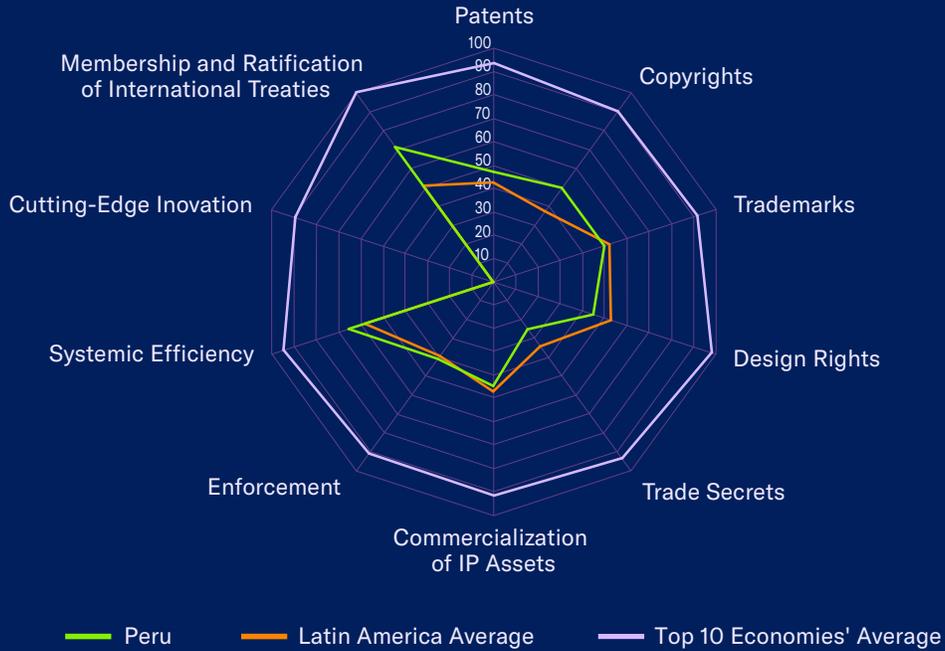
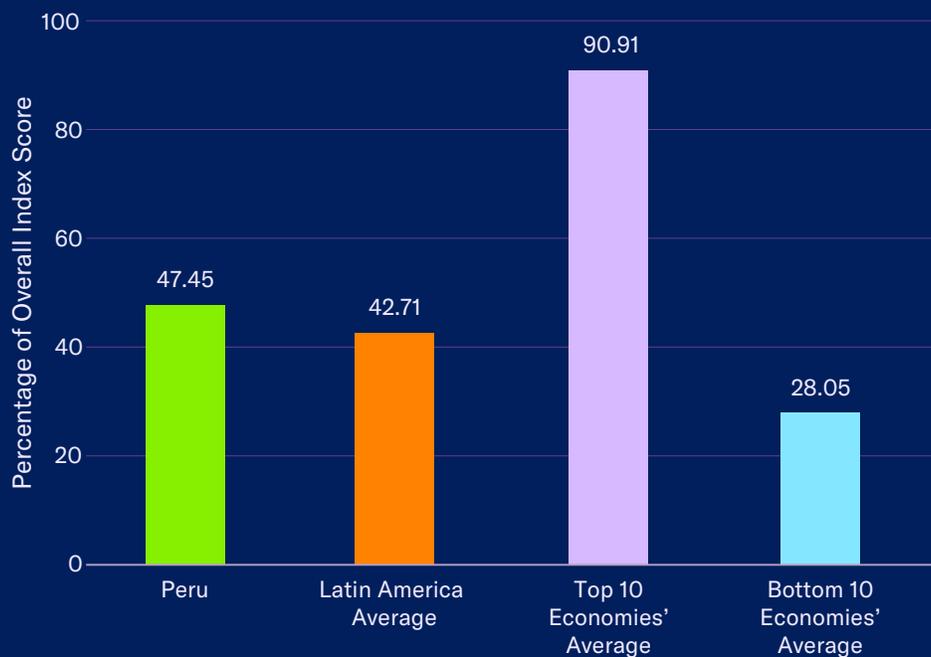




## Category Scores



## Overall Score in Comparison





## Key Areas of Strength

- 2021 Decree 063-2021 strengthens public consultation and stakeholder participation in law and regulatory making process
- INDECOPI's support for SMEs strengthened in 2021, creating new technical assistance and IP asset identification programs
- Joined the Global Patent Prosecution Highway in 2019
- INDECOPI continued suspending access to copyright infringing websites and pirated transmissions in 2025
- Basic IP protections available
- Border measures provided for in legislation
- Efforts to coordinate IP rights enforcement across government agencies and to raise awareness on importance of IP protection

## Key Areas of Weakness

- No special IP incentives for orphan medicinal product development
- Compulsory license actively being considered for biopharmaceuticals based on cost
- Administrative and regulatory barriers in place for licensing and technology transfer
- Limited patentability and lack of effective IP protection for life sciences
- Rudimentary digital copyright regime (with some exceptions)
- High rates of counterfeiting and piracy
- Gaps in IP enforcement on the ground

