

CHILE

INTERNATIONAL INTELLECTUAL PROPERTY ALLIANCE (IIPA)

2026 SPECIAL 301 REPORT ON COPYRIGHT PROTECTION AND ENFORCEMENT

Special 301 Recommendation: IIPA recommends that Chile remain on the Priority Watch List in 2026.¹

Executive Summary: In 2024, the Government of Chile admitted that it had radically deprioritized prosecuting IP crimes over the past several years. Even so, Chile failed to take meaningful action in 2025 to improve its framework for the protection and enforcement of copyrighted works. Chile still lacks the legal tools and institutional leadership needed to curb commercial-scale online piracy, and anti-piracy efforts further deteriorated in 2025. As piracy migrated to Internet protocol TV (IPTV) and illegal streaming, Chile's licensed pay-TV base fell again, underscoring a need for Internet service providers (ISPs) to have mechanisms that impose effective relief to remove infringement, including, where applicable, to disrupt or disable access to structurally infringing websites on a no-fault basis, upon rights holders' applications to appropriate authorities and a centralized authority empowered to join Operation 404. This has allowed illegal IPTV services and streaming sites to operate with relative impunity. These illicit services are often openly promoted on social networks and messaging platforms and have become normalized among consumers, especially due to the availability of low-cost devices preloaded with infringing applications. Absence of action in this space does not just hurt rights holders but exposes Chile's citizens to the malware and cyberthreats commonly loaded into these devices. As such, public awareness of the illegality of these practices remains limited, and cooperation between ISPs and rights holders is still largely voluntary and uncoordinated in the absence of government-led initiatives.

Institutionally, civil and criminal enforcement remain slow and overburdened, which discourages rights holders from pursuing remedies and weakens deterrence. Altogether, these elements have created an environment where piracy can expand easily, and enforcement remains largely ineffective. This is exacerbated by an increase in Internet service operators and resellers that offer pay-TV and audiovisual streaming services without securing the necessary licenses from rights holders. Instead, Chile should centralize its enforcement, swiftly adopt a legal framework to allow participation in Operation 404, streamline civil and criminal procedures, and utilize its existing cyber security framework. Finally, Chile must afford adequate opportunity to review and comment on legislative and regulatory proposals governing copyright, including recent legislative work on artificial intelligence and additional remuneration rights.

PRIORITY ACTIONS REQUESTED IN 2026

Enforcement

- Create a centralized copyright protection and enforcement authority.
- Participate in Operation 404.
- Prosecute more piracy crimes related to organized crime and heighten the criminal liability of legal entities in committing criminal offenses.
- Leverage Decree No. 164 and the 2024 Cybersecurity Framework Law #21,663 to tackle online piracy.

Legal Reforms

- Improve and update Chile's legal framework for ISP liability and online copyright enforcement.
- Enact amendments to address deficiencies in Chile's copyright law related to U.S.-Chile FTA obligations.
- Refrain from reducing copyright infringement penalties currently provided in the Intellectual Property (IP) Law.
- Abandon the pending amendment to Article 24H of the Telecommunications Law, which creates an unlimited net-neutrality principle, with no distinction between legal and illegal content.

¹ For more details on Chile's Special 301 history, see previous years' reports at <https://iipa.org/reports/reports-by-country/>. For the history of Chile's Special 301 placement, see <https://www.iipa.org/files/uploads/2026/01/Appendix-C-FINAL-2026.pdf>.

- Ensure legislative proposals related to AI meet the standards related to IP protection set forth by the G7 Hiroshima AI Process.
- Do not adopt Bill PL 17499-24 which creates an additional remuneration right.

