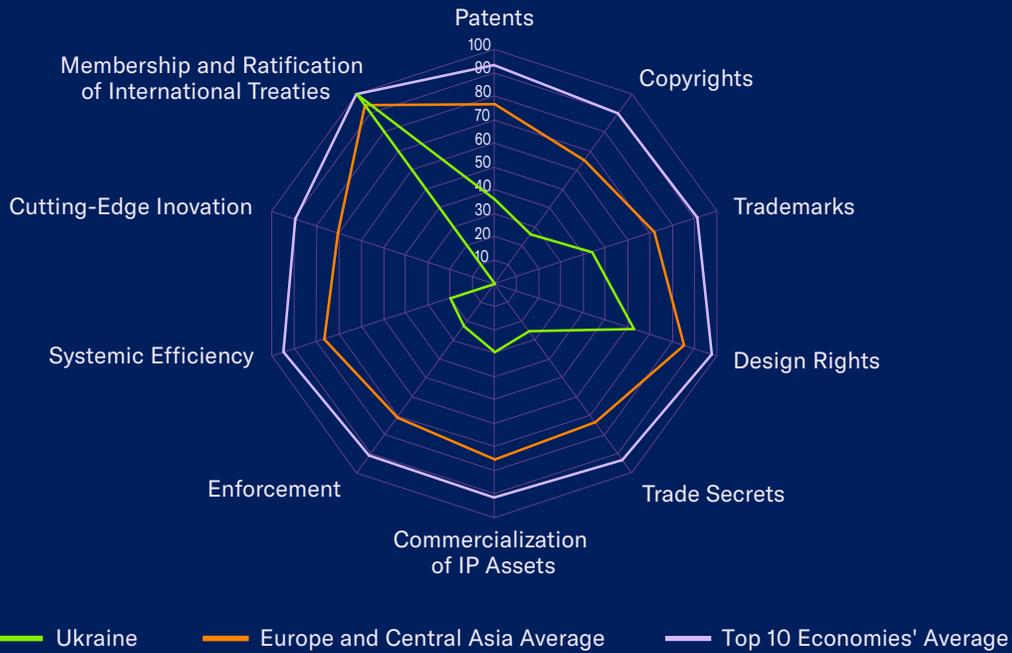




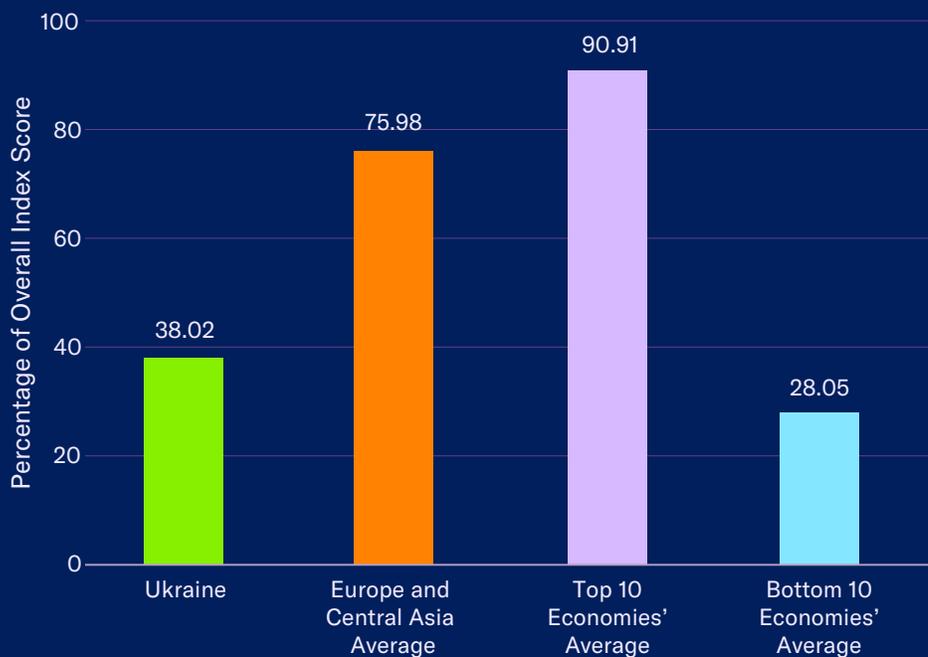
Ukraine

Rank
41/55

Category Scores



Overall Score in Comparison





Key Areas of Strength

- 2020 amendments to law on design rights extend term of protection to 25 years
- Growing body of case law on protection of trade secrets
- Amendments to Customs Code strengthens enforcement capacity
- Efforts to align IP legislation to EU standards and implement the Deep and Comprehensive Free Trade Area (DCFTA)
- New first instance Court for IP matters (the 'High Court') set up in 2017 – should help improve consistency and expertise within judiciary
- Contracting party to all international IP treaties included in the Index

