

# RECENT DEVELOPMENTS AT KIPO

**Sohn Youngsik**

**Chief Administrative Judge**

**Korean Intellectual Property Trial and Appeal Board**

# STATISTICAL <sup>1</sup> UPDATES

KIPO ORGANIZATION

HUMAN RESOURCES

IP APPLICATIONS

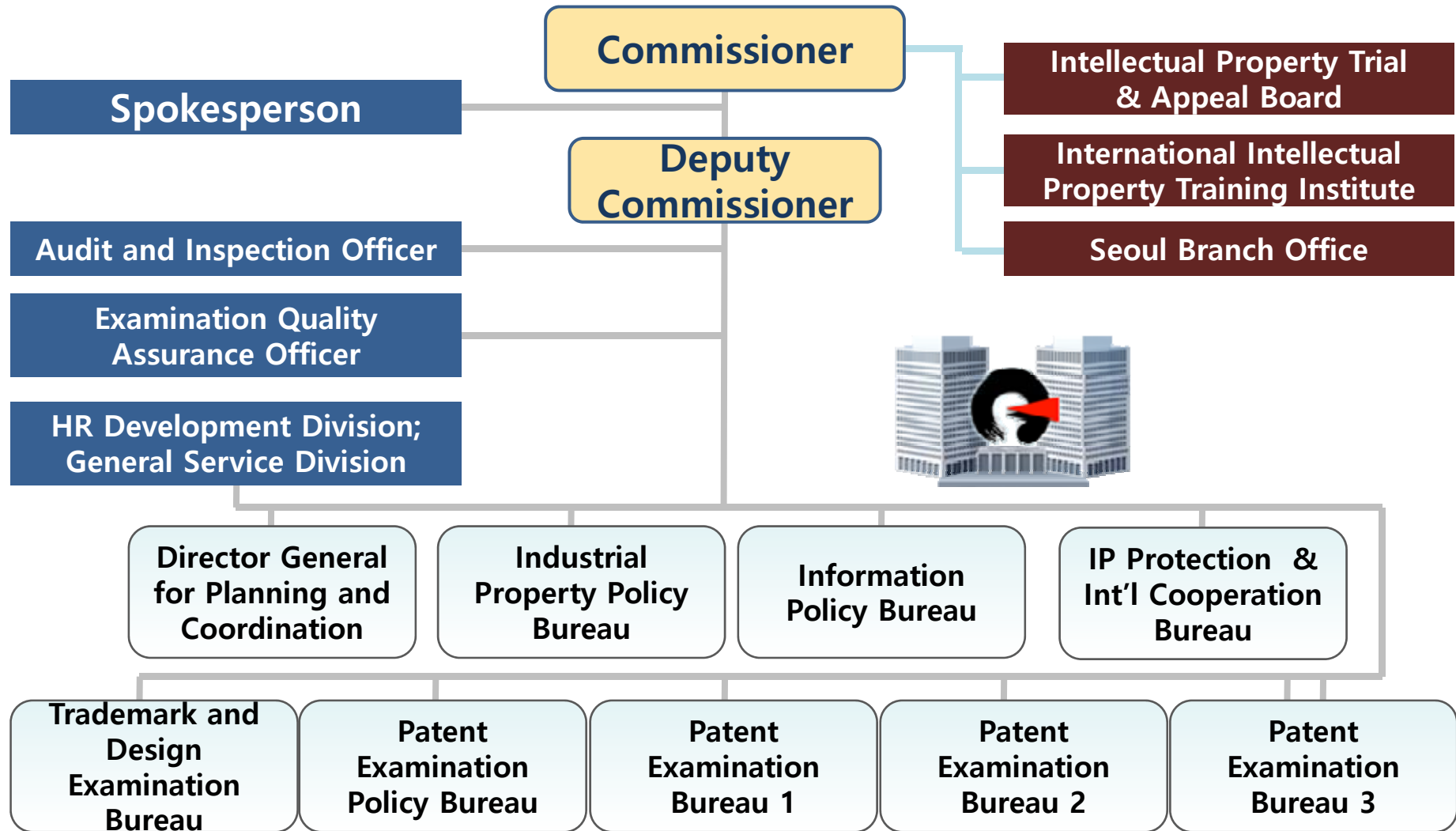
IP APPLICATIONS from  
CHINA & JAPAN

PCT

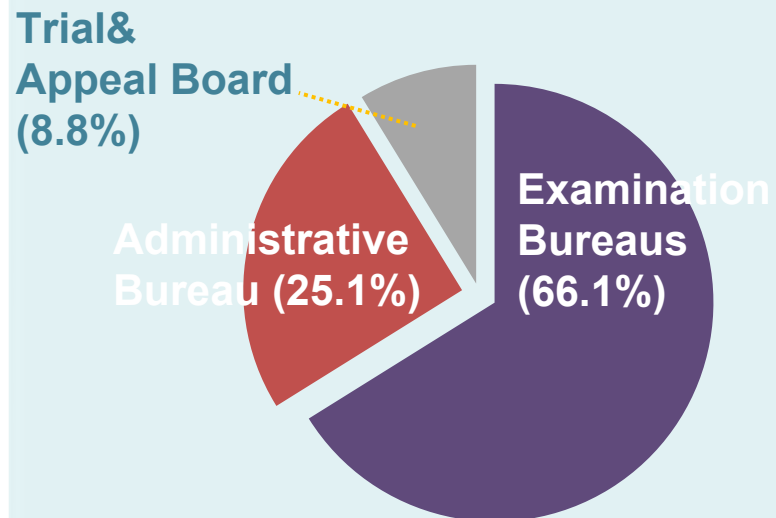
EXAMINATION  
PENDENCY

# KIPO Organization

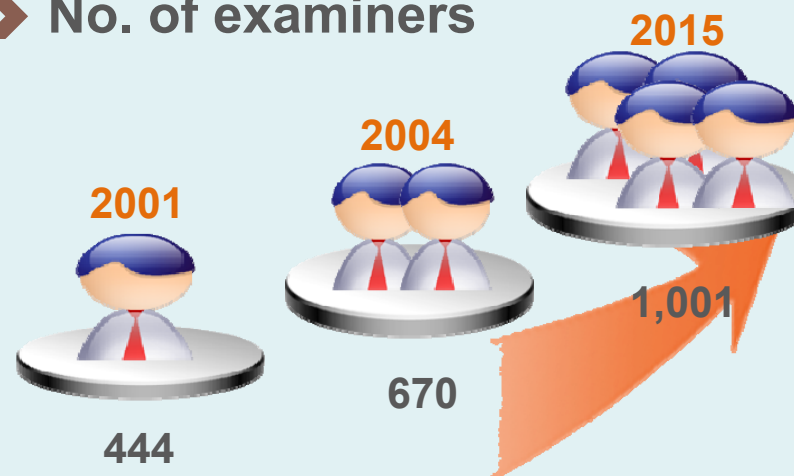
