

THE STRATEGIC DEVELOPMENT PLAN 2024 - 2028

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Foreword

The war in Ukraine, initiated by the Russian Federation back in 2014, is still going on. During this time, Ukraine has suffered and continues to suffer immense human and economic losses. At the same time, the people of Ukraine are confident in victory; our independence is being defended by the most motivated and currently the best-trained armies in the world. We are receiving support from the global community, which understands the implications of high-tech warfare and nuclear threats in the 21st century.

United efforts, support with both weapons and financial resources, have given Ukraine the chance to resist and continue its journey toward victory. We are actively considering and taking steps to address the challenges of post-war reconstruction, which will require hundreds of millions of dollars and will be based on our economic transformation.

During this period, numerous recovery models have been presented and discussed both within our country and on international platforms in Lugano, Berlin, Davos, Luxembourg, Paris, and other locations. Remarkably, at last year's conference in Switzerland, the Lugano Principles were introduced, providing the foundation for Ukraine's reconstruction and rallying support from the global community. On June 21st-22nd, 2023, the United Kingdom, in partnership with Ukraine, hosted the International Conference on the Reconstruction of Ukraine (URC – Ukraine Recovery Conference 2023) in London.



Photo – The Director of UANIPIO, Olena Orliuk

With Ukraine's budget expected to remain constrained, providing sufficient support for the national economy and businesses is a challenging task. The recovery of Ukraine depends on the combined efforts of our business sector, government, international partners, and foreign investors. We have already demonstrated our ability to keep working, even successfully in certain fields, despite the extreme conditions of full-scale war.

We've demonstrated our ability to produce goods and provide high-quality services. Therefore, Ukraine is interested in applying various financing mechanisms for its recovery. This ranges from engaging private capital from global financial markets to securing Russian funds as compensation for incurred damages, from accessing affordable loans and military and credit risk insurance to receiving technical support.

Ukraine is actively pursuing its goal of joining the European Union and NATO to create safe conditions for future life and development. That is why our business, civil society, state institutions, and society as a whole are working hard to not only help the Defense Forces defend Ukraine and fight for its independence, including on all possible international platforms, but also to ensure that we are in line with the requirements for joining the EU and NATO. We must continue to implement reforms, following the course of an EU candidate country. The perception of corruption has significantly worsened since the start of the full-scale war, but we must offer potential investors reliable tools to safeguard their investments, even in the face of high military risks. Ukraine has already created conditions to welcome back citizens who sought safety abroad. Now, we must decide how to integrate our returning migrants and military personnel into the economy. We need to support relocated businesses, rebuild cities, roads, and infrastructure in regions ready to welcome these individuals back. Should fully implement the principle of inclusiveness in all areas.

Alongside our progress toward EU membership, which received a qualitatively new momentum in 2023 after Ukraine achieved

candidate status in 2022, our strategic recovery directions include strengthening institutional capacity, developing a digital state, ensuring national defense and security, achieving energy independence, restoring a clean and secure environment, promoting high-value-added economic sectors, improving the business environment, ensuring competitive access to capital, modernizing the healthcare system, advancing education, culture, sports, and more.

At the same time, the effectiveness of Ukraine's fight for the right to exist and post-war recovery and technological development directly depends on its intellectual capital. This involves investing in the growth of innovation and creative sectors and establishing a robust innovation ecosystem. Ukraine's ability to implement innovations, attract foreign investments, and create conditions for conducting business during the war and post-war reconstruction, as well as creating conditions for companies to compete successfully in global markets for goods and services is closely tied to intellectual property and the associated creative industries and innovation ecosystem. According to the World Intellectual Property Organization, key components of this ecosystem encompass well-defined strategies in the field of intellectual property, a robust regulatory framework, a high-quality education system, and a dynamic operational infrastructure.

The Ukrainian National Office for Intellectual Property and Innovations, established on the 24th of August 2022, Ukraine's Independence Day, has assumed the role of the National intellectual property authority. Equipped with a qualified expert team, technological databases, and the best practices inherited

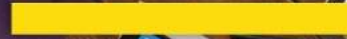
from previous national institutions in this field, it is well-positioned to play a pivotal role in developing the national intellectual property system and fostering the national innovation ecosystem and creative industries development. Our foundation lies in a highly skilled professional team, technological capabilities, a profound understanding of challenges, and a strategic vision aligned with Ukraine's developmental goals. These elements form the basis for the full, high-quality, and effective implementation of our set tasks and the sustainable growth of Ukraine's IP office. Our innovators and inventors seek efficient and robust patent protection, while the creative sector desires effective safeguarding of the outcomes of their intellectual and creative endeavors, development of SMEs, and entering European and international markets. Our applicants, overall, prioritize high-quality government services, innovative offerings, and their digitalization. Meanwhile, the IP office staff is focused on creating favorable conditions for the realization of their professionalism and career growth.

When preparing the Strategic Plan and defining key areas, we were guided by the understanding of the common goals of the national intellectual property system as an integral part of the Ukrainian economy, and relied on the United Nations 2030 Agenda for Sustainable Development. In developing the Strategic Plan, we also took into account the WIPO Medium Term Strategic Plan (MTSP) for 2022-2026 (WO/PBC/32/3). Hence, the vision we've outlined for our key objectives is a shared one that we've been progressively working towards in recent years. Our intention is to bring this vision to life through partnerships and collaboration with

various stakeholders. We understand that some of the measures we've identified to ensure the development of an effective system for legal protection and enforcement of intellectual property rights in Ukraine extend beyond the timeframe of this plan. Nevertheless, our team is fully dedicated to diligently working towards realizing these key directions and goals. The intellectual property sphere is moving towards the European Union and adheres to the principles defined by the World Intellectual Property Organisation. The support for the Ukrainian intellectual property sector, which suffered heavy losses from the war, is reflected in consistent steps and acts of the UN, WIPO, many international organisations and our foreign partners, and we deeply appreciate such support.

Ukrainians are a nation known for their intellectual and creative prowess, deserving of an innovative future. Efficient, transparent, persistent and consistent activity of UANIPIO is a crucial step toward turning this vision into a reality.

Chapter 1. General information



The Strategic Plan of Development of the State Organization "Ukrainian National Office for Intellectual Property and Innovations" was developed in accordance with the Order of the Ministry of Economy of Ukraine "On Approval of the Forms and Procedure for the submission and approval of the strategic development plan, report on the implementation of the strategic development plan and information on approval of strategic development plans of economic entities of the public sector of the economy and their implementation" No. 2897 dated September 1, 2022 (as amended by the Order of the Ministry of Economy No. 3223 dated September 22, 2022) (registered with the Ministry of Justice of Ukraine on September 16, 2022, under No. 1059/38395).

UANIPPIO was registered on August 24, 2022, in accordance with the order issued by the Ministry of Economy of Ukraine on August 22, 2022, under No. 2673. The establishment of UANIPPIO aligns with the institutional reform in the field of intellectual property, as outlined in the provisions of Law No. 703-IX dated June 16, 2020, "On Amendments to Certain Laws of Ukraine regarding the establishment of the national intellectual property authority" and special laws in the field of intellectual property (hereinafter - Law No. 703).

UANIPPIO (identification code 44673629) operates under state ownership and falls within the purview of the Ministry of Economy of Ukraine and is a state non-profit organization. UANIPPIO is a legal entity under public law. Location: 1 Hodzenka St. (Hlazunova, 1), Kyiv, 01601.

The State Organization "Ukrainian National Office for Intellectual Property and Innovations," hereinafter referred to as UANIPPIO or the IP office, has been performing the functions of the

National Intellectual Property Authority since November 8, 2022, based on the Cabinet of Ministers of Ukraine's Resolution No. 943-r of October 28, 2022, "Some issues of the National Intellectual Property Authority".

The new version of UANIPPIO's Statute was approved by the Ministry of Economy of Ukraine through Order No. 4535 dated November 11, 2022. In accordance with the Cabinet of Ministers' Resolution No. 943-r, UANIPPIO is the functional successor of the State Enterprise "Ukrainian Intellectual Property Institute" (Ukrpatent).



The photo of the House of the Government of Ukraine, Kyiv
By Avanness - Own work, CC BY-SA 3.0

According to the Register of non-profit institutions and organizations, UANIPIO obtained non-profit status on September 8, 2022. Following the decision of the Main Department of the State Tax Service in Kyiv on December 5, 2022, the non-profit status code was changed to 0048, (other legal entities, whose activities meet the requirements established by clause 133.4 of Article 133 of the Tax Code of Ukraine).

A payer of VAT: the number of the certificate – 446736226559.



Photo: In the photo (from left to right):
Vladyslav Bilotskyi (the Deputy Director of the UANIPIO),
Bogdan Paduchak (the First Deputy Director of the UANIPIO),
Olena Orliuk (the Director of the UANIPIO),
Ihor Parenchuk (the Deputy Director of the UANIPIO),
Mykola Pototskyi (the Advisor to the Director of the UANIPIO)

According to the extract from the Unified State Register of Legal Entities and Individual Entrepreneurs, the types of activities under the Ukrainian Classifier of Economic Activities (KVED) - 2010 classification for UANIPIO are as follows:

main type of economic activity: 72.19 - Research and experimental development in the field of other natural and technical sciences; types of activities: 58.14 - Publishing of journals and periodicals, 62.01 - Computer programming, 63.11 - Data processing, posting information on websites and related activities, 63.12 - Web portals, 63.99 - Provision of other information services not classified elsewhere

Institutional sector of the economy according to "Classification of Institutional Sectors of the Economy of Ukraine" S.11001 State non-financial corporations.

The aim of UANIPIO's activities, according to its Statute, is to exercise powers in the field of intellectual property, as defined by the laws of Ukraine, such as "On the Protection of Rights to Inventions and Utility Models," "On the Protection of Rights to Industrial Designs," "On the Protection of Rights to Trademarks for Goods and Services," "On the Protection of Rights to Layout Designs of Semiconductor Integrated Circuits," "On the Legal Protection of Geographical Indications," "On Copyright and Related Rights," and other laws in the field of intellectual property, acts of the Authorized Management Body (Ministry of Economy of Ukraine) and the Statute as well as ensuring stable and effective functioning and development of the state system of legal protection of intellectual property. UANIPIO ensures the fulfillment of its statutory tasks without the purpose of making a profit and is a non-profit organization.

The subject of UANIPIO's activity is fulfillment of delegated authorities:

- accepting applications, conducting their examination and making decisions on them;
- state registration of intellectual property rights objects (inventions, utility models, industrial designs, trademarks (marks for goods and services), geographical indications, layouts of semiconductor products and issuance of titles of protection (patents, certificates);
- accepting and processing applications for the state registration of the author's rights to scientific works, literary and art works and also for registration of copyright and contracts relating to the author's copyright;
- issuing certificates of author's copyright;
- declaration of intellectual property rights invalid in whole or in part, in accordance with the law;
- publication of official information about intellectual property rights and submitted trademark (goods and services marks) applications;
- maintaining state registers in the field of intellectual property and the database of applications for trademarks (marks for goods and services), including the entry of relevant information;
- provision of extracts and copies in electronic and/or paper form;
- implementation of international cooperation in the field of legal protection of intellectual property and representation of interests of Ukraine in the World Intellectual Property Organization and other international organizations according to the law;
- carrying out training, certification and registration of representatives (patent attorneys) in intellectual property matters;
- maintaining the State Register of Intellectual Property Representatives (patent attorneys);
- informing and providing explanations on the implementation of the state
- policy in the field of intellectual property.

Along with the fulfillment of the delegated authorities in accordance with Law No. 703 and the Statute, UANIPIO also ensures:

- performing the functions of the "National Office" as stipulated by the Madrid Agreement Concerning the International Registration of Marks and the Protocol to the Madrid Agreement Concerning the International Registration of Marks;
- performing the functions of the "National Office" and the "Office" as outlined in the Hague and Geneva Acts related to the Hague Agreement Concerning the International Registration of Industrial Designs;
- performing the functions of the "Receiving Office", "International Searching Authority" and the "International Preliminary Examining Authority" according to the Patent Cooperation Treaty.

According to the Statute, UANIPIO is also entrusted with the performance of other responsibilities within the field of intellectual property.

Due to the fact that UANIPIO is a non-profit organization, its activity is carried out at the expense of proceeds from fees for actions related to the protection of intellectual property rights, in accordance with the procedure stipulated by the Resolution of the Cabinet of Ministers of Ukraine dated December 23, 2004 No. 1716 and taking into consideration the Procedure for the use of revenues from fees for actions related to the protection of intellectual property, approved by the Order of the Ministry of Economy of Ukraine dated November 28, 2022 № 4850.

At the same time, the Statute of UANIPIO allows for the conduct of non-commercial economic activities aimed at achieving the relevant social and professional outcomes in the field of intellectual property.

While carrying out its activities, UANIPIO is guided by the Constitution and the laws of Ukraine, decrees of the President of Ukraine and resolutions of the Verkhovna Rada of Ukraine adopted in accordance with the Constitution and laws of Ukraine, acts of the Cabinet of Ministers of Ukraine, orders of the Authorized Management Body, normative legal acts, issued by the ministries, other state bodies and the Statute as well.

Chapter 2. The environment analysis



2.1 The analysis of the internal environment



2.1.1. Resource analysis

Strengths. The resource potential of UANIPIO encompasses a range of resources within the state organization, including labor, material-technical, informational, and organizational assets. These resources collectively ensure the continuity and effectiveness of its operations. Efficient utilization of UANIPIO's personnel and its technological resources is a fundamental requirement, ensuring the smooth execution of delegated responsibilities and other functions outlined in UANIPIO's Statute. The organization is targeted at intensive rather than extensive resource utilization, enabling it to facilitate the realization of state policy in the field of intellectual property and foster the development of the state's intellectual property legal protection system.

The state system of legal protection of intellectual property includes a central executive body responsible for shaping and implementing state policy in the field of intellectual property, namely the Ministry of Economy of Ukraine, the National Intellectual Property Authority, represented by the State Organization "Ukrainian National Office for Intellectual Property and Innovations," and a collective of scientific, educational, informational, and other specialized state enterprises, institutions, and organizations falling under the jurisdiction of the central executive authority responsible for forming and implementing state policy in the field of intellectual property.

In turn, the national system of intellectual property, in addition to the subjects of the state system of legal intellectual property protection, also includes the following state authorities,

which perform certain functions in the field of intellectual property and innovation development, law enforcement and judicial authorities (in terms of ensuring the protection of intellectual property rights), subjects of innovation activity (in particular,



scientific institutions and educational institutions), professional public organizations, representative offices of international institutions in the field of intellectual property in Ukraine, patent attorneys, as well as authors, inventors and rationalizers themselves, creators, start-uppers, innovators, entrepreneurs and others applicants and right holders of intellectual property. The national intellectual property system includes the legal and regulatory framework, institutional framework, infrastructure and users of the system.

The interest of Ukraine in the development of a full-value and effective national system of intellectual property provides for the effective functioning of UANIPIO, which plays a crucial role in the implementation of the state policy in the field of intellectual property.

Weaknesses. Despite the positive changes in the field of intellectual property caused by the implementation of institutional reform of the state system of the legal protection of intellectual property and the fulfillment by Ukraine of its obligations under the Association Agreement between Ukraine, on the one hand, and the European Union, the European Atomic Energy Community and their Member States, on the other hand (hereinafter referred to as the EU-Ukraine Association Agreement) in terms of harmonization and implementation of European standards for the protection and enforcement of intellectual property, as well as the implementation of the steps required by the EU candidate status, the national intellectual property system faces numerous challenges to which UANIPIO has to respond.

These include among others:

- the ongoing negative impact of the war on the intellectual property, innovation and creative sectors of Ukraine;
- lack of mechanisms to support and develop the intellectual property market
- lack of effective stimulation mechanisms of intellectual labor and innovation activity, including in the education and research sectors, in the conditions of war.

- the necessity of improving the system of electronic document flow and technological support of the state system of legal protection of intellectual property;
- the necessity of further improvement of the patent information support system taking into account international experience and WIPO recommendations, global trends in the formation and use of information resources;
- lack of effective mechanisms for managing intellectual property in the defense industry
- weak and inefficient use of the intellectual property potential by national businesses, in particular by SMEs and creative industries, including in export promotion and creating a favorable image of Ukraine abroad;
- undue use of competitive potential and economic advantages in terms of protection and enforcement of geographical indications;
- long terms of obtaining legal protection for trademarks;
- insufficient protection of traditional knowledge and traditional expressions of culture by intellectual property;
- insufficient institutional capacity of the bodies assigned with functions and responsibilities for the protection and enforcement of intellectual property rights, low level of coordination between the state system of intellectual property protection and law enforcement agencies;
- high piracy and counterfeiting levels, lack of coordinated measures and effective infrastructure to prevent and combat these phenomena;
- insufficient participation of the right holders in measures to protect intellectual property rights;
- low efficiency in the management of economic rights for copyright and related rights holders;
- delays in the process of establishing of the High Specialized Court on Intellectual Property of Ukraine and low activity in promoting alternative methods of resolving disputes in the field of intellectual property;
- lack of effective mechanisms for managing the intellectual property of individuals under sanctions;
- challenges in the system of training and retraining of professional staff for the intellectual property sector and the innovation ecosystem;
- low level of knowledge and culture in the field of intellectual property in society;

Addressing the issues outlined above requires the creation of a package of strategic goals and steps to achieve them in the field of intellectual property and the consistent implementation of the state policy in the field of intellectual property by the Ministry of Economy of Ukraine and UANIPIO taking into account the tasks of fighting for Ukraine's independence in the context of the ongoing full-scale war, post-war reconstruction and development of Ukraine on innovative and technological principles and the implementation of certain steps towards the EU membership.



2.1.2. Capacities check and analysis

Strengths. Conceptually, the idea of the institutional reform was to transform the patent office, which was limited to the functions of examining and granting legal protection to industrial property rights and registering copyright or intellectual property transfer agreements, into a full-fledged National Intellectual Property Authority that supports the development of the national intellectual property system and the national innovation ecosystem, and is actively involved in supporting creative industries and will actively contribute to the development of an effective system of intellectual property rights protection and enhancement of intellectual property culture. The IP Office builds its activities taking into account Ukraine's status as an EU candidate.

The critical feasibility for institutional reform of the intellectual property field in Ukraine was defined by the program and regulatory documents of the Government and Parliament of Ukraine, which were based on the international agreements of Ukraine, namely the Association Agreement with the EU.

The basic stage for the institutional reform in intellectual property was the adoption of the Law of Ukraine "On Amendments to Certain Laws of Ukraine Concerning the Establishment of the National Intellectual Property Authority" No. 703-IX on June 16, 2020. This Law introduced a two-tier system of legal protection of intellectual property which was laid down in the relevant Ukraine's National Development Strategy for 2020-2025, developed with the support of the World Intellectual Property Organization (WIPO).



The photo: the representatives of the expert corps of UANIPIO

This Law has established the legal structure, according to which the National Intellectual Property Authority was designated with integral functional status, not merely as a legal entity. Key public institutions were specified under this law, with the Ministry of Economy of Ukraine identified as the central executive authority responsible for developing and implementing state policy in the field of intellectual property. The functions of the NIPA, carried out by a public law entity, were determined by the Cabinet of Ministers of Ukraine based on the Ministry of Economy of Ukraine's recommendation. Ukrpatent was appointed as the legal entity executing the NIPA's functions, in accordance with CMU Order No. 1267-p dated October 13, 2020.

The full-scale invasion, systematic missile attacks, blackouts and threats to the well-being and mental health of both staff and applicants have caused significant risks to the functioning of the NIPA and other state entities in this sector.

At the present time, at the moment it is possible to discuss the stabilization of their work, and even more so - the continuous fulfillment of their obligations to the community since March 2022. One of the key factors in maintaining continuity was the distributed team model, successfully implemented during the COVID-19 crisis.

Despite the global closure of access to Ukrainian state registries and databases, the intellectual property databases continued to operate stable, offering round-the-clock access to electronic services for application submissions, document retrieval, and communication with applicants.

In 2022, the Cabinet of Ministers of Ukraine adopted Order No. 943-p on October 28, 2022, "Some Issues of the National Intellectual Property Authority", according to which the State Organization "Ukrainian National Office for Intellectual Property and Innovations" (UANIPIO) performs the functions of the National Intellectual Property Authority, starting from November 8, 2022.

Accordingly, after gaining access to the state registers and transferring assets from Ukrpatent, UANIPIO fully ensures the implementation of state policy in the field of intellectual property as the National Intellectual Property Authority (NIPA).

Within the authority granted by the laws of Ukraine, such as the "On Protection of Rights to Inventions and Utility Models", "On Protection of Rights to Industrial Designs", "On Protection of Rights to Semiconductor Product Layouts", "On Protection of Rights to Trademarks for Goods and Services" "On the Legal Protection of Geographical Indications", UANIPIO conducts examinations of applications for industrial property rights,

performs state registrations of industrial property rights, and issues documents granting protection titles.

Another important activity of the IP office is the state registration of copyright and related rights, transfer of economic rights, and official publication of information about them, ensuring the maintenance of the relevant state registers.



A separate area is the support of innovation activities and development of the innovation ecosystem of Ukraine. The functions and tasks of the Ukrainian National Research and Development Organization will be provided in Chapter 4 of the Strategic Plan.

The NIPA has implemented the provisions of the Law of Ukraine titled "On Protection of Intellectual Property Rights in the Conditions of Martial Law". This law includes key provisions such as extending the timeframes for carrying out actions before the NIPA and prolonging the validity of economic rights for intellectual property that would otherwise expire during martial law. In collaboration with key stakeholders, the IP Office has prepared amendments to this law to address legal conflicts identified during its enforcement.

In extremely difficult conditions, the Ministry of Economy of Ukraine and UANIPIO continue to work on the legislative and regulatory improvement of the intellectual property system. On January 12, 2023, the Verkhovna Rada of Ukraine adopted the Law of Ukraine "On Accession to the Marrakesh Treaty", which facilitates access to printed materials for people with visual impairments or other disorders. Furthermore, as of January 1, 2023, the revised edition of the basic law "On Copyright and Related Rights" has come into effect. It harmonizes the part of provisions with the European law and improves the system of obtaining tools for protection of copyright holders. In response to the Ministry of Economy's directive, UANIPIO has drafted regulatory enactments to implement the provisions of the law, and these projects are currently undergoing the necessary approval procedures.



The photo: the details of UANIPIO accounts for payment of fees

Since the beginning of the full-scale invasion of Ukraine, according to the CMU Resolution "On Ensuring Protection of national interests in future court proceedings of the state of Ukraine due to the military aggression of the Russian Federation", UANIPIO, upon commencing its duties, has been monitoring all

submitted applications for the registration of intellectual property rights. Additionally, it monitors requests for the transfer of rights and license agreements that involve applicants, inventors, authors, or owners from the Russian Federation, and takes measures to block them.

At the present time, court hearings are being reinstated, both in-person and online. Consequently, UANIPIO is involved in the protection of intellectual property rights within the scope of its responsibilities. The IP office has also become a part of the electronic court system that has been implemented in the Ukrainian judicial system. The UANIPIO's Appeals Chamber and other collegial bodies are preparing to open in the near future.

It is recognized today that the only way for Ukraine to recover in the post-war period and to form prospects for intensive development is to become a highly technological, innovatively developed and investment-attractive state in compliance with the standards set by the EU and NATO. Adhering to these standards will not only create opportunities for economic growth but, more importantly, will establish conditions for maintaining Ukraine's independence as a sovereign state. A high-level policy on the legal protection of intellectual property, its commercialization, and effective enforcement of intellectual property rights is an integral component of achieving these objectives. Consequently, the state is both a recipient-of services and, at the same time, a guarantor of the services provided by UANIPIO.

The primary beneficiary of the IP office's services is society, which requires the fulfillment of basic functions in the field of intellectual property both during wartime and after victory. Before the war, the primary objective of state policy in the intellectual sphere was to establish and implement a modern model for

integrating the nation's intellectual potential into domestic and global markets, taking into account both the national characteristics of the transformation of intellectual property into competitive products and relevant international experience. The post war reconstruction of the national economy requires full utilization of the scientific and technical potential in the process of technological modernization of the economy, aligning it with the actual needs of Ukraine's economy based on an innovative model and support for a creative society.

The customers of the IP office's services are authors, artists, creators, inventors, innovators, scientists, educators, national businesses, subjects of innovation activity, and innovation infrastructure stakeholders, etc.



The Institute of Patent Attorneys was established in order to ensure the interests and representation of individuals and legal entities in authorized institutions that are part of the state system

of legal protection of intellectual property and perform certain tasks in accordance with their specialization. Representation through a patent attorney is optional for residents and mandatory for non-residents.

It should be noted that in Ukraine, as in most developed countries, the system of fees for actions related to the protection of rights to intellectual property objects provides reduced fees for applications filed through electronic filing systems. The presence of such a stimulating factor in the fee system, along with the improvement of technological capabilities of the electronic filing system, contributes to the growth in the number of applications, especially during times of war.

Despite the challenges of war, UANIPIO has successfully maintained and fortified its expert corps. It possesses the technical, informational, and technological capabilities required to fulfill its duties and responsibilities, including those associated with its role as the International Search Authority and International Preliminary Examination Body.

Weaknesses. Managing human resources, providing staff support, enhancing qualifications, and continually recruiting personnel continue to be among the primary challenges for state bodies and institutions, given the ongoing personnel outflow caused by forced departures, mobilization, and, regrettably, fatalities.

The effectiveness of UANIPIO's work is reflected in its key performance indicators. Objective factors, such as the impact of Covid-19 and the ongoing war, have negatively affected innovation, invention, creativity, and business activities related to the creation, identification, and legal protection of intellectual

property (see, in particular, the external environment analysis: registration of intellectual property objects).

In recent years, Ukrpatent, which previously carried out the functions of UANIPIO, significantly reduced its involvement in efforts to enhance the quality of legal protection for intellectual property, the effectiveness of intellectual property rights protection, and the fight against intellectual property rights violations. Its participation in the development of the regulatory framework was also limited. Furthermore, the certification of patent attorneys in Ukraine has been stopped since 2017, and support for intellectual property commercialization and innovation activities was not prioritized. The necessary updates to the technological infrastructure, which directly impact the efficiency of expert work and the functioning of state registries, were not implemented at the level required for Ukraine's intellectual property field.

Accordingly, UANIPIO not only has to fulfill its delegated powers and statutory tasks and plan long-term objectives but also needs to catch up with the opportunities, lost over the past years, for advancing the state's legal protection system, represented by the NIPA, in this field.



2.1.3. The analysis using the value chain model by M. Porter.

Strengths. UANIPIO, functioning as the NIPA, uses a "single window" approach for the issuance of patents and certificates of registration of intellectual property rights. This approach serves as a comprehensive platform that encompasses various aspects of intellectual property, including the definition of intellectual

property, the procedures for obtaining legal protection for different types of intellectual property (both industrial property and copyright), commercialization of intellectual property, effective law enforcement, the protection of intellectual property rights, and international cooperation in the field of intellectual property .

In line with CMU Resolution No. 943-r dated October 28, 2022, UANIPIO, entrusted with the functions of the NIPA, is committed to carrying out its delegated responsibilities in the field of intellectual property in strict compliance with national legislation governing intellectual property matters. This includes adherence to the Laws of Ukraine such as "On Protection of Rights to Inventions and Utility Models", "On Protection of Rights to Industrial Designs", "On Protection of Rights to Trademarks for Goods and Services", "On Legal Protection of Geographical Indications", "On Protection of Rights to Semiconductor Product Layouts" and "On Copyright and Related Rights" (see Chapter 1. General Information of the Strategic Plan).

Under Law No. 703 and the Statute, in addition to fulfilling its delegated responsibilities, UANIPIO is also tasked with the following:

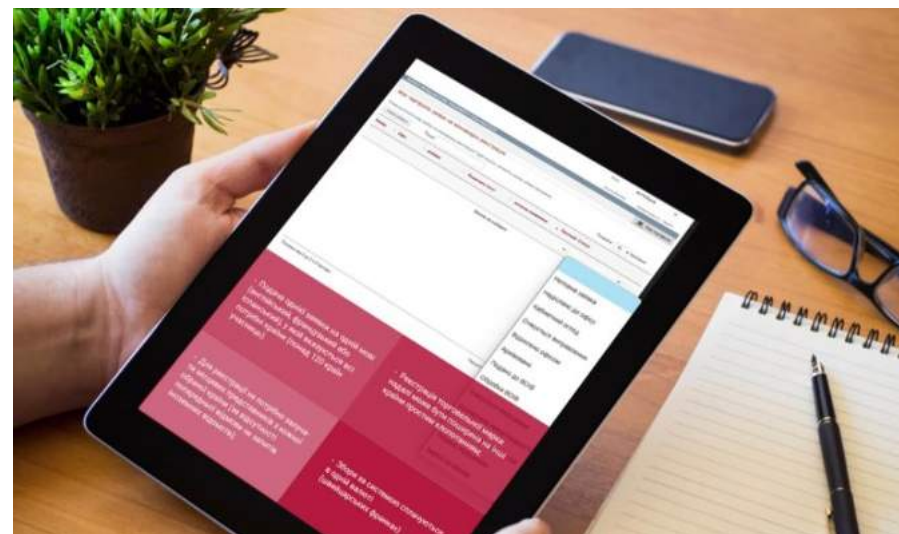
- implementation of the functions of the "National Office", as provided for by the Madrid Agreement Concerning the International Registration of Marks and the Protocol to the Madrid Agreement Concerning the International Registration of Marks;
- implementation of the functions of the "National Office" and the "Office" as provided for by the Hague and Geneva Acts to the Hague Agreement Concerning the International Registration of industrial designs;

- performing the functions of the “receiving office”, the “International Searching Authority” and the “International Preliminary Examining Authority” in accordance with the Patent Cooperation Treaty.

Exercising these powers, especially through the prism of the ISA/IPEA status, requires from UANIPIO the compliance with the requirements of expert support and continuous improvement of the expert corps' qualification in order to carry out a qualitative examination of applications for industrial property rights at the level of the leading patent offices of the world; audit and modernization of the information technology system in accordance with the current state of technological development, in particular the use of artificial intelligence technologies. It also requires constant development and improvement of patent information support in the field of intellectual (industrial) property, ensuring wide public access to information related to the acquisition of rights to intellectual property objects.

Exercising these powers, especially through the prism of the ISA/IPEA status, requires from UANIPIO the compliance with the requirements of expert support and continuous improvement of the expert corps' qualification. It also requires constant development and improvement of patent information support in the field of intellectual (industrial) property, ensuring wide public access to information related to the acquisition of rights to intellectual property objects.

Weaknesses. The activities of UANIPIO as a body exercising delegated powers in the field of intellectual property is exclusive and may not be carried out by any other persons who do not have the status of the NIPA in accordance with the current legislation. Therefore, the low quality of the delegated powers performance



leads to a decline in the effectiveness of the state system of legal protection of intellectual property (as it was observed during the past several years representing the institution, that was performing the NIPA functions) and directly affects the innovative activity and investment attractiveness of the national economy of Ukraine.



