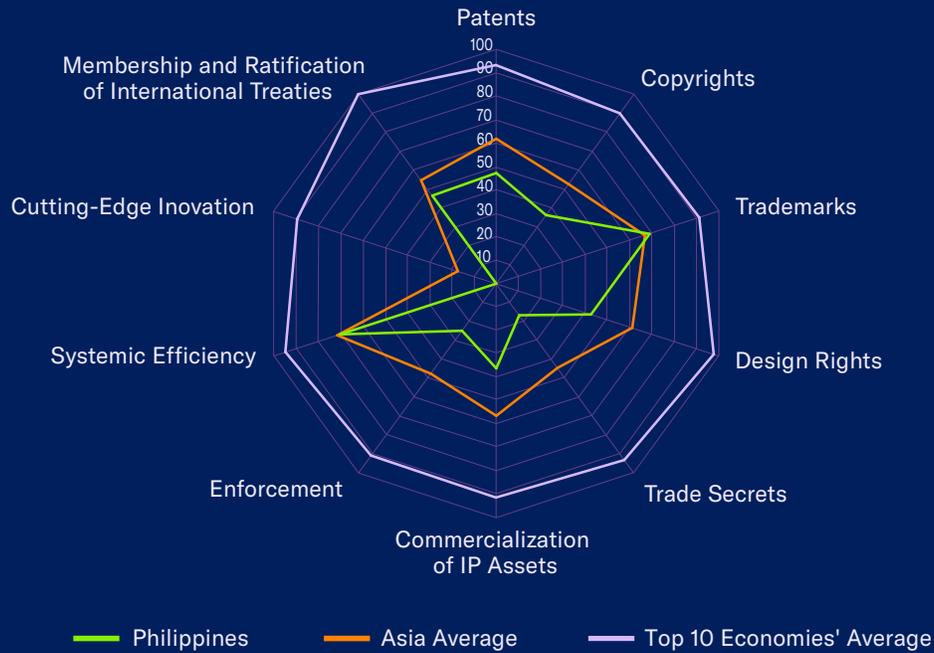




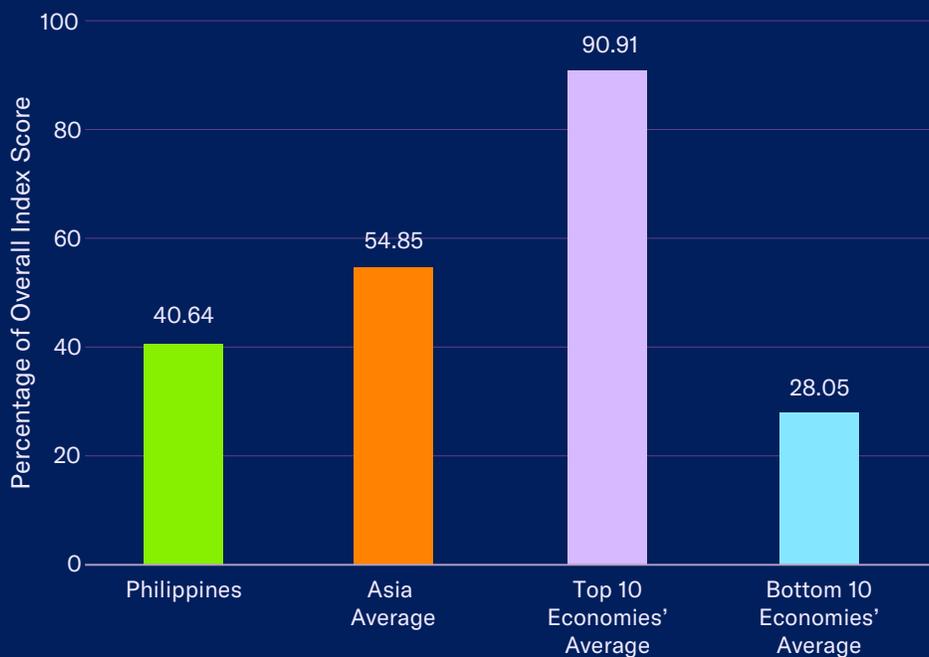
# Philippines

Rank  
**36/55**

## Category Scores



## Overall Score in Comparison





## Key Areas of Strength

- IPOPHL Circular and 2024 Internet Transactions Act strengthens ability to enforce IP rights online
- IPOPHL's strong IP enforcement efforts online continued in 2025
- Draft amendments to IP Code would strengthen IP environment
- R&D tax incentives in place
- Most basic IP rights provided for in existing legislation
- Growing specialization and capacity building, such as in administrative IP courts

