

The Korea IP News Quarterly

KIPO looks at development and IP
Trademark applicants can take a fast track
PPH links Korea and Denmark
Enforcement orgs shift 24/7

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• Beyond Wrappers

Development Assistance Programs Expanded

It has been a year and more since the Korean Intellectual Property Office (KIPO) announced its plan for launching development assistance programs using intellectual property at the 45th WIPO General Assembly in 2008. At the time of the announcement, the programs were at their early stages. The One Village One Brand project was being tested in a pilot project and the idea of Technological Solutions for Basic Needs program was being finalized.

In September this year, we could inform the member states of the WIPO at its 47th General Assembly of the progress of the two programs. One Village One Brand program has drawn participation of NGOs. NGOs are providing information on local needs for brands and distribution network for local products in the international market. An One Village One Brand seminar was approved as a 2010 project of the APEC IPEG. A first stage outcome of the Technological Solutions for Basic Needs was also introduced at the General Assembly in the form of CD. The CD contained a database of technological information that can be freely used for solving issues related to basic issues such as water, food and energy.

In addition to the progress in materializing earlier ideas, the development assistance programs are expanding its geographical reach. KIPO staff members visited various countries to explore possibilities of disseminating the programs. A team of experts were dispatched to South East Asian countries to identify local needs for brands and IP in June and October. Other visits were made to certain African countries, such as Tanzania, Chad, Rwanda and Botswana, to discuss possible cooperation in applying the programs to the individual needs of each country. Cooperation with pre-existing programs like the Rwanda Millennium Village Project was discussed during the visits. Results of the visits will soon be made into a tangible cooperation programs.

Stepped Up Cooperation for Work Sharing

The cooperative framework of IP5, often called the 10 Foundation Projects, is being implemented one by one. As part of the 10

Foundation Projects, we hosted an examiners' workshop in the last October in Daejeon, Korea. The examiners' workshop was proposed to promote a long-term goal of efficiency in work sharing and reduction of work load among the five IP offices. Examiners from the five offices made presentations on their examination practices and shared best practices in examination with other offices. The continued exchange of examination practices among IP5 offices is needed since improvement and equalization of examination efficiency and quality among IP5 offices are prerequisites for significant furthering of international work sharing.

The year 2009 also saw the expansion of bilateral work sharing schemes. We started the Patent Prosecution Highway (PPH) with Denmark, the United Kingdom, Canada and Russia and also started a pilot program of the Strategic Handling of Application for Rapid Examination (SHARE) with the USPTO. Expanded bilateral work sharing schemes will give customers the benefit of faster examination results and improved quality of patent.

Patent automation system, the mechanism of delivering efficient patent examination, has also been improved. We have launched a design information system which provides information for design applicants and right holders. In July, we joined the Digital Access Service (DAS) for facilitation of the priority document exchange.

The international IP community is faced with ever increasing requests for taking action to solve global issues. The climate change talk and the UN millennium development goals are issues that require close attention of the international IP community. According to the Korean government's national agenda, Low Carbon Green Growth, KIPO will strenuously make efforts to participate in the global action to the solution. In addition, we will cooperate with the international community and other offices to share our experience of growth using intellectual property.



First Workshop Held by IP5 Patent Examiners



For the first time in history, patent examiners from IP5 (top 5 countries with advanced system for intellectual properties: Korea, U. S., Japan, China, and Europe) gathered in one place to minimize the discrepancy of the patent process between the countries.

The IP 5 workshop was held in Daejeon from October 20th through the 24th to reassure mutual assistance between countries. During the annual meeting in Jeju Island in October, 2008, the commissioner, Jungsik Koh, brought up the idea of holding a workshop for the patent examiners, and Korea was honored to host this first international workshop this year. Patent examiners from every field (including machinery, industrial chemistry, information technology and etc) attended and shared their most efficient

patent processes. The number of participants who attended the workshop rose to approximately 200 (including observers) in total.

According to 2009 report from WIPO, they had 1,850,000 patent applications (in 2007), 80% of which came from IP5 (Korea, U. S., China, Japan, and Europe). The number of applications has been continuously growing and it is causing the patent process to take even longer. Besides, applicants have been suffering from inconveniences in the process due to the high application fee, long waiting period and low predictability for acquiring patents because of the discrepancy between countries.

To cope with such common problems, IP 5 commissioners agreed to work together on 10 main tasks last year, and this workshop for patent examiners from IP5 can be seen as the first attempt through which they could apply their most efficient processes for the tasks.

