



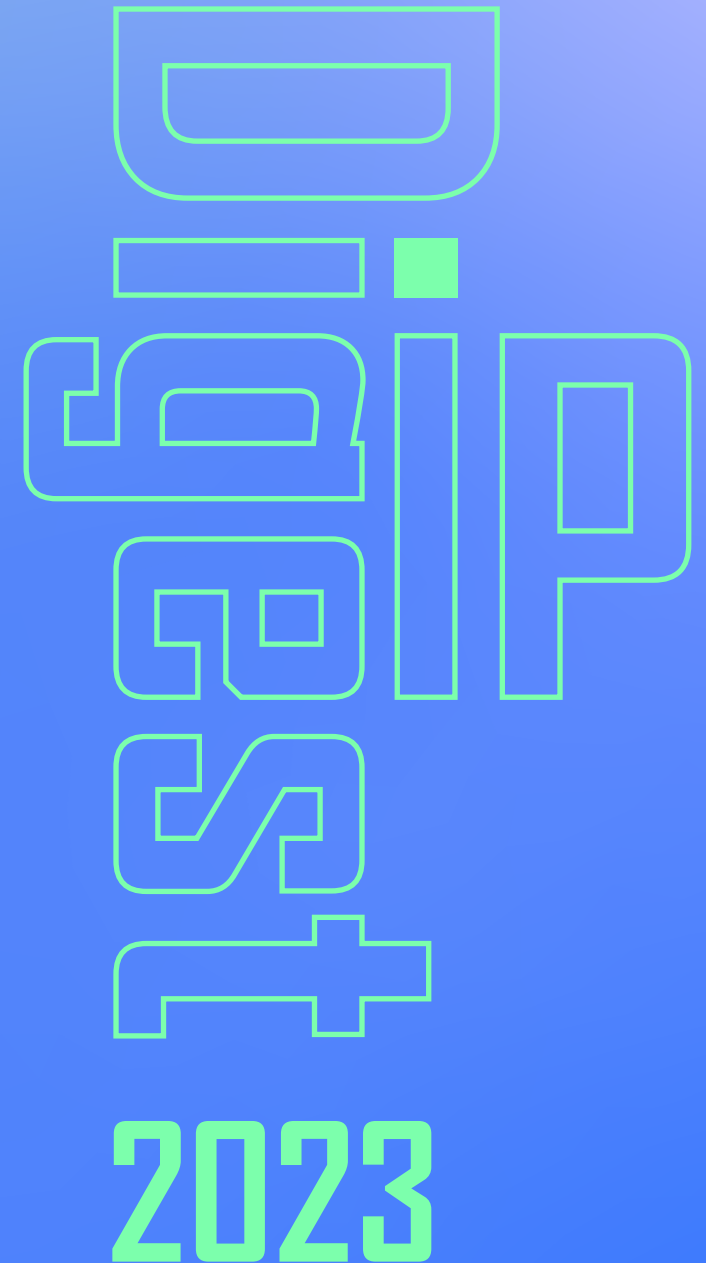
EUROPEAN INTEGRATION DIGEST:

Intellectual Property



IP OFFICE

Ukrainian National Office for Intellectual
Property and Innovations



Cooperation with the European institutions and the promotion of European integration

After Ukraine became a candidate for European Union membership in 2022, the country's European integration efforts received a significant boost. This led to close communication with European colleagues throughout 2023. Maintaining regular, constructive dialogue with EU Member States is crucial, since it is essential to support Ukraine on its path to European integration.

The following steps and critical results of this enhanced cooperation are a powerful testimony and demonstration of the European partner states' support for Ukraine and its national system of IP legal protection and enforcement:

- signing of the [Declaration of Intent of cooperation in aspects of intellectual property](#) with the patent offices of Poland, Lithuania, Latvia and Estonia, March 2023;
- signing of the [Memorandum of Understanding on bilateral cooperation](#) with the European Union Intellectual Property Office, July 5, 2023;
- signing of the [Memorandum on Enhanced Technical and Strategic Partnership](#) with the European Patent Office, July 12, 2023;
- signing of the [2024-2025 Work Plan for implementing the Memorandum of Understanding on bilateral cooperation](#) between UANIPIO and the European Union Intellectual Property Office, October 23, 2023;
- UANIPIO delegation representatives' participation in the [International Congress on Intellectual Property](#) (link in Ukrainian) in Poland (September 2023) and the corresponding high-level meeting;
- a [visit of a European delegation to UANIPIO](#) aimed at consolidating efforts and determining further priorities and movement vectors on the European integration path, October 2023;
- Ukraine's accession to the [EU Regional Program for strengthening the intellectual property sphere](#);
- the participation of UANIPIO representatives in meetings of the [annual Dialogue on Intellectual Property Rights between Ukraine and the EU](#) (link in Ukrainian). This Dialogue is part of a more comprehensive cooperation between the European Commission and Ukraine.



