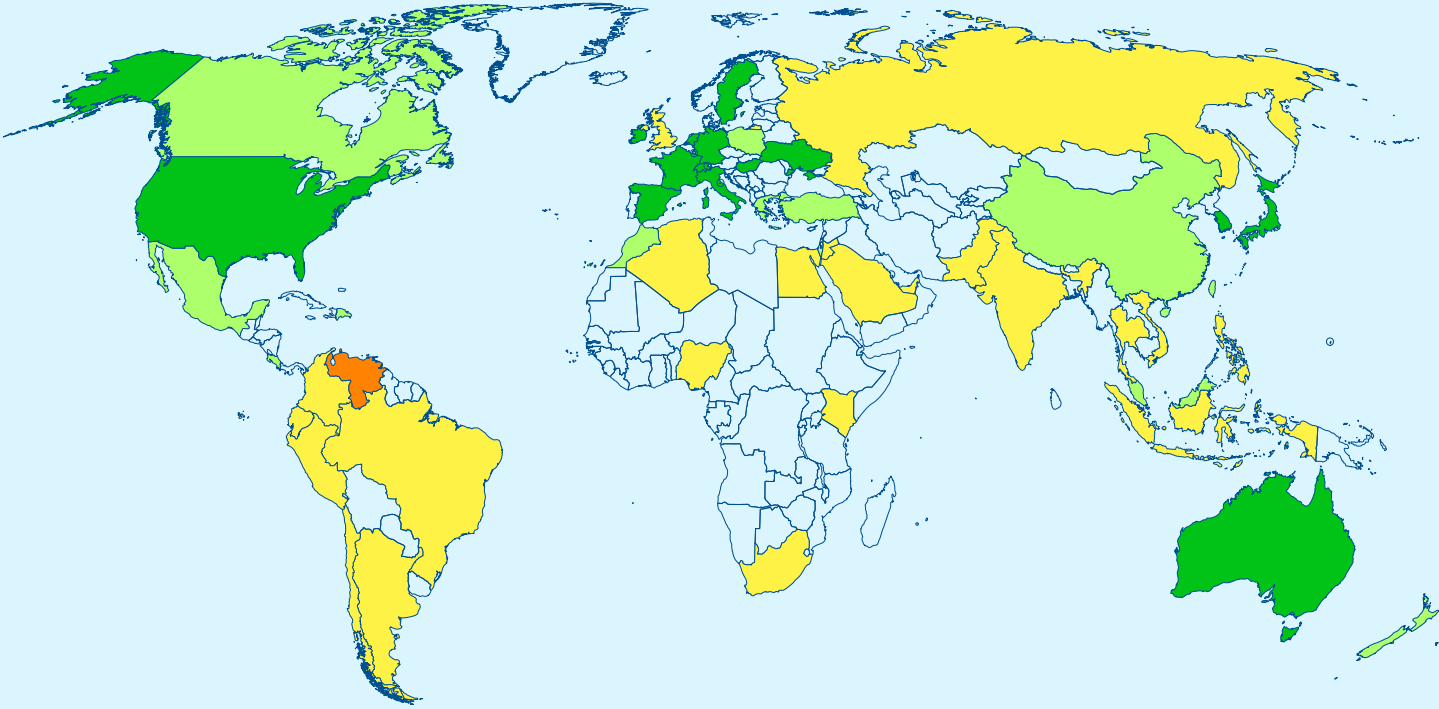
U.S. Chamber International IP Index 2024, Overall Scores, % Available Score



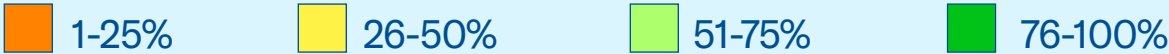
Executive Summary

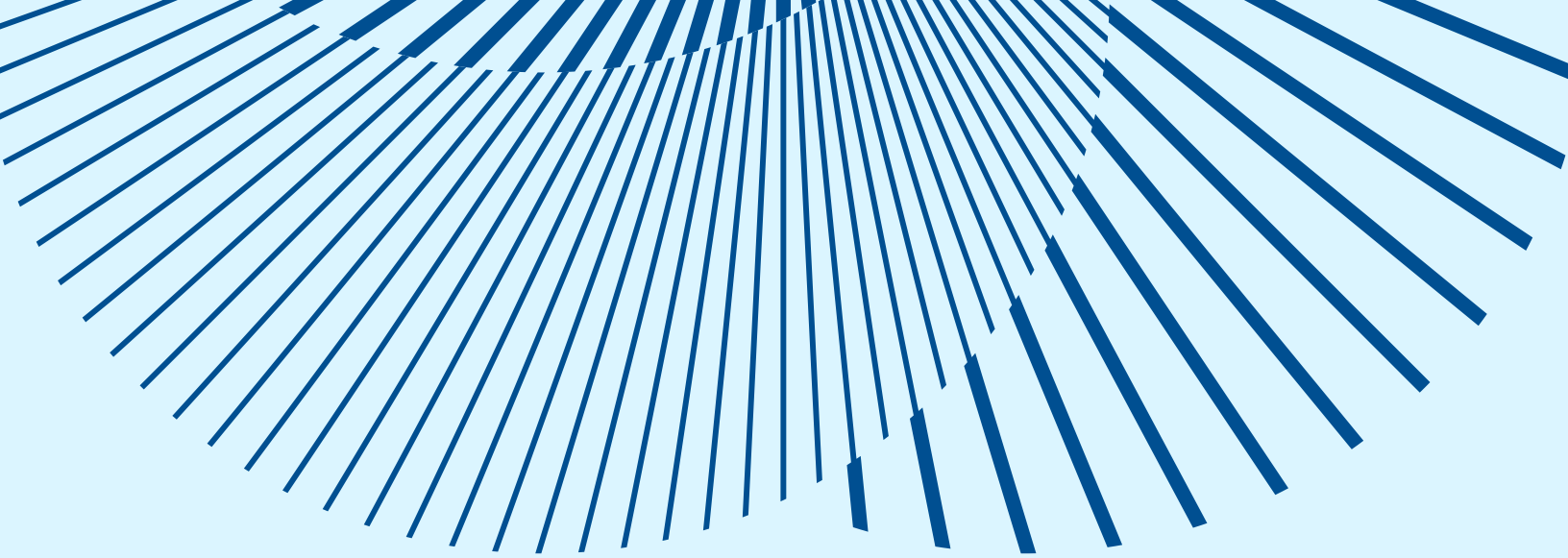
The 12th edition of the International IP Index benchmarks the IP framework in 55 global economies across 50 unique indicators.

The Index not only provides a roadmap for economies seeking to enhance IP-driven innovation and creativity but also sheds light on trends in global IP protection in the last year.



