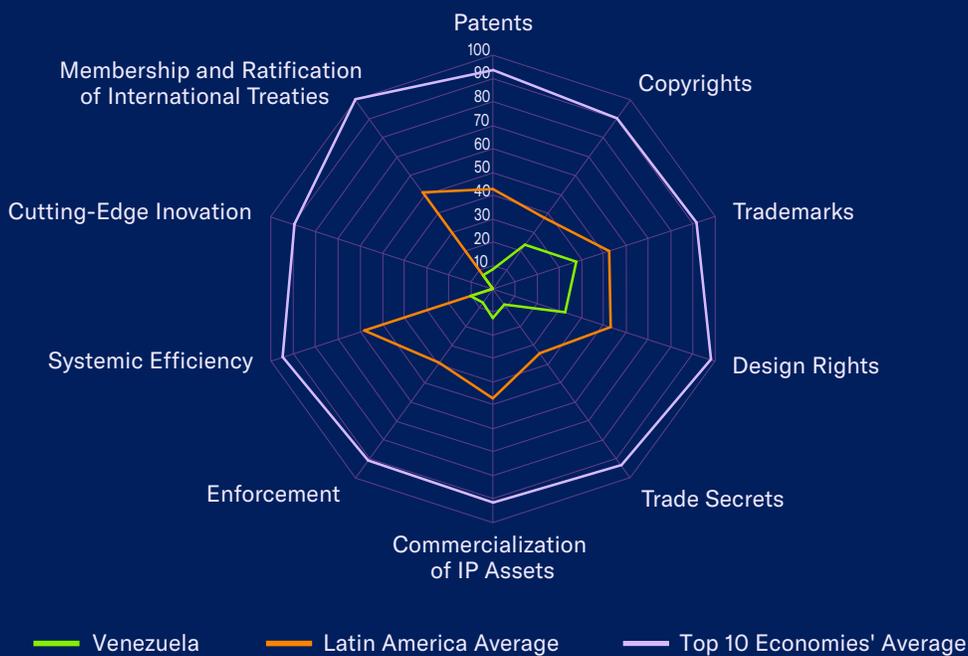
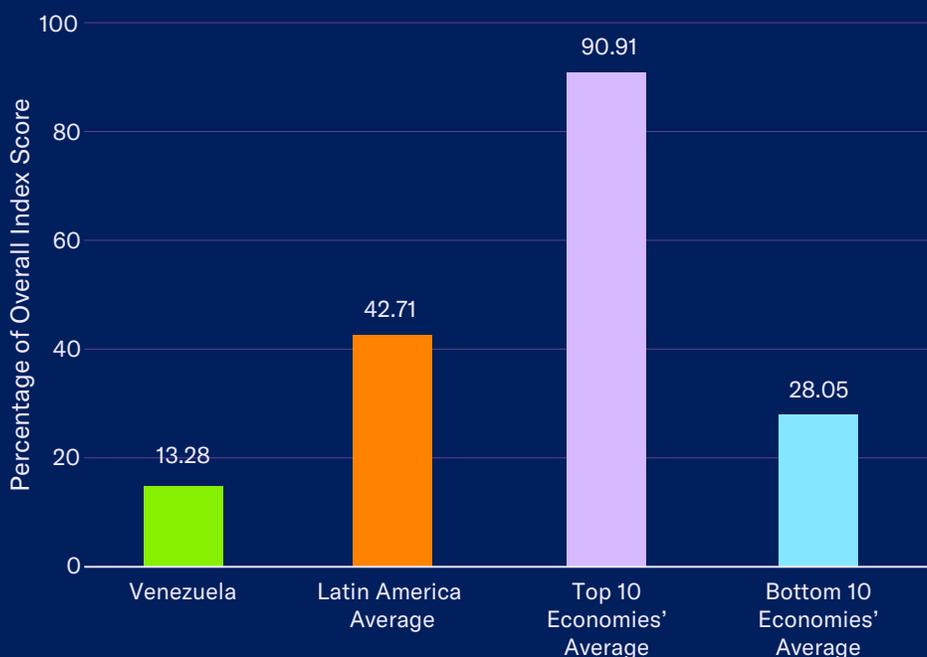




## Category Scores



## Overall Score in Comparison





## Key Areas of Strength

- Basic copyright, trademark, and industrial design frameworks in place
- Awareness raising and capacity building efforts on importance and use of IP rights

## Key Areas of Weakness

- No special IP incentives for orphan medicinal product development
- Weak patent framework, with sector-specific patents and other IP rights not available
- Major holes in copyright protection, notably in the digital sphere
- Trademark legislation does not directly address unregistered marks, with limited recognition of well-known marks
- Enforcement generally poor — penalties insufficient and administrative inaction
- Government interference and regulatory barriers to commercialization of IP assets