ENFORCEMENT

Once again, Chile failed to take any meaningful action against piracy this past year. Even after the *Instituto Nacional de Propiedad Industrial* (INAPI) published a study in July 2024 showing Chile had radically deprioritized prosecuting IP crimes over the past several years,² the Government of Chile took no meaningful action in response. This is not to say rights holders stopped attempting to enforce their rights in Chile after so many years of government inaction. In 2025, rights holders filed several civil and criminal cases against various piracy sites and IPTV services, including against the notorious pirate *MagisTV* and its associated websites.³ In one case, a court issued a blocking order under the "dynamic blocking" modality, preventing access to the websites identified as *FlujoTV*, as well as to any domain, subdomain, IP address, link, redirect, or "mirror" that reproduces the illicit content, in whole or in part, in any form of access, in order to ensure the continuity and effectiveness of the measure. This was in accordance with the principle of effective judicial protection and precautionary protection of intellectual property rights, as provided in Articles 2, 79, and 85 of Law No. 17,336. The other cases remain pending. Unfortunately, any IP enforcement actions in Chile have primarily stemmed from private initiatives to protect local products or routine activities by public authorities. However, these measures have had no meaningful impact, in part due to overly burdensome obligations imposed on rights holders, and the level of copyright enforcement remains largely unchanged from previous periods.

In the meantime, from an operational perspective, the piracy situation in Chile appears to be deteriorating.⁴ Over the past year, Chile has experienced a marked increase in the number of Internet service operators and resellers that, in addition to providing Internet connectivity, offer pay-TV and audiovisual streaming services without securing the necessary licenses from rights holders. This growing overlap between Internet connectivity providers and unauthorized content distributors has deepened the country's piracy problem. Additionally, there is growing presence of unlicensed IPTV services, illegal streaming platforms, and social media channels that provide for the large-scale distribution of infringing content. Confirming these concerns, Chile's telecommunications regulator, the *Subsecretaría de Telecomunicaciones* (SUBTEL) found a sustained decline in the licensed pay-TV market. In June 2025, SUBTEL's *Informe del Sector Telecomunicaciones* found the number of pay-TV subscribers fell from approximately 3.0 million in early 2024 to about 2.78 million by March 2025, representing an 8.4 percent decrease within a year and the lowest level recorded in more than a decade. This steady erosion of the formal and legitimate pay-TV market is consistent with the migration of users toward unlicensed IPTV and streaming services, which remain easily accessible and largely unregulated. This growing piracy problem, which also affects other sectors, will continue to escalate without Chile taking meaningful action to remedy the structural, legal, and institutional concerns noted below.

- **Create a centralized copyright protection and enforcement authority.**

Chile needs a coordinated effort to address rampant and growing piracy concerns. However, Chile remains without a dedicated, centralized authority responsible for copyright protection and enforcement. Instead, copyright

² Available here https://www.inapi.cl/docs/default-source/2023/centro-de-documentacion/estudios/observancia-penal-de-los-derechos-de-propiedad-intelectual-en-chile/informe_observancia_2024_v5.pdf?sfvrsn=eb902829_1. The study, stemming from Chile's 2016 National Industrial Property Strategy, alarmingly showed that criminal IP cases between 2017 to 2022 declined by nearly 50% (from 4,050 to 2,087), with copyright-related cases decreasing even more dramatically by over 60% (from 1,572 to 567), while at the same time, piracy rates continued to increase.

³ In August 2025, a case before a Civil Court in Santiago requesting the suspension and blocking of access to various websites associated with *MagisTV*, *FlujoTV*, and their variants. A criminal complaint was filed with the Criminal Court of Guarantees of Puerto Varas against a reseller of a series of IPTV websites including *MagisTV*, *TVPRIMEPLUS*, and *TVPLUSLATAM*. Additionally, some rights holders have filed several criminal complaints against the most popular IPTV services operating in Chile. These cases are currently under investigation by specialized units of the *Chilean Policía de Investigaciones* (PDI), specifically the *Brigada de Delitos de Propiedad Intelectual* (BRIDEPI) and the Cybercrime Unit, both of which have been gathering technical evidence to identify local resellers and the infrastructure supporting these services. These criminal complaints were also formally notified to the Chilean Internal Revenue Service (*Servicio de Impuestos Internos*, SII) to pursue potential tax evasion offenses arising from such activities.