## 1. STATISTICAL UPDATES



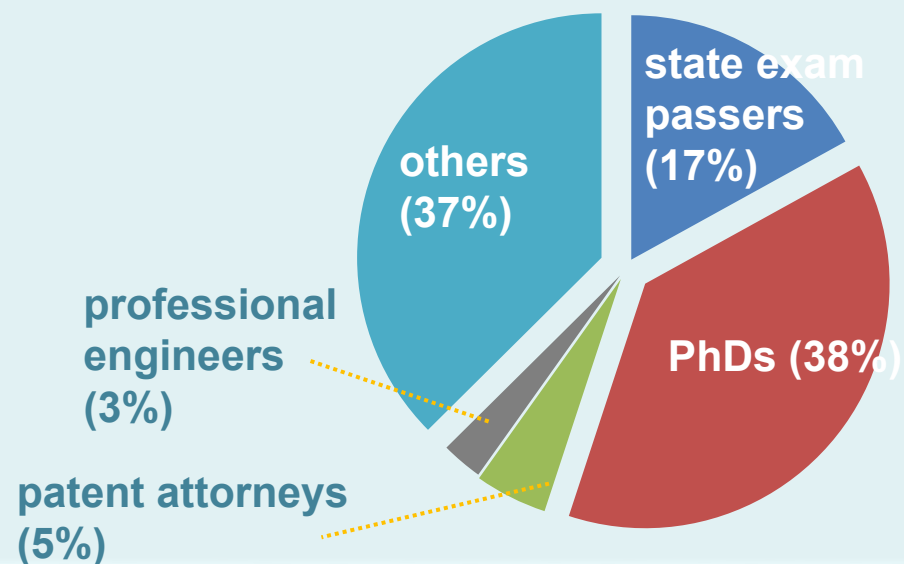
### ➤ Total staff: 1,609



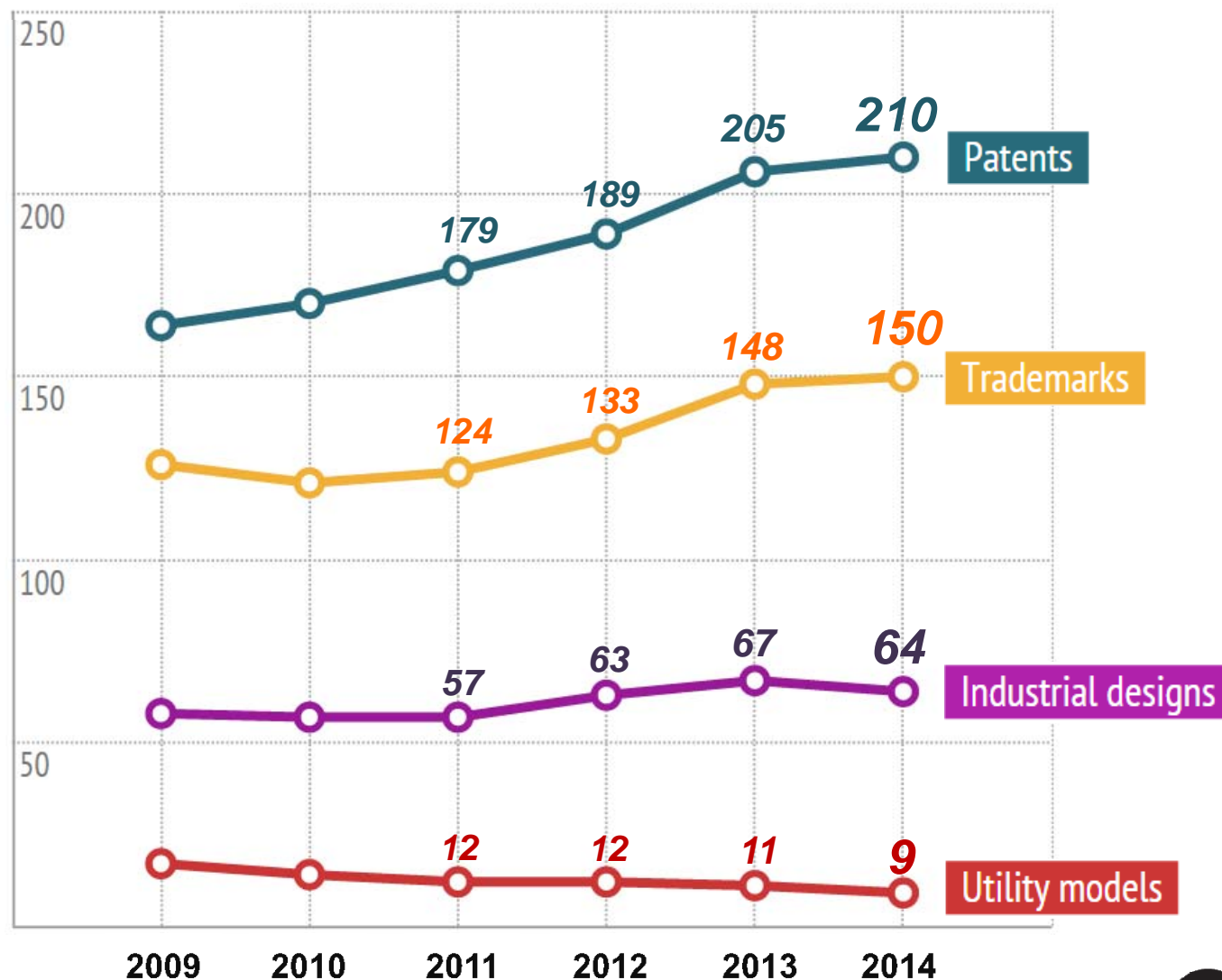
### ➤ No. of examiners



### ➤ Total examiners: 1,001

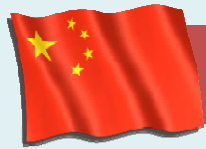


Cases (thousands)