Hopefully, the preceding inconveniences will reduce as IP5 countries continue to work on unifying the patent process and related systems. Unification of different systems will greatly improve the work efficiency in the future, considering the fact that 30 % of patent applications from 5 IP (about 420,000 applications) overlap.

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“One Village One Brand” Approved by APEC

The “One Village One Brand Project,” which KIPO suggested to APEC IPEG (Intellectual Property Rights Experts Group) as part of its effort to support developing countries, has been unanimously adopted by APEC member economies.

The Project aims to enhance the brand value of products made in developing countries, increasing their income as well as protecting and licensing such brands with the assistance of APEC.

Now, KIPO will hold the ‘APEC One Village One Brand Seminar’ in April 2010. During the seminar, participants including public officials of APEC member economies, NGOs, and representatives of producers will discuss diverse ways of assisting producers by using product brands and trademarks.

Meanwhile, during the APEC IPEG meeting, Korean representatives gained a lot of attention and support of many member economies when they reported the result of IP manpower nurturing program using APEC e-learning content and the example case of IP-City nurturing project in Namgu Office of Gwangju Province.

※ APEC IPEG (Intellectual Property Rights Experts Group): IP expert group under the APEC CTI (Committee on Investment and Trade). It is in charge of discussing and approving IP relevant projects and developing IP creation, protection, and promotion programs, focusing on trade liberalization and investment promotion.

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KIPO Held “Joint Forum with Vietnam on Intellectual Property”

KIPO had held a joint forum with Vietnam in Hanoi, to discuss cooperation in the areas of intellectual property in order for the trade between the two countries to increase.

This forum was part of a larger forum, “Shaping the Future with Korea”, which The Korean Brand Committee (president: Yoon-dae Uh) hosted during the Korea Week in Vietnam (18 October 2009 ~ 24 October 2009) for the sake of better cooperation through understanding the differences in the IP systems and supporting

businesses by guarding their intellectual properties; it was held under the mutual agreement that cooperation in the intellectual properties is vital as the trade between the two countries has been increasing (since 1992).

Not only government officers from two countries, but also businessmen and experts in intellectual properties participated in the forum and shared their views on how to cooperate in order to protect intellectual property.



A Korean business man who joined the forum as a panelist commented, "I've always been interested in local systems relating with trademarks and intellectual properties, and now I am receiving plenty of support from IP-desk (overseas office for guarding intellectual property) in Ho Chi Minh City. I hope the forum can help build an infrastructure for intellectual property such as an IP desk and expand support for businesses more systematically."

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SHARE the high quality examination

- Cooperation between Korea and the US regarding patent examination will be upgraded to another level -

From 1 September 2009, KIPO is starting the 'Strategic Handling of Application for Rapid Examination,' or SHARE, with the US Patent and Trademark Office (USPTO).

As the first mutual project executed between Korea and the US, SHARE allows patent examiners in both countries to work together in patent examination. In cases where an identical patent application is filed to both KIPO and the USPTO, the office to which the application was filed first conducts the patent examination. Then, the other office uses the examination information of the former office to examine the patent application. Unlike the previous Patent Prosecution Highway (PPH), SHARE does not require the applicant to file a separate application.

Under the SHARE project, the examiners of both countries provide and share information, such as the prior acts, search strategies, examination results, and know-how, through online means to

maximize the synergy between the offices.

Through such joint efforts, both countries can improve the quality of their examinations as well as their efficiency to relieve backlogging of examinations. Moreover, applicants can receive high-quality examination services of both offices to secure a stable and powerful patent right not only in Korea, but also in the US.

The SHARE project between Korea and the US will begin with a one-year trial period regarding the field of fuel cells and semiconductors, where many applications are filed between the two countries. Afterwards, the technology field will gradually expand to cover other areas.

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Korea-Russia PPH Pilot Program - Begins on November 2, 2009 -



Korean applicants will soon be able to receive their patents more easily and quickly from the Russian Agency for Patents and Trademarks (ROSPATENT) with the introduction of the Korea-Russia PPH.

KIPO announced that the PPH pilot program between Korea and Russia started on 2 November 2009.

The PPH is a set of initiatives for providing accelerated patent prosecution procedures by sharing information between select

patent offices. It also permits each participating patent office to benefit from the work previously done by the other patent office.

Korea implemented a PPH with Japan in April 2007, the US in January 2008, Denmark in March 2009, the UK in October 2009, and Canada in October 2009. The PPH with Russia is Korea's sixth.

In particular, Korea and Russia signed a MOU to have more practical cooperation in terms of patents including intellectual property protection at the Korea-Russia Commissioners' meeting in June 2009. Against this backdrop, the Korea-Russia PPH will help Korean businesses obtain patents more easily and quickly in Russia.