## Key Areas of Weakness

- No special IP incentives for orphan medicinal product development
- Barriers in place for licensing and technology transfer
- Significant gaps in life sciences and content-related IP rights
- Online piracy high, with digital protection largely unaddressed
- Software piracy estimated at 64% by BSA

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	0.50	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	<b>Category 7: Enforcement</b>	
5. Pharmaceutical-related enforcement	0.25	<b>1.74</b>	
6. Legislative criteria and active use of compulsory licensing	0.00	32. Physical counterfeiting rates	0.38
7. Pharmaceutical patent term restoration	0.00	33. Software piracy rates	0.36
8. Membership of a Patent Prosecution Highway	0.50	34. Civil and procedural remedies	0.25
9. Patent Opposition	0.50	35. Pre-established damages	0.25
<b>Category 2: Copyrights and Limitations</b>		<b>2.53</b>	
10. Term of protection	0.53	36. Criminal standards	0.25
11. Exclusive rights	0.25	37. Effective border measures	0.00
12. Expeditious legal remedies disabling access to infringing content online	0.50	38. Transparency and public reporting by Customs	0.25
13. Cooperative action against online piracy	0.25	<b>Category 8: Systemic Efficiency</b>	
14. Limitations and exceptions	0.25	<b>3.50</b>	
15. TPM and DRM	0.25	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>2.75</b>	
17. Term of protection	1.00	41. Educational campaigns and awareness raising	0.75
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	0.75	<b>Category 9: Cutting-Edge Innovation</b>	
<b>Category 4: Design Rights and Limitations</b>		<b>0.85</b>	
21. Industrial Design Term of Protection	0.60	<b>0.00</b>	
22. Exclusive rights, industrial design rights	0.25	44. IP incentives for orphan medicinal product development	0.00
<b>Category 5: Trade Secrets and the Protection of Confidential Information</b>		<b>0.50</b>	
23. Protection of trade secrets (Civil Remedies)	0.25	45. IP incentives for orphan medicinal product development, term of protection	0.00
24. Protection of trade secrets (Criminal Sanctions)	0.25	46. Restrictions on the effective use of existing IP incentives for orphan medicinal product development	0.00
25. Regulatory data protection term	0.00	<b>Category 10: Membership and Ratification of International Treaties</b>	
<b>Category 6: Commercialization of IP Assets</b>		<b>3.25</b>	
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	0.25	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	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	0.25

**Total Score: 21.54**

# Spotlight on the National IP Environment

## Past Editions versus Current Score

The Philippines' overall score has increased from 21.29 out of 53 indicators in the 13th edition to 21.54. This reflects a score increase on indicator 53.

## Area of Note

In late 2024, the Filipino national IP office IPOPHL released *HAPAG-ISIPAN: A Vision for the Philippine Intellectual Property Strategy 2025-2030*. The document provides an overview of the agency's plan and priorities for reforming the Philippines national IP environment for the next half-decade. Notably, the Vision recognizes the critical importance of IP-intensive industries to the Philippines' future socio-economic development and the need for cross-cutting reform efforts. These efforts include legal reforms; stronger, more targeted awareness-raising efforts; and a more pronounced focus on turning intangible ideas into IP-derived assets and commercialized goods and services. The IPOPHL should be commended for its efforts to develop this Vision and, in particular, for recognizing the need for the Philippines to categorize better and measure the aggregate contributions of IP-intensive industries to national economic output and employment. As IPOPHL and the Philippines pursue a program of national IP rights reforms, we encourage them to use the Index and accompanying *Statistical Annex* as a guide in 2026 and beyond.

