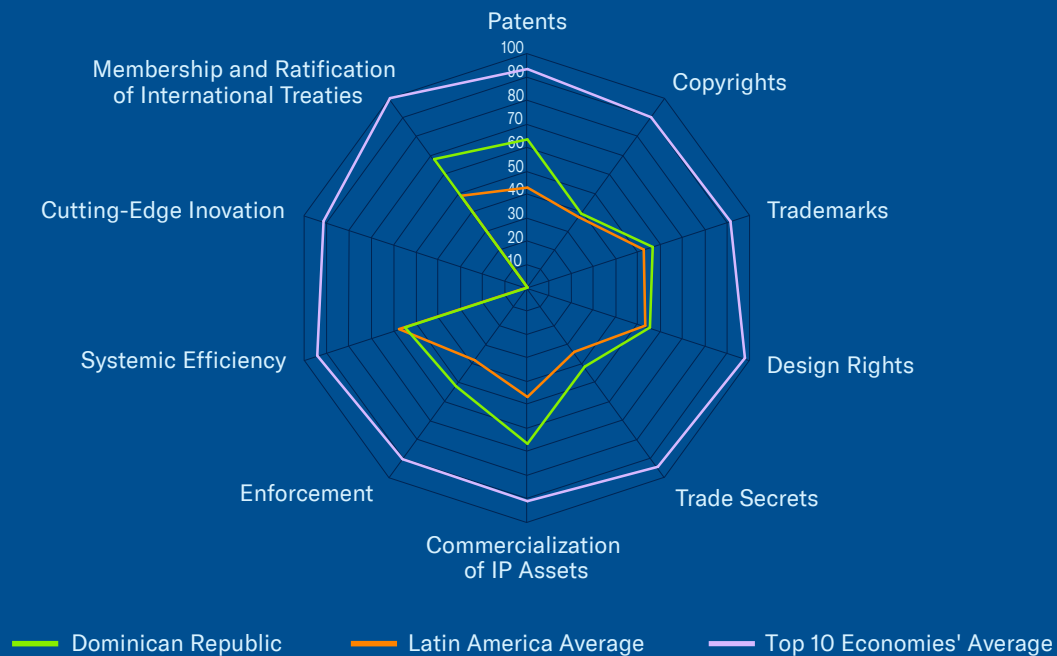




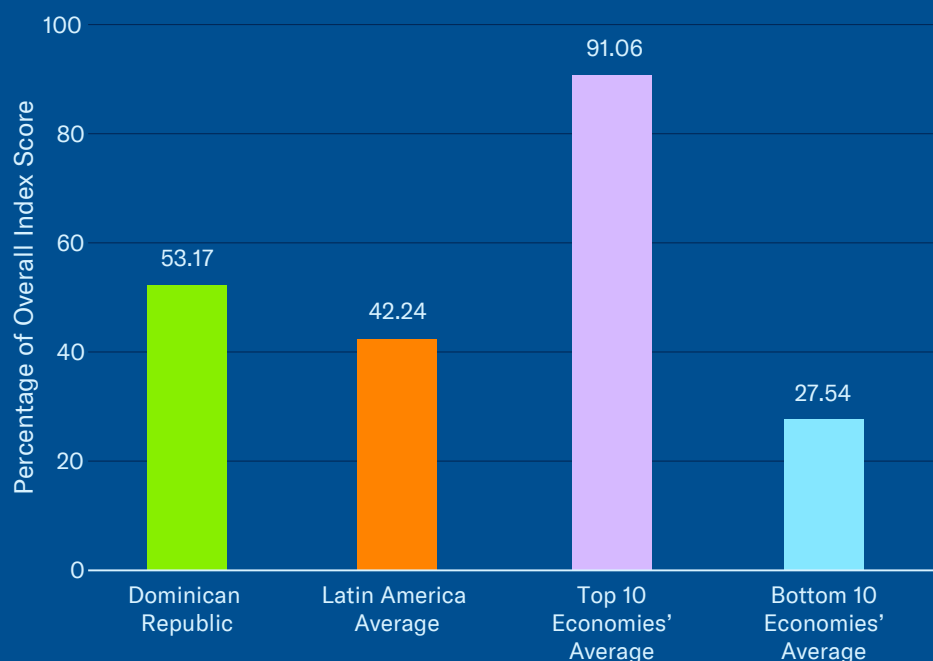
Dominican Republic

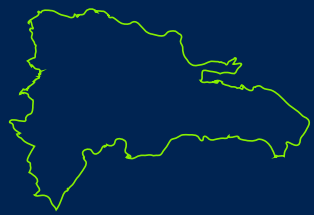
Rank
26/55

Category Scores



Overall Score in Comparison





Key Areas of Strength

- 2024 saw the National Inter_Ministerial Council of Intellectual Property take enforcement action against IP piracy
- 2023 saw the launch of a new IP enforcement coordinating body of the National Inter_Ministerial Council of Intellectual Property
- CAFTA membership fundamentally improved the national IP environment
- Plant variety protection is 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 the 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

Percentage of Overall Score: 53.17% • Total Score: 28.18

Spotlight on the National IP Environment

Past Editions versus Current Score

The Dominican Republic's overall Index score has increased from 27.65 out of 50 indicators in the twelfth edition to 28.18 out of 53 indicators. This reflects score increases for indicators 32, 36, and 39.

Patent Rights and Limitations

8. Membership of a Patent Prosecution Highway (PPH):

The Dominican Republic is not a participant in the IP5 PPH nor a member of the Global PPH. The Dominican Republic is, however, a member of an operational PPH program through the Latin American Regional Cooperation System on Industrial Property, PROSUR. In a positive development, in 2024, the National Office of Industrial Property concluded an “Accelerated Patent Grant” agreement with the USPTO. The grant program allows applicants who have been issued a U.S. patent to apply for a grant of a corresponding application in the Dominican Republic without the need for substantive examination. At the time of research, the agreement had come into effect and would remain operational for five years. PPH initiatives and increased cooperation among IP offices is one of the most tangible ways in which the administration and functioning of the international IP system can be improved and harmonized to help inventors and rightsholders.

Enforcement and Systemic Efficiency

36. Criminal standards, including minimum imprisonment and minimum fines; and 39.

Coordination of IP rights enforcement:

As noted in previous editions, the past few years have seen several positive developments in IP enforcement culminating in the USTR removing the Dominican Republic from its Special 301 Watch List in 2024. In 2022, President Abinader issued Decree 776-22 establishing a new coordinating body on IP policy, the National Inter-Ministerial Council of Intellectual Property (*Consejo Interministerial de Propiedad Intelectual*). Part of the enforcement problem in the Dominican Republic has historically been a lack of coordination and cooperation among the relevant parts of the government involved in enforcement. No formal mechanism has been in place for interagency coordination of IP enforcement. This has now changed with the Council entering its third year of operations.

