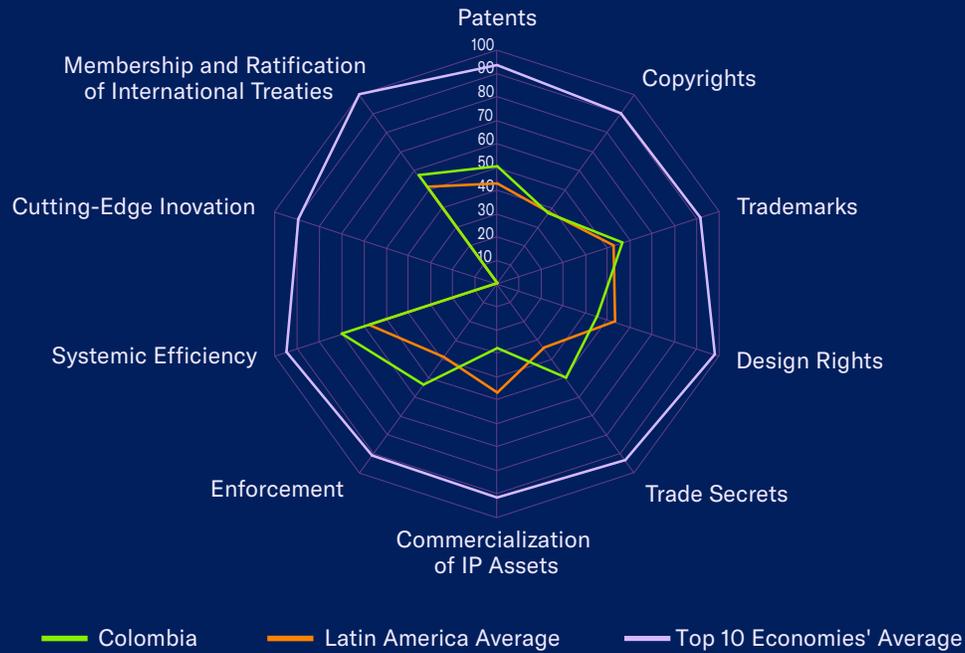
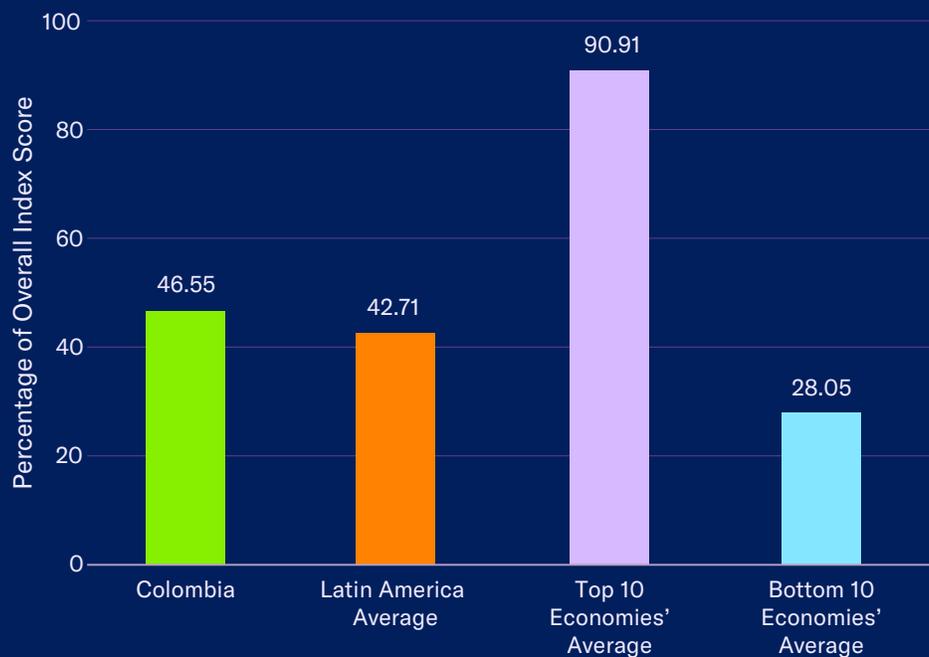