Overall Economy Scores





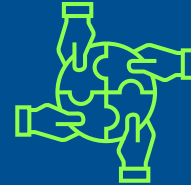
Geographic Coverage

Algeria	Germany	Malaysia	South Korea
Argentina	Ghana	Mexico	Spain
Australia	Greece	Morocco	Sweden
Brazil	Honduras	The Netherlands	Switzerland
Brunei	Hungary	New Zealand	Taiwan
Canada	India	Nigeria	Thailand
Chile	Indonesia	Pakistan	Türkiye
China	Ireland	Peru	United Arab Emirates
Colombia	Israel	Philippines	Ukraine
Costa Rica	Italy	Poland	United Kingdom
Dominican Republic	Japan	Russia	United States
Ecuador	Jordan	Saudi Arabia	Venezuela
Egypt	Kenya	Singapore	Vietnam
France	Kuwait	South Africa	

Key Findings



The overall score improved in 20 economies, creating renewed optimism about the future of global IP policy.



Multilateral organizations have an opportunity to correct course and reaffirm the global commitment to IP, rather than continue to further tolerate counterproductive measures such as IP waivers.

- Saudi Arabia, Brazil, and Nigeria earned the largest improvements in overall score at 6.04%, 4.50%, and 3.00% respectively. These advancements illustrate how economies can make a conscious, policy choice to invest in innovative capacity to help deliver solutions to global challenges.
- Twenty-seven economies' scores remained unchanged. While eight economies overall scores dropped, only Ecuador had a decrease of over 1% reflecting the absence of effective measures to allow border officials to effectively take action against IP-infringing goods.
- There was almost no positive movement among top-ranked economies that have traditionally been global leaders on advancing IP protection, making it incumbent upon the U.S., the EU and others to reassert their global leadership on IP policy.
- While the global public health emergency on covid-19 ended in May 2023, the World Trade Organization (WTO) continues to tirelessly debate the waiver of IP rights for therapeutics and diagnostics. The ongoing waiver debate only ensures that its proponents will be on the sidelines, forced to wait to be recipients of technological solutions, rather than part of the successful ecosystem that creates them. Should WTO members agree to an expansion of the waiver, economies scores will be negatively impacted in the next edition of the Index.
- The World Health Organization's (WHO) draft Pandemic Accord includes calls for further time-bound IP waivers and forced technology transfer while the International Health Regulations likewise propose coercive technology transfer.
- As feared, the effort to undermine IP protections have expanded beyond the life sciences industry, with economies like India and the Africa Group calling for IP waivers and mandatory technology transfer of green technology and climate change solutions.



While developed economies have traditionally had world-class IP systems critical to advancing innovation, many high-income economies continue to consider policy and regulatory proposals which threatens to cede this leadership to foreign competitors.



Economies of all levels of development continue to take steps to combat online piracy, building on positive momentum in recent years.

- In the United States, the Administration released a proposal to expand the use of march-in rights on the basis of price. Coupled with the drug pricing provisions of the Inflation Reduction Act and ongoing uncertainty around patentability, the U.S. continues to undermine the framework needed to sustain the life sciences ecosystem.
- In Europe, the General Pharmaceutical Legislation, Patent Package, and European Health Data Space proposals will limit the availability of regulatory data protection, needlessly expand the ability to grant compulsory licenses, undermine the system for Standard Essential Patent (SEP) licensing and negotiations, and jeopardize trade secrets protection.
- Emerging artificial intelligence policies at the national level must be evaluated in light of pre-existing commitments at the WTO, World Intellectual Property Organization (WIPO) and in free trade agreements, as well as against the important principles articulated by G-7 members.
- The introduction or extended application of dynamic injunctions for protecting copyrighted works online increased in 2023, with Argentina and Brazil joining countries like Canada, India, and Singapore in utilizing some form of dynamic injunctions.
- Additional economies, such as the Philippines, are considering introducing injunctive relief that would include a dynamic element.
- Economies introduced or extended criminal causes of action for copyright infringement. Notably, India enacted criminal sanctions for copyright infringement.

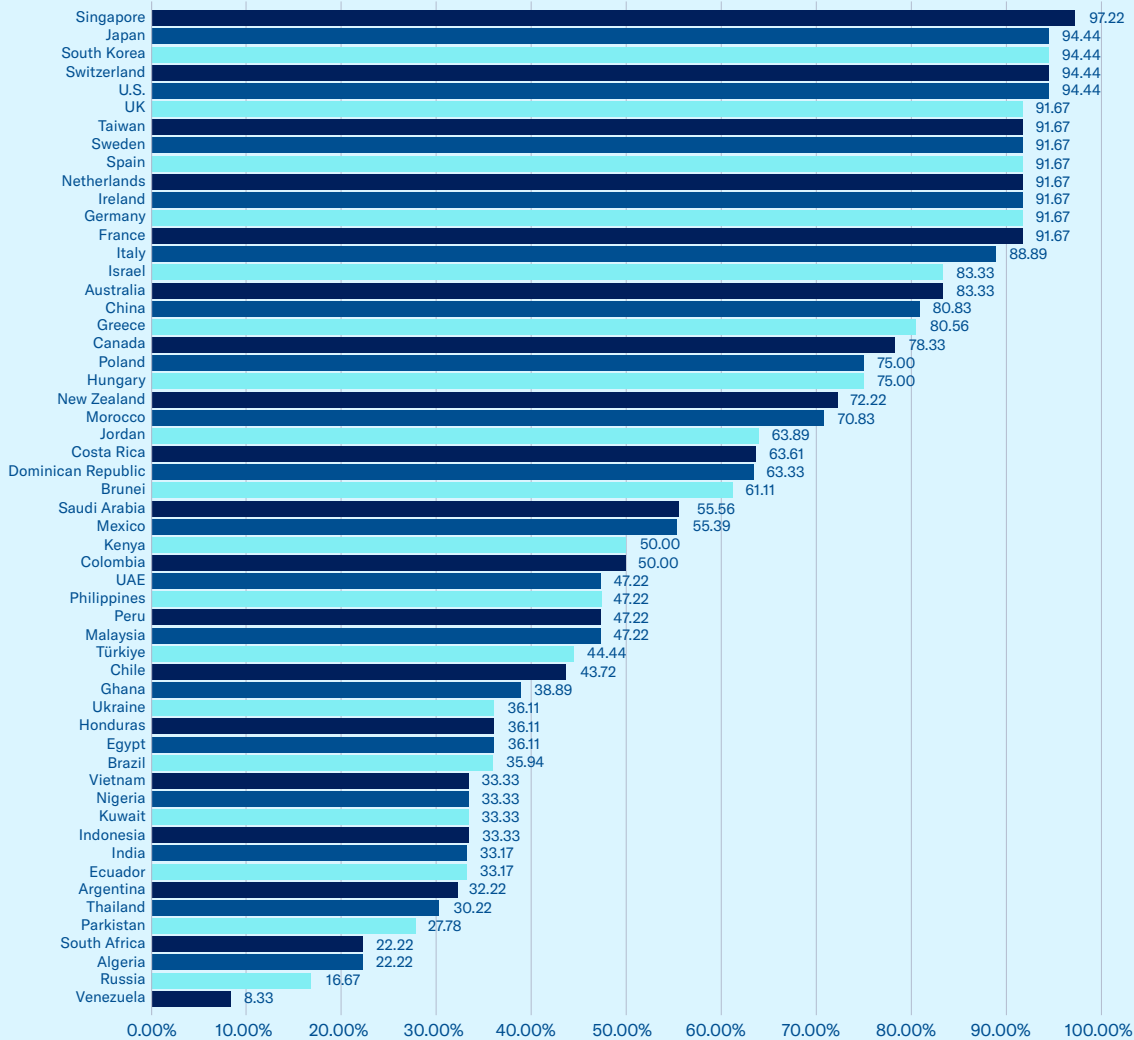
Category-by Category Results

Patents, Related Rights, and Limitations

Twenty-three economies achieve a score of 70% or more of the available score and 31 economies in total achieve a score of 50% or more.

