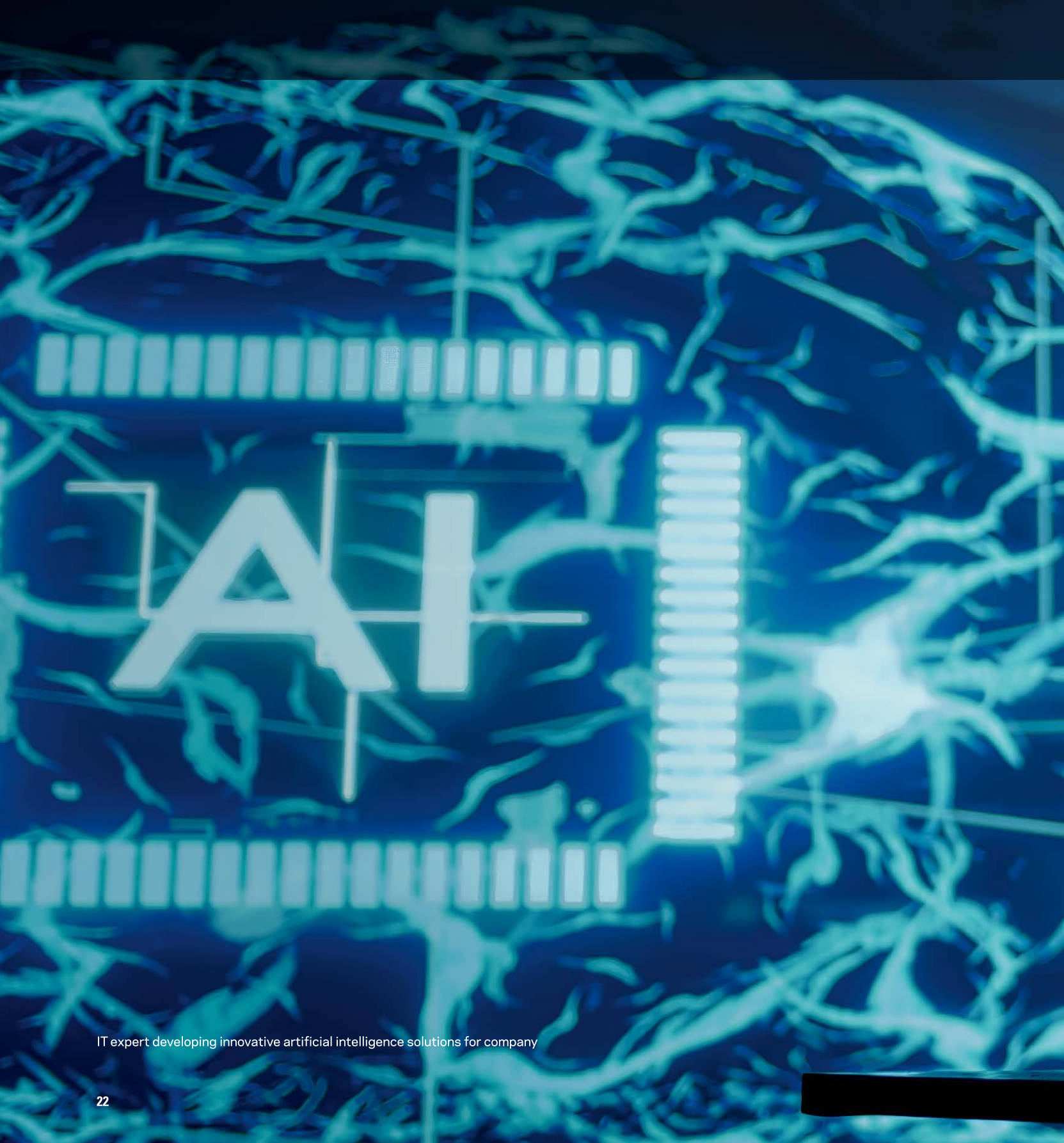