2.1.4. The analysis of the products and their market position

Strengths. UANIPIO along with the fulfillment of delegated powers in accordance with the Statute exercises a significant number of other powers in the field of intellectual property, in particular:

- carries out information and publishing activities in the field of legal protection of intellectual property;
- generalizes national and international practice of legislation application in the field of legal protection of intellectual property and innovation activities, develops proposals for the

improvement of legislation in these areas and submits such proposals to the Ministry of Economy of Ukraine;

- approves methodological recommendations for conducting examination of applications and state registration of intellectual property rights;
- ensures control and improvement of efficiency and quality of the examination;
- conducts searches in the relevant databases to ensure proper performance of functions of the International Searching Authority and the International Preliminary Examining Authority in accordance with the Patent Cooperation Treaty;
- examines applications for patenting inventions and utility models in foreign countries;
- carries out examinations upon request, to determine compliance with patentability conditions for patented inventions (utility models);
- prepares descriptions of patents for inventions and patents for utility models for publication;
- compiles information on applications, issuance of patents and certificates, copyright and agreements related to the author's right to work, as well as other relevant information for publication in the official bulletins;
- prepares information for state registration of patents and certificates, copyright, and agreements related to the author's right to a work, agreements on the transfer of rights to objects of intellectual property protected in Ukraine, license agreements, as well as for making changes to the relevant state registers;
- prepares relevant materials for the issuance of patents, certificates and extracts from state registers;

- ensures the functioning of state registers in the field of intellectual property, data storage and protection against unauthorized access and destruction;
- carries out state registration of the transfer of exclusive property rights of intellectual property, agreements on transfer of rights to intellectual property rights, protected in Ukraine, and license agreements;



- compiles catalogs of state copyright registrations for their periodical publication;
- oversees the functioning of the Appeals Chamber, which operates in accordance with the rules of procedure approved by the Ministry of Economy of Ukraine, and whose staff is approved by UANIPIO in consultation with the Ministry of Economy;
- ensures the activities of the Commission responsible for approving matters concerning the inclusion of designations containing the official name of the state "Ukraine" in trademarks for goods and services. This operates in

accordance with the procedure determined by the Ministry of Economy of Ukraine, and its members are appointed by UANIPIO;

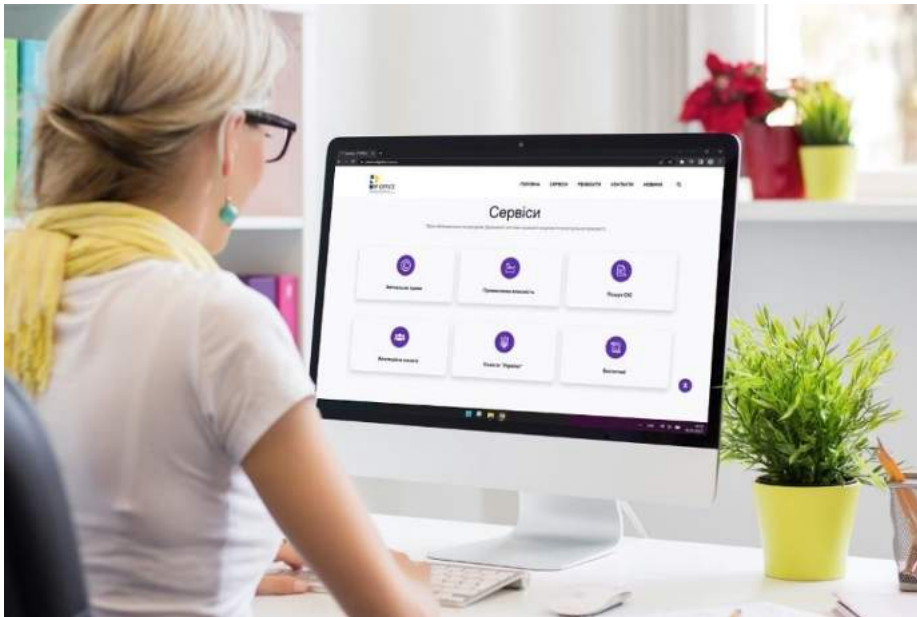
- ensures the activities of the Certification Commission and the Appeal Commission, which operate in line with the procedures established by the Ministry of Economy of Ukraine, and their personnel are approved by the Ministry of Economy;
- participates in ensuring the activities of the Accreditation Commission of collective management organizations as determined by the Ministry of Economy of Ukraine;
- provides organizational and technical support for the activities of the Supervisory Board, acting in accordance with the regulations approved by the Ministry of Economy of Ukraine;
- ensures accounting of proceeds generated from the fees for actions related to the protection of rights to intellectual property objects;
- ensures control over the correctness and timeliness of fees directed to the state and local budgets for the issuance of titles of protection (patents and certificates) for intellectual property rights objects;
- participates in forecasting the development of the national intellectual property sector and shaping its priority development directions;
- enforces, according to its powers, Ukraine's international treaties on intellectual property and participates in their preparation, conclusion, and support on behalf of the Ministry of Economy of Ukraine;
- submits proposals to the Ministry of Economy of Ukraine, in accordance with the procedure established by law, for negotiating international intellectual property treaties between

Ukraine and foreign states, international organizations, foreign intellectual property offices, and other foreign states authorities;

- summarizes the national and international practice of legislation application in the field of innovation activity in the real economy sector;
- develops proposals for improving legislation in the the field of innovation activity in the real sector of economy and submits such proposals to the Ministry of Economy of Ukraine;
- develops proposals for measures to implement the state innovation policy in the real sector of the economy, development of the innovation system and submits such proposals to the Ministry of Economy of Ukraine;
- maintains the operation of a network of technology and innovation support centers;
- ensures the introduction of alternative dispute resolution mechanisms in the field of intellectual property;
- carries out professional, scientific, educational and awareness-raising activities;
- ensures the operation of the national intellectual property training center (IP Academy) and the provision of educational services;
- offers education and training of intellectual property specialists;
- ensures professional development of the employees of UANIPIO, including the organization of training and internships abroad;
- provides advanced training of specialists in the field of intellectual property, also at IP Academy, through training seminars, workshops, special courses, etc.

- facilitates the development of creative industries;
- prepares information, analytical, educational and training materials in order to promote awareness of and respect for intellectual property and development of society culture in this area;
- provides informational, consultative, methodological, and advisory support to educational, scientific, and cultural institutions, as well as governmental and local authorities regarding legal protection of intellectual property, intellectual property rights protection, and the commercialization of intellectual and creative activity;
- provides methodological assistance to collective management organizations;
- ensures the organization and conduct of research and development works on improvement of legal protection and defense of intellectual property and innovation activities, implementation of international standards, economic, informational and resource support of the sphere of intellectual property;
- promotes the improvement of regulatory and legal, methodological, information and analytical support of intellectual property and innovation activities, development of relevant proposals;
- considers appeals on the protection and enforcement of intellectual property rights;
- provides representation of interests in the judicial authorities of Ukraine in cases concerning the protection of intellectual property rights;
- carries out publishing activities, including publication of official electronic bulletins, catalogs of state copyright registrations, specialized journals and other periodicals and publications; creation and publishing of books, brochures, booklets, reference books, manuals, newspapers, magazines and periodicals, catalogs, and other types of printed publications by reproducing and distributing them in various forms (printed, electronic or audio, on the Internet, in the form of multimedia, etc).
- collects, processes, analyzes, and disseminates statistical information, storage, protection and use of statistical information on the scope of activity of UANIPIO;
- conducts jointly with the Ministry of Economy of Ukraine, other interested bodies and organizations, including foreign and international, social and educational activities aimed at raising the level of legal culture of the population of Ukraine in the field of intellectual property and innovations;
- participates in the organization and hosting of international, national and other scientific and practical conferences, seminars, webinars, working group meetings and roundtables, exhibitions of works, inventions and other creative achievements;
- arranges and hosts festivities and various public events in celebration of International Intellectual Property Day, Inventor and Innovator Day, and other related-professional holidays;
- participates in organizing and conducting activities to encourage and support inventive and innovative activities among the population, in particular, the All-Ukrainian competition “Invention of the Year”, the International Forum “INNOVATION MARKET”, the International Eastern European Forum “Innovative Economy and Science”;

- facilitates the digitalization and automation of the operational processes within the state system for the legal protection of intellectual property. This involves establishing an information infrastructure, designing specialized software and databases, managing automated systems, and delivering services in digital formats;



- develops and maintains information databases, which include creating, updating, and ensuring the functionality of the patent information database essential for application examinations and reference and search operations;
- performs information searches on the claimed intellectual property rights, prepares relevant reports, and provides examiners with access to essential information sources;
- ensures the formation of national patent documentation funds in the bodies of the state system of scientific and technical information system of Ukraine;

- engages in the international exchange of patent documentation with foreign offices, serving as a center for international exchange publications in compliance with the Convention Concerning the International Exchange, established on December 3, 1958, by the United Nations General Conference on Education, Science, and Culture;
- takes part in the improvement of the Ukrainian patent and terminology base, standardization and unification of terminology in the field of intellectual property;
- ensures harmonization and unification of the national patent documentation in accordance with the legislation of Ukraine and international standards;
- participates in the creation, use and distribution of patent information products;
- is engaged in the acquisition and maintenance of the operation of the Digital Patent Library, the Patent Documentation Fund for public access, while consistently informing the public about their content;
- ensures the development of Internet resources of the state system legal protection of intellectual property;
- introduces modern information technologies to improve the efficiency and quality of information services provided to users;
- provides access for individuals and legal entities to information on intellectual property rights, etc.

Moreover, according to the Statute, UANIPIO is authorized to engage in non-commercial economic activities, aimed at achieving relevant social and professional outcomes in the fields of intellectual property and innovation. The above-mentioned activities are carried out by the IP Office in order to meet the public needs for services in intellectual, creative activity and provide

individuals and legal entities with services related to the acquisition, exercising and protection of rights to intellectual property, in compliance with the requirements of current legislation (taking into account the non-profit status) and on the basis of the approved Procedure for Provision of Paid Services of UANIPIO which entered into force on February 20, 2023, and in accordance with the List of paid services provided by the State Organization “Ukrainian National Office for Intellectual Property and Innovations”.

Weaknesses. The UANIPIO’s provision of information and consulting services requires highly-skilled human resources, which was formed during 2023 (for more details see paragraph 2.1.6).

Provision of patent search and application drafting services, as well as expedited examination will be considered a violation of competitive conditions in the intellectual property services market (based on the decision of the Antimonopoly Committee of Ukraine regarding Ukrpatent in 2022).

Provision of educational services under the auspices of the IP Academy is not possible without cooperation with relevant legal entities due to the absence of their own licenses and accreditations for educational activities.

Participation in ensuring the activities of the Accreditation Commission for collective management organizations by the decision of the Ministry of Economy of Ukraine is impossible during martial law because of the suspension of accreditation procedures.

The acquisition and operation of the Digital Patent Library, the Patent Documentation Fund for public use, and regular public updates about their replenishment and acquisition can only occur once the transfer of the respective resources from Ukrpatent to UANIPIO is finalized.



2.1.5. The financial analysis and economic activity indexes

Strengths. UANIPIO operates as a state non-profit organization; however, it does not receive funding from the government budget. As a non-profit entity, its activities are financed through the proceeds generated from fees for actions related to the protection of intellectual property rights, in accordance with the regulations outlined in the Cabinet of Ministers of Ukraine Resolution of December 23, 2004, No. 1716 (as amended), and taking into account the Procedure for the use of the proceeds generated from fees for actions related to the protection of rights to intellectual property objects, approved by the Order of the Ministry of Economy of Ukraine dated November 28, 2022 No. 4850.

Allocation of the proceeds generated from fees for actions related to the protection of rights to intellectual property objects shall be used exclusively for the development and functioning of the state system of legal protection of intellectual property. This includes fulfilling the tasks defined by laws and other regulatory and legal acts in the field of intellectual property, as outlined in the approved budget of UANIPIO.

Simultaneously, the Statute of UANIPIO allows for the undertaking of non-commercial economic activities, aimed at achieving relevant social and professional results in the areas of intellectual property and innovations.

The analysis of the activities of UANIPIO by directions in alignment with the budget and the financial plan approved by the Ministry of Economy of Ukraine reveals that the financial result of special-purpose operations is zero, since the funds of the designated purpose are matched with proceeds in proportion to the expenses incurred in these operations. This aligns with the current legislation regulating non-profit organizations. The financial outcome of the IP Office can exclusively be generated through the provision of paid services.



Furthermore, as part of the transfer of NIPA functions in accordance with CMU Resolution No. 943-r of October 28, 2022, titled "Some Issues of the National Intellectual Property Authority", various tangible and intangible assets were transferred from Ukrpatent to UANIPIO on the basis of the provisions of the Law of Ukraine "On Transfer of State and Municipal Property" in accordance with the order of the Ministry of Economy of Ukraine, namely: search tools, information systems, databases, software, patent and non-patent information resources, buildings, equipment, and other facilities necessary for ensuring the high-

quality examination and registration of intellectual property rights objects.

Financial indicators and business performance metrics are detailed in the budget and financial plan for the current year, in the financial indicators provided as an attachment to this Strategic Plan and in the Investment Plan of UANIPIO.

Weaknesses. The level of funding of UANIPIO, which is based on the proceeds generated from fees for actions related to the protection of rights to intellectual property, is directly dependent on the state of normative and legal regulation of the intellectual property field, as well as on the state of the national economy, which is under the influence of negative consequences of the ongoing war. These include a significant decline in innovation and inventive activity, low interest from creative industries in protecting intellectual property, limited capacity of the science and education sectors to create and finance the legal protection of intellectual property results, the challenging financial and economic situation in industrial production a significant part of which was relocated as a result of military operations in the south and east of Ukraine, unfavorable business and trade conditions, limited public awareness and appreciation of intellectual work and its outcomes, inadequate promotion of inventive and innovative activities among the general population, a low level of encouragement from employers to implement the results of intellectual labor, as well as for identifying the most talented and promising developments and attracting foreign investors, and the limited financial capacity among national investors.

Changing the funding mechanism for UANIPIO's core activities by diverting proceeds from established fees to the state budget

(either partially or entirely) will render it impossible to carry out the NIPA's responsibilities and maintain the functionality of the state's intellectual property legal protection system, thereby jeopardizing Ukraine's compliance with its international obligations in the field of intellectual property.

Additionally, the process of transferring real estate and movable assets from Ukrpatent (State Enterprise "Ukrainian Intellectual Property Institute" - UIPI) to UANIPIO remains incomplete (due to the ongoing procedure of joining SE "UIPI" to NIPA, existing unfinished construction, etc.), as well as funds on the accounts of the UIPI which are accumulated from the proceeds generated from fees for actions related to the intellectual property objects for which registration procedures have not been completed. The existing property complex of UANIPIO does not provide sufficient capabilities for its effective operation and complicates the prospects for the development of the IP office.



2.1.6. Human capital (resource) and organizational culture

Human capital (resource)

Strengths. As per CMU Resolution No. 943-r dated October 28, 2022, titled "Some Issues of the National Intellectual Property Authority," which designates UANIPIO as the functional successor of Ukrpatent for all powers stipulated by the Law on the NIPA, the entire team of examiners has been transferred from Ukrpatent to UANIPIO.

The personnel of UANIPIO (including the expert corps) has higher education, in particular, special education in the field of intellectual property, law, innovation activity, information technology, engineering, social and behavioral sciences, among others. They hold academic degrees and titles and continually enhance their professional competence through educational programs provided by WIPO, as well as other foreign intellectual property offices and the IP Academy. A significant number of team members, including the expert corps, have over two decades of experience in the field. They actively engage in the work of WIPO committees and working groups, attend events organized by foreign intellectual property offices, conduct scientific research, prepare scientific and educational and methodological publications, and contribute to national and international educational initiatives in the field of intellectual property and innovation.



UANIPPIO has implemented and applies a quality management system ISO 9001-2015 standard certification.

According to the organizational chart, UANIPIO's operations are carried out as follows:

1) employees responsible for carrying out delegated tasks of the NIPA and the functioning of the state system for legal protection of intellectual property constitute 62%, with a share of the payroll fund at 62%;

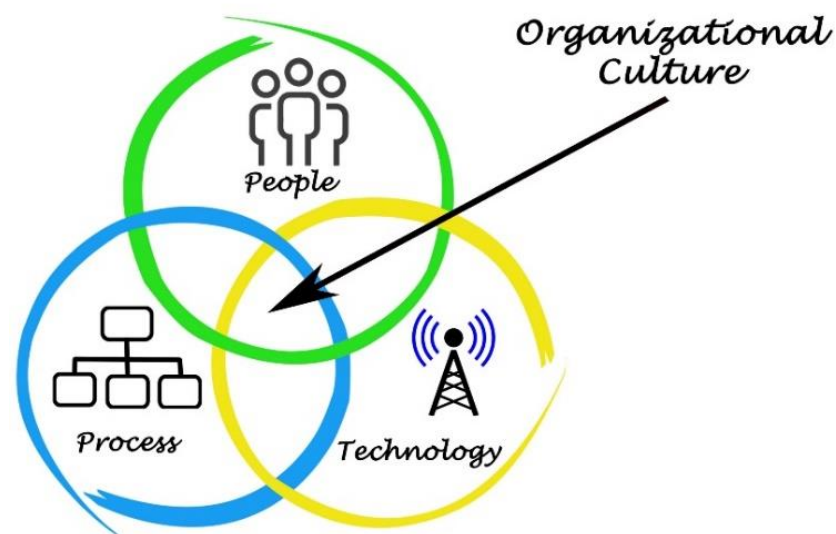
2) employees who ensure the development of the state system for legal protection of intellectual property, including innovative development - 22%, with a share of payroll of 23%;

3) Employees in roles related to the back office, internal audit, and corruption prevention comprise 16% of the team, with the payroll fund share amounting to 15%.

Weaknesses. The risk of labor migration resulting from the armed aggression of the Russian Federation. Difficulty in attracting a new generation of personnel due to the unattractiveness of work in the public sector. Increasing age of professional staff. The mobilization of male employees during times of martial law. Furthermore, the shortage of intellectual property and innovation infrastructure specialists who have received training from Ukrainian higher education institutions reflects the educational trends of the past decade. These trends have led to a decline in the emphasis on intellectual property knowledge as part of competency acquisition in relevant fields of knowledge.

Organizational culture

Strengths. The organizational culture of UANIPIO as a social phenomenon is a system of values, beliefs, norms, roles, and rules that guide the activities of the IP office, form relationships and connections between employees and divisions of the organisation focused on the functioning of the state system of intellectual property legal protection and development of the intellectual property sphere, in compliance with the principle of inclusiveness. In terms of its values, UANIPIO is guided by the organizational cultures of the world's leading intellectual property offices (agencies).



The development of organizational culture at UANIPIO is based on comprehending the following factors:

- social innovations are as important as technological ones; capital should be invested not only in modern technologies but also in professional development and training of the staff;

- effective coordination of employees' activities should be guaranteed through communication and mutual understanding; the team should work together to collectively address challenges and issues;
- assistance in the development and implementation of the corporate work style;
- continuously encouraging staff to seek innovative, unconventional solutions to various tasks (functional, technological, organizational, economic, informational, etc.);
- a robust organizational culture can often prove more effective than any formal structural control.

The effectiveness of organizational culture is determined by the joint actions of the administration, HR department, UANIPIO trade union and UANIPIO team as a whole. The design of the IP office's organizational structure has an indirect influence on organizational culture.

The organizational structure of UANIPIO is functionally oriented. The Director of UANIPIO holds authority over the first deputy and other deputies, heads of various organizational structural units. The deputy heads coordinate the implementation of the main activities of UANIPIO through the heads of structural subdivisions (heads of departments, heads of divisions, heads of units).

UANIPIO consists of collegial bodies, International Cooperation Department, Examination of Applications for Industrial Property Rights Department (including the Examination of Applications for Inventions, Utility Models and Semiconductor Product Layouts

Division, Examination of Applications for Trademarks, Industrial Designs and Geographical Indications Division, Quality Control and Improvement of Examination of Applications Unit), State Registration of Industrial Property Ensuring Department (including State Registration of Inventions, Utility Models and Layouts Unit, State Registration of Trademarks and Geographical Indications Unit, State Registration of Industrial Designs Unit, State Registration of Rights Disposal Unit), Database Formation and Editorial and Publishing Activities Department, Copyright and Related Rights Development Department (includes the Copyright and Related Rights Unit, State Registers in the Field of Copyright and Related Rights Maintaining Unit, Collective Management Organizations Monitoring Unit), Creative Sectors of Economy Unit, Intellectual Property Rights Protection Unit, Innovations Development Department, Economic Issues of Innovations Development Department, Financial and Economic Activities Department, Corruption Prevention Sector, Back Office, Document Management Division, Internal Control Division, Digital Development and Electronic Services Division, Strategic Communications Division, State Secrets Protection Unit, Intellectual Property Economics and Statistics Unit, Intellectual Property Legal Protection Museum.

The organizational structure described above enables UANIPIO to effectively fulfill its role as the NIPA, exercising its responsibilities not only in the field of intellectual property legal protection but also in alignment with the provisions of the Statute on innovation, intellectual property rights protection, and raising the level of education and culture in the field of intellectual property.



UANIPIO includes several collegial bodies, such as:

The Supervisory Board, is a collegial body responsible for overseeing the financial and economic activities of the Ukrainian National Office for Intellectual Property and Innovations, the execution of the budget and ensuring the proper utilization of funds generated from the proceeds of fees for actions related to the protection of intellectual property rights (the Regulation on the Supervisory Board was approved by the Order of the Ministry of Economy No. 18614 "Some Issues of the Supervisory Board of the State Organization "Ukrainian National Office for Intellectual Property and Innovations" dated December 04, 2023).;

The Chamber of Appeal is a collegial body tasked with reviewing objections to UANIPIO's decisions regarding intellectual property rights, applications for partial or full invalidation of such rights, applications for trademark recognition as well-known in Ukraine, and other matters within its competence as per the law.

The Examination Board is a collegial body primarily responsible for certifying individuals who have expressed their intention to practice as representatives in intellectual property matters, such as patent attorneys;

The Appeals Commission, is a collegial body responsible for reviewing complaints from candidates for representatives in intellectual property matters (patent attorneys) regarding decisions made by the Attestation Commission, as well as reviewing complaints about the actions of representatives in intellectual property matters (patent attorneys);

The Commission for the coordination of matters concerning the inclusion of a designation containing the official name of the state Ukraine into a trademark is a collegial body tasked with reviewing applications from applicants for the inclusion of a designation containing the official name of the state of Ukraine into their trademarks.

Also operating as part of UANIPIO:

The National IP&Innovations Hub (National Hub of Intellectual Property and Innovations, operated on the basis of specialized structural units of the Ukrainian National Research and Development Institute) is a powerful center for innovation activation that supports research, development, commercialization of intellectual property rights and technology transfer, encourages investment in the Ukrainian economy and promotes job creation.

The IP Academy (*National Training Center, a structural unit of UANIPIO*) is an international project of the World Intellectual Property Organization, currently being implemented in Ukraine on the basis of the IP office. Its goal is to be a leading platform for educating individuals about the basics of intellectual property. The mission of the Academy is to improve literacy and develop a culture of intellectual property, raising awareness about creators' rights, and contributing to Ukraine's position in the Global Creativity Index. The work is carried out in the following directions: popularization of intellectual property, education in the field of IP for the dissemination of intellectual and creative activity, training and retraining of specialists in the field of intellectual property.

The Department of Network Development for Technology and Innovation Support Centers (*TISC, structural unit of UANIPIO*) operates in accordance with the Memorandum between the Ministry of Economy of Ukraine and the World Intellectual Property Organization in order to facilitate the establishment of TISCs within higher education institutions, scientific and other organizations. The functions of the center include providing users with access to patent databases and other sources of patent and

non-patent information in the field of intellectual property for the purpose of patent search. Additionally, the center is dedicated to sharing knowledge on the creation, legal protection, and commercialization of intellectual property rights, fostering intellectual and innovative initiatives, and streamlining the commercialization and transfer of intellectual property rights.

The Mediation and Arbitration Center (*a structural unit of UANIPIO*) operates to advance the provisions of the memorandum between the Ministry of Economy of Ukraine and the World Intellectual Property Organization aimed at promoting alternative dispute resolution methods in the field of intellectual property and enhancing the culture of intellectual property.

The Intellectual Property Rights Observation Center (*a structural unit of UANIPIO*) is a specialized platform for professional communication on counterfeiting, similar to the European Observatory on Intellectual Property Rights Infringement, which aims to unite a wide range of stakeholders to combat the negative phenomenon of counterfeiting, including brand representatives.

The Center for Intellectual Property Rights Development (*a structural unit of UANIPIO*), whose mission is to create a legal framework that allows turning intellectual property into a driving force for social, cultural and economic recovery of Ukraine.

The main task of the Center is to conduct legal research and develop proposals for the development of general legislation.

UANIPPIO is interested in building a system of values that is influenced by setting priorities in work and specific guidelines for decision-making, fostering an atmosphere of trust, and professional development of employees and pursuing a consistent recruitment policy. The culture of UANIPPIO is built on the basis of a specific set of interconnected values, that are aligned with the leadership style, organizational structure, strategy, control system, all aimed at building an organization with a strong culture.

Weaknesses. UANIPPIO as a young organization, on the one hand and as a functional successor of Ukrpatent (with a significant part of the staff), faces a rotation of values determined by different subcultures. The absence of effective recruitment policies, the lack of specific decision-making guidelines, deteriorating trust due to the absence of shared institutional development experience (if any), and increased bureaucracy could pose a threat to UANIPPIO's organizational culture.

2.2. The analysis of the external environment



The establishment of UANIPIO coincided with the year of the full-scale Russian invasion of Ukraine and the ongoing nine-year war, directly affecting the urgency of safeguarding the nation's independence across all sectors, including the national economy, business, science, education, culture, and more. The ongoing hostilities have led to large human losses, massive population displacement, and significant infrastructure damage. Furthermore, the economic ramifications have been profound: real GDP experienced a sharp decline, inflation surged significantly, trade was severely disrupted, and the budget deficit reached unprecedented levels.

Intellectual property is no exception and is directly affected by the consequences of Russian aggression, influencing both the state of legal protection and the enforcement of intellectual property rights in general. After all, the IP sphere reflects the state of the economy and monetary system, the human resources situation and intellectual capital, etc. Therefore, the development of intellectual property correlates with the economic policy of the state.

The following factors of the external environment also influence the activities of UANIPIO.

2.2.1. Economic factors:

Economic growth will contribute to the intensification of inventive and innovative activities, actions with intellectual property right objects (IPRO).

According to the Ministry of Economy of Ukraine, the GDP decline in 2022 amounted to 29.2%, a slight improvement from the previous estimate of 30.4% ($\pm 2\%$). This became possible thanks to the coordinated work of the Government, the Parliament, the assistance of international partners, and the remarkable adaptability of businesses and the population. Together, this allowed us to maintain the economic front and continue moving towards victory¹. The declined household consumption, which was focused mainly on the purchase of essential goods and services, was observed.

Among the current trends is the decreasing investment activity during the war, partially compensated by businesses and the state's forced investments in alternative power sources. Large-scale capital repairs of energy infrastructure facilities, restoration of destroyed residential and road facilities, made possible through international financial assistance, and the continued expansion of financial support programs for businesses played a positive role.

The negative pressure from export and import operations continues to pose challenges, despite the support for foreign economic activity through the expansion of logistics routes to EU countries and the effect of EU regulations, in particular, in terms of the abolition of duties and quotas on certain types of products.

In March 2023, the IMF updated its forecast for Ukraine's economy for the period from 2023 to 2027².

This forecast was set out in the IMF's announcement about a four-year Extended Fund Facility program (EFF) for Ukraine as part of a total support package of 115 billion USD.



¹ THE MINISTRY OF ECONOMY: GDP FELL BY 29.2% IN 2022

² IMF Executive Board Approves US\$15.6 Billion under a New Extended Fund Facility (EFF) Arrangement for Ukraine as part of a US\$115 Billion Overall Support Package. March 31, 2023. International Monetary Fund.

Table 1. Ukraine: separate economic and social indicators, 2021-27

	2021	2022	2023	2024	2025	2026	2027
	Fact	Forecast	Forecast	Forecast	Forecast	Forecast	Forecast
The real sector of the economy (percentage change, unless otherwise stated)							
Nominal GDP (UAH bn)1/	5,460	4,900	6,050	7,365	8,685	9,700	10,592
Real GDP 1/	3.4	-30.3	[-3 до +1]	3.2	6.5	5.0	4.0
Contributions:							
Domestic demand	12.9	-28.9	1.2	4.7	5.4	4.5	3.1
Private consumption	5.2	-17.9	1.2	2.7	3.2	3.2	2.7
Public consumption	0.3	6.2	-0.2	-0.4	-1.7	-0.5	-0.1
Investments	7.4	-17.2	0.3	2.4	4.0	1.8	0.5
Net exports	-9.6	-1.4	-4.2	-1.5	1.1	0.5	0.9
GDP deflator	25.1	28.7	27.3	18.0	10.7	6.4	5.0
Unemployment rate (ILO definition; average for the period, percentage)	9.8	24.5	20.9	11.9	9.7	9.2	8.7

Consumer prices (average for the period)	9.4	20.2	21.1	15.5	10.0	6.9	5.5
Consumer prices (end of the period)	10.0	26.6	20.0	12.5	8.0	6.0	5.0
Nominal wages (average)	20.8	-5.1	18.6	18.4	15.5	12.2	9.7
Real wages (average)	10.5	-21.1	-2.0	2.5	5.0	5.0	4.0
Investments (percentage of GDP)	13.8	16.8	18.7	21.8	23.2	24.3	25.0
Private	10.0	14.2	15.8	17.9	18.7	19.9	20.1
Public	3.8	2.7	2.9	3.9	4.4	4.4	4.9

On September 9, 2022, the World Bank presented the Rapid Damage and Needs Assessment (RDNA) report, a comprehensive assessment of Ukraine's current recovery and reconstruction needs. The Government of Ukraine, in particular the Ministry of Infrastructure, the European Commission, and other interested international partners also participated in the preparation of the report³.

In September 2022, with the endorsement of the President of Ukraine, the #AdvantageUkraine investment attraction initiative was launched. The Advantage Ukraine project team works with the support of the USAID Program "Competitive Economy of

Ukraine", providing professional consultations to potential investors and analytical support to domestic companies seeking to attract equity or debt capital, submit projects for political risk insurance⁴.

To build partnerships, Ukraine ensures an ongoing business dialog. Thus, an agreement was reached that the EU will provide 1,500 grants for Ukrainian small and medium-sized businesses to establish business ties with EU partners under the Single Market program. In addition, 430 grants will be awarded to young Ukrainian entrepreneurs who are interested in gaining experience in conducting business within the EU⁵.

³ Ukraine Rapid Damage and Needs Assessment : February 2022 - February 2023. World Bank, Government of Ukraine, European Union, United Nations. 2023/03/20 Report № 180951.

⁴ Support of the international community in the implementation of the European integration course.

⁵ The Ministry of Economy of Ukraine: Ukraine should be integrated into the industrial production of the European Union. The meeting of Yuliia Svyrydenko with the EU Commissioner for Internal Market Thierry Breton on 24.02.2023 in Brussel

The joint efforts of international partners during a series of annual events play a special role in Ukraine's recovery⁶. In 2022, the Conference on the Restoration of Ukraine was organized by Switzerland and Ukraine in Lugano. It launched the Lugano Principles, which laid the foundation for Ukraine's reconstruction and united the efforts of the whole world.

At the 2022 URC in Lugano, the Ukraine Recovery Plan aimed at accelerating sustainable economic growth was presented⁷. The plan includes a dozen and a half national programs. However, an in-depth analysis of national programs indicates that intellectual property matters in all their aspects, from obtaining intellectual activity results and their legal protection, acquiring innovative products and technology transfer, IP commercialization, to safeguarding intellectual property rights, have not been reflected to the extent required by European practices or the interests of Ukraine as an innovative and investment-attractive country in its postwar recovery, reconstruction, and development.

This is confirmed by the analysis of various sectors for which relevant national programs have been developed.

Defense and Security

The program envisions the establishment of a specialized state institution, the Defense Technology Agency (based on the DARPA model). Its stages include engaging the business community in the formation of the strategic directions for science and technology development, similar to the Strategic Research

⁶ The Conference on Ukraine's recovery (Ukraine Recovery Conference) devoted to the transformation of Ukraine and symbolically launched in London in 2017.

Agenda. This takes into account the needs of wartime and further recovery of the Ukrainian economy on an innovative basis. Additionally, it involves the development of a system of innovation policy instruments aimed at strengthening the links between science and production, such as the development of joint research and development competitions, introduction of tax incentives, innovation vouchers, and more. *There is no intellectual property vector.*



Switzerland, together with Ukraine, hosted the International Conference on Ukraine's Recovery (URC 2022) in Lugano.
Speech by President of Ukraine Volodymyr Zelenskyy

⁷ The Ukraine Recovery Plan introduced at the URC2022 in Lugano

Innovations

The national program 8. The development of economic sectors with added value envisions the development of a business-friendly environment for startups and foreign investments in R&D, among other initiatives. It includes such components as attracting R&D companies (8E.1.IT); development of the startup ecosystem (innovation hubs, accelerators, incubators, platforms) (8E.2.IT); support for startup development through financing (grants, venture capital funds, matching programs) (8E.3.IT). However, there is no provision for the identification of intellectual property created as a result of R&D, along with subsequent processes for its legal protection and commercialization.

National Program 11. Modernization of social infrastructure. Among the directions is the construction of industrial parks (11.4). However, there is no provision for the identification of intellectual property generated as a vital component of innovation activities, nor are there provisions for its subsequent legal protection and commercialization processes.

The Direction of Education and Science.

National Program 12. Improving education with a focus on core competencies and innovation. The key challenges include underdeveloped international cooperation and integration into the global and European research area; inconsistency of management, financing, and quality assessment of science with its goals; lack of a quality system for determining national priorities for research and innovation; and the absence of a favorable research and innovation climate in the country.

A. Primary and secondary education - vector of intellectual property vector is absent.

B. Higher and technical education – the intellectual property vector is absent, while emphasis is placed on investing in R&D (co-financing of research at the request and think tanks based on key universities (12.B2.) and the reform of vocational education with the involvement of the private sector, including integration into IT innovation centers (12.B4.).

Among the key projects envisioned in the National program: stimulating startups, in particular through financing; attracting R&D of global companies, in particular in the automotive, telecommunications and healthcare sectors. The evaluation criteria include growth in the Human Capital Index and the Global Innovation Index (GII) and entry into the top 25 countries. It should be emphasized that the formation of the GI is based on a number of criteria directly related to intellectual property. It is also impossible to attract R&D of global companies outside the institution of intellectual property.

C. Science and Innovation as a vector of intellectual property addresses only human resources. Despite the fact that one of the main emphasis is put on the creation of Centers of Excellence (science parks) in cooperation with the top international centers (12.C2.). The incentives to invest in science for the private sector are defined: for example, tax rebates. Instead, any mechanisms for commercialization of intellectual property (in particular, obtaining license fees from the use of funded R&D results) are absent.

To develop human scientific potential, capable of conducting quality research and the creation of scientific developments, it is

envisaged to introduce a strong intellectual property policy to ensure that the benefits of innovation will actually bring benefit to the author of the idea (4.14.).