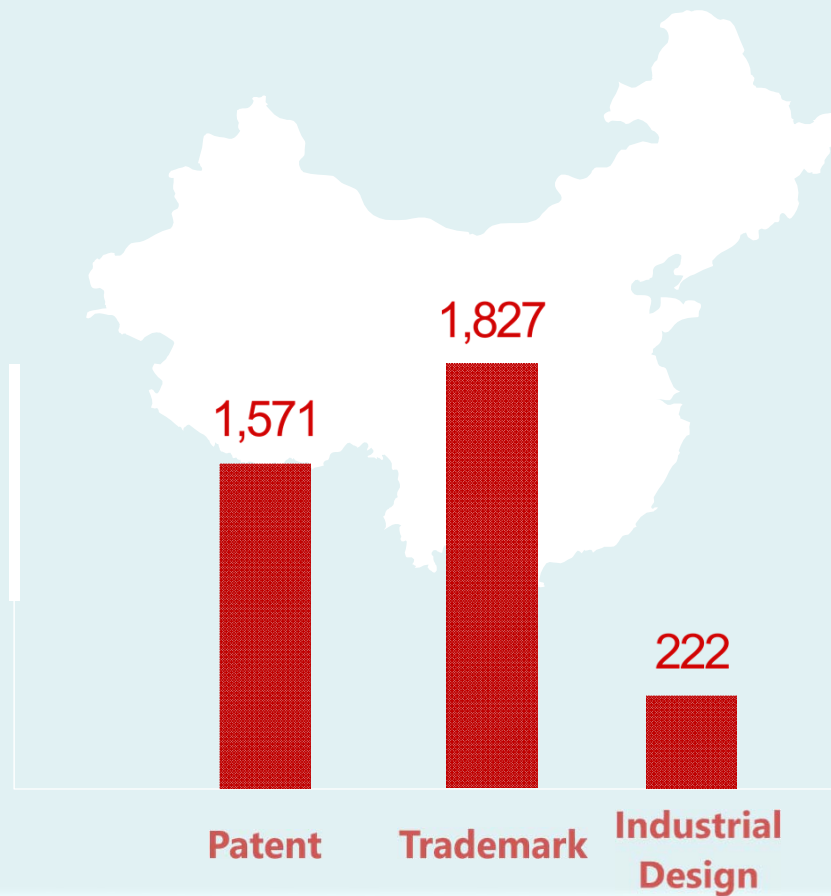


# IP Applications from China and Japan

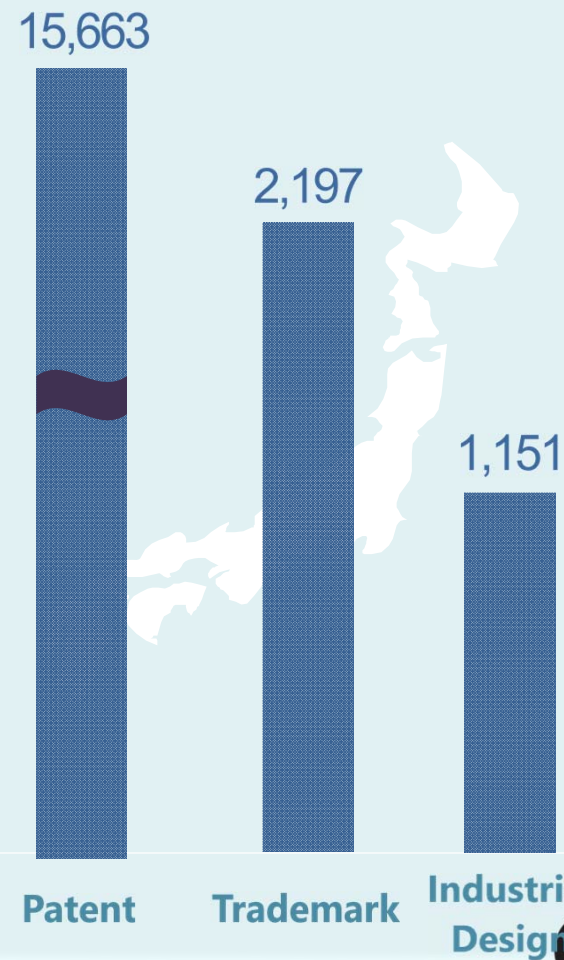
