

COMMENTS ON THE STATE OF INTELLECTUAL PROPERTY RIGHTS PROTECTION IN UKRAINE

PUBLIC HEARINGS AT THE OFFICE OF THE U.S. TRADE REPRESENTATIVE AS REGARDS THE PREPARATION OF THE 2026 SPECIAL 301 REPORT

The Government of Ukraine defines the development of the national intellectual property (IP) system as its priority task despite the ongoing Russian war of aggression against Ukraine.

Considering the whole range of challenges facing Ukraine and its people, the Government of Ukraine continues systemic sectoral reforms in the IP field and makes maximum efforts to improve the intellectual property rights (IPRs) protection.

The Government of Ukraine gives particular attention to the following issues in the field of legal protection and enforcement of IP rights:

- 1) strengthening institutional and regulatory framework for the legal protection of intellectual property in Ukraine;
- 2) improving the system of collective management of property rights in the field of copyright and related rights;
- 3) legalization of software use within executive authorities;
- 4) strengthening the enforcement of intellectual property rights.

The Ministry of Economy, Environment and Agriculture of Ukraine (“Ministry of Economy”), as a main state body responsible for the development and implementation of the state policy in the IP field, and the State Organization “Ukrainian National Office for Intellectual Property and Innovations” (“UANPIO”), continue their work to further improve the IP system. Intellectual property is considered as a key element of economic security, innovation-driven development, and Ukraine’s integration into European and global markets, as well as a necessary precondition for attracting foreign investment, including investment from U.S. businesses.

I. On strengthening institutional and regulatory framework for the legal protection of intellectual property in Ukraine

Development of legislation in the field of industrial property law

In 2025, the Verkhovna Rada of Ukraine adopted the following laws:

- Law of Ukraine “On Repeal of the Law of Ukraine “On the Protection of the Interests of Persons in the Field of Intellectual Property during the Period of Martial Law Introduced in Connection with the Armed Aggression of the Russian Federation against Ukraine” of April 16, 2025, No. 4362-IX, which restored standard statutory for actions in procedures for the registration and maintenance of IPRs that had been suspended in early 2022 due to Russia’s full-scale military invasion;

- Law of Ukraine “On Amendments to Certain Laws of Ukraine Regarding the Implementation of the Bolar Provision” of May 15, 2025, No. 4454-IX, which facilitates earlier market entry of pharmaceutical products upon the expiry of patent protection;

- Law of Ukraine “On Veteran Entrepreneurship” of July 31, 2025, No. 4563-IX, which, *inter alia*, provides incentives for veteran entrepreneurs, including benefits related to the registration of IPRs;

- Law of Ukraine “On Amendments to the Tax Code of Ukraine and Certain Other Laws of Ukraine on Supporting Enterprises of the Defense-Industrial Complex” of August 21, 2025, No. 4577-IX, which introduced restrictions on access to sensitive information contained in state registers relating to IPRs of residents of Defense City (participants in a special legal regime aimed at creating favorable conditions for stimulating the development of Ukraine’s defense-industrial complex, advancing cutting-edge technologies, attracting investment to the sector, and ensuring that the defense forces are equipped with modern weapons, military, and special equipment);

- Law of Ukraine “On Amendments to the Civil Code of Ukraine and Certain Other Laws of Ukraine Regarding the Specifics of Access to Information in Public Electronic Registers Administered by the Ministry of Justice of Ukraine and Certain Other Public Electronic Registers” of August 21, 2025, No. 4576-IX, which introduced restrictions on access to sensitive information in state registers relating to IPRs in the field of national security and defense.

By Order of UANIPIO dated May 6, 2025, No. 102/2025, Methodological Guidelines for the Examination of Patent Applications for Inventions and Utility Models were approved. By Order of UANIPIO dated October 17, 2025, No. 249/2025, Methodological Guidelines on Specific Issues of Trademark Application Examination were approved, aimed at improving examination procedures and harmonizing approaches to the application of legislation in trademark examination.

Throughout 2025, Ukraine continued the process of aligning its legislation with European Union *acquis* in the field of Industrial Property.

On implementation of subparagraphs 2, 3, and 4 of paragraph 93 of the Action Plan for the Implementation of the Recommendations of the European Commission, as presented in the Ukraine Progress Report under the 2024 European Union Enlargement Package, approved by Resolution of the Cabinet of Ministers of Ukraine of March 28, 2025, No. 300, draft Laws of Ukraine “On Trademarks,” “On Patents and Utility Models,” and “On the Protection of Trade Secrets” were developed and submitted to the European Commission for recommendations and/or comments.

Throughout 2025, a series of expert-level and inter-agency consultations on the above draft laws were conducted. A broad range of stakeholders participated in these discussions, including representatives of central executive authorities, the Supreme Court, the Antimonopoly Committee of Ukraine, research institutions of the National Academy of Legal Sciences of Ukraine and the National Academy of Sciences of Ukraine, specialized higher education institutions, as well as professional associations of patent attorneys and the business community.

In October 2025, a meeting was held between representatives of the American Chamber of Commerce in Ukraine and the Ministry of Economy, Environment and Agriculture of Ukraine, together with UANIPIO, during which the above-mentioned EU integration draft laws were discussed.

Following the receipt of a positive assessment from the European Commission, the draft Law of Ukraine “On the Protection of Trade Secrets” is being prepared for submission to the Cabinet of Ministers of Ukraine, with subsequent submission to the Verkhovna Rada of Ukraine.

As regards the draft Laws of Ukraine “On Patents and Utility Models” and “On Trademarks,” comments and proposals received from international experts of the international technical assistance project “EU4IP: Strengthening Intellectual Property Rights

in Moldova and Ukraine,” funded by the European Union jointly with the European Union Intellectual Property Office (EUIPO), are currently being processed.

In 2026, it is planned to organize and conduct broad public and expert-level consultations on the draft Laws of Ukraine “On Trademarks,” “On Patents and Utility Models,” and “On the Protection of Trade Secrets,” with the involvement of representatives of the American Chamber of Commerce in Ukraine (AmCham Ukraine), other business associations, professional IP organizations, and the academic community, with a view to obtaining consolidated feedback, improving the quality of legislative solutions, and ensuring their compliance with the EU *acquis* and best European practices.

In addition, work is underway on the legislative regulation of certain aspects of technology transfer into Ukraine, in particular with regard to ensuring adequate protection of investors’ intellectual property rights. This issue has been identified as requiring additional regulatory clarification, taking into account practical experience in attracting foreign technologies and investment.

Furthermore, a draft new Civil Code of Ukraine (Private Law Code) was registered with the Verkhovna Rada of Ukraine (registration No. 14394 of January 22, 2026). The development of the draft Code is driven by a combination of factors, including the need to modernize the fundamental institutions of civil law in light of the digital economy and European trends, as well as demand from the business community and civil society for increased efficiency, fairness, and predictability of private-law regulation. Updating the Code is important for ensuring an adequate legal environment conducive to economic development, investment attraction, and the protection of human rights in Ukraine. The draft Code clarifies issues related to the legal protection and enforcement of IPRs and strengthens the regulation of the transferability of IP property rights.

Improvement of secondary (by-law) regulatory regulation in the field of industrial property law and related acts

In 2025, a number of draft secondary (by-law) regulatory acts in the field of IP were also prepared and are expected to be adopted in the near future, including:

- a draft Resolution of the Cabinet of Ministers of Ukraine “On Amendments to the Procedure for Payment of Fees for Actions Related to the Protection of Intellectual Property Rights,” which provides for fee reductions for the registration of IP objects for veteran-owned businesses, in implementation of the above-mentioned Law of Ukraine of July 31, 2025, No. 4563-IX. The draft resolution is currently undergoing inter-agency coordination;

- a draft Resolution of the Cabinet of Ministers of Ukraine “On Approval of the Procedure for Restricting Access to Information in State Registers in the Field of Intellectual Property Related to National Security and Defense,” developed in implementation of the above-mentioned Law of Ukraine of August 21, 2025, No. 4576-IX. The draft establishes a mechanism for restricting and restoring access to specific information contained in state IP registers, defines the categories of information subject to restricted access, identifies the competent authorities, sets out the procedure for submission and review by the National Intellectual Property Authority (NIPA) of applications for restricting or restoring access, and regulates the provision of information from registers to law enforcement authorities concerning applications and IP rights subject to restricted access. The draft resolution is currently undergoing inter-agency coordination;

- a draft Resolution of the Cabinet of Ministers of Ukraine “On Approval of the Intellectual Property Development Strategy of Ukraine until 2030 and Approval of the Operational Action Plan for Its Implementation in 2026–2028”;

- a draft Order of the Ministry of Economy, Environment and Agriculture of Ukraine “On Approval of the Procedure for Maintaining the State Register of Geographical Indications of Ukraine,” which defines the operation of the State Register of Geographical Indications as a public electronic register in accordance with Article 27 of the Law of Ukraine “On Public Electronic Registers.” The Register will operate in electronic form with integration into the WIPO Lisbon System and the EU GIview system. The draft order has been submitted for state registration to the Ministry of Justice of Ukraine;

- a draft Order of the Ministry of Economy, Environment and Agriculture of Ukraine “On Approval of the Rules for the Preparation, Filing, and Examination of Applications for the Registration of Semiconductor Topographies,” which sets out, *inter alia*, the conditions for legal protection and protectability of semiconductor topographies, requirements for application documents (including electronic applications) and their content, procedures for filing and registration of application documents, appointment and conduct of examination, communication in relation to applications, and procedures for appealing examination decisions. The draft order is currently undergoing inter-agency coordination.