Category Scores



Overall Score in Comparison





Key Areas of Strength

- 2024 judgement ordered the disabling of access to several copyright infringing websites – including “SkyLatinaTV” – and included a so-called dynamic element
- Stronger copyright enforcement efforts through DNDA injunctive style relief action against online piracy
- Acceded to Convention on Cybercrime in 2020
- Colombian Constitutional Court issued a ruling (ruling C-345-19) that recognizes the constitutionality of statutory damages for copyright infringement, introduced by 2018 amendments to Copyright Law
- Targeted incentives in place for the creation and use of IP assets for SMEs, including reduced filing fees and technical assistance
- Efforts to coordinate interagency IP enforcement and raise public and stakeholder engagement on IP policymaking and education

Key Areas of Weakness

- 2024 compulsory license issued for HIV/AIDS treatment dolutegravir and the government discussed issuing new CLs in 2025
- No special IP incentives for orphan medicinal product development
- 2023 Ministry of Health Resolution 881 continues policy history of use of compulsory license and public interest declarations to leverage price reductions for biopharmaceuticals
- Substantial barriers in place for licensing activities, including direct government intervention and review of technology transfer and licensing agreements
- Key life sciences IP rights missing, including patent term restoration and mechanisms for early patent dispute resolution
- Uncertainty over availability of RDP for biopharmaceuticals
- Inadequate and delayed prosecution of and penalties for IP infringement

Indicator	Score	Indicator	Score
Category 1: Patents Rights and Limitations		4.50	
1. Term of protection	1.00	29. Direct Government intervention in setting licensing terms	0.00
2. Patentability requirements	0.50	30. IP as an economic asset	0.50
3. Patentability of CII	0.50	31. Tax incentives for the creation of IP assets	0.67
4. Plant variety protection	1.00	Category 7: Enforcement	
5. Pharmaceutical-related enforcement	0.25	3.76	
6. Legislative criteria and active use of compulsory licensing	0.00	32. Physical counterfeiting rates	0.49
7. Pharmaceutical patent term restoration	0.00	33. Software piracy rates	0.52
8. Membership of a Patent Prosecution Highway	1.00	34. Civil and procedural remedies	0.50
9. Patent Opposition	0.25	35. Pre-established damages	0.50
Category 2: Copyrights and Limitations		2.59	
10. Term of protection	0.84	36. Criminal standards	0.50
11. Exclusive rights	0.25	37. Effective border measures	0.75
12. Expeditious legal remedies disabling access to infringing content online	0.50	38. Transparency and public reporting by Customs	0.50
13. Cooperative action against online piracy	0.00	Category 8: Systemic Efficiency	
14. Limitations and exceptions	0.25	3.50	
15. TPM and DRM	0.25	39. Coordination of IP rights enforcement	0.50
16. Government use of licensed software	0.50	40. Consultation with stakeholders during IP policy formation	0.75
Category 3: Trademarks Rights and Limitations		2.25	
17. Term of protection	1.00	41. Educational campaigns and awareness raising	1.00
18. Protection of well-known marks	0.50	42. Targeted incentives for the creation and use of IP assets for SMEs	0.75
19. Exclusive rights, trademarks	0.50	43. IP-intensive industries, national economic impact analysis	0.50
20. Frameworks against online sale of counterfeit goods	0.25	Category 9: Cutting-Edge Innovation	
Category 4: Design Rights and Limitations		0.90	
21. Industrial Design Term of Protection	0.40	44. IP incentives for orphan medicinal product development	0.00
22. Exclusive rights, industrial design rights	0.50	45. IP incentives for orphan medicinal product development, term of protection	0.00
Category 5: Trade Secrets and the Protection of Confidential Information		1.50	
23. Protection of trade secrets (Civil Remedies)	0.50	46. Restrictions on the effective use of existing IP incentives for orphan medicinal product development	0.00
24. Protection of trade secrets (Criminal Sanctions)	0.50	Category 10: Membership and Ratification of International Treaties	
25. Regulatory data protection term	0.50	4.00	
Category 6: Commercialization of IP Assets		1.67	
26. Barriers to market access	0.25	47. WIPO Internet Treaties	1.00
27. Barriers to technology transfer	0.25	48. Singapore Treaty on the Law of Trademarks and Protocol Relating to the Madrid Agreement Concerning the International Registration of Marks	0.50
28. Registration and disclosure requirements of licensing deals	0.00	49. Patent Law Treaty and Patent Cooperation Treaty	0.50
		50. Membership of the International Convention for the Protection of New Varieties of Plants, act of 1991	0.00
		51. Membership of the Convention on Cybercrime, 2001	1.00
		52. The Hague Agreement Concerning the International Registration of Industrial Designs	0.00
		53. Post-TRIPS FTA	1.00