The Korea-Russia PPH pilot program was implemented on November 2, 2009 and will remain in effect for one year.

More details are available at the KIPO website (<http://www.kipo.go.kr>).

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Crackdown on IPR Infringement



The Korea Customs Service (KCS) had conducted intensive enforcement activities for 100 days (23 July 2009~30 October 2009) to establish the fair trade order and to protect the citizens' health and safety. Through the crackdown, the authority discovered 252 incidents of intellectual property rights (IPR) violation, amounting to W428.7 billion.

Every year since 2006, the KCS investigates violations of IPR intensively during a specified period of time. The enforcement



activities in 2009 show that illegal trade has become more organized compared with the last year.

The seized counterfeited items also varied. Most were watches, handbags, clothes, sunglasses and impotence-treatment products. Also uncovered were automotive parts, batteries and toys.

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Launches 'Standard-Related Patent Specialist Team'

A specialist team which systemically supports creation of domestic standard patents is officially launched.

KIPO announced that it started to drive 'Standards-Related Patents & Semiconductor Intellectual Property Division' from 23 October 2009 on to support domestic academia and industry for value-added standard patents.

Standards-related patent refers to a patent which must be used for technical embodiment of standards and thus has great ripple effect with its market dominant power as standards and exclusive right as patent. Thus, as it is urgent to promote supporting policies to extend creation of domestic standards-related patents and to form an organization which systemically implements relevant tasks for standard patents, KIPO has launched the standard patent specialist team.

The 'Standards-Related Patents & Semiconductor Intellectual Property Division' will implement management and research of standards-related patent systems, training of standard patent personnel and establishment, promotion of standards-Related patent base and the mentoring business for facilitating standards-Related patents as well as existing service relating to semiconductor design property.

This year, the 'Standards-Related Patents & Semiconductor Intellectual Property Division' will provide an internal capability reinforcing program and study on a system supporting creation of standards-related patents of enterprises and research organizations. And next year, the specialist team will promote new 'standards-related patent mentoring business' in which standards-related patent specialists provide tailored service for small and medium-sized companies and companies in middle standing, and provide a program supporting academic researchers to acquire standard patents.

The standards-Related patent semiconductor property team will not only collect ideas relating to domestic and foreign standard patents but also carry out internal research to develop and promote new support plans which substantially helps industry and academia.

KIPO's launch of the 'Standards-Related Patents & Semiconductor Intellectual Property Division' also enables improvement of domestic recognition on standards-Related patents. In the long-run, it will become a cornerstone for Korea to grow into a standards-Related patent power.

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'Design Map' for Corporations and Designers



KIPO announced on November 16, 2009 that its Design Map site is newly opened for corporations and designers. The redesigned website (www.designmap.or.kr) is equipped with a search function through which the latest trends and registered designs in and out of Korea can be found for 54 items including notebooks and bicycles. Also provided is a design patent application guide for Korea and overseas countries. In short, the site offers IPR and the latest design information necessary to designers and CEOs in the design field.

In particular, the 2009 Design Map project includes two other services. One is for customer tailored services in which businesses are offered design research services based on company needs. The other is an IP + Design Report service that helps companies understand green design-related information, a popular theme these

days, through changes in IPR. The two services are expected to contribute to companies' time and cost savings in design development.

Other contents of IP+Design Report include i) industrial trends from the viewpoint of IP statistics, which reviews the trends of each major product through the application statistics of design registration, ii) exciting patent story, which reviews patents, utility models and designs which apply vivid ideas and iii) IP+Design news, which provide recent design news related to IPR.

Distributed online, IP+Design Report can be downloaded as a PDF file from the webzine & report corner of the website.

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KIPO joined the Digital Access Service (DAS)

On July 1, 2009, KIPO joined the Digital Access Service (DAS), to facilitate the exchange of priority documents with small and medium-sized Industrial Property Offices (IPOs). Previously, such electronic exchange of priority documents was limited to major IPOs such as the European Patent Office (EPO), Japan Patent Office (JPO), and the United States Patent and Trademark Office (USPTO). With KIPO now participating in DAS, applicants from foreign and especially small and medium-sized IPOs are no longer required to submit relevant certificates when filing patent applications, which claim priority, to KIPO.

Currently, there are only four national patent offices using the DAS for exchange with KIPO - Japan, Spain, the United Kingdom, and the USA. However, we are optimistic that many more IPOs will join in the near future. In particular, we are expecting the IPOs of China, Finland, Israel and Europe to join soon.

