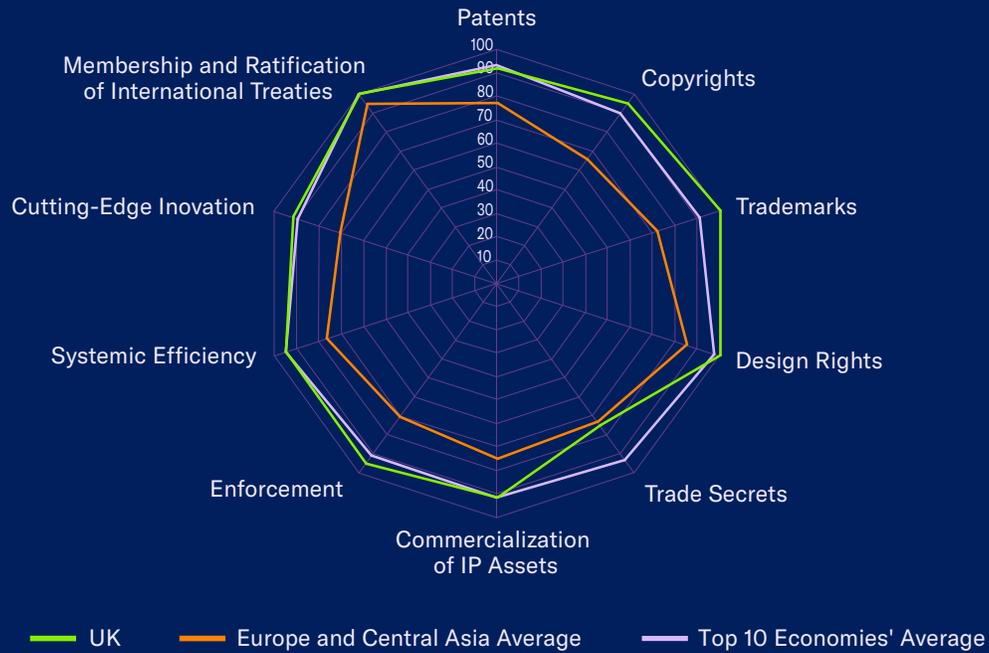




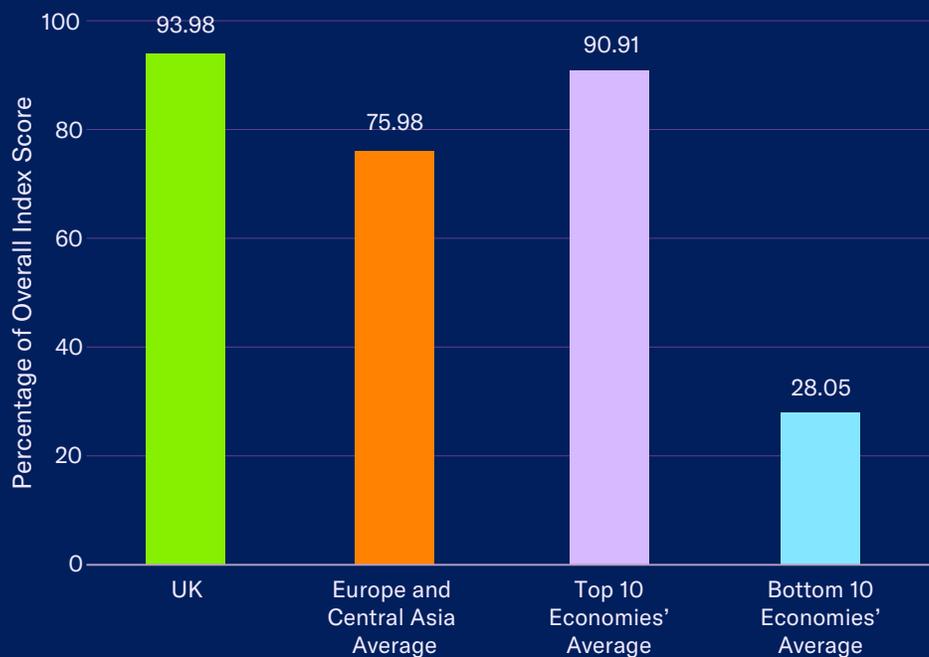
United Kingdom

Rank
2/55

Category Scores



Overall Score in Comparison





United Kingdom

Rank
2/55

Key Areas of Strength

- Strong and sophisticated national IP environment
- UK is a model for injunctive style relief for rights holders when battling online infringement
- Overall strong cross-sectoral enforcement environment highlighted by the work of a specialist crime unit and cross-industry and government cooperation
- Since 2000, Orphan Regulation (now SI 2019/1385) has provided a world-leading 10-year term of orphan market exclusivity, resulting in new biopharmaceutical R&D and development of new treatments and medicines for rare diseases

Key Areas of Weakness

- UK Government chose to retain EU SPC exemption for exports of biopharmaceuticals and to calculate the term from the first marketing authorization either in the UK or the European Economic Area
- Plausibility Doctrine rulings raise uncertainty on patent terms for biopharmaceuticals and UK competitiveness in life sciences
- Limited criminal sanctions available for the theft and misappropriation of trade secrets

Indicator	Score	Indicator	Score
Category 1: Patents Rights and Limitations		8.25	
1. Term of protection	1.00	29. Direct Government intervention in setting licensing terms	1.00
2. Patentability requirements	1.00	30. IP as an economic asset	0.75
3. Patentability of CII	1.00	31. Tax incentives for the creation of IP assets	1.00
4. Plant variety protection	1.00	Category 7: Enforcement	
5. Pharmaceutical-related enforcement	0.50	6.68	
6. Legislative criteria and active use of compulsory licensing	1.00	32. Physical counterfeiting rates	0.89
7. Pharmaceutical patent term restoration	0.75	33. Software piracy rates	0.79
8. Membership of a Patent Prosecution Highway	1.00	34. Civil and procedural remedies	1.00
9. Patent Opposition	1.00	35. Pre-established damages	1.00
Category 2: Copyrights and Limitations		6.63	
10. Term of protection	0.63	36. Criminal standards	1.00
11. Exclusive rights	1.00	37. Effective border measures	1.00