Key Areas of Weakness

- No special IP incentives for orphan medicinal product development
- 2020 amendments to Law on Protection of Rights to Inventions and Utility Models weaken national IP environment especially in relation to life sciences
- 2020 amendments restrict patentability of biopharmaceutical inventions and introduce export exemption for products under patent term restoration (modelled on EU's Regulation 2019/933)
- Major gaps across all categories of the Index through both a lack of relevant IP laws and weak enforcement
- 80% software piracy rate in BSA latest estimates and continued lack of effective effort to reduce use of unlicensed software by public sector
- High rates of physical counterfeiting; Ukraine is a key transit point for counterfeiting entering EU
- Gaps in customs activities, notably lack of effective procedures for destruction of counterfeits

Indicator	Score	Indicator	Score
Category 1: Patents Rights and Limitations		3.25	
1. Term of protection	1.00	29. Direct Government intervention in setting licensing terms	0.25
2. Patentability requirements	0.00	30. IP as an economic asset	0.50
3. Patentability of CII	0.00	31. Tax incentives for the creation of IP assets	0.00
4. Plant variety protection	1.00	Category 7: Enforcement	
5. Pharmaceutical-related enforcement	0.25	1.57	
6. Legislative criteria and active use of compulsory licensing	0.00	32. Physical counterfeiting rates	0.37
7. Pharmaceutical patent term restoration	0.75	33. Software piracy rates	0.20
8. Membership of a Patent Prosecution Highway	0.00	34. Civil and procedural remedies	0.25
9. Patent Opposition	0.25	35. Pre-established damages	0.25
Category 2: Copyrights and Limitations		36. Criminal standards	0.25
1.83		37. Effective border measures	0.25
10. Term of protection	0.58	38. Transparency and public reporting by Customs	0.00
11. Exclusive rights	0.25	Category 8: Systemic Efficiency	
12. Expeditious legal remedies disabling access to infringing content online	0.00	1.00	
13. Cooperative action against online piracy	0.25	39. Coordination of IP rights enforcement	0.25
14. Limitations and exceptions	0.50	40. Consultation with stakeholders during IP policy formation	0.25
15. TPM and DRM	0.25	41. Educational campaigns and awareness raising	0.25
16. Government use of licensed software	0.00	42. Targeted incentives for the creation and use of IP assets for SMEs	0.00
Category 3: Trademarks Rights and Limitations		43. IP-intensive industries, national economic impact analysis	0.25
1.75		Category 9: Cutting-Edge Innovation	
17. Term of protection	1.00	0.00	
18. Protection of well-known marks	0.50	44. IP incentives for orphan medicinal product development	0.00
19. Exclusive rights, trademarks	0.25	45. IP incentives for orphan medicinal product development, term of protection	0.00
20. Frameworks against online sale of counterfeit goods	0.00	46. Restrictions on the effective use of existing IP incentives for orphan medicinal product development	0.00
Category 4: Design Rights and Limitations		Category 10: Membership and Ratification of International Treaties	
1.25		7.00	
21. Industrial Design Term of Protection	1.00	47. WIPO Internet Treaties	1.00
22. Exclusive rights, industrial design rights	0.25	48. Singapore Treaty on the Law of Trademarks and Protocol Relating to the Madrid Agreement Concerning the International Registration of Marks	1.00
Category 5: Trade Secrets and the Protection of Confidential Information		49. Patent Law Treaty and Patent Cooperation Treaty	1.00
0.75		50. Membership of the International Convention for the Protection of New Varieties of Plants, act of 1991	1.00
23. Protection of trade secrets (Civil Remedies)	0.25	51. Membership of the Convention on Cybercrime, 2001	1.00
24. Protection of trade secrets (Criminal Sanctions)	0.00	52. The Hague Agreement Concerning the International Registration of Industrial Designs	1.00
25. Regulatory data protection term	0.50	53. Post-TRIPS FTA	1.00
Category 6: Commercialization of IP Assets		Category 9: Cutting-Edge Innovation	
1.75		0.00	
26. Barriers to market access	0.25	Category 10: Membership and Ratification of International Treaties	
27. Barriers to technology transfer	0.25	7.00	
28. Registration and disclosure requirements of licensing deals	0.50	47. WIPO Internet Treaties	
		48. Singapore Treaty on the Law of Trademarks and Protocol Relating to the Madrid Agreement Concerning the International Registration of Marks	
		49. Patent Law Treaty and Patent Cooperation Treaty	
		50. Membership of the International Convention for the Protection of New Varieties of Plants, act of 1991	
		51. Membership of the Convention on Cybercrime, 2001	
		52. The Hague Agreement Concerning the International Registration of Industrial Designs	
		53. Post-TRIPS FTA	

