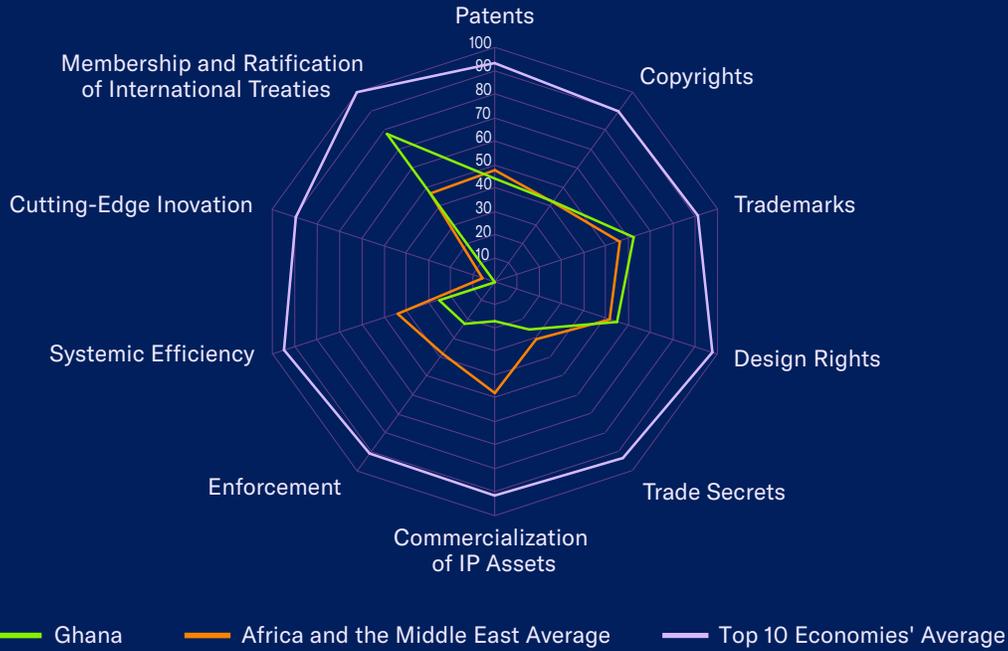




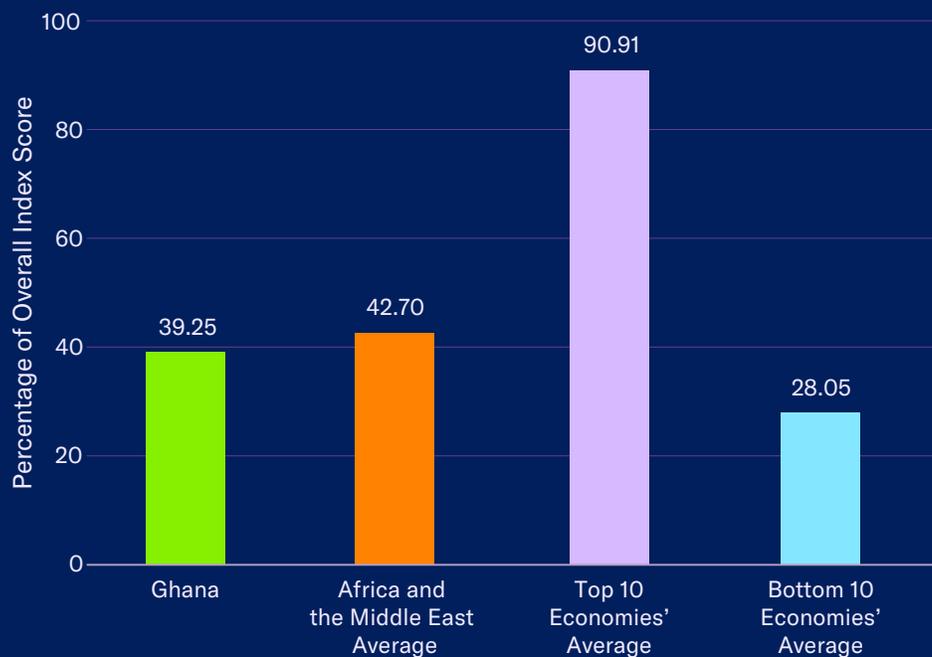
Ghana

Rank
39/55

Category Scores



Overall Score in Comparison





Key Areas of Strength

- Member of African Regional Intellectual Property Organization (ARIPO)
- 2024 ARIPO-China National Intellectual Property Administration (CNIPA) PPH marks the first PPH for Ghana and other ARIPO parties
- Contracting party to most international IP treaties included in the Index; joined UPOV 1991 in 2021
- ARIPO patentability guidelines allow high-tech claims (both Swiss-style biopharmaceutical claims and CIIIs)
- New Plant Variety Protection Act 2020
- Electronic Transactions Act 2008 includes definition and description of liability for service providers and intermediaries including potential court-ordered injunctive style relief
- WTO TRIPS Member

Key Areas of Weakness

- No special IP incentives for orphan medicinal product development
- Legal framework remains rudimentary for most IP rights, with many key IP rights and incentives unavailable
- Enforcement environment remains highly fraught with counterfeit and IP infringing goods widely available — physical and online
- High levels of counterfeit and substandard medicines
- Judicial enforcement is characterized by long delays

Indicator	Score	Indicator	Score
Category 1: Patents Rights and Limitations	4.00	29. Direct Government intervention in setting licensing terms	0.00
1. Term of protection	1.00	30. IP as an economic asset	0.50
2. Patentability requirements	0.50	31. Tax incentives for the creation of IP assets	0.00
3. Patentability of CII	0.25	Category 7: Enforcement	1.32
4. Plant variety protection	1.00	32. Physical counterfeiting rates	0.32
5. Pharmaceutical-related enforcement	0.00	33. Software piracy rates	NA
6. Legislative criteria and active use of compulsory licensing	0.00	34. Civil and procedural remedies	0.25
7. Pharmaceutical patent term restoration	0.00	35. Pre-established damages	0.25
8. Membership of a Patent Prosecution Highway	0.50	36. Criminal standards	0.25
9. Patent Opposition	0.75	37. Effective border measures	0.25
Category 2: Copyrights and Limitations	2.99	38. Transparency and public reporting by Customs	0.00
10. Term of protection	0.74	Category 8: Systemic Efficiency	1.25
11. Exclusive rights	0.50	39. Coordination of IP rights enforcement	0.25
