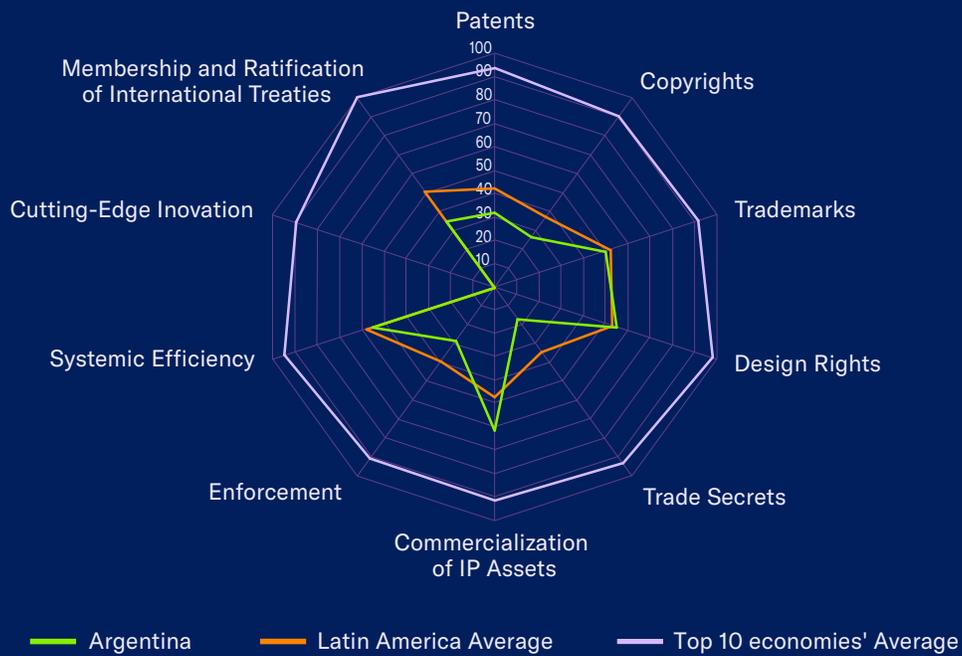




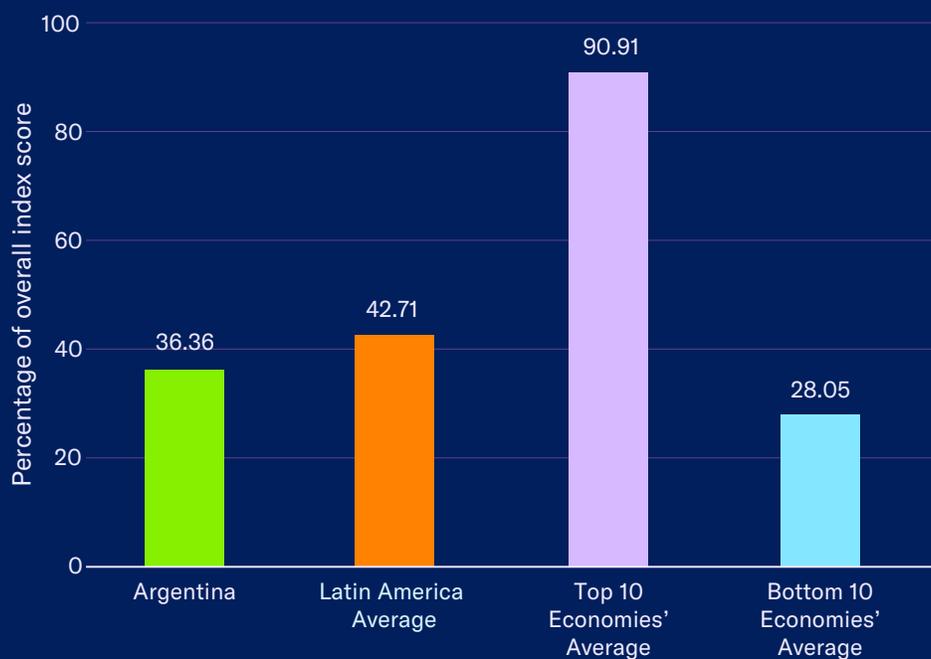
Argentina

Rank
44/55

Category Scores



Overall Score in Comparison





Key Areas of Strength

- Increased enforcement against copyright infringement in 2025
- 2023 copyright infringement injunction against online piracy includes a 'dynamic' element
- Basic framework for IP protection in place
- Pronounced efforts over last few years to strengthen international cooperation on IP rights, including through PPHs and increased technical cooperation with the EPO
- Ongoing streamlining of administrative and enforcement bodies
- 2021 tax incentives for R&D-based activities