To solve this problem the audit of the intellectual property policy is planned, taking into consideration aspects: general protection of intellectual property rights, including sanctions against violation of intellectual property rights; fair and transparent rules for the distribution of intellectual property rights among different stakeholders; and reforming of such policy. At the same time, the list of goals for the "Science" area is much broader than ensuring human resources. After all, intellectual property is an integral part of the development of the European Research Area and the program "Horizon Europe" (2021-2027).

Intellectual property issues should be taken into account in the adoption of the National Action Plan for the implementation of the principles of open science until 2030 and the development and adoption of a new State Target Program for the development of research infrastructures in Ukraine for the period up to 2032, including e-infrastructures, as envisaged by the Recovery Plan of Ukraine.

Direction – Culture

The impact of the war only on the creative industries (as one of the components of the Culture sector) shows that currently 37% of workers in the creative industries have lost their jobs or are not receiving a salary during the war; 39% of creative businesses report a decrease/disappearance of orders and sales; a quarter of creative businesses have seen a drop in turnover, which is more

than 90%; 20% of representatives of creative industries have moved abroad because of the war.

National Program 14. Modernization of culture and sports systems. As the war reoriented the Ukrainian economy and created an acute demand in the Ukrainian market for creative industries in export competencies and international cooperation, among other measures, it is proposed to provide practical training services covering topics such as selling on international marketplaces, protection of intellectual property rights, etc. At the same time, training to understand the possibilities of protecting intellectual property rights does not address the overall problem of identification and protection of intellectual property in Ukraine by representatives of creative industries for the purpose of its further commercialization.



The photo: The Chairman of the Verkhovna Rada of Ukraine Ruslan Stefanchuk at the International Book Fair in Warsaw, May 2023.

Although the key opportunities for supporting the sector allow us to say that donors and international organizations provide funding to support the creative industries in Ukraine. EU programs House of Europe, EU4Culture offer grants and scholarships, a program of USAID “Competitive Economy of Ukraine” provides financial assistance to craft producers, and the EU4Business program offers grants to SMEs for sectors including creative industries.

In terms of developing the media and advertising market, there is potential for the establishment of numerous sustainable independent media outlets. To facilitate this modernization stage, one of the proposed measures is the adoption of legislation and by-laws that effectively protect intellectual property rights, especially on the Internet.

Book publishing and libraries. According to a survey of publishers conducted by the Ukrainian Book Institute, almost 20% of publishers have lost their production capacity, about 6% of publishers have retained them, approx. two-thirds of the technological infrastructure of printing enterprises has been damaged, while two-thirds of publishing houses and bookstores have been destroyed or suffered significant damage, more than 60% of publishing houses have become financially non-viable due to the damage caused during the war, almost 50% of Ukrainian publishers will not be able to resume operations on their own, the main publishing and printing facilities along with most warehouses of finished book products are located in conflict zones or temporarily occupied territories of Ukraine, 95.1% of publishers have catastrophically reduced sales. Structural modernization and full integration into the EU are scheduled for

this segment. Among the tasks that need to be addressed is the fight against piracy and counterfeiting in the book sector in e-commerce (on marketplaces), as the current norms and mechanisms for protecting rights are not enough.

In general, the analysis of the entire range of goals within the Culture allows us to assert that the issue of legal protection of intellectual property, its commercialization and protection in a broad sense were left out of the attention by the developers of the Recovery Plan. The area of culture and information policy, which in particular involves the development of digital culture (e.g., national electronic library, electronic services, electronic archive, e-governance) (14.A4.); development of the film and audiovisual production industry and infrastructure of the creative sector through the provision of financing and transformation of the education system (14.A6.) may be examples.

There are no issues of intellectual property as a component of the area of Digital Transformations in Culture. This is despite the fact that the Recovery Plan includes the implementation of an electronic registry system for the Museum Fund of Ukraine, the formation of an electronic registry system for the National List of Intangible Cultural Heritage of Ukraine, the development of an electronic library of music scores by Ukrainian composers; the creation of a comprehensive information retrieval system for the archive; and the creation of a National Electronic Library. It should be noted that each of these tasks involves the mandatory development of software, the identification of elements of the relevant electronic systems, and the identification of a significant range of other issues related to copyright protection and intellectual property rights protection. It should be emphasized

that after the Lugano event, the international community has been providing significant assistance to Ukraine. But the scale of the stabilization and reconstruction needed by Ukraine after Russian attacks requires more far-flung state and private sector mobilization. Ukraine has already offered initiatives for further movement in reconstruction according to these principles and obligations despite the war. Significant elaborations in this area were discussed on June 21-22, 2023, when the United Kingdom, together with Ukraine, held the International Ukraine Recovery Conference (URC 2023) in London. The purpose of the URC 2023 in London was to focus on mobilizing international support for the economic and social stabilization of Ukraine and the subsequent recovery process from the war. This includes providing emergency assistance for immediate needs and financing private sector participation in the recovery process.

In general, there is a direct correlation between the level of legal protection and enforcement of intellectual property rights and the development of national economies, in particular in terms of sectoral and segmental analysis, which is confirmed in many analytical documents of both WIPO and European institutions.

For example, if we take into account the segment of small and medium-sized businesses (SMEs), the most recent research of the European Intellectual Property Office (EUIPO) states that:

- 93% of SMEs felt a positive impact on their business due to the registration of IP rights;

- SMEs that own IP rights have 68% higher income per employee than those without registered IP rights;
- 36% of SMEs receive financial benefits due to registered IP rights.

These indicators became one of the prerequisites (within the Horizon Europe program implementation vectors, 2021-2027) of the announcement by the European Commission and EUIPO on World Intellectual Property Day in 2023 about the implementation of a grant scheme worth more than €25 million, designed to encourage European small and medium-sized enterprises (SMEs) to protect and enforce their IP rights and to develop a relevant strategy⁸. SME Fund 2023 provides an opportunity for European small and medium-sized enterprises to develop their business by protecting their intellectual property rights, improving their branding strategy and strengthening their reputation.

Ukraine joined the program, and in 2023, more than 50 SMEs took advantage of the fund's opportunities.

Industries based on intellectual property account for about 40% of the GDP of the EU and the US.

If we consider the impact of economic factors directly on the level of legal protection of intellectual property, the following should be noted.

Taking into account the fact that UANIPIO obtained powers of the NIPA only in October 2022 and considering the negative impact of the war in 2022 on the field of intellectual property in general, the analysis aimed at studying the external environment

⁸ Ideas Powered for Business SME Fund 2023.

of UANIPIO was based on the information on the activities of the NIPA in 2021.

The main indicator characterizing the efficiency of the NIPA functioning in the context of innovation performance is the activity in filing applications for intellectual property rights. The performance indicator is the number of decisions made on applications, as well as the rate of registration of titles of protection.

In 2021, the NIPA received about 3.4 thousand applications for inventions, almost 4.4 thousand for utility models, almost 2.0 thousand - for industrial designs, and more than 39.4 thousand for trademarks (including almost 31.4 thousand applications under the national procedure) (Table 2.1).

Table 2.1. Receipt of applications for industrial property objects

Industrial property objects	2017	2018	2019	2020	2021
Inventions	3 864	3 829	3 762	3 198	3 393
Utility models	9 300	9 259	8 549	5 269	4 425
Industrial designs	2 480	3 042	2 679	2 026	1 838
Trademarks	37 817	38 652	42 194	35 539	39 472
under the national procedure	30 183	30 900	33 736	27 895	31 351
under the international procedure	7 634	7 752	8 458	7 644	8 121
Geographical indications	4	3	6	2	7

Table 2.2. Receipt of applications for inventions

	2017	2018	2019	2020	2021
Total number of applications	3 864	3 829	3 762	3 198	3 393
National procedures	2 313	2 219	2 208	1 615	1 577
national applicants, including	2 107	1 973	2 010	1 374	1 297
legal entities	1 132	1 121	1 146	778	757
foreign applicants	206	246	198	241	280
PCT procedure	1 551	1 610	1 554	1 583	1 816
including national applicants	4	2	1	3	5

Inventions:

In 2021, 3,393 applications for inventions were filed (Table 2.2). The number of applications from national applicants decreased by 5.4%, while the number of applications from foreign applicants increased by 14.7% in comparison with the previous year.

In 2021, national applicants filed 1,302 applications for inventions (38.4% of the total amount). Most applications were filed by applicants from Kyiv (32.2%), Kharkiv (15.3%), Dnipropetrovsk (11.0%), Odesa (6.1%), Lviv (5.6%) regions. The share of applications for inventions filed by foreign applicants in

the total number of applications amounted to 61.6%. Almost 86% of applications from foreign applicants were filed under the PCT PROCEDURE. Applicants from the USA were the most active (578 applications), Germany (215), Switzerland (212), China (131), the United Kingdom (172), Luxembourg (57), Japan (63) and France (65).

In 2021, 2,298 inventions were registered, 990 of which (43.1%) were registered in the name of national applicants (Table 2.3).

Table 2.3. Registration of inventions

	2017	2018	2019	2020	2021
Total	2 590	2 469	2 255	2 179	2 298
National applicants	1 224	1 203	1 248	1 086	990
Foreign applicants	1 366	1 266	1 007	1 093	1 308
Valid patents at the end of the year	23 705	22 977	22 440	21 190	18 478

A total of 1,308 patents were granted to foreign applicants, in particular, 309 patents were granted to applicants from the USA, 170 - from Germany, 152 - Switzerland, 56 - Japan, 58 - Great Britain, 54 - Luxembourg, 50 - France.

As of January 1, 2022, 129,932 patents were granted on inventions, 18,478 of which are in force.

Utility models

In 2021, more than 4.4 thousand applications for utility models were filed, 97.9% of which were filed by national applicants (Table 2.4).

Table 2.4. Receipt of applications for utility models

	2017	2018	2019	2020	2021
Total number of applications	9 300	9 259	8 549	5 269	4 425
National procedures	9 289	9 253	8 538	5 261	4 417
national applicants, including	9 155	9 118	8 440	5 053	4 333
legal entities	6 032	6 337	5 710	3 201	2 837
foreign applicants	134	135	98	208	84
PCT procedure	11	6	11	8	8
Including national applicants	-	-	2	-	-

Foreign applicants submitted 92 applications, 25 of which were from Poland, 16 from Cyprus, 6 from Slovakia and 5 from the US.

The proceedings on 4,545 applications for utility models were completed, including 3,993 decisions on registration, 56 refusals to register, and at 496 applications the proceedings were terminated.

In 2021, almost 4,363 utility model patents were granted, 96.6% of which were granted to national applicants (Table 2.5).

Table 2.5. Registration of utility models

	2017	2018	2019	2020	2021
Total	9 442	8 620	8 412	6 385	4 363
National applicants	9 365	8 471	8 288	6 229	4 214
Foreign applicants	77	149	124	156	149
A number of valid patents at the end of the year	36 658	36 992	36 841	32 120	19 632

149 utility models were registered in the name of foreign applicants including 51 registered in the name of applicants from Hong Kong, 34 from Poland, 15 - Cyprus, and 4 - the United States.

As of January 1, 2022, 150,113 utility models were registered. Currently 19,632 patents are valid.

Industrial designs

In 2021, more than 1.8 thousand applications for industrial designs were received (Table 2.6). The share of foreign applications in the total amounted to 8.6%.

Table 2.6. Receipt of applications for industrial designs

	2017	2018	2019	2020	2021
Total number of application	2 480	3 042	2 679	2 026	1 838
including national applicants	2 249	2 787	2 456	1 764	1 682
legal entities	582	597	527	464	360
foreign applicants	231	255	224	262	158

Processing of 1,667 applications for industrial designs was completed, including 1,494 decisions on registration, and 173 applications withdrawn.

In 2021 1,751 industrial designs were registered, of which 1,536 (87.7%) were registered in the name of national applicants (Table 2.7).

Table 2.7 The registration of industrial designs

	2017	2018	2019	2020	2021
Total	2 390	2 297	2 599	2 047	1 751
national applicants	2 113	2 077	2 396	1 820	1 536
foreign applicants	277	220	203	227	215
Effective registrations at the end of the year	13 761	14 383	14 873	14 623	13 626

As of January 1, 2022, 44,709 industrial designs were registered and 13,626 registrations are valid.

In 2021, 505 international registrations under the Hague Agreement concerning the International Registration of Industrial Designs were extended to the territory of Ukraine.

The majority of international registration belongs to classes: 10 (Clocks and watches and other measuring instruments, checking and signaling instruments) and 12 (Means of transport or hoisting) – 54 registrations each, 09 (Packaging and containers for the transport or handling of goods) – 49, 11 (Articles of adornment) – 42, 03 – (Travel goods, cases, parasols and personal belongings, not elsewhere specified) – 36, 14 (Recording, telecommunication or data processing equipment) – 26, 02 (Articles of clothing and haberdashery) and 23 (Equipment for distributing liquids and gases, sanitary, heating, ventilation and air-conditioning equipment, solid fuel) – 25 each.

Trademarks

In today's market economy, information on trademark protection is relevant for assessing the situation in the competitive environment and is of interest both for national economic entities and foreign investors. Trademark registration activities are quite dynamic, as this object is the most numerous in terms of the number of filed applications.

The national procedure

The activity of national applicants in filing applications for trademarks increased by 12.4%, while the activity of foreign applicants increased by 6.6% and amounted to 13.8% of the total number of applications, filed under the national procedure (Table 2.8).

Table 2.8. Receipt of trademark applications under the national procedure

	2017	2018	2019	2020	2021
Total	30 183	30 900	33 736	27 895	31 351
national applicants	26 275	27 327	29 828	23 841	27 029
foreign applicants	3 908	3 573	3 908	4 054	4 322

The most active among foreign applicants under the national procedure were applicants from the United States - 865 applications, Switzerland - 459 applications, Cyprus - 438 applications, China - 304 applications, Germany - 223 applications, Great Britain - 207 applications, India - 147 applications, Poland - 105 applications, Korea - 89 applications.

In 2021, more than 22.4 thousand trademarks were registered, of which 85.4% were registered in the name of national applicants (Table 2.9).

Table 2.9 Trademarks registration

	2017	2018	2019	2020	2021
Total	15 248	15 877	17 322	19 640	22 455
national applicants	12 986	13 553	14 788	16 839	19 166
foreign applicants	2 262	2 324	2 534	2 801	3 289
Effective registrations at the end of the year	177 353	182 120	191 628	201 053	211 732

As of January 1, 2022, 311,765 trademarks were registered, with 211,732 registrations currently in force.

The international procedure

The International Bureau of WIPO received 8,121 international applications in 2021. 8,159 international trademarks were granted legal protection (Table 2.10).

Table 2.10 Receipt of international applications and granting legal protection to international trademarks under the Madrid system

	2017	2018	2019	2020	2021
The number of international applications	7 634	7 752	8 458	7 644	8 121
The number of international marks that have been granted legal protection on the territory of Ukraine	5 563	7 498	7 212	8 413	8 159

In 2021 among the member states of the Madrid System, the most active applications with extension to the territory of Ukraine were filed by applicants from Germany (1,133 applications), China (1,055), the USA (758), France (520), Switzerland (460), Italy (458), Turkey (293), Korea (202), the United Kingdom (197) and Japan (170).

In 2021, 505 applications for international trademark registration were submitted to the WIPO.

Performing the functions of the International Searching Authority and the International Preliminary Examining Authority under the Patent Cooperation Treaty.

In accordance with the Agreement between the Ministry of Economic Development and Trade of Ukraine and the International Bureau of the World Intellectual Property Organization on the implementation of the State Enterprise "Ukrainian Institute of Intellectual Property" to perform the functions of the International Searching Authority and the International Preliminary Examining Authority in accordance with the Patent Cooperation Treaty concluded on January 1, 2018, during 2021 Ukrpatent as the NIPA performed the functions of the International Searching Authority (ISA) and the International Preliminary Examining Authority (IPEA) under the Patent Cooperation Treaty (PCT).

International search and international preliminary examination are carried out on international applications filed by Ukrainian applicants to the NIPA as a receiving Office and to the International Bureau of WIPO as a receiving Office.

In 2021 the NIPA as a receiving office received 103 applications, which is 7% less than in the previous year, and 27% less than the average for the previous years, since Ukrpatent started its work as an ISA/IPEA (Table 2.11). At the same time, the share of applications submitted in English in the total applications increased to 23%.

Table 2.11 Receipt of international applications by the NIPA as a receiving Office

	2017	2018	2019	2020	2021
Number of applications submitted in English	29	36	31	30	37
Number of applications submitted in russian	102	107	140	81	66
Total	131	143	171	111	103

In 2021, the NIPA received 70 copies for search, which is 11% more than previous years. Among the search copies submitted in 2021 19% of the search copies were in English.

The NIPA sent reports on international search and written opinions to applicants and the International Bureau of WIPO for 67 applications (-6%) (Table 2.12). In 2021 no requests for additional international search were filed.

Table 2.12. Indicators of the performance of the ISA functions

	2017	2018	2019	2020	2021
A number of copies received for search	39	52	94	63	70
A number of reports on international search and written communications of the International Searching Authority sent to applicants and to the IB of WIPO	39	35	94	71	67
A number of applications for conducting additional international search	1	-	5	-	-
A number of reports on additional international search	-	1	2	3	-

In 2021 as part of the NIPA's functions as the IPEA 8 requests for international preliminary examination were received and sent to applicants and to the International Bureau of WIPO 7 international preliminary opinions on patentability, which approximately corresponds to the level of the previous three years (Table 2.13).

Table 2.13 Indicators of the performance of the IPEA functions

	2017	2018	2019	2020	2021
The number of requirements for international preliminary examination	5	8	9	7	8
The number of international preliminary opinions on patentability, issued to applicants and to the IB of WIPO	4	7	7	8	7

For the first months of the war (March - May 2022) the number of applications filed for all objects of intellectual property fell on average by 74% compared to the same periods in 2021. Later in the middle of summer 2022, the level reached a 50% decline from the number of applications submitted in the corresponding periods of the previous year. At the same time, international applications continued to be filed in almost the same volume (a decrease of 20-25% for trademarks and inventions, which is a good result against the background of the negative effects of the economic recession). And for this, Ukraine is very grateful to foreign applicants and their representatives, as well as WIPO and the global intellectual community who continue to support us.

Regarding the general statistics of intellectual property in 2022 compared to 2021:

- ▶ 44% decline in trademark applications;
- ▶ 55% decline in applications for industrial designs;
- ▶ 46% decline in applications for utility models;
- ▶ 19% decline in applications for inventions.

Meanwhile, Ukraine is constantly taking efforts to determine the ways to revive the economy which will directly affect the level of innovation activity and legal protection of intellectual property.

Some positive changes can be seen in the statistics of the work of UANIPIO itself on the registration of intellectual property objects since November 2022:

The number of taken decisions

Industrial property objects	08.11.2022 – 31.12.2023
Inventions	1043
Utility models	2722
Industrial designs	967
Trademarks	16439
Total	21171

Indicators of registrations (issued titles of protection)

Industrial property objects	08.11.2022 – 31.12.2023
Inventions	1158
Utility models	2712
Industrial designs	778
Trademarks	14530
Total	19175

Application receipt rates

Industrial property objects	08.11.2022 – 31.12.2023
Inventions	3401
Utility models	3920
Industrial designs	1200
Trademarks	27594
Total	36115

Copyright and Contracts Relating to the Author's Right in a Work

Receipt of Application

Copyright	08.11.2022 – 31.12.2023
Copyright	9121
Contracts Relating to the Author's Right in a Work	450
Total	9571

Registration

Copyright	08.11.2022 – 31.12.2023
Copyright	6908
Contracts Relating to the Author's Right in a Work	315
Total	7223

UANIPIO continued to perform the functions of the International Searching Authority (ISA) and the International Preliminary Examining Authority (IPEA). The relevant amendments to the Agreement between the Ministry of Economy of Ukraine and the International Bureau of WIPO were approved at the 55th session of the Patent Cooperation Treaty (PCT) Union Assembly on July 10, 2023.

⁹ Ukraine will need modern knowledge and technologies for infrastructure recovery, - Yuliia Svyrydenko. 17.01.2023

At the session "Ukraine: What Next?" at the World Economic Forum in Davos in January 2023, it was emphasized that the restoration and development of processing agricultural products, digital economy, modernization of the steel industry, military industry, and friend-shoring for Europe are the areas in which Ukraine sees many opportunities for private investments. To this end, the Ministry of Economy cooperates with MIGA and relevant national institutions - UKEF, DFC and other institutions to ensure investments against military risks in Ukraine. Ukraine needs the knowledge and technologies to rebuild the infrastructure to make it compliant with climate protection, efficiency and sustainability⁹.



The photo: The First Vice Prime Minister – Minister of Economy of Ukraine Yulia Svyrydenko at the World Economic Forum in Davos, January 2023

The Ukrainian government is focusing on the development of four priority sectors that will drive the recovery of the economy of Ukraine:

- military-tech (high-tech weapons);
- metallurgy, mining and machine building;
- agriculture and food industry;
- IT industry.

Investing in priority sectors and maintaining reforms, aimed at creating a business-friendly environment will ensure the recovery and further development of the Ukrainian economy.

Thus, thanks to the Army of Drones project within the UNITED24 platform, the Ukrainian military is provided with the best "birds" and the development of Ukrainian UAV manufacturers is also stimulated.

As of the beginning of 2023, 7 months into the project, almost 1600 drones were contracted for UAH 3.3 billion at the request of the military. Some of them are drones made by Ukrainian manufacturers. The state focuses on systematic stimulation of the development of UAV production in Ukraine because their market has great potential. The Ministry of Economy is focused on the development stimulating of production in a systematic way with a long-term perspective¹⁰.

Ukraine is making efforts to develop high-tech areas of weapon production and military equipment, which, in cooperation with

partners, will give an opportunity to create a modern defense industry that has the potential to be involved in Western weapon production chains¹¹. For this purpose, the defense industry has been identified as one of the priority sectors, to which Ukraine pays special attention today and will pay special attention in the future. Simultaneously, the state is ready to consider and develop any form of cooperation - production of weapons on the territory of Ukraine under license, assembly on the basis of imported components, investment in development and production, etc.

2.2.2. Socio-demographic factors:



can influence inventive and innovative activity resulting in a decrease or increase in the number of actions related to the legal protection of intellectual property:

- **the number and density of the population** - an increase in the number of population can potentially affect the level of inventive and innovative activity;
- **age and gender structure of the population** - the tendency to aging of the economically active population of Ukraine may be a determinant of the decline in inventive and innovation activity;
- **the amount of labor resources** - labor migration, caused by the armed aggression of the Russian Federation against Ukraine, may negatively affect both inventive or innovative activities and processes of attracting professional staff to UANIPIO.

¹⁰ Conference "UAV Production: Opportunities and Challenges", January 14, 2022, Kyiv. The Ministry of Economy: The state will stimulate the development of UAV production in Ukraine on a systematic basis, - Yulia Svyrydenko. 16.01.2023.

¹¹ The Ministry of Economy: Ukraine has a unique opportunity to create a modern, new defense industry. Ihor Fomenko. 06.03.2023

The remoteness of settlements from regional and district centers - may affect certain types of inventive activities related to experimental activities, which require an appropriate material and technical base;

socio-cultural level of different population groups - raising the level of education and culture will help to intensify inventive and innovative activities, increase respect for and observance of intellectual property rights.

In the International Monetary Fund's report in October 2022¹², it was noted that more than 7 million Ukrainians, about a fifth of the population, either left the country or became internally displaced persons, placing pressure on the social protection system. This caused problems in the labor market, as it is associated with changes in the volume and composition of the labor force due to large external migration and mobilization.

The number of registered unemployed per vacancy since the beginning of the war in the second half of 2022 jumped from 6 to 12, and the studies show that the unemployment rate has risen to 40%. Real salary has significantly declined. Although as of March 2023 positive trends were recorded in the labor market - since March last year 600 thousand Ukrainians have returned to work¹³.

At the same time, a significant impact is caused by the integration of the labor markets of Ukraine and the EU. According to the UN, 87% of migrants from Ukraine are women with children,

65% are of working age from 18 to 59 years old and almost 70% have a university degree. Now many of them have integrated into the EU labor markets and are helping the EU countries to overcome challenges for their economies. The temporary protection granted to Ukrainians has helped them to be economically active in these difficult times. For global refugee policy, this is a clear success. Thus, according to the estimates of the European Central Bank, the share of employment of Ukrainian refugees of working age in the mid-term will be up to 55%. The highest employment rate of Ukrainians is in Poland, with almost half of the 1.2 million having found a job. In Germany this share of employed migrants is lower. However, for Ukraine the main goal is to give Ukrainians the opportunity to return to Ukraine and work for our economic well-being at home. However, it is clear that the experience of labor migration both before and during a full-scale war shows that fully mutual ensuring freedom of movement of labor and integration of the labor market is in the best interests of both the EU and Ukraine¹⁴.

The Government emphasizes that 2023 should be the year of Ukraine's early recovery which will be driven by at the expense of private capital¹⁵.

The state will also increase the capacity of the government program "Affordable Loans 5-7-9%". In particular, since the start of this program, 70 thousand loans worth UAH 225.4 billion have

¹² Ukraine: Request for Purchase Under the Rapid Financing Instrument-Press Release; Staff Report; and Statement by the Executive Director for Ukraine. October 19, 2022. International Monetary Fund.

¹³ The Ministry of Economy. Tetiana Berezhna. 15.03.2023.

¹⁴ Yulia Svyrydenko in Davos: One of our key goals is to bring Ukrainians home. 18.01.2023

¹⁵ 2023 is the year of Ukraine's early recovery, which will be driven by private capital, - Yuliia Svyrydenko. 30.03.2023

been issued to businesses.[16] Since the beginning of 2023, entrepreneurs have received 17.2 thousand loans worth UAH 58.3 billion. Most of all, entrepreneurs took out anti-crisis loans (UAH 61 billion) and anti-war loans (UAH 54.2 billion). UAH 28.4 billion was issued to refinance previously obtained loans, UAH 25.9 billion to replenish working capital, and UAH 16.5 billion for investment purposes. In addition, agrarians received UAH 33.5 billion in loans to support their operations, and trading companies took out UAH 3.5 billion in loans to replenish working capital.



2.2.3. Technological aspects:

Introduction of innovative information technologies, including artificial intelligence tools, in the procedures of examination of applications and administration of state registers, exchange of patent information will help to reduce the timeframe for performing actions to protect intellectual property rights protection, and improve the quality of IPR actions.

The NIPA is engaged in the implementation of new technologies in its activities. An example is the interest of applicants in electronic submission of applications, which is based on the following indicators. From November 8, 2022, to November 30, 2023, 26,536 applications were filed with the NIPA using the electronic filing system, including 2,445 for inventions, 1,358 for utility models, 894 for industrial designs, and 21,839 for trademarks (Table 2.14).

Table 2.14. Receipt of applications through the system of electronic filing

Industrial property objects	2019	2020	2021	2022	2023
Total	6 888	11 180	14 998	13 099	26 791
Inventions	337	635	939	941	2 299
Utility models	337	527	722	714	1 342
Industrial designs	214	540	771	455	912
Trademarks	6 000	9 478	12 566	10 989	22 238
Percentage of the total number of submitted applications	25,8	20,4	26,2	45,2	81,8
Industrial property objects			08.11.2022-31.12.2024		
Total					29 155
Inventions					2 675
Utility models					1 494
Industrial designs					980
Trademarks					24 006
Percentage of the total number of submitted applications					80,7

Active implementation of innovative technologies is among the priorities of the IP office.



2.2.4. Legal aspects:

Changes in national and international law, court decisions may contribute to the expansion of the list of results of intellectual activity that will be protected and which may have the potential for commercialization, restrictions on such objects, to introduce special regimes of intellectual property rights belonging to the sanctioned persons or persons associated with the aggressor state, to adjust the procedures for examination and administration of state registries.

To increase trade efficiency, the Ministry of Economy and DG Trade has agreed on an updated Priority Action Plan to strengthen the implementation of the Free Trade Agreement. The main focus of this plan is Ukraine's integration into the EU internal market.



¹⁶ The European Union is Ukraine's main trading partner. In 2021, the share of trade in goods with the EU amounted to 39.6% of Ukraine's total trade. In January-November 2022, this figure was 55.5%. The main Ukrainian exports to the EU are: cereals - 15.9%; fats and oils - 10.9%; seeds and fruits of oilseeds - 10.3%; ferrous metals - 10.2%; ores, slags - 8.9%; electrical machinery - 8.5%; wood and wood products - 6.0%; energy materials - 3.4%.

¹⁷ The joint developments of the Ministry of Economy and business will be incorporated into the economic recovery strategy of Ukraine. Yulia Svyrydenko. 22.03.2023.

The plan includes 29 measures that allow the finalization of existing projects, such as the Access of Ukrainian Goods to the EU Market (ACAA) and start work on integration into the internal market in all areas, including updating the necessary annexes to the agreement, monitoring compliance with legislation and approve the decision to open markets. The goal is to integrate into the EU internal market without waiting for accession to the EU¹⁶.

Joint developments of the Ministry of Economy and Business will also be incorporated into the Economic Recovery Strategy of Ukraine¹⁷.

On December 28, 2022 by Order No. 285 of the National Standardization Body of Ukraine on the package adoption of CEN-CENELEC European regulatory documents, Ukraine adopted the full base of European standards as national standards¹⁸.

Adoption and implementation of European standards in the Ukrainian economy allows faster ratification of the ACAA Agreement and opens up new opportunities and prospects for Ukrainian business¹⁹.

At a joint meeting of the Government of Ukraine and the European Commission held in early 2023, it was noted that Ukraine had submitted to the EU an updated report on the implementation of recommendations made at previous stages, as well as tables of compliance with draft acts that are yet to be adopted on market surveillance²⁰. Ukraine and the EU have also made good progress in the process of mutual opening of public procurement markets. Ukraine is also preparing to integrate into the EU roaming area. This area will be a "pilot" for Ukraine's full legal integration into intra-European regulation.

¹⁸ State Enterprise "Ukrainian Scientific Research and Training Center for Standardization, Certification and Quality Problems" (SE UkrNDNC)

¹⁹ An important step on the way to the EU: Ukraine has adopted a complete framework of European standards. 29.12.2022

²⁰ Our main task is to integrate Ukraine into the EU internal market without waiting for the EU accession. Yulia Svyrydenko.

Progress has begun in building Ukraine's innovation ecosystem. In particular, at a meeting on February 24, 2023 the Cabinet of Ministers of Ukraine adopted the Strategy for the Development of Industrial Parks until 2030. This decision is intended to accelerate the transformation of industrial parks into drivers of economic growth for the country while promoting the transformation of industrial parks based on the eco-industrial park model. The eco-industrial park model envisages the implementation of sustainable development principles, circular economy approaches, resource-efficient and clean production, reduction of the negative impact caused by environmental pollution, increase in the efficiency of resource and waste use, in particular by creating closed cycles of their use and industrial symbiosis, use of energy from renewable sources, improvement of the quality of the social component, both within and outside the park, including at the local and regional scale and improving the quality of management at the park level²¹. Industrial parks offer not only industrial sites with ready-made utilities but also tax incentives. These incentives actually create a great potential for outsourcing production in Ukraine. Industrial parks are part of the innovation ecosystem of Ukraine, therefore, include the resolution of intellectual property issues in the development of their activities.

Also, on March 14, 2023 the Cabinet of Ministers of Ukraine approved the Procedure for allocating funds for the preparation of public-private partnership projects and fulfillment of long-term obligations under PPPs for state-owned objects. The above-mentioned decision offers a clear and transparent mechanism for financing long-term obligations and preparing PPP projects, including concessions. The introduction of such a mechanism will help attract investment in the Ukrainian economy and

²¹ Ministry of Economy: Government approves the Strategy for the Development of Industrial Parks until 2030. 24.02.2023.

increase the attractiveness of public-private partnerships for investors²². In the frame of the deregulation of the economy, the Cabinet of Ministers of Ukraine in accordance with the recommendations of the IWG on Accelerated Review of State Regulatory Instruments, abolished outdated instruments with its Resolution No. 233 of March 17, 2023²³.

Specifically, the Cabinet of Ministers of Ukraine declared Resolution No. 545 "On Approval of the Regulation on Intellectual Property Representatives (Patent Attorneys)" dated August 10, 1994, as invalid. For the field of intellectual property, it is a logical step in implementing the reform of this sphere, as envisaged by Law of Ukraine No. 703-IX. This law authorized the Ministry of Economy to approve regulations on patent attorneys, the procedure for their certification, the Certification and the Appeal Commissions, and the procedure for maintaining the state register of patent attorneys.

Taking into account the provisions of Order No. 943 of the CMU, which stipulates that UANIPIO performs the NIPA's functions, the IP Office has developed proposals for a draft order that will set out in a new version the provisions on the Certification Commission, the Appeals Commission, the State Register of Intellectual Property Representatives (Patent Attorneys) and approve the Regulation on Intellectual Property Representatives (Patent Attorneys). These acts are currently undergoing approval procedures with the governmental authorities.

The reform of the legal protection and enforcement of intellectual property rights, which the Ministry of Economy has prioritized, **is going on** in Ukraine. Its purpose is to bring the legislation of Ukraine in the field of intellectual property in line with the requirements of the European Union legislation.

²² Ministry of Economy: The Government has adopted a decision that will increase the attractiveness of public-private partnerships for investors. 14.03.2023.

²³ Deregulation: Government abolished outdated instruments.