- Draft patent amendments in India will enhance the framework for patent protection by improving existing patent opposition mechanisms and introducing positive changes to the Form 27 requirements to declare a working patent.
- In Pakistan, draft amendments will eliminate the pre-grant opposition in Pakistan,
- bringing improve certainty to patent rights. However, the proposed legislation also further limits or eliminates the potential patentability of computer-implemented inventions (CIIs) and biopharmaceutical innovation.
- IP holders face continued uncertainty over patents in Brazil. While a Federal Court ruled in favor of a patent term adjustment following an undue delay to the patent grant, the Supreme Court separately ruled that patent rights cannot apply beyond 20 years from initial application, regardless of the time of grant.

Category 1: Patents, Related Rights, and Limitations, % Available Score



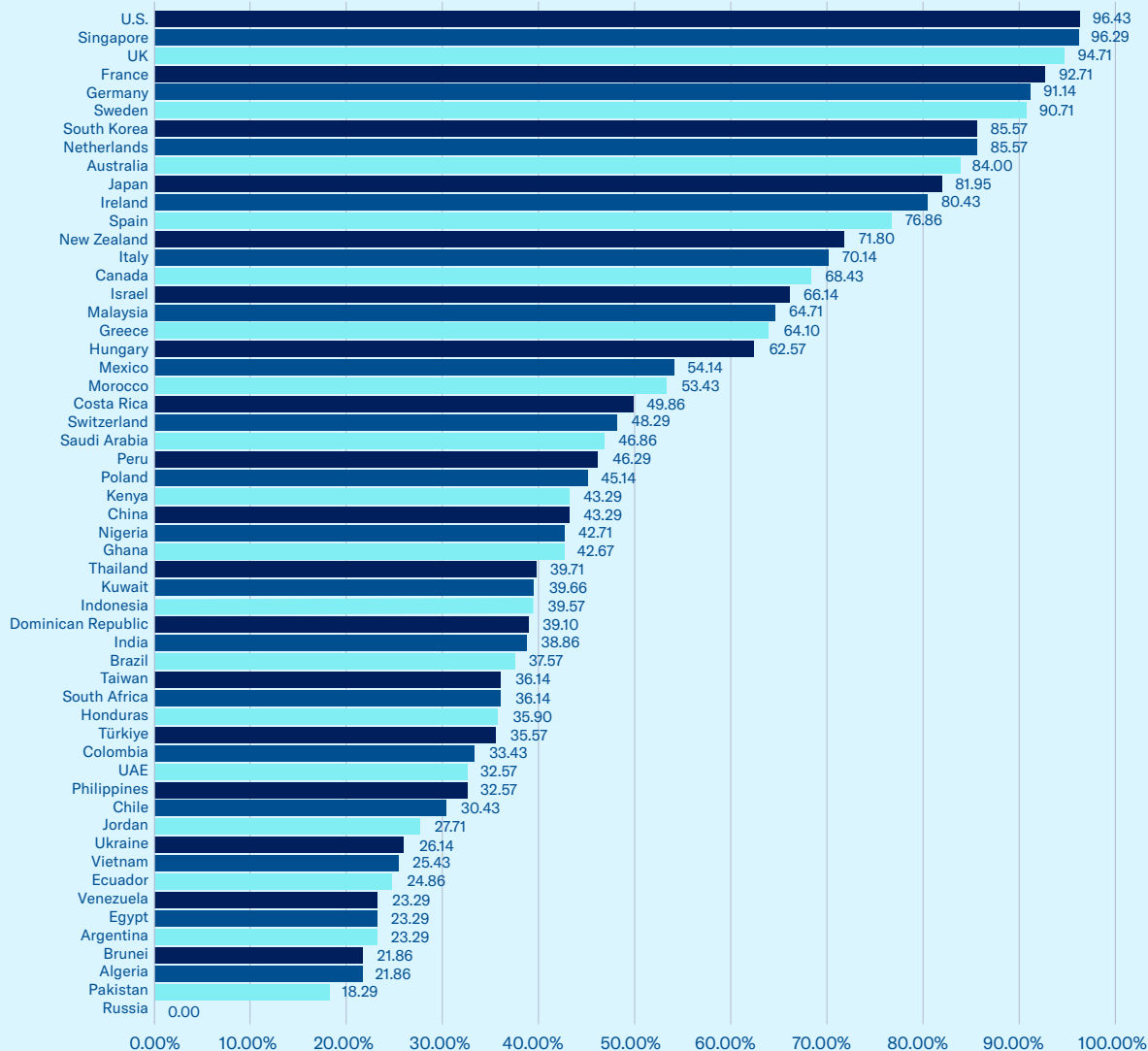
Copyrights, Related Rights, and Limitations

While many Index economies struggle to provide effective copyright protection, the average score on this category improved marginally from 49.70% last year to 50.61% this year in 2023.

- In Brazil, Anatel launched new efforts to locate and disable illegal set-top boxes, which have resulted in the seizure of nearly 1.5 million illegal units.
- Saudi Arabi and Egypt both continued to disable access to copyright-infringement websites, building upon positive momentum in both economies to enhance copyright enforcement.

- Greece's implementation of the EU's Digital Single Market Directive clarified the definition of what constitutes secondary liability for communication to the public of a protected work.
- While Nigeria's new Copyright Act includes new mechanisms to address devices or online platforms with copyright-infringing content, the legislation also creates a new basis to issue compulsory licenses and expands existing educational use exceptions.

