

Appendix for the ex-officio extensions

[Patents & Utility Models]

1. Supplementary period for supplementation for a request of accelerated examination in accordance with Article 10 of the Enforcement Decree of the Patent Act, Article 6 of the Enforcement Decree of the Utility Model Act and Article 60 of Regulations for the Handling of Patents & Utility Models Examination Works.

2. Submission period for a written argument (vindication) regarding approval of extension of the designated period (limited to the period approved by the Commissioner of the Korean Intellectual Property Office (KIPO), the President of the Intellectual Property Trial and Appeal Board (IPTAB) or the examiner) in accordance with Article 16 of the Enforcement Rules of the Patent Act, Article 17 of the Enforcement Rules of the Utility Model Act (Article 16 of the Enforcement Rules of the Patent Act shall apply *mutatis mutandis*) and Article 23 of the Regulations for the Handling of Patents & Utility Models Examination Works.

3. Submission period for a Korean translation in response to a request for a Korean translation of supporting documents for a priority right in accordance with Article 25 of the Enforcement Rules of the Patent Act, Article 17 of the Enforcement Rules of the Utility Model Act (Article 25 of the Enforcement Rules of the Patent Act shall apply *mutatis mutandis*.)

4. Submission period for a Korean translation in response to a request to submit a Korean translation of examination results from the office of earlier examination in accordance with Article 46 of the Enforcement Rules of the Patent Act and Article 17 of the Enforcement Rules of the Utility Model Act (Article 46 of the Enforcement Rules of the Patent Act shall apply *mutatis mutandis*.)

5. Reporting period for the results of a reached agreement in accordance with Article 36 of the Patent Act and Article 7 of the Utility Model Act.

6. Submission period for a written argument in response to office actions (including a final office action) in accordance with Article 63 of the Patent Act and Article 14 of the Utility Model Act.

7. Submission period for a written argument, etc. in response to a request to

submit results of examination in foreign countries in accordance with Article 63-3 of the Patent Act and Article 15 of the Utility Model Act (Article 63-3 of the Patent Act shall apply *mutatis mutandis*.)

8. Submission period for a written argument in response to an office action in accordance with Article 93 of the Patent Act (Article 63 of the Patent Act shall apply *mutatis mutandis*) and Article 22-6 of the Utility Model Act (Article 14 of the Utility Model Act shall apply *mutatis mutandis*.)

9. Submission period for a copy of the citations enclosed in the international search report, etc. in response to an invitation to submit references cited in the international search report of Article 211 of the Patent Act and Article 41 of the Utility Model Act (Article 211 of the Patent Act shall apply *mutatis mutandis*.)

10. Submission period for document(s), etc. (reference materials for examination) in response to an invitation for document submission (an invitation to submit reference materials for examination) of relevant documents, etc. in accordance with Article 222 of the Patent Act and Article 44 of the Utility Model Act (Article 222 of the Patent Act shall apply *mutatis mutandis*.)

11. Submission period for a written argument, etc. regarding the delivery of a duplicate copy of a written request for inquiry of examiner opinion, etc. in accordance with Article 58 of the Patent Act, Article 15 of the Utility Model Act (Article 58 of the Patent Act shall apply *mutatis mutandis*) and Article 71-2 of the Regulations for the Handling of Patents & Utility Models Examination Works.

12. Submission period for a written response regarding the delivery of a duplicate copy of an opposition request form in accordance with Article 70 of the (former) Patent Act (Act Number 7871Ho, March 3, 2006, before the partial amendment) and Article 48 of the (former) Utility Model Act (Act Number 7872Ho, March 3, 2006, before the full amendment/ Article 70 of the (former) Patent Act shall apply *mutatis mutandis*.)

13. Submission period for a written argument in response to a notice of non-approval of a divisional application in accordance with Articles 22 and 25 of the Regulations for the Handling of Patents & Utility Models Examination Works, Article 52 of the (former) Patent Act (Act Number 7871Ho, March 3, 2006, before the partial amendment) and Article 16 of the (former) Utility Model Act (Act Number 7872Ho, March 3, 2006, before the full amendment.)

14. Submission period for an amendment in response to an invitation to amend in accordance with Article 195 of the Patent Act.