Key Areas of Weakness

- No special IP incentives for orphan medicinal product development
- Key life sciences IP rights are missing
- Biopharmaceutical patentability standards remain outside of international standards
- Gaps in the legal framework for enforcing copyright online, though some important instances of judicial action exist
- Persistently high rates of piracy, including physical counterfeiting
- Limited participant in international treaties — has not acceded to the Patent Cooperation Treaty

Indicator	Score	Indicator	Score
Category 1: Patents Rights and Limitations	2.90	29. Direct Government intervention in setting licensing terms	1.00
1. Term of protection	1.00	30. IP as an economic asset	0.50
2. Patentability requirements	0.25	31. Tax incentives for the creation of IP assets	0.67
3. Patentability of CII	0.25	Category 7: Enforcement	1.97
4. Plant variety protection	0.90	32. Physical counterfeiting rates	0.39
5. Pharmaceutical-related enforcement	0.00	33. Software piracy rates	0.33
6. Legislative criteria and active use of compulsory licensing	0.00	34. Civil and procedural remedies	0.25
7. Pharmaceutical patent term restoration	0.00	35. Pre-established damages	0.00
8. Membership of a Patent Prosecution Highway	0.50	36. Criminal standards	0.50
9. Patent Opposition	0.00	37. Effective border measures	0.50
Category 2: Copyrights and Limitations	1.88	38. Transparency and public reporting by Customs	0.00
10. Term of protection	0.63	Category 8: Systemic Efficiency	2.75
11. Exclusive rights	0.25	39. Coordination of IP rights enforcement	0.50
12. Expeditious legal remedies disabling access to infringing content online	0.75	40. Consultation with stakeholders during IP policy formation	0.50
13. Cooperative action against online piracy	0.00	41. Educational campaigns and awareness raising	0.50
14. Limitations and exceptions	0.25	42. Targeted incentives for the creation and use of IP assets for SMEs	0.50
15. TPM and DRM	0.00	43. IP-intensive industries, national economic impact analysis	0.75
16. Government use of licensed software	0.00	Category 9: Cutting-Edge Innovation	0.00
Category 3: Trademarks Rights and Limitations	2.00	44. IP incentives for orphan medicinal product development	0.00
17. Term of protection	1.00	45. IP incentives for orphan medicinal product development, term of protection	0.00
18. Protection of well-known marks	0.50	46. Restrictions on the effective use of existing IP incentives for orphan medicinal product development	0.00
19. Exclusive rights, trademarks	0.25	Category 10: Membership and Ratification of International Treaties	2.50
20. Frameworks against online sale of counterfeit goods	0.25	47. WIPO Internet Treaties	1.00
Category 4: Design Rights and Limitations	1.10	48. Singapore Treaty on the Law of Trademarks and Protocol Relating to the Madrid Agreement Concerning the International Registration of Marks	0.00
21. Industrial Design Term of Protection	0.60	49. Patent Law Treaty and Patent Cooperation Treaty	0.25
22. Exclusive rights, industrial design rights	0.50	50. Membership of the International Convention for the Protection of New Varieties of Plants, act of 1991	0.00
Category 5: Trade Secrets and the Protection of Confidential Information	0.50	51. Membership of the Convention on Cybercrime, 2001	1.00
23. Protection of trade secrets (Civil Remedies)	0.25	52. The Hague Agreement Concerning the International Registration of Industrial Designs	0.00
24. Protection of trade secrets (Criminal Sanctions)	0.25	53. Post-TRIPS FTA	0.25
25. Regulatory data protection term	0.00		
Category 6: Commercialization of IP Assets	0.50		
26. Barriers to market access	0.25		
27. Barriers to technology transfer	0.25		
28. Registration and disclosure requirements of licensing deals	0.00		

Total Score: 19.27

Spotlight on the National IP Environment

Past Editions versus Current Score

Argentina's overall score has increased from 18.74 out of 53 indicators in the 13th edition to 19.27. This reflects score increases on indicators 32, 36, and 53.

Trade Secrets and the Protection of Confidential Information

25. Regulatory data protection term:

As noted in past editions, Argentina does not provide for regulatory data protection of test and other data in a manner that is consistent with international best practices and the standards defined in the Index. Law 24,766 does not provide a term for RDP and allows medicines regulators to use data submitted for originator drugs to approve generic or similar products. The Index will continue to monitor these developments in 2026.