## 1. STATISTICAL UPDATES



From China to KIPO



From Japan to KIPO

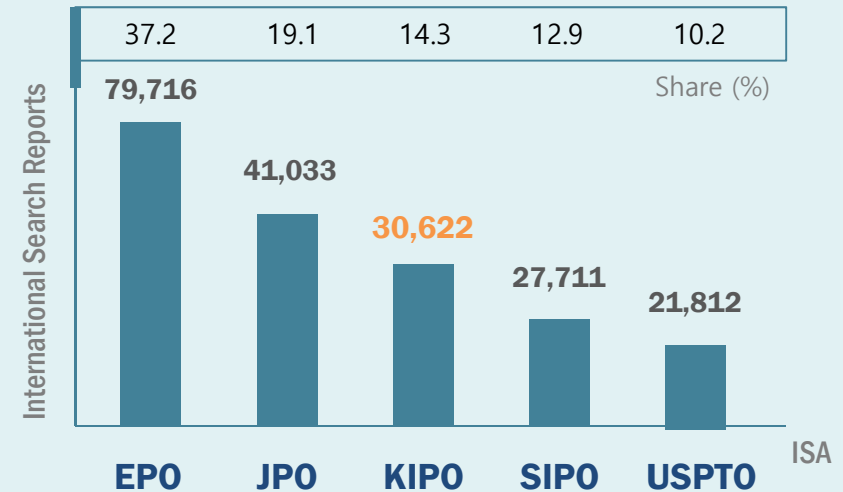
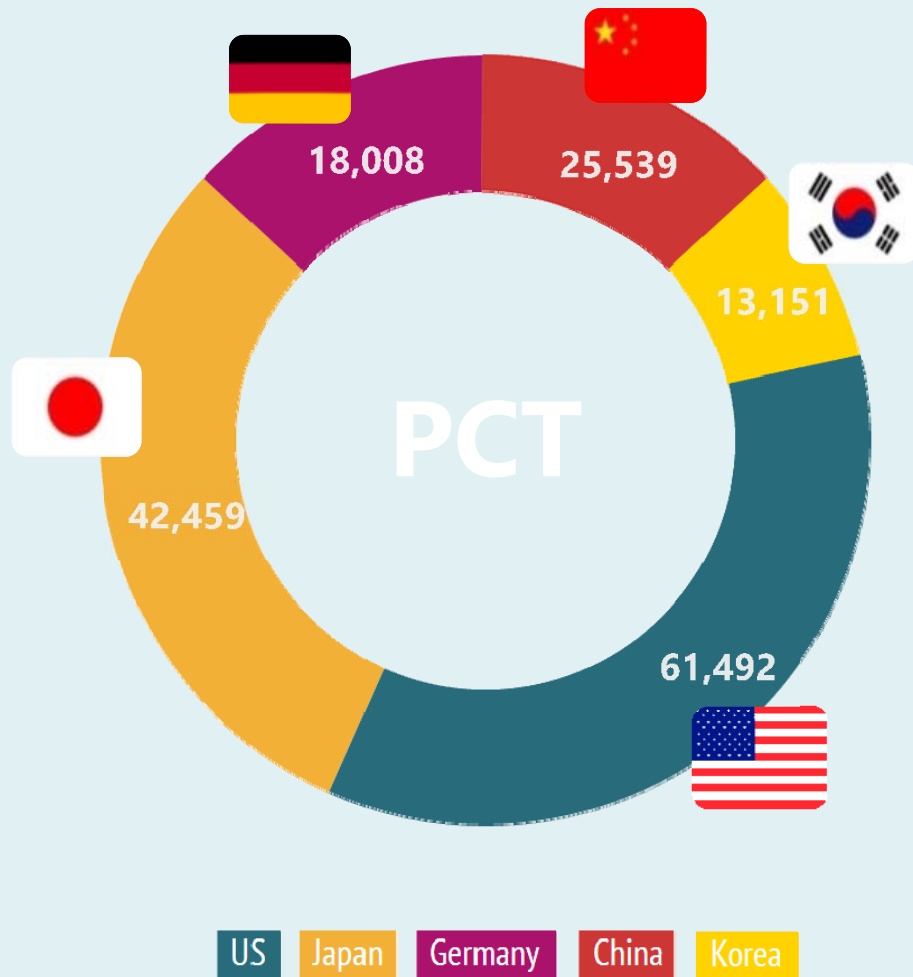