⁴ According to data from Internet monitoring company *Similarweb* in quarter 2 2025, stream-ripping sites *Y2mate.nu* received over 4.1 million visits from Chile, *Notube.si* over 3.7 million and *Savefrom.net* over 2.4 million.

matters are currently handled by five different entities: (1) *Departamento de Derechos Intelectuales en el Servicio Nacional del Patrimonio Cultural* (Department of Intellectual Property Rights at the National Cultural Heritage Service, Ministry of Culture, the Arts and Heritage); (2) the Ministry of Education; (3) *SUBREI – Subsecretaría de Relaciones Económicas Internacionales*, *Departamento de la PI* (Undersecretariat for International Economic Relations, Department of Industrial Property, Ministry of Foreign Affairs); (4) the IP prosecutor; and (5) Chilean Customs. Additionally, specialized Internet crime police units from *Carabineros* and *Policía de Investigaciones* (Military Police and Investigatory Police) do not prioritize IP crimes or any disruptive strategies for broader IP enforcement actions at the local level, despite having a proficient level of technical investigative skills.

This proposed centralized authority should provide copyright registration and enforcement services, and coordinate awareness, administrative enforcement, and public policies related to copyrights and neighboring rights. The centralized authority should also work with rights holders to make sure there are no overly burdensome obligations when trying to enforce IP rights. Currently, when trying to enforce against seized counterfeit physical goods, rights holders must provide a sample of an original product that is as similar to the counterfeit product as possible. This not only results in an additional cost for the rights holder, who must provide an original sample in every single case where a counterfeit product is seized, but is also a difficult obligation to meet when some counterfeits do not have an equivalent original product. For example, for the video game industry, when the good in question is a preloaded console, the counterfeit product is not only the console itself but the games it contains. Since laboratories are accustomed to comparing original products to counterfeit products, it is not always possible to provide an original product since some of the games are not sold in the physical format, but only digitally. Additionally, a coordinated enforcement effort would help identify and penalize repeat infringers, especially those who import circumvention devices, modified game consoles preloaded with infringing video game content, piracy devices (PDs), and illicit streaming devices (ISDs). The proposed centralized authority should ensure that deterrent penalties are available under Chile's current legislative framework and are consistently applied, especially against commercial-scale piracy operations and repeat infringers. Without a centralized copyright entity and effective coordination and cooperation of other agencies responsible for IP enforcement, enforcement in Chile will remain ineffective and Chile will continue to be a regional haven for piracy sites and services.

- **Participate in Operation 404.**

IIPA urges the Government of Chile to participate in Operation 404, an annual or semi-annual Brazil-led regional anti-piracy campaign. Operation 404's eighth phase took place in November 2025 and included coordination with Argentina, Ecuador, Paraguay, and Peru. Since 2019, Operation 404 phases have taken down 2,575 websites and 1,377 illicit streaming apps, removed more than 400 social media profiles, and resulted in the arrest of 59 people connected to piracy operations. While Chile is known to occasionally send an observer to past Operation 404 phases, it has not publicly shared why it does not participate, especially as a growing number of regional neighbors continue to join these important anti-piracy campaigns. If Chile's existing legislative framework is the obstacle preventing enforcement authorities from conducting operations common in Operation 404 phases, that framework must be updated without delay, including by a presidential decree if needed. However, in September 2025, the Supreme Court of Chile issued a ruling in connection with a constitutional protection action filed by Chile's lottery system, *Lotería de Concepción*, against the main ISPs, whereby it ordered ISPs to block access to various illegal online betting websites. This result calls into question whether Chile's failure to act against piracy websites reflects genuine legal barriers or a broader absence of political will. Either way, actively participating in Operation 404 represents a readily available step that could significantly enhance Chile's efforts to curb its rapidly expanding piracy problem.

- **Prosecute more piracy crimes related to organized crime and heighten the criminal liability of legal entities in committing criminal offenses.**

In 2023, two legal reforms were enacted that gave private organizations and the Public Prosecutor enhanced legal powers. The first, Law #21,577, strengthens the prosecution of organized crime offenses, establishes special investigative techniques, and bolsters the confiscation of illicit profits. The second, Law #21,595, pertains to economic

crimes whose reforms bolster the prosecution mechanisms for organized crime and generate criminal liability for legal entities. Combined, these laws provide more efficient mechanisms for the prosecution of crimes, among which are computer-related crimes and online piracy, and both should be used more often. Unfortunately, the impact of these two laws remains limited, likely due to a lack of trained personnel and financial resources necessary to ensure proper execution of and familiarity with the new enhanced legal powers.