Further improvements were made to establish unified approaches to the application of legislation in the examination of applications for inventions and utility models, as well as for trademarks. In particular, by 1) order of UANIPIO dated May 6, 2025, No. 102/2025, Methodological Guidelines for the Examination of Patent Applications for Inventions and Utility Models were approved, 2) order of UANIPIO dated October 17, 2025, No. 249/2025, Methodological Guidelines on Specific Issues of Trademark Application Examination were approved.

Development of legislation in the field of copyright and related rights

In 2025, activities in the field of legal regulation of copyright and related rights were focused on strengthening their protection and fulfilling Ukraine’s EU integration commitments.

Taking into account Ukraine’s plans presented during discussions at a bilateral meeting between Ukraine and the European Commission in the framework of the official screening process, work was carried out in 2025 on developing proposals for amendments to the Law of Ukraine “On Copyright and Related Rights” and other legislative acts, with a view to aligning national regulation with EU law.

In implementation of subparagraph 1 of paragraph 93 of the Action Plan for the Implementation of the Recommendations of the European Commission, as presented in the Ukraine Progress Report under the 2024 European Union Enlargement Package, approved by Resolution of the Cabinet of Ministers of Ukraine of March 28, 2025, No. 300, a draft Law of Ukraine “On Amendments to the Laws of Ukraine in the Field of Copyright and Related Rights” was developed and submitted to the European Commission for recommendations and/or comments. Comments and proposals on this draft law received from international experts of the EU4IP project are currently being processed.

During the drafting process, numerous stakeholder consultations were held. The proposals were subject to broad expert discussion involving public authorities, academic institutions, collective management organizations, international experts of the EU4IP project, as well as right holders. These consultations enabled the preparation of coordinated Ukrainian positions for further consultations with the European Commission. The proposals concern the implementation of the provisions of Directives 93/83/EEC, 96/9/EC, 2001/29/EC, 2001/84/EC, 2006/115/EC, 2009/24/EC, 2012/28/EU, 2017/1564/EU, 2019/789/EU, and 2019/790/EU.

The proposed amendments, *inter alia*, provide for improvements to the regulation of the use of generative artificial intelligence (text and data mining in accordance with the requirements of Directive (EU) 2019/790), enhanced transparency of contracts between creators and right holders, additional fair and proportionate remuneration for authors and performers, extension of the term of protection of economic rights in published performances and phonograms to 70 years, a framework for the use of out-of-commerce works, as well as the application of regional (within the EU) exhaustion of the distribution right following Ukraine's accession to the European Union.

A separate set of proposals is aimed at implementing the provisions of Article 8(3) of Directive 2001/29/EC, which provides for the possibility for right holders to apply to courts for injunctive against intermediaries (website owners and/or hosting service providers) whose services are used by third parties to infringe copyright or related rights. These amendments are intended to strengthen anti-piracy mechanisms, enhance the effectiveness of judicial enforcement, and ensure the prompt cessation of copyright and related rights infringements on the Internet.

Improvement of secondary (by-law) regulatory regulation in the field of copyright and related rights

In addition, in 2025 Ukraine continued to improve secondary (by-law) regulatory legislation in the field of copyright and related rights, aimed at enhancing legal certainty and the efficiency of administrative procedures. In particular, by Resolution of the Cabinet of Ministers of Ukraine of May 21, 2025, No. 585, the procedure for acquiring and losing orphan works status was improved.

By Order of the Ministry of Economy of Ukraine of May 27, 2025, No. 337, the procedure for state registration of copyright and contracts relating to economic rights in works was updated, including a reduction in the time limits for copyright registration.

Regulatory and organizational framework for the acquisition and exercise of IP rights in the field of security and defense

Development of legislation on the specific features of IPRs protection in the field of security and defense

In 2025, the Verkhovna Rada of Ukraine adopted laws regulating legal relations concerning the creation of IP objects by military personnel during military service, namely:

- Law of Ukraine "On Amendments to Certain Laws of Ukraine Regarding Intellectual Property Rights to Objects Created in Connection with Military Service" No. 4585-IX of August 21, 2025;

- Law of Ukraine "On Amendments to the Civil Code of Ukraine Regarding Intellectual Property Economic Rights to Objects Created in Connection with Military Service" No. 4671-IX of November 4, 2025.

These draft laws were developed with the participation of representatives of the Ministry of Defence of Ukraine ("MoD"), the Ukrainian National Office for Intellectual Property and Innovations, and the Institute of Lawmaking and Scientific Legal Expertise of the National Academy of Sciences of Ukraine.

The MoD is actively preparing regulatory acts to ensure the proper implementation of legislation on IP protection.

In particular, the following regulatory acts were adopted:

- Resolution of the Cabinet of Ministers of Ukraine of October 13, 2025, No. 1310 "On the Implementation of an Experimental Project on Granting the Right to Use Technologies Applicable to the Production of Defence Products";

- Order of the Ministry of Defence of Ukraine of May 29, 2025, No. 343 “Certain Issues of Organizing Activities Related to the Acquisition, Exercise, and Protection of Intellectual Property Rights within the System of the Ministry of Defence of Ukraine”;

- Order of the Ministry of Defence of Ukraine of May 29, 2025, No. 342 “On the Regulation of Certain Issues Related to the Organization of Scientific and Scientific-Technical Activities and the Protection of Intellectual Property Rights within the System of the Ministry of Defence of Ukraine”;

- Order of the Ministry of Defence of Ukraine of September 28, 2025, No. 637 “On the Establishment of a Commission for the Inventory and Determination of the Initial Value of Intellectual Property Economic Rights Owned by the Ministry of Defence of Ukraine.”

In addition, a draft Resolution of the Cabinet of Ministers of Ukraine “On Approval of the Intellectual Property Management Policy in the Defence-Industrial Complex of Ukraine” has been submitted for consideration by the Government.

During 2025, draft regulatory acts were developed and are currently undergoing the approval process, including:

Draft Resolutions of the Cabinet of Ministers of Ukraine:

- On Approval of the Procedure for Calculating and Paying Remuneration by Business Entities for the Use of Results of Research and Development Works that are State-Owned During the Production of Defence Products;

- On Approval of the Procedure for Issuing Licenses (Authorizations) for the Use of Intellectual Property Objects Owned by the State Represented by the Ministry of Defence and Other Authorities Managing Military Property;

- On Approval of the Procedure for Exercising the Preferential Right to Acquire a License for the Use of Intellectual Property Objects Created in Connection with the Performance of Official Duties During Military Service;

- On Certain Issues Related to Remuneration for the Creation of Intellectual Property Objects in Connection with the Performance of Official Duties During Military Service.

Draft Orders of the Ministry of Defence of Ukraine:

- On Approval of the Procedure for Managing Intellectual Property Rights to Military Designations and Military Symbols;

- On Approval of the Procedure for Submitting and Reviewing Notifications Concerning Intellectual Property Objects Created in Connection with the Performance of Official Duties During Military Service;

- On Approval of the Procedure and Scope for Granting Military Units Intellectual Property Economic Rights for the Performance of Assigned Tasks and/or Lawful Economic Activities.

Institutional development aimed at the protection and enforcement of IPRs in the field of security and defense

In order to ensure proper enforcement and compliance with IPRs within the system of the MoD, an Intellectual Property Division was established within the MoD in May 2025.

The Division performs tasks related to the organization of inventive and rationalization work in the field of defense, the acquisition, management, and disposal of IP economic rights; and undertaking measures for the state registration of IP objects and/or related economic rights, maintaining the validity of acquired rights, and ensuring their enforcement. The Division is staffed by civil servants and military personnel with significant experience in the IP field, including four certified Ukrainian patent attorneys.

The Division has launched systematic reform efforts to strengthen IP protection within the MoD system, aimed at ensuring proper enforcement and compliance with IP rights,

safeguarding the rights of inventors and authors, and establishing effective accounting and management of IP rights owned by the MoD.