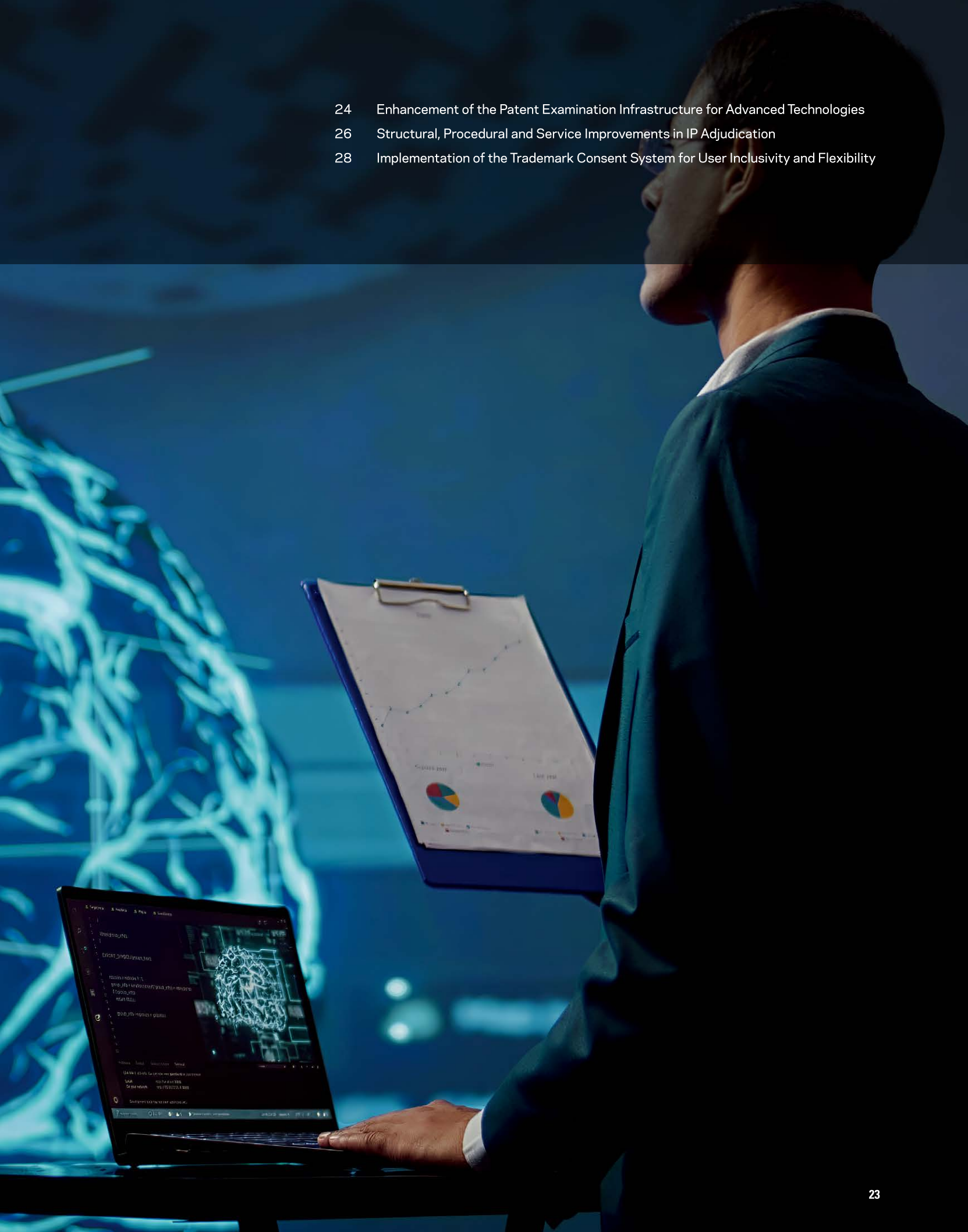