Indicator	Score	Indicator	Score
<b>Category 1: Patents Rights and Limitations</b>		<b>0.75</b>	
1. Term of protection	0.50	29. Direct Government intervention in setting licensing terms	0.00
2. Patentability requirements	0.00	30. IP as an economic asset	0.50
3. Patentability of CII	0.25	31. Tax incentives for the creation of IP assets	0.00
4. Plant variety protection	0.00	<b>Category 7: Enforcement</b>	
5. Pharmaceutical-related enforcement	0.00	<b>0.51</b>	
6. Legislative criteria and active use of compulsory licensing	0.00	32. Physical counterfeiting rates	0.15
7. Pharmaceutical patent term restoration	0.00	33. Software piracy rates	0.11
8. Membership of a Patent Prosecution Highway	0.00	34. Civil and procedural remedies	0.25
9. Patent Opposition	0.00	35. Pre-established damages	0.00
<b>Category 2: Copyrights and Limitations</b>		<b>1.63</b>	
10. Term of protection	0.63	36. Criminal standards	0.00
11. Exclusive rights	0.25	37. Effective border measures	0.00
12. Expeditious legal remedies disabling access to infringing content online	0.00	38. Transparency and public reporting by Customs	0.00
13. Cooperative action against online piracy	0.25	<b>Category 8: Systemic Efficiency</b>	
14. Limitations and exceptions	0.25	<b>0.50</b>	
15. TPM and DRM	0.00	39. Coordination of IP rights enforcement	0.00
16. Government use of licensed software	0.25	40. Consultation with stakeholders during IP policy formation	0.00
<b>Category 3: Trademarks Rights and Limitations</b>		<b>1.50</b>	
17. Term of protection	1.00	41. Educational campaigns and awareness raising	0.50
18. Protection of well-known marks	0.25	42. Targeted incentives for the creation and use of IP assets for SMEs	0.00
19. Exclusive rights, trademarks	0.25	43. IP-intensive industries, national economic impact analysis	0.00
20. Frameworks against online sale of counterfeit goods	0.00	<b>Category 9: Cutting-Edge Innovation</b>	
<b>Category 4: Design Rights and Limitations</b>		<b>0.65</b>	
21. Industrial Design Term of Protection	0.40	<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>0.25</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)	0.00	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>0.75</b>	
26. Barriers to market access	0.00	<b>0.50</b>	
27. Barriers to technology transfer	0.00	47. WIPO Internet Treaties	0.50
28. Registration and disclosure requirements of licensing deals	0.25	48. Singapore Treaty on the Law of Trademarks and Protocol Relating to the Madrid Agreement Concerning the International Registration of Marks	0.00
		49. Patent Law Treaty and Patent Cooperation Treaty	0.00
		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	0.00
		52. The Hague Agreement Concerning the International Registration of Industrial Designs	0.00
		53. Post-TRIPS FTA	0.00

**Total Score: 7.04**

# Spotlight on the National IP Environment

## Past Editions versus Current Score

Venezuela's overall score has decreased from 7.05 out of 53 indicators in the 13th edition to 7.04. This reflects a score decrease on indicator 32.

## Area of Note

In late 2025, President Nicolás Maduro was arrested and transported to the United States to stand trial on drug trafficking charges. At the time of the research, it remained unclear how this development would affect public policymaking in Venezuela. As noted in previous editions of the Index, rights holders in Venezuela have long faced a highly uncertain and challenging business environment. Venezuela lacks most basic IP laws and protections and has ranked last in the Index since its first inclusion in the fourth edition. The existing legal framework, as enshrined in the 1955 Industrial Property Law, predates the TRIPS Agreement, let alone more modern IP frameworks and international best practices. Venezuela remained on the USTR's Priority Watch List in the *2025 Special 301 Report*. The *Report* noted that Venezuela "did not make any notable progress toward improving IP protection in 2024."

In 2025, the Government of Venezuela launched a new national development plan, "7T" (*7 Transformaciones*). The plan provides socio-economic goals for the next seven years, 2025-2031. While the plan references research and development, innovation, and science and technology, it does not specifically address IP rights or any related IP policy. As noted last year, as part of these broader economic policy efforts, the Venezuelan Autonomous Intellectual Property Service (SAPI) is developing a *National Strategy on Intellectual Property*. At the time of the research, the SAPI was holding meetings and public consultations, and no finalized document had been made available to the public. As the Government

of Venezuela pursues a program of national IP rights reforms, we encourage them to use the findings of the Index and the accompanying Statistical Annex as a guide in 2026 and beyond.

## Patent Rights and Limitations

With respect to Category 1: Patents, Related Rights, and Limitations, legal standards of patentable subject matter in Venezuela are firmly outside existing international standards. In violation of TRIPS Article 27, chemical preparations, use of natural substances, second use, and new forms of pharmaceutical inventions have been explicitly excluded from patentable subject matter. Inventions created with public funds or means are also not patentable. The standard term of protection for patents has also been set at half the TRIPS minimum of 20 years, at 10 years. For the past two decades, inventors have faced significant challenges in obtaining patent protection. In 2002, authorities suspended the granting of pharmaceutical patents, and since then, SAPI has halted the processing and approval of patents across all fields and technologies.

As noted in preceding editions, in an encouraging development, local reports suggest that the SAPI has, over the last several years, begun to process and grant patents again. International patent statistics maintained by WIPO indicate that 317 patents were granted (direct and PCT national phase entries) in Venezuela in 2022, and a further 58 in 2023. No data is available for 2024 or 2025. As noted last year, should rights holders be able to consistently obtain patent protection under TRIPS standards for a minimum term of 20 years in accordance with Venezuela's WTO obligations in a timely fashion, this would mark a significant and positive improvement in Venezuela's national IP environment and would potentially result in a score increase on indicators 1 and 2. The Index will continue to monitor these developments in 2026.