Indicator	Score	Indicator	Score
<b>Category 1: Patents Rights and Limitations</b>		<b>4.25</b>	
1. Term of protection	1.00	29. Direct Government intervention in setting licensing terms	0.25
2. Patentability requirements	0.25	30. IP as an economic asset	0.50
3. Patentability of CII	0.00	31. Tax incentives for the creation of IP assets	0.67
4. Plant variety protection	1.00	<b>Category 7: Enforcement</b>	
5. Pharmaceutical-related enforcement	0.00	<b>2.84</b>	
6. Legislative criteria and active use of compulsory licensing	1.00	32. Physical counterfeiting rates	0.46
7. Pharmaceutical patent term restoration	0.00	33. Software piracy rates	0.38
8. Membership of a Patent Prosecution Highway	1.00	34. Civil and procedural remedies	0.25
9. Patent Opposition	0.00	35. Pre-established damages	0.25
<b>Category 2: Copyrights and Limitations</b>		<b>3.49</b>	
10. Term of protection	0.74	36. Criminal standards	0.50
11. Exclusive rights	0.50	37. Effective border measures	0.50
12. Expeditious legal remedies disabling access to infringing content online	1.00	38. Transparency and public reporting by Customs	0.50
13. Cooperative action against online piracy	0.00	<b>Category 8: Systemic Efficiency</b>	
14. Limitations and exceptions	0.25	<b>3.25</b>	
15. TPM and DRM	0.50	39. Coordination of IP rights enforcement	0.75
16. Government use of licensed software	0.50	40. Consultation with stakeholders during IP policy formation	0.75
<b>Category 3: Trademarks Rights and Limitations</b>		<b>2.00</b>	
17. Term of protection	1.00	41. Educational campaigns and awareness raising	0.75
18. Protection of well-known marks	0.25	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	0.25
20. Frameworks against online sale of counterfeit goods	0.25	<b>Category 9: Cutting-Edge Innovation</b>	
<b>Category 4: Design Rights and Limitations</b>		<b>0.90</b>	
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
<b>Category 5: Trade Secrets and the Protection of Confidential Information</b>		<b>0.75</b>	
23. Protection of trade secrets (Civil Remedies)	0.25	46. Restrictions on the effective use of existing IP incentives for orphan medicinal product development	0.00
24. Protection of trade secrets (Criminal Sanctions)	0.25	<b>Category 10: Membership and Ratification of International Treaties</b>	
25. Regulatory data protection term	0.25	<b>5.00</b>	
<b>Category 6: Commercialization of IP Assets</b>		<b>2.67</b>	
26. Barriers to market access	0.75	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	0.25	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	1.00
		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: 25.15**

# Spotlight on the National IP Environment

## Past Editions versus Current Score

Peru's overall score has increased from 24.91 out of 53 indicators in the 13th edition to 25.15. This reflects a score increase on indicator 12 and a score decrease on indicator 32.

## Copyrights and Limitations

### *12. Expeditious injunctive-style relief and disabling of infringing content online:*

In 2025, Peru's national IP authority (INDECOPI) continued to clamp down on online copyright piracy. In February, the agency ordered the disabling of 128 websites offering pirated transmissions of Peru First Division (Liga 1) soccer matches. This was followed in August by the closure of 427 websites offering illegal creative works, including film, television, music, and live copyrighted content. As a result of this activity, the score on this indicator increased by 0.25. Over the course of the Index, Peru's score on Category 2: Copyrights, Related Rights, and Limitations has increased by more than two-thirds, rising from 28.43% in the seventh edition to 49.86% in this year's edition. The Index will continue to monitor these developments in 2026.

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

Like many other index economies, Peru's government is actively developing a policy framework for the use and development of machine learning and AI technologies. In 2023, lawmakers passed AI legislation (Law No. 31814) that establishes national AI priorities and outlines the responsibilities of the regulatory authority, the Secretariat of Government and Digital Transformation. The law also sets forth principles for regulating the use and development of AI. In 2025, implementing regulations were approved (Supreme Decree No. 115-2025-PCM).

As noted in the Index, AI and machine learning are important areas of future economic activity, as advances in computational power and new technologies enable scientific research and innovation through the analysis of large volumes of data. However, there are real concerns about how the development, application, and use of these technologies will affect creators and rights holders worldwide. The Supreme Decree recognizes this dynamic. Article 7(d) states explicitly that "the phases of development, implementation and use of an AI-based system, the copyright, both moral and patrimonial, and the rights of creators with respect to their original works must be respected in accordance with national regulations and international treaties." Given the existing dynamics of the Internet and the volume of infringing content available online, it is essential that safeguards be adhered to, and that rights holders can appropriately enforce their rights. The Index will continue to monitor these developments in 2026.