Category 2: Copyrights, Related Rights, and Limitations, % Available Score

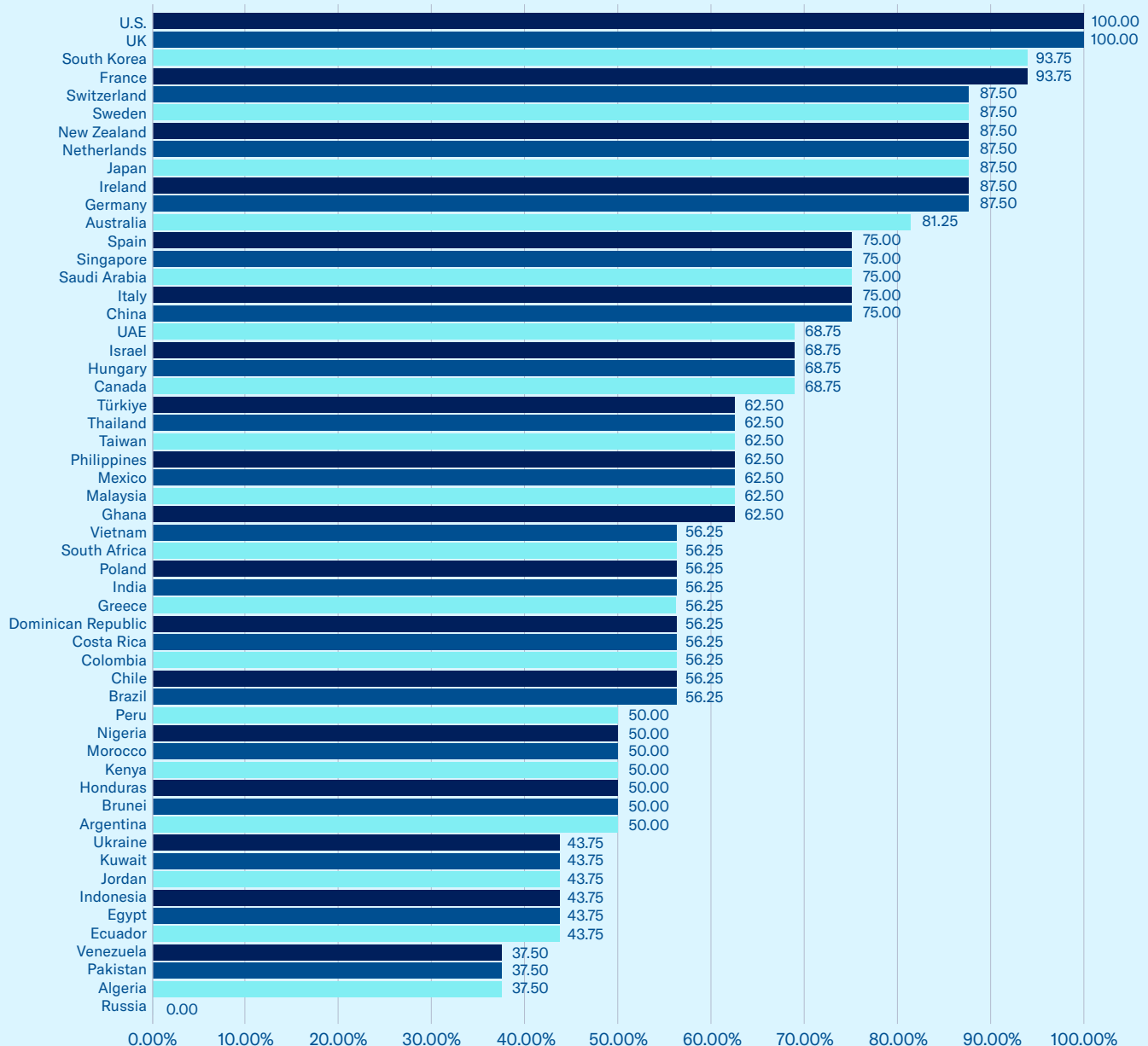


Trademarks, Related Rights, and Limitations

Most economies sampled in the Index offer basic forms of trademark protection, with only 10 of 55 sampled economies failing to score 50% or more on this category. The overall average score in this category increased from 62.39% in the eleventh edition to 62.84% in the twelfth edition.

- The Saudi IP Authority seized more than 12 million trademark and design infringing items and worked with online merchants and intermediaries to take down close to 60,000 e-commerce-related ads or infringing content.
- Taiwan's Supreme Administrative Court issued a potentially precedent setting ruling on what constitutes a well-known mark, marking a potential turning point in Taiwanese jurisprudence and the manner in which administrative law assesses trademark infringement of well-known marks.

Category 3: Trademarks, Related Rights, and Limitations, % Available Score

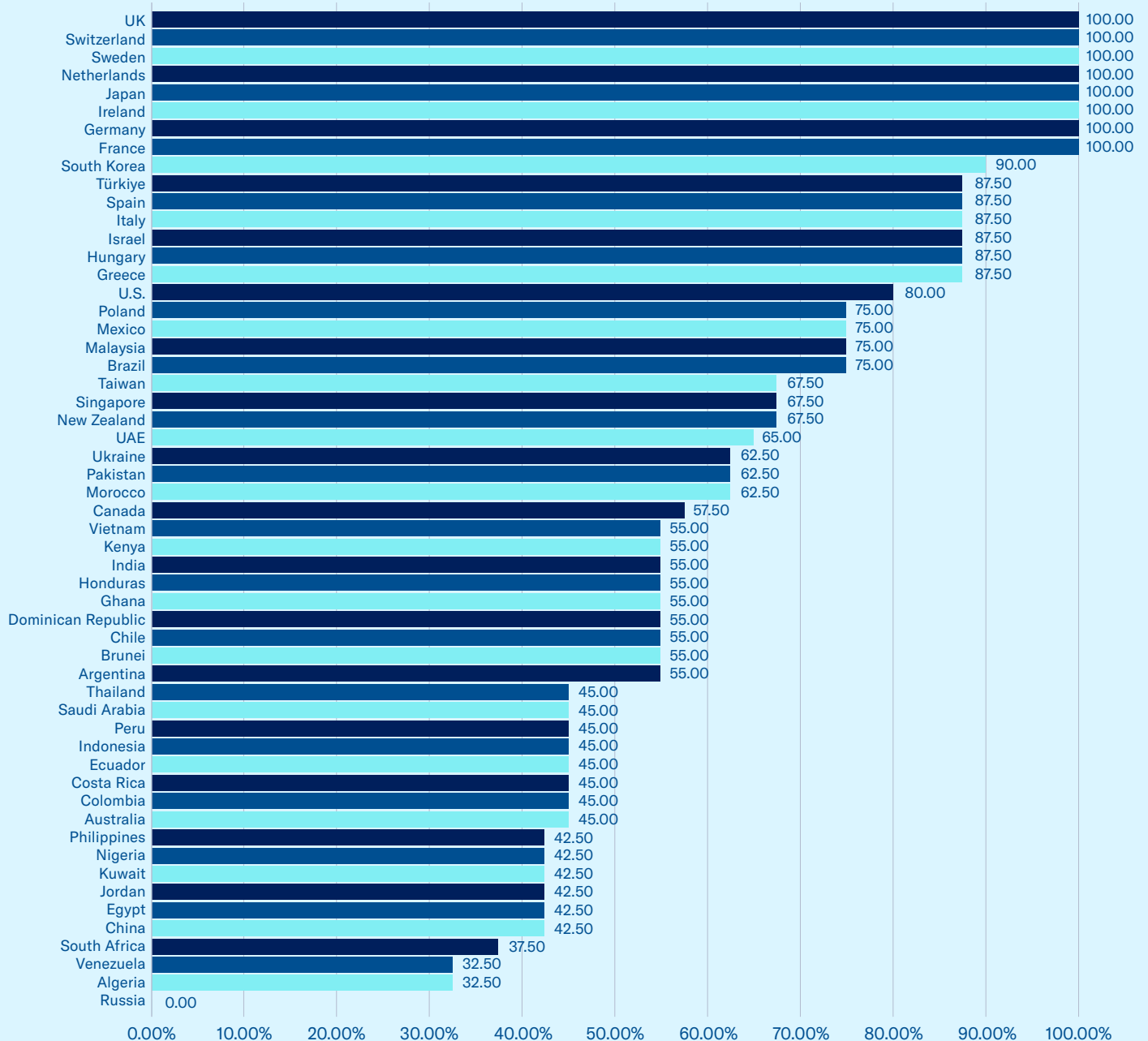


Design Rights, Related Rights, and Limitations

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 64%; up marginally from 63.77% last year.

