

Copyright in Ukraine¹

Introduction

Copyright is a cornerstone for every creator, whether you write music, develop software or create artwork. It guarantees the protection of your intellectual achievements and grants you exclusive rights to use your creativity. In this article, we will cover all the key aspects of *copyright in Ukraine*, providing you with a complete guide to this important topic. From the definition and objects of *copyright* to how to protect it, we will reveal everything content creators in Ukraine need to know.

Section 1: What is Copyright?

Before delving into the intricacies of *copyright*, it is important to understand its essence and basic principles. This section will provide you with a clear definition of *copyright* and familiarise you with the objects that are subject to its protection in Ukraine. You will learn what exactly is protected by *copyright* and which categories of works are covered by it.

Unit 1.1: Definition and objects of copyright

Copyright in Ukraine is a system of legal norms that protect the rights of authors to their original works. It gives authors the exclusive right to control the use of their works and receive remuneration for their use. *Copyright in Ukraine* arises automatically from the moment a work is created and does not require mandatory registration.

Copyright Objects:

Copyright covers a wide range of works including:

- **Literary works:** Novels, poetry, articles, screenplays, lectures, computer programmes and other written works.
- **Musical works:** Songs, symphonies, operas, musical arrangements and other works of music.
- **Dramatic works:** Plays, operas, ballets, pantomimes and other stage works.
- **Choreographic and mime works.**
- **Audiovisual works:** Films, television programmes, video clips, animated films and other works combining image and sound.
- **Works of visual art:** Paintings, sculptures, prints, photographs and other works of visual art.
- **Works of architecture, urban planning and gardening.**
- **Photographic works and works obtained by means similar to photography.**
- **Compiled works** (encyclopaedias, anthologies, databases) provided they are creative.
- **Cartographic works.**
- **Translations, treatments, adaptations, arrangements and other revisions of works.**
- **Computer programmes.**

¹ Наведений текст отримано 08.10.2025 р. із сайту: [Copyright in Ukraine: a complete guide - Polikarpov Law Firm](#)

Important: *Copyright* protects the form of expression of an idea, not the idea itself. For example, *copyright* will protect the specific text of a novel, not the idea of writing a novel about love.

Understanding exactly what counts as *copyright*, is key to protecting your work. This will allow you to use your rights effectively and prevent unauthorised use of your works.

Subsection 1.2: Copyright Subjects

Subjects of *copyright* are persons who have rights to a work. They are, first of all, **authors** – natural persons whose creative labour created the work. However, in addition to authors, there are other persons who may have rights to the work.

Author: The key subject of *copyright* is the author of the work. Authorship is determined by the fact of creation of the work, not by formal procedures such as registration. The author has both property and non-property rights to his work.

Co-authors: If a work is created by the joint creative labour of two or more persons, they are considered co-authors. The rights to such a work belong to the co-authors jointly.

Employees: If a work is created by an employee within the scope of his official duties, the *copyright* in that work may belong to the employer, unless otherwise provided by contract.

Heirs: When an author dies, his *copyright* passes to his heirs. Heirs may exercise both property and non-property rights of the author, except those that are inextricably linked to the author's personality (e.g., the right of authorship).

Successors: *Copyright* may be transferred to another person by contract. The person who has received *copyright* by contract is called the assignee. The assignee may exercise the property rights transferred to it under the contract.

Understanding the subjects of *copyright* is important to determine who has the right to control the use of a work and receive remuneration for its use. It also helps to avoid conflicts and infringements *copyright*.

Section 2: How does copyright arise?

In this section we will look at exactly how [*copyright*](#) arises in Ukraine. We will find out when exactly your works receive legal protection and what steps you can take to prove your authorship. In particular, we will look at the principle of automatic protection and the advantages of registering *copyright*.

Subsection 2.1: Automatic protection

One of the key features of *copyright* in Ukraine is its **automatic arising**. This means that your rights as an author are protected by law from the moment you create a work, without the need for any formal registration or other procedures. Your creation receives legal protection as soon as it takes final form, regardless of whether it is published or not.

