

The TRIPS index

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Technical description

The **TRIPS index** is the result of a CEMI doctoral research on examining the impact of compliance with the World Trade Organization (WTO) agreement on intellectual property rights, *Trade-related Aspects of Intellectual Property Rights* (TRIPS or the Agreement). It tracks **53 developing countries'** TRIPS implementation for the period **1994-2007**. The countries consist of WTO member countries who joined in organization in 1995, the year of inception.

Quantification of cross-country IPR regimes is an imperfect method to capture variances in IPR legislations. Nevertheless, this index provides a mean to investigating whether and to what extent IPR regimes explain variations in economic activities for the countries studied.

The TRIPS index is composed of **seven different IPR categories** as outlined by the Agreement, and consists of:

- Copyrights and related rights
- Trademark
- Geographical indication
- Industrial design
- Patents
- Layout design of integrated circuits
- Undisclosed information

For each IPR category listed above, countries' national legislations and various IPR-reports were examined to determine the exact year of implementation. Whenever necessary, practitioners and legal experts were consulted.

A binary number of **1** is assigned to the specific IPR category if the country is **compliant** with its TRIPS obligation for that category; and **0 otherwise**. The result of the data compiled on the implementation of these seven IPR categories enter the index **unweighted**, reflecting the equal importance of each provisions from legal perspective. However, three of these seven IPR categories have sub-categories

IPR Category	Total
Copyright and related rights	1
<i>Computer program</i>	$\frac{1}{3}$
<i>Rental rights</i>	$\frac{1}{3}$
<i>Related rights</i>	$\frac{1}{3}$
Trademark	1
Geographical indications	1
Industrial designs	1
Patents	1
<i>Patents</i>	$\frac{1}{3}$
<i>Pharmaceutical patents</i>	$\frac{1}{3}$
<i>Plant varieties</i>	$\frac{1}{3}$
Layout designs of integrated circuits	1
Undisclosed information	1
<i>Trade secrets</i>	$\frac{1}{2}$
<i>Data submission</i>	$\frac{1}{2}$
Total	7

This index ranges **from 0 to 7, from non-compliance to full TRIPS compliance**. Full compliance, or an index total of 7, implies that the country has legally met all of the substantial TRIPS obligations, while 0 connotes that the particular country has not yet undertaken any efforts to comply with the Agreement

List of countries

Code Latin America & Caribbean Code

Africa & Middle East

ARG Argentina

CIV Côte d'Ivoire

BLZ Belize

EGY Egypt

BOL Bolivia

GAB Gabon

BRA Brazil

GHA Ghana

CHL Chile

KEN Kenya

COL Colombia

MAR Morocco

CRI Costa Rica

MDG Madagascar*

DMA Dominica

MUS Mauritius

GTM Guatemala

MWI Malawi*

GUY Guyana

NAM Namibia

HND Honduras

NGA Nigeria

JAM Jamaica

SEN Senegal*

LCA Saint Lucia

SWZ Swaziland

MEX Mexico

TZA Tanzania*

NIC Nicaragua

UGA Uganda*

PER Peru

ZAF South Africa

PRY Paraguay

ZMB Zambia*

SUR Surinam

URY Uruguay

VCT Saint Vincent & the Grenadines

VEN Venezuela

Code Asia

Code Europe

BGD Bangladesh*

POL Poland

HKG Hong Kong

ROM Romania

IDN Indonesia

SVK Slovak Republic

IND India

TUR Turkey

KOR South Korea

LKA Sri Lanka

MYS Malaysia

PAK Pakistan

PHL Philippines

SGP Singapore

THA Thailand

Note: * denotes least-developed country

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Intan M. Hamdan-Livramento joined CEMI in January 2005 while serving as a part-time consultant for the International Monetary Fund (IMF) in Geneva (2004-2008). Her PhD dissertation on "Examining how TRIPS implementation affects access to foreign technologies for developing countries" was accepted in June 2009.

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