Even if these laws are fully enforced, Chilean courts, both civil and criminal, are overwhelmed by heavy caseloads. As a result, judicial proceedings, including those related to the protection and enforcement of IP, may take longer than expected before a final judgment is issued. A similar situation can be observed at the prosecutorial level. In practice, the initiation of investigative proceedings can be significantly delayed, in certain instances exceeding one year from the filing of the complaint. In civil cases, a case may wait an average of three years to see a final ruling in first instance, and two more years for subsequent appeals. These delays significantly undermine deterrence and the overall effectiveness of the IP enforcement system.

- **Leverage Decree No. 164 and the 2024 Cybersecurity Framework Law #21,663 to tackle online piracy.**

In December 2023, Decree No. 164 was published, approving the National Cybersecurity Policy 2023-2028 (PNCS). One of PNCS's strategic objectives is for Chile to develop a culture of cybersecurity focused on education, best practices, responsibility in the management of digital technologies, and the promotion and protection of individual rights. The cybersecurity framework law establishes measures that public and private organizations must implement to report and contain security incidents. Further, on March 26, 2024, the Government of Chile enacted Cybersecurity Framework Law #21,663 to regulate the cybersecurity actions of State agencies, either among themselves or with private entities. The law also establishes the minimum requirements to deal with cybersecurity incidents, the attributions and obligations of State agencies, the duties of the institutions determined in the law, as well as the mechanisms of control, supervision and responsibility in the event of infractions. It was hoped this recent legislative attention on cybersecurity would have encouraged Chile's police and prosecutors to capitalize on their new tools to take action against websites that distribute or host pirated content, or websites or apps that pirate content, since visitors to these sites open themselves up to cybersecurity vulnerabilities. However, use of these new tools has been limited, if not non-existent, to stop piracy.

LEGAL REFORMS

- **Improve and update Chile's legal framework for ISP liability and online copyright enforcement.**

Chile's copyright law regime remains inadequate and lags far behind international best practices. Although Chile adopted amendments to its Copyright Law in 2010, Law #20,435 was unfortunately detrimental to effective online copyright enforcement. For years, IIPA has repeatedly voiced concerns regarding Chile's deficiencies with respect to online copyright enforcement, and the urgency for reform is as strong as ever.

Article 85Ñ of Chile's Copyright Law establishes a safe harbor for hosting service providers and search engines, linking sites, or reference services that do not have "effective knowledge" of IP infringement, which—by law—can be established only by a court order (issued as per procedure under Article 85Q). This provision significantly limits the circumstances where a hosting, search, or linking service provider can be liable for infringements committed by its users. The harm created by this article is further exacerbated by the previously noted judicial delays. This article also opens the door to abuse because online services that engage in making copyright-protected transmissions routinely seek to portray themselves as mere "hosting" services to avoid liability under copyright law. Article 85O, which sets out the conditions for liability limitation, also poses problems due to its conflicting criteria. At first glance, the provision appears to narrow the safe harbor by introducing an additional eligibility criterion that "service providers" must meet to avoid liability for IP infringements, specifically: "that the service has not generated, nor selected the material or the

recipient” (Article 85O(c)). However, the last sentence of Article 85O clarifies that providers of “search, linking or reference services” are exempt from these additional conditions.