What exactly is meant by “the moment of creation”? This is the moment when the work is embodied in an objective form that allows it to be perceived by others. The work may be recorded on paper, digitally, audio or video – the form of recording is irrelevant. Even

if the work exists only in the form of a draft, sketch or musical notation in a personal notebook, it is already protected by *copyright*.

Advantages of automatic protection:

- **Simplification of the procedure:** You do not have to go through complicated bureaucratic procedures to obtain protection. Your rights are automatically guaranteed by law.
- **Cost reduction:** Not having to register saves you money and time.
- **Responsiveness:** Protection is in place from the moment of creation, providing immediate legal security for your work.
- **Accessibility:** Automatic protection is equally accessible to all creators, regardless of their experience, resources or status.

Important clarification: While registration is not mandatory for *copyright* to arise, it has certain advantages that can be useful in cases of disputes or infringement. This will be discussed in more detail in the next subsection. However, it is important to remember: your rights as an author exist without registration, from the moment the work is created. This is a fundamental principle of *copyright in Ukraine*.

Subsection 2.2: Copyright Registration

Although *copyright* in Ukraine arises automatically from the moment a work is created, its registration with the Ukrainian Institute of Intellectual Property (UKRNOIVI) provides authors with significant advantages, especially in cases of disputes, commercialisation of works and combating infringement. The official registration carried out by UKRNOIVI serves as an indisputable proof of your authorship and fixes the date of creation of the work.

Why is it worth registering your copyright? Here are some key advantages:

- **Irrefutable proof of authorship:** In legal disputes about authorship, the certificate of *copyright* registration issued by UKRNOIVI will be a decisive argument in your favour. It clearly identifies you as the author and confirms the date of creation of the work, which greatly simplifies the process of proving your rights.
- **Strengthening your commercialisation position:** Planning to license your work, sell its rights or enter into a usage agreement? Having a registered *copyright* greatly enhances your negotiating position and simplifies the transaction process. It assures your partners that they are dealing with a legitimate copyright holder and reduces the risk of future conflicts.
- **Effective protection against plagiarism:** A *copyright* registration certificate is a powerful tool in the fight against plagiarism. It serves as a warning to potential infringers and simplifies the process of defending your rights if your work is misused.
- **Increased credibility and reputation:** Registering your *copyright* demonstrates your seriousness and professional approach to your work. It builds trust in your brand and strengthens your reputation as an author.

Registration procedure:

The registration process includes submitting an application to UKRNOIVI, necessary documents confirming your authorship and paying the established state fee. Detailed information about the registration procedure, required documents and the cost of services can be found in our article “[How to register copyright in Ukraine?](#)”.

Copyright registration is an important step for every author who seeks to protect their intellectual patrimony and maximise their creative potential. Although it is not

compulsory, its benefits are undeniable, especially in the long term. Investing in the protection of your works is an investment in your future.

Section 3: Rights of Authors

Copyright law grants authors a number of exclusive rights over their works. These rights are divided into property and non-property rights. In this section we will look at both categories of rights in detail, explaining what they are and what they mean for the protection of creativity. Understanding your rights as an author is key to effectively managing and protecting your intellectual achievements.

Subsection 3.1: Property rights

The property rights of authors give them the exclusive opportunity to use their works in any way and to receive remuneration for it. These rights can be transferred to other persons by contract (e.g. to a publishing house, film studio, etc.).

The main property rights of an author include:

- **Right of reproduction:** This right allows the author to make copies of his work in any form (print, electronic, audio, video, etc.). Any copying of the work without the author's permission is an infringement of the author's property rights.
- **Right of distribution:** The author has the exclusive right to distribute his work by sale, hire, gift or otherwise. This includes both originals of the work and copies of it.
- **Right of import:** The author has the right to control the import of copies of his work into Ukraine.
- **Right of public display and performance:** The author has the right to control the public display or performance of his work (e.g. screening of a film in a cinema, performance of a musical work at a concert).
- **Right of public communication of the work:** This right concerns works that can be perceived by technical means (e.g. broadcasting a radio programme, posting the work on the Internet).
- **Right of revision:** The author has the exclusive right to create revisions of his work (translations, adaptations, arrangements, etc.).
- **Right to make the work available to the public:** This right allows the author to make his work available to the public by any means, including posting on the Internet.