After the adoption of the Law No. 6464 by the Verkhovna Rada of Ukraine on March 20, 2023, it is possible to talk about the successful completion of the first stage of the reform, which aimed to amend Ukrainian legislation in the field of intellectual property in order to fulfill the requirements of the Association Agreement with the EU²⁴.



In the photo: Plenary session of the Verkhovna Rada of Ukraine.
Photo by V. Sarakhan

As a result of the successful implementation of the *first stage* of the reform the protection and enforcement of intellectual property rights have been strengthened:

▶ to trademarks and industrial designs, namely sanctions for infringement of rights related to them have been strengthened, and rules have also been introduced aimed at combating the abuse of intellectual property rights. This includes the

introduction of the the possibility of pre-trial cancellation of industrial design registrations in the Chamber of Appeals (Law of Ukraine dated July 21, 2020 No. 815-IX “On Amendments to Certain Legislative Acts of Ukraine on Strengthening The Security and Protection of Rights to Trademarks and industrial Designs and Combating Patent Abuse”);

▶ to inventions and utility models, namely the introduction of norms aimed at combating the abuse of intellectual property rights by granting the right to any person to object to applications for inventions after their publication. Also, the possibility of declaring rights to inventions and utility models invalid through the administrative procedure in the Appeals Chamber is being introduced (Law of Ukraine dated July 21, 2020 No. 816-IX “On Amendments to Certain Legislative Acts of Ukraine regarding Patent Law Reform”);

▶ to geographical indications, namely new requirements to the application documents for registration of geographical indications, particularly regarding raw materials and homonymous indications, etc. have been established; the conditions for granting protection to geographical indications and the grounds for refusal to grant such protection have been clarified, along with the grounds for refusing such protection. Changes have been made to the examination procedure for applications, including the introduction of the negotiations procedures between the applicant and the opposing party. Requirements for product specifications and control elements

²⁴ The Ministry of Economy of Ukraine.

are defined (the Law of Ukraine dated September 20, 2019 No. 123-IX "On Legal Protection of Geographical Indications");

- ▶ to the layout of semiconductor products, namely the introduction of new definitions for terms such as "layout of a semiconductor product" and "semiconductor product"; the term of validity of the rights related to layout has been clarified; requirements to the application for registration of layout have been revised; the procedure for conducting application examinations has been improved; the list of rights and obligations, arising from the registration of a layout has been clarified (The Law of Ukraine No. 111-IX "On The Protection of Rights to Topographies of Semiconductor Products");
- ▶ to objects of copyright and related rights, namely relations on the acquisition, exercise and protection of moral and economic copyrights and/or related rights, as well as rights of a specific nature (*sui generis*) rights related to the field of copyright and/or related rights have been regulated (the Law of Ukraine



dated December 1, 2022 No. 2811-IX "On Copyright and Related Rights"); administrative and criminal liability for the unauthorized use of copyright and related rights has been strengthened (the Law of Ukraine dated December 1, 2022 No. 2803-IX "On Amending the Code of Ukraine on Administrative Offenses and the Criminal Code of Ukraine regarding liability for infringement of Copyright and (or) Related Rights").

On June 16, 2020, the Verkhovna Rada of Ukraine adopted the Law of Ukraine No. 703-IX "Amendments to Certain Laws of Ukraine Concerning the Establishment of the National Intellectual Property Authority", which defines the powers of the National Intellectual Property Authority.

On March 20, 2023, the Verkhovna Rada of Ukraine adopted the Law of Ukraine No. 2974-IX "The Law on Amendments to Certain Legislative Acts of Ukraine on Strengthening the Protection of Intellectual Property Rights" (registration No. 6464 dated December 24, 2021) aimed at implementing Chapter 9 of Section IV "Trade and Trade-Related Matters" of the Association Agreement with the EU, which takes into account the EU standards for the protection of intellectual property rights.

Considering that on June 23, 2022, Ukraine obtained the status of a candidate for membership in the European Union, *the second stage* of the reform has now begun, in particular taking into account the launch by the CMU on February 28, 2023 of the assessment of the adaptation of Ukrainian legislation to EU law (self-screening) and identification of inconsistencies and gaps that need to be addressed to prepare Ukraine for negotiations on accession to the EU. In the field of intellectual property more than 60 acts were assessed.

On 08.11.2023, the European Commission published the Report under the Enlargement Package, which states that Ukraine has made significant progress in the field of intellectual property due to the launch of the National Intellectual Property Authority (which functions are performed by the Ukrainian National Office for Intellectual Property and Innovations) and the adoption of legislation, in particular the Law of Ukraine "On Copyright and Related Rights".

The Report identified further steps of Ukraine in the IP sphere for the next period, for the implementation of which the Government of Ukraine defines clear deadlines. acts have been subjected to assessment.

The third stage provides for further amendments to Ukrainian legislation in the field of intellectual property, taking into account the development of legislation of the European Union as the field of intellectual property is constantly evolving in terms of regulation, and taking into account the activities of the European Commission and the practice of the Court of Justice of the European Union.

At the same time, the European integration vector of Ukraine in the field of intellectual property includes not only changes to legislation, but also continuous monitoring of its enforcement, the implementation and improvement of mechanisms and procedures for the protection of intellectual property rights, defining strategic tasks in this field and constant attention from government bodies to the fulfillment of such tasks and goals, including via the creation and operation of joint working groups in

relevant areas. It also involves effective collaboration of the Ministry of Economy and professional institutions (first of all, the NIPA), cooperation with the professional community and the market; and efforts to increase awareness and cultivate a culture of intellectual property and respect for intellectual property rights.

The development of the intellectual property field in Ukraine should continue despite the full-scale russian invasion. This requires the cooperation and support of international partners, including the World Intellectual Property Organization. That is why, in negotiations with WIPO leadership, one of the priorities for effectively countering the aggressor and post-war reconstruction of the country emphasized the need for further development of the national IP system in Ukraine, which would effectively support innovation and creative industries²⁵.

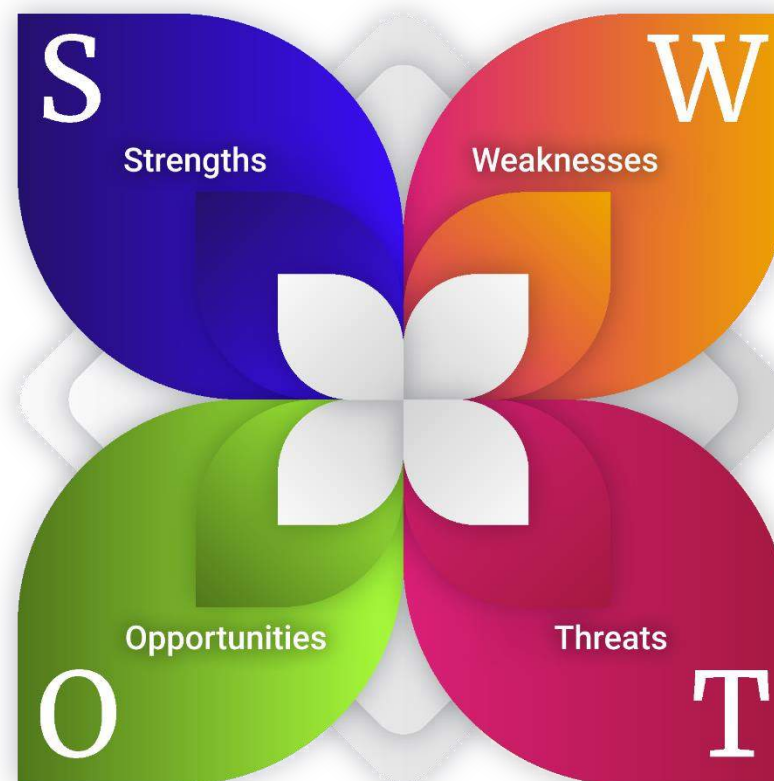
After all, a sufficient level of protection of intellectual property rights will help improve the investment climate in Ukraine. And considering the damage to our economy caused by russian aggression, the investments may become the basis for rebuilding the country. That is why the effective work of UANIPIO, which should create a modern and comfortable environment for technological development of the state, is of utmost importance.

Ukraine needs to develop a National Strategy for Intellectual Property, taking into account the negative impact of the war and development prospects.

²⁵ Ensuring the protection of intellectual property rights at the level of international standards is an important prerequisite for attracting investment and rebuilding Ukraine. Oleksandr Gryban.

2.3. SWOT-analysis

The analysis of the main activities highlights the strengths and weaknesses of UANIPIO, which depend on internal factors, favorable opportunities, as well as threats that can adversely affect its development and depend on the action of external factors. The results of the analysis are reflected in the SWOT matrix below.



Strengths	Weaknesses
<ul style="list-style-type: none"> • The presence of a strong intellectual potential and high creativity level in Ukraine; • stimulation of creative potential under the influence of the ongoing military aggression of the Russian Federation, which will contribute to the intellectual and innovative development of Ukraine as a condition for post-war recovery; • natural and climatic conditions favorable for the development of production of many types of products with high value-added products (IG, DO, STG); • the country's status as an EU candidate; • fulfilled obligations to implement the Association Agreement with the EU in the field of intellectual property (98%); • political support for the intellectual property sphere in the context of ongoing military aggression, and understanding of the role of this sphere in the post-war reconstruction and innovation breakthrough of Ukraine; • high level of integration of Ukraine into international and regional structures of intellectual property, membership in many international and regional treaties in the field of intellectual property; • support from WIPO for Ukraine and the state's legal intellectual property protection system; • effective cooperation of the state system of intellectual property legal protection with international and regional organizations in this area, (in particular with EUIPO and EPO), with specialized IP offices in other countries; 	<ul style="list-style-type: none"> • The national economy is under the influence of the negative consequences of the ongoing armed aggression of the Russian Federation against Ukraine; • millions of Ukrainian citizens migrating abroad has an impact on innovation and inventive activity; • low interest of creative industries in legal protection of the results of intellectual activity; • low capacity of the science and education sectors to create intellectual property and finance their legal protection (taking into account the difficulties of making payments for fees through the treasury account); • the difficult financial and economic situation of industrial production, a significant part of which has been relocated as a result of military operations in the south and east of Ukraine; • extremely weak and inefficient use of the potential of intellectual property by national businesses, in particular SMEs and creative industries, including in export promotion and creating a favorable image of Ukraine abroad; • lack of effective mechanisms for managing intellectual property in the defense industry; • low level of encouragement of employers to introduce the results of intellectual labor into production, as well as to identify the most talented and promising developments and attract the attention of foreign investors; weak organization of rationalization activities; • the regulatory framework in the field of intellectual property is not completely harmonized with the EU law; • improper use of competitive potential and economic advantages in terms of protection and enforcement of geographical indications;

<ul style="list-style-type: none"> • the regulatory framework in the field of intellectual property is mostly in line with international standards; • availability of an advisory body in the field of intellectual property under the Cabinet of Ministers of Ukraine; • developed IP infrastructure, the presence of a team of creators and inventors, patent attorneys, patent experts, assessors in the field of intellectual property, etc; • potential in the gradual development of an innovative ecosystem and the development of creative industries due to intellectual property; • successful reformation of the state system of legal protection of intellectual property and the availability of professional body that ensures the implementation of the state policy in the field of intellectual property; • Institutional unification under the auspices of the NIPA of legal protection of industrial property and copyright and related rights and strengthening of the areas of intellectual property rights protection, promotion of intellectual property and innovation; • many years experience and high qualification of the expert corps and management personnel; • high level of transparency in decision-making managerial and departmental nature: informing the general public about the activities of the NIPA, about draft regulations, that are being developed, their discussion and promotion, etc; • enshrining the right to electronically submit applications for the registration of intellectual property objects at the legislative level and stimulation mechanisms for such a filing; • operation and improvement of the online system for filing applications for the registration of intellectual property; 	<ul style="list-style-type: none"> • lack of protection by intellectual property mechanisms of traditional knowledge and traditional cultural expressions; • low efficiency of economic rights management of copyright and related rights holders; • poor quality of legal and regulatory framework and lack of effective legal mechanisms that should qualitatively ensure: <ul style="list-style-type: none"> ○ assessment of intellectual property rights; ○ effective mechanisms for accounting and implementation of intellectual property activity results into production; ○ commercialization of intellectual property; ○ use of intangible assets in the insurance market, in collateral and other civil acts; ○ a methodological framework for determining the extent of damage caused by violations to intellectual property rights; <p>These factors directly affect the development of the intellectual property market and, consequently, the functioning of the NIPA;</p> <ul style="list-style-type: none"> • non-systematic activities on strategic management of the state system of legal protection of intellectual property in previous years, which negatively affected the development of the national IP system; • long terms for obtaining legal protection for trademarks; • not applying certification procedures for patent attorneys in recent years; • lack of detailed information on the intellectual property market and its evolution; • insufficient development level of consulting services and information in the field of intellectual property and innovation; • incomplete process of formation of the property complex of UANIPIO as a result of the reform of the state system of legal protection of intellectual property by transferring assets from the UIPI (previously – Ukrpatent); • rotation of values determined by different subcultures in UANIPIO and Ukrpatent;
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<ul style="list-style-type: none"> • an open free electronic access of the public to databases and information and reference systems on intellectual property objects; • general document management has been transitioned to electronic document circulation; • compliance with international standards in the quality of examination for invention and utility model applications; • retention of the NIPA's status of the International Searching Authority and the International Preliminary Examining Authority; • the existence of certain incentive tools of creation, stimulation and acquisition of legal protection; • a sufficiently high level of information and technical support for the organization's core activities; • a prompt detailed informing of the public on the Internet and social networks about the results of the organization's activities; • an extensive system of professional development of the organization's employees, including the active involvement of opportunities of WIPO, EPO, EUIPO, USPTO, other national intellectual property offices; • active promotion of training activities in the IP field and advocating for its integration into the business sector, research and development within higher education institutions, research institutions, non-governmental organizations, and civil society; • active engagement in raising awareness and appreciation of intellectual property in society. 	<ul style="list-style-type: none"> • inadequate level of updating of technological bases in recent years, which directly affects the effectiveness of the NIPA's powers; • low institutional capacity of the bodies vested with the functions and responsibility for protection and enforcement of intellectual property rights, insufficient level of coordination between the state system of intellectual property protection and law enforcement authorities; • a high level of piracy and counterfeiting, lack of coordinated measures and effective infrastructure to prevent and combat these phenomena; • an absence of common databases in the field of intellectual property with the participation of the state system of intellectual property legal protection, law enforcement authorities, customs authorities, etc. • insufficient participation of right holders in protection measures of intellectual property rights; • slowing down the process of establishing the High Specialized Court on Intellectual Property of Ukraine; • weak activity in promoting alternative ways of resolving disputes in the field of IP; • absence of effective mechanisms for managing the intellectual property of sanctioned persons; • problems in the system of training and retraining of professional personnel for the intellectual property and innovation ecosystem, insufficient human resources in the field; • a low level of knowledge and culture in the field of IP in society.
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Possibilities	Threats
<ul style="list-style-type: none"> • the state policy aimed at promoting Ukraine as a candidate for EU membership and the effective activity of UANIPIO in the field of intellectual property to achieve the set goals; • development of proposals for the national legislation in the field of intellectual property in order to harmonize the EU acquis, an active role in the implementation of law enforcement in this field; • effective cooperation of UANIPIO with the institutions responsible for intellectual property in Ukraine and abroad, with the innovation and business environment, scientific and educational circles, creative industries; • the effective role of the National IP&Innovations Hub in the development of Ukraine's innovation infrastructure; • constant and open dialog with the professional community and the public in order to enhance the intellectual property culture and promote the innovation and investment attractiveness of Ukraine; • strategic management of UANIPIO on a systematic basis as one of the basic elements of the state system of intellectual property legal protection on the principles of transparency, efficiency, respect, and zero tolerance to corruption; • implementation of risk management principles in accordance with ISO 9001:2015 methodology and ensuring sustainable development of UANIPIO in the face of high external risks and a changing business environment, taking into account the negative impact of military aggression of Russian Federation on intellectual property filed; 	<ul style="list-style-type: none"> • the ongoing armed aggression of the Russian Federation against Ukraine; • destruction of network and server equipment and peril to the lives of employees; • instability of national and international markets due to martial law, as well as economic, social and political crises, including disruption of supply chains and logistics; • obsolescence of hardware and software, workstations, and IT infrastructure; • cyberattacks and information leaks; • undue information support; • insufficient number and/or qualification of staff; • low employment interest; • high level of workload and professional burnout of employees; • inadequate financial support (change in the financing mechanism for the organization's core activities due to the redirection of a portion of the collected fees to the state budget); • insufficient interaction with national and international stakeholders; • opposition to the information collection and exchange; • passivity of right holders in actions to protect intellectual property rights; • Lack of political will to complete the process of launching the High Specialized Court of Ukraine on Intellectual Property as an integral element of creating an effective system of intellectual

- Improving the image of UANIPIO in Ukraine and abroad;
- Improvement of the quality of examination of applications at the level of leading intellectual property offices, as well as EPO and EUIPO practices;
- conducting an international search and international preliminary examination;
- a significant reduction of the timeframe for examination of trademark applications maintaining the quality of examination at the same time;
- implementation of strategic tasks on technical and technological re-equipment; modern information, technical and patent information support of the activities of UANIPIO for the effective functioning of the state system of intellectual property legal protection and participation in the processes of digitalization;
- creating an intellectual property safety system;
- providing wide and free access to the public to information on the rights to intellectual property objects;
- development of proposals for improving the regulatory and legal support for filing applications and conducting examination of filed applications for intellectual property rights;
- development of methodological support for the examination of applications for intellectual property rights
- development of proposals for improving the regulatory, legal and methodological support for intellectual property commercialisation and technology transfer;
- information, consulting, technological support for the creative and innovative fields within its expertise;

- property rights protection and making Ukraine more attractive for investment in post-war reconstruction;
- Lack of respect for intellectual property in civil society, low attention to counterfeiting and piracy and lack of participation in the fight against such phenomena;
- reducing the number of documents submitted for registration of intellectual property rights.



- creation of an integrated information system on intellectual property issues and its connection with the innovation ecosystem;
- promoting the development of a civilized intellectual property market;
- expansion of development programs from WIPO and the EU;
- access to European funds and potential enhancement programs of the national system of intellectual property;
- acquisition of best practices by right holders of intellectual property management from WIPO, foreign partners;
- creation of a system of incentives for the development of research and elaborations, implementation of innovations and protection of intellectual property abroad;
- the establishment of the High Court of Intellectual Property in Ukraine;
- spreading of alternative ways to protect the intellectual property rights, including mediation;
- coordination and cooperation of state authorities, UANIPIO and stakeholders of the national IP system in the process of intellectual property rights enforcement.



Chapter 3. The UANIPIO's mission





The mission.
The values.
The vision.

Mission: modern, professional, technological and transparent system of intellectual property. Ukraine's future lies in creativity, innovations, technologies and investments facilitated by a high-quality state system of intellectual property legal protection functioning for sustainable innovative development and support of creativity; ensuring the well-being and self-realization of every Ukrainian citizen based on a high level of intellectual property rights protection and intellectual property culture.

Values:

- ▶ transparency;
- ▶ effectiveness;
- ▶ respect;
- ▶ services of high quality and digitalization;
- ▶ high management standards;
- ▶ zero tolerance for corruption;

Vision - quality services in the field of legal protection and enforcement of intellectual property rights, in the development of an innovation hub with the participation of a motivated team of professionals: stability, personal development, rational planning, consistency of internal processes and openness to communication with stakeholders.



Chapter 4. Strategic directions, aims, objectives and key indicators





The strategic aim 1. Development of international cooperation in the field of intellectual property

The vision of UANIPIO in the field of international cooperation is to promote Ukraine's position on the IP map of the world, to launch a qualitatively new level of cooperation with the World Intellectual Property Organization and to professionally represent Ukraine's interests in WIPO, to intensify cooperation with the EU Intellectual Property Office and the European Patent Office, the US Patent and Trademark Office and national IP offices of other countries.

Ukraine's acquisition of the status of a candidate country for accession to the European Union has significantly actualized the need to harmonize the practices and approaches of UANIPIO with the relevant practices of the EU, in particular the approaches of the European Patent Office (EPO) and the European Union Intellectual Property Office (EUIPO). International cooperation in the field of intellectual property will contribute to the unification of approaches to legal protection and protection of national interests and rights of applicants.

The synergy of cooperation with foreign partners and the global innovation community allows us to achieve positive results in other strategic areas through international exchange of experience, engagement of foreign experts, technical assistance and implementation of joint programs.

Based on Ukraine's national interests in international cooperation and in the context of the Russian Federation's war against our country, an important factor in international cooperation is also countering the attempts of the Russian Federation to legitimize armed aggression through the work of standing committees and working groups of international organizations.



The strategic aim 1.1 Representing interests of Ukraine in the World Intellectual Property Organization (WIPO)

The tasks:

- participation in the meetings of the General Assembly of the WIPO Member States;
- participation in the meetings of the WIPO Standing Committees (Program and Budget Committee (PBC), Committee on Development and Intellectual Property (CDIP), The Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore (IGC), the Advisory Committee on Enforcement (ACE), the Standing Committee on the Law of Patents (SCP), the Standing Committee on the Law of Trademarks, Industrial Designs and Geographical Indications (SCT), The Standing Committee on Copyright and Related Rights (SCCR), Committee on WIPO Standards (CWS) and targeted working groups;
- participation in activity of the Central European and Baltic States Group (CEBS) WIPO;
- ensuring the implementation of WIPO General Assembly Decision No. A/63/8 "Assistance and Support for Ukraine's Innovation and Creativity Sector and Intellectual Property System";
- participation in the WIPO program "Access to and Use of Government Generated/Funded IP Assets of SME";
- implementation of international treaties of Ukraine and memorandums of understanding and cooperation on intellectual property issues within the scope of their authority;

- participation on behalf of the Ministry of Economy of Ukraine in the preparation, conclusion and coordination of international treaties including those administered by WIPO;
- participation in the implementation of joint projects in accordance with the Memorandums of understanding on cooperation in the sphere of intellectual property between the Ministry of Economy and WIPO;
- cooperation with ancillary projects in which WIPO participates or administrates including public-private partnership projects (Accessible Books Consortium, Access to Specialized Patent Information, Research4Life platform, etc.);
- organization of joint international events for raising awareness and capacity building;
- participation in the preparation and submission of annual technical reports and statistical reports to WIPO.



In the photo: Bogdan Paduchak, the First Deputy Director of UANIPIO at the 43rd session of the WIPO Standing Committee on Copyright and Related Rights

The key indicators:

- professional representation of Ukraine's interests in all WIPO bodies and targeted working groups during the reporting year and effective fulfillment of the tasks of UANIPIO delegation;
- systematic coordination of the participation of UANIPIO delegation with the Central European and Baltic States Group (CEBS) in all WIPO bodies and targeted working groups;
- organizational, technical, informational and legal support for the implementation of international treaties of Ukraine, in particular treaties administered by WIPO;
- assistance to the International Bureau of WIPO in conducting a comprehensive and qualitative assessment of the direct, medium- and long-term impact of the war on innovational and creative sectors and the ecosystem of Ukraine as part of the implementation of the Decision of the Assembly of WIPO Member States "Assistance and Support for Ukraine's Innovation and Creativity sector and Intellectual Property System";
- ensuring the implementation of the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired or Otherwise Print Disabled;
- ensuring participation in cooperation with the Accessible Books Consortium for the implementation of the Marrakesh Treaty;
- participation in the processing of the opportunities for the accession of Ukraine to the Beijing Treaty on Audiovisual Performances;
- providing preferential access to patent and non-patent databases, including public-private partnership programs, administered by the WIPO (Access to Specialized Patent Information, Research4Life platform);
- facilitating the implementation of the WIPO project on small and medium-sized enterprises and participation in the joint development of a mechanism for auditing and managing intellectual property for Ukraine based on the results of the project;

- facilitating the implementation of WIPO programs on the development of hardware and software at UANIPIO, in particular, the introduction of artificial intelligence elements at the National Intellectual Property Authority in cooperation with WIPO;



Olena Orliuk, the Director of UANIPIO, and Daren Tang, the Director General of WIPO

- supporting the implementation of the WIPO Inventor Assistance Program (IAP);
- expanding the functions of the WIPO ePCT-Filing system used by UANIPIO;
- analyzing the possibilities of implementing the WIPO IP Office Suite software group;
- facilitating the functioning of the National Intellectual Property Training Center (IP Academy), supported by WIPO;
- participation in the development and functioning of the national network of Technology and Innovation Support Centers (TISCs);
- ensuring participation of national intellectual property specialists in WIPO events aimed at raising awareness and developing capacity in

the field of intellectual property and supporting organization of joint events with WIPO;

- participation in the development of technical assistance, capacity building and other support programs for women and youth within the CEBS regional group in response to the challenges of war (within the framework of WIPO Committee on Development and Intellectual Property);
- timely preparation and submission of annual technical reports and statistical reports to WIPO.



**The strategic aim 1.2.
Promoting harmonization of the system of legal protection
and enforcement of intellectual property rights in Ukraine
and the EU**

The tasks:

- participation in the development and implementation of the Roadmap for EU membership in the context of protection and enforcement of intellectual property rights;
- participation in regular Liaison Meetings and other events and working groups of EUIPO and EPO;
- strengthening of the cooperation with EUIPO by concluding and implementing a Memorandum of Understanding and Working Plan to it;
- strengthening of the cooperation with EPO by participating in the Reinforced Partnership;
- harmonization of examination practices, registration of intellectual property rights and the administrative review of disputes over intellectual property rights;



Signing of the Work Plan for 2024 -2025, following the Memorandum of Understanding between UANIPIO and EUIPO

- ensuring internships, practice and exchange of experience of domestic experts in regional and national intellectual property offices of the EU;
- participation in regional support programs of the European Commission concerning the protection and enforcement of intellectual property rights.

The key indicators:

- proposals for the Roadmap for EU membership and implementation of tasks in the context of protection and enforcement of intellectual property rights have been submitted;
- the specialists of UANIPIO have taken part in a series of EUIPO Liaison Meetings on cooperation, trademarks and industrial

designs, as well as in other events and working groups of EUIPO and EPO;

- participation of national intellectual property specialists in educational and training events of the European intellectual property offices, support of organization of joint events with such offices has been ensured;
- measures have been taken to implement the Memorandum of Understanding on Bilateral Cooperation with EUIPO;
- measures have been taken to implement the Memorandum of Understanding on Reinforced Technical and Strategic Partnership;



Signing the Memorandum of Understanding between UANIPIO and EUIPO

- measures have been taken to harmonize trademark and industrial design practices with the EUIPO, in particular, to ensure the integration of trademark and industrial design data

of UANIPIO into the information and classification systems TMview, DesignView, TMclass and Design class;

- measures have been taken to develop alternative ways of resolving disputes in the field of intellectual property and to exchange experience and summarize the practices of the Appeals Chambers of UANIPIO, EUIPO and EPO;
- systematic exchange of patent documentation and statistical data on intellectual property rights has been ensured;
- joint guidelines for patent examination have been developed, in particular by translating and adapting the relevant EPO guidelines and manuals;



Signing the Memorandum of Understanding on Reinforced Partnership between UANIPIO and EPO

- the analysis of the possibilities of applying EUIPO Harmonized Database methodology in UANIPIO has been carried out;

- the analysis of the possibilities of implementing the Common Patent Classification (CPC) has been conducted and events of experience exchanging in its application have been held;
- the similarities and differences in the legal framework and practice of examination in UANIPIO and EPO are analyzed;
- preferential accesses to the EU patent and non-patent databases have been provided;
- events of exchanging information and experience on ISO certification for the Intellectual Property Office have been held;
- events of sharing the experience of the IP offices in combating fraud (on taking effective measures against senders of deceptive invoices and payment requests) have been held;
- the participation in the development of internship and practicum programs for UANIPIO employees and national intellectual property experts at EUIPO, EPO and national offices of the EU member states is taken;
- the participation in the development and implementation of the EU regional programs for the development of the national system of protection and enforcement of intellectual property rights is taken;

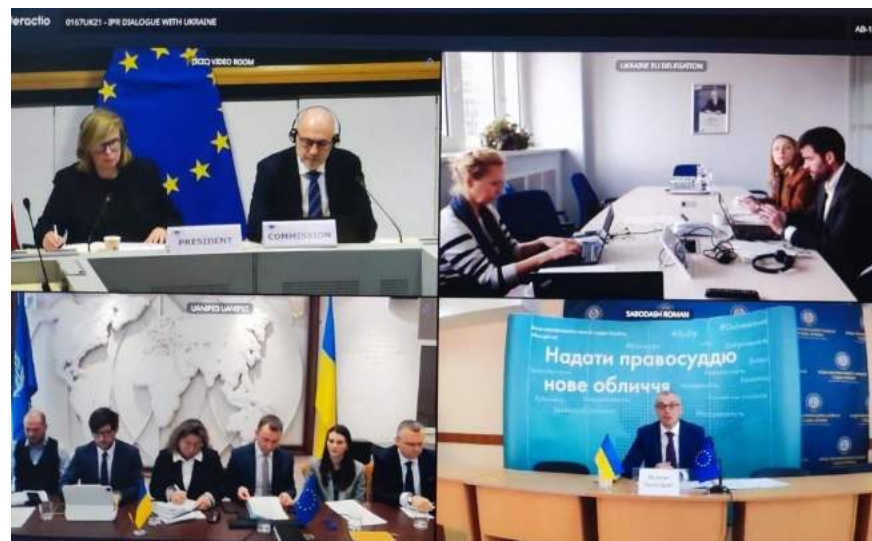


The strategic aim 1.3. Building a close network of regional and bilateral cooperation

The tasks:

- creating a legal and organizational framework to strengthen cooperation with national and regional intellectual property offices;

- strengthening the cooperation with the offices of the IP5 group, in particular by concluding and implementing Memorandums of Understanding;
- initiating the development of and participating in pilot bilateral programs of accelerated examination of applications for intellectual property rights (Patent Prosecution Highway) with the world's leading patent offices;
- participation in the implementation of cooperation programs with the United States Agency for International Development (USAID), the Commercial Law Development Program (CLDP) of the US Department of Commerce, the United Nations Development Program (UNDP), the German Agency for International Cooperation (GIZ);



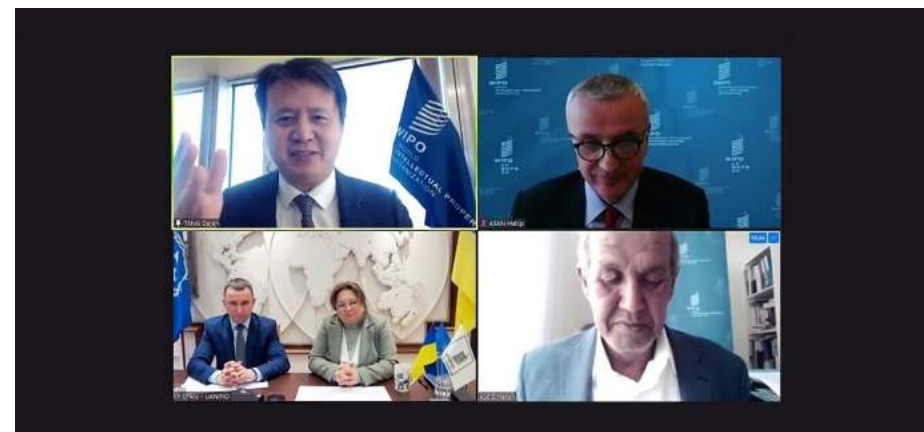
UANIPIO Management during EU-Ukraine IPR Dialogue, October 2023

- facilitating the attraction of international technical assistance and financial resources to meet the needs of the intellectual property system, innovation and creativity sector of Ukraine;

- facilitation of the promotion of national businesses and innovators to European and international markets;
- development of methodological guidelines, recommendations for the protection and commercialization of intellectual property rights of national applicants abroad;
- creating a network of foreign partners to exchange experience and raise awareness of intellectual property for national stakeholders.

Key indicators:

- The Memorandums of Understanding, the Declarations of Intent, etc. have been signed with national and regional intellectual property offices;
- drafts of the pilot programs for accelerated examination of applications for intellectual property rights (Patent Prosecution Highway) have been developed, in particular with the involvement of the IP5 offices;
- participated in the development of international instruments to support innovators and businesses as part of Ukraine's recovery from the consequences of Russia's armed aggression against Ukraine;
- programs with foreign partners to raise awareness and develop capacity to produce business-oriented publications (manuals, newsletters, or case studies) for SMEs and researchers on entering foreign markets and protecting and enforcing intellectual property rights abroad have been developed;
- engaged in cooperation with WIPO and donor countries of the Funds-in-Trust (FIT) trust fund to finance technical assistance and human capacity-building projects in Ukraine;



In the photo: Intellectual Property in the Context of War and Ukraine's Development: Meeting of the Ministry of Economy and UANIPIO with WIPO Director General Daren Tang, February 2023.

- there have been training initiatives developed for UANIPIO specialists, national intellectual property experts and students, as well as representatives of SMEs, creative industries, researchers and individual entrepreneurs;
- held events for exchanging experience and introducing best practices of automation of intellectual property administration processes in UANIPIO;
- Memorandums of Understanding were signed with the offices of the IP5 group, in particular with the US Patent and Trademark Office (USPTO) in order to share best practices in IP rights examination, training initiatives and the provision of quality services and tools to support national stakeholders;
- international experts were involved in the preparation of methodologies for conducting an audit in the public sector.