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Commercializing the outstanding technologies of universities -by using a total solution-

Patent experts dispatched to universities are becoming more successful in finding and commercializing promising technologies from universities, which were about to be forgotten.

They found and successfully commercialize a new anti-cancer medicine from Chosun University after they found the Jawbone restoration technology of Wonkwang University, the Manufacture technology of green concrete without cement of Chonnam National University, and the Technology for underwater harbor robots of Changwon National University.

KIPO announced that one of its patent experts dispatched to Chosun University found the 'Peptide technology to induce the death of cancer cells' from the research lab of Professor Tae-hyeoung Kim in the College of Medicine, and applied for patent in and out of Korea.

The industrial-academic cooperation team of Chosun University commented that the technology is related to remedial protein that kills cancer cells. Manufacture is easy and inexpensive since the length of the amino acid composing the peptide is short. Also, compared to TRAIL, a similar anti - cancer medicine, the technology can manufacture the medicine with nine times the

cancer - killing effects, according to the team.

This successful case is meaningful because it is the fruit of KIPO's project of dispatching patent management experts, project of finding promising technologies and supporting their commercialization, and project of supporting expenses for acquiring overseas patents combined together. This case is also an indicator that the project of reinforcing the IP capacity of universities is making progress.

Director Young-min Kim of the Industrial Property Policy Bureau commented, "KIPO will continue to provide general assistance to universities, from finding promising technologies to commercializing them through patent acquirement. Also, by connecting these technologies with Invention Capitals, the office will incubate promising ideas as well."

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APEC-KIPO Training Program for IPR Information Facilitators



From August 24 to 28, 2009, KIPO in collaboration with APEC held a training program on how to search for and use patent information. The training program was attended by 30 IP-related officials from 15 APEC member economies.

This course, as the second phase of the APEC Project for Training Intellectual Property Right Information Facilitators using e-learning contents, IP Xpedite, was aimed at offering expert IP lectures and practical exercises to trainees who successfully completed the first phase of the project. The expert lectures and exercises were administered by IP experts from WIPO, USA, Australia, Korea, and Japan. All the contents of the course will be used to create e-learning contents that will be disseminated to APEC member economies.

According to a survey on the training program, which was jointly funded by APEC and KIPO, about 89% of the trainees said they were satisfied with the project.

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IP PANORAMA in UN Official Languages

Made in Korea Intellectual Property PANORAMA (IP PANORAMA) was introduced to a global world market comprised of 2.6 billion people from 189 countries. The e-learning contents on IP will be developed in six official languages of the United Nations (UN).

KIPO together with WIPO agreed to jointly develop the UN official languages version of IP PANORAMA over the next four years. KIPO announced that the 2009 Arabic version of IP Panorama will be developed based on the agreement. IP PANORAMA provides the most advanced e-learning content on IP that deals with application strategies for IP rights in business fields. The content was jointly

developed by KIPO and WIPO from 2005 to 2007.

WIPO is willing to support the entry of IP PANORAMA to the world market. Exemplifying this support, WIPO provided draft scripts and inspection personnel when English IP PANORAMA was developed between 2005 and 2006. This time, WIPO extraordinarily earmarked a budget for its UN official languages version.

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KIPOnet wins 2009 e-ASIA Awards



On 5 November 2009, KIPO's office automation system, so-called KIPOnet won an E-Asia Award in the category of electronic business policies and activities.

The E-Asia Awards consist of four categories and is held biennially by the Asia Pacific Council for Trade Facilitation and Electronic Business. It is aimed at promoting trade and e-commerce within the Asian region. The categories are Trade Facilitation, Electronic Business in Public Sector, Electronic Business in Private Sector and Bridging Digital Divide.

The E-Asia Award gives global recognition to the excellence of KIPOnet services, which will soon be extended to other areas around the world.

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Seminar for Companies' Response Strategies to Patent Disputes and IPR Business Support Programs



KIPO held a seminar at a conference room in the Chungnam Regional Intellectual Property Center on last 12 November 2009. The conference aims to present response strategies to patent disputes, R&D support projects for companies, and intellectual property rights programs for manufacturers.

The seminar focused on the case study of patent disputes and response measures in overseas countries including the US and China and precedent legal cases. In addition, the KIPO and the

Small and Medium Business Administration (SMBA) introduced their SME support policies at the seminar.

Today, Korean companies not only export products directly to foreign countries such as the US and China but also trade vigorously with them by establishing plants or branches overseas, increasing the number of patent disputes.

