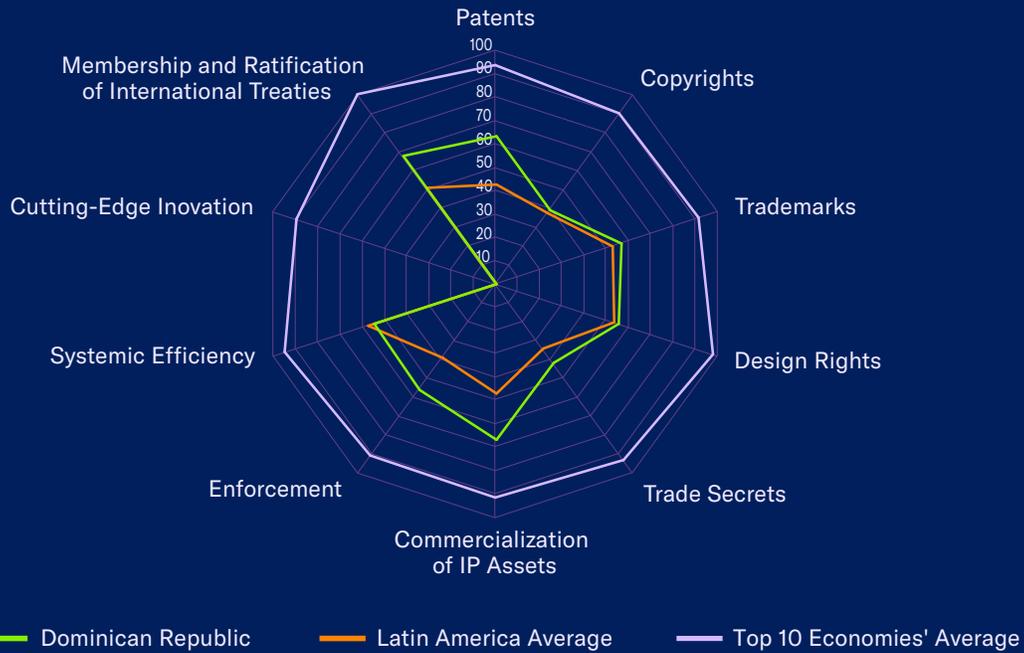




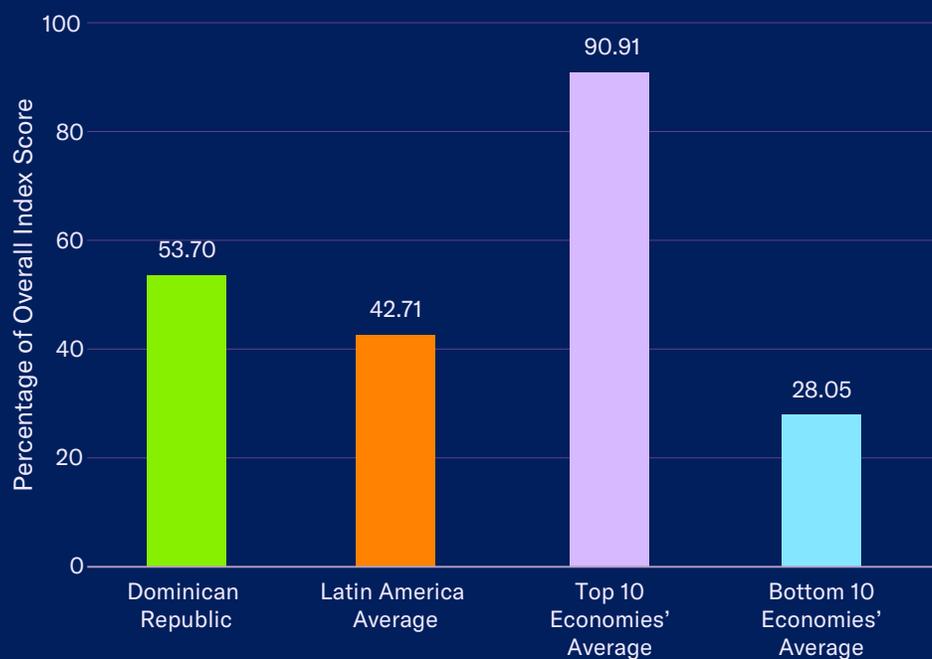
# Dominican Republic

Rank  
26/55

## Category Scores



## Overall Score in Comparison





## Key Areas of Strength

- Continued strong anti-counterfeiting efforts in 2025 by National Inter\_Ministerial Council of Intellectual Property
- 2023 saw the launch of new IP enforcement coordinating body National Inter\_Ministerial Council of Intellectual Property
- CAFTA membership fundamentally improved national IP environment
- Member of PROSUR regional PPH
- Plant variety protection in place
- No evidence of active government intervention in technology transfer or licensing
- Fairly strong legal requirements and administrative practices on public consultations

## Key Areas of Weakness

- No special IP incentives for orphan medicinal product development
- Patentability standards outside international norms — no second use claims for biopharmaceuticals and virtually no patent protection for CIIIs
- RDP term not being granted although required by law
- Enforcement of copyright is highly challenging and is one of the main reasons the Dominican Republic has remained on the USTR's 301 Watch List for years
- Infringement of copyright through signal piracy, online and web-based streaming is highly pervasive and constitutes a major source of illegal content — not effectively addressed by Dominican Government
- Reports suggest customs authorities are not taking effective action against suspected infringing goods
- Persistently high levels of piracy — estimated 75% software piracy rate