- Indonesia proposed new amendments to the Design Law to increase of the total term of protection available up to fifteen years.
- The EU proposed changes to the existing legal framework for community designs which updates legal definitions and registration requirements, improves the scope of protection for design rights, and expands the potential exceptions to industrial design protection under a so-called 'repair clause.'

Category 4: Design Rights, Related Rights, and Limitations, % Available Score

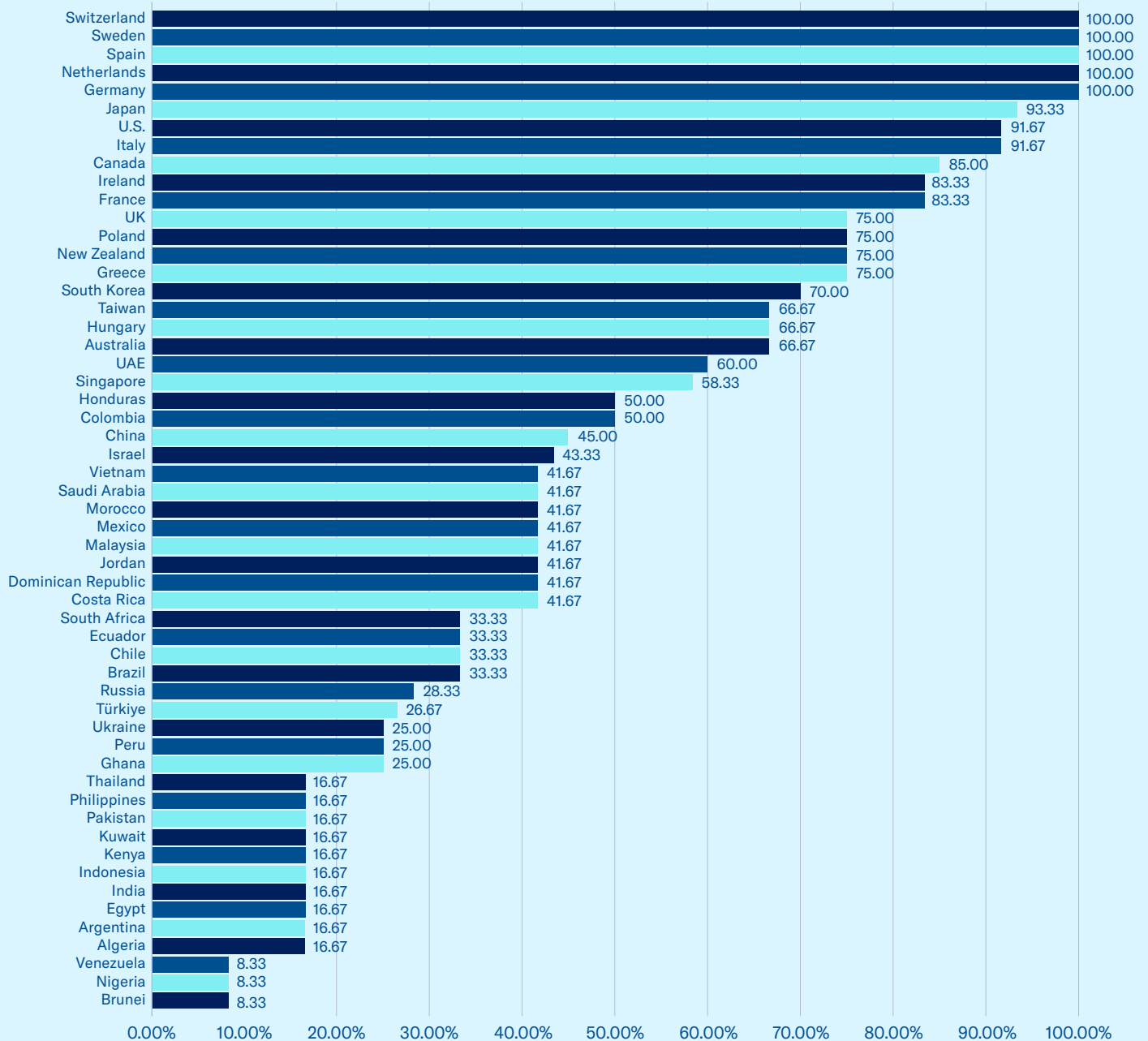


Trade Secrets and the Protection of Confidential Information

Only 23 of the 55 economies included in the Index achieved a score of 50% or more on this category, and 22 economies achieved a score of 33.33% or less. The average score on this category remained the weakest on the Index at 48.97%, unchanged from last year.

- The EU introduced legislation that will reduce the term of regulatory data protection (RDP) and condition the extension of the term of exclusivity on external factors, such as market access.
- The EU also published proposals to create a European Health Data Space (EHDS) that would alter the way confidential and proprietary health data is disseminated and make protected IP and trade secrets subject to secondary use.

Category 5: Trade Secrets and the Protection of Confidential Information, % Available Score