15. Submission period for an amendment in response to an invitation to rectify procedures regarding a request for an international preliminary examination in accordance with Article 106-29 of the Enforcement Rules of the Patent Act.

[Trademark]

16. Reporting period for the terms of agreement in accordance with Article 35 of the of the Trademark Act, Article 33-2 of the Regulations for the Handling of Trademark & Design Examination Works and Article 20-1 of the Regulations for the Handling of International Trademark Examination Works.

17. Submission period for a written opinion (response or vindication) in response to prior notice of non-approval regarding modification of application in accordance to Article 44 of the of the Trademark Act and Article 32 of the Regulations for the Handling of Trademark & Design Examination Works.

18. Submission period for a written opinion (response or vindication) in response to prior notice of non-approval regarding division of applications in accordance with Article 45 of the Trademark Act and Article 32 of the Regulations for the Handling of Trademark & Design Examination Works.

19. Submission period for a written opinion (response or vindication) in response to prior notice of non-approval for claiming priority under treaty in accordance with Article 46 of the Trademark Act and Article 32 of the Regulations for the Handling of Trademark & Design Examination Works.

20. Submission period for a written opinion (response or vindication) in response to prior notice of non-approval to be a special case at the time of filing application in accordance with Article 47 of the Trademark Act and Article 32 of the Regulations for the Handling of Trademark & Design Examination Works.

21. Submission period for a written opinion in response to notice of grounds for rejection in accordance with Article 55 of the Trademark Act and Article 50 of the Enforcement Rules of the Trademark Act (**excluding the submission period for**

a written opinion on a notice of ex-officio provisional refusal regarding application for international trademark registration in accordance with Article 180 of the Trademark Act.)

22. Submission period for documents, etc. (reference materials for examination) in response to a request for document submission (reference materials for examination) in accordance with Article 56 of the Trademark Act.

23. Submission period for a written response to a notice of a duplicate copy of an opposition in accordance with Article 66 of the Trademark Act and Article 57 of the Regulations for the Handling of Trademark & Design Examination Works.

24. Submission period for a written opinion in response to a notice of provisional refusal based on an opposition in accordance with Article 66 of the Trademark Act and Article 24 of the Regulations for the Handling of International Trademark Examination Works.

25. Submission period for a written opinion (response or vindication) in response to prior notice of non-approval as a special case for an application for trademark registrations after lapse of International Registration in accordance with Article 205 of the Trademark Act and Article 41 of the Regulations for the Handling of Trademark & Design Examination Works.

26. Supplementary period for a request to supplement a petition for accelerated examination in accordance with Article 13 of the Enforcement Decree of the Trademark Act and Article 44 of the Regulations for the Handling of Trademark & Design Examination Works.

27. Submission period for an amendment in response to a notice to resume an examination in accordance with Article 31 of the Regulations for the Handling of Trademark & Design Examination Works.

28. Submission period for an amendment in response to prior notice for refusal in accordance with Article 37 of the Regulations for the Handling of Trademark & Design Examination Works.

29. Submission period for a written opinion (vindication) for extension approval of designated period (limited to the period approved by the Commissioner of the KIPO, the President of the IPTAB or an examiner) in accordance with Article 17 of

the Trademark Act and Article 13 of the Regulations for the Handling of Trademark & Design Examination Works.

30. Submission period for a request to submit supplement documents concerning the complement of procedures in accordance with Article 37 of the Trademark Act.

[Design]

31. Reporting period for terms of agreement in accordance with Article 46 of the Design Protection Act, Article 13 of the Regulations for the Handling of Trademark & Design Examination Works and Article 22 of the Regulations for the Handling of International Design Examination Works.

32. Submission period for a written argument (response or vindication) in response to prior notice of non-approval regarding claiming priority right in accordance with Article 51 of the Design Protection Act, Article 71 of the Regulations for the Handling of Trademark & Design Examination Works and Article 26 of the Regulations for the Handling of International Design Examination Works.

33. Submission period for a written argument (response or vindication) in response to prior notice of non-approval regarding exception to lack of novelty in accordance with Article 36 of the Design Protection Act, Article 71 of the Regulations for the Handling of Trademark & Design Examination Works and Article 26 of the Regulations for the Handling of International Design Examination Works.

