

Unified IP policy in the defence sector in Ukraine

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On 13 April 2026, the Government of Ukraine approved a policy on the management of intellectual property rights (hereinafter – IP) in the defence-industrial complex. This decision, officially confirmed by the government, forms part of a broader set of measures aimed at accelerating the development of defence innovation.

The policy introduces a unified approach to the protection, use, and commercialisation of technologies created or acquired within the defence sector.

1. Previous regulatory approach

Prior to the adoption of this policy, Ukraine did not have a unified intellectual property regulatory framework specifically tailored to the defence-industrial complex.

Intellectual property regulation was based on general legislation applicable across all sectors of the economy. At the same time, official materials and public statements highlighted the absence of effective IP management mechanisms in the defence sector, leading to:

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- the absence of standardised rules for allocating rights to defence technologies;
- limited legal certainty for public procurers and enterprises regarding IP management;
- a lack of a coordinated approach to the commercialisation and scaling of innovation.

As a result, IP-related issues often hindered the deployment and production of new defence technologies.

2. Key elements of the new policy

According to official government communications, the approved IP policy includes several key elements.

2.1. Protection of rights to defence technologies

The policy envisages mechanisms for the protection of:

- technologies developed within the public sector;
- technologies acquired or financed using public resources.

This ensures formal recognition and protection of IP created within defence projects.

2.2. Unified rules for participants

The policy prescribes the rules for IP management by:

- public procurers;
- defence sector enterprises;
- other participants in the defence-industrial ecosystem.

This creates a structured approach to intellectual property management across the sector.

2.3. Scaling and use of technologies

The policy also establishes mechanisms ensuring:

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- effective utilisation of developed technologies;
- scaling of solutions in production to meet defence needs.

Accordingly, intellectual property management is directly linked to the deployment of innovation within the defence system.

3. The "before/after" comparison

Element	Before	After
IP in defence	No unified policy	Unified policy introduced
Allocation of rights	Not standardised	Defined approach for state-funded technologies
Rules for participants	Fragmented	Unified rules for the state and enterprises
Commercialisation	Limited mechanisms	Scaling and utilisation envisaged

4. Legal nature of the policy

The approved document is a policy-level act designed to define general principles for intellectual property management in the defence-industrial complex.

As of the date of this publication, the full text of the policy has not been made publicly available. Accordingly, this analysis is based on official communications of the Government of Ukraine and public statements of authorised bodies. It should also be noted that practical implementation of the policy will require further regulatory development and reflection in related legislative and regulatory acts.

The policy does not replace existing intellectual property legislation but supplements it, taking into account the specifics of the defence

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sector.

5. Practical implications

The introduction of a unified intellectual property policy changes the approach to intellectual property management in the defence sector.

In particular, it establishes a more predictable system for allocating rights to technologies developed with state participation, thereby reducing legal uncertainty for public authorities and enterprises.

Furthermore, the policy links intellectual property management to the scaling of innovation, aligning legal regulation with procurement and production processes.

The introduction of unified rules is expected to facilitate cooperation between public and private stakeholders in the defence sector involved in the development and implementation of technologies.