12. Expeditious legal remedies disabling access to infringing content online	1.00	38. Transparency and public reporting by Customs	1.00
13. Cooperative action against online piracy	1.00	Category 8: Systemic Efficiency	
14. Limitations and exceptions	1.00	4.75	
15. TPM and DRM	1.00	39. Coordination of IP rights enforcement	1.00
16. Government use of licensed software	1.00	40. Consultation with stakeholders during IP policy formation	1.00
Category 3: Trademarks Rights and Limitations		4.00	
17. Term of protection	1.00	41. Educational campaigns and awareness raising	1.00
18. Protection of well-known marks	1.00	42. Targeted incentives for the creation and use of IP assets for SMEs	0.75
19. Exclusive rights, trademarks	1.00	43. IP-intensive industries, national economic impact analysis	1.00
20. Frameworks against online sale of counterfeit goods	1.00	Category 9: Cutting-Edge Innovation	
Category 4: Design Rights and Limitations		2.00	
21. Industrial Design Term of Protection	1.00	44. IP incentives for orphan medicinal product development	1.00
22. Exclusive rights, industrial design rights	1.00	45. IP incentives for orphan medicinal product development, term of protection	1.00
Category 5: Trade Secrets and the Protection of Confidential Information		2.25	
23. Protection of trade secrets (Civil Remedies)	1.00	46. Restrictions on the effective use of existing IP incentives for orphan medicinal product development	0.75
24. Protection of trade secrets (Criminal Sanctions)	0.25	Category 10: Membership and Ratification of International Treaties	
25. Regulatory data protection term	1.00	7.00	
Category 6: Commercialization of IP Assets		5.50	
26. Barriers to market access	1.00	47. WIPO Internet Treaties	1.00
27. Barriers to technology transfer	1.00	48. Singapore Treaty on the Law of Trademarks and Protocol Relating to the Madrid Agreement Concerning the International Registration of Marks	1.00
28. Registration and disclosure requirements of licensing deals	0.75	49. Patent Law Treaty and Patent Cooperation Treaty	1.00
		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	1.00
		53. Post-TRIPS FTA	1.00