Under such circumstances, KIPO (Semiconductor Examination Division) and SMBA prepared the seminar to help companies minimize their loss by enhancing their capability of responding to patent disputes; strategically protecting and acquiring IPRs; and sharing information for their R&D.

An official of KIPO commented that the event provided a useful time for Korean companies who are involved in patent disputes in and out of Korea, and for those who are proactively seek IPR management methods to prevent patent disputes.

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PATINEX 2009



PATINEX 2009 took place at COEX in Seoul from the 10th to 11th of November, 2009. It was hosted by KIPO and organized by the Korea Institute of Patent Information (KIPI).

The event was aimed at helping enterprises and R&D institutes maximize their capacity to use patent information and secure their competitiveness. In addition, it provided participants with a comprehensive look at the status of patent information service industries as well as the technologies involved.

The conference started with a keynote speech by Mr. Ki-jun Lee, president of the Korean Federation of Science and Technology Societies, followed by a special lecture on WIPO's Global IP Information Service and Possible International Collaboration by Mr.



Takagi Yo. In addition, there were lectures by intellectual property experts on methodologies for the use of patent information and next generation search tools. Further, unlike in the previous PATINEX, there was a panel discussion session on state-of-the-art technology areas. Participants had an opportunity to grasp patent technology trends and exemplary strategic patent portfolios.

In the exhibition venue, about 23 patent information service providers, including LexisNexis, Em-frontier, and Anyfive, participated and they were all well received by visitors.

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Moroccan Commissioner Visits Korea

Adil El Maliki, Commissioner of Morocco Intellectual Property Office (MIPO), visited Korea on 9 November. His visit to Korea was to set benchmarks on the administration and policy of Korean intellectual property. During their 3-day stay, they went on tours to a total of eight organizations including KIPO, Korea Institute of Patent Information, Korea Research Institute of Bioscience and Biotechnology.

Currently, the Moroccan Government is promoting the Morocco Innovation Initiative (M.I.I.), along with a professional consultation program, which was established on November of 2008 as part of a fund-raising business for the WIPO. According to the M.I.I. plan, MIPO observed firsthand and researched into Korea's advanced IP administration to apply this system in their country.

KIPO Delegation's Participation in the Council of Ministers of ARIPO

From November 26 to 27, representatives of KIPO visited Gaborone, Botswana to attend the twelfth session of the Council of Ministers of the African Regional Intellectual Property Organization (ARIPO). During the session, the head of the delegation made a speech on the experience of Korea on its economic development through the utilization of IP as well as KIPO's support for developing and least developed countries in the field of IP. In addition, the delegation had a meeting with Mr. G. H. Sibanda, Director General of ARIPO, on the cooperation on IP between KIPO and ARIPO.

KIPO enters an MOU with Good Neighbors

To support the sustainable green growth of developing countries using IP, a governmental agency and an NGO specializing in international relief & development are now working together.

On September 17, KIPO and Good Neighbors (Chairman: Il-Ha Lee) signed a memorandum of understanding (MOU) at the Seoul headquarters of Good Neighbors regarding the cooperation in the project of supporting the increase of income using IP, which supports the acquisition of trademarks and brands for the competitive products of developing countries, as well as the project of providing technological information for survival, which finds and provides technologies appropriate for the local conditions of developing countries.

Under this MOU, KIPO promotes the establishment of strategies for securing IP and brand (such as trademarks) for the competitive products of developing countries, the development and provision of a DB for appropriate technologies through patent information, etc, the manufacture of prototype products applied with appropriate technologies customized for the local conditions, etc.

Established in 1991 by a Korean founder, Good Neighbors was the first Korean NGO specializing in international relief & development to receive the rank of "General Consultative Status" by UN ECOSOC in 1996. (The "General Consultative Status" is the highest rank for an NGO.) Good Neighbors specializes in social welfare projects in regions including South and North Korea, and 24 foreign countries.

KSVS Held International Symposium & Meeting for the Purpose of Establishing the International Standard Jointly With UPOV

KSVS held the international symposium on the influence by the introduction of the plant variety protection system, and the Technical Working Party for Agricultural Crops (TWA) of UPOV at Grand Ambassador Hotel, Seoul (Jangchung-dong) from Friday, August 28 - Friday, September 4, 2009. The two events were attended by representatives of eleven countries (organizations) such as the UPOV Secretariat, EU, Canada, Japan, and Kenya, as well as Korea and related officials of East Asia Plant Variety Protection Forum. Representatives from five Asian countries which await joining the UPOV also took part. Participants presented and discussed the influence from the introduction of the plant variety protection system.



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