In addition, in 2025 the MoD established a permanent Commission for the Inventory and Determination of the Initial Value of Intellectual Property Economic Rights owned by the Ministry of Defence of Ukraine. The MoD also fulfilled measures under para. 2.6.1.4.2 of the State Anti-Corruption Program for 2023–2025, specifically by conducting an inventory of IP objects within the Ministry of Defence system.

The MoD carries out systematic work to ensure compliance with IP rights in the development and use of computer programs. The commissioning of computer programs developed within the MoD system requires verification of IP compliance at each stage of development. A mandatory component of the documentation package for any computer program is a license or license agreement defining the terms of use. The use of third-party software is permitted only if such software is approved for use within the MoD system. Installation of such software is performed exclusively by authorized officials responsible for ensuring security and the availability of valid authorization documents permitting software use.

The MoD also undertakes activities to protect IP rights in defense technologies developed within the Ministry, including measures for the state registration of IP objects. Enforcement actions are pursued through judicial and administrative procedures.

The established portfolio of IPRs objects is being deployed in practical use. In 2025, the MoD granted 30 licenses to manufacturers for the use of defense-related IP objects and concluded the first-ever interagency license agreement in the Ministry's history, granting the United Kingdom's defense authorities the right to use interceptor drone technology.

Institutional Development of the IP System

In 2025, Ukraine ensured the uninterrupted functioning of a two-tier system of public administration in the field of intellectual property:

- the Ministry of Economy, Environment and Agriculture of Ukraine, as the central executive authority responsible for the formulation and implementation of state policy in the IP field;

- the State Organization “Ukrainian National Office for Intellectual Property and Innovations” (UANIPIO), acting as the National Intellectual Property Authority, a legal entity of public law, exercising authority to implement state policy in the IP field.

The year's priorities included ensuring the stability of IP protection procedures, digital integration with the EUIPO tools, increasing transparency of decisions, and institutional measures aimed at strengthening enforcement and integrity, including the operation of ISO 9001 quality management and ISO 37001 anti-bribery management systems.

Special attention in 2025 was paid to strategic planning for the development of the IP sector. Work is nearing completion on the Intellectual Property Development Strategy of Ukraine until 2030, which, *inter alia*, defines the priority directions for development over this period. The priorities for the next five years include European integration and harmonization of legal standards; improved access to the intellectual property system for the broadest possible range of stakeholders; digital transformation of the IP system; creation of favorable conditions for the development of an innovation ecosystem; an effective system for the protection and enforcement of IPRs; effective management of IPRs in the field of security and defense; and the development of a culture of respect for IPRs.

On November 21, 2025, the Ministry of Economy published on its official website, for public consultation, a draft Resolution of the Cabinet of Ministers of Ukraine “On Approval

of the Intellectual Property Development Strategy of Ukraine until 2030 and Approval of the Operational Action Plan for Its Implementation in 2026–2028.” The Strategy will also define pathways for the development of the system of legal protection of IP, enhancement of the effectiveness of IPRs enforcement, and stimulation of IP commercialization in Ukraine, taking into account Ukraine’s European integration trajectory. This will contribute to the harmonization of state policy in the IP sphere with European Union standards and to the achievement of Ukraine’s broader socio-economic growth objectives. At present, the draft document is undergoing interagency coordination with central executive authorities and finalization prior to approval by the Government.

In 2025, UANIPIO continued to exercise its public powers and functions in the field of IP protection. These functions include, *inter alia*, the receipt and examination of applications for industrial property objects (inventions, utility models, industrial designs, trademarks, geographical indications, and semiconductors), maintenance of state registers, state registration of copyright and related agreements, issuance of patents and certificates, operation of the Appeals Chamber, as well as the training, certification, and maintenance of the register of IP representatives (patent attorneys).

As a result of UANIPIO activities in 2025, 31,452 examinations of applications for industrial property objects were completed. During this period, 1,224 inventions, 3,718 utility models, 25,407 trademarks (including 20,281 under the national procedure and 5,126 under the Madrid System), 1,099 industrial designs, 1 geographical indication, and 3 semiconductor were registered. UANIPIO continues to systematically reduce examination timeframes for industrial property applications. In 2025, the average examination duration was 16 months for trademarks, 36 months for inventions, 4 months for utility models, and 3 months for industrial designs. Applications relating to security and defense technologies are examined on a priority basis under accelerated timelines.

In 2025, courts invalidated 52 IP titles (patents and/or certificates issued by UANIPIO), representing approximately 0.24% of the average annual number of registrations for the relevant categories of industrial property objects over the period 2023–2025. By category, the invalidation rate did not exceed 1% (inventions – 0.33%, utility models – 0.09%, industrial designs – 0.97%, trademarks – 0.22%), demonstrating a high level of legal certainty and the quality and stability of IP examination.

In addition, 9,103 copyright for works and 319 agreements relating to economic rights were registered.

A major step toward international integration and increased transparency was achieved in 2025 with the completion of the integration of over 600,000 Ukrainian trademarks into the TMview database administered by EUIPO. This integration brings Ukraine closer to the digital environment of the European Union Intellectual Property Network (EUIPN) and ensures full visibility of Ukrainian trademarks at the European and global levels. Moreover, integration into TMview serves as an indicator of the technical and institutional compatibility of Ukraine’s IP system with European standards. At the end of 2025, work began on integrating industrial design data into the EUIPO DesignView database, with completion expected by mid-2026.

In 2025, UANIPIO continued to perform the functions of an International Searching Authority (ISA) and an International Preliminary Examining Authority (IPEA) under the Patent Cooperation Treaty (PCT). These functions are exercised pursuant to the Law of Ukraine “On the Protection of Rights to Inventions and Utility Models”, as well as the Agreement between the Ministry of Economy and the International Bureau of World

Intellectual Property Organization (WIPO) of October 6, 2017, as amended on July 14, 2023.

In 2025, UANIPIO, acting as an ISA, received 74 search copies. The volume of UANIPIO's ISA activities in respect of international applications filed both with UANIPIO as a Receiving Office and with the WIPO International Bureau as a Receiving Office continues to increase. Seventy-two international applications were filed with UANIPIO as the Receiving Office, and 100% of international search reports and written opinions were transmitted to applicants and to the WIPO International Bureau in full compliance with the time limits established by the PCT.

At the 33rd session of the WIPO PCT Committee for Technical Cooperation (February 2–6, 2026), the Committee issued a positive advice to the PCT Union Assembly regarding the extension of UANIPIO's appointment as an ISA and IPEA under the PCT until 2038. This assessment confirms UANIPIO's compliance with international standards of quality, management, and institutional capacity, which is of significant importance in the context of the overall evaluation of the effectiveness of Ukraine's IP system.

UANIPIO's institutional capacity as an ISA and IPEA is based on a stable human resources framework, a well-developed system of examiner training and professional development, access to comprehensive patent and non-patent literature, and the operation of a certified quality management system. As of 2025, 102 examiners are employed by UANIPIO. The average professional experience of examiners is approximately 18 years, ensuring deep technical expertise across all major technological fields required for conducting international searches and international preliminary examinations.

The maintenance and further development of examiners' professional competence is ensured through systematic participation in training programs of the WIPO Academy, educational and e-learning courses of the European Patent Office Academy, internal seminars, and specialized training on patent search and examination, as well as continuous access to up-to-date legal and technical resources through internal examination systems.

Under conditions of martial law, UANIPIO has implemented a comprehensive set of crisis management and business continuity measures, including secure digital infrastructure, remote working arrangements, and protected access to databases. Crisis management is carried out by UANIPIO's management within a formalized civil protection and coordination framework, ensuring the stable operation of ISA and IPEA functions even under emergency circumstances.

As part of efforts to enhance internal governance quality and institutional efficiency, in February 2025 UANIPIO adopted a system of Objectives and Key Results (OKRs) and Key Performance Indicators (KPIs). This enabled a clear linkage between strategic development priorities set out in UANIPIO's Strategic Development Plans for 2024–2028 and the day-to-day operational activities of its structural units. These management tools contribute to increased accountability, enable objective performance assessment, and allow for prompt process adjustments where issues are identified.

UANIPIO maintains certification of compliance with the international standard ISO 9001:2015 "Quality Management Systems." In particular, the international certification body DEKRA conducted the second surveillance audit (June 10-11, 2025), which confirmed UANIPIO's continued compliance with the requirements of ISO 9001:2015 in 2025.