Total Score: 49.81

Spotlight on the National IP Environment

Past Editions versus Current Score

The UK's overall score remains unchanged at 49.81.

Copyrights and Limitations

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

As noted in past editions of the Index, over the last five years, both the British Parliament and the Government have been working on AI and machine learning policy reforms. This continued in 2025 with: i) the completion of a new consultation on copyright and AI; ii) the passing of a new statutory law, the Data (Use and Access) Act 2025 (DUA); and iii) the establishment of a new government-led expert working group on AI and copyright, chaired by the secretaries of Technology and Science.

In the Ministerial Foreword to the 2024 IPO document "Copyright and AI: Consultation," the government emphasizes the introduction of "a mechanism for right holders to reserve their rights, enabling them to license and be paid for the use of their work in AI training." Additionally, the government proposes "an exception to support use at scale of a wide range of material by AI developers where rights have not been reserved." The Government's goal is to foster innovation in the AI space while also maintaining the traditional strengths of the UK's copyright-reliant creative industries. At the time of the research, no reports had been published, and no further announcements had been made regarding the working group.

In a separate development, a judgment was handed down in the case of *Getty Images v Stability AI*. The case examined Getty's claims regarding both trademark and copyright infringement by Stability. The case was expected to provide a precedent-setting verdict and guidance on the interaction between UK copyright law and the development of AI technologies; however, it only addressed the issue of potential secondary infringement. 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. 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.

Commercialization of IP Assets and Market Access

27. Barriers to technology transfer; and 29. Direct government intervention in setting licensing terms:

In 2025, the UK Government launched a consultation on SEP licensing. The consultation posits that "available evidence indicates there are systemic issues in the SEPs ecosystem around transparency and dispute resolution that may require government intervention."

It proposes several new government-led policies to address these issues, most notably, the establishment of a new “Rate Determination Track” that “would have the objective of providing all ecosystem stakeholders, but especially SMEs, the ability to obtain an independently adjudicated license rate, in an efficient and cost-effective way, where licensing negotiations are not proving successful.”

The British Government is not the first to ask questions about the SEP licensing marketplace; over the last decade, many other Index economies have held similar information-gathering exercises. For example, as noted in the Index, between 2017 and 2022, the Japanese Government held several consultations and meetings with stakeholders, examining in detail the SEP licensing process and the potential need for further government-led intervention in the SEP licensing marketplace. Similarly, the European Commission also reviewed the need for reforms to the SEP licensing process. SEP-based technologies are central to future innovation and economic growth; many of the cutting-edge industries loosely labeled as part of the “Fourth Industrial Revolution” — the Internet of Things, artificial intelligence, robotics, and 3-D printing — will rely on SEPs to function. However, disputes between licensors and licensees on what constitutes fair, reasonable, and nondiscriminatory (FRAND) licensing terms are not new, nor are they unique to the UK.

This is an evolving field of IP policy and jurisprudence for a subject matter that is deeply complex. Each licensing negotiation is unique and should not be subject to prescriptive government action or intervention, whether direct or indirect. Both in Japan and in the EU, policymakers reached this conclusion and abandoned efforts at government intervention or any deeper restrictions on SEP licensing. As such, it is critical that UK policymakers tread carefully and refrain from being overly prescriptive or restrictive when creating a new rate-setting authority. The Index will continue to monitor these developments in 2026.