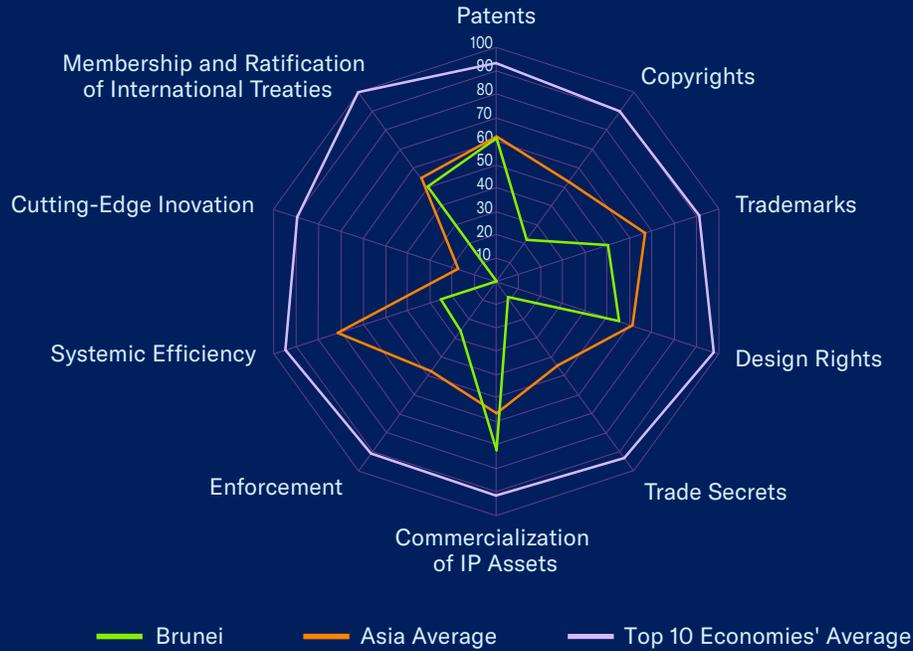
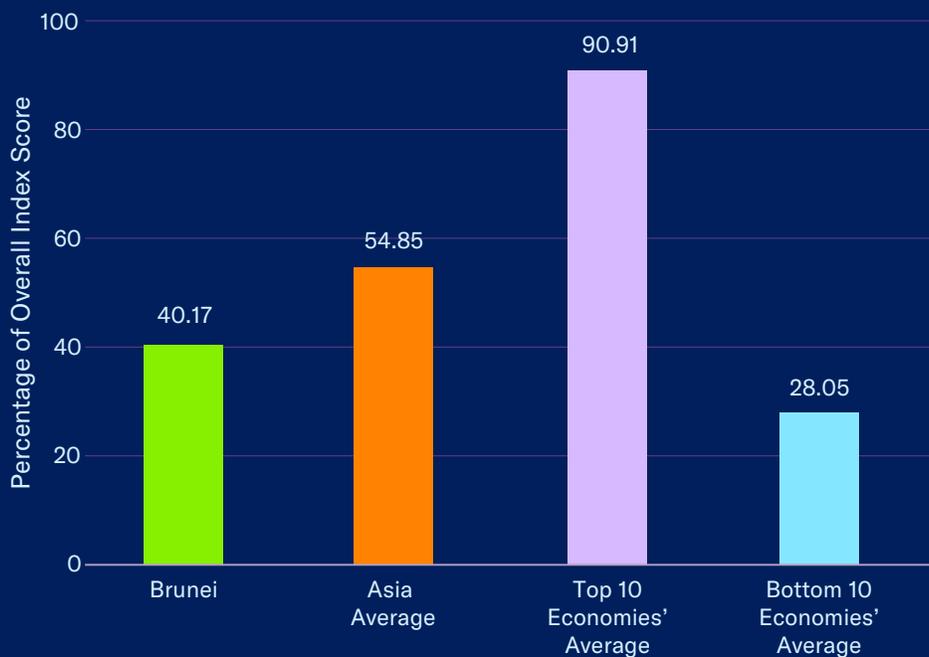




Category Scores



Overall Score in Comparison





Key Areas of Strength

- 2025 launch of new IP initiative targeting SMEs
- Acceded to the CPTPP in 2023, which has the potential to improve trade secrets protection and enforcement environment if properly implemented
- Acceded to WIPO Internet Treaties in 2017
- Major IP reforms over the last decade, including establishing national IP Office (BrulPO)
- Removed from Special 301 Report
- PPH agreement in place with Japan
- No fundamental administrative or regulatory barriers in place for execution of licensing agreements

Key Areas of Weakness

- No special IP incentives for orphan medicinal product development
- Limited legal framework for protection of trade secrets and confidential information
- Life sciences IP rights lacking
- Regulatory data protection not available
- Limited framework for addressing online piracy and circumvention devices
- High software piracy rates – 64% in latest estimates