The strategic direction 2. The reliable protection of applicants' intellectual property rights

The vision of UANIPIO in the field of creating conditions and services for the reliable protection of applicants' intellectual property rights is to ensure efficient examination procedures for applications for intellectual property rights, based on the principles of the rule of law, legality, transparency, openness, digitalization, objectivity, and impartiality, independence, reliability, scientific validity, up-to-date methodological support, effective management of human resources (highly qualified staffing and advanced training) and compliance with reasonable deadlines.



The strategic aim 2.1. Raising the standards of examination of applications for intellectual property rights

The tasks:

- improving the automation of examination procedures for intellectual property rights applications;
- studying the prospects for introducing artificial intelligence tools into the examination procedures for intellectual property rights applications;
- improvement of the information systems of UANIPIO, expansion of tools for search and systematization of information;
- ensuring a continuous publication of applications for intellectual property rights and expanding the information to be published;
- providing translations into English of national patent literature (descriptions, abstracts) and their publication;

- ensuring the implementation of WIPO standards for the formation of a departmental dossier (ST. 37), recommendations for the exchange of data on the legal status of patents (ST. 27), the legal status of trademarks (ST. 61), the legal status of industrial designs (ST. 87, version 1.2) and on the electronic management of trademarks visual elements. (ST. 67);



- improvement of electronic services of interaction between applicants and UANIPIO in examination procedures;
- studying the prospects of introducing online access of interested parties to the materials of applications for intellectual property rights subject to identification and compliance with the legislation on confidential information protection.

The key indicators:

- quantitative indicators of IP office services - increase in requests for UANIPIO services;
- quantitative indicators of applicant activity - increased filing of objections to applications, reduction of the number of unfair applications;
- quantitative examination indicators - increase in the number of examinations conducted;
- qualitative indicators of examination - reduction of the number of appeals against decisions of UANIPIO.



The strategic aim 2.2. Ensuring the reasonable terms of an application examination

The tasks:

- ensuring an effective and transparent system of planning and standardization of work on the examination of applications for industrial property rights;
- optimization of the timeframe for processing applications and conducting various types of examinations at the best international level and reasonably possible reduction of the average timeframe for conducting examinations;
- improvement of the quality management system, which provides for the formation of a single structural unit for quality control of examination of all types of industrial property rights and ensuring compliance with the requirements of the ISO 9001:2015 standard for the quality management system in the examination of applications for industrial property rights;

- introduction of online services to help applicants drafting high-quality trademark applications (WIPO's online tool "Madrid System Goods and Services Manager")
- expanding the functions of the WIPO ePCT-Filing system for UANIPIO;
- improvement of automation of examination procedures for applications for intellectual property rights (introduction of modern technologies and the latest databases);
- improvement of organizational processes that determine the examination of applications for intellectual property rights (ultimate transition to electronic document circulation);
- improvement of legal support of procedures for the examination of intellectual property rights applications (exemption from simplification of procedures).

The key indicators:

- reduction of the number of examination notifications on elimination of deficiencies in applications at the stage of formal examination;
- reduction of the number of preliminary examination conclusions on the non-compliance of the claimed designations with the conditions for granting legal protection;
- reducing the timeframe for processing applications for intellectual property rights in general and for trademarks to 12 months.



The strategic aim 2.3. Adherence to the standards of the ISA and the IPEA

The tasks:

- ensuring human resources in accordance with the requirements of the Regulations under the Patent Cooperation Treaty (number, language skills, search competence);
- ensuring access to the minimum documentation required by Rule 34 of the Regulations under the Patent Cooperation Treaty;
- availability of a quality management system and internal control mechanisms in accordance with the general rules of international search;
- spreading of the information that UANIPIO has the status of the International Searching Authority and the International Preliminary Examining Authority.

The key indicators:

- continuation of performing the functions of the ISA and the IPEA by UANIPIO;
- increase in the number of applicants choosing the UANIPIO as ISA and IPEA;



The strategic aim 2.4. Effective management of human resource expertise potential of UANIPIO

The tasks:

- creation of competitive conditions and mechanisms for financial incentives to attract and accumulate the best professional staff to ensure the fulfillment of the tasks assigned to UANIPIO;

- improvement of material and social guarantees for employees;
- continuous education and professional development;
- education and training on examination issues, patent information searches and the used sources and search tools studying the best practices of conducting searches and examination of the leading offices of the world, such as EPO, EUIPO, USPTO, etc.;
- compliance with guarantees of independence of experts;
- improvement of horizontal and vertical communications;
- encouragement of scientific research;
- promotion of participation in the work of international and regional organizations;
- exchange of personnel with the leading foreign IP agencies (internships);
- engaging in communications with the professional community;
- saturation of the human resources potential with scientific personnel;
- education and involvement of a new generation of specialists;
- development and implementation of the corporate culture of UANIPIO;

The key indicators:

- stopping the outflow of a professional staff;
- sustainable development of UANIPIO's human resources;
- increase of share of UANIPIO staff with modern education and scientific degrees;
- quantitative indicators for professional development of experts;
- qualitative indicators of the expert's work.



The strategic aim 2.5. Methodological support for the examination and the corpus of innovators on the issues of acquisition and disposal of intellectual property rights

The tasks:

- research of the national legal rules, its application practice, the EPO and the USPTO practices, the European Court of Justice regarding the examination of patentable subject matter in order to develop appropriate methodological recommendations;
- research of the national legal rules, its application practice, the EPO and the USPTO practices, the European Court of Justice regarding the examination of trademarks and industrial designs in order to develop relevant methodological recommendations;
- research of the national legal rules, its application practice, the EPO and the European Court of Justice practices, regarding the examination of geographical indications in order to develop relevant methodological recommendations;
- research of the national legal rules and the EU law, its application practice, including the practice of the European Court of Justice regarding copyright and related rights protection state registration of such rights (if any), identification of contracts related author's copyright, applications for acquisition (loss) of a work, phonogram, videogram and/or recorded with their orphan status being performed, as well as statements about ensuring the protection of the author's moral rights, the work of which has become a public domain, if the author has no heirs;

- research of the national legal rules and the EU law its application practice, including the practice of the European Court of Justice on the collective management of intellectual property rights;



- study of the European Court of Justice case law on contractual regulation of relations in relation to the disposal of economic rights in the field of intellectual property.

The key indicators:

- development and adoption of guidelines for the examination of applications for inventions and utility models;
- development and adoption of guidelines for the examination of applications for trademarks;
- development and adoption of guidelines for the examination of applications for industrial designs;

- development and adoption of guidelines for the examination of applications for geographical indications;
- development and adoption of guidelines for the examination of applications for registration of copyright and contracts relating to the author's copyright, applications for acquisition (loss) of a work, phonogram, videogram and/or recorded with their orphan status being performed as well as statements about ensuring the protection of the author's personal moral rights, the work of which has become a public domain, if the author has no heirs;
- development and adoption of methodological recommendations on issues of collective management of economic intellectual property rights including the collection, distribution and payment of fair remuneration by collective management organizations;
- development of standard contracts for the disposal of economic rights in the field of intellectual property.



The strategic aim 2.6. Improvement of the Commission's activities on granting permission to use state symbols in trademarks

The tasks:

- development of updated rules of the Commission's work for granting permission to use the official name international letter code of the state of Ukraine in trademarks and/or for inclusion in the trademark image imitation of the Small Coat of Arms of Ukraine (hereinafter - the Commission), taking into account the updated legislation on the protection of trademark rights;

- development of methodological recommendations for the preparation and consideration of applications for permission to use the official name and international letter code of the state of Ukraine and/or for inclusion in the image of the trademark of



the imitation of the small State Coat of Arms of Ukraine in the trademark image;

- ensuring the Commission's activities basing on the principles of rule of law, legality, openness, and transparency, zero tolerance to corruption, and compliance with reasonable terms for consideration of applications;
- improving automation and digitalization of the Commission's activities procedures;
- raising public awareness of the practice of the Commission's activities.

The key indicators:

- reducing the number of notifications from the Commission to eliminate deficiencies in applications for authorization for the use of the official name and international letter code of the state of Ukraine and/or for inclusion in the trademark image of an imitation of the small State Coat of Arms of Ukraine in the trademark image;
- increasing the number of petitions filed using electronic services;
- reducing the timeframe for petition consideration.



The strategic aim 3. The Digital transformation

The vision of UANIPIO in the direction of digital transformation lies in the complete transition of service processes, administration, examination and interaction between the applicant and UANIPIO to online adaptive and modern processes, which will increase productivity and quality of service provision.

In the conditions of the increasing use of the latest technologies by both individuals and legal entities, as well as public authorities, and increasing the ability of citizens to access digital technologies, one of the priority areas of the IP office is the digital transformation of public services. This includes the automation of administrative processes and improving user experience for applicants engaging with these services and processes.

The IP office team develops a separate toolkit for adapting hardware and software to the development of the latest technologies which is also aimed at harmonizing the technological environment for efficient data exchange on intellectual property with the global community, national and regional authorities as well as international organizations, which will create applied tools to intensify work within the framework of global partnership.



The strategic aim 3.1. Extensive digitalization of processes for providing IP services

The tasks:

- development of a draft architecture and settings for data exchange bus integration between automated systems in the IT infrastructure of UANIPIO;

- integration of the data bus with automated systems (the AS "Inventions", CAS "Designations", AS "Copyright", AS "General Record Keeping", AS "Outgoing Documents", AS "Indicators", EIS EI (Electronic Interaction System of the Expertise Institution), International classifiers, the Central Electronic Archive of Documents, the Special Information System);



In the photo: State registration of copyright: the UANIPIO starts accepting documents in electronic form through the EIS EI.

- restructuring and modernization of the Central electronic archive of documents CEAD (creation of the electronic archive of UANIPIO);
- modernization of the technologically integrated system conducting the examination called "Inventions";
- modernization of AS "Indicators";
- modernization and refinement of AS "Copyright";

- development of a module for the functioning of the Appeals Chamber;
- development of a program for certification of patent attorneys and automation the maintenance of the register of patent attorneys;
- studying the prospects of introducing artificial intelligence tools in the work of UANIPIO, including in the procedures of examination of applications for intellectual property rights;
- an integration of artificial intelligence technology in the work with international classifiers;
- implementation of artificial intelligence technology for improvement of the provision of IP services and increase efficiency and reducing the time of expertise;
- modernization of workplaces of experts and other employees of UANIPIO;
- development and modernization of server and network technologies and equipment;
- development of a database of sanctioned persons and integration with automated examination systems AS "Inventions", CAS "Designations", AS "Copyright", the introduction of changes to the technological systems for record-keeping for the application and state registers in respect of sanctioned persons;
- implementation of technical functions in state registers for the procedure for transferring and canceling the transfer of assets to ARMA's (the Asset Recovery and Management Agency) management.

The key indicators:

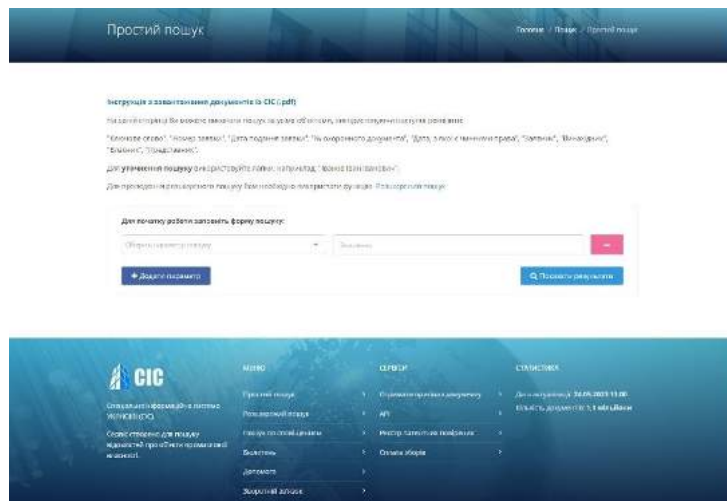
- general access for applicants to receive services and interact with UANIPIO was improved (quantitative indicators of positive user feedback);
- a number of examinations has been increased;
- organizational and technological infrastructure for the use of artificial intelligence has been introduced in the operational activities of UANIPIO and interaction with users.



The strategic aim 3.2. New online services for applicants and the development of a digital platform for communication in the IP field

The tasks:

- creation of a single electronic applicant's office;
- improvement of the Special Information System (SIS) taking into account the current needs of the IP field;



- development of a common HelpDesk platform and integration into the management structure of UANIPIO;
- development of the website of UANIPIO;
- improving access to public registers in the IP sphere
- studying the possibility of integration of the CRM system with the general information system of UANIPIO;

The key indicators:

- a convenient and informative web portal of UANIPIO for applicants, rights holders and other interested parties, created on the principle of a "one-stop shop";
- improved procedures for processing and recording internal and external appeals;
- receiving and delivery of notifications to internal and external users has been introduced;
- the processes of informing about the progress of document processing have been enhanced;
- informing about the occurrence of a certain event, informing applicants/owners about the terms of the processing of objects has been provided;
- access to registers in the IP sphere was provided in accordance with the requirements of the law.



The strategic aim 3.3. Development of online services for the elaboration of an innovative environment

The tasks:

- development of a web service for the National IP&Innovations Hub, which combines services for researchers, inventors and innovators (on a one-stop shop basis);

- creation of the technology transfer platform in order to unite the investors as an innovation agency, “problems owners” – large enterprises, SMEs, public administration entities and multidisciplinary innovative technological teams of experts (authors of innovative solutions) using the mechanism of announcement of competitions for the selection of technological solutions for startups, including the involvement of grants, taking into account the impact of the war (IP market Place);
- ensuring the functioning of the web portal with information on opportunities to invest in innovation and maintaining a national calendar of events for interaction between innovators and investors;

The key indicators:

- aggregation of data on intangible assets has been carried out for the purpose of further development of the audit area (inventory) of intellectual property and analysis of the IP sphere in Ukraine;
- a unified information cluster has been created at the IP Office for innovation entities on the basis of the National IP&Innovations Hub;
- organizational and technical capabilities for adaptive system of technological requests for innovative solutions and IP rights from industry and business have been formed;
- tools to facilitate the implementation of the Ukraine Recovery Plan (online services and infrastructure for financing SMEs, researchers and increasing the level of inclusivity of access to information resources).



The strategic aim 3.4. New IT solutions for corporate governance (HR management, financial services, internal document outflow)

The tasks:

- development of the internal portal of UANIPIO;
- modernization of the electronic document exchange of UANIPIO and the electronic signature system;
- updating and developing the digital patent library;
- improvement of existing and implementation of new organizational and technical measures on the issues of information and cybersecurity, financial services.

The key indicators:

- stopping the outflow of professional staff and improving of the employer brand of UANIPIO;
- sustainable development of the human resources potential of UANIPIO;
- a knowledge library for UANIPIO employees has been formed and mechanisms for professional development have been adapted;
- organizational and technical measures have been taken on information, cybersecurity and financial services issues.



The strategic direction 4. High-quality and effective legal support in the intellectual property field

The vision of UANIPIO in the direction of implementation of high-quality and effective legal support of the intellectual property sphere lies in the formation of a legal field due to which:

- Ukraine is actively moving towards the harmonization and implementation of the EU law (EU acquis) in the field of intellectual property legal protection;
- procedures for examination, acquisition and disposal, commercialization, enforcement and protection of IP rights are transparent, simple, unified, digitalized, environmentally friendly, barrier-free, efficient and ensure the observance of the rights of stakeholders and society;
- the range of intellectual activity results, which are subject to legal protection;
- legislative incentives are available, thanks to which intellectual property and innovation become an effective tool in the fight for Ukraine's independence and crucial tool of postwar recovery, a dominant component of the national product, a source of stable income for authors, performers, inventors, creators and innovators, and a key to sustainable development of the society.



The strategic aim 4.1. Participation in the implementation of the Roadmap of Ukraine for EU membership in the intellectual property field

The tasks:

- assessment of the implementation condition of legal acts of the European Union (EU acquis) in the intellectual property field;
- a study of copyright and related rights protection in EU law and its application, including the case law of the Court of

Justice of the European Union in order to implement in the national law in the intellectual property field;

- research on the protection of rights to patenting objects in the EU law and its application practice including the practice of the Court of Justice of the European Union and EPO, the experience of the EU member states in order to implement in the national law in the intellectual property field;
- research on the protection of trademark rights and industrial designs in EU law and its application practice including the practice of the Court of Justice of the European Union and the EUIPO, the experience of the EU member states in order to implement in the national law in the intellectual property field;
- research on the protection of rights to geographical in the EU law and its application including the practice of the Court of Justice of the European Union, EPO, EUIPO, the experience of the EU member states in order to implement in the national law in the intellectual property field;
- research on the condition of implementation of the provisions of the harmonized national law with the EU law in the field of intellectual property.

The key indicators:

- screening of national legislation in the field of intellectual property for its compliance with the law of the European Union (EU acquis);
- proposals for amendments to the legislation on protection of copyright and related rights, taking into account the EU law and

its application practice including the case law of the Court of Justice of the European Union have been worked out;

- proposals for amendments to the legislation on the protection of rights to inventions and utility models, taking into account the EU law and its application practice, including the practice of the European Court of Justice and EPO have been worked out;
- proposals for amendments to the legislation on the protection of rights to trademarks taking into account the EU law and its application practice, including the practice of the European Court of Justice and EUIPO have been developed;



- proposals for amendments to the legislation on the protection of rights to industrial designs taking into account the EU law and its application practice, including the practice of the European Court of Justice and EUIPO have been worked out;

- proposals for amendments to the legislation on the protection of rights to geographical indications taking into account the EU law and its application practice, including the practice of the European Court of Justice and EUIPO, the analysis of the the experience of the EU Member States have been worked out;
- proposals for amendments to the legislation on protection of intellectual property rights, taking into account the EU law and the practice of the European Court of Justice, the experience of the EU Member States have been developed;
- a report on the assessment of the implementation of the EU regulations (EU acquis) in the field of intellectual property has been submitted.



**The strategic aim 4.2.
Research of national legislation in the field
of intellectual property and its application,
and preparation of proposals for its update, including
for the purpose of unification and simplification
of procedures**

The tasks:

- analysis and research of legislation in the field of intellectual property and the practice of its application and preparation of proposals for its updating under the principles of:
 - systematization (consolidation, codification), optimization, liberalization and simplification of expert, registration and the Appeals Chamber procedures;
 - refusal of non-functional actions and documents (petitions, applications, decisions, security documents);

- abandonment of the concept of operations IP titles /registrations/objects (issuance, transfer, invalidation) and implementation of the concept of transactions with intellectual property rights, full implementation of the theory of exclusive rights;
- abandoning archaism (going through the procedures for obtaining an expert opinion, on the basis of which the decision of the NIPA on registration is made) and provision of the examiner's conclusion, adopted on the basis of the results of the examination, the status of a legally significant document;
- expanding the powers of the Appeals Chamber (powers to review any decisions of the NIPA, including on copyright, registration of facts transfer of rights, other actions (decisions) of the NIPA);
- refusal to submit registration agreements to UANIPIO introducing the concept of registering rights transfer based on an application (form) submitted by an authorized person to the electronic office instead;
- introduction of a mandatory notification procedure for registering the transfer of economic rights for all objects created with public funds;
- improving the procedures for maintaining registers, reflecting the current regime of rights taking into consideration information on judicial proceedings, any encumbrances and limitations;
- providing the applicant and the person who filed an objection with the possibility to settle the dispute amicably during the

examination of the application by applying to the Mediation Center at UANIPIO;

- introduction of a notification procedure for registration of copyright, registration of facts of disposal of intellectual property rights based on blockchain technology;
- regulation of inheritance relations of intellectual property rights;
- recognition of smart contracts as a basis for entering into registers of information on the disposal of intellectual property rights;
- research of legislation and its application practice and preparation of proposals for systematization of its procedural norms in the intellectual property field;
- study of the prospects of Ukraine's accession to international acts in the field of intellectual property (WIPO Beijing Treaty on Audiovisual Performances, etc.);
- research and generalization of national and international practice of copyright application of and contracts relating to the author's copyright acquisition (loss) of orphan status by an object, ensuring the protection of personal non-property rights of the author whose work has fallen into the public domain, in the case of the author's absence of heirs;
- research and generalization of national and international practice of application of legislation on the protection of intellectual property rights due to the usage of the latest technologies (artificial intelligence, 3D modeling, blockchain, metaverse, NFT, smart contracts, activities of decentralized

autonomous organizations, etc.), when using alternative methods of dispute resolution;



- preparation of proposals to improve bylaws and bring them in line with special laws in the field of intellectual property, that regulate the relations on filing, consideration and examination of applications for inventions, utility models, industrial designs, trademarks, geographical indications, topographies of semiconductor products;
- preparation of proposals for improving the bylaws that regulate the relations on administration of state registers of inventions, utility models, industrial designs, trademarks, geographical indications, and topographies of semiconductor products;

The key indicators:

- proposals to for the national legislation in the field of legal protection and enforcement of intellectual property rights have been developed and submitted to the Ministry of Economy of

Ukraine the subjects of legislative initiative, in particular, regarding:

- protection of rights to inventions (APC, “Bolar Provision”, compliance with EU law);
- legal protection of industrial designs, trademarks (unification of procedures, compliance with the EU law, peculiarities of use in the digital environment);
- legal protection of copyright and related rights, as well as management of economic intellectual property rights;
- development of proposals for amendments to special laws in the field of intellectual property, aimed at simplifying procedures for the legal protection of intellectual property rights;
- proposals to the Civil Code of Ukraine and laws in the field of intellectual property regarding contractual regulation of relations in the field of intellectual property have been developed;
- proposals to the current laws of Ukraine regarding the regulation of inheritance relations of intellectual property rights have been developed;
- proposals for amendments to the Criminal Code and the Code of Criminal Procedure, the Customs Code, the Code of Ukraine on Administrative offenses in terms of improving the protection of intellectual property rights have been developed;
- proposals for amendments to some legislative and bylaw acts of Ukraine regarding ensuring the conclusion of an agreement between Ukraine and the the European Union on mutual recognition of qualified electronic trust services and implementation of the EU legislation in the field of electronic identification in the field of intellectual property have been developed;
- proposals on the expediency of Ukraine's accession to international acts in the field of intellectual property (WIPO Beijing Treaty on Audiovisual Performances, etc.) have been submitted;
- project of rules for drafting, submission and conducting of expertise of applications for inventions and utility models has been drafted and submitted to the Ministry of Economy of Ukraine;
- project of rules for drafting, submission and conducting of expertise of applications for industrial designs has been drafted and submitted to the Ministry of Economy of Ukraine;
- project of rules for drafting, submission and conducting of expertise of applications for topographies of semiconductor products has been drafted and submitted to the Ministry of Economy of Ukraine;
- project of rules for drafting, submitting an application for trademark, applications for international registration of a trademark and examination of an application for a trademark, international registration of a trademark with the extension to Ukraine has been worked out and submitted to the Ministry of Economy of Ukraine;
- proposals for amendments to the rules for drafting, filing and consideration of applications for geographical indications have been worked out and submitted to the Ministry of Economy of Ukraine;

- a draft project for the state registration procedure of copyright and contracts relating to the author's copyright has been developed and submitted to the Ministry of Economy of Ukraine;
- a draft project outlining the procedure and conditions for the authorized use of orphan works, phonograms, videograms and performances recorded in them has been developed and submitted to the Ministry of Economy of Ukraine;
- a draft project outlining the procedure for protecting the personal non-property rights of the author in relation to works that have fallen into the public domain in the absence of heirs has been developed and submitted to the Ministry of Economy of Ukraine;
- a draft regulation on the State Register of Certificates for copyright registration has been developed and submitted to the Ministry of Economy of Ukraine;
- a draft regulation on the State Register of contracts related to the author's copyright has been developed and submitted to the Ministry of Economy of Ukraine;
- a draft regulation on the State Register of inventions of Ukraine has been developed and submitted to the Ministry of Economy of Ukraine;
- a draft regulation on the State Register of utility models of Ukraine has been developed and submitted to the Ministry of Economy of Ukraine;
- a draft regulation on the State Register of trademarks of Ukraine has been developed and submitted to the Ministry of Economy of Ukraine;

- a draft regulation on the State Register of industrial designs of Ukraine has been developed and submitted to the Ministry of Economy of Ukraine;
- a draft regulation on the State Register of geographical indications of Ukraine has been developed and submitted to the Ministry of Economy of Ukraine;
- a draft regulation on the State Register of topographies of semiconductor products of Ukraine has been developed and submitted to the Ministry of Economy of Ukraine;



**The strategic aim 4.3.
Research on the feasibility of applying intellectual property protection mechanisms to non-traditional intellectual property objects and other results of intellectual and creative activity**

The tasks:

- studying the feasibility of applying mechanisms of legal protection of intellectual property for commercial designations, taking into account the analysis of foreign practices;
- studying the ways to improve the application of intellectual property protection mechanisms to rationalization proposals, taking into account the analysis of foreign practices;
- studying the feasibility of improving the application of intellectual property protection mechanisms to trade secrets, taking into account the analysis of foreign practice;
- studying the feasibility of extending intellectual property protection mechanisms to domain names, taking into account the analysis of foreign practice;

- studying the feasibility of the application of intellectual property protection mechanisms to genetic resources, traditional knowledge, traditional cultural expressions, taking into account the experience of WIPO.



The key indicators:

- proposals for the national legislation on the legal protection of commercial names have been developed;
- proposals for the national legislation on the legal protection of rationalization proposals have been developed;
- proposals for the national legislation on the legal protection of trade secrets have been developed;
- a proposal on the feasibility of applying mechanisms of legal protection of intellectual property to domain names have been developed;
- a proposal on the feasibility of applying mechanisms of legal protection of intellectual property to genetic resources, traditional knowledge, traditional cultural expressions has been developed;



The strategic aim 4.4. Research and preparation of proposals for national legislation on the development of innovative entrepreneurship, development of innovation ecosystem and commercialization of intellectual property taking into account the EU experience

The tasks:

- study of foreign experience in terms of implementation of state policy aimed at encouraging SMEs to in the creation, protection, use and commercialization of intellectual property and development of relevant proposals for national legislation;
- creation of legal conditions for positive dynamics of innovation activity of domestic enterprises by enshrining in the national legislation financial, tax, credit mechanisms in the national legislation aimed at stimulation of innovation activity;
- analysis of foreign practice of implementing measures, aimed at the use of intellectual property rights created by public finances (budget funds) and service intellectual property rights objects in various sectors of economy, science, education, in order to develop proposals for improvement of the national legislation;
- study of foreign legislation and the EU practice on the introduction of insurance products covering losses related to the infringement of intellectual property rights, introduction of intellectual property insurance in the insurance market in order to develop appropriate proposals for national legislation;
- research on national legislation and practice its application in order to eliminate existing legal barriers at all stages of commercialization of the results of research, technology

transfer and innovation activities, carried out by innovation entities;

- analysis of contractual relations in Ukraine and the EU member states in order to develop proposals for standard approaches to the disposal of economic rights in the field of intellectual property rights for various sectors of the economy;
- study of the principles governing the operation of the national tax system, considering the basic principles of taxation, in order to develop proposals, aimed at improving the legal regulation of transactions involving intellectual property rights objects and the accounting for intangible assets;
- study of methods and approaches to the valuation of intellectual property rights in accordance with international valuation standards in order to develop proposals, aimed at improving the national approaches to valuation of intangible assets.



Counterfeit products. Photo from Vogue.ua magazine

The key indicators:

- proposals for improving national legislation on institutional provision of technology and knowledge transfer in Ukraine taking into account the experience of the EU and EU member states and successful international experience in this field have been developed;
- proposals for national legislation designed to eliminate existing legal barriers at all stages of commercialization of research results, transfer of technology, innovation activities carried out by innovation entities have been developed;
- proposals for national legislation aimed at stimulating and encouraging SMEs to creation, protection, use and commercialization of intellectual property have been developed;
- proposals for national legislation aimed at implementing measures to improve regulation of the use of intellectual property objects created at the expense of budgetary funds and official intellectual property rights objects have been developed;
- proposals for national legislation aimed at introducing voluntary insurance in the field of intellectual property covering specific types of insurance depending on the insurance product (including liability insurance for infringement of intellectual property rights against third parties; insurance for legal expenses in disputes related to intellectual property rights infringement), among others, have been developed;
- proposals for the national tax legislation aimed at improving the legal regulation of intellectual property rights transactions and accounting for intangible assets have been developed;



In the photo: Discussion of the development of intellectual property. Chairman of the Verkhovna Rada of Ukraine Ruslan Stefanchuk and Olena Orliuk, Head of UANIPIO, March 2023.

- proposals aimed at improving national approaches to the valuation of intangible assets including consideration of international valuation standards, accounting, introduction of a unified terminology and value classification, and the consolidation of valuation methods for intangible assets based on types of intellectual property, have been developed;
- proposals aimed at unifying terminology in special legislation in the field of intellectual property and financial, including tax legislation, taking into account the EU law;



- standard agreements on the disposal of property rights in the field of intellectual property for various sectors of the economy, science, and education have been elaborated.



The strategic direction 5. The efficient intellectual property rights protection

The vision of UANIPIO in improving the protection of intellectual property rights entails a comprehensive approach to implementing the forms and methods of protection provided by the legislation, including through administrative procedures, promoting the introduction of alternative ways to protect intellectual property rights. It also involves active collaboration with the authorized state authorities, rights holders, professional and public organizations, and international institutions to prevent infringements of intellectual property rights and implement a sanction policy.

The implementation of the vision is carried out via:

- qualified, professional protection of intellectual property rights in an administrative manner, through collegial consideration of objections filed with the Appeal Chamber, appeals and applications for recognition of trademarks as well-known in Ukraine, on the basis of rule of law, legality, equality of participants in the proceedings before the law and the Chamber of Appeals, impartiality, independence, openness and transparency, reliability and collegiality.
- constant, timely and effective representation and protection interests of UANIPIO in the judicial authorities of Ukraine in cases concerning protection of intellectual property rights, on the basis of the rule of law, legality, responsibility and accountability, professionalism, confidentiality, equality, timeliness and impartiality;
- promoting the development of alternative dispute resolution methods in the field of intellectual property in Ukraine and the introduction of mediation in this area;

- an active participation of UANIPIO in realization of sanction policy in the field of intellectual property;
- an active role of UANIPIO in improving the efficiency of intellectual property rights protection in Ukraine and measures to prevent intellectual property rights infringements

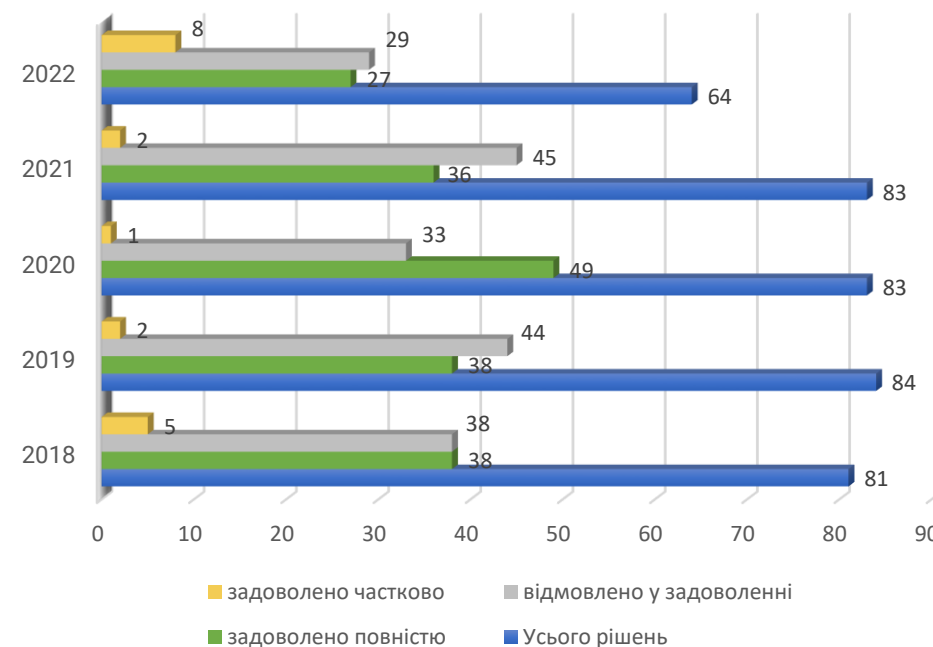


The strategic aim 5.1. Impartial and qualified work of the Appeals Chamber

The tasks:

- ensuring the legality, impartiality, reliability and openness of UANIPIO in the field of enforcement of intellectual property rights, maintaining a zero-tolerance policy to corruption and upholding full transparency and independence of the Appeals Chamber, including during the:
 - collegial review of the appeals submitted to the Appeals Chamber of oppositions against decisions of the NIPA on the acquisition of rights to intellectual property objects;
 - collegial review of applications submitted to the Appeals Chamber applications for recognition of rights to intellectual property objects invalid in whole or in part;
 - collegial review of applications submitted to the Appeals Chamber for recognition of a trademark as well-known in Ukraine;
 - consideration of other matters within the competence of the Appeals Chamber in accordance with laws and other regulations;
- ensuring automatic allocation of cases among the members of the Appeals Chamber;

- a high level of professional training of the members of the Appeals Chamber and continuous improvement of their skills in order to improve the quality of administrative protection of intellectual property rights;
- enhancing the qualifications of the employees in the Appeals Chamber support unit;
- studying, analyzing and summarizing the experience of other countries and foreign legislation on administrative review of disputes concerning intellectual property;
- coverage of the Appeals Chamber's activities on the IP Office's web resources;



The diagram "Decisions of the Appeals Chamber, adopted as a result of consideration of objections"

- ensuring proper organizational, technical, informational, and technological level of the Appeals Chamber's activities;
- improving regulatory and methodological support in the field of intellectual property by:
 - participation of the members of the Appeals Chamber in conducting research and methodological support of activities in the field of intellectual property;
 - participation in the development of proposals for legislation in the field of intellectual property, including those on the protection of intellectual property rights.