34. Submission period for a written argument in response to a notice of grounds for rejection in accordance with Article 63 of the Design Protection Act, Article 13 of the Regulations for the Handling of Trademark & Design Examination Works and Article 22 of the Regulations for the Handling of International Design Examination Works.

35. Supplementary period for a request to supplement a petition for accelerated examination in accordance with Article 7 of the Enforcement Decree of Design Protection Act, Article 44 of the Regulations for the Handling of Trademark & Design Examination Works and Article 46 of the Regulations for the Handling of International Design Examination Works.

36. Submission period for a written argument (response or vindication) in response

to prior notice of non-approval for division of applications in accordance with Article 50 of the Design Protection Act, Article 71 of the Regulations for the Handling of Trademark & Design Examination Works and Article 26 of the Regulations for the Handling of International Design Examination Works.

37. Submission period for a written response to a notice of a duplicate copy of an opposition to the registration of a partially-examined design in accordance with Article 68 of the Design Protection Act, Article 91 of the Regulations for the Handling of Trademark & Design Examination Works and Article 36 of the Regulations for the Handling of International Design Examination Works.

38. Submission period for a Korean Translation to a request for a Korean translation of documents verifying priority right in accordance with Article 47 of the Enforcement Rules of the Design Protection Act.

39. Submission period for a written argument (vindication) regarding an extension approval of a designated period (limited to the period approved by the Commissioner of the KIPO, the President of the IPTAB, or an examiner) in accordance with Article 29 of the Enforcement Rules of the Design Protection Act, Article 13 of the Regulations for the Handling of Trademark & Design Examination Works and Article 22 of the Regulations for the Handling of International Design Examination Works.

40. Submission period for documents, etc. for a request to submit documents (reference materials for examination) in accordance with Article 213 of the Design Protection Act

41. Submission period for a request to submit supplement documents concerning the complement of procedures in accordance with Article 38 of the Design Protection Act.

[Trial]

42. Due date for parties to provide supplementary information to the Request for Trial (Request for Patent Opposition) or the intermediate documents thereof (including those not accompanied by a translation) as set in the request for supplementary information notified by the President of IPTAB (Article 109 of Rules of Civil Procedure shall apply *mutatis mutandis*.)

43. Due date for the defendant to provide written argument (vindication) regarding the statement of costs submitted by the petitioner as set in the Call Notice notified by the President of IPTAB in accordance with Article 5 of the public announcement on trials related to industrial property rights for cost.

44. Due date for the petitioner to provide their opinions on the written argument (vindication) submitted by the defendant as set in the transmittal letter of the copy of the written argument (vindication) on the Call Notice notified by the President of IPTAB in accordance with Article 5 of the public announcement on trials related to industrial property rights for cost.

[Others]

45. Period [for application of succession (resumption)] determined in the order of resumption of procedure for resuming an interrupted procedure (limited to orders of succession of procedure by the Commissioner of KIPO) in accordance with Article 22(5) of the Patent Act, Article 3 of the Utility Model Act (Article 22 of the Patent Act shall apply *mutatis mutandis*), Article 24(4) of the Design Protection Act and Article 24(4) of the Trademark Act.

46. Submission period of an amendment (written argument) in response to a request for amendment notified by the Commissioner of KIPO or the President of IPTAB in accordance with Article 46 of the Patent Act, Article 203(3) of the Patent Act, Article 11 of the Utility Model Act (Article 46 of the Patent Act shall apply *mutatis mutandis*), Article 47 of the Design Protection Act and Article 39 of the Trademark Act.

47. Period for clarification in response to a notice of reason of return which the Commissioner of KIPO or the President of IPTAB notifies reasons for return such as defects in the application form, etc. in accordance with Article 11 of the Enforcement Rules of the Patent Act, Article 17 of the Enforcement Rules of the Utility Model Act (Article 11 of the Enforcement Rules of the Patent Act shall apply *mutatis mutandis*), Article 24 of the Enforcement Rules of the Design Protection Act and Article 25 of the Enforcement Rules of the Trademark Act.

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