## Copyrights and Limitations

*12. Expeditious disabling of infringing content online; and 13. Availability of frameworks that promote cooperative action against online piracy:* In 2024, the Philippines implemented more effective measures to combat online copyright infringement. The national IP office, IPOPHL, issued Memorandum Circular No. 2023-025, which allows participating internet service providers (ISPs) to block access to websites that provide and distribute copyright-infringing content. The scheme is voluntary and builds on IPOPHL's work over the last few years to expand its enforcement remit.

In 2025, the Filipino Senate continued to examine two draft bills that would further expand IPOPHL's enforcement powers and vest such powers in the office. The draft legislation – Bills 2150 and 2385 – are the Senate versions of Bill HB 7600, passed by the House of Representatives in 2023. The centerpiece of the proposed legislation is an amended Section 216 of the IP Code. This amendment would grant IPOPHL the administrative power to order the disabling of access to infringing content online. Under the proposed system, rights holders would contact IPOPHL directly and file a complaint requesting that access to the alleged infringing online activity be disabled. IPOPHL would then review the application and, if deemed legitimate, contact the responsible party and/or give due notice of the pending enforcement action and, within five days of giving such notice, order the disabling to take place via a domestic ISP.

Importantly, the draft legislation includes a so-called ‘dynamic element’ that allows IPOPHL to update the order as new infringing activities shift from one online location to another. This is significant. This type of order effectively addresses mirror sites and disables infringing content that re-enters the public domain when moved to a different online access point. If these proposed amendments to the IP Code are enacted, they would result in a score increase on indicators 12 and 13. The Index will continue to monitor these developments in 2026.

## Trademark Rights and LimitationsAI38

*18. Protection of well-known marks; and  
20. Availability of frameworks that promote cooperative private action against online sale of counterfeit goods:*

As noted in previous editions of the Index, the fight against counterfeiting and trademark infringement has intensified in the Philippines in recent years. Last year, the Internet Transactions Act (ITA) came into effect and is now operational. The ITA sets out the legal rights and responsibilities of all parties engaging in e-commerce, from individual sellers to e-marketplaces and platforms. Over time, it should enable rights holders to protect their IP better online.

More broadly, the national IP office, IPOPHL, has, over the last few years, expanded its enforcement powers and is actively partnering with rights holders to more effectively combat physical counterfeiting and online infringement. These positive efforts continued in 2025. In May, IPOPHL announced the creation of a new ‘Register of Well-Known Marks’. This Register seeks to provide rights holders with greater certainty about the legal status and protection of their marks. Traditionally, both statutory and case law offer protection to well-known marks. Under Section 123 of the IP Code, these marks are safeguarded against the use of identical or similar marks for the same or related goods or services.

More rights holders also joined the IPOPHL’s efforts to combat online counterfeiting through the E-Commerce Memorandum of Understanding. Established in 2021, this MOU seeks to improve cooperation among rights holders, online platforms, and service providers in anti-counterfeiting and the enforcement of IP rights online. At the time of research, over 100 companies and industry associations had signed up. Finally, there were also continued law enforcement operations against the sale of counterfeit goods conducted by IPOPHL and other government agencies. The Index will continue to monitor these developments in 2026.

## Membership and Ratification of International Treaties

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

In 2023, the Regional Comprehensive Economic Partnership (RCEP) agreement entered into force in the Philippines. This follows formal ratification by the executive branch and concurrence by the Senate in Resolution 42. As noted in previous editions of the Index, from an IP perspective, as currently constituted, the RCEP is notably weaker than other post-TRIPS international trade agreements. It does not include or refer to modern standards of IP protection for important IP-intensive industries, including the life sciences sector, and copyright-based industries.

Nevertheless, the RCEP does reference some important IP protections in the Index. Specifically, it provides a clear and unambiguous requirement that border officials in all contracting parties have the right to take *ex officio* action against suspected infringing goods. While positive, it should also be noted that the RCEP does not include transshipped goods/goods in transit under such action.

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 the scoring methodology, the score for this indicator increased by 0.25.