The key indicators:

- quantitative indicators of the Appeals Chamber's work;
- meeting deadlines in the work of the Appeals Chamber and ensuring control over their observance;
- a part in analyzing and summarizing international experience and foreign legislation on administrative consideration of disputes concerning intellectual property is taken;
- a part in professional development is taken by the members of the Appeals Chamber and the staff of the Appeals Chamber's Employment Support Unit;
- the state of organizational, technical, information and technological support for the activities of the Appeals Chamber;
- a part the preparation of proposals for the current legislation, draft departmental regulations and methodological support for activities in the field of intellectual property, including those

- related to the protection of intellectual property rights is taken;
- annual analysis and summarization of the Appeals Chamber's practice.



The strategic aim 5.2. Ensuring timely and effective representation of the interests of UANIPIO in the judicial authorities of Ukraine in cases of intellectual property rights enforcement

The tasks:

- a constant, timely and effective representation and protection of the interests of UANIPIO in courts in the form of self-representation during the proceedings related to the protection of intellectual property rights within the scope of the granted powers;
- an organizational and legal support for litigation on intellectual property issues;
- an organizational and legal support for the enforcement of court decisions on intellectual property issues and control over their execution;
- summarizing the court practice in cases related to the protection of intellectual property rights;
- improving the regulatory and methodological support for the protection of intellectual property rights by:
 - participation in holding scientific research works and carrying out methodological support on intellectual property protection issues;
 - participation in the development of proposals for

- legislation on the protection of intellectual property rights;
- qualification improvement of employees of the intellectual property rights support judicial protection unit;
- active usage of the e-court system.

The key indicators:

- quantitative indicators and analysis of the practice of the the intellectual property rights support judicial protection unit;
- taking urgent measures to enforce court decisions;
- ensuring timely and high-quality processing of procedural documents of courts;
- ensuring timely and high-quality processing of procedural documents of trial participants;
- ensuring timely and high-quality processing of procedural documents of the trial participants (statements of claim, appeals (cassation complaints), defenses, responses to defenses, objections, explanations, petitions, forensic examination conclusions, expert examination conclusions, etc);
- ensuring participation of the representatives of UANIPIO in the court hearings in cases concerning the protection of intellectual property rights;
- analysis and consolidation of the national and foreign legislation and foreign experience of law enforcement on intellectual property rights protection;
- participation in the preparation of proposals for the current legislation, drafts of departmental regulatory acts and administrative documents in the field of intellectual property rights protection;



In the photo: The Ministry of Economy jointly with UANIPIO held an open discussion regarding amendments to the Procedure for Payment of Fees for Actions Related to the Protection of Intellectual Property Rights

- participation in the professional development of employees of the disputes resolution department;
- participation in the development of methodological and practical recommendations, manuals on the protection of intellectual property rights;
- participation in the implementation of international cooperation in the field of intellectual property rights protection.



The strategic aim 5.3. Monitoring of law enforcement and generalization of judicial practice on the protection of intellectual property

The tasks:

- generalization of judicial practice on the protection of intellectual property;

- monitoring of law enforcement in the field of intellectual property in order to prepare and respond to requests and appeals of subjects of information and legal relations;
- improving the professional knowledge of the Intellectual Property Enforcement Monitoring Unit employees’.

The key indicators:

- systematization, generalization and monitoring of the judicial practice on the intellectual property rights protection;
- analysis of national and foreign legislation on the protection of intellectual property rights;
- analysis and generalization of national and international practice of law enforcement in the field of intellectual property;
- employees of the Enforcement Monitoring Unit participated in professional development activities in the field of intellectual property.



The strategic aim 5.4.

Popularization of alternative dispute resolution mechanisms in the field of intellectual property in Ukraine and ensuring the introduction of mediation

The tasks:

- popularization and educational activities aimed at raising the level of legal culture of alternative dispute resolution mechanisms application, namely sustainable development of mediation in the intellectual property field in Ukraine;
- introduction of mediation as an alternative mechanism for resolving disputes in the field of intellectual property disputes

by the IP Office on the basis of the Mediation and Intermediary Center;

- information support for participants of legal relations in the intellectual property on the mediation procedure on the basis of UANIPIO;
- support for the development of alternative dispute resolution procedures in the field of intellectual property;



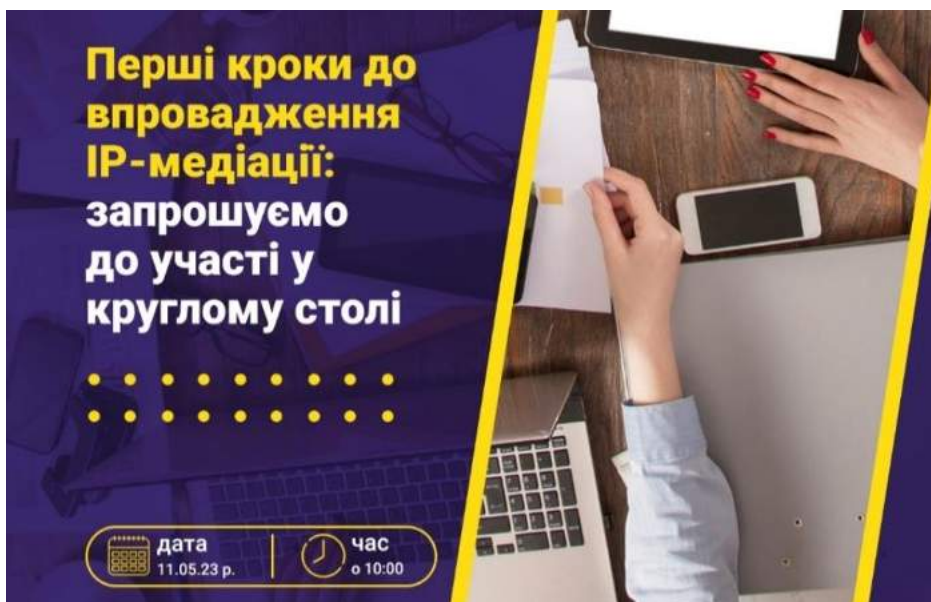
In the photo: Mediation training programs: a selection from the IP Office

- facilitating the organization of mediation processes in dispute resolution in the field of intellectual property;
- providing services for the implementation of the IP mediation procedure;
- professional development and competence of mediators on issues of the mediation application in resolving disputes in the intellectual property field;
- providing proposals for improving the national legislation on alternative dispute resolution in the intellectual property field;

- an international cooperation on mediation and intermediary issues with WIPO, other international institutions and national authorities of foreign countries.

The key indicators:

- a number of conferences, roundtables, trainings, etc., aimed at developing a culture of using in Ukraine of alternative dispute resolution in the field of intellectual property disputes, including mediation;



- informational, advisory, methodological and methodical support to the interested parties on mediation application in the intellectual property field has been provided;
- cooperation with the media in order to popularize the mechanisms of alternative dispute resolution in the field of intellectual property has been organized;

- acts of UANIPIO were developed to introduce a mediation processes in the field of intellectual property, in particular:
 - provisions on the register of mediators, involved in resolving disputes in the intellectual property sphere;
 - provisions on the IP mediators and the IP mediation procedure on the basis of the IP office;
 - the code of professional ethics of the IP mediator;
- implementation, administration, content and maintenance of the register of mediators' personal data;
- the material and technical base for conducting IP mediation on the basis of the IP office;
- efficient and sustainable operation of the Center; quality, comfortable conditions for ensuring a quick and efficient mediation procedure on the basis of UANIPIO;
- growth in popularity and demand for conducting mediation procedures on the basis of the IP office;
- provided maintaining of information resources of the IP office on alternative dispute resolution in the field of intellectual property;
- proposals for improving national legislation on alternative dispute resolution, based on the analysis of foreign legislation and law enforcement have been developed;
- planning and facilitating the organization of specialized training programs and an advanced training of the IP mediators on the standards and procedures of IP mediation based on

cooperation with the WIPO Academy; IP Academy (National IP Training Center) as part of the IP Office, educational institutions, leading business schools and self-governing

bodies of mediators (associations of mediators) have been provided;

- participated in the implementation of the Memorandum between the Ministry of Economy of Ukraine and WIPO on mutual understanding regarding alternative dispute resolution in the field of intellectual property;
- participated in the implementation of cooperation in the area of alternative dispute resolution in the field of intellectual property with international organizations, national authorities of foreign countries in the framework of implementation of memorandums, interstate agreements, etc.



The strategic aim 5.5.

An active part of UANIPIO in the realization of a sanction policy in the field of intellectual property

The tasks:

- a cooperation of UANIPIO with the NSDC (The National Security and Defense Council of Ukraine) and the Ministry of Economy of Ukraine in the implementation of sanctions policy in the field of intellectual property and improvement of national legislation;
- a cooperation of UANIPIO with the AIMA (Asset Recovery and Management Agency), the Ministry of Justice of Ukraine and the law enforcement bodies on the issues of identification of sanctioned intangible assets and implementation of restrictive measures concerning intellectual property objects and rights.



In the photo: The NSDC Secretariat and UANIPIO signed a Memorandum of understanding and cooperation, April 23, 2023.

The key indicators:

- a timely exchange of information, connected with realization and monitoring of effectiveness of the sanctions policy in the intellectual property field, law application in this field, with the NSDC and the Ministry of Economy of Ukraine has been provided;
- proposals for improving the national legislation on the application of special economic and other restrictive measures in the field of intellectual property have been developed;
- control over the procedures for registering the acquisition and alienation of intellectual property rights in order to comply with the requirements of the sanctions legislation has been provided;

- technological solutions aimed at realization of sanctions policy in the databases of UANIPIO have been implemented and are being maintained;
- participated in research and analysis of legislation in order to strengthen the capacity of sanctions policy in Ukraine in the IP sphere;
- a timely information exchange with the AIMA, law enforcement bodies for the prompt identification and tracing of sanctioned persons' assets has been provided;
- participated in the development of effective mechanisms for managing intellectual property rights of sanctioned persons, that have been transferred to the state;
- ensured the reflection of information about the sanctioned status of intellectual property objects and rights in the relevant state registers.



**The strategic aim 5.6.
An active role of UANIPIO in the improvement
of the effectiveness of intellectual property rights
protection in Ukraine and initiating cooperation in
combating intellectual property rights infringement**

The tasks:

- activity of UANIPIO as a professional platform for communication of right holders and business with state institutions on issues of intellectual property rights infringement and improvement of intellectual property rights protection;
- cooperation with law enforcement, judicial and customs authorities in order to increase the effectiveness of combating infringements of intellectual property rights, increasing the level of protection of intellectual property rights;
- expanding the representation of national experts involved in UDRP proceedings;
- support for the establishment of an Intellectual Property Court in Ukraine;
- cooperation with national, European and international institutions in the field of intellectual property rights protection;
- establishment of the Intellectual Property Rights Infringements Monitoring Center (IPR Monitoring Center) as part of UANIPIO in Ukraine and the development of cooperation with the European Observatory on Infringements of Intellectual Property Rights.

The key indicators:

- participated in the organization of the seminars, trainings, workshops on intellectual property infringement issues and intellectual property rights protection, European and international experience in this field for representatives of law enforcement, judicial and customs authorities have been organized;
- informational, consulting and methodological support has been provided to the representatives of the Economic Security Bureau of Ukraine, the National Police, the Security Service of Ukraine (SSU), the Prosecutor General's Office, judicial and customs authorities on intellectual property rights infringements and intellectual property rights protection;
- analysis and quantitative indicators regarding intellectual property rights violations provided by law enforcement, judicial, and customs authorities;
- provided consulting and informational support for the realization of strategic aim on the informational resources of the IP Office;
- developed proposals for the national legislation to improve the procedures, forms and methods of protection of intellectual property rights, taking into account Ukraine's status as a candidate for EU membership;
- regular communications between right holders, business with the IP office, representatives of state institutions on the issues of infringement of intellectual property rights and improvement of intellectual property rights protection;

- cooperation with national, European, and international business associations, chambers of commerce, organizations and alliances in the field of intellectual property rights protection; performance indicators of cooperation;
- participated in the organization of cooperation with WIPO, with international and European institutions in the field of intellectual property rights protection;
- activity of the Intellectual Property Rights Violations Monitoring Center (IPR Center) has been organized and ensured within UANIPIO, and cooperation with the European Observatory on Infringements of Intellectual Property Rights has been established.



Strategic direction 6. UANIPPIO as a high-quality platform for intellectual property field dialogue



The vision of UANIPIO in the direction of implementing and operating a quality platform for dialogue with businesses, creative industries, subjects of innovative activity, professional community, public organizations and state institutions targeted at the development of proposals for regulatory and legal regulation and improvement of law enforcement in the field of intellectual property, raising the culture and respect to intellectual property rights and is realized via:

- establishing planning and programming of communications and identifying target audiences for the dialog in the field of intellectual property;
- preparing messages and ensuring optimal communication channels;
- planning and holding joint events;
- preparation of information materials and explanations on legal protection and enforcement of intellectual property rights;
- cooperation with the media and communications in the Internet environment.



The key objective 6.1. Activities of UANIPIO as a professional platform for communication among rights holders, businesses, creative industries with government institutions

The tasks:

- establishing constant communication with chambers of commerce, associations/unions of entrepreneurs, business associations, etc., of general, sectoral, national and international direction, in order to discuss the key issues on the legal protection and protection of intellectual property rights;

- establishing a dialogue between representatives of individual sectors of the economy and the IP office, with the involvement of other state institutions depending on the subject matter;
- establishing communication between the IP office, rights holders, businesses, interested public, national and international institutions and relevant state institutions in order to strengthen the fight against violations of intellectual property rights;



In the photo: Meeting of UANIPIO team with the Union of Ukrainian Entrepreneurs

- establishing a dialog between representatives of creative industries and the IP office, with the involvement of other state institutions depending on the subject matter;
- initiating the establishment of working groups of an interdepartmental nature under the Intellectual Property Council at the Cabinet of Ministers of Ukraine, operating on a regular basis, focusing on European integration and improvement of intellectual property rights protection and prevention of intellectual property rights infringements;

- informing and providing explanations on the implementation of the state policy in the field of intellectual property.

The key indicators:

- memorandums of understanding with chambers of commerce, associations/unions of entrepreneurs, business associations, etc., of general, sectoral, national and international direction are concluded and their realization via specific steps;



In the photo: Creating conditions for the development of the innovation ecosystem in Ukraine:

ICC Ukraine and UANIPIO have signed a memorandum of cooperation

- subject-specific meetings of the IP office with representatives of various sectors of the economy have been held;
- subject-specific meetings of the IP office with representatives of creative industries have been held;
- subject-specific meetings of the IP office with representatives of state institutions on the issues of legal protection and protection of intellectual property rights, including rights

- holders, representatives of national business, creative industries, etc.;
- a number of clarifications provided on the implementation of the state policy in the field of intellectual property, primarily on issues of legal protection and enforcement of intellectual property rights.



The key objective 6.2. Introduction of an active dialogue with the professional community in the field of intellectual property

The tasks:

- establishing constant communication with representatives of the professional community in the field of intellectual property in order to improve law enforcement in the IP field;



In the photo: Cooperation and development of the IP sphere: meeting of UANIPIO and NAPA (National Association of Patent Attorneys) teams

- initiating a dialog with the professional community on the development of comprehensive proposals for improvement of the current legislation in the field of intellectual property and mechanisms for performing the functions of the NIPA;
- organization of trainings, workshops, seminars for representatives of the professional community to increase awareness in the field of legal protection and enforcement of intellectual property rights, including with the participation of WIPO experts, other international, European and national institutions in the field of intellectual property, as well as the IP Academy (the National IP Training Center) as part of the IP office;
- an active role in informing the professional community on the implementation of the state policy in the field of intellectual property.



In the photo: Protection and Commercialization of Intellectual Property in Sport: Experimental Workshop of UANIPIO

The key indicators:

- a number of held joint events;
- a number of held trainings, workshops, seminars for representatives of the professional community to raise awareness in the field of legal protection and enforcement of intellectual property rights;
- a number of clarifications provided on the implementation of the state policy in the field of intellectual property, primarily on issues of legal protection and enforcement of intellectual property rights.



The key objective 6.3

Attestation of patent attorneys and raising the level of professional representation in the field of intellectual property

The tasks:

- development of new provisions regarding the order and procedures for certification of candidates for patent attorneys, maintaining the State Register of patent attorneys;
- implementation within the limits of the authority approved by the Ministry of Economy of Ukraine provisions regarding the order and procedures for certification of candidates for patent attorneys, maintaining the State Register of patent attorneys;
- increasing the prestige and status of representatives in intellectual property, particularly those ensuring the quality of patent documents and applications for registration of other intellectual property objects submitted to UANIPIO, which will ultimately improve the law enforcement practice in the field;

- ensuring the effective operation of the Attestation Commission and the Appeals Commission;
- conducting training, certification and registration of representatives in intellectual property matters (patent attorneys);
- ensuring mobility and efficiency of training and certification of patent attorneys and candidates;
- promoting the improvement of professional competencies of patent attorneys including with the support of the IP Academy as a part of the IP Office and the WIPO Academy;
- ensuring the maintenance of the State Register of Patent attorneys;
- updating the data of patent attorneys in the State Register of Patent Attorneys;
- deepening cooperation between UANIPIO and the community of patent attorneys.

The key indicators:

- a number of candidates for patent attorneys who have passed training on the basis of the IP office;
- a number of certified patent attorneys;
- a number of patent attorneys who have passed advanced qualifications at UANIPIO, including with the support of WIPO Academy;
- quantitative performance indicators of the Attestation Commission;
- quantitative performance indicators of the Appeals Commission;

- a number of events organized for or in cooperation with associations of patent attorneys.

The key objective 6.4.
Introduction of an effective dialogue with innovation and infrastructure activity subjects, including the science and education sectors

The tasks:

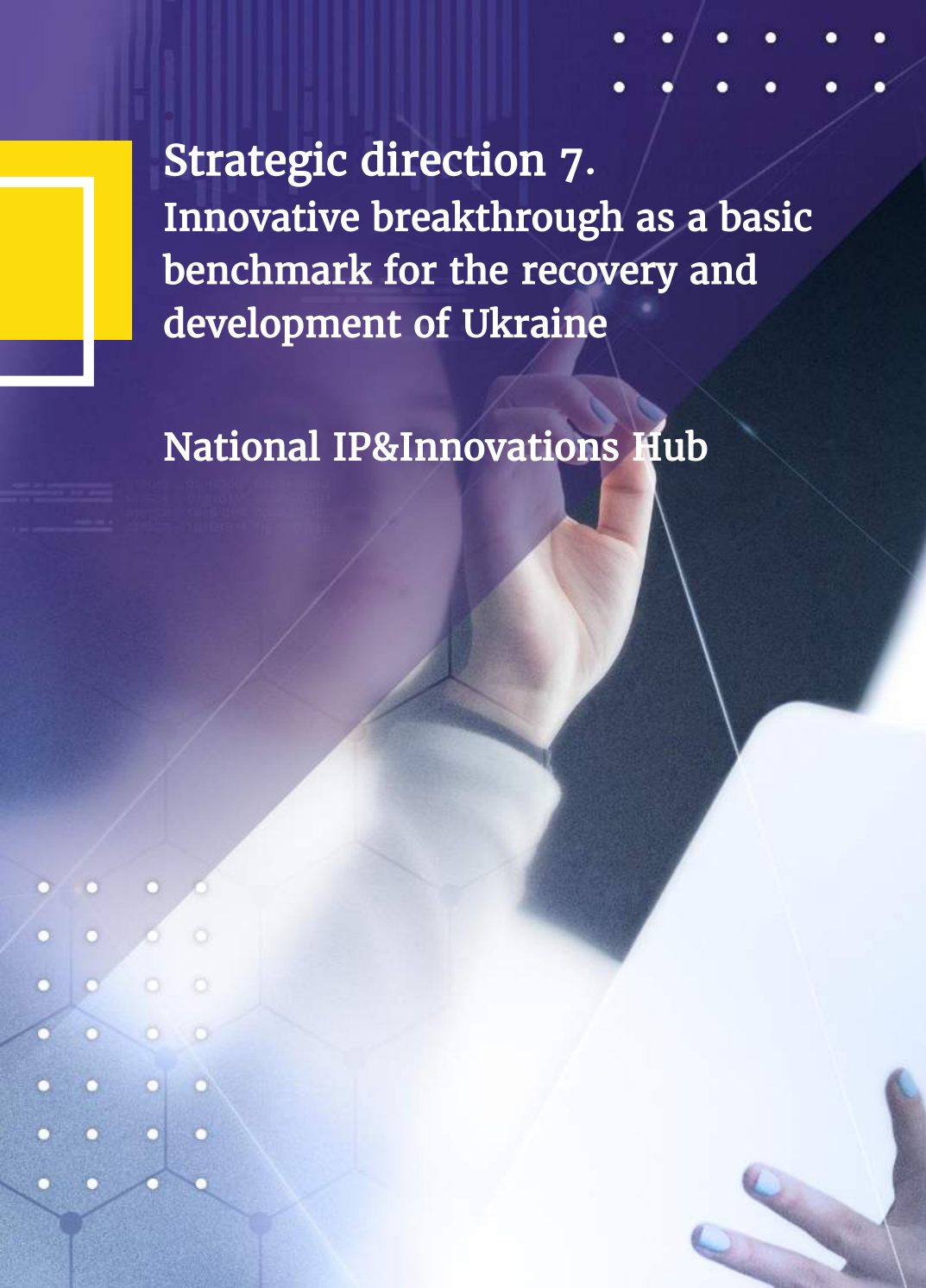
- establishing constant communication with the subjects of innovation activities and infrastructure;
- establishing active communication and cooperation with the science and education sectors;
- initiating a dialogue with innovation and infrastructure activity subjects, including the sectors of science and education on issues of improving legislation in the field of intellectual property and innovation;
- organization of trainings, workshops, seminars for the subjects of innovation and infrastructure activities, including science and education sectors in order to raise awareness in the field of legal protection and enforcement of intellectual property rights, commercialization of intellectual property, technology transfer, etc., including with the participation of WIPO experts, other international, European and national institutions in the intellectual property field, IP Academy as part of the IP Office;
- active role in informing the subjects of innovation activities on the implementation of the state policy in the field of intellectual property.



In the photo: Intellectual Property and the Pharmaceutical Industry:
 Representatives of UANIPIO Visit Darnitsa's
 Manufacturing Facilities

The key indicators:

- a number of the joint events held;
- a number of trainings, workshops, seminars for innovation infrastructure entities, including the science and education sectors in order to raise awareness in the field of legal protection and enforcement of intellectual property rights, involving WIPO experts, other international, European and national institutions in the field of intellectual property;
- a number of clarifications provided on the implementation of the state policy in the field of intellectual property, primarily on issues of legal protection and enforcement of intellectual property rights.



Strategic direction 7. Innovative breakthrough as a basic benchmark for the recovery and development of Ukraine

National IP&Innovations Hub

The vision of UANIPIO in the direction of innovation breakthrough lies in creating favorable conditions for the implementation of inventive activities, commercialization of intellectual property and development of the innovation ecosystem of Ukraine. This also includes development of tools to support innovators and businesses as part of Ukraine's recovery from the consequences of the armed aggression of the Russian Federation, promotion of the innovation activities in the field of national security and defense, in terms of intellectual property rights protection and technology transfer, and contributing to the development of mechanisms to facilitate the entry of Ukrainian businesses and creators into the European and international markets, which is implemented through the functioning of the National IP&Innovations Hub as a powerful center for innovation activation, supporting research, development, commercialization of intellectual property rights and technology transfer, encouraging investment in the Ukrainian economy and promoting job creation.

The implementation of the vision is carried out via:

- effective functioning of the National IP&Innovations Hub;
- ensuring favorable conditions for the creation and implementation (commercialization) of developments by inventors, innovators, authors and creators;
- an active role in building an infrastructure that facilitates the commercialization of intellectual property and the development of innovation infrastructure;
- improvement of intellectual property and innovation activity legislative frameworks;

raising the level of knowledge on intellectual property and innovation activities, as well as improving the innovation culture;

ensuring public awareness on the issues of intellectual property and interaction between key participants of the innovation process;

assistance in creating conditions for the commercialization of intellectual property;

- restoration of the TISC network and its further active development, including the expansion of the TISC network with a focus on the development of innovation activities.



The key objective 7.1.

The regulatory and legal framework promotes the development of innovation and commercialization of intellectual property and the effective functioning of the National IP&Innovations Hub

The tasks:

- regular meetings with stakeholders to identify their key concerns in the field of commercialization of intellectual property;
- study of harmonization of national standards in the field of innovation with the European ones;
- participation in the work of the technical committee of standardization on the implementation of standards in the field of innovation;
- analysis of the current methodology for assessing the effectiveness of scientific, scientific-technical and innovative activities of a scientific institution;



During the visit of the EU delegation to Kyiv. ON THE PHOTO (left to right): MP Serhiy IONUSHAS, Supreme Court Judge Ihor BENEDYSIUK, UANIPIO Director Olena ORLIUK, President of the Ukrainian Chamber of Commerce and Industry Gennadiy CHYZHYKOV, Andriy ANISIMOV, Head of the IP and Innovations Department of the Ministry of Economy of Ukraine

- study of the current legislation in the field of innovation and technology transfer in order to provide proposals for the elimination of legislative conflicts and gaps in legal regulation;
- study of foreign and domestic experience in commercialization of intellectual property regarding the introduction of mechanisms and incentives, particularly investment;
- study of national legislation in the field of innovation and technology transfer in order to simplify and optimize the regulatory framework (implementation of deregulation);
- study of the experience of foreign countries, in particular Singapore, Hong Kong, and the UAE along with the Diia.City

model in order to consider the possibility of introducing the Anglo-Saxon system of law for R&D centers;

- study of national legislation in the field of innovation and technology transfer through the prism of intellectual property with the aim of harmonization with the EU law and approaches to the development of the European Research Area.

The key indicators:

- the level of approximation of Ukrainian legislation to EU legislation in the field of innovation and commercialization of intellectual property and technology transfer;
- proposals for the harmonization of national legislation with EU law, the practice of its application, including the decisions of the European Court of Justice, in the field of innovation and commercialization of intellectual property, technology transfer;
- proposals for national legislation (laws and bylaws) in the field of innovations and technology transfer have been developed in order to eliminate legislative collisions and gaps in legal regulation;
- development of mechanisms aimed at increasing commercialization of intellectual property by the innovation activity subjects;
- proposals for amendments to the methodology for assessing the effectiveness of scientific, scientific-technical and innovation activities of a scientific institution in terms of intellectual property have been developed.



The key objective 7.2. Inventors, innovators, authors and creators receive a wide range of services in the field of intellectual property and innovation on the basis of the National IP&Innovations Hub

The tasks:

- providing a wide range of consulting services in the field of intellectual property and innovations
- providing grant search and consulting services for innovation process participants;
- development and expansion of the TISC network
- providing the function of an information accelerator based on TISC;
- connecting stakeholders in the innovation, entrepreneurship, and research ecosystem through a digital platform to improve collaborative relationships between-them;
- expanding the network of regional innovation hubs;
- studying the practice of functioning of an online technology transfer office and innovation hub;
- providing information and consulting support to subjects of innovation activity in the context of commercialization of intellectual property and technology transfer;
- methodological support of participants in the innovation process on intellectual property and technology transfer issues;
- research of foreign and national practices on transfer and alienation of intellectual property economic rights when carrying out innovation activity;
- information support for participants in innovation activities;

- research of the experience of creating startup schools for young creators and inventors;
- study of foreign experience in the functioning of models of innovation districts for the purpose of usage in Ukraine.

The key indicators:

- provided information and consulting support to inventors, innovators, authors and creators, including on the commercialization of intellectual property rights, technology transfer, valuation of intellectual property rights, etc;
- searching for grants, providing consultations, support and assistance in preparing grant applications for innovation process participants;
- terms of reference were developed to create a digital platform to connect stakeholders in the innovation, entrepreneurship, and research ecosystem and improve cooperation between them;
- number of technology transfer agreements concluded with the support of the National IP&Innovations Hub;
- the number of inventors, innovators, authors, and creators who received information support in the sphere of intellectual property and innovations;
- number of established regional TISCs strategically focused on identifying and utilizing innovation potential;
- number of regional innovation hubs created.



The key objective 7.3. Formation of an information cluster as the basis for the creation and functioning of the National IP & Innovations Hub digital platform

The tasks:

- bringing together all stakeholders to create, protect and ensure more efficient and effective use of intellectual property;
- establishing interaction between the participants of the information cluster;
- exchange and synthesize information on innovations with stakeholders;
- ongoing interaction with stakeholders in the selection of innovation projects for their further successful commercialization.

The key indicators:

- number of initiatives launched on the basis of Memorandums of understanding and cooperation agreements with stakeholders, number of innovation projects selected in the framework of cooperation;
- number of information and communication events held to build a common understanding between stakeholders, focusing on the development of innovations and intellectual property culture, number of participants;
- continuous communication and exchange of information between various stakeholders is ensured.
- the number of startups and SMEs that have undergone incubation and acceleration;

- assistance was provided in the development of startup incubators/accelerators at universities, etc;
- participation in acceleration programs involving thematic mentors and investors with teams connecting with potential partners.



The key objective 7.4.

Inventors, authors, creators, scientists and innovators, including SMEs and startups, are incubated and accelerated at the National IP & Innovations Hub

The tasks:

- search for specific technological solutions for startup projects - the process of involving technology companies, startups, and SMEs in the activities of investors, venture capital funds, corporations, or accelerators, full support of an innovative project at all stages of its development; helping the client company reduce the time and cost of market research, get a list of startups and SMEs interested in cooperation with which to test and create new products based on current business;
- ensuring the annual holding of the All-Ukrainian entrepreneurial program Lab2Market UA;
- ensuring that startups and SMEs competitions are held;
- providing incubation for startups;
- ensuring the organization of acceleration programs - searching for new opportunities for innovation, startups and SMEs, growth and development (providing the accelerator participant with information support on

intellectual property management, preparation and implementation of innovative projects, and mentoring).

Key indicators

- support for technology teams, startups and existing companies in turning their innovative ideas into successful businesses;
- Lab2Market UA on the basis of an IP office was held;
- the number of startups and SMEs that have undergone incubation and acceleration;
- provided expert evaluation, consulting and information support on the protection of rights to newly created intellectual property rights throughout the competition;
- assistance was provided in the development of startup incubators/accelerators at universities, etc;
- participation in acceleration programs involving thematic mentors and investors with teams connecting with potential partners.



The key objective 7.5.

National IP&Innovations Hub – a knowledge hub for intellectual property and innovations

The tasks:

- conducting educational activities and holding trainings, workshops, etc;
- holding the IP LET Forum;
- training and professional development of specialists in intellectual property, innovation management and technology transfer;

- preparation of analytical materials for the central executive bodies, the National Security and Defense Council or at the request of associations on the needs of various industries for new technologies and intellectual property rights, search for appropriate objects, and promotion of their implementation by enterprises.

The key indicators:

- number of trainings and mentoring programs for intellectual property, innovation management and technology transfer specialists, number of participants;
- the number of specialists who have undergone training and advanced training;
- number of analytical materials prepared on the needs of various industries for new technologies and intellectual property rights drafting of analytical materials at the request of associations, central executive bodies, the National Security and Defense Council, etc.



The key objective 7.6.

Strengthening cooperation between the public and private sectors, promoting knowledge transfer, support for researchers and institutions, increasing Ukraine's ability to attract talent

The tasks:

- promoting the implementation of inclusive business initiatives and sustainable development strategies;

- development of intellectual property policy in higher education and research institutions;
- promoting the development of innovative activities in accordance with the cluster approach in various sectors of the economy;
- preparation of materials at the request of business on possible domestic technologies, intellectual property rights, or their potential developers - higher education institutions and research institutions;
- joining the process of implementing advanced international ISO standards;
- submitting proposals to legislative acts in the field of intellectual property and innovation to further optimize the innovation environment;
- assistance in raising Ukraine's place in innovation indices;
- promoting the creation of a transparent innovation environment within universities and research institutions through the implementation of an IP policy for higher education and research institutions.