Where ISPs are eligible for the above safe harbor privileges, Article 85Q of the Copyright Law requires ISPs to remove or disable access to copyright-infringing content only following a lengthy, expensive, and complicated court process that can take over a year and is out of step with international norms. This legal requirement can be an excuse for ISPs unwilling to take down content and can even be a legal obstacle for ISPs that would otherwise react expeditiously to rights holders’ take down requests. There is no incentive for ISPs to act expeditiously to remove infringing material, and there are no fines or sanctions for non-compliance with takedown notices, which is also an FTA obligation noted below. Instead, the law places time-consuming and disproportionately burdensome obligations on rights holders, such as requiring rights holders to have a legal representative in Chile to send notices of infringement. Currently, the only method of tackling infringing content online is to follow the burdensome and ineffective notice-and-notice system (Article 85U), which requires ISPs to pass on takedown requests to uploaders. However, rights holders have no way to know whether an infringer has actually been notified to take down material, and there are no provisions to deter repeat infringers or require or encourage measures demonstrated effective in preventing or restraining infringement. The only remaining option available to rights holders is to initiate a civil case directly against the user, an approach rendered impracticable by the sheer scale of infringement.

IIPA urges the Chilean government to amend its 2010 law to develop a meaningful legal framework in line with global norms for addressing copyright infringement online. As part of this effort the law should: (i) replace the notice-and-notice mechanism and remove the requirement for court orders for the taking down of any infringing content; (ii) limit safe harbor protection to passive and neutral intermediaries that do not contribute to infringing activity; (iii) implement measures demonstrated effective in preventing or restraining infringement; (iv) require marketplaces and encourage all relevant intermediaries to implement “know your business customers” (KYBC) policies to ensure they keep up to date and accurate information about high-volume third-party sellers and to allow rights holders to obtain accurate information to protect their rights against direct infringers; and (v) enable consultation among industry stakeholders, including creative industries, to make determinations on “Trusted Entities” (whose complaints are resolved on a priority basis by ISPs) rather than leaving such decisions to the sole discretion of ISPs as provided under the existing draft.

- **Enact amendments to address deficiencies in Chile’s copyright law related to U.S.-Chile FTA obligations.**

Chile’s latest Copyright Law was adopted six years after the U.S.-Chile FTA entered into force in 2004.⁵ Unfortunately, over twenty years later, many important FTA obligations remain unmet, including the following:

Statutory Damages, Civil Remedies, and Criminal Penalties: Chile is required to provide for civil remedies, including seizures, actual damages, court costs and fees, and destruction of devices and products. Yet, the Chilean Copyright Law does not establish adequate statutory damages (e.g., pre-established damages), nor does it provide a dedicated procedure for obtaining injunctions or an effective civil *ex parte* search and seizure remedy. The law should also ensure that deterrent level civil remedies and criminal penalties are available and incentivized. Video game publishers have numerous experiences with customs seizures involving repeat offenders. One particularly flagrant instance involved one offender who was identified in seven total customs actions in 2024. To date in 2025, two repeat offenders have been identified in the importation of preloaded video game consoles. Unless offenders are flagged for recidivism and receive a higher level of scrutiny or penalties, there is no deterrent effect. The implication for rights holders is a substantial cost of doing business in Chile.

Protection of TPMs and Criminalization of Circumvention Devices: Even considering its 2018 legislation criminalizing satellite signal decoders, Chile still falls short of its FTA obligation to provide adequate legal

⁵ The U.S.-Chile Free Trade Agreement (FTA) is available at <https://ustr.gov/trade-agreements/free-trade-agreements/chile-fta/final-text>.

protection for TPMs used to control access or restrict unauthorized acts to a protected work. The sale of preloaded video game consoles and modification services on online marketplaces and through social media is pervasive. To date in 2025, there have been around 1,600 seizures of consoles preloaded with infringing video game content. Multiple video game publishers have noted a dramatic shift of offerings from online marketplaces to social media. Additionally, music rights holders are left without support to tackle the problem of stream-ripping sites that allow users to download content, without authorization, through circumvention of TPMs.

Exceptions to Protection: Article 71 of the Copyright Law contains certain exceptions that appear to be incompatible with international norms and the FTA. These include: a reverse-engineering exception that is not restricted to achieving interoperability (Article 71Ñ); exceptions that could allow libraries to reproduce entire works in digital form without restriction (Articles 71I, J, K, and L); and the lack of overarching language consistent with the three-step test set forth in international treaties (and the FTA) to ensure that all exceptions and limitations are properly calibrated.