2014



# Patent Cooperation Treaty

## 1. STATISTICAL UPDATES



1st Huawei Technologies Co. 3,442

3rd ZTE Corp. 2,179

4th Panasonic Corp. 1,682

5th Mitsubishi Electric Corp. 1,593

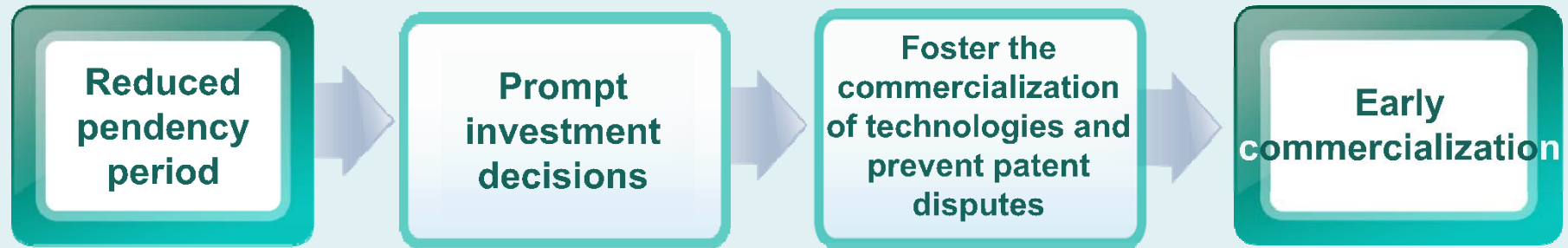
11st Samsung Electronics Co. 1,381

16th LG Electronics Inc. 1,138

Source: WIPO PCT Yearly Review 2015

# Examination Pendency Period

## 1. STATISTICAL UPDATES







# 2 COLLABORATIVE SEARCH PROGRAM

**CONCEPT &  
EXPECTED OUTCOMES**

**BENEFITS to USERS**

**KEY ACHIEVEMENTS**

### Concept of CSP

- To share prior art search lists before the first office actions of cross-filed offices



### Expected Outcomes

- To **improve the quality & consistency** by sharing prior art search lists
- To **reduce duplicated work** of the offices by reducing redundant searches

### ***Fast*** granted patent rights

- by shortening examination pendency through expedited examination

### ***Strong*** patent generated

- by sharing prior art search lists before the first office actions

### ***Free*** petition fees

- by requesting CSP free of charge

### **KIPO-USPTO CSP**

- Oct. 2012, **CSP(formerly CoBOA) concept** was proposed by KIPO at the IP5/WG3 meeting
- May. 2015, **KIPO-USPTO MOU** was signed
- Sep. 2015 onwards, the **pilot program** is in full swing

### **\* JPO-USPTO CSP**

- May. 2015, **JPO-USPTO MOU** was signed
- Aug.2015 onwards, the **pilot program** is in full swing