The key indicators:

- involvement in the implementation of inclusive initiatives in
- business and sustainable development strategies;
- development of innovation clusters was ensured, which involves identifying and supporting sectors with high innovation potential;

- engaging in the process of implementing standards and improvement of mechanisms to support technological innovation, patent protection and standardized interaction;
- number of proposals to the current legislation in order to national potential development, motivation of the private sector, encouraging innovative entrepreneurship, development of international research and development partnerships, strengthening the public sector towards innovations in order to further optimize the innovation environment;
- assistance in raising Ukraine's place in innovation indices;
- popularization of successful innovative projects in the field of intellectual property and innovations;
- promoting the creation of a transparent innovation environment within universities and research institutions by implementing an IP policy for higher education and research institutions.



**The key objective 7.7.
Strengthening the links between the national
innovation system through the National IP&Innovations
Hub and the international innovation system**

The tasks:

- ensuring global cooperation by developing partnerships with TISCs around the world and WIPO;



During the IP LET FORUM. ON THE PHOTO (left to right): MP Serhiy IONUSHAS, Supreme Court Judge Ihor BENEDYSIUK, UANIPIO Director Olena ORLIUK, President of the Ukrainian Chamber of Commerce and Industry Gennadiy CHYZHYKOV, Andriy ANISIMOV, Head of the IP and Innovations Department of the Ministry of Economy of Ukraine

- dissemination of research results and best practices through conferences and events and special training activities;
- establishing contacts with successful innovation centers from different countries to share best practices and experience;
- support for inventors, innovators, authors and creators in obtaining international innovation investments;
- launching joint projects with innovation support organizations from other countries.

The key indicators:

- number of international events where the National IP&Innovations Hub and TISCs were represented;
- number of international events organized by the National IP&Innovations Hub to support innovation;
- the number of consultations provided to inventors, innovators, authors, and creators in obtaining international innovation investments and support for their innovation projects.

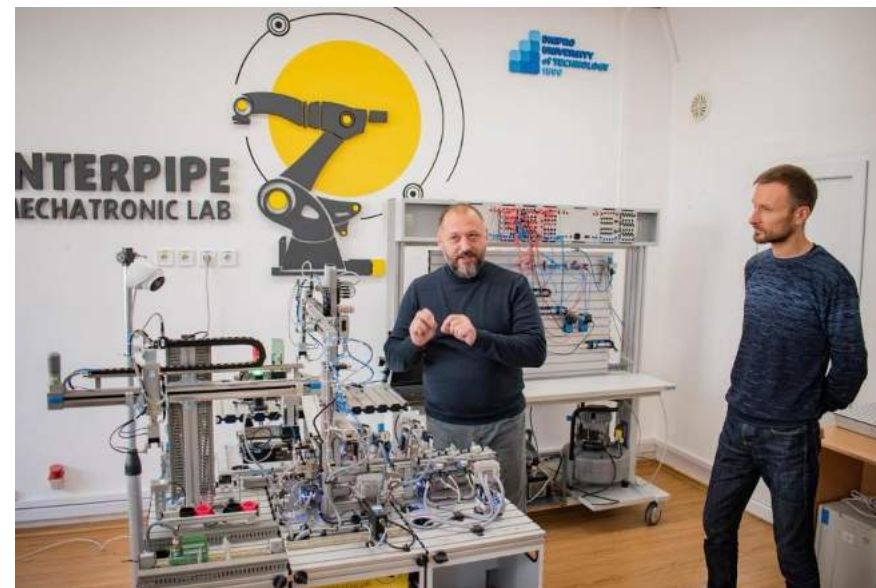


Key objective 7.8.

Expand the TISC network and support regional projects of the TISC network by the National IP&Innovations Hub

The tasks:

- focusing the TISC Head Office as part of the National IP&Innovations Hub of the UANIPIO on supporting regional projects of the TISC network, which includes consultations and practical assistance on the protection and enforcement of intellectual property rights, finding effective ways of cooperation for the development of regional projects and opportunities to attract investment and financing;
- conducting constant communication with representatives of regional TISCs to find effective ways to develop the TISC network;



- creation of regional TISCs that will be able to provide assistance to local users, not only on the basis of higher education and research institutions, but also on the basis of design bureaus, enterprises of various sectors of the economy (e.g., arms and military equipment companies, IT companies, etc.), regional chambers of commerce and industry, specialized public organizations, large regional libraries that carry out development, create technologies, conduct research and have great inventive potential, etc;
- developing the TISC network by choosing a model of combining TISC activities with technology transfer centers in cooperation with Digital Innovation Hubs;
- facilitating grant support for the development of the TISC network;
- providing patent information products to assist inventors, innovators, authors and creators in the effective creation of

innovative projects and commercialization of intellectual property rights, taking into account the impact of the war on the intellectual property sphere;

- choosing a strategy for TISC as an information accelerator;
- creation and provision of specialized services by the TISC UANIPIO Head Office aimed at developing innovations;
- obtaining access to paid specialized databases by the Head Office of UANIPIO TISC and granting access to regional TISCs to technological information in them by issuing sublicenses;



Meetings of UANIPIO teams with Vadym Hetman Kyiv National Economic University, April 2023

- participation in the WIPO ASPI project;
- raising awareness, knowledge and skills of the representatives of regional TISCs in the field of intellectual property law on the basis of WIPO distance learning courses,

as well as conducting specialized trainings, seminars, webinars and information sessions with the involvement of experts from various UANIPIO structural divisions to develop practical skills of the employees;

- increasing the use of WIPO eTISC tools;
- localization of the methodological support of the TISC network activities;
- organizing and conducting, including with the WIPO support, educational activities to inform, raise public awareness and popularize knowledge on intellectual property rights disseminated within the framework of the services provided by TISC;



IP Office signed a Memorandum of Cooperation with Zhytomyr Polytechnic, on the basis of which TISC was launched

- monitoring educational and innovation projects, competitions, grants announced by ministries and departments, state and international organizations, and

foundations in order to maximize the involvement of innovation process stakeholders;

- choosing a strategy for TISC to create an information cluster within the innovation ecosystem in order to define an innovation indicator and calculate innovation activity by analyzing information on patent activity;
- systematic search for stakeholders, establishing permanent relations with institutions supporting the innovative development of Ukraine and foreign countries, international, national, regional funds, financial centers, state and local governments, and public organizations to implement joint projects

Key indicators:

- increasing the number of TISCs that will be able to provide assistance to local users;
- increase the availability and use of appropriate, high-quality technology information services;
- development of methodological materials on the procedure for conducting TISC activities in Ukrainian;
- increase in the number of users' requests to regional TISCs per month for proper, high-quality technology information services;
- intensifying the participation of Ukrainian institutions in the Research4Life project by increasing the number of institutions with active subscriptions;
- increase the use of patent and non-patent literature in academic and research institutions by increasing the number of searches conducted by Ukrainian institutions participating in the Research4Life project;

- raising awareness and knowledge of TISC staff in the field of intellectual property;
- development of IP Guideline educational and informational materials and, in order to organize online training, creation of a YouTube channel of the TISC network with access to lectures, webinars and practical recommendations on intellectual property issues in order to promote the development of an innovative culture in the country and expand understanding of its role in society;
- number of events, including those supported by WIPO, aimed at informing, raising public awareness and popularizing knowledge in the field of intellectual property, which are disseminated within the framework of the services provided by TISC;
- intensifying the participation of Ukrainian institutions in the Research4Life project;
- Reporting to WIPO on performance indicators



Strategic direction 8. Cultivating a culture of respect for intellectual property

The vision of UANIPIO in the direction of creating a culture and respect for intellectual property is to create opportunities for obtaining knowledge on intellectual property throughout life in order to increase the level of literacy and development of culture in the field of intellectual property, awareness of the rights of artists, inventors, and creators, promoting the improvement of Ukraine's rankings in the Global creativity, the Global Innovation Index and promoting the integration of Ukraine's innovation ecosystem into the European Research Area.

The implementation of vision is carried out via:

- active educational activities and popularization of knowledge about intellectual property, primarily through the Academy of Intellectual Property (National Training IP Center) as a part of the IP Office;
- a key role in the formation and dissemination of legal culture and respect for intellectual property rights;
- education, training and professional development of personnel in the field of intellectual property and innovation activity including in cooperation with the WIPO Academy, EPO, EUIPO, USPTO and other national intellectual property offices.



The strategic aim 8.1. Promoting awareness of intellectual and creative activities

The tasks:

- promoting the development of talents, intellectual, creative abilities, creativity and innovation of creators, intellectual and innovative potential of Ukraine;

- motivation (encouragement) to creativity and development of the innovation ecosystem, popularization of science, and socio-economic development of Ukraine;
- support for the younger generation of creators and innovators, mentoring in the commercialization of the results of intellectual and creative activities;
- promoting globalization and digitalization of intellectual property through the introduction of new formats for popularizing knowledge about intellectual property;
- popularization of understanding of the importance of ensuring intellectual property protection and the possibility of its commercialization;
- formation of open innovation skills for effective interaction between the subjects of the innovation ecosystem, business and society;
- building integrity in the younger generation of creators and innovators;
- development of creative activity and creativity of the nation by proving the role of intellectual property in the creation of innovative products, stimulating research and innovation activity;
- popularization of knowledge about intellectual property and ensuring proper legal protection of intellectual property as part of educational programs;
- coverage of information about intellectual achievements and accomplishments of the Ukrainian people within the international community, popularization of the intellectual brand - Ukraine;
- popularization of national and international days, related to the

field of intellectual property, copyright law, science, invention and rationalization, innovation, etc.

The key indicators:

- continuous management of information resources on social media to popularize intellectual property, highlighting the opportunities and significance of creative solutions for human and social development;



- materials of a popular science nature about creativity, creators, and their ability to influence the course of events in the Universe have been developed;
- information materials and resources on intellectual property have been developed and shared to promote the development of education and culture in the field of intellectual property in

- society, and to foster knowledge about creativity and the rights of creators;
- prepared and disseminated materials on integrity as a component of respect for intellectual property;
- participated in the process of joining Ukrainian stakeholders in international initiatives on open access to the publications of scientists with the preservation of their copyright;
- shared information and conducted activities, aimed at raising awareness of the Ukrainian people of the current challenges facing society and the possibility of solving them through intellectual and creative activity, in particular, issues related to the functioning of digital social communication, artificial intelligence, environmental protection and the introduction of "green" innovations, biotechnology, etc;
- organized/participated in the organization of events and competitions for creative activity, supported state or public initiatives to organize relevant events and competitions to develop creative activity and creativity of the nation, including at the regional level have been;
- carried out/ participated in raising awareness about the negative consequences (both for the individual consumer and for society and the state) of the production and consumption of goods manufactured in violation of intellectual property rights;
- measures have been taken to include the issue of popularization of knowledge on intellectual property and ensuring proper legal protection of intellectual property in educational programs;

- organized/participated in the organization of marathons, forums, creative panels, round tables to discuss topical issues and problems in the field of intellectual property and innovation;
- a number of held events, competitions, forums, etc.



"IP&I Marathon. How to commercialize intellectual property",
April 2023



The strategic aim 8.2. Enlightenment in the field of intellectual, creative activity

The tasks:

- fostering respect for the rights of creators by conveying the value of the results of intellectual and creative activity;
- raising the level of literacy on the legal status of creators and awareness of participants in the innovation process;



In the photo: "34 Poles of Creativity": Copyright and museums

- promoting legal culture in the field of intellectual creative activity;
- supporting educational, scientific and cultural institutions through development and distribution of educational materials in the field of intellectual property;
- facilitating further development of scientific activities in the field of intellectual property, taking into account the priority directions for the development of Ukraine, international and European vectors in the field of intellectual property;
- assisting higher education and research institutions in implementation of intellectual property policy;
- raising the level of legal awareness among representatives of creative industries and scientific-technical activities on the issues of protection and enforcement of intellectual property in Ukraine and EU member states.

The key indicators:

- integrated lessons (courses) on intellectual property for secondary education students have been developed for implementation at all stages of schooling in order to cultivate an appreciation for the intellectual property results and creators, awareness of the importance of observance of intellectual property rights;
- providing information and consultation support for projects related to intellectual and creative activities in extracurricular educational institutions, in particular in the Junior Academy of Sciences, centers of extracurricular education and children's creativity centers;



In the photo: "Metaverse Travelers": UANIPIO presents a comic book on intellectual property protection for teenagers

- measures for establish the center of intellectual property coordinators for educational and scientific institutions of Ukraine have been taken;

- trainings on intellectual property in relevant areas, industries and specialties (intellectual property economics; management of intellectual property management; legal protection of intellectual property, as well as interdisciplinary programs) have been developed and conducted for students of higher education institutions in order to develop students' skills that meet up-to-date needs of the present and the qualifications they have received;
- consultations have been held and information support has been provided to support to higher education and research institutions aiming at developing and approving the policy of intellectual property policy;
- information, consulting and methodological support on intellectual property and technology transfer has been provided in higher education and research institutions centers whose activities are aimed at implementing intellectual property policy, focused on promotion, implementation and commercialization of innovative and scientific and technical achievements created in such institutions;
- information and consulting assistance has been provided in development of intellectual property policy at enterprises, institutions, organizations, recommendations on the protection of intellectual property rights to the works created by employees, trade secret, etc;
- conferences, round tables, seminars and symposia for different target audiences on the issues of management, commercialization of intellectual property rights, combating infringement of intellectual property rights, including the involvement of leading international experts have been held;



In the photo: IP Connecting Students: meeting of representatives of UANIPIO with students of Lutsk National Technical University

- methodological recommendations and explanatory materials on ensuring the protection of intellectual property rights in the relevant sectors of creative industries have been developed;
- podcasts and online broadcasts with representatives of the creative sector have been recorded and published with representatives of the creative sector in order to popularize the field of intellectual property;
- methodological recommendations, provided information and consulting support for startups on intellectual property issues have been developed;
- training and seminars on intellectual property and peculiarities of its commercialization in the field of business education have been organized and held;

- workshops, trainings, seminars on legal protection and enforcement of intellectual property in the EU and its Member States have been organized and held;
- a number of enterprises, institutions, organizations, etc., have been provided with information and consulting support for the implementation of intellectual property policy;



In the photo: Olha Kulinich, the Head of the Department "Academy of Intellectual Property" of UANIPIO, Doctor of Law

- a number of sectors of the creative industries with which consultations and informational/explanatory materials on the issues of intellectual property have been provided;
- a number of startups that received information and advisory support on intellectual property issues;
- a number of held trainings, seminars, workshops, etc. on legal protection of intellectual property, commercialization of

intellectual property, protection of intellectual property rights, etc.



In the photo: Representatives of the IP Academy from UANIPIO at Lviv State University of Life Safety



The strategic aim 8.3. Training, retraining and upgrading of qualification of specialists in the field of intellectual property

The tasks:

- promoting the formation of a professional community in the field of intellectual property, providing knowledge on intellectual property in secondary and higher education institutions;
- increasing the competence level of representatives in the field of intellectual property (patent attorneys);
- improvement of professional skills of representatives of public authorities on intellectual property issues;
- bringing information about the practice of the Court of Justice, innovations in EU acts to the professional community;
- informing the professional community about changes in national legislation, including prospects for its development, current draft laws, administrative practice of public administration authorities and the practice of national courts;
- summarizing national court practice, reviewing individual decisions and positions on clarification of terms and the practice of applying certain provisions of the legislation in the field of intellectual property;
- creating conditions for constructive discussion to address current issues in the field of intellectual property;
- promoting the development and strengthening of human resources of Ukraine in the field of intellectual property and innovation activity.

The key indicators:

- programs on the basics of intellectual property have been prepared for the training of teachers of general secondary education institutions;
- methodological assistance has been provided, model programs on training and methods of teaching intellectual property for educators in educational and scientific institutions have been developed, enhancing their qualifications in the field of intellectual property;
- methodological assistance in the development of educational programs in the knowledge areas in which higher education in intellectual property may be provided by agreement with potential future employers of professional competencies of educational programs taking into account the priority of an interdisciplinary systemic approach in the development of such programs;
- measures were taken to open a joint master program on intellectual property with WIPO;
- Summer School on Intellectual Property has been organized and held under the auspices of WIPO;
- writing scientific and methodological literature on general and special issues of intellectual property, relevant distance learning courses for teachers of higher education institutions of various specialties;
- preparation of training programs, scientific and practical comments, scientific and methodological literature on intellectual property issues for representatives of public authorities, representatives of the legal sphere and professionals in the field of intellectual property;

- preparation of methodological literature and organization of seminars, training to improve the skills of specialists on intellectual property, management of innovative activities for technology transfer units, innovation activities and intellectual property public authorities, higher education institutions, research institutions, other institutions and organizations;
- training courses for candidates for patent attorneys have been organized and provided;
- support for the certification procedure of candidates for patent attorneys has been organized and provided;
- events for the improvement of the skills of patent attorneys have been held;
- prepared/participated in the preparation of scientific and practical comments to the legislation of Ukraine in the field of intellectual property;
- analysis of court practice, review of individual decisions and positions on clarification of the practice of application of certain provisions of the current legislation of Ukraine have been conducted;
- training events have been held for representatives of the legal sector, including representatives of law enforcement, judicial and customs authorities, specialists in the field of intellectual property, on the issues of legal protection and enforcement of intellectual property rights, including with the aim of bringing to the community the approaches in the EU legislation and the case law of the EU Court of Justice on certain issues of intellectual property;
- thematic seminars and trainings on specific intellectual property issues for representatives of public authorities, in particular upon their request, on issues related to their activity



In the photo: Training on "Intellectual Property and Media Regulation: A new legal space for media work": Andrii Zozuliuk, Deputy Head of the Department of International Cooperation of UANIPIO

- have been organized;
- a number of held events, seminars, training on intellectual property issues;
- a number of candidates for patent attorneys/patent attorneys who have completed training courses;
- a number of certified patent attorneys;
- a number of patent attorneys who participated in the advanced training program;
- a number of representatives of the legal sector, including representatives of law enforcement and judicial authorities, customs authorities, specialists in the field of intellectual property, who have completed training/professional development.



The strategic aim 9. Transparency of UANIPIO activities

The vision of UANIPIO in this area is to achieve clarity and transparency of the current activities of the IP office for the purpose of qualitative and efficient performance of functions and powers defined by the current legislation and the Charter of the organization in the field of intellectual property and innovations on the basis of the rule of law, compliance with financial discipline, effective organization of internal control and audit, implementation of procurement procedures on the principles of legality, transparency, efficiency, targeted use of funds and control and full compliance with anti-corruption legislation.



The strategic aim 9.1. Establishment and functioning of the Supervisory Board to ensure transparency of the UANIPIO activity

The tasks

- participation in the development of proposals to the bylaws that define the principles of activity of the Supervisory Board of UANIPIO;
- consideration of recommendations made by the Supervisory Board within its powers;
- provision of accommodation, organizational and material ensuring the activity of the Supervisory Board in accordance with the current legislation of Ukraine;
- ensuring access of the Supervisory Board members to the relevant information in accordance with the current legislation and the Charter of UANIPIO in order to supervise:
 - ◆ financial and economic activities of UANIPIO;
 - ◆ a budget execution;

- ◆ use of funds generated from the procedures for payment of fees for actions related to the protection of intellectual property rights;
- ensuring the preparation of the report by the Head of UANIPIO on the status of fulfillment of the NIPA's responsibilities on the implementation of financial and economic activities, budget execution, and use of funds generated from the procedures for payment of fees for actions related to the protection of intellectual property rights;

The key indicators:

- provided proposals on the draft regulation of the Ministry of Economy of Ukraine regarding the Supervisory Board of the state organization "Ukrainian National Office for Intellectual Property and Innovations";
 - provided information, excluding information with limited access, for UANIPIO, to ensure the fulfillment of the functions of the Supervisory Board;
- the reports have been prepared by the UANIPIO Director on:
 - ◆ the status of the implementation of powers by the NIPA;
 - ◆ implementation of financial and economic activity;
 - ◆ the budget implementation;
 - ◆ use of funds generated from the procedures for payment of fees for actions related to the protection of intellectual property rights;
 - ◆ NIPA action plan;
- reviewing the recommendations provided by the Supervisory Board of the NIPA which are binding upon UANIPIO;

- responding to identified violations in accordance with the requirements of the current legislation, in respect of which the Supervisory Board notified the Ministry of Economy of Ukraine.



The strategic aim 9.2. Compliance with anti-corruption legislation and effective work of the corruption prevention sector at UANIPIO

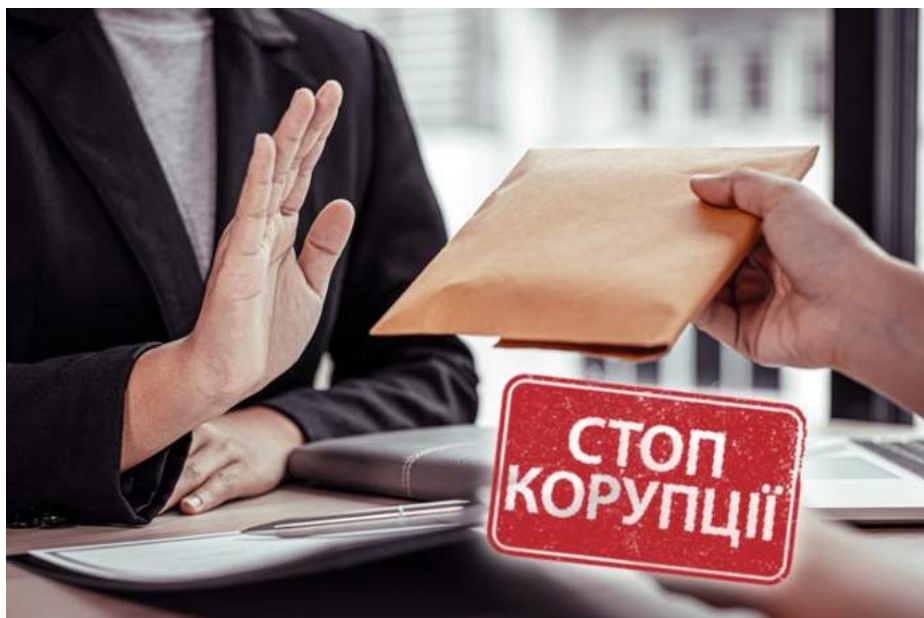
The tasks:

- development and implementation of the anti-corruption policy of UANIPIO;
- harmonizing of UANIPIO acts with the requirements of the anti-corruption law of the Ukraine;
- deepening cooperation between UANIPIO and the National Corruption Prevention Agency;
- development, organization and control over the implementation of measures to prevent corruption and corruption-related offenses;
- organization of work on assessment of corruption risks in the activity of UANIPIO preparing measures to eliminate them;
- monitoring compliance with the anti-corruption legislation of Ukraine by UANIPIO;
- implementation of educational measures for prevention of corruption and corruption-related offenses in UANIPIO;
- providing methodological and consulting assistance to the employees of UANIPIO on compliance with the anti-corruption legislation of Ukraine;

- creation of internal channels for reporting violations of the requirements of the anti-corruption legislation of Ukraine and a mechanism for their consideration;
- exercising powers in the field of whistleblower protection and ensuring the development of mechanisms to encourage them;
- carrying out control over the conduction of procurement procedures;
- implementation of the international standard ISO 37001:2016 “Anti-Bribery Management System” to UANIPIO;

The key indicators:

- The Anti-Corruption Program of UANIPIO has been developed and implemented;



- The Procedure of interaction between the sector of corruption prevention and the management of personnel has been developed and put into action;

- the procedure for organizing and ensuring consideration of reports on possible facts of corruption or corruption-related offenses committed by whistleblowers has been developed and implemented in UANIPIO;
- provisions on encouraging mechanisms and creating a culture of reporting possible facts of corruption or corruption-related offenses, other violations of the Law of Ukraine “On Prevention of Corruption” have been developed and implemented;
- a draft has been developed and the Memorandum of Understanding was initiated between the UANIPIO and the National Agency on Corruption Prevention;
- the Procedure for vetting of the candidates for positions in UANIPIO who are vulnerable to corruption risks has been developed and implemented;
- the Procedure for Verification of Business Partners (Counterparties) in UANIPIO has been developed and implemented;
- a systematic control over procurement procedures has been ensured;
- the Code of Ethics of UANIPIO has been ensured;
- an assessment of corruption risks in UANIPIO has been conducted and the Action Plan for their elimination has been developed including the definition of the timeframe and responsible persons for taking the measures;
- a schedule of training activities in the sector of prevention of corruption activity for the relevant year has been developed and implemented;
- the Work Plan for the corresponding year for the sector of corruption prevention has been developed and implemented;

- the corruption prevention sector has taken measures to prevent corruption and ensure compliance with the requirements of anti-corruption legislation of Ukraine at UANIPIO;
- the work of internal channels for reporting possible corruption, facts about corruption-related offenses or other violations of the Law of Ukraine "On Prevention of Corruption", has been organized to receive and review information reported through such channels;
- organizational, explanatory and educational work is provided by the sector of prevention, detection and combating corruption activities, aimed at ensuring integrity, compliance with the rules of ethical behavior and inadmissibility of corruption offenses by the employees of UANIPIO;
- implementation of the international standard ISO 37001:2016 "Anti-Bribery Management System".



The strategic aim 9.3 Implementation and effective operation of internal audit at UANIPIO

The tasks:

- organizing and conducting internal audits of UANIPIO in order to provide objective and independent audit conclusions and recommendations on the functioning of the internal control system and its improvement;
- preventing illegal, inappropriate and inefficient use of funds and other assets of UANIPIO;
- monitoring taking into account recommendations based on the results of internal audits;

- internal auditors being trained under the Certified Internal Auditor (CIA) program;
- development of documented procedures in accordance with International Standards of the Professional Practice of Internal Audit.

The key indicators:

- risk-oriented planning of the internal audit function has been developed and implemented;
- procedure for planning and implementation of individual audit engagements has been developed and implemented;
- monitoring procedure for the implementation of internal audit recommendations has been developed and implemented;
- procedure for ensuring and the improving the quality of internal audit and internal assessment of the internal audit function has been developed and implemented;
- activity plan for the relevant year has been developed and implemented;
- audit of the activity of UANIPIO on conducting procurement procedures on the principles of legality, transparency, efficiency, and targeted use of funds;
- internal auditors at UANIPIO obtaining a widely recognized professional qualification in the field of internal audit (CIA);
- recommendations based on the results of the internal audit have been taken into consideration;



The strategic aim 9.4. Ensuring UANIPIO's transparency and openness in facilitating everyone's right to access information

The tasks:

- ensuring the most open and transparent policy of UANIPIO on providing reliable and up-to-date information;
- ensuring the implementation of the state policy in the field of access to information on intellectual property issues in the following main areas:
 - review of attorneys' inquiries in accordance with the Law of Ukraine "On the Bar and Practice of Law";
 - review of requests for public information in accordance with the Law of Ukraine "On Access to Public Information";
 - review of appeals (applications, complaints) from individuals and legal entities regarding the acquisition of rights to intellectual property objects and other appeals on intellectual property rights and activities of UANIPIO;
 - review of deputy appeals and deputy inquiries in accordance with the procedure established by the current legislation;
- keeping records in the course of consideration of appeals (applications, complaints) of citizens, requests in accordance with the laws of Ukraine "On Access to Public Information" and "On Information", appeals and requests in accordance with the Laws of Ukraine "On the Status of the People's Deputy of Ukraine", "On the Status of Deputies of Local Councils", lawyer's requests, etc. regarding acquisition, exercise and protection of rights to intellectual property rights and the activities of UANIPIO.

The key indicators:

- quantitative indicators for the consideration of attorneys' inquiries; requests for public information; consideration of

appeals (applications, complaints) of individuals and legal entities regarding the acquisition of rights to intellectual property objects and other appeals on intellectual property rights and activities of UANIPIO;

- ensuring prompt, timely processing of all appeals (applications, complaints), inquiries and providing responses;
- control over the timely processing of appeals (applications, complaints), inquiries and providing responses to them in the manner and terms specified by the relevant laws;
- ensuring timely and proper delivery of responses to requests (applications, complaints) and inquiries;
- absence of administrative materials due to non-provision or provision of incomplete responses to requests (applications, complaints), and inquiries.



Chapter 5. The Resources

ERP

ENTERPRISE RESOURCE
PLANNING





1. A qualified team. Culture of Innovation/Learning

The resources of UANIPIO consist of human, financial, material and technical ones, and more, etc. Given the organization's role in building the state system of intellectual property legal protection, ensuring the protection of intellectual property rights, and fostering innovation ecosystem and creativity in Ukraine, staff plays a leading role in developing UANIPIO's resource base and its growth.

Key elements of institutional development of UANIPIO necessary to ensure the development of the state system of intellectual property legal protection and the advancement of innovation and creative sectors and the ecosystem of Ukraine include:

- ◆ attracting qualified employees (through competitive working conditions, positive image of the employer's brand);
- ◆ effective cross-functional interaction (effective structure; defined roles; clear processes; healthy internal communication);
- ◆ high involvement and responsibility for the common result (systematic approach to performing functions; goal management; sustainability of the organization's development; coherence of employees' behavior with the organization's values);
- ◆ continuous development (advanced training of experts in the field of intellectual property; building managerial capacities, developing the potential of employees, fostering innovative thinking, customer-centric approach);
- ◆ UANIPIO is an architect of the development of the intellectual property sphere and an example of an effective modern organization (open culture, high-quality services, convenient IT tools, comfortable working conditions, innovative/educational hub);
- ◆ the virtuous team and stakeholders (zero tolerance for corruption; high ethical standards; and a commitment to the public interests above private interests);
- ◆ availability of financial and technical resources.

One of the consequences of the war is a decrease in the number of qualified candidates in the Ukrainian labor market, which is due to Ukrainians leaving the country and general mobilization. Additionally, the number of intellectual property specialists in the labor market is quite limited. There are very few relevant candidates who meet the requirements for the positions. To ensure the full operation of the IP office and, consequently, the state system of intellectual property legal protection, UANIPIO sets the following goals:



The aim 1.1. Graduate Recruitment program – IP Office Graduate Recruitment Program

The project is aimed at building human resources, as well as developing the potential of a new generation of intellectual property experts.

The tasks:

- development of regulations on internships and training for students and graduates;
- development of an internship program for students and graduates who are interested in a career in the field of intellectual property;
- organization of the first pilot project of student recruitment under the IP office Graduate Recruitment Program.

The key indicators:

- regulations on internships and training for students and graduates have been developed;
- students and graduates of higher education institutions complete practice and internships at UANIPIO;

- successful employment of university graduates based on the results of the IP Office Graduate Recruitment Program.



The aim 1.2. Development of the employer brand. Increasing the level of recognition of UANIPIO in the labor market

The tasks:

- provide comfortable working conditions so that employees of UANIPIO become its brand ambassadors (inspiring office, motivational space; opportunities for development and career growth);
- representation of UANIPIO at job fairs, career festivals and other events where employers present career opportunities in the field of intellectual property and the public sector;
- organizing the placement of communication and media materials on information resources (text and video interviews, podcasts, etc.) in the context of intellectual property;
- holding joint events with organizations of stakeholders to share experiences;
- introducing a section about the life of UANIPIO on external communication channels;
- staff downsizing strategy and ensuring the conduct of exit interviews;

The key indicators:

- the overall level of employee satisfaction is not less than 3.8 points (based on the results of the engagement survey);
- increasing the recognition of UANIPIO among candidates for positions;
- increasing the number of responses to job vacancies.



The aim 1.3. Training and development of UANIPIO employees

The tasks:

- development of a competency model;
- development of individual development plans based on the results of the assessment;
- ensuring the organization of professional development of the employees of UANIPIO;
- ensuring the organization of employee training in accordance with the needs of UANIPIO (specialized training, soft skills, customer-centricity, time management, etc.);
- developing a program and organizing leadership training for UANIPIO managers to enhance management skills (leadership, performance management, team management, systems thinking, change management, project management, etc.);
- developing a training program as part of the adaptation of new employees of UANIPIO;

The key indicators:

- at least 60% of employees have fulfilled their individual development plans;
- level of satisfaction with the Learning factor *is* no less than 3.8 points (based on the results of the engagement survey);
- level of satisfaction with the Immediate supervisor factor no less than 3.8 points (based on the results of the engagement survey).



The aim 1.4. Adaptation of newly appointed employees for easy integration into the organization

The tasks:

- development of an adaptation program for newly appointed employees;
- development of materials for adaptation of the newcomers;
- conducting training for adaptation of program participants;
- implementation of the adaptation program and ensuring its implementation.

The key factors:

- 100% of newly appointed employees have completed the adaptation program;
- a number of errors in the first months of work is minimal;
- low staff turnover rate in the first 3 months of work.



The aim 1.5. UANIPIO as an educational, innovation-focused intellectual property hub

The tasks:

- developing a stakeholder map;
- organizing joint meetings (dialogues, panel discussions, conferences, lectures, etc.) with representatives of stakeholder organizations to exchange experience and development of the intellectual property sphere;
- development of a program for partners to get acquainted with UANIPIO;
- creating a modern space for events;

- ensuring the organization and conduct of training and educational activities for professionals involved in the field of intellectual property.

The tasks:

- at least 3 joint events with stakeholders were held during the year;
- a positive image of UANIPIO;
- stakeholders perceive UANIPIO as an architect of the intellectual property field.