Enforcement

36. Criminal standards, including minimum imprisonment and minimum fines:

In recent years, there have been some developments with respect to the enforcement of copyright in Argentina. In 2023, a federal court ordered not only the disabling of access to several copyright-infringing websites, but the order also included a so-called 'dynamic' element. This type of injunction effectively addresses mirror sites and disables infringing content that re-enters the public domain when moved to a different online access point. In 2024, Argentine law enforcement disabled access to over 50 websites offering pirated sports and other illicit content via IPTV boxes via the pan-American website "Magis."

These positive efforts continued in 2025.

In July, access to the portal "Al AnguloTV" was disabled, and the owner and proprietor were arrested and taken into police custody. The website provided access to pirated live sports broadcasting. The regional rights holder's association, Alianza, played a pivotal role in supporting all of these local operations.

As noted throughout the Index, rights holders have historically faced significant challenges in protecting their copyrighted content in Argentina. There are major gaps in the existing legal framework, and enforcement remains inadequate. Argentinian law provides only general exclusive rights for authors and creators with limited reference to the online environment. There are no copyright-specific legal provisions in place regarding secondary liability for online piracy or an injunctive relief mechanism. There have been isolated cases of courts ordering the disabling of access to infringing content and websites. For example, in 2014, a court ordered access to the Pirate Bay to be disabled. But, overall, this is not an avenue of copyright enforcement readily available to rights holders. This is now the third consecutive year of stronger copyright enforcement in Argentina, and as a result of this sustained positive activity, the score on this indicator has increased by 0.25. The Index will continue to monitor these developments in 2026.

Membership and Ratification of International Treaties

50. Membership in the International Convention for the Protection of New Varieties of Plants, Act of 1991: As noted last year, as part of the Government's reform efforts and the issuing of the omnibus law Decree 70.2023, there was broad-based discussion in the National Congress for reforming the existing seed law and potentially joining the International Union for the Protection of New Varieties of Plants (UPOV) 1991.

Argentina is a contracting party to UPOV 1978. The legislative basis for the registration, protection, and commercialization of IP rights pertaining to plant varieties and biotechnological innovation is, consequently, antiquated and, by international standards, restrictive. Adopting the UPOV 1991 standards and signing this treaty would be a positive development and would increase the score on this indicator. The Index will continue to monitor these developments in 2026.

53. At least one post-TRIPS FTA with substantive IP provisions and chapters in line with international best practices:

As noted in the Index at the time, in 2019, the South American regional trade bloc Mercosur concluded negotiations with the EU on a free trade agreement between the two trading blocs. The agreement is still subject to ratification by all parties. The agreement includes a dedicated IP chapter, which reflects a recognition of the importance of IP-intensive industries and the centrality of IP rights to future trade and economic development across all economies.

As has been noted in the Index, this is not always the case. Many 21st-century post-TRIPS FTAs do not include a dedicated IP chapter or otherwise skirt meaningful provisions on IP rights. Overall, the IP provisions of the EU-Mercosur FTA are not as strong as those of other post-TRIPS agreements concluded by the EU, such as the EU-Japan Economic Partnership Agreement, the EU-ANDEAN Community FTA, or the Canada-European Union Comprehensive Economic and Trade Agreement (CETA). For example, the treaty contains no substantive provisions on patent rights, and its copyright provisions are relatively limited. Similarly, border measures are weak, with parties largely exempt from taking effective measures; the treaty does not grant customs officials *ex officio* authority to act against suspected goods. Moreover, in-transit goods are explicitly exempt from any action under Article X.58(2). Finally, for IP-intensive sectors, there are no provisions for the biopharmaceutical sector.

This stands out compared with previous U post-TRIPS FTAs such as the EU-ANDEAN Community FTA, which included a requirement for a five-year RDP term.

Nevertheless, there are several substantive IP provisions in the Agreement. For instance, there is clear language on civil and administrative enforcement (including the need for an established method for calculating damages), and trade secret provisions are relatively strong, with clear definitions of trade secrets and infringement. These are all important post-TRIPS IP standards covered as discrete indicators in the Index.

Historically, this indicator has been scored based on whether an economy is a signatory to, and has ratified or acceded to, a modern post-TRIPS FTA that includes substantive IP provisions in line with international best practices, as identified in the Index. As such, this indicator has not accounted for the allocation of partial scores in cases where a post-TRIPS FTA includes only a limited number of substantive IP provisions, consistent with international best practices and identified in the Index. To take better account of the increasing number of post-TRIPS FTAs that include some substantive IP provisions identified in the Index, from this edition of the Index onward, it will be possible to achieve a partial score ranging from 0, 0.25, 0.5, 0.75, and 1. As with all other indicators in this category, score allocation will remain evenly divided between the signature and ratification or accession to an international treaty. As a result of changes to the scoring methodology and the fact that the Agreement is still pending ratification, the score for this indicator has increased by 0.25.