Indicator	Score	Indicator	Score
<b>Category 1: Patents Rights and Limitations</b>	<b>5.70</b>	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	0.25	31. Tax incentives for the creation of IP assets	0.00
3. Patentability of CII	0.25	<b>Category 7: Enforcement</b>	<b>3.92</b>
4. Plant variety protection	1.00	32. Physical counterfeiting rates	0.42
5. Pharmaceutical-related enforcement	0.50	33. Software piracy rates	0.25
6. Legislative criteria and active use of compulsory licensing	1.00	34. Civil and procedural remedies	0.50
7. Pharmaceutical patent term restoration	0.70	35. Pre-established damages	0.50
8. Membership of a Patent Prosecution Highway	0.50	36. Criminal standards	0.75
9. Patent Opposition	0.50	37. Effective border measures	0.75
<b>Category 2: Copyrights and Limitations</b>	<b>2.74</b>	38. Transparency and public reporting by Customs	0.75
10. Term of protection	0.74	<b>Category 8: Systemic Efficiency</b>	<b>2.75</b>
11. Exclusive rights	0.25	39. Coordination of IP rights enforcement	1.00
12. Expeditious legal remedies disabling access to infringing content online	0.00	40. Consultation with stakeholders during IP policy formation	0.75
13. Cooperative action against online piracy	0.25	41. Educational campaigns and awareness raising	0.50
14. Limitations and exceptions	0.50	42. Targeted incentives for the creation and use of IP assets for SMEs	0.25
15. TPM and DRM	0.50	43. IP-intensive industries, national economic impact analysis	0.25
16. Government use of licensed software	0.50	<b>Category 9: Cutting-Edge Innovation</b>	<b>0.00</b>
<b>Category 3: Trademarks Rights and Limitations</b>	<b>2.25</b>	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	<b>Category 10: Membership and Ratification of International Treaties</b>	<b>4.75</b>
20. Frameworks against online sale of counterfeit goods	0.25	47. WIPO Internet Treaties	1.00
<b>Category 4: Design Rights and Limitations</b>	<b>1.10</b>	48. Singapore Treaty on the Law of Trademarks and Protocol Relating to the Madrid Agreement Concerning the International Registration of Marks	0.25
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	1.00
<b>Category 5: Trade Secrets and the Protection of Confidential Information</b>	<b>1.25</b>	51. Membership of the Convention on Cybercrime, 2001	1.00
23. Protection of trade secrets (Civil Remedies)	0.50	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	1.00
25. Regulatory data protection term	0.50		
<b>Category 6: Commercialization of IP Assets</b>	<b>4.00</b>		
26. Barriers to market access	1.00		
27. Barriers to technology transfer	0.75		
28. Registration and disclosure requirements of licensing deals	0.50		

**Total Score: 28.46**

# Spotlight on the National IP Environment

## Past Editions versus Current Score

The Dominican Republic's overall score has increased from 28.18 out of 53 indicators in the 13th edition to 28.46. This reflects score increases on indicators 32 and 37.

## Enforcement

### 37. *Effective border measures:*

As noted in past editions of the Index, rights holders have long faced a challenging border enforcement environment in the Dominican Republic. On the one hand, the legal situation has always been clear. Article 185 of the Copyright Law (Law No. 65-00 2000) provides an explicit *ex officio* authority for customs officials to take action against suspected infringing goods. Similarly, CAFTA Article 15.11, Paragraph 23, clearly and unambiguously requires that customs officials be granted *ex officio* authority to act against suspected goods, regardless of whether these goods are intended for the domestic market or in transit. Yet the active implementation and use of these existing powers by customs officials have long been viewed as lacking. The Dominican Customs Authority has faced routine criticism from both rights holders and the U.S. government for not acting more forcefully against counterfeiting over the years. This may now be changing.

As noted over the last two editions of the Index, the 2022 issuing of Decree 776-22, which established a new cross-governmental coordinating body on IP policy, the National Inter\_Ministerial Council of Intellectual Property (Consejo Interministerial de Propiedad Intelectual), has had a profound impact on all facets of IP enforcement activity in the Dominican Republic, including at the border. For example, data published in the Council's 2025 annual report shows a marked increase in the number of trademark-infringing products seized by the Customs Authority. In the two years (2021-2022) preceding the establishment of the Council, a total of 960,276 suspected items were seized. In the following two-year period (2023-2024), this had more than doubled to 2,263,968 items.

Similarly, a record number of seized goods were destroyed in 2024 at over 200,000 items. The Council's positive effect on IP enforcement is evident in 2025. For example, in May, the Ministry of Industry and Commerce — the Council's lead coordinating body — hosted a public ceremony to destroy nearly 20 million units of counterfeit and illicit goods seized in the first half of the year. The Abinader Administration should be congratulated on its strong anti-counterfeiting efforts and focus on IP enforcement. As a result of these positive activities, the score on this indicator increased by 0.25.