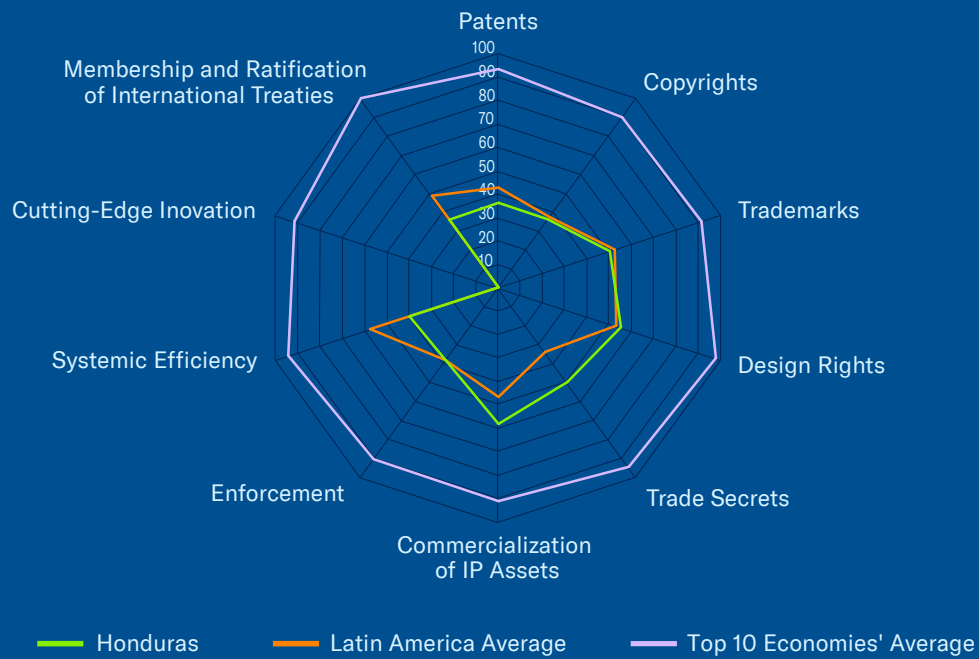




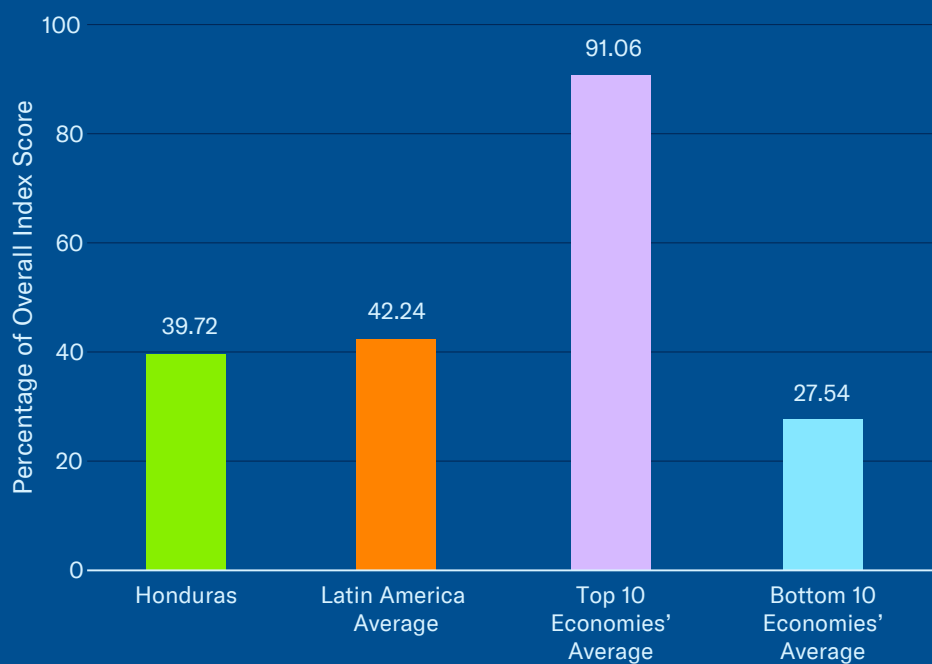
# Honduras

Rank  
**37/55**

## Category Scores



## Overall Score in Comparison





## Key Areas of Strength

- 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

## Key Areas of Weakness

- No special IP incentives for orphan medicinal product development
- Patentability standards are outside international norms—key problem areas include second use claims for biopharmaceuticals and patent protection for CIIIs
- Uncertainty over access to a statutory period of RDP: implementing regulations (*Acuerdo No. 024-2018*) provide a broad basis for overriding exclusivity
- Challenging enforcement environment, particularly for online and digital content
- 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 government
- BSA's estimated rates of software piracy are among the highest in the Latin American region at 75%
- Signal piracy and theft are among the highest in Latin America: total pirated or unreported market in Honduras is estimated at 50% of the total number of potential end users