An important component of institutional trust in the IP system is anti-corruption policy. In 2025, UANIPIO continued the systematic development and implementation of its Corruption Prevention and Counteraction Policy and the UANIPIO Anti-Corruption

Program for 2025–2027, in line with the Strategic Development Plan for 2024-2028¹. In September 2025, UANIPIO successfully passed its first surveillance audit for compliance with the international standard ISO 37001:2016 “Anti-bribery management systems – Requirements with guidance for use” and the national standard DSTU ISO 37001:2018 (ISO 37001:2016, IDT). As a result, compliance with the requirements of ISO 37001:2016 and DSTU ISO 37001:2018 was confirmed and the relevant certificates were extended. In addition, in 2025 a large-scale awareness-raising event entitled “Key Aspects of Anti-Corruption Legislation” was implemented by the National Agency on Corruption Prevention (NACP), with the participation of more than 400 UANIPIO employees. The NACP, jointly with the Ministry of Economy and UANIPIO, plans to organize a similar outreach event for the broader IP community, including professional market participants and representatives of civil society.

Digitalization of IP procedures remains one of the key tools for improving efficiency, transparency, and accessibility of the system. In 2025, UANIPIO continued the implementation of the “paperless office” concept, the development of electronic document management, electronic services for applicants, and open data interfaces (APIs).

In 2025, UANIPIO developed and put into full operational use software solutions providing digital support for procedures related to access to the profession of IP representatives, namely the system “Certification of Patent Attorney Candidates and Patent Attorneys,” as well as the “Register of Patent Attorneys” module.

Also in 2025, the “UANIPIO Web Portal” software was developed and launched in pilot operation and is currently at the stage of adding information and reference data. The web portal is envisaged as a key access point for users to IP-related digital services and as a tool to enhance openness and communication within the IP system, including through the operation of a unified applicant's account for filing documents and interacting with UANIPIO.

Measures aimed at increasing UANIPIO’s operational efficiency, expanding the range of IP protection and enforcement services, and strengthening innovation capacity received international recognition. Based on the results of 2025, UANIPIO was ranked among the Top 20 most innovative IP offices worldwide according to the World Trademark Review IP Office Innovation Ranking². Respondents to the ranking highly assessed the development of UANIPIO’s non-core services and positively noted the stability and reliability of its website, as well as its gradual alignment with international best practices.

In 2025, for the first time since 2017, the Attestation Commission of UANIPIO successfully certified 76 intellectual property representatives (patent attorneys), including, by respective specializations: 74 in trademarks; 60 in industrial designs; 27 in inventions and utility models; 16 in semiconductors; 37 in geographical indications; and 27 in legal services.

In addition, in May 2025 the UANIPIO Appeals Commission commenced its operations and reviewed six complaints (three complaints against the actions of patent attorneys were dismissed, while three complaints against decisions of the Attestation Commission of UANIPIO were upheld).

The successful certification process and the replenishment of the market for professional legal services with new patent attorneys are expected to facilitate more active

¹ https://nipo.gov.ua/wp-content/uploads/2024/04/ENG_The_Strategic_Development_Plan_2024-2028-web.pdf

² <https://www.worldtrademarkreview.com/article/euipo-and-ukipo-ranked-most-innovative-offices-in-the-world>

and transparent access to IP protection services and, accordingly, to improve the quality and accessibility of such services for foreign applicants.

During 2025, 113 oppositions against decisions were filed with the UANIPIO Appeals Chamber, along with six appeal applications for invalidation of industrial design rights and ten applications for recognition of trademarks as well-known in Ukraine. In addition, in 2025 UANIPIO published a review of key decisions of the Appeals Chamber for 2024.

In August 2025, Ukraine restored the general procedural time limits for actions related to the protection of IP rights, which had previously been suspended pursuant to the Law of Ukraine “On the Protection of the Interests of Persons in the Field of Intellectual Property during the Period of Martial Law Introduced in Connection with the Armed Aggression of the Russian Federation against Ukraine” of April 1, 2022, No. 2174-IX. As a result, the number of filings with the UANIPIO Appeals Chamber increased starting from August 2025.

Based on the results of case consideration in 2025, the Appeals Chamber adopted 105 decisions, and 89 decisions were prepared for approval by UANIPIO orders and published on the official website³ (including 77 decisions on oppositions, 6 on appeal applications, and 6 on applications for recognition of trademarks as well-known in Ukraine).

In 2025, only 2 decisions of the Appeals Chamber were challenged in court, indicating the high quality, legal robustness, and level of trust in the Appeals Chamber’s decisions.

A Commission for granting permission to use the official name and international letter code of the state of Ukraine in the trademark and/or to include the imitation of small State Emblem of Ukraine in the trademark image continues to operate within UANIPIO. During 2025, the Commission reviewed 102 applications concerning the use of state symbols in trademarks.

A separate, autonomous structural unit dedicated to promoting the development of intellectual property law and innovation in the field of security and defense has been established within UANIPIO. In addition to UANIPIO’s involvement in the preparation of draft legislation and other regulatory acts on IP matters in the defense sector, ongoing advisory support is provided to developers of defense technologies on IP protection and enforcement, as well as on pathways for their further deployment, management, and commercialization.

The implementation of development initiatives continues, including the National IP & Innovations Hub, the network of Technology and Innovation Support Centers (TISCs), the National Intellectual Property Training Center (IP Academy), and the IP Mediation Center, among others.

In 2025, the National IP & Innovations Hub conducted 125 events (webinars, training sessions, workshops, and strategic sessions supporting industrial parks) and provided more than 11,500 consultations on IP and innovation matters to inventors, researchers, authors, creators, and businesses.

The National Intellectual Property Training Center (IP Academy) delivered over 90 educational events and published more than 20 educational and methodological publications. It also implemented international educational projects in cooperation with the WIPO Academy, including the completion of a project for traditional folk arts masters entitled “The Role of Intellectual Property in Preserving the Nation’s Code,” the launch of the project “Empowering Women in Innovation and Startups” with the support of the

³ <https://www.worldtrademarkreview.com/article/euipo-and-ukipo-ranked-most-innovative-offices-in-the-world>

³ <https://nipo.gov.ua/apeliatsijna-palata-noiv/>

Korean Intellectual Property Office (KIPO), and the adaptation of the WIPO online courses DL-001 and DL-101.

The IP Mediation Center has established a pool of 23 professional business and IP mediators, conducted 10 awareness-raising and expert events, and ensured the participation of two representatives of the Center in the Interagency Coordination Council on the Development of Alternative Dispute Resolution Methods under the Cabinet of Ministers of Ukraine.

Active cooperation continues with international, regional, and national IP institutions, in particular with a view to harmonizing practices and aligning national legislation with the EU *acquis*.

On February 26 and 28, 2025, sessions of the World Trade Organization (WTO) Trade Policy Review Body were held at WTO Headquarters in Geneva, Switzerland, within the framework of which the second Trade Policy Review of Ukraine was conducted. Preparation for this comprehensive review lasted more than one year and involved close cooperation between Ukrainian government institutions, the Ministry of Economy, the WTO Secretariat, and WTO Members, including a detailed review of IP issues in Ukraine.

The Ukrainian delegation ensures regular participation in meetings of the Assemblies of the Member States of the World Intellectual Property Organization (WIPO), the Assemblies of the Unions, Standing Committees, and ad hoc working groups of WIPO.

In implementation of the Decision “Assistance and Support for the Innovation and Creative Sectors and the IP System of Ukraine,” adopted at the 65th Series of Meetings of the WIPO Assemblies, the WIPO International Bureau published⁴ a report assessing the medium- and long-term impact of the Russian Federation’s military aggression on Ukraine’s innovation and creative sectors and ecosystem.

In July 2025, during the participation of the Delegation of the Government of Ukraine in the 66th Series of Meetings of the WIPO Assemblies, a Memorandum of Understanding between WIPO and the Ministry of Economy⁵ was concluded, covering cooperation in the field of intellectual property for the subsequent two-year period. The key areas of cooperation include the further development of the national IP system; strengthening the IPR protection and enforcement, including copyright and related rights; capacity-building of UANIPIO, including IT infrastructure and digital services; cooperation on the further implementation of Ukraine’s IP Strategy; support for the development of Ukraine’s collective management system; and enhanced efforts to combat counterfeiting and support IP enforcement.

Within the framework of the agenda items of the 66th Series of Meetings of the WIPO Assemblies, Ukraine was elected to three key WIPO governing bodies for the next two-year term (July 2025 – July 2027), namely the WIPO Coordination Committee, the Paris Union Executive Committee, and the WIPO Program and Budget Committee.

Also during the 66th Series of Meetings of the WIPO Assemblies, on July 9, 2025, an updated Memorandum on Reinforced Technical and Strategic Partnership was concluded between the European Patent Office and UANIPIO. The Memorandum aims to continue and deepen cooperation between the Offices in strategically important areas, including technical assistance in patent examination, infrastructure support and staff capacity-building, as well as the exchange of legal and analytical data.