Data published by the Council and Ministry of Industry, Trade, and MSMEs shows increased on-the-ground enforcement activities in both 2023 and 2024. For example, in the Council's annual report for 2023 activities, a total of 250 cases were investigated by the Attorney General's Office of Intellectual Property Unit. The report also lists the total number of counterfeit seizures and enforcement activity taken against signal piracy by the Dominican Institute of Telecommunications (INDOTEL). As has been noted repeatedly in the Index, the infringement of copyright through signal piracy, online and web-based streaming is highly pervasive and constitutes a major source of illegal content in the Dominican Republic. INDOTEL is reported to have seized and closed illegal operators of sound and broadcasting services and to have issued administrative sanctions against others.

Similarly, 2024 saw several high-profile enforcement actions organized by the Council together with other enforcement bodies, including the Ministry of Defense. This includes the seizure and destruction of 10 million units of counterfeit and/or illicit tobacco, medicines, alcohol, and other goods. These are positive and sustained efforts by the Dominican authorities to tackle the long-standing problems of copyright piracy and counterfeit goods. As a result, the score for indicators 36 and 39 have increased by 0.25, respectively.

Incentives for Cutting-Edge Innovation

44. Special market exclusivity incentives for orphan medicinal product development; 45. Special market exclusivity incentives for orphan medicinal product development, term of protection; and 46. Restrictions on the effective use of existing market exclusivity incentives for orphan medicinal product development:

Interest in rare diseases has grown in the Dominican Republic. Several patient groups and clinicians are highlighting the needs of patients with rare diseases, including the Dominican Alliance of Patient Associations (Adapa), which has developed a draft legislative package. There is currently no specific legislative framework in place in the Dominican Republic for rare diseases, a national registry, or special IP-based market exclusivity incentives for orphan medicinal product development.