Visit of the EU delegation to Kyiv: signing of the Work Plan for 2024 and 2025 on cooperation between UANIPIO and EUIPO at the Ministry of Economy of Ukraine, and a roundtable discussion on the resilience of the IP sector, on **October 23, 2023**

In October 2023, the visit of the European delegation to Kyiv marked the beginning of a new round of cooperation between UANIPIO and the European authorities. Headed by João Negrão, Executive Director of EUIPO – for whom this was the first official visit outside of the EU – the delegation was made up of the heads of national IP offices of Poland, Estonia, Lithuania, Latvia and Moldova as well as the representatives of the Delegation of the European Union to Ukraine. During the visit, the parties discussed the ways to strengthen the multilateral cooperation between the EUIPO, the national IP offices of the EU countries, AGEPI and UANIPIO. In addition, the participants exchanged their views

on promoting the UANIPIO's initiatives and the Ukrainian IP community aimed at bringing Ukraine closer to joining the EU and accessing the European Union IP Network (EUIPN) – a network consisting of EUIPO and EU national IP offices. The discussion showed a high level of support for Ukraine by our international partners. During the October visit, a round table, «Creating today a sustainable IP platform for tomorrow», was held. It became an excellent opportunity for foreign partners and representatives of the national education, science, business and government sectors to hold sectoral discussions on running challenges and learn the best practices from European colleagues.

The meeting resulted in several measures being developed to support Ukraine's integration into the EU. This cooperation was consolidated in signing the [2024-2025 Work Plan, streamlining the implementation of the Memorandum of Understanding on bilateral cooperation, signed between UANIPIO and the EUIPO](#) in Geneva in July 2023. The 2024-2025 Work Plan will allow the Ukrainian IP Office to benefit from EU support in areas related to the management of intellectual property rights: tools for examination purposes, support in harmonising the practice of registration and examination of applications for trademarks and industrial designs with EU practice, opportunities for training personnel and cooperation. The Plan also includes measures such as the mutual exchange of information on research related to the impact of intellectual property on the economy, as well as law enforcement and the fight against fraud. In addition, it opens the possibility of including data on Ukrainian trademarks and industrial designs in EUIPO databases.

Priority areas of cooperation and support for the IP sector: meeting of the European delegation with the team of the Ukrainian IP office, on [October 26, 2023](#)