Improving the IP System



IT expert developing innovative artificial intelligence solutions for company

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Enhancement of the Patent Examination Infrastructure for Advanced Technologies

Patent Legal Administration Division, General Affairs Division

Amid intensifying global competition for technological supremacy, KIPO has significantly reinforced its patent examination infrastructure to help companies protect their technologies from the early stages and to support their competitiveness in advanced technology fields. In 2024, KIPO actively implemented a range of policy measures to provide focused support for key high-tech industries. These include expanding the scope of the accelerated examination system, conducting large-scale recruitment of private sector industry-expert as KIPO examiners, and newly establishing a specialized examination division.

Accelerated Examination for Secondary Battery Technologies

Patent filings related to secondary battery technologies have been growing rapidly at an average annual rate of 11.9%, making them one of Korea's core strategic assets, alongside semiconductors. Therefore, in 2024 KIPO designated applications related

to secondary battery technologies to be eligible for accelerated examination. This is a continuation of KIPO's efforts to support innovation and ensure timely examination of emerging technologies by expanding the scope of accelerated examination, such as the inclusion of display technology in 2023 and semiconductors in 2022. Companies, R&D institutes, and other related entities in these fields can now apply for accelerated examination more easily and receive examination results usually within two months of approval.

Specifically, accelerated examination is available for applications: 1) directly related to materials, components, and equipment for secondary batteries; 2) related to technologies for battery manufacturing or design; 3) filed by companies producing or preparing to produce secondary battery-related products or equipment in Korea; 4) related to the output of national R&D projects in the field of secondary battery technologies; and 5) from universities (including graduate schools) specializing in secondary batteries.

Recruitment of Private Sector Industry Experts

To enhance both expertise and industry relevance in patent examination, KIPO expanded its recruitment of highly experienced professionals from the private sector. Despite rapid growth in patent filings for secondary battery technologies, examination delays have persisted due to a shortage of qualified examiners.

Therefore, KIPO hired 38 new examiners from the secondary batteries industry and, by June 2024, established a new examination division solely for secondary battery patents, becoming the first among major countries to do so.

These initiatives aim to enhance examination capabilities for complex technologies and proactively manage the growing volume of filings. Furthermore, KIPO has begun recruiting 60 new examiners across three rapidly growing fields: biotechnology (35), advanced robotics (16), and AI (9), each of which has demonstrated an annual patent filing

growth rate of 8.4%. These coordinated efforts are expected to significantly strengthen KIPO's examination capacity and responsiveness in key technology sectors.

Through institutional improvements, such as accelerated examination, industry-expert recruitment, and dedicated divisions, KIPO aims to deliver high-quality, specialized examination services and respond swiftly to technological developments which will help companies secure IP rights more quickly and support the commercialization of advanced technologies, ultimately enhancing their competitiveness in key technology sectors.

Structural, Procedural and Service Improvements in IP Adjudication

Trial Policy Division

To achieve more prompt and specialized IP dispute resolution involving national strategic technologies, the Korean Intellectual Property Trial and Appeal Board (IPTAB) has undertaken comprehensive improvements of its trial and appeal system and implemented digital transformation to enhance user convenience. The IPTAB has focused its efforts on three core areas to provide faster and fairer adjudication services by actively reflecting the needs of the users: ① transitioning the IPTAB Boards toward a more user-centered operational framework, ② providing expedited hearing proceedings, ③ supporting user convenience and accessibility.

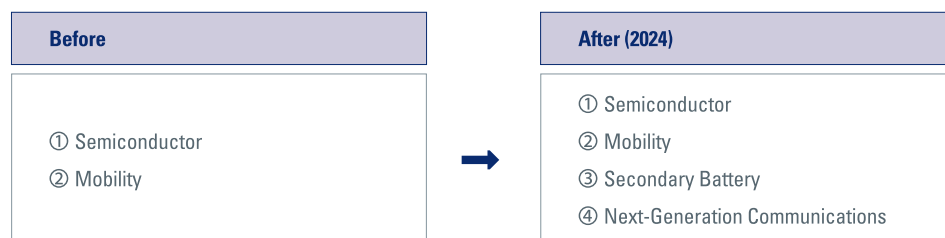
① Structural Reform of the IPTAB Boards

Major cases involving technologies essential for national security and competitiveness are handled by “Exclusive Boards” composed of administrative

judges with advanced degrees (e.g., PhDs) and extensive experience in both examination and trials. Reflecting the growing importance of such emerging technologies, KIPO expanded the number of Exclusive Boards in 2024 from two fields—semiconductors and mobility—to four, with the addition of secondary batteries, and next-generation communications. This expansion is expected to enhance economic security and industrial competitiveness by enabling faster and more reliable IP dispute resolution.

