

ANNEX: VENEZUELA

INTERNATIONAL INTELLECTUAL PROPERTY ALLIANCE (IIPA)

2020 SPECIAL 301 REPORT ON COPYRIGHT PROTECTION AND ENFORCEMENT

Venezuela is not a member of the Internet Treaties—the WIPO Copyright Treaty (WCT) and the WIPO Performances and Phonograms Treaty (WPPT). It has not amended its Copyright Law since 1993. Thus, the legal regime is woefully out of date.

The motion picture industry reports that since 2016, 13 illicit audio or video camcords of MPA member films have been traced to theaters in Venezuela. These copies then migrate online, fueling international piracy.

In its April 2019 Special 301 Report retaining Venezuela on the Priority Watch List, the U.S. Government highlighted the persistent problems of online piracy, and in particular unauthorized camcording. In addition, it noted that for the sixth straight year, Venezuela ranked last out of 140 countries in IP protection, according to the World Economic Forum's 2018 Global Competitiveness Report.

For several years, the Venezuelan music market has been struggling because rampant piracy has overwhelmed the legal marketplace. However, the more recent political and economic upheaval has meant that the recording industry has no accurate way to measure the market. Even still, AVINPRO, a local producers' and artists' collecting society, has remained in operation and collected performance rights monies. However, the rate of inflation has significantly reduced any collection monies as real earnings, making the market there illusory.

IIPA last filed a Country Report on Venezuela in 2007. At that time, IIPA recommended that Venezuela be placed on the Priority Watch List. IIPA recommends that Venezuela remain on the Priority Watch List in 2020.