Indicator	Score	Indicator	Score
<b>Category 1: Patents Rights and Limitations</b>		<b>Category 7: Enforcement</b>	
1. Term of protection	1.00	29. Direct government intervention in setting licensing terms	1.00
2. Patentability requirements	0.25	30. IP as an economic asset	0.50
3. Patentability of CILs	0.25	31. Tax incentives for the creation of IP assets	0.00
4. Plant variety protection	1.00	<b>Category 8: Systemic Efficiency</b>	
5. Pharmaceutical-related enforcement	0.50	32. Physical counterfeiting rates	0.44
6. Legislative criteria and use of compulsory licensing	0.00	33. Software piracy rates	0.25
7. Pharmaceutical patent term restoration	0.00	34. Civil and precedural remedies	0.50
8. Membership of a Patent Prosecution Highway	0.00	35. Pre-established damages	0.50
9. Patent opposition	0.25	36. Criminal standards	0.50
<b>Category 2: Copyrights and Limitations</b>		37. Effective border measures	0.50
10. Term of protection	0.76	38. Transparency and public reporting by customs	0.00
11. Exclusive rights	0.25	<b>Category 9: Cutting-Edge Innovation</b>	
12. Expeditious legal remedies disabling access to infringing content online	0.00	39. Coordination of IP rights enforcement	0.75
13. Cooperative action against online piracy	0.25	40. Consultation with stakeholders during IP policy formation	0.25
14. Limitations and exceptions	0.50	41. Educational campaigns and awareness raising	0.50
15. TPM and DRM	0.50	42. Targeted incentives for the creation and use of IP assets for SMEs	0.50
16. Government use of licensed software	0.25	43. IP-intensive industries, national economic impact analysis	0.00
<b>Category 3: Trademarks Rights and Limitations</b>		<b>Category 10: Membership and Ratification of International Treaties</b>	
17. Term of protection	1.00	44. IP incentives for orphan medicinal product development	0.00
18. Protection of well-known marks	0.25	45. IP incentives for orphan medicinal product development, term of protection	0.00
19. Exclusive rights, trademarks	0.50	46. Restrictions on the effective use of existing IP incentives for orphan medicinal product development	0.00
20. Frameworks against online sale of counterfeit goods	0.25	<b>Category 5: Trade Secrets and the Protection of Confidential Information</b>	
<b>Category 4: Design Rights and Limitations</b>		23. Protection of trade secrets (civil remedies)	0.50
21. Industrial design term of protection	0.60	24. Protection of trade secrets (criminal sanctions)	0.50
22. Exclusive rights, industrial design rights	0.50	25. Regulatory data protection term	0.50
<b>Category 6: Commercialization of IP Assets</b>		<b>Category 10: Membership and Ratification of International Treaties</b>	
26. Barriers to market access	1.00	47. WIPO Internet Treaties	1.00
27. Barriers to technology transfer	0.50	48. Singapore Treaty on the Law of Trademarks and Protocol Relating to the Madrid Agreement Concerning the International Registration of Marks	0.00
28. Registration and disclosure requirements of licensing deals	0.50	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	0.00
		52. The Hague Agreement Concerning the International Registration of Industrial Designs	0.00
		53. Post-TRIPS FTA	1.00

Percentage of Overall Score: 39.72%

Total Score: 21.05

# Spotlight on the National IP Environment

## Past Editions versus Current Score

Honduras' overall Index score has decreased from 21.08 out of 50 indicators in the twelfth edition to 21.05 out of 53 indicators. This reflects a score decrease for indicator 32.

## Copyrights and Limitations

*11. Legal measures, which provide necessary exclusive rights that prevent infringement of copyrights and related rights (including web hosting, streaming, and linking); and 15. Technological protection measures (TPM) and digital rights management (DRM) legislation:* As noted in previous editions of the Index, like in many parts of Central America and the Caribbean, satellite and cable signal piracy in Honduras is high and has remained so for years. In 2019, the Latin American industry association ALIANZA (*AlianzaContra la Piratería de Televisión Paga en América Latina*) released the findings from a study of estimated rates of signal piracy and theft in Latin America. The study found that the total pirated or unreported market in Honduras was an estimated 50% of the total number of potential end users. Of the 19 Latin American economies sampled, Honduras' estimated rate of signal piracy was virtually the same as the top three signal piracy markets of Nicaragua (52%), Guatemala (51%), and Bolivia (51%) and double the estimated pirated rate in Argentina and Brazil. Although Honduras was not included in this year's watch list, the USTR noted in the *2024 Special 301 Report* that "Honduras continues to have one of the highest rates of signal piracy in Latin America and the Caribbean, with lack of enforcement being an ongoing problem.

There are also ongoing concerns that a major cable provider in the country is offering unlicensed programming, is using that pirated content to expand its market share, and is now moving to illegal streaming as well." Elevated rates of signal and copyright piracy have remained the case in Honduras despite the fact that both the U.S. government and affected rightsholders have highlighted this issue and have engaged with the Government of Honduras for years. For example, in 2016, the USTR and the Government of Honduras agreed on an "Intellectual Property Work Plan." This followed an Out-of-Cycle review in 2015. The Index will continue to monitor these developments in 2025.

## 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:* No specific legislative framework is in place in Honduras for rare diseases, a national registry, or any special IP-based market exclusivity incentives for orphan medicinal product development.