⁴ https://www.wipo.int/edocs/mdocs/govbody/en/a_66/a_66_8.pdf

⁵ https://zakon.rada.gov.ua/laws/show/999_001-25

From September 15 to 19, 2025, in Washington, D.C., United States, a representative of UANIPIO participated in the International Copyright Institute 2025 (ICI 2025), organized by WIPO in cooperation with the U.S. Copyright Office (USCO). Participation in this event contributed to enhanced inter-institutional cooperation with WIPO and USCO, including discussions on organizing joint activities with USCO, as well as strengthening institutional capacity in the context of Ukraine's EU integration efforts in the IP field.

In October 2025, a UANIPIO representative participated in the professional exchange program "Using IP Rights to Protect Research," which forms part of the International Visitor Leadership Program (IVLP) organized by the U.S. Department of State's Bureau of Educational and Cultural Affairs. Participation in this program facilitated enhanced cooperation with U.S. academic institutions, investors, and law enforcement authorities with a view to strengthening research security and national competitiveness.

UANIPIO, in cooperation with the American Chamber of Commerce in Ukraine and PricewaterhouseCoopers (PwC), plans to hold a joint public event in 2026 dedicated to export control, IP protection, and technology transfer (Export Licensing, IPR & Technology Transfer). The event aims to raise awareness within the business community, particularly among foreign investors and companies with U.S. capital, regarding the specifics of IP legal regulation, export licensing requirements, and technology rights management in Ukraine.

In 2025, implementation continued of the European Commission and EUIPO project "EU4IP – Strengthening Intellectual Property Rights in Moldova and Ukraine" (EU4IP project), in particular with respect to activities under Expected Result 4, which is directly aimed at strengthening cooperation on IP enforcement and the fight against infringements, including counterfeiting and piracy. Targeted capacity-building for law enforcement authorities was ensured, including the exchange of practices, participation in specialized events, preparation of analytical materials, and enhanced interagency coordination and operational capacity in the area of customs enforcement, as further detailed in the following sections.

Within the framework of negotiations on Ukraine's accession to the European Union, during 2025 Ukraine prepared its Negotiating Position under Chapter 7 "Intellectual Property Law" of Cluster 2 "Internal Market", as well as the National Programme for the Adaptation of Ukrainian Legislation to EU Law (*EU acquis*).

In addition, a representative of the Intellectual Property Committee of the American Chamber of Commerce in Ukraine was included in the Working (Negotiating) Group responsible for preparing Ukraine's negotiating positions in the context of negotiations with the European Union on the EU Accession Agreement, with respect to intellectual property matters.

Work is ongoing on the preparation of a Roadmap for 2025-2027 for Ukraine's accession to the European Patent Convention (EPC). This Roadmap is being developed to define sequenced steps for adapting the institutional and procedural mechanisms required to align Ukraine's patent system with the European patent framework.

In addition, as part of its EU integration commitments, Ukraine is preparing to accede to the Geneva Act of the Lisbon Agreement on Appellations of Origin and Geographical Indications by December 2027. To this end, consultations have been initiated with relevant authorities and partners, including the WIPO, on the necessary legislative and procedural steps.

Within the framework of its request for accelerated integration, Ukraine is also working toward accession to the European Union Intellectual Property Network (EUIPN) and participation in targeted and working groups of the European Observatory on

Infringements of Intellectual Property Rights. Such integration is considered as a practical tool for enhancing the level of IP enforcement, in particular through access to the Observatory's shared tools on best enforcement practices and coordinated measures to counter IP infringements.

An additional element of strategic planning and public discussion in the IP field was the 4th National IP and Innovation Forum "Intellectual Property: Law, Economy, Technology" (IP LET Forum 2025), held on November 27, 2025, jointly with the EU4IP project and EUIPO, and organized in partnership with the WIPO and the EPO. The Forum featured thematic discussions on the interconnection between IP rights, economic development, innovation policy, and digital transformation, including issues of effective enforcement, countering piracy and counterfeiting, strengthening institutional capacity of public authorities, and the role of IP in Ukraine's economic recovery.

In May 2025, the National Dialogue Forum "Ukrainian Music Industry: Listen, Protect What Is Yours" was held under the patronage of the Office of the President of Ukraine. This sector-specific event focused on current issues of copyright protection in the music sector and the development of a sustainable creative industry. Practical outcomes of the Forum included the launch of a national awareness campaign "IP and Music: Feel the Beat of IP," as well as the implementation of a joint educational project for authors "United for IP," implemented by UANIPIO together with the NGO "Ukrainian Agency for Copyright and Related Rights".

In 2025, Ukraine continued the systematic implementation of sanctions policy in the IP field as one of the instruments for protecting national interests, economic security, and the integrity of the international IP protection system in the context of Russia's ongoing war of aggression against Ukraine. During the examination of applications, verification is carried out as to whether the applicant is subject to personal special economic and other restrictive measures (sanctions), as well as whether sectoral sanctions apply to the applicant's state of nationality and its residents, in accordance with the Law of Ukraine "On Sanctions."

During 2025, UANIPIO processed 61 decisions of the National Security and Defense Council of Ukraine, containing consolidated sanctions lists (a total of 4,486 persons: 1,745 legal entities, 2,029 individuals, and 712 vessels). Based on decisions of the National Security and Defense Council of Ukraine, acts of the President of Ukraine and the Verkhovna Rada of Ukraine, as well as EU sanctions decisions, sanctions were applied to 61 persons and 287 IP objects were blocked.

In 2025, amid continued military aggression and increased hybrid cyber threats, UANIPIO transitioned from a reactive to a proactive cybersecurity model, focused on the preventive detection and neutralization of threats. The Office integrated with the national cybersecurity ecosystem (CERT-UA), implemented threat filtering at the national DNS level, and initiated alignment of its protection system with NIS2, NIST, and ISO approaches. The introduction of a Zero Trust architecture and multi-factor authentication significantly reduced the risks of unauthorized access and insider threats. During 2025, cybersecurity tools blocked more than 3,500 malware attacks, 400 endpoint infection attempts, and tens of millions of malicious network requests, with incident information systematically shared with CERT-UA and the Security Service of Ukraine. Through the combination of technological solutions and enhanced staff cyber hygiene, 24/7 uninterrupted operation of state IP registers was ensured and a solid foundation for the Office's long-term digital resilience was established.

II. Improvement of the collective management system in the field of copyright and related rights

As of the end of January 2026, 19 registered collective management organizations (CMOs) are operating in Ukraine.

At present, taking into account the effect of martial law in Ukraine since February 24, 2022, the CMOs are acting in conformity with provisions of paragraphs 3² and 3⁴ of Section VI “Final and Transitional Provisions” of the Law of Ukraine “On Effective Management of Property Rights of Rightholders of Copyright and (or) Related Rights” No. 2415-VIII, which stipulate for the period of martial law regime and 12 months after its termination or cancellation that registered CMOs are entitled to voluntary collective management of their authorized repertoire of musical work as well as to collect equitable remuneration in the part of performances and phonograms related to respective repertoire in the fields of public performance and public broadcasting thereof.

Russia’s full-scale military invasion has significantly affected the capacity of CMOs to effectively perform their statutory functions. In particular, the total amount of remuneration collected in 2022 was approximately one-third lower than in the previous year. Despite the continued application of martial law, a positive trend is currently observed in the amounts of remuneration collected, distributed, and paid.

According to information provided by 10 CMOs, in 2024 the amount of remuneration collected totaled UAH 191,870,183.33, of which UAH 133,975,741.39 was distributed and UAH 120,082,857.57 was paid to right holders.

At the same time, Ukraine is observing a general improvement in the efficiency of collective management of IPRs. As of early February 2026, eight CMOs (UACRR, Oberih, CINEMA, Society of Ukrainian Composers and Authors, UARA, VLA, ULCRR, OCMCRR) provided information on their 2025 financial indicators, according to which UAH 219,943,938.02 (USD 5,098,316.85) was collected, UAH 150,446,653.79 (USD 3,487,364.63) was distributed, and UAH 142,167,157.13 (USD 3,295,445.28) was paid.

In 2025, compared to 2024, the amount of remuneration collected decreased by 6% for UACRR and by 43% for Oberih, while it increased by 18% for CINEMA, 93% for the Society of Ukrainian Composers Authors, 83% for UARA, 40% for VLA, 6% for ULCRR, and 12% for OCMCRR.

In 2025, compared to 2024, the amount of remuneration distributed increased by 138% for UACRR, 63% for the Society of Ukrainian Composers Authors, 83% for UARA, and 26% for VLA, while it decreased by 84% for Oberih and 87% for CINEMA.

In 2025, compared to 2024, the amount of remuneration paid increased by 203% for UACRR, 71% for the Society of Ukrainian Composers Authors, 85% for UARA, and 52% for VLA, while decreasing by 77% for Oberih and 33% for CINEMA.

