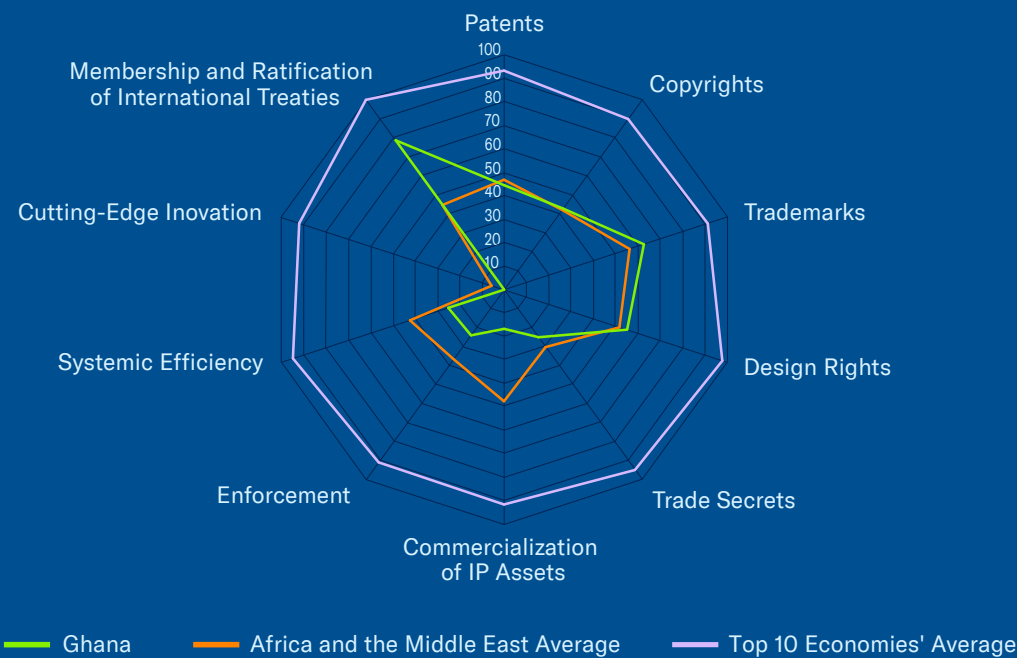




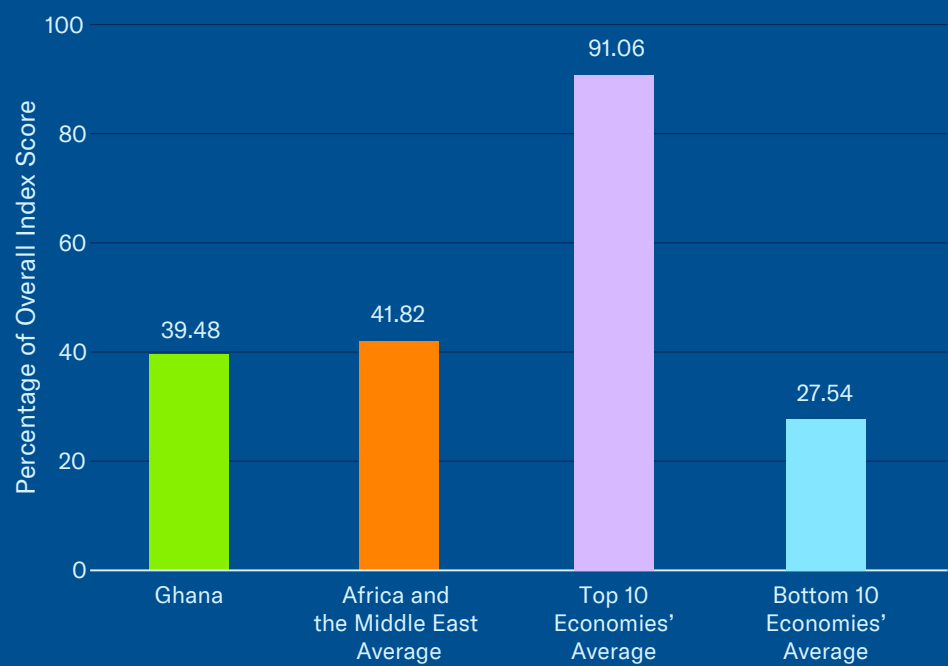
Ghana

Rank
38/55

Category Scores



Overall Score in Comparison





Ghana

Rank
38/55

Key Areas of Strength

- 2024 ARIPO-China National Intellectual Property Administration (CNIPA) PPH—first PPH for Ghana and other ARIPO parties
- Contracting party to most international IP treaties included in the Index: joined UPOV 1991 in 2021
- Member of African Regional Intellectual Property Organization (ARIPO)
- ARIPO patentability guidelines allow high-tech claims (both Swiss-style biopharmaceutical claims and CIIIs)
- New Plant Variety Protection Act 2020
- Electronic Transactions Act 2008 includes definition and description of liability for service providers and intermediaries, including potential court-ordered injunctive-style relief
- WTO TRIPS member

Key Areas of Weakness

- No special IP incentives for orphan medicinal product development
- Legal framework remains rudimentary for most IP rights, with many key IP rights and incentives unavailable
- Enforcement environment remains highly fraught with counterfeit and IP-infringing goods widely available—physical and online
- High levels of counterfeit and substandard medicines
- Judicial enforcement is characterized by long delays

