

Improving the IP Examination System

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Improving the IP Examination System

Rapid technological change and growing competition in strategic industries and overseas markets have placed new demands on the IP examination system. In 2025, MOIP responded by enhancing specialized examination capacity, expanding faster examination options, and improving procedures to better reflect the needs of innovators and businesses. Key measures included the expansion of Accelerated Examination for advanced technologies, a dedicated biotechnology examination organization, and Super-Accelerated Examination for overseas market entry, alongside reforms to design application procedures and rights protection, contributing to a more efficient, reliable, and innovation-oriented IP system.

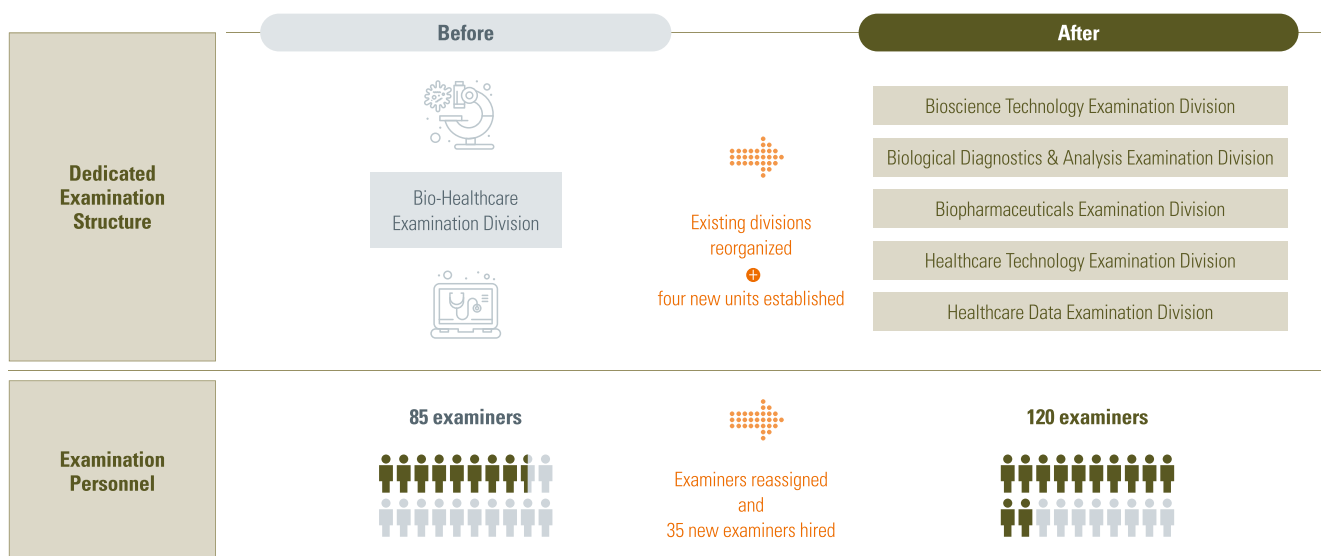
sector's rapid development, domestic patent applications in biotechnology, including life sciences and healthcare, have increased significantly in recent years, creating greater need for timely and expert examination. To meet this demand, MOIP strengthened both the scale and specialization of its biotechnology examination capacity.

In February 2025, MOIP reorganized the former Bio-Healthcare Examination Division into a more specialized structure covering biotechnology and healthcare. The new structure consists of five specialized units: three focused on biotechnology—the Bioscience Technology Examination Division, Biological Diagnostics & Analysis Examination Division, and Biopharmaceuticals Examination Division—and two on healthcare—the Healthcare Technology Examination Division and Healthcare Data Examination Division.

MOIP also brought together personnel previously dispersed across multiple examination bureaus and recruited 35 biotechnology specialists from the private sector, increasing the number of examiners from 85 to 120. This reorganization concentrated specialized personnel

01 Examination Capacity Dedicated to Biotechnology

Biotechnology is a national high-tech strategic technology and a key driver of Korea's future growth. Alongside the



and expertise across biotechnology and healthcare, strengthening examination quality and contributing to broader efforts to build examination capacity in Korea’s national high-tech strategic technology fields.

02

Accelerated Examination
for Strategic Industry Sectors

Since 2022, MOIP has been progressively broadening the scope of accelerated examination for advanced technology fields closely linked to national competitiveness and economic growth. Biotechnology, AI, and advanced robotics were the latest fields to be added in 2025, following secondary batteries in 2024, displays in 2023, and semiconductors in 2022. This expansion enabled applicants in these strategically important sectors to secure patent rights more rapidly.