Overall, for the 8 CMOs that submitted financial data, total collected remuneration increased by 25%, distributed remuneration by 83%, and paid remuneration by 97% compared to 2024. At the same time, CINEMA, ULCRR, and OCMCRR reported that the distribution and payment of remuneration for 2025 are still ongoing, and therefore more detailed figures will become available at a later stage.

In 2025, one of the largest CMOs by collected remuneration, the NGO “Ukrainian Agency for Copyright and Related Rights” (UACRR), reported a significant improvement in the efficiency of collective management in terms of the collection, distribution, and payment of remuneration to right holders. According to information provided by UAASP, the introduction of institutional reforms, the digitalization of contractual processes, and the

implementation of an automated platform for accounting, distribution, and payment of royalties resulted in substantial growth of key financial indicators, with the total amount of distributed remuneration increasing by more than 138% and the amount of paid remuneration increasing by more than 200%.

These results confirm the ability of CMOs to function effectively even under conditions of full-scale war.

In order to implement the Action Plan for the European Commission's recommendations set out in the 2024 EU Enlargement Package Progress Report on Ukraine, a set of measures was carried out in 2025 to analyze the application of Ukrainian legislation on equitable remuneration due to performers and phonogram producers. In June 2025, an online discussion was held to address problematic issues related to equitable remuneration, followed in July 2025 by an online survey among CMOs, users of copyright and related rights objects, and their associations.

Effective supervision of CMO activities is considered one of the key steps toward improving the collective management system in Ukraine. For this purpose, international experience is being examined. In particular, in November 2025, representatives of the Ministry of Economy and UANIPIO participated online in a working meeting with experts from France and the Netherlands, engaged under the EU4IP project, to exchange experience on legislative regulation and supervisory practices relating to CMOs.

Representatives of CMOs are also involved in preparing legislative proposals related to EU integration. In particular, UACRR provided comments on the implementation of certain provisions of Directive (EU) 2019/790, including provisions on contract transparency and additional, appropriate, and proportionate remuneration for authors and performers, demonstrating the important role of CMOs in the transposition of EU rules on remuneration for creators.

III. Legalization of software use within executive authorities

The Government of Ukraine considers the use of unlicensed software by public authorities to constitute an infringement of intellectual property legislation and a matter of ongoing state concern. Ukraine has a clear and comprehensive legal framework that directly regulates the lawful use of computer programs, including by state authorities.

The legal regime governing the use of software in Ukraine is based on the prohibition of the use of copyrighted works without proper licensing grounds, as established by the Law of Ukraine "On Copyright and Related Rights." The use of unlicensed software constitutes an infringement of both moral and economic copyright and related rights (Article 53 of the Law). Violations of these provisions give rise to comprehensive legal liability, including civil liability (Articles 53–55 of the Law and Article 431 of the Civil Code of Ukraine), which provides for compensation of damages or payment of statutory compensation to right holders; administrative liability (Article 51-2 of the Code of Ukraine on Administrative Offenses), which establishes fines for IP infringements accompanied by mandatory confiscation of illegally produced goods and equipment; as well as criminal liability (Article 176 of the Criminal Code of Ukraine), applicable where damage is caused on a significant, large, or especially large scale and punishable by fines, corrective labor, or imprisonment.

The development of Ukraine's state IP policy is closely integrated with the processes of large-scale digitalization of the public sector. A key instrument for implementing this strategy is the Law of Ukraine "On the National Informatization Program" (No. 2807-IX), which defines the foundations for the creation of a system of state information resources and

the modernization of information and communication technologies across various sectors, including public administration.

State policy is aimed at intensifying digital transformation processes, including through the implementation of an experimental project for the collection, accumulation, processing, and real-time visualization of information on the status of public policy implementation, introduced by Resolution of the Cabinet of Ministers of Ukraine No. 23 of January 14, 2026. The project provides for the creation and operation of a specialized information and communication system ensuring continuous electronic interaction between state registers and the information resources of key authorities, including the Ministry of Justice, the Ministry of Economy, and the Ministry of Internal Affairs.

The operation of any informatization tool within executive authorities – which under national legislation includes software, information systems, their components, and networks – must comply with the Mandatory Requirements for the Creation, Administration, and Operation of Informatization Tools, approved by Resolution of the Cabinet of Ministers of Ukraine No. 205 of February 21, 2025. These requirements cover the entire life cycle of such systems and provide for five stages: 1) initiation, 2) design, 3) development and implementation, 4) industrial operation, and 5) decommissioning. A key aspect of project implementation is compliance with the principles of interoperability, which entails the use of unified rules for electronic interaction and open data formats, as well as ensuring the systematic and up-to-date application of technologies.

Resolution No. 205 also requires that contracts for the supply of any informatization tools, including software products, must contain provisions on the transfer of IP economic rights or on the granting of a license for lawful use.

In addition, pursuant to Resolution of the Cabinet of Ministers of Ukraine No. 119 of December 5, 2025 (paragraph 16), no state IT project may be financed without passing an expert review to verify compliance with copyright requirements and the legalization and localization of software products. If a project fails to meet statutory requirements, it receives a negative expert opinion, which makes its financing and implementation impossible.

To ensure vertical coordination of digital reforms at the level of central executive authorities and local administrations, the institution of Chief Digital Transformation Officers (CDTOs) has been introduced. In accordance with Resolution of the Cabinet of Ministers of Ukraine No. 194 of March 3, 2020, as amended by Resolution No. 380 of April 4, 2025, the powers of digital leaders were expanded. The exercise of CDTO powers in relation to the protection of state information resources and coordination of informatization tasks enables effective oversight of digitalization processes.

In the area of public funds management, the provisions of the Budget Code of Ukraine apply, requiring budget managers to ensure the targeted and efficient use of funds. The procurement of software by public authorities is carried out in accordance with public procurement legislation, which requires contracts to be concluded on lawful grounds and allows for verification of the legality of the procurement object. Public procurement procedures are conducted exclusively through Prozorro, which minimizes the risk of counterfeit or unlicensed software being used.

At the level of state IT policy, ensuring compliance with IP rights in relation to software is integrated with national security and cybersecurity measures, in particular under the Law of Ukraine “On the Basic Principles of Ensuring Cybersecurity of Ukraine” No. 2163-VIII, which directly links the use of legal and regularly updated software with issues of cyber resilience and protection of state information resources. In this context, the

transition to licensed software is viewed not only as a matter of IP compliance but also as an element of national security.

Furthermore, pursuant to Resolution of the Cabinet of Ministers of Ukraine No. 1335 of October 22, 2025, Ukraine maintains an official list of prohibited software originating from aggressor states or included in sanctions lists. Control over the procurement and use of exclusively legal software products supports a high level of legal and technical protection of state information resources.

Within the framework of the public administration digital transformation policy, consideration is being given to measures for software inventory, standardization of IT environments, and a gradual transition to centralized licensing and cloud-based solutions, which reduces the risks associated with the use of unlicensed software.

Russia's full-scale armed aggression since 2022 has objectively complicated the implementation of certain measures, in particular due to limited budgetary resources and the need to ensure uninterrupted operation of critical state functions. At the same time, the Government of Ukraine confirms the unchanged policy course toward reducing the use of unlicensed software in the public sector. Among the next steps planned for 2026 is the adoption at the government level of recommendations on the procurement of IT products and measures aimed at stimulating the market to protect and promote licensed software.

IV. Strengthening the enforcement of intellectual property rights

4.1. Implementation of the "WIPO ALERT" mechanism

In 2025, Ukraine continued the implementation of the WIPO ALERT initiative aimed at countering the placement of advertising on pirate websites, for which advertising revenues constitute a key source of funding. In accordance with the Law of Ukraine "On Advertising" and Order of the Ministry of Economy of February 1, 2024, No. 2945, which approved the Procedure for the Formation and Maintenance of the National List of Websites Raising Concerns with Regard to the Observance of IPRs, UANIPIO ensured the examination of submissions from copyright and related rights holders regarding the inclusion of websites in such a list.

Taking into account the launch on March 10, 2025 of the updated procedure for publishing the national list of pirate websites on the WIPO ALERT platform, the initiative acquired practical effectiveness. Right holders in the audiovisual and publishing sectors actively used the relevant mechanisms. In particular, applications for inclusion of websites in the national list were submitted by representatives of Ukrainian book publishers and media groups, including television broadcasters holding economic rights to popular TV series and other audiovisual content.

During 2025, 17 applications were received from copyright and related rights holders requesting the inclusion of websites in the national list. UANIPIO adopted 15 conclusions confirming the existence of grounds for inclusion, and accordingly 15 websites were included by the Ministry of Economy in the National List and subsequently entered into the WIPO (WIPO ALERT database).