12. Expeditious legal remedies disabling access to infringing content online	0.25	40. Consultation with stakeholders during IP policy formation	0.25
13. Cooperative action against online piracy	0.25	41. Educational campaigns and awareness raising	0.25
14. Limitations and exceptions	0.25	42. Targeted incentives for the creation and use of IP assets for SMEs	0.25
15. TPM and DRM	0.50	43. IP-intensive industries, national economic impact analysis	0.25
16. Government use of licensed software	0.50	Category 9: Cutting-Edge Innovation	0.00
Category 3: Trademarks Rights and Limitations	2.50	44. IP incentives for orphan medicinal product development	0.00
17. Term of protection	1.00	45. IP incentives for orphan medicinal product development, term of protection	0.00
18. Protection of well-known marks	0.50	46. Restrictions on the effective use of existing IP incentives for orphan medicinal product development	0.00
19. Exclusive rights, trademarks	0.50	Category 10: Membership and Ratification of International Treaties	5.50
20. Frameworks against online sale of counterfeit goods	0.50	47. WIPO Internet Treaties	1.00
Category 4: Design Rights and Limitations	1.10	48. Singapore Treaty on the Law of Trademarks and Protocol Relating to the Madrid Agreement Concerning the International Registration of Marks	0.75
21. Industrial Design Term of Protection	0.60	49. Patent Law Treaty and Patent Cooperation Treaty	0.75
22. Exclusive rights, industrial design rights	0.50	50. Membership of the International Convention for the Protection of New Varieties of Plants, act of 1991	1.00
Category 5: Trade Secrets and the Protection of Confidential Information	0.75	51. Membership of the Convention on Cybercrime, 2001	1.00
23. Protection of trade secrets (Civil Remedies)	0.50	52. The Hague Agreement Concerning the International Registration of Industrial Designs	1.00
24. Protection of trade secrets (Criminal Sanctions)	0.25	53. Post-TRIPS FTA	0.00
25. Regulatory data protection term	0.00		
Category 6: Commercialization of IP Assets	1.00		
26. Barriers to market access	0.50		
27. Barriers to technology transfer	0.00		
28. Registration and disclosure requirements of licensing deals	0.00		

Total Score: 20.41

Spotlight on the National IP Environment

Past Editions versus Current Score

Ghana's overall score has decreased from 20.53 out of 52 indicators in the 13th edition to 20.41. This reflects a score decrease on indicator 32.