Indicator	Score	Indicator	Score
Category 1: Patents Rights and Limitations		Category 7: Enforcement	
1. Term of protection	1.00	29. Direct government intervention in setting licensing terms	0.00
2. Patentability requirements	0.50	30. IP as an economic asset	0.50
3. Patentability of CII	0.25	31. Tax incentives for the creation of IP assets	0.00
4. Plant variety protection	1.00	Category 8: Systemic Efficiency	
5. Pharmaceutical-related enforcement	0.00	32. Physical counterfeiting rates	0.44
6. Legislative criteria and use of compulsory licensing	0.00	33. Software piracy rates	NA
7. Pharmaceutical patent term restoration	0.00	34. Civil and preceudural remedies	0.25
8. Membership of a Patent Prosecution Highway	0.50	35. Pre-established damages	0.25
9. Patent opposition	0.75	36. Criminal standards	0.25
Category 2: Copyrights and Limitations		37. Effective border measures	0.25
10. Term of protection	0.74	38. Transparency and public reporting by customs	0.00
11. Exclusive rights	0.50	Category 9: Cutting-Edge Innovation	
12. Expeditious legal remedies disabling access to infringing content online	0.25	39. Coordination of IP rights enforcement	0.25
13. Cooperative action against online piracy	0.25	40. Consultation with stakeholders during IP policy formation	0.25
14. Limitations and exceptions	0.25	41. Educational campaigns and awareness raising	0.25
15. TPM and DRM	0.50	42. Targeted incentives for the creation and use of IP assets for SMEs	0.25
16. Government use of licensed software	0.50	43. IP-intensive industries, national economic impact analysis	0.25
Category 3: Trademarks Rights and Limitations		Category 10: Membership and Ratification of International Treaties	
17. Term of protection	1.00	44. IP incentives for orphan medicinal product development	0.00
18. Protection of well-known marks	0.50	45. IP incentives for orphan medicinal product development, term of protection	0.00
19. Exclusive rights, trademarks	0.50	46. Restrictions on the effective use of existing IP incentives for orphan medicinal product development	0.00
20. Frameworks against online sale of counterfeit goods	0.50	Category 5: Trade Secrets and the Protection of Confidential Information	
Category 4: Design Rights and Limitations		23. Protection of trade secrets (civil remedies)	0.50
21. Industrial design term of protection	0.60	24. Protection of trade secrets (criminal sanctions)	0.25
22. Exclusive rights, industrial design rights	0.50	25. Regulatory data protection term	0.00
Category 6: Commercialization of IP Assets		Category 10: Membership and Ratification of International Treaties	
26. Barriers to market access	0.50	47. WIPO Internet Treaties	1.00
27. Barriers to technology transfer	0.00	48. Singapore Treaty on the Law of Trademarks and Protocol Relating to the Madrid Agreement Concerning the International Registration of Marks	0.75
28. Registration and disclosure requirements of licensing deals	0.00	49. Patent Law Treaty and Patent Cooperation Treaty	0.75
		50. Membership of the International Convention for the Protection of New Varieties of Plants, act of 1991	1.00
		51. Membership of the Convention on Cybercrime, 2001	1.00
		52. The Hague Agreement Concerning the International Registration of Industrial Designs	1.00
		53. Post-TRIPS FTA	0.00

Percentage of Overall Score: 39.48%

Total Score: 20.53

Spotlight on the National IP Environment

Past Editions versus Current Score

Ghana's overall Index score has increased from 20.03 out of 49 indicators in the twelfth edition to 20.53 out of 52 indicators. This reflects a score increase for indicator 8.

Patent Rights and Limitations

4. Plant variety protection, term of protection; and 47. Membership of the International Convention for the Protection of New Varieties of Plants, Act of 1991:

As noted in previous editions of the Index, the past few years have seen significant positive developments for plant variety protection in Ghana. Up until 2020, Ghana did not have any relevant laws or regulations in place that provided plant variety protection. This changed in 2020 with the passing of Act 1050, the Plant Variety Protection Act 2020. Section 27 of the Act provides a 20-year baseline term of protection extended to a 25-year term of protection for trees and vines. This is in line with the benchmark measured in the Index and international standards. In 2021, in a further positive development, Ghana acceded to the International Convention for the Protection of New Varieties of Plants, Act of 1991. These positive efforts continued in 2024. In late 2023, Ghana formally ratified the Arusha Protocol for the Protection of New Varieties of Plants. Ghana is now the fourth member of the African Regional Intellectual Property Organization (ARIPO) to have ratified the protocol and, in so doing, brought it into force.

8. Membership of a Patent Prosecution Highway (PPH):

Historically, neither Ghana nor the ARIPO have participated in the IP5 PPH or the Global PPH or have had in place a PPH on a bilateral basis. This changed in 2024 with the announcement that ARIPO and the China National Intellectual Property Administration had agreed on a PPH pilot program. At the time of research, the agreement had come into effect and would remain operational for five years. PPH initiatives and increased cooperation among IP offices are one of the most tangible ways in which the administration and functioning of the international IP system can be improved and harmonized to help inventors and rightsholders. As a result of this positive development, the score for this indicator has increased by 0.5.

Incentives for Cutting-Edge Innovation

44. Special market exclusivity incentives for orphan medicinal product development; 45. Special market exclusivity incentives for orphan medicinal product development, term of protection; and 46. Restrictions on the effective use of existing market exclusivity incentives for orphan medicinal product development:

Interest in rare diseases has grown Ghana. Although the 2020 *National Health Policy* did not refer specifically to rare diseases or the need for building rare disease-specific health infrastructure, such as registries or treatment and diagnostics centers, several patient groups and clinicians highlight the needs of patients with rare diseases, including the national advocacy group Rare Disease Ghana. No specific legislative framework in place, including R&D and IP-based market exclusivity incentives for orphan medicinal product development.