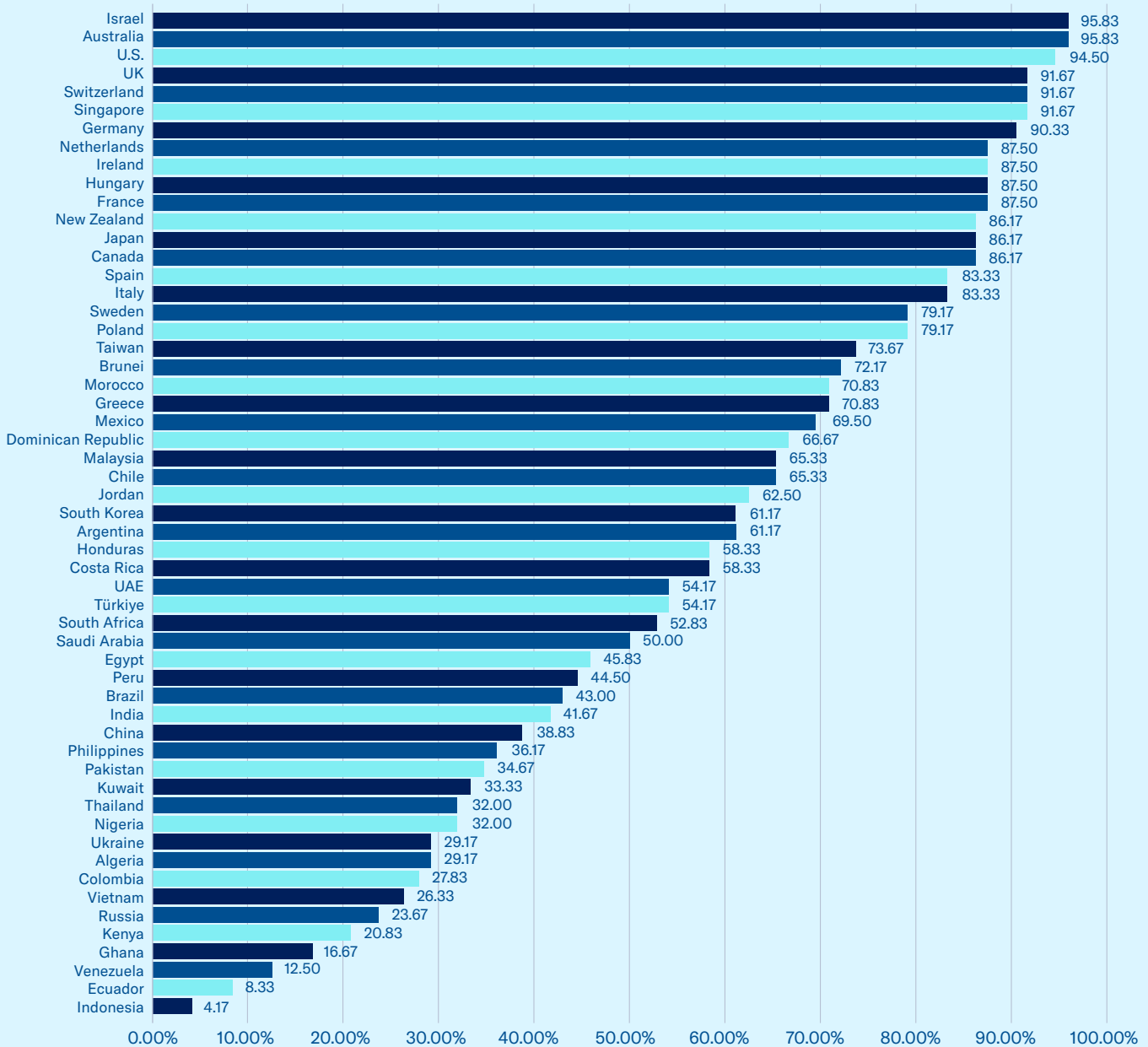


Commercialization of IP Assets

Of the 55 economies sampled, 20 fail to achieve a score of 50% or more with a full thirteen scoring 33.33% or less on the category. The average score on this category was 58.78%.

- In China, new rules that accompany the Anti-Monopoly Law contain broad language and vest considerable discretion with the government to identify and define what constitutes anti-competitive behavior.
- The Turkish Government took steps to address issues with Türkiye's localization policies highlighted in the WTO panel ruling, including the development of new Drug Reimbursement regulations, the termination of relevant import substitution programs, and the opening of reimbursement lists to previously excluded foreign companies.
- Morocco launched a new 'IP Marketplace' to share information on registered IP assets and help facilitate licensing and commercialization activity.

Figure 8: Category 6: Commercialization of IP Assets, % Available Score



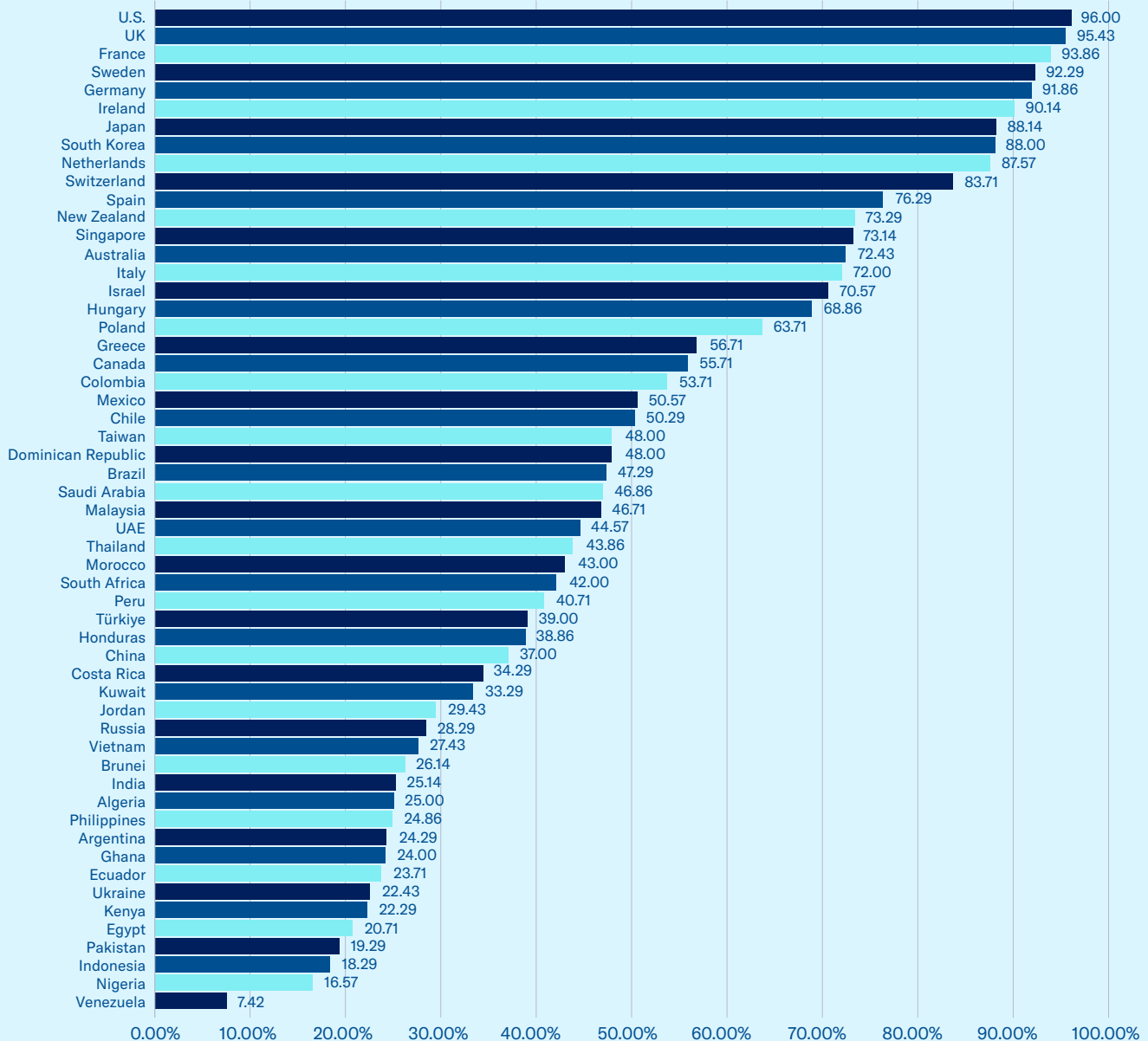
Enforcement

Many Index economies struggle to provide adequate enforcement measures, with only 23 Index economies achieving a score of 50% or more and only 11 economies achieving a score of 75% or more. The average score on this category remains one of the weakest on the Index at 50.24%.