4.2. Activities of the IPR Infringement Monitoring Center

Throughout 2025, the activities of the Intellectual Property Rights Infringement Monitoring Center ("IPR Monitoring Center")⁶, a structural unit of UANIPIO, contributed

⁶ <https://nipo.gov.ua/tsentr-sposterezhennia-ipr/>

to the systematic strengthening of interagency coordination in combating IPRs infringements. The IPR Monitoring Center serves as a key institutional platform for interaction among public authorities, right holders, and other stakeholders involved in IP enforcement.

Within this framework, in 2025 the IPR Monitoring Center conducted a number of working meetings with representatives of the National Police of Ukraine, the Cyber Police Department, the Office of the Prosecutor General, the State Customs Service of Ukraine, and the Economic Security Bureau of Ukraine. These activities were aimed at strengthening interagency cooperation and coordinating practical actions to counter IP infringements.

On March 12, 2025, a working meeting was held with the participation of right holders, representatives of public authorities, including the National Police of Ukraine and the Cyber Police Department, as well as Internet intermediaries, with the purpose of coordinating actions in the field of copyright and related rights protection, combating online piracy, and developing effective mechanisms of cooperation among the stakeholders involved.

On March 21, 2025, a Memorandum of Understanding and Cooperation was signed between UANIPIO and the Supreme Court, aimed at improving coordination efforts in the field of IPRs enforcement, developing proposals for legislative improvements, and enhancing the professional capacity of judges and practitioners. The signing of the Memorandum contributes to the development of a uniform enforcement approach, improvement of judicial practice, and more effective protection of right holders' interests.

On April 10, 2025, during the annual international conference AGM2025, a Memorandum of Cooperation was signed between UANIPIO and the REACT Anti-Counterfeiting Network. The purpose of this Memorandum is to strengthen international cooperation and information exchange to enhance the effectiveness of combating the circulation of counterfeit goods, as well as to further involve REACT experts in joint activities under the Memorandum.

On June 30, 2025, the analytical report “State of Intellectual Property Rights Protection in Ukraine for 2024”⁷ was published. The report is aimed at providing a systematic analysis of the IP protection landscape, consolidating statistical data, and identifying strategic and practical approaches to addressing challenges in the IP field.

The IPR Monitoring Center Report 2025⁸ provides a comprehensive overview of the development of Ukraine's IP system, enforcement indicators, digitalization, international cooperation, and analytical activities. The report is based on consolidated statistical data, the results of internal monitoring, and an assessment of the impact of implemented measures.

Throughout 2025, in cooperation with representatives of law enforcement and customs authorities, participation was ensured in professional capacity-building activities aimed at introducing international experience into national practice. Within the framework of the EU4IP project, representatives of UANIPIO and the Office of the Prosecutor General participated in activities of the EMPACT European Multidisciplinary Platform Against Criminal Threats, including the seminar “Investigation and Prosecution of Intellectual Property Crimes Across Borders” held on September 10, 2025, and the 12th Annual Seminar of the European Intellectual Property Prosecutors Network (EIPPN) held on September 11-12, 2025. The participation of the Ukrainian delegation contributed to strengthening cross-border cooperation with the EU and neighboring countries, improving

⁷ <https://nipo.gov.ua/en/analytical-report-2024-ipr-monitoring-center/>

⁸ <https://nipo.gov.ua/wp-content/uploads/2026/02/Zvit-2025.pdf>

the national system for investigating IP crimes, harmonizing enforcement standards, and enhancing the effectiveness of combating organized criminal groups.

In June 2025, with the support of the EU4IP project, the Ukrainian delegation also participated in the International IP Enforcement Summit held in Athens, Greece.

Within the implementation of the first EU4IP Work Plan, representatives of the State Customs Service of Ukraine and UANIPIO took part in a study visit to the Republic of Croatia (September-October 2025). The results of this visit have since been applied in the further work of customs authorities. The visit focused on studying EU practices for countering the movement of counterfeit goods across customs borders and strengthening the role of customs authorities in the IP enforcement system.

Given the specialized nature of the IP field, the systematic enhancement of specialized knowledge remains a key factor in strengthening the institutional capacity of authorities involved in IP protection.

Accordingly, on August 8, 2025, the Training Center of Prosecutors of Ukraine, jointly with the IPR Monitoring Center, conducted a training session entitled “Specifics of Investigating Criminal Offenses in the IP Field and Detection Methods” for prosecutors, with the participation of approximately 30 attendees. The purpose of the training was to increase awareness among prosecutors of the specifics of detecting and investigating IP-related criminal offenses and to promote effective interagency cooperation. The training ensured the practical application of modern investigative approaches and laid the groundwork for more coordinated actions by law enforcement agencies in this field.

On August 27-28, 2025, the IPR Monitoring Center conducted a training course entitled “Current Issues of the Fundamentals of Legal Protection and Enforcement of IPRs” for customs officials. The program was designed to equip customs officers with knowledge and practical skills for effectively identifying and preventing the movement of goods infringing IP rights across the customs border of Ukraine, as well as for establishing cooperation with right holders and public authorities. More than 400 participants joined the training course and, upon completion, passed testing and received relevant certificates.

On September 19, 2025, with a view to improving procedures, forms, and methods of IP rights enforcement, the IPR Monitoring Center collected and analytically processed Proposals for Improving the IPR Enforcement System in Ukraine. These analytical materials were prepared taking into account the current state of the IP enforcement system and may serve as a basis for future legislative initiatives, the development of policy documents, and the deepening of cooperation with national and international partners.

During 2025, the national information campaign ANTI-PIRACY:MUSIC was implemented, aimed at countering infringements in the music industry. The campaign highlighted key issues related to music piracy and initiated further engagement with professional communities to identify joint solutions to address infringements in the music sector.

Another important focus area was e-commerce and combating the sale of counterfeit goods on online marketplaces. In this context, the national anti-counterfeiting information campaign “Trust the Original” was implemented jointly with OLX.ua, including the publication of articles, videos, and informational materials. In addition, the IPR Monitoring Center prepared the study “Intellectual Property Rights Infringements in the Field of E-Commerce” in both Ukrainian and English. The study enables a comprehensive assessment of current risks and trends in IP infringements in the digital environment, which is essential for anticipating future challenges and developing systematic recommendations to address them.

The ANTI-PIRACY:BOOKS information campaign implemented in 2024 contributed to the further development of initiatives aimed at combating book piracy. In particular, on November 27, 2025, within the framework of IP LET Forum 2025, UANIPIO, jointly with the Ukrainian Book Institute, organized a workshop for publishers entitled “Countering Book Piracy.”

4.3. Activities of the State Customs Service of Ukraine

As of December 31, 2025, the Customs Register of intellectual property rights (“Customs register”) contained 820 IPRs objects.

During 2025, the Customs register recorded 139 IPRs, including:

- trademarks – 132;
- industrial designs – 5;
- copyright objects – 2.

During 2025, customs authorities made 1,081 decisions to suspend customs clearance of goods on suspicion of IPR infringement, including:

- based on customs registry data – 1,011;
- at the initiative of customs authorities (under the *ex officio* procedure) – 70.

As a result of these decisions, customs authorities:

- destroyed counterfeit goods in accordance with Articles 401 and 401-1 of the Customs Code of Ukraine in 253 cases (*as of the day of submission, following 502 suspensions of customs clearance, rights holders have confirmed the existence of IPR violations, and the goods are currently awaiting destruction*);

- 36 reports on customs violations were drawn up under Article 476 of the Customs Code of Ukraine;

- in 9 decisions, the marking on goods was changed under Article 402 of the Customs Code of Ukraine.