Lack of Secondary Copyright Liability Rules: In the civil liability area, general tort law principles do not help copyright holders in establishing secondary liability in Chile. IIPA urges Chile to incorporate secondary liability principles in its Copyright Law to incentivize platforms to cooperate in the fight against piracy, among other goals.

Injunctive Relief: Chile lacks a clear legal mechanism to ensure ISPs can impose effective relief to address infringement, including, where applicable, to disrupt or disable access to structurally infringing websites on a no-fault basis, upon rights holders' applications to appropriate authorities. Instead, Article 85R of Chile's Copyright Law provides that a court can order an ISP to block access to clearly identified infringing content only if the blocking does not block access to other non-infringing content. This limitation hampers enforcement under the provision, as the posting of a single non-infringing work can be relied on to thwart blocking measures and significantly limits the power of Chilean judges to order effective remedies to limit and prevent online infringement. It is also reported this provision is preventing ISPs from cooperating with IP rights holders on a voluntary basis.

Theatrical Camcording: The Chilean government should enact legislation to criminalize illicit camcording in theaters and provide for deterrent penalties. Such legislation should not include any requirement of proof of the camcorder's intent to profit. For reference, a recent September 2024 criminal code reform in Peru (Legislative Decree 1649) offers a regional best practice on camcording enforcement.⁶

IIPA urges the Government of Chile to ensure that any future reforms adequately implement the country's existing international, multilateral, and bilateral commitments to strong copyright protection, enforcement, and equitable market access.

- **Refrain from reducing copyright infringement penalties currently provided in the IP Law.**

The 2019 draft proposal to amend the penal code was distributed for consultation and proposed to dramatically reduce all penalties for copyright infringement and eliminate specific sanctions for the unauthorized reproduction of phonograms (Articles 353, 354, and 355). The proposal would effectively treat copyright infringement as a misdemeanor and would delete specific sanctions for piracy crimes against phonogram producers. It is unclear what the current state of the text is or whether the political will exists to move this proposal forward. Due to the significant volume of opposing comments received from the private sector, the Minister of Justice delayed the project's submission to Congress pending further analysis. At present, the draft is still under consideration at the Ministry of Justice with no specific timeframe for its submission to Congress.

⁶ Available at <https://mpaa.app.box.com/s/j69kitttd3l23tkqgcf1tvdnrmrn0pm6>.

- **Abandon the pending amendment to Article 24H of the Telecommunications Law, which creates an unlimited net-neutrality principle, with no distinction between legal and illegal content.**

In May 2020, amendments to the Telecommunications Law were passed at the Specialized Commission of Transports and Communications in the Senate. After consideration, Bill 10999-15 was returned to the aforementioned Commission in July 2021 for further study and consideration. The core of this reform is the proposed modification of Article 24H (sections “a” and “b”). Under the modification, ISPs are prohibited from implementing any policy measure for the purpose of prioritizing traffic, or any measure that would have the effect of causing delay to Internet access. The Bill also removes from Article 24-H the all-important “legal” requirement that would distinguish between access to “legal” content, websites, and apps on the Internet, and “illegal” content, websites, and apps on the Internet. It would also have the effect of hindering the use of tools or devices on the Internet to inhibit access to such materials online. In sum, the Bill imposes an unlimited and unrestricted net neutrality principle in Chilean legislation with no limitation or distinction regarding the legality of the content, device, website, app, or service accessed by the Internet users. This proposed “unlimited” net neutrality proposal is in stark contrast with the law in both the United States and the EU, where net neutrality principles apply only to legal Internet traffic and content. The Bill also proposes to further enshrine the position that access to illegal content can be blocked “only by judicial order.”

The implications of this proposal are especially relevant to the consolidation of a digital music market in Chile. An unlimited net neutrality principle would make it even more cumbersome for rights holders in Chile to enforce their IP rights online. The reform could imply that Internet users in Chile have a *de facto* right to freely access pirated content, and that ISPs and rights holders cannot do anything to prevent or deal with such infringements. Due to a lack of prioritization of this Bill, it is difficult to predict any timeframe for a vote on the floor.