Important: The transfer of property rights to another person under a contract must be clearly formalised and contain all essential conditions, such as the term of the contract, the territory in which the right is valid, the amount of remuneration and the like. Without a properly executed contract, the use of the work by another person shall be considered illegal.

Subsection 3.2: Non-property rights

Non-property rights of the author are closely connected with his personality and reputation. Unlike property rights, they cannot be transferred to other persons. These rights protect the author's connection to his work and guarantee him recognition of his creative contribution.

The basic non-property rights of an author include:

- **The right of authorship:** This is the fundamental right of an author to be recognised as the creator of their work. It means that no one can take credit for a work that you have created.

You have the right to demand that your name appear on all copies of your work and in any use of it.

- **Right to Name:** The author has the right to use his or her real name, a pseudonym, or no name at all when publishing and using the work.
- **Right to inviolability of the work:** This right protects the work from any alteration, distortion or other infringement that may prejudice the honour and reputation of the author. Any changes to the work may be made only with the author's consent.
- **Right to make the work public:** The author has the right to decide whether, how and in what form his work will be made public. This right allows the author to control the first publication of his work.

Importance of non-property rights:

Non-property rights are an integral part of *copyright* and play an important role in protecting the author's creative personality. They guarantee the author recognition of his creative contribution and protect his reputation. Infringement of non-property rights can cause moral damage to the author, which can also be recovered through the court.

Section 4: Copyright Infringement

Unfortunately, [*copyright infringement*](#) is a common problem that content creators may face. In this section we will look at what exactly is considered an infringement of *copyright* in Ukraine, give typical examples and consider the types of liability that can be applied to infringers. Understanding these aspects will help you protect your rights and prevent illegal use of your creativity.

Subsection 4.1: What is considered infringement?

Copyright infringement is any unlawful use of a *copyrighted* work, without the authorisation of the author or other person entitled to it. Such use can cause significant damage to the author, both material and moral.

Here are some common examples of *copyright* infringement :

- **Copying:** Making copies of a work (text, image, music, video, etc.) Without the author's permission. This includes both full copying and partial copying, as long as the copied part is original.
- **Distribution:** Selling, renting, distributing copies of a work for free without the author's permission. Even if you obtained a copy of the work legally, you may not distribute it without the permission of the copyright holder.
- **Public screening and performance:** Public screening of a film, performance of a musical work, or performance of a play without the author's permission.
- **Adaptation and reworking:** Creating translations, adaptations, arrangements of a work without the author's permission. Even if you significantly alter the work, you must still get permission from the original author.
- **Plagiarism:** Using someone else's work under your own name and passing it off as your own. This is one of the most serious violations of *copyright law*.
- **Illegal posting of a work online:** Posting a work on a website, social media or other online platforms without the author's permission.

Important: Not all uses of a work constitute *copyright* infringement. The law provides for certain exceptions, such as quoting for the purpose of criticism or review, using a work for educational purposes, and the like. However, even in these cases, it is necessary to follow certain rules, in particular, to indicate the author and the source.

If you are not sure whether a certain use of a work constitutes *copyright* infringement, it is better to consult a lawyer who specialises in intellectual property. This will help you avoid unpleasant consequences and protect your rights, or avoid infringing the rights of others.

Subsection 4.2: Liability for infringement

Copyright infringement in Ukraine entails different types of liability, depending on the nature and extent of the infringement. The law provides for civil, administrative and criminal liability.