Indicator	Score	Indicator	Score
Category 1: Patents Rights and Limitations	5.50	29. Direct Government intervention in setting licensing terms	1.00
1. Term of protection	1.00	30. IP as an economic asset	0.75
2. Patentability requirements	0.75	31. Tax incentives for the creation of IP assets	0.33
3. Patentability of CII	0.75	Category 7: Enforcement	1.83
4. Plant variety protection	1.00	32. Physical counterfeiting rates	0.47
5. Pharmaceutical-related enforcement	0.00	33. Software piracy rates	0.36
6. Legislative criteria and active use of compulsory licensing	0.00	34. Civil and procedural remedies	0.25
7. Pharmaceutical patent term restoration	1.00	35. Pre-established damages	0.25
8. Membership of a Patent Prosecution Highway	0.50	36. Criminal standards	0.50
9. Patent Opposition	0.50	37. Effective border measures	0.00
Category 2: Copyrights and Limitations	1.53	38. Transparency and public reporting by Customs	0.00
10. Term of protection	0.53	Category 8: Systemic Efficiency	1.25
11. Exclusive rights	0.25	39. Coordination of IP rights enforcement	0.25
12. Expeditious legal remedies disabling access to infringing content online	0.00	40. Consultation with stakeholders during IP policy formation	0.00
13. Cooperative action against online piracy	0.00	41. Educational campaigns and awareness raising	0.25
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	0.25	43. IP-intensive industries, national economic impact analysis	0.25
16. Government use of licensed software	0.25	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	0.50	Category 10: Membership and Ratification of International Treaties	3.50
20. Frameworks against online sale of counterfeit goods	0.00	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	0.50
21. Industrial Design Term of Protection	0.60	49. Patent Law Treaty and Patent Cooperation Treaty	0.50
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	0.25	51. Membership of the Convention on Cybercrime, 2001	0.00
23. Protection of trade secrets (Civil Remedies)	0.25	52. The Hague Agreement Concerning the International Registration of Industrial Designs	1.00
24. Protection of trade secrets (Criminal Sanctions)	0.00	53. Post-TRIPS FTA	0.50
25. Regulatory data protection term	0.00		
Category 6: Commercialization of IP Assets	4.33		
26. Barriers to market access	1.00		
27. Barriers to technology transfer	0.50		
28. Registration and disclosure requirements of licensing deals	0.75		

Total Score: 21.29

Spotlight on the National IP Environment

Past Editions versus Current Score

Brunei's overall score has increased from 20.54 out of 53 indicators in the 13th edition to 21.29. This reflects a score increase on indicators 42 and 53.

Systemic Efficiency

42. Targeted Incentives for the creation and use of IP assets for SMEs:

Brunei has historically not offered SMEs targeted IP incentives. The national IP office, BrulPO, does not offer a priority review or reduced registration fees for SMEs. There have been past examples of the Office hosting general workshops and providing technical assistance through its education programs. These have never been tailored to the specific needs of SMEs. And unlike many other ASEAN economies, Brunei does not host a WIPO Technology and Innovation Support Center. That is now changing. In the last two years, BrulPO has partnered with regional WIPO offices and launched several SME-specific technical assistance programs. In 2024, the office partnered with WIPO's Singapore Office to organize an IP Management Clinic for SMEs. The WIPO designs the format of these clinics to provide local small businesses with the tools needed to develop, register, and commercialize their IP assets. In 2025, this continued with BrulPO hosting — again in partnership with the regional WIPO offices — a dedicated technical assistance program: “ASEAN IP Register Services Workshop: Gearing Towards a Data-Driven IP Strategy.” As a result of this positive activity, the score on this indicator increased by 0.25.

Membership and Ratification of International Treaties

50. Membership of the International Convention for the Protection of New Varieties of Plants, act of 1991:

As noted in the Index, Brunei is not a contracting party to the International Convention for the Protection of New Varieties of Plants (UPOV). In 2017, BrulPO formally requested that UPOV examine Brunei's existing legal framework relating to the protection of plant varieties. After the review, UPOV concluded that Brunei's legal framework conformed to the 1991 Act. However, they did not take further action at that time. Brunei is currently listed as an observer at UPOV Council meetings. In a positive step, the Government has, in the last few years, through both BrulPO and the Department of Agriculture and Agrifood, raised the prospect of Brunei acceding to UPOV 1991. Both agencies hosted a seminar discussing this issue in the summer of 2025. Brunei's accession to the UPOV 1991 Act would be a positive step and would result in an increase in this indicator's score. 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, in 2023, Brunei formally ratified the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP), with the Agreement officially coming into force over the summer. Brunei was the last remaining contracting party that had not formally ratified or acceded to the CPTPP. Following the United States' withdrawal from the original Trans-Pacific Partnership (TPP), the CPTPP was fundamentally revised, with many provisions of the original treaty suspended.

With respect to Chapter 18 (Intellectual Property), numerous critical provisions were excluded, including those on patentable subject matter, biopharmaceutical-specific IP rights such as regulatory data protection, copyright protection and enforcement, and protections relating to satellite and cable signals. Still, the text of the CPTPP retains some important aspects of the original TPP's IP provisions, including, for example, provisions relating to trade secrets and border enforcement. Specifically, Article 18.78 Trade Secrets requires contracting parties to provide appropriate protection against the misappropriation, improper acquisition, use, or disclosure of trade secrets or confidential business information. Critically, Subsections 2 and 3 also require contracting parties to provide minimum criminal procedures and penalties. The CPTPP also provides an unambiguous requirement that border officials in all contracting parties have the right to take *ex officio* action against suspected infringing goods, including against goods in transit, destined for export and not intended for the domestic market. Article 18.76(5) of the treaty states: "Each Party shall provide that its competent authorities may initiate border measures *ex officio* with respect to goods under customs control that are: (a) imported; (b) destined for export; or (c) in transit."

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. Like all other indicators in this category, score allocation will still be evenly divided between the signature and ratification or accession to an international treaty. As a result of the change in scoring methodology used and the fact that the CPTPP has been ratified and is in effect, the score on this indicator has increased by 0.50.