Total Score: 20.15

Spotlight on the National IP Environment

Past Editions versus Current Score

Ukraine's overall score has decreased from 20.16 out of 53 indicators to 20.15. This reflects a score decrease on indicator 32.

Area of Note

In 2025, military hostilities continued in Ukraine due to Russia's 2022 invasion. Despite these difficulties, the Government of Ukraine and the ministries and agencies that make up the Ukrainian state continued to function. This includes the Ukrainian National Office for Intellectual Property and Innovations (UANIPPIO), which continues to provide users with a full range of its services and deepen its existing partnerships and cooperation agreements with several EU Member States and European institutions in 2025. For example, in 2025, UANIPPIO restored standard deadlines and timelines for most administrative activity relating to the registration and maintenance of IP rights.

In 2025, the Ukrainian government continued to strengthen Ukraine's political and institutional ties with the EU, following the EU's granting of official candidate status for EU membership in 2022. At the time of research, Ukraine had completed the EU's initial membership screening process. As Ukraine continues to rebuild and reconstruct its economy, IP policy and innovation should remain central to its efforts. For all economies — emerging and developed alike — what drives innovation, technological advances, and, ultimately, economic development and growth is the creation of new forms of intangible assets and IP.

Covering 53 indicators across 10 categories, the Index has, for a decade, provided a clear model of the type and strength of IP rights that international innovators, creators, and rights holders need to fully develop and commercialize their ideas and products. As the Government of Ukraine continues to pursue a program of national IP rights reforms, we encourage them to use the findings of the Index and the accompanying Statistical Annex as a guide in 2026 and beyond.

Patent Rights and Limitations

2. Patentability requirements; 3. Patentability of computer-implemented inventions; 5. Pharmaceutical-related patent enforcement and resolution mechanism; 6. Legislative criteria and use of compulsory licensing of patented products and technologies; and 9. Patent opposition: In 2025, the government made several changes to Ukraine's patent statute, the "Law on Protection of Rights to Inventions and Utility Models" (the 'Law'). This includes the introduction of a new regime relating to so-called Bolar exceptions for pharmaceutical inventions and an updated Procedure 877 relating to compulsory licensing. Neither of these proposals fundamentally improves the patenting environment for rights holders.

As noted throughout the Index, the protection of patents in Ukraine has long been problematic. Patentability standards stand firmly outside international best practices, with restrictions in place on many innovation-based and high-tech industries. For example, the Law has historically excluded computer programs from patentable subject matter. While there have been examples of patents granted for CIIIs, these are a small minority of the total number of patents filed and granted.

WIPO statistics show a small number of Ukrainian patent applications (patent publications by technology) were under the categories “Computer technology” and “IT methods for management.”

Data for the period 1994-2019 show a total of 824 patent applications published under the categories “Computer technology” and “IT methods for management.” This compares with a total of 65,000 applications during this period, or 1.27% of all published applications. Similarly, there have been restrictions on the patentability of biopharmaceutical subject matter, with many second-use claims and follow-on products defined under Article 7 as ineligible for patent protection. Since 2020, Ukraine has also had a pre- and post-grant patent opposition mechanism in place. As the Index noted at the time, the presence of a pre-grant patent opposition system within a given jurisdiction poses the potential (and often practice) of unduly delaying the grant of a patent. In fact, many Index economies with pre-grant opposition systems have experienced systematic and severe delays in the patent prosecution process.

Unfortunately, the 2025 amendments to the Law have not addressed any of these structural deficiencies. A strong pro-patenting legal framework that readily enables and incentivizes inventors to protect their innovations is a prerequisite for achieving high-tech, innovation-led economic growth and development. The Index will continue to monitor these developments in 2026.