Patent Rights and Limitations

2. Patentability requirements; and 3. Patentability of computer-implemented inventions (CIIs):

Following the Extraordinary 15th Session of the Administrative Council of the African Regional Intellectual Property Organization (ARIPO) in early 2025, changes to the Harare Protocol on Patents and Industrial Design have now taken effect. These changes provide future applicants with greater procedural flexibility and more clearly defined timelines but also raise user fees. Unfortunately, these changes did not include more wholesale improvements to the patenting process. As noted in previous editions of the Index, both Ghana's Patent Act and the Harare Protocol lack clarity regarding the extent to which CIIs are considered patentable subject matter. Ghana's Patent Act Section 3(1) provides a broad and internationally acceptable standard of patentable subject matter: "an invention is patentable if it is new, involves an inventive step and is industrially applicable." Sections 1, 2, and 3 define the types of inventions that are excluded, of which CIIs are not explicitly excluded. Under Section 3, paragraph 10(h) of the Harare Protocol, "programs for computers" are explicitly excluded.

However, ARIPO's examination Guidelines state quite clearly that CIIs may be granted if there is a clear technical effect and a contribution to the prior art. In practice, however, ARIPO has historically processed very few CIIs patents.

For example, looking at WIPO patent statistics for ARIPO (data are not available for Ghana specifically) suggests that only a small number of patent applications (patent publications by technology) fall under the categories "Computer technology" and "IT methods for management." Between 1980 and 2017 (the latest year for which data is available), there were a total of 320 patent applications published under the categories "Computer technology" and "IT methods for management." This compares with 10,421 applications during this period, representing 3.07% of all published applications. Statistics for the number of patents actually granted are not available by technology for ARIPO. But in most jurisdictions, not all patents published are granted.

Given the fact that computer software and CIIs are at the heart of virtually all socio-economic activity from desktop PCs to smartphones, to artificial intelligence, to the Internet of Things, improving clarity on the patentability of CIIs in ARIPO and Ghana would be one of the easiest ways to help spur more local innovation, technological development and help drive investment and resources into developing new digital and ICT-based technologies in Ghana and contracting ARIPO states. The Index will continue to monitor these developments in 2026.

Copyrights and Limitations

11. Legal measures that provide necessary exclusive rights to prevent infringement of copyrights and related rights (including Web hosting, streaming, and linking); 12. Expedient injunctive-style relief and disabling of infringing content online; 13. Availability of frameworks that promote cooperative action against online piracy: As noted in previous editions of the Index, copyright enforcement in Ghana has long been a challenge. Piracy and counterfeiting are endemic, both offline and online, and the existing legal framework remains rudimentary. The Copyright Act provides rights holders with standard exclusive rights, and it makes no reference to, or recognition of, the special challenges posed by online infringement. The Electronic Transactions Act 2008 includes a fairly comprehensive definition and description of liability for service providers and intermediaries. Also, it opens up the possibility for injunctive-style relief and a court-ordered disabling of access to infringing and illegal content.

However, there is no evidence that either of these mechanisms is being made available to rights holders in a systematic and regularized fashion. A 2019 OECD case study of counterfeiting found that Ghana “has a high prevalence of counterfeit, pirated and substandard goods.” The study identified specific problem areas related to the high prevalence of copyright-infringing goods, electronics, counterfeit consumer goods, and textiles.

The U.S. Government has also consistently noted the weak IP enforcement environment and widespread prevalence of counterfeit and pirated goods in Ghana. Consequently, in 2025, the Ghana Copyright Office and the National Film Authority (NFA) announced stricter enforcement measures against copyright infringement. The NFA said it would begin revoking broadcasting licenses for any Ghanaian entity found distributing unlicensed or copyright-infringing content. This action follows public criticism from several African filmmakers and creators, who say their content was being broadcast and made available to the public in Ghana without their permission. At the time of the research, it was unclear whether the authorities had acted and/or whether the infringing materials had been taken down. The Index will continue to monitor these developments in 2026.