Eligibility in the secondary battery sector was also renewed and broadened to include performance testing and evaluation, control and management systems, and recycling technologies. MOIP also expanded accelerated examination for carbon-neutral green technologies to cover next-generation nuclear power, renewable energy, hydrogen and ammonia, and advanced mobility.

In addition to expanding the eligible technology fields, application requirements were also reduced to relieve the administrative burden on companies. Applicants were no longer required to conduct their own prior art searches, removing a requirement that had involved the preparation of complex supporting documentation. Applicants seeking accelerated examination on the basis of commercializing an invention, or preparing to do so, were also allowed to submit technology transfer agreements or other relevant evidence in place of a business registration certificate. These changes reflect a more responsive approach to patent examination, aligning support with emerging technologies and evolving industry needs.

03

Super-Accelerated Examination
for Exporting Companies

In October 2025, MOIP introduced “super-accelerated examination” for patent, utility model, and trademark applications linked to overseas market entry. Designed around the practical needs of exporting companies, the new examination track helps companies secure IP rights at an early stage by providing the first office action within one month for patent and utility model applications and within 30 days for trademark applications.

IP Right	Accelerated Examination					Super-Accelerated Examination			
	1st Office Action	Final Disposition	1st Office Action	Final Disposition	Total		1st Office Action	Final Disposition	Total
Patents and Utility Models	16.1 months	23.1 months	End of the 2nd month	End of the 4th month	6 months +	▶	1 month	1 month	2 months
Trademarks	12.8 months	17.2 months	45 days	30 days	75 days	▶	30 days	30 days	60 days

For patents and utility models, the system applies to domestic applications that qualify for Accelerated Examination on export-promotion grounds. It also covers domestic applications in designated advanced-technology fields—such as semiconductors, AI, and secondary batteries—that are used as the basis for subsequent foreign filings.

For trademarks, the system applies to domestic applications for marks already used, or intended for use, in connection with exports. It also covers applications that serve as the basis for a subsequent foreign priority claim or as the basic application for an international application under the Madrid Protocol.

SMEs and mid-sized enterprises selected for MOIP's export-support and overseas IP dispute assistance programs are also eligible for this track. This linkage between export strategy development, dispute prevention, and the timely acquisition of IP rights provides businesses with more coordinated support as they prepare for overseas expansion.

Particularly for patent applicants, an early examination result in Korea may be used to request expedited examination under Patent Prosecution Highway programs in jurisdictions such as the United States, China, and Japan. This creates a more efficient pathway for companies to protect core technologies as they expand into overseas markets.

04

Design System Reform and Stronger Rights Protection

To establish a more balanced design protection framework, the Design Protection Act and related regulations were amended to make registration more convenient for applicants while improving the reliability and fairness of the system. The amendments simplified application procedures, strengthened safeguards against misuse of the registration system, and provided more effective remedies for legitimate rights holders.



Application requirements for partial designs (or designs protecting only a specific part of a product) were made more flexible. Applicants may now identify either the product as a whole or the particular part for which protection is sought. MOIP also removed the redundant requirement to indicate separately whether an application concerned a partial design, as this could already be determined from the submitted drawings and description. These changes reduced unnecessary procedural burdens and brought Korea’s system into closer alignment with practices adopted by major IP offices.

MOIP also strengthened safeguards under the Partial-Substantive Examination System (PSES), which provides faster registration for products with short market cycles. To address misuse involving previously known designs, particularly in online markets, examiners may now refuse applications where a clear lack of novelty or conflict with an earlier application is identified. Parties receiving an infringement notice may also file an opposition within three months of receiving the notice, provided that it is filed within one year of the publication of registration.

These changes preserve the speed of the system while strengthening confidence in the rights granted.

Protection for rightful design owners was further enhanced through the introduction of a claim for the transfer of a design right to strengthen protection for rightful owners. Previously, a rightful owner generally had to invalidate a misappropriated registration and then file a new application. Under the new mechanism, the owner may instead seek the direct transfer of the existing design right through the courts, providing a faster and more flexible remedy.

① Strengthened Examination of Applications under the PSES

(New) Article 62(5) of the Design Protection Act - Grounds of Refusal for partial examination applications

Before		Revised
(Grounds for refusal under partial examination) Novelty and prior-application issues are examined only where relevant information has been submitted.	➡	A partially examined design application may be refused where there is an “obvious ground for refusal” based on lack of novelty or conflict with a prior application.

② Extended Opposition Period for Recipients of Infringement Notices

(Amended) Article 68(1) of the Design Protection Act - Opposition period and eligible parties

Before		Revised
Anyone may file an opposition within three months from the publication of the design registration.	➡	Additionally, a person who receives an infringement notice may file an opposition within three months from the date of receipt, provided that the opposition is filed within one year from the date of publication of the registration.