KIPO also introduced a more flexible case distribution to address imbalances in pendency period resulting from discrepancies in caseloads across different fields. Instead of fixed assignments of judges to 36 field-specific Boards, cases are now allocated flexibly to areas with high demand. This approach is expected to help alleviate delays in fields, such as biotechnology and trademarks, where trial requests are particularly concentrated.

Change in Exclusive Boards



② Improvement of Hearing Procedures

Improvements to hearing procedures have also been pursued. For *inter partes* trials, such as invalidation trials and trials to confirm the scope of rights, KIPO has expanded the use of concentrated hearing procedures to prevent unnecessary prolongation of disputes and to reduce the burden on companies. In addition, the introduction of an *amicus curiae* system, which allows participation by external experts, is expected to enhance the reliability of IPTAB decisions in major cases that have significant industrial impact.

③ Introduction of User Oriented Services

With the introduction of the “*Ex Officio Amendment*” in March 2024, minor and clear defects in the appeal briefs and trial petitions can now be amended directly by the presiding administrative judge. This proactive administrative measure is expected to reduce procedural delays and

alleviate difficulties faced by petitioners unfamiliar with IPTAB proceedings. Additionally, the launch of the IPTAB IT system (as part of a 2023-2025 three-year plan) will streamline the drafting process for IPTAB documents and enable automated classification of evidence using AI technology, further improving user accessibility.

Furthermore, the IPTAB-appointed attorney (public defender) service entered its third term in January 2024. Improvements were made by enhancing the matching process between attorneys and parties based on their technical expertise and case characteristics. The previous term (2nd term; January 2022–December 2023) demonstrated high user satisfaction with a success rate for IPTAB-appointed attorneys at 52.8%, more than 2.5 times higher than that of *pro se* cases at 21.0%. This service is particularly meaningful to support financially under-resourced and socially under-represented groups.

Implementation of the Trademark Consent System for User Inclusivity and Flexibility

Trademark Examination Policy Division

Starting May 1, 2024, KIPO officially began implementing the Trademark Consent System, which allows the registration of identical or similar trademarks if consent is obtained from the prior trademark holder. This user-centered reform aims to lower a major barrier in the trademark registration process and is expected to significantly ease the difficulties faced by SMEs and small business owners in securing trademark rights.

According to domestic trademark examination statistics for 2022, over 40% of all rejected trademark applications were due to conflicts with prior trademarks. Of these rejected cases, 80% were filed by SMEs or small business owners.

Under the previous system, applications for trademarks that were identical or similar to existing or pending trademarks were automatically rejected—regardless of differences in business sectors or regions, actual risk of confusion, or even the expressed consent of the existing trademark holder. As a result, legitimate uses of trademarks were blocked, even in situations where no practical conflict existed, resulting in unnecessary costs and missed business opportunities.

For example, a restaurant owner preparing to launch a new business would be denied registration of a desired name because a similar trademark was already registered by another party. Despite the existing trademark holder's agreement that there was no risk of confusion due to

the differences in location and menu, the applicant would still be forced to change the name and discard all pre-produced signage and materials due to regulatory constraints.

With the introduction of the Trademark Consent System, applicants may now register identical or similar trademarks upon receiving the explicit consent of the existing rights holder. This change allows applicants to secure trademark rights without requiring formal transfers or assignments, thereby reducing both cost and time, while contributing to greater operational flexibility and business stability for SMEs and entrepreneurs.

The new system is expected to significantly reduce the burden of securing trademark rights for small entities and help prevent future disputes. At the same time, safeguards have been introduced to protect consumers if the coexisting trademark is used in bad faith and causes confusion or misunderstanding among consumers, the registration may be subject to cancellation.

By allowing coexistence based on mutual consent, the new framework reflects real-world business practices and improves fairness and efficiency in the registration process. Moving forward, KIPO will continue to develop policies that lower barriers, reduce administrative burdens, and ensure balanced protection for both rights holders and consumers.