The aim 1.6. A vibrant corporate culture. UANIPIO employees embody its core values

The tasks:

- development of communication activities to convey the organization's ideology;
- development of the Code of Ethics of UANIPIO together with the sector prevention of corruption activities;
- implementation of the strategy and values in the interior and symbols of UANIPIO;
- determination of ways to communicate and provide convenient channels;
- ensuring constant horizontal and vertical communication;
- establishing cross-functional interaction (through rebuilt and understandable processes, shared experience, working meetings, training, events);
- organization of corporate events for the team that are in line with the organization's values.

The key indicators:

- at least 70% of employees know the mission and reflect the values of UANIPIO in their behavior;
- at least 60% of employees participate in the activities of the organization;
- the level of satisfaction with the Cross-functional interaction factor no less than 3.8 points;
- the level of employee engagement no less than 4 points.



The aim 1.7. Effective HR

The tasks:

- organization of digitalization of HR administration processes;
- conducting an information campaign and, if necessary, training for the staff of UANIPIO on key issues related to HR management functions;
- organization of customer focus training for employees of the HR department;
- evaluating the performance of the HR department.

The key indicators:

- the employees of UANIPIO positively assess the interaction with the Human Resources Department.

2. Management of UANIPIO as a single system

In order to improve the functioning and development of the state system of intellectual property legal protection and innovation, UANIPIO applies a systematic and holistic approach to organization management, with the aim of establishing sustainable processes, in particular to ensure the stability of the quality of services provided.

▶ **The aim 2.1. Implementation of a quality management system in accordance with the requirements of the National Standard of Ukraine (DSTU) ISO 9001:2015 (ISO 9001:2015, IDT)**

The tasks:

- ensuring the organization of processes in accordance with the requirements of ISO 9001:2015 and DSTU ISO 19011:2019 standards;
- ensuring the preparation of documents in accordance with the requirements of ISO 9001:2015 and DSTU ISO 19011:2019 standards;
- organization of internal and external audits quality management systems in accordance with ISO standards 9001:2015, DSTU ISO 19011:2019.

The key indicators:

- annual confirmation of the certificate confirming compliance of the quality management system with the ISO 9001:2015.

The aim 2.2 Implementation of a system for managing goals and personnel assessment based on KPI methodology

The tasks:

- cascading of strategic goals of UANIPIO to the level of the direct performers;
- development of an action plan and identification of key performance indicators (KPIs);
- development of a KPI model system for employees according to the specifics of their work;
- organizing KPI training for all managers;
- ensuring monitoring of KPIs implementation and review of goals;
- ensuring annual assessment and review of goals and KPIs at the organization level.



The key indicators:

- conducting an annual assessment of KPI;

- 100% of the employees of UANIPIO clearly understand their professional goals and objectives;
- not less than 60% of the goals are achieved.

The aim 2.3. Implementation of a staff motivation system focused on achieving strategic goals of the organization

The tasks:

- development of a model for rewarding employees for achieving KPIs and other goals and objectives according to the specifics of the employee's functionality;
- organizing internal training for all managers to familiarize them with the motivation system;
- introducing a motivation system;
- ensuring the review of system efficiency.

The key indicators:

- 100% of UANIPIO employees clearly know how their salaries, including bonuses, are formed;
- no less than 60% of the goals are achieved.

The aim 2.4. Research of employee engagement and satisfaction

The tasks:

- conducting the first survey to measure engagement of UANIPIO employees, which will serve as a benchmark for further studies of the engagement dynamics;
- developing an action plan to improve and support indicators;

- communicating the results and plans to all employees;
- ensuring control over the implementation of measures;
- ensuring that the study is conducted regularly.

The key indicators:

- at least 70% of employees completed a survey on engagement measurement.

The human resources of UANIPIO:

As of 11.12.2023, the staff structure of UANIPIO included 734 employees.

The staff of UANIPIO consists of 609 people, including 147 men and 462 women.

604 employees have higher education (including Master, Specialist and Bachelor), of which 257 employees have higher education in the field of intellectual property.

Employees of UANIPIO have academic degrees, including: 16 - PhD, 7 - Doctor of Sciences, 1 - Professor, 6 - Associate Professors.

The financial resources of UANIPIO:

According to the Statute of UANIPIO, the sources of formation of the property of UANIPIO are:

- property, including funds transferred by the Authorized Management Body;
- income received by UANIPIO for the provision of services, as well as from other types of economic activity;



In the photo: UANIPIO team on the Day of Vyshyvanka, May 23.

- funds received by UANIPIO from fees for actions related to the protection of rights to intellectual property objects;
- loans from banks and other creditors;
- income from financial instruments;
- capital investments and budget subsidies;
- free or charitable contributions, donations from companies, organizations and individuals;
- other sources which are not prohibited by law.

Funds received by UANIPIO for actions related to the protection of rights to intellectual property objects have a designated purpose and are used exclusively for ensuring the development and functioning of the state system of intellectual property rights protection in accordance with the budget of UANIPIO and the financial plan, approved by the Ministry of Economy of Ukraine.

Receiving and use of funds from fees for actions, related to the protection of rights to intellectual property objects are carried out in accordance with the Resolution of the Cabinet of Ministers of Ukraine dated December 23, 2004 No. 1716 (as amended) and in

accordance with the Procedure for the use of funds from fees for activities, related to the protection of rights to intellectual property objects, approved by the order of the Ministry of Economy of Ukraine dated November 28, 2022, No. 4850.

Funds received by UANIPIO for the provision of services, as well as from other types of economic activity, are conditioned by fulfillment of statutory tasks in the field of intellectual property and innovation.

Funds are received on the basis of the Procedure for the provision of paid services of the State Organization "Ukrainian National Office for Intellectual Property and Innovations", approved by the order dated February 17, 2023, and the List of Paid Services Provided by the State Organization "Ukrainian National Office for Intellectual Property and Innovations".

The use of funds is carried out in compliance with financial discipline taking into account the status of UANIPIO as a state non-profit organization.

Financial indicators are detailed in the annual budgets and financial plans. The financial plan, in accordance with the Statute of UANIPIO, is approved by the Ministry of Economy of Ukraine.

Material and technical resources of UANIPIO:

The formation of material and technical resources of UANIPIO was based on the state property received from the State Enterprise "Ukrainian Institute of Intellectual Property" (EDRPOU code 31032378) under the transfer and acceptance acts approved by the Ministry of Economy of Ukraine as of December 29, 2022:

real estate - building (administrative building, inventory number 400297); year of commissioning 27 May 2004, total building area

is 6843.0 square meters, located at 1 Glazunova St., Kyiv.

Other separately identifiable assets include capital assets, intangible assets, tangible assets, and vehicles.



Further formation of material and technical resources of UANIPIO will take place, taking into account the subsequent transfer of state property from the State Enterprise "Ukrainian Intellectual Property Institute" in order to fulfill the functions of the NIPA in accordance with the CMU order dated October 28, 2022 No. 943 and to meet the annual indicators of UANIPIO in accordance with the current legislation, which are approved by the Ministry of Economy of Ukraine in terms of formation of material and technical resources.

Chapter 6. Potential risks and risk management



The risk assessment considers possible threats and dangers that may affect the achievement of the set goals and objectives of UANIPIO through the prism of the completing the institutional reform of the intellectual property sphere and critical risks of the external environment, largely stemming from the conditions of a full-scale invasion of Ukraine by the Russian Federation.

The basic principles of risk management are defined as:

- ◆ **a systematic approach:** risks should be assessed systematically and regularly. Developing mechanisms for the identification, assessment and monitoring of risks is an important stage of risk management;
- ◆ **to set priorities:** a critically high share of environmental risks makes their prioritization necessary to focus resources on the most important aspects of risk management;
- ◆ **to implement preventive measures:** unpredictable and difficult-to-predict nature of external environmental risks (missile attacks, destruction of infrastructure, loss of communications, etc.) makes the adoption of preventive measures necessary to prevent the occurrence of risks or mitigate their consequences;
- ◆ **understanding and engagement of the staff:** risk management should be clear and accessible to the entire staff of the IP office. Employees should be involved in the process of identifying and assessing risks, which will help reduce the potential consequences of risks and better organize their management. At the same time, the conditions of a full-scale war make it necessary to inform the staff systematically and discuss with the staff the occurrence of events that may pose a risk to their life and health;
- ◆ **monitoring and updating:** the nature and types of risks under the legal regime of martial law can change and accumulate

rapidly, so it is important to establish mechanisms for identifying new risks and updating the measures to manage them.

UANIPIO will use the methodology of risk management as part of the implementation of the quality management system in accordance with ISO 9001:2015. The latest version of the standard applies "risk-oriented thinking" when identifying and managing risks and also provides for the identification of potential risks and preventive actions by individual business units.

Diversifying actions to identify and manage certain types of risks will allow for a better application of the principle "employee understanding and engagement", as well as reduce the response time of management actions in case of an event or the establishment of a fact related to the identified risk.

Awareness of potential risks and the development of a risk management plan will ensure stability and efficiency of the IP office, increase the level of trust among its partners and applicants. Implementation of risk management principles in accordance with the ISO 9001:2015 methodology will contribute to the achievement of strategic goals and ensure the sustainable development of UANIPIO under the conditions of a high level of external risks and a dynamic business environment.

When implementing strategic development goals at UANIPIO, the following potential risks may arise:

Risk			Risk management				
<p>Armed aggression of the Russian Federation against Ukraine.</p> <p>Destruction of network and server equipment and threat to the lives of employees</p>			<p>UANIPIO will regularly consult and inform the Ministry of Economy about the risks for employees and applicants regarding its activities related to the armed aggression of the Russian Federation and the requirements of the martial law regime.</p> <p>UANIPIO will adapt its actions in accordance with the recommendations and instructions of the military-political command, including developing recommendations for office visitors during air raid alerts and other military threats, maintaining the mental and emotional state of employees, creating a personnel reserve to replace mobilized employees, and ensuring uninterrupted operation of the IT infrastructure, among other measures.</p> <p>Although a significant part of the risks of armed aggression and active military actions are uncontrollable, UANIPIO will ensure preventive actions to preserve human resources and infrastructure of the organization in order to create opportunities for continuous operations. The armed aggression of the Russian Federation against Ukraine will also affect international cooperation in the field of intellectual property. UANIPIO will take measures to counteract the attempts of the Russian Federation to legitimize the armed aggression through the work of the standing committees and working groups of the World Intellectual Property Organization (WIPO) and other international and regional organizations in the field of intellectual property. Risk management will involve systematically preventing and blocking possible steps of the Russian Federation or any other party aimed at using WIPO to legitimize the attempts of annexation by the Russian Federation the temporarily occupied parts of the territory of Ukraine and the adoption of decisions that may be interpreted as direct or indirect recognition of any change in the status of these territories of Ukraine and decisions in accordance with the scope of the Organization's responsibility for intellectual property.</p> <p>In addition, UANIPIO will regularly report to the designated state authorities and take measures to implement the sanctions policy.</p>				
			Likelihood				
Level (score)			Seldom/almost impossible	Unlikely	Medium	Possibly	Frequently/ is expected
			1	2	1	4	1
Influence	Low	1					
	Medium	2					
	High	3					
	Extremely high	4					√

Risk			Risk management				
The instability of the national and international markets, associated with economic, social, political crises, including disruption of supply chains and logistics			<p>UANIPIO will regularly report to the Ministry of Economy on the problems related to the risks that can be solved through dialogues and other political measures. It will also conduct consultations and discussions with national and international partners within its mandate to determine priority actions for reducing the negative consequences of such risks.</p> <p>Disruption of supply chains and logistics caused by the introduction of martial law in Ukraine, as well as the shortage of certain elements and components on the global market will require clear planning procurement by UANIPIO, ensuring extended warranty and service support, and creation of backup replacements in warehouses or with suppliers.</p>				
Level (score)			Likelihood				
			Seldom/almost impossible	Unlikely	Medium	Possibly	Frequently/ is expected
			1	2	3	4	5
Influence	Low	1					
	Medium	2					
	High	3					
	Extremely high	4				✓	
Risk			Risk management				
Obsolescence of hardware and software, workplaces and IT infrastructure			<p>UANIPIO will provide opportunities for financing the modernization of IT infrastructure by using funds from fees for actions related to the protection of rights to intellectual property objects, and by attracting international technical assistance. UANIPIO will implement modern technologies to optimize and preserve patent documentation.</p>				
Level (score)			Likelihood				
			Seldom/almost impossible	Unlikely	Medium	Possibly	Frequently/ is expected
			1	2	3	4	5
Influence	Low	1					
	Medium	2					✓
	High	3					
	Extremely high	4					

Risk			Risk management				
Cyberattacks and leaks of information			<p>UANIPIO will report to the Ministry of Economy, relevant state authorities and law enforcement agencies on cyber threats and leaks of confidential information and classified data.</p> <p>UANIPIO will implement elements of the Integrated Information Security System (IISS) and modernize hardware and software complex to counteract illegal dissemination of information and cyber threats.</p> <p>UANIPIO develops regulations for the work of structural units responsible for maintaining the secrecy of information on network and server equipment, security departments and work with documents containing state secrets.</p>				
Level (score)			Likelihood				
			Seldom/almost impossible	Unlikely	Medium	Possibly	Frequently/ is expected
			1	2	3	4	5
Influence	Low	1					
	Medium	2					
	High	3					
	Extremely high	4		√			
Risk			Risk management				
Inappropriate information maintenance			<p>The instability of international markets may result in the absence/ disruption of access to public and commercial information resources. Risk management will involve filling the internal fund of patent documentation and information, as well as searching for similar providers of such information.</p> <p>UANIPIO will provide adequate human resources for prompt and high-quality international exchange of knowledge and information.</p>				
Level (score)			Likelihood				
			Seldom/almost impossible	Unlikely	Medium	Possibly	Frequently/ is expected
			1	2	3	4	5
Influence	Low	1					
	Medium	2					√
	High	3			√		
	Extremely high	4					

Risk			Risk management				
Insufficient number and/or qualifications of the staff.			UANIPIO will create an employer brand and ensure proper working conditions and compensation. UANIPIO will introduce measures to encourage professionals and create conditions for their professional growth. UANIPIO will create programs for recruiting young professionals, joint internship and practice programs with higher education institutions.				
Low interest in employment			It will conduct awareness-raising activities and share educational materials openly accessible to all audiences.				
			UANIPIO will implement a personnel selection system in accordance with the developed qualification requirements and internal testing and approbation procedures.				
			Taking into account the globalization of intellectual property services, UANIPIO will ensure the proper level of foreign language proficiency of employees by promoting and organizing language courses and engaging specialized personnel.				
			Considering the globalization of intellectual property services, UANIPIO will ensure that its employees have an adequate level of proficiency in foreign languages by promoting and organizing language courses and engaging specialized personnel.				
Level (score)			Likelihood				
			Seldom/almost impossible 1	Unlikely 2	Medium 3	Possibly 4	Frequently/ is expected 5
Influence	Low	1					
	Medium	2					
	High	3			√		
	Extremely high	4					
Risk			Risk management				
The high level of workload and professional burnout of employees			UANIPIO will develop programs for the redistribution of the resources related to the execution of certain governmental responsibilities and will facilitate the implementation of the vacation and rest schedule for employees.				
			UANIPIO will implement programs to automate operational processes and relieve employees.				
Level (score)			Likelihood				
			Seldom/almost impossible 1	Unlikely 2	Medium 3	Possibly 4	Frequently/ is expected 5
Influence	Low	1					
	Medium	2				√	
	High	3					
	Extremely high	4					

Risk			Risk management				
Inadequate financial support			<p>UANIPIO will regularly report to the Ministry of Economy on the state of financial support of the organization. The Office will be continuously monitoring the volume of applications. It will introduce motivational measures for applicants or their representatives to increase the volume of applications. The Office will work with the innovation and creative sectors in order to increase the culture of intellectual property and interest in legal protection and enforcement of intellectual property rights, as well as in the further commercialization of IP.</p> <p>UANIPIO will conduct audits and optimize expenses.</p> <p>UANIPIO will focus its efforts on the development of Ukraine's innovative economy, which will result in the improvement of the protection and enforcement of intellectual property rights, as well as the financial capability of applicants.</p>				
Level (score)			Likelihood				
			Seldom/almost impossible	Unlikely	Medium	Possibly	Frequently/ is expected
			1	2	3	4	5
Influence	Low	1					
	Medium	2					
	High	3			√		
	Extremely high	4					
Risk			Risk management				
Insufficient cooperation with national and international stakeholders.			<p>UANIPIO will intensify its participation in international and national cooperation events, conducting joint programs and projects, and building the image of an open and reliable partner institution.</p> <p>UANIPIO will develop realistic cooperation plans and continuously monitor the implementation of projects.</p>				
Opposition to the collection and exchange of information			<p>UANIPIO will form an understanding in society and organizations of the importance of statistical information, basic indicators, goals and key performance indicators for the sector and the country's economy.</p> <p>UANIPIO will implement WIPO standards to harmonize practices and improve data exchange with the international community.</p>				
			Likelihood				

Chapter 7. The Key Performance Indicators



The key performance indicators of UANIPIO as a state non-profit organization are calculated taking into account the forecast indicators of the gross domestic product of Ukraine and inflation according to the projections of the International Monetary Fund for the Ukrainian economy from 2023 to 2027.

The asset utilization indicators are based on the data from the property transfer and acceptance acts from the SE “Ukrainian Institute of Intellectual Property”. Based on the results of the supplemental evaluation of assets after the inventory, the asset utilization indicators will be adjusted.

№	The direction of activity	Indicator name	Unit of measure	In fact 2022	Prognosis 2023	2024	2025	2026	2027	2028
1	2	3	4	5	6	7	8	9	10	11
1	Financial activity	1.1. Net income from sales of products (goods, works, services)	UAH ths.	0	181	210	241	267	293	323
		1.2. Gross profit	UAH ths.	-	-	-	-	-	-	-
		1.3. Net financial result	UAH ths.	-	-	-	-	-	-	-
		1.4. Gross margin	%	-	-	-	-	-	-	-
		1.5. Profitability of operations	%	-	-	-	-	-	-	-
		1.6.* Other operating income (including income from fees for actions related to the protection of intellectual property rights)	UAH ths.	5 425	419 779	594 950	553 198	614 049	614 075	614 105
2	Marketing activity	2.1. Volume of products sold in the domestic market	UAH ths.	-	-	-	-	-	-	-
		2.2. Revenue from export sales	UAH ths.	-	--	-	-	-	-	-
3	Production activities	3.1. Production capacity utilization rate	%	-	-	-	-	-	-	-
4	Investment and innovation activity	4.1. Total capital investments, including by source of financing:	UAH ths.	0	8 257	17 353	32 785	45 812	0	0
		4.1.1 State budget funds	UAH ths.	-	-	-	-	-	-	-

		4.1.2 Own funds of the company	UAH ths.	0	8 257	17 353	32 785	45 812	0	0
		4.1.3 Funds raised	UAH ths.	-	-	-	-	-	-	-
		4.2. Costs of innovation	UAH ths.	-	-	-	-	-	-	-
		4.3 Volume of innovative products sold	UAH ths.	-	-	-	-	-	-	-
		4.4 Share of innovative products in total sales	%	-	-	-	-	-	-	-
5	Development of of the company's labor potential	5.1 Average number of full-time employees	persons	10	555	734	782	782	833	833
		5.2 Average monthly salary of employees	UAH	37 083	34 775	43 259	46 110	46 110	49 100	49 100
		5.3 Labor productivity of one working industrial and production personnel	UAH ths/person/month	-	-	-	-	-	-	-
		5.4 Share of employees engaged in scientific and technical activities	%	56	73	84	85	85	87	87
6	Asset utilization status	6.1. Assets in general, including:	UAH ths.	311 953	486 880	392 283	388 030	403 826	430 096	447 511
		6.1.1 Current assets	UAH ths.	35 615	203 070	122 788	72 116	72 116	81 801	81 801
		6.1.2 Property and equipment (cost)	UAH ths.	0	263 593	275 021	286 710	301 045	316 097	331 902
		6.2 Depreciation of fixed assets	%	-	0,09	0,09	0,09	0,09	0,09	0,09
		6.3 Return on assets	%	0,01	-	-	-	-	-	-

Chapter 8. Conclusions



The Strategic Plan of UANIPIO sets ambitious goals and reflects the directions aimed at investing joint efforts in the victory of Ukraine and its post-war recovery and sustainable development in the field of intellectual property, building the creative sector and innovation ecosystem, strengthening Ukraine's position in the international arena and ensuring its independence.

The mission: a modern, professional, technological and transparent system of intellectual property. The future of Ukraine is innovations, technologies and investments, facilitated by the functioning of a high-quality, state system of the intellectual property legal protection *aimed at* sustainable innovation development and support for creativity; ensuring the well-being and self-realization of every citizen of Ukraine, based on a high level of protection of intellectual property rights and intellectual property culture.

The values:

- ▶ Transparency
- ▶ Efficiency
- ▶ Respect
- ▶ Quality services and digitalization
- ▶ High standards of management
- ▶ Zero tolerance for corruption

Vision: quality services in the field of legal protection and enforcement of intellectual property rights, in the development of an innovative hub with the participation of a motivated team of professionals, who are always focused on corporate values: stability, personal development, rational planning, consistency of internal processes and openness to communication with stakeholders.



Strategic direction 1. Development of international cooperation in the field of intellectual property

- ◆ The vision of UANIPIO is to promote Ukraine's position on the IP map of the world and cooperation with international organizations.
- ◆ One of the key goals is to represent the interests of Ukraine in the World Intellectual Property Organization (WIPO) and ensure the effective fulfillment of its tasks.
- ◆ UANIPIO strives for harmonization of practices and approaches with the European Union in the field of intellectual property in order to promote Ukraine as an EU candidate.
- ◆ Promoting a network of regional and bilateral cooperation is an important task, including cooperation with national and regional intellectual property offices.

Forecast estimates of the impact of the Strategic Plan implementation:

- International cooperation in the field of intellectual property will contribute to the unification of approaches and the protection of national interests and intellectual property rights of applicants.
- Strategic directions, such as harmonization with the EU and strengthening cooperation with international partners will contribute to the development of the public sector and the national economy as a whole.
- UANIPIO seeks to counteract the attempts of the Russian Federation to legitimize its armed aggression against Ukraine through international organizations, which will contribute to the preservation of national interests in times of war.



Strategic direction 2. Reliable protection of intellectual property rights of applicants

- ◆ Ensuring effective procedures for the examination of applications, ensuring reasonable timeframes and raising of examination standards are the key tasks of UANIPIO;
- ◆ UANIPIO will work on the implementation of WIPO standards and the improvement of electronic services for interaction with applicants.
- ◆ Ensuring reasonable timeframes for the examination of applications will be achieved through effective planning and standardization of work, optimization of review periods and the improvement of the quality management system.
- ◆ UANIPIO focuses its efforts on effective management of human resources and expertise, continuous professional development, exchange of personnel with leading foreign IP offices, as well as the development of methodological recommendations for the examination and formation of a corps of innovators, which are important tasks for ensuring reliable protection of intellectual property rights in Ukraine.

Forecast estimates of the impact of the Strategic Plan implementation:

- Raising the standards of examination and ensuring reasonable examination timeframes will help to improve the quality of legal protection of intellectual property, which will encourage the growth of the country's innovation potential and attract investment.
- The introduction of effective examination procedures and

raising quality standards will increase the credibility of the intellectual property system, contributing to the development of a favorable innovation ecosystem in Ukraine.

- Ensuring reliable protection of intellectual property rights will stimulate the development of new technologies, inventions, contributing to the improvement of the quality of products and services, which will result in the growth of the national economy and the creation of new workplaces.



Strategic direction 3. Digital transformation

- ◆ UANIPIO will work on developing the architecture and settings for the modernization of existing automated systems, creation of a single electronic cabinet applicant and improvement of the Special Information System (SIS), in particular by introducing artificial intelligence technologies into the work of the Ukrainian National Bureau of UANIPIO, integration of the data exchange.
- ◆ Implementation of new IT solutions for corporate management to optimize staff performance and increase the internal knowledge base of UANIPIO;
- ◆ The goals of digital transformation will also include building an innovation environment, in particular by creating online services for researchers, inventors and innovators.
- ◆ The key indicators are user satisfaction, development of online platforms, user-friendly and informative web-portal, as well as providing organizational and technical capabilities for the effective use of digital services and infrastructure.

Forecast estimates of the impact of the Strategic Plan implementation:

- A complete transition to online-adaptive and modern processes will help to improve productivity and optimization of administrative processes.
- The implementation of digital transformation will contribute to improving applicants' access to services and interaction with UANIPIO, increasing the number of examinations conducted and the use of artificial intelligence in operational activities.
- Digital tools of UANIPIO for Ukraine's Recovery Plan and the creation of an integrated environment for technology transfer (online services and infrastructure for financing SMEs, researchers and increasing the level of inclusiveness of access to information resources and public registries).



Strategic direction 4. High-quality and effective legal support of the intellectual property field

- ◆ UANIPIO provides a detailed screening of national legislation in the field of intellectual property and develops proposals for amendments to it within the framework of the assessment of the implementation of the European Union (EU acquis).
- ◆ Research of issues related to the application of legal protection for commercial designations, rationalization proposals, trade secrets, as well as the feasibility of applying legal protection mechanisms to domain names, genetic resources, traditional knowledge and cultural expressions.

- ◆ Research and preparation of proposals for national legislation on the development of creative industries and innovative entrepreneurship, development of innovative ecosystem and commercialization of intellectual property, taking into account the EU experience.
- ◆ Promoting the creation of legal conditions to support innovation activities of enterprises by establishing financial, tax and credit mechanisms aimed at stimulating innovation.

Forecast estimates of the impact of the Strategic Plan implementation:

- Development and submission of legislative initiatives to the Ministry of Economy of Ukraine will become a practical tool for unifying and improving procedures and mechanisms for the legal protection and enforcement of intellectual property in line with EU standards.
- Implementation of the recommendations for updating and unification of national legislation will contribute to simplification of procedures and improvement of the regulatory framework in the field of intellectual property.
- The study of the conditions of legal protection of non-traditional intellectual property objects will open up new opportunities and challenges in this area.
- Implementation of the Strategic direction will contribute to improving the legal environment, creating favorable conditions for the development of creativity and innovation, protection and enforcement of intellectual property rights in Ukraine, which is important for the development of the national economy and the promotion of Ukraine on the IP map of the world.



Strategic direction 5. Effective protection of intellectual property rights

- ◆ UANIPIO will promote the effective protection of intellectual property rights in Ukraine, which will include synergy of efforts with various institutions, in particular specialized departmental, law enforcement and judicial authorities, as well as professional and public organizations, businesses and rights holders.
- ◆ UANIPIO supports the establishment of the High Court of Intellectual Property and will contribute to the improvement of judicial protection of intellectual property rights in Ukraine.
- ◆ Active involvement in the implementation of sanctions policy in the field of intellectual property to ensure control over the registration of intellectual property rights and active cooperation with the National Security and Defense Council of Ukraine (NSDC), the Ministry of Justice and the Asset Recovery and Management Agency (ARMA) in order to take restrictive measures against intellectual property rights and develop mechanisms for the effective management of sanctioned intangible assets.
- ◆ Promoting alternative dispute resolution mechanisms in the field of intellectual property, including mediation. The IP office is introducing a mediation service as an effective tool for alternative dispute resolution and will support the professional development of mediators.
- ◆ Focus on organizing and developing cooperation with national, European and international institutions in order to increase the effectiveness of the protection of intellectual property rights. This also includes the creation of a Monitoring Center on the basis of UANIPIO on the issues of intellectual property rights

infringement and cooperation with the European Observatory on Intellectual Property Rights Infringement issues within EUIPO.

- ◆ Improvement of national legislation on the protection of intellectual property rights will continue in order to adapt to the EU and international standards.

Forecast estimates of the impact of the Strategic Plan implementation:

- Strengthening of cooperation of UANIPIO with authorities and other institutions involved in the protection of intellectual property rights will lead to improved enforcement against infringements of intellectual property rights and will ensure the effective application of the sanctions policy.
- Measures aimed at popularizing alternative dispute resolution mechanisms will continue to gain popularity, and their use in the field of intellectual property will increase, which will help relieve the workload of the judicial system.
- Improving the system of intellectual property rights protection property rights and its development in accordance with European and international standards will contribute to the improvement of the innovation environment, attract investment and development of the Ukrainian economy based on the protection of intellectual property rights.



Strategic direction 6. UANIPPIO – a quality platform for dialog in the field of intellectual property

- ◆ The activity of UANIPPIO is aimed at increasing the effectiveness of communication and cooperation between different stakeholders in the field of intellectual property in order to restore and develop the economy of Ukraine, development of national culture and support in the promotion of domestic authors, creators, and inventors to the international and European markets.
- ◆ The goal of the IP office is to improve the culture and respect for intellectual property rights.
- ◆ Ensuring the development of the professional community, one of the main priorities of which will be the restart of certification of patent attorneys and a qualitatively new approach, where professionalism is the priority.
- ◆ To achieve its goals, UANIPPIO provides planning and implementation of communications, preparation of information and consultation materials, cooperation with mass media, as well as the organization of joint events.

Forecast estimates of the impact of the Strategic Plan implementation:

- The development and implementation of a quality platform for dialogue in the field of intellectual property will allow creation of a favorable environment for cooperation and consolidation of efforts.

- Active communication with business, creative industries, innovation activity subjects and government institutions will contribute to solving key issues of the sector.
- The introduction of a new approach to the professional status of patent attorneys will help improve the quality of submitted documents and applications for registration of objects of intellectual property rights, which will have a positive impact on the practice of law enforcement in this area and will promote the interests of applicants.
- The use of modern communication channels and active information activities will contribute to raising public awareness of the legal protection and enforcement of intellectual property rights.



Strategic direction 7. Innovative breakthrough as a basic benchmark for Ukraine's recovery and development

- ◆ The Innovative Breakthrough aims to create favorable conditions for the innovative development of Ukraine through the development of human capital, support for inventors, attraction of financial resources, creation of legal conditions and expansion of the cooperation network.
- ◆ The National IP&Innovations Hub is a powerful center for innovation that supports research, development, commercialization of intellectual property rights and technology transfer, encourages investment in Ukraine's economy and promotes job creation.
- ◆ The educational activities will be aimed at the formation of practical skills in the field of intellectual property, innovation,

technology transfer and the development of entrepreneurial and startup culture.

- ◆ Expanding the TISC network and supporting regional projects will contribute to improving access to information and support the innovation environment in various sectors of the economy.
- ◆ Forecast estimates of the impact of the Strategic Plan implementation:
 - Promoting the development of a national innovation ecosystem that will ensure the creation and commercialization of innovation results
 - Growth in innovation activity, including an increase in the number of innovative projects and startups, along with creating favorable conditions for attracting investment in innovative sectors of the economy and promoting the growth of the country's competitiveness in the global market.
 - Ensuring educational activities in the field of intellectual property and innovation will help to increase the number of qualified professionals who are able to conduct research, develop new ideas and implement innovative solutions.
 - Supporting technology transfer processes will facilitate the exchange of knowledge and technologies, which will allow attraction of foreign investment and promote the development of the country's export potential.
 - Expanding geographical and professional coverage of the TISC network in Ukraine will increase user access to services for the protection and enforcement of intellectual property rights and will contribute to the support of regional projects on raising awareness and commercialization of intellectual property.



The strategic direction 8. Building a culture of respect for intellectual property

- ◆ Active educational activities and popularization of knowledge on intellectual property, primarily through the network of national and international partnerships and activities of the IP Academy (National Intellectual Property Training Centre) at UANIPIO;
- ◆ A development and implementation of training programs on intellectual property, conducting information and consulting activities and providing access to educational materials for children, schoolchildren, students and the general public in general.
- ◆ Ensuring the appropriate level of competence of specialists in intellectual property matters.

Forecast estimates of the impact of the Strategic Plan implementation:

- Development of training programs, workshops and seminars will contribute to the professional development of representatives of public authorities, patent attorneys and other specialists in this field.
- Increasing the legal culture of citizens and respect for intellectual property in Ukraine will reduce the level of infringement of intellectual property rights, piracy and distribution of counterfeit products and will also facilitate the commercialization of intellectual property rights.



The strategic direction 9. Transparency of the activities of UANIPIO

- ◆ Transparency is a key principle of the effective functioning of UANIPIO. The introduction and improvement of mechanisms that provide access to information and providing objective reports on activities will contribute to the credibility of UANIPIO and improve the state of protection and enforcement of intellectual property rights.
- ◆ The establishment and functioning of the Supervisory Board will facilitate control over the financial and economic activities of UANIPIO, execution of the budget and efficient and targeted use of funds generated from revenues from the collection of fees for actions related to the protection of intellectual property rights.
- ◆ Implementation of risk-based planning and implementation of individual audit tasks, the main tasks of which will be to control the effective use of funds and assets by UANIPIO and the legality of procurement procedures.
- ◆ Implementation of effective work on prevention of corruption activities on the basis of anti-corruption legislation and local policy on prevention of corruption and corruption-related

offenses, fulfillment of the Anti-Corruption Program of UANIPIO as one of the steps of the State Anti-Corruption Program.

Forecast estimates of the impact of the Strategic Plan implementation:

- Avoiding corruption risks, ensuring the efficient use of resources, and ensuring proper internal control.
- Strengthening public confidence in UANIPIO and development of a fair and transparent system of intellectual property in Ukraine.
- Quick management response to risks and improvements of planning systems in the field of intellectual property through objective monitoring and reporting.

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