- Dutch law enforcement took decisive action against one of Europe’s largest providers of set-top boxes and disabled access to illegal content in hundreds of thousands of set-top boxes across the continent.

- The Dominican Republic established and operationalized a new Inter Ministerial Council on IP that will coordinate IP enforcement across the government.
- Algeria launched a new commercial court which will provide legal expertise on complex areas of commercial law, including IP.

Category 7: Enforcement, % Available Score



Systemic Efficiency

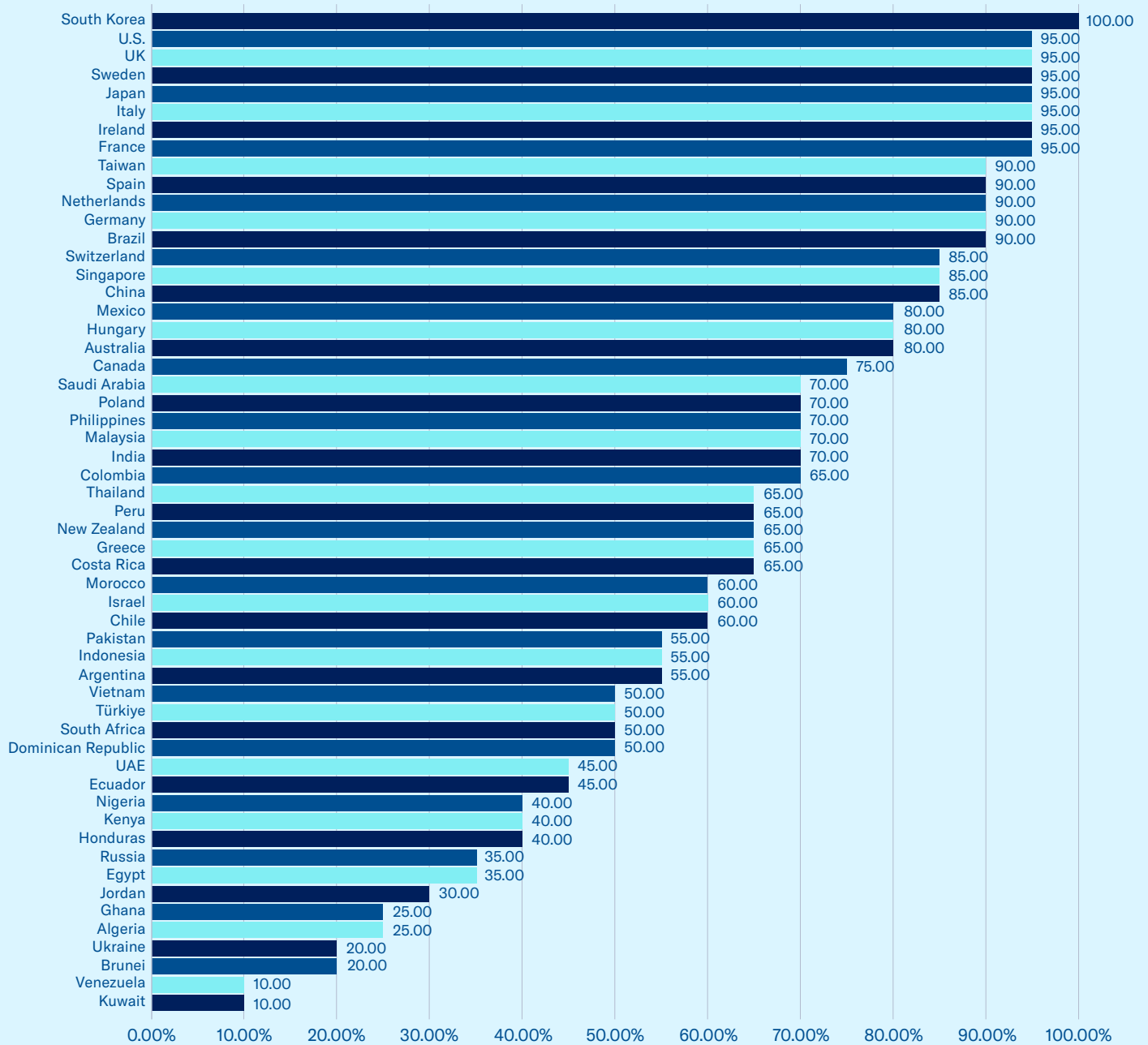
Only 14 economies failed to achieve a score of 50% or above in this category. Overall, the average score is one of the strongest on the Index, at 63.55%; up from 62.73% last year.

- The Saudi IP Authority continued IP awareness raising activities and improved stakeholder engagement on IP policy through public consultations on a new draft IP Law, the Madrid Protocol, and the WIPO Internet Treaties.

- Kenya joined the World Intellectual Property Organization (WIPO) and the World Economic Forum (WEF)'s "Inventor Assistance Program" (IAP) which provides pro-bono IP legal advice for innovators.

- Costa Rica launched a dedicated IP training and outreach effort focusing exclusively on the needs of entrepreneurs and SMEs.