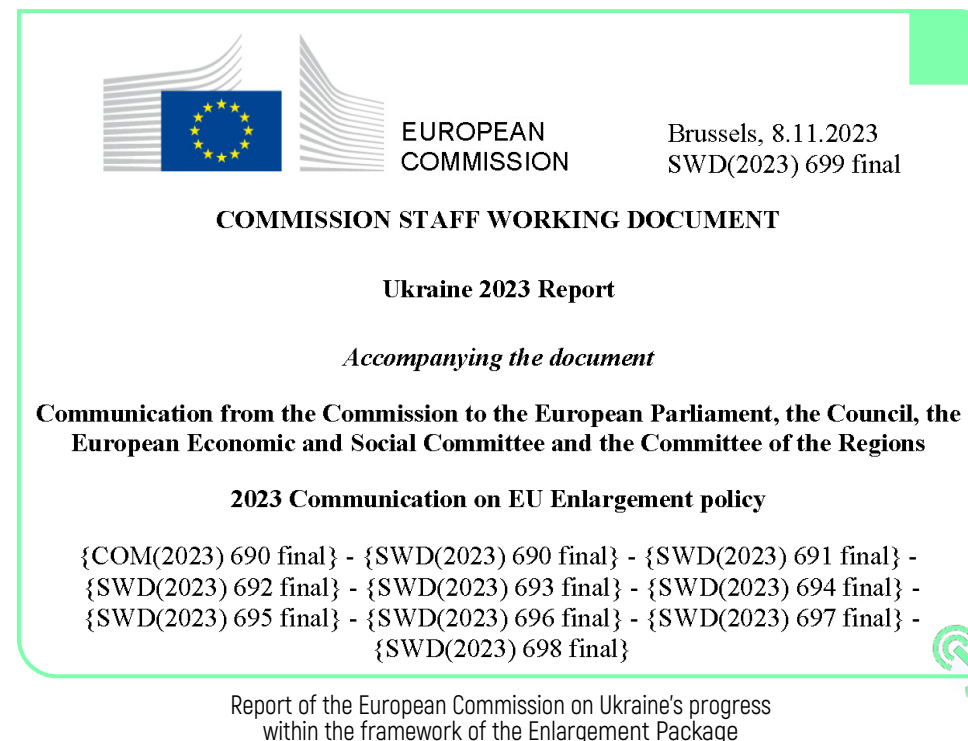


In June 2023, the EUIPO and European Commission expanded the support provided through the SME Fund to benefit Ukrainian businesses. These businesses can now receive funding to apply for intellectual property rights, including trademarks, industrial designs, inventions and utility models.

Holding the annual «[Dialogue on Intellectual Property Rights](#)» is critical to the extended cooperation between the European Commission and Ukraine. This year, UANIPIO representatives participated in the work of the meeting. They focused on the progress of reforming Ukraine's intellectual property legislation, its harmonisation with the EU acquis, various current issues of domestic copyright and patent law, protection for pharmaceutical products, enforcement of IP rights and technical assistance that the EU can provide. The meeting outlined that strengthening the institutional capacity of the national IP office and cooperation with businesses to develop intellectual and innovative infrastructure remains a priority. It was also found that Ukraine needs the development of new tools for universities and research institutions, support for small and medium-sized businesses affected by the war, and expansion of the possibilities of effective protection and commercialisation of IP rights of representatives of creative industries.

Ukraine made significant progress in intellectual property during the year covered in this Report. This is explicitly stated in the European Commission's historical [report on Ukraine's progress within the Enlargement Package's framework, published on November 8, 2023](#). The European Commission recommended that the Council of the EU start negotiations on Ukraine's accession to the European Union. A separate chapter in the Report of the European Commission (Ukraine 2023 Re-

port) is devoted to intellectual property, which emphasises the need for further work with the legislation of Ukraine on trademarks, industrial designs, the issue of protection of intellectual property rights – in particular, regarding the fight against piracy and counterfeit products, the creation of the Higher Court on Intellectual Property (IP Court).



On December 14, 2023, EU leaders made a historic decision to start negotiations with Ukraine on joining the European Union. The European Commission, without further delay, began preparing the technical aspects of the negotiations with Ukraine regarding EU membership (the so-called negotiation framework).

To facilitate Ukraine's transition to European standards of intellectual property rights protection, the European Commission and EUIPO launched the EU regional program to support the IP sphere of Ukraine.

The European Commission and the European Union Intellectual Property Office signed an agreement on implementing the EU Regional Program for Intellectual Property Support of Ukraine, the Republic of Moldova and Georgia (hereinafter referred to as EU4IP). The program is aimed at strengthening the innovation ecosystem, enhancing the protection and enforcement of intellectual property rights, and creating a favourable environment for the development of innovation, creativity, and competition, given the European integration vector for the development of these countries. The program is designed for four years and is jointly financed by the European Commission for 2.8 million euros and the EUIPO for 1.2 million euros, for a total of 4 million euros.

Ukraine's participation in the program will open up new perspectives and speed up movement on the path of legal alignment with the policy and legal system of the EU acquis, which will ensure the creation of reliable tools and mechanisms for the protection of intellectual property rights and improvement of the business environment. As part of the Program's implementation, professional training activities are planned – particularly for Ukrainian judges to strengthen justice in the field of intellectual property – and providing grant support.

On July 12, 2023, the Ukrainian IP Office and the EPO signed the Memorandum on Enhanced Technical and Strategic Partnership. This Memorandum establishes the grounds for enhanced cooperation in strategic and technical areas and the exchange of best practices between the Offices. The strengthened partnership with the EPO promotes the development of mutually beneficial long-term cooperation between the Offices in strategic and technical areas, such as:

- technical assistance to the EPO for efficient processing of national patent applications and support of the national IP system;
- support of infrastructure, personnel;
- exchange of legal data and patent information;
- raising awareness and legal culture in the field of IP;
- exchange of best practices in patent examination and administration;
- access and use of EPO search and examination in the process of patent examination.

In 2023, the course of European integration remained a priority and largely determined our actions and policies. It is evident that regular constructive dialogue with the EU Member States has gained considerable importance, which is critical for supporting Ukraine on the path to European integration.



The Memorandum was signed by the head of the Ukrainian IP office, Olena Orliuk, and the President of the EPO, Antonio Campinos