Main groups of goods whose customs clearance was suspended on suspicion of intellectual property rights infringement during 2025

№	Goods category	Trademark
1	Clothing and footwear	Adidas, New Balance, Asics, Puma, Nike
2	Electrical appliances (accessories), household appliances	Apple, Xiaomi, Sony, Google, Nokia
3	Toys	Lego, The Monster, Spin Master, My Little Pony, Barbie, L.O.L. Surprise!, Labubu
4	Alcoholic beverages	Gambrinus, Jameson, Ballantine’s, Corona Extra
5	Non-alcoholic beverages	Coca-Cola, Fanta, Schweppes, Monster
6	Spare parts for automotive and agricultural machinery	WABCO, ZF parts
7	Cleaning products	DOMESTOS
8	Confectionery and food products	Oreo, Yummi Gummi, Bubble, Vitaland, Candy

		Sprey Cola, Saadet, Red Bull, Kent, Camel, M&M's, Hubba Bubba, Dallmayr
9	Jewelry	Pandora, BVLGARI

**Nomenclature of goods, the largest number of which suspended in 2025
on suspicion of IPRs infringement**

№	Name of goods	Trademark	Quantity, pcs.
1	Confectionery and food products	Oreo, Yummi Gummi, Bubble, Vitaland, Candy Sprey Cola, Saadet, Red Bull, Kent, Camel, M&M's, Hubba Bubba	1 752 197
2	Non-alcoholic beverages	Coca-Cola, Fanta, Schweppes, Monster	636 417
3	Alcoholic beverages	Gambrinus, Jameson, Ballantine's, Corona Extra	429 210
4	Children's toys	Lego, The Monster, Spin Master, My Little Pony, Barbie, L.O.L. Surprise!, Labubu	153 876
5	Electrical appliances (and accessories)	Apple, Sony, Xiaomi, Panasonic, Wika, Nokia, Google	66 820

**List of countries of goods dispatch, whose customs clearance was suspended on
suspicion of IPR infringement during 2025**

№ з/п	Country of dispatch
1	People's Republic of China
2	Republic of Latvia
3	Republic of Poland
4	Federal Republic of Germany
5	Republic of Singapore
6	Republic of Lithuania
7	Republic of Turkey
8	Kingdom of Spain
9	Slovak Republic
10	Republic of Bulgaria
11	Czech Republic
12	Republic of Estonia
13	Hungary
14	United Kingdom of Great Britain and Northern Ireland

15	United States of America
16	United Arab Emirates
17	French Republic
18	Republic of India

4.4. Activities of the National Police of Ukraine

According to official statistics for 2025, under the operational supervision of the Cyber Police Department, as part of the fight against crimes in the field of IPRs violations committed using advanced information technologies, there were 28 criminal proceedings under Article 176 of the Criminal Code, 5 of which were initiated in the reporting period, and 22 criminal proceedings under Article 229 of the Criminal Code, 12 of which were initiated in the reporting period based on the Department's materials. In addition, during the reporting period, the Department's officials, together with the pre-trial investigation authorities, completed the documentation process (pre-trial investigation) and sent the materials with the indictment to the court in 13 criminal proceedings (9 of which under Article 229 of the Criminal Code and 4 under Article 176 of the Criminal Code).

In particular, in 2025, Cyber Police Department officials documented and successfully prosecuted a case involving an organized group of individuals who produced and sold counterfeit seeds to farmers under the guise of well-known foreign brands. During the investigation, the pre-trial investigation body seized equipment, packaging, labels, dyes, computers, cars, and “black accounting” records. Almost 12 tons of finished packaged products worth over UAH 4.5 million were also seized. Currently, five suspects have been notified of the charges against them, and the case with the indictments has been sent to court.

In addition, during the reporting period, officials from the Cyber Police Department documented and successfully prosecuted a case involving an organized group of individuals who profited from the illegal use of trademarks owned by Apple Inc., namely: storage and sale of counterfeit and pirated products – headphones and smart watches with illegally affixed trademarks of the company, use of trademarks of the company when offering the specified products for sale on the Internet. During the investigation, counterfeit products worth more than UAH 24.5 million were seized. Currently, the three suspects have been notified of the charges against them, and the case with the indictments has been sent to court.

4.5. Activities of the Economic Security Bureau of Ukraine (ESBU)

As of December 31, 2025, ESBU detectives were investigating 82 criminal proceedings on the grounds of criminal offenses under Article 229 of the Criminal Code of Ukraine.

Between January 1, 2025, and December 31, 2025, ESBU detectives referred 26 criminal proceedings to court, including 5 criminal proceedings involving an organized group and a criminal organization against 19 individuals, and 42 individuals were notified of suspicion of committing criminal offenses of the specified category.

The most high-profile and successful cases handled by ESBU detectives in 2025 in the field of combating intellectual property rights violations, which were investigated and for which measures were taken to stop the violations, include the following.

In 2025, ESBU detectives exposed an organized group of individuals who had organized criminal activities involving the distribution, storage, and sale of counterfeit

products branded “Pioneer” by Pioneer Hi-Bred International, Inc. the rights to which belong to the aforementioned company.

The investigation determined that members of a criminal group were involved in the criminal activities, misleading end consumers, as the counterfeit Pioneer brand seed material is made from unknown ingredients (seeds, pesticides, etc.), and therefore its quality is doubtful. After that, illegally using the Company's trademark, they sell at prices lower than those of the legal trademark owner. Thus, they illegally use the trademark, the brand name.

As a result of the above illegal actions of the organized group, the company Pioneer Hi-Bred International, Inc., USA, incurred material damage in the amount of UAH 2,058,754.81 (USD 47,722.08).

Also, in 2025, ESBUE detectives exposed an organized group of individuals who organized criminal activities involving the manufacture, distribution, storage, and sale of counterfeit products – counterfeit motor oil from well-known global brands, to end consumers under the guise of original products.

The investigation determined that members of a criminal group were involved in the criminal activities, purchasing cheap domestic and/or imported motor oil and pouring it into pre-prepared canisters with illegally applied trademarks of the “Mobil”, “Elf”, “Motul”, “Total,” and “TotalEnergies,” which they then sold to end consumers both through retail outlets and via the Internet under the guise and at the price of original products, thereby illegally using the trademark.

As a result of the above illegal actions of the organized group, the company MOTUL incurred material damage in the amount of UAH 420,544 (USD 9,748.24) excluding VAT, the New Jersey Corporation – UAH 136,124.99 (USD 3,155.38) excluding VAT, the TotalEnergies Holdings – UAH 122,169.68 (USD 2,831.9) excluding VAT, and TotalEnergies SE – UAH 60,452.33 (USD 1,401.28) excluding VAT.

4.6. Activities of the Office of the Prosecutor General

According to statistics published on the website of the Office of the Prosecutor General, as of December 31, 2025, there were 126 criminal proceedings investigated by the Economic Security Bureau of Ukraine and the National Police of Ukraine, namely under Article 229 of the Criminal Code of Ukraine (trademarks) – 111, under Article 176 of the Criminal Code (copyright) – 12, under Article 177 of the Criminal Code (inventions, utility models, industrial designs) – 3

4.7. Activities of the Antimonopoly Committee of Ukraine

According to statistical data for 2025, the Antimonopoly Committee of Ukraine (AMCU) adopted three decisions under Article 4 of the Law of Ukraine “On Protection against Unfair Competition.”

In a case initiated on the applications of Biopharma S.A.S. and Servier Ukraine LLC, the AMCU found that Berkana+ LLC had committed an infringement by unlawfully using designations and packaging designs similar to the trademarks and packaging of the medicinal product “Detralex.” The AMCU concluded that such actions could lead to confusion regarding the business activities of the respective undertakings. As a result, the AMCU imposed a fine in the amount of UAH 150,000 on the infringer.

In another case initiated on the applications of GSH Trademarks Limited (Cyprus) and Finconsult-Premium LLC (formerly Global Spirits Europe LLC) concerning a possible infringement by Izmail Wine-Making Plant PrJSC, related to the unlawful use of the packaging design of the cider “Vynhrad Fragolina,” which was allegedly similar to the

packaging of the beverage “Fragolino Bianco,” the AMCU closed the proceedings due to the withdrawal of the applications by the complainants and the termination of the alleged infringement. No fine was imposed in this case.

In a case initiated on the application of New Products Ukraine LLC, the AMCU found that OPT-SYSTEMS LLC had committed an infringement through the unlawful use of packaging designs for low-alcohol beverages under the designation “KHORTYTSA,” which were similar to the packaging of “SHAKE” beverages. The AMCU ordered the infringer to cease the violation and imposed a fine in the amount of UAH 21,519,000.

V. Summary

In the context of Russia’s war of aggression against Ukraine, the Government of Ukraine considers productive cooperation with the Government of the United States, the business community, and the IP and innovation ecosystem to be a key priority. Such cooperation is of decisive importance for ensuring effective protection of IPRs, which the Government of Ukraine views as an integral component of innovation-driven recovery and sustainable economic growth.

The devastating impact of the war of aggression on Ukraine’s economy and IP sector has not halted Ukraine’s fulfillment of its commitments to develop the IP system and to ensure effective protection of the legitimate interests of right holders.

The Government of Ukraine will continue constructive engagement with the Government of the United States on issues related to the IP protection regime in Ukraine, including, in particular, matters concerning 1) the administration of collective management organizations responsible for the collection, distribution, and payment of royalties to right holders, 2) the use of unlicensed software by public authorities, and 3) the implementation of effective measures to combat online copyright infringement.

At the same time, Ukraine will continue to build on the progress already achieved in the field of IP enforcement, focusing on the implementation of international standards, support for right holders, and the promotion of sustainable solutions to outstanding challenges.

The Government of Ukraine expresses its gratitude for the timely introduction of grace periods and the unwavering support provided by the United States to Ukrainian applicants, as well as to Ukraine’s IP and innovation system as a whole.