Total Score: 24.67

Spotlight on the National IP Environment

Past Editions versus Current Score

Colombia's overall score remains unchanged at 24.67 out of 53 indicators.

Patent Rights and Limitations

6. Legislative criteria and use of compulsory licensing of patented products and technologies:

As noted last year, the Department of Industry and Commerce, SIC (*Superintendencia de Industria y Comercio*), in 2024 granted the Ministry of Health a compulsory license for the HIV/AIDS treatment dolutegravir. The Ministry of Health issued the license in response to a public-interest request from 2023. News reports from 2025 suggest that the first batches of the purchased generic product had been distributed within the Colombian health system.

As detailed throughout the Index, Colombia has moved in a decidedly negative direction on compulsory licenses. Up until the mid-2010s, the imposition and discussion of compulsory licensing for biopharmaceuticals had not been a recurring issue in Colombia. But over the last 15 years, this has come to be viewed as a legitimate health policy tool and a way to contain pharmaceutical expenditure. Indeed, much of the logic in the SIC's Resolution and the underlying request from the Ministry of Health is based on the perceived high cost of dolutegravir. But as stated repeatedly in the Index, compulsory licensing and the overriding of property rights are not cost-containment tools: cost is not a relevant justification or basis for compulsory licensing or equivalent declarations under the TRIPS agreement.

Undermining IP incentives by using compulsory licensing as a cost-containment tool hollows out Colombia's national IP environment and any incentives for future biopharmaceutical innovation. More broadly, the overriding of biopharmaceutical IP rights on the basis of cost and price negotiations sets a wholly negative precedent that may be applied to other industries and sectors. The Index will continue to monitor these developments in 2026.

Copyrights and Limitations

14. Scope of limitations and exceptions to copyrights and related rights:

Like many Index economies, Colombia is developing a regulatory framework for the development and use of AI-based technologies. Over the last year, two separate AI bills — one by the government and one a Senator's bill — have been introduced. The more substantive of the two is the government's Bill 043-25, overseen by the Ministry of Science. This bill is primarily modeled on the EU's AI Act and seeks to introduce a comprehensive regulatory mechanism for the development and use of AI technologies in Colombia. Like the EU AI Act, the bill uses a risk categorization system to define and assign varying levels of regulatory compliance requirements.

Regarding the interaction between AI development and copyright protection, the draft legislation is largely silent. The bill was still being debated at the time of research. The Index will continue to monitor these developments in 2026.

Enforcement

36. Criminal standards, including minimum imprisonment and minimum fines:
As noted in the Index, there have been some developments in the enforcement of copyright in Colombia in the last few years. In 2024, a precedent-setting judgment ordered not only the disabling of access to several copyright-infringing websites, but it 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. These efforts continued in 2025. In the first half of the year, the Colombian proprietor of the pirate website “Magis TV” was charged and successfully convicted, receiving a suspended prison sentence and a large fine. As noted throughout the Index, rights holders have historically faced significant challenges in protecting their copyrighted content in Colombia. There are major gaps in the existing legal framework, and enforcement remains inadequate. The Index will continue to monitor these developments in 2026.