Category 8: Systemic Efficiency, % Available Score



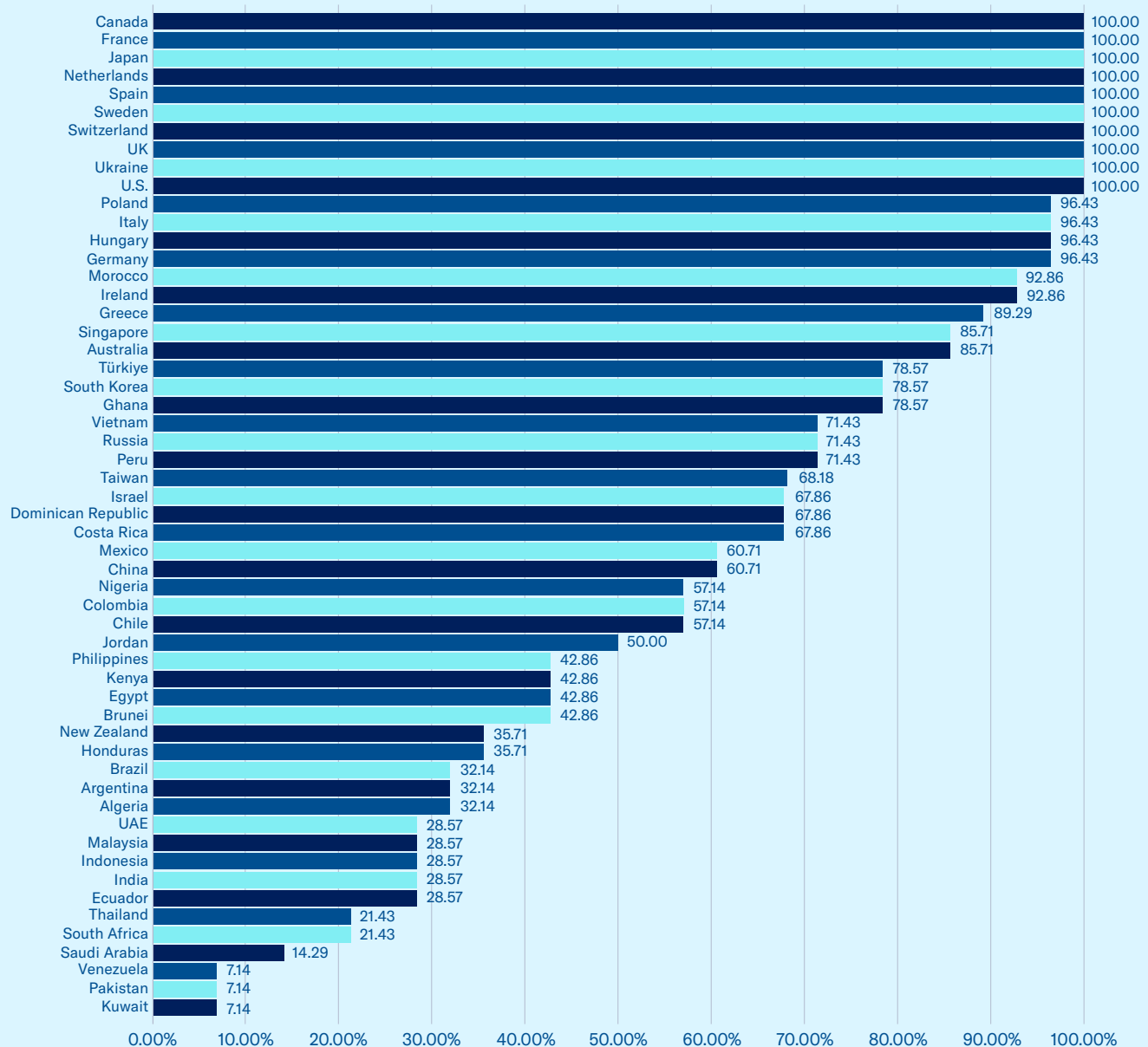
Membership and Ratification of International Treaties

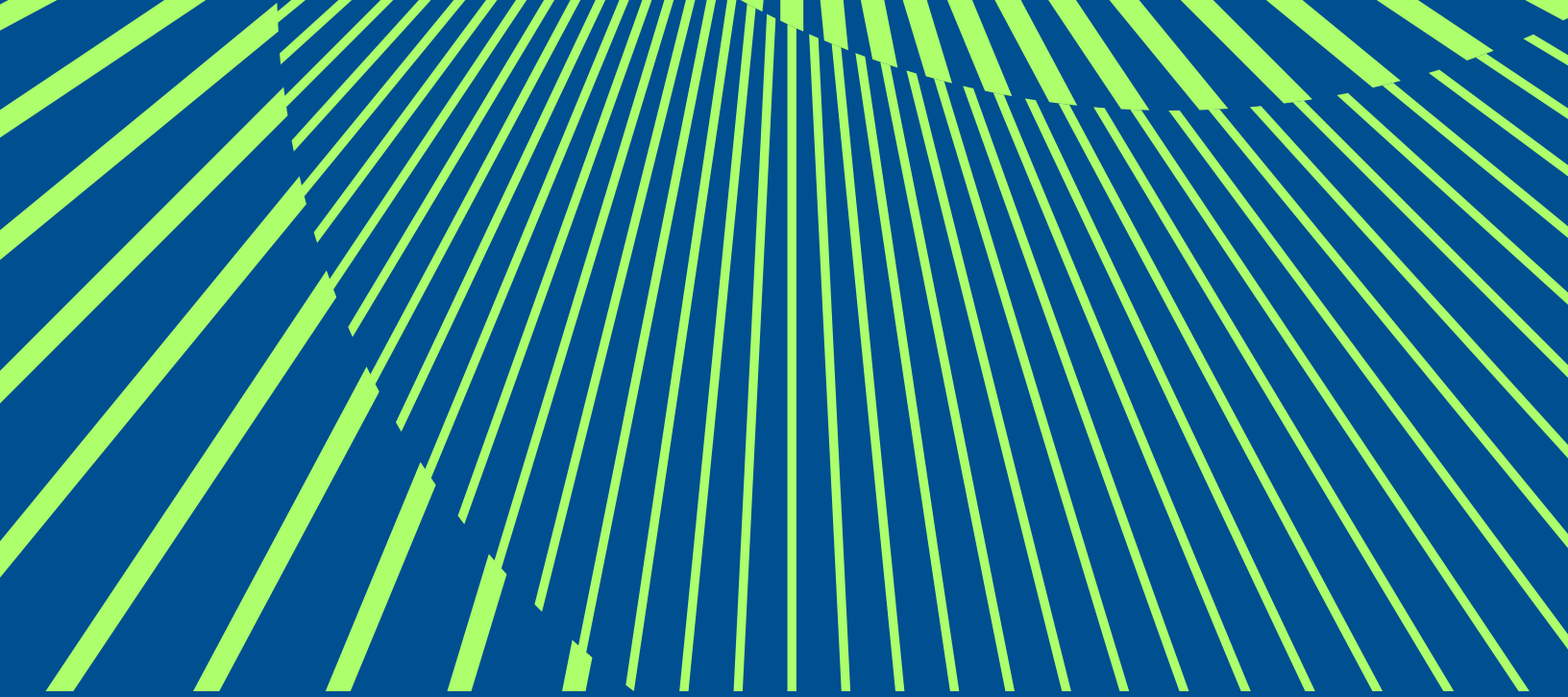
This Index category remains one of the strongest overall with twenty-two economies achieving a score of 75% or more with 14 economies with a score of over 96%. The average score in this category was 62.86%; marginally up from last year's 62.70% average.

- Brazil acceded to the full Hague Agreement including the Geneva Act.

- Thailand is considering new amendments to the Copyright Act to prepare to accede to parts of the WIPO Internet Treaty.
- Many new free trade agreements fail to include comprehensive IP chapters. The New Zealand-European Union Free Trade Agreement does not include any reference to patent rights. Moreover, while the UAE recently concluded four Comprehensive Economic Partnership Agreements which include IP chapters, the substance of the individual IP chapters are limited to rights already defined and specified in TRIPS.

Category 9: Membership and Ratification of International Treaties, % Available Score





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