- **Ensure legislative proposals related to AI meet the standards for IP protection set forth by the G7 Hiroshima AI Process.**

In May 2024, the Government of Chile introduced Bill #63-372 on AI to Congress. The initial Bill included a provision, Article 31, that would have introduced a copyright exception for text and data mining (TDM). Specifically, Article 31 stated “[a]ny act of reproduction, adaptation, distribution or communication to the public of a lawfully published work is lawful, without remuneration or obtaining authorization from the owner, when such act is carried out exclusively for the extraction, comparison, classification, or any other statistical analysis of language, sound or image data, or of other elements of which a large number of works or a large volume of data is composed, provided that such use does not constitute a disguised exploitation of the work or of the protected works.” On October 13, 2025, the House of Representatives approved an amended version of the bill which thankfully did not include the TDM exception. The House also deleted a transparency/record-keeping obligation for AI developers concerning copyright protected materials used to train AI models. The Bill now proceeds to the Committee of Future Challenges, Science, Technology and Innovation of the Chilean Senate.

As Chile looks to regulate AI, IIPA strongly encourages the Government of Chile to look toward certain provisions of the G7 Hiroshima AI Process, which has set forth important rules of the road related to IP protection for the development of AI systems. For example, the International Code of Conduct for Organizations Developing Advanced AI Systems includes the following: “Organizations are encouraged to implement appropriate safeguards, to respect rights related to privacy and intellectual property, including copyright-protected content.” The International Guiding Principles for Organizations Developing Advanced AI Systems includes the following principle: “Implement appropriate data input measures and protections for personal data and intellectual property.” In the June 17, 2025, G7 Leaders’ Statement on AI for Prosperity, the G7 Leaders indicated they would “leverage the outcomes of the Hiroshima AI Process (HAIP) to foster trust.” The Leaders further committed to “[p]romote economic prosperity by supporting SMEs to adopt and develop AI that respects personal data and intellectual property rights, and strengthen their readiness, efficiency, productivity and competitiveness” and stated, “We recognize the need to respect intellectual property rights in enabling these efforts.” IIPA and its members strongly encourage Chile to meet the standards set

forth by the G7 Hiroshima AI Process. Additionally, Chile should provide meaningful stakeholder engagement and due process regarding this type of work, including by affording adequate opportunity to review and comment on legislative and regulatory proposals governing copyright and AI.

- **Do not adopt Bill PL 17499-24 which creates an additional remuneration right.**

In April 2025, Bill PL 17499-24 was tabled in the House of Representatives. Known as the “Tommy Rey Law,” this bill introduced a remuneration right for artists for the making available of performances fixed in phonograms and audiovisual formats. After a swift discussion at the Culture Committee, the Bill was sent to the Floor of the House and approved on November 3rd. This new right would be in addition to the exclusive right already provided for by existing Chilean law (Article 67bis of the Law 17336). The proposal for an additional remuneration right resembles similar initiatives discussed in Uruguay and other Latin American countries and aims at empowering the already strong collective management organization that pushed for this Bill (*Sociedad Chilena de Autores e Interpretes Musicales*, known as “SCD”), which currently collects royalties for the CTPP rights of authors, artists and phonographic producers. The Bill would contradict Chile’s obligations under Articles 17.6.2 and 17.7.2 of the US-Chile FTA, adding a new element to the list of concerns arising from Chile’s non-compliance. In addition to its potential to distort the well-functioning music streaming market, the necessity to introduce such a trade-affecting measure is unclear as performers are benefitting from the growing music ecosystem like never before.⁷ It is also unclear whether this bill applies exclusively to music streaming services or extends to audiovisual streaming services as well. IIPA strongly encourages the Chilean government to refrain from adopting any proposal of this kind until a comprehensive assessment has been undertaken to determine the necessity of, and potential trade implications arising from, such a measure. The bill currently awaits Senate deliberation.

⁷ See *IFPI Global Music Report 2024: State of the Industry*, available at https://ifpi-website-cms.s3.eu-west-2.amazonaws.com/GMR_2024_Todays_Record_Companies_dfa01be46a.pdf.