Civil law liability:

- **Compensation of damages:** The infringer is obliged to compensate the author for the damage caused, both material and moral. Material damages may include the author's lost profits, and moral damages may include compensation for suffering and damage to reputation.
- **Compensation:** In some cases, the author may claim compensation in lieu of damages. The amount of compensation shall be determined by the court, but may not be less than the statutory minimum.
- **Obligation to cease infringement:** The court may **oblige** the infringer to cease unlawful use of the work.

Administrative Liability:

- **Fine:** An administrative fine may be imposed for *copyright infringement*. The amount of the fine depends on the type of infringement.
- **Confiscation of counterfeit goods:** Counterfeit copies of a work may be confiscated.

Criminal liability:

In cases of significant infringements, in particular where counterfeit products are illegally distributed in large volumes, criminal liability may be imposed. The punishment may include fines, imprisonment and other sanctions.

Important: The type and measure of liability is determined by the court, taking into account all the circumstances of the case. In order to effectively protect your rights and bring infringers to justice, it is recommended to seek the assistance of a qualified lawyer who specialises in intellectual property issues. A timely and competent response to an infringement of *copyright* will help protect your intellectual property and prevent further infringements.

Section 5: Copyright Protection

Your creativity is your valuable asset and it is important to know how to protect it. In this section we will consider various ways of *protecting copyright* in Ukraine, both pre-trial and trial. You will learn what steps you can take on your own, and when you should seek professional legal assistance. Effective *copyright protection* is a guarantee that your work will be properly valued and protected from unauthorised use.

Subsection 5.1: Methods of Protection

Copyright protection in Ukraine can be carried out in various ways, both in pre-trial and in court. The choice of the optimal method depends on the specific circumstances of the case, the nature of the infringement and the desired result.

Pre-trial methods of defence:

- **Negotiating with the infringer:** Direct negotiations with the infringer are often the most effective way to resolve a dispute. You can try to explain to the infringer the nature of the infringement and offer options for resolving the problem, such as a licence agreement, compensation or removal of the work from public access.
- **Sending a claim:** If negotiations fail, you can send a formal written claim to the infringer. The claim should clearly state the nature of the violation, the author's requirements and the deadline for fulfilling them. Sending a claim is a mandatory step before going to court in many cases.
- **Going to mediation:** In some cases, a mediator, an independent third party who can help the parties find a compromise solution, may be used to resolve the dispute.

Judicial avenues of defence:

- **Filing a lawsuit in court:** If pre-trial methods have failed, the author has the right to **file** a lawsuit in court to protect his *copyright*. The court may order the infringer to stop the infringement, compensate for the damage caused, pay compensation and take other measures to restore the infringed rights of the author.
- **Application to law enforcement authorities:** In cases of criminal *copyright* infringements (e.g. distribution of counterfeit products in large volumes), the author may apply to law enforcement authorities with a statement of infringement.

Important: For effective *copyright protection* it is important to have evidence of infringement. This can be screenshots of web pages, copies of infringing products, witness testimonies, etc. You can learn more about methods and mechanisms of copyright protection in Ukraine from our article “Copyright Protection in Ukraine: Methods and Mechanisms”.

The choice of the optimal method of [*copyright protection*](#) depends on the specific situation. In complex cases, it is recommended to seek advice from a qualified lawyer who specialises in intellectual property. Professional legal assistance will help you protect your rights and obtain proper compensation for infringement.

Conclusions

Copyright in Ukraine plays a key role in protecting the rights of content creators. It guarantees authors exclusive rights to use their works and gives them the opportunity to receive remuneration for their labour. Understanding the basic principles of *copyright*, its objects, subjects and methods of protection is important for every creator.

Although *copyright* arises automatically from the moment a work is created, registration with UKRNOIVI provides additional benefits and simplifies the protection of your rights. In case of infringement of *copyright*, there are various ways of defence, both pre-judicial and judicial.

It is important to remember that your creativity is your valuable asset. Knowing your rights and how to protect them will help you effectively manage your intellectual property and ensure your success in your creative endeavours. Don't neglect protecting your *copyright* – it's an investment in your future.

