**Appendix 1. Cohen’s Kappa**

Cohen's Kappa for 2 Raters (Weights: unweighted)

Subjects = 12192

Raters = 2

**Kappa = 0.881**

z = 97.3

p-value = 0

**Appendix 2. Calculation of sub-indices**

|  |  |
| --- | --- |
| **Patent Sub-index** | Sub-index for all TRIPs-plus variables on **patents, double weighed** by number of variables and importance to index overall.  Patent variables on scope (25, 26, 28, 31), duration (29), rights conferred (30, 32, 33) and exhaustion for patents (I\_38), weighed by number of variables coded and subjective weight according to overall importance.  Scope: 1/4  Duration: 1/4  Rights Conferred: 1/4  Exhaustion: 1/4  Formula: = (variable25+26+28+31)/4\*0.25+variable29\*0.25+(variable30+32+33)/3\*0.25+I\_38\*0.25  Variables:  (25) Scope of coverage: plants. This variable codes the nature of the inventions that can be patentable.  (26) Scope of coverage: animals. This variable codes the nature of the inventions that can be patentable.  (28) Permitted double patenting (selection/second use): second-use patents. This variable codes for the availability of selection patents (i.e. a patent that claims to be a subclass of a previously patented genus for a particular feature, not included in the initial patent) or second-use patents (i.e. a patent that claims a new use that differs from an existing patent).  (29) Patent term extensions: this variable codes whether an extension is given to patent term when regulation requirements have unduly delayed market entry.  (30) Compulsory licenses are restricted/limited to specific scenarios or on specific grounds.  (31) Novelty/disclosure grace period. This variable codes the length of the grace period in which a patentee may disclose the invention, without their disclosure being considered as prior art to invalidate the patent based on novelty.  (32) Burden of proof: this variable codes whether, when examining an invention, the burden of proof lies on the patent office or on the applicant to demonstrate non-patentability/patentability.  (33) Restriction of revocation rights for patents. In the case of fraud and misrepresentation, this limits the flexibility granted under TRIPs.  (I\_38) "Sum of TRIPs-plus provisions on exhaustion for patents, weighed by number of exhaustion variables for patents and stringency of exhaustion regime:  National Exhaustion: 2/3 (strongest exhaustion mean)  Regional Exhaustion: 1/3 |
| **Copyright Sub-index** | Sub-index for all TRIPs-plus variables on **copyrights, double weighed** by number of variables and importance to index overall.  Copyright variables on scope (3), duration (1, 2: mutually exclusive), rights conferred (4, 5, 6) and exhaustion for copyrights (I\_40), weighed by number of variables coded and subjective weight according to overall importance.  Scope: 1/4  Duration: 1/4  Rights Conferred: 1/4  Exhaustion: 1/4  Formula: =(variable3)/\*0.25+(variable1+2)/2\*0.25+SUM(variable4:6)/3\*0.25+I\_40\*0.25  Variables:  (1) Duration 70 years: this variable codes the duration of protection of literary work in years of copyright beyond the death of the author(s).  (2) Duration 90 years: this variable codes the duration of protection of literary work in years of copyright beyond the death of the author(s).  (3) Scope includes videograms: This variables codes if the scope for copyright protection includes videograms.  (4) Private use exceptions: this variable codes the extent to which a private use exception exists in copyright.  (5) Article 6bis of the Berne Convention is included in the copyright section..  (6) Anti-circumvention of technology protection measures: this variable codes whether actions to circumvent TPMs (region lock, DRM, etc.) can be considered as copyright infringement.  (I\_40) Sum of TRIPs-plus provisions on exhaustion for copyrights, weighed by number of exhaustion variables for copyrights and stringency of exhaustion regime:  National Exhaustion: 2/3 (strongest exhaustion mean)  Regional Exhaustion: 1/3 |
| **Trademark Sub-index** | Sub-index for all TRIPs-plus variables on **trademarks, double weighed** by number of variables and importance to index overall.  Trademark variables on scope (7:12), duration (13), rights conferred (14, 15) and exhaustion for trademarks (I\_42), weighed by number of variables coded and subjective weight according to overall importance.  Scope: 1/4  Duration: 1/4  Rights Conferred: 1/4  Exhaustion: 1/4  Formula: =sum(variable7:12)/6\*0.25+variable13\*0.25)+(variable14+15)/2\*0.25+I\_42\*0.25  Variables:  (7) Scope of protection: 3-D marks. This variable codes the type of marks that may be registered under trademark legislation.  (8) Scope of protection: sounds. This variable codes the type of marks that may be registered under trademark legislation.  (9) Scope of protection: holograms. This variable codes the type of marks that may be registered under trademark legislation.  (10) Scope of protection: scents/smells. This variable codes the type of marks that may be registered under trademark legislation.  (11) Scope of protection: movements. This variable codes the type of marks that may be registered under trademark legislation.  (12) Scope of protection: colors. This variable codes the type of marks that may be registered under trademark legislation.  (13) Term of initial trademark protection. Code if term of initial registration and each renewal of registration is more than 7 years (not non-use).  (14) Duration of protection without use: more than 3 years. This variable codes for the number of years a trademark holder can refrain from using the mark without that mark being subject to expungement (losing protection for trademark).  (15) Electronic registration system for trademarks.  (I\_42) Sum of TRIPs-plus provisions on exhaustion for trademark, weighed by number of exhaustion variables for trademark and stringency of exhaustion regime:  National Exhaustion: 2/3 (strongest exhaustion mean)  Regional Exhaustion: 1/3 |

**Appendix 3: GI protection**

The following table shows the average protection in our dataset overall all PTAs per selected entity:

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| GI TRIPs-plus Variables | US | JP | EU | EFTA |
| **Sum TRIPs-plus** | **31.3** | **9.1** | **7.7** | **6.6** |
| **Sum TRIPs-plus GIs** | **0.1** | **0.8** | **1.7** | **1.5** |
| **Sum TRIPs-plus Gis/ Sum TRIPs-plus** | **0.0** | **0.1** | **0.2** | **0.2** |
| GI scope agricultural | 0.0 | 0.1 | 0.3 | 0.7 |
| GI scope non agricultural | 0.0 | 0.1 | 0.3 | 0.7 |
| GI registered names generic | 0.0 | 0.0 | 0.1 | 0.0 |
| GI extent delocalizers | 0.1 | 0.1 | 0.2 | 0.0 |
| GI extent translations | 0.0 | 0.1 | 0.2 | 0.0 |
| GI extent homonymous | 0.0 | 0.0 | 0.2 | 0.0 |
| GI country name | 0.1 | 0.1 | 0.1 | 0.2 |
| GI list | 0.0 | 0.3 | 0.3 | 0.0 |