# 3 IMPROVING IP LAWS

**PATENT ACT REVISION**

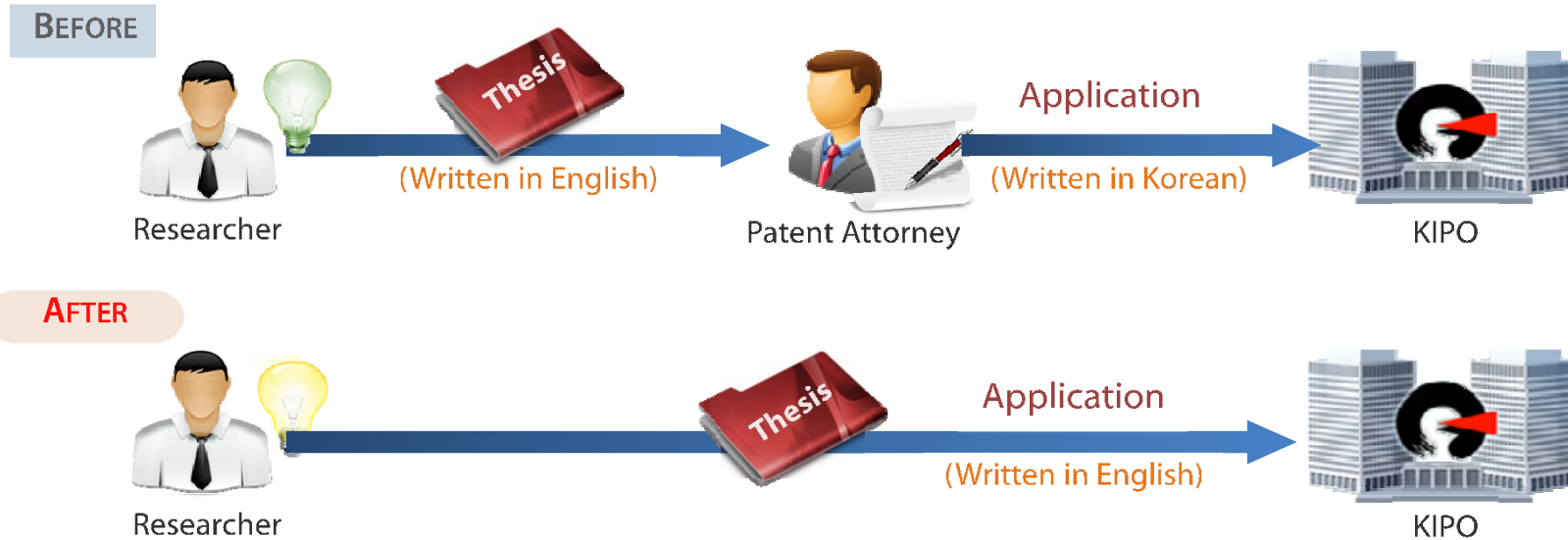
**ONGOING REVISION of the  
PATENT ACT**

**ONGOING REVISION of the  
Trademark ACT**

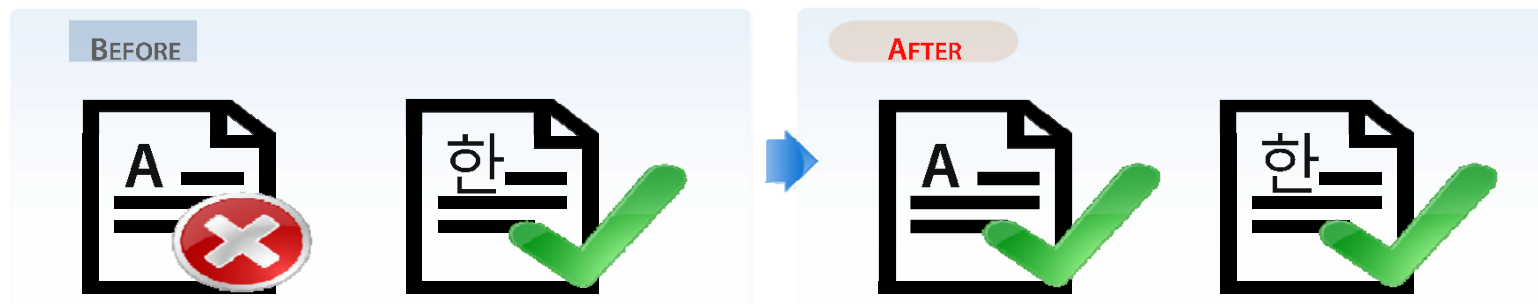
**Design Protection ACT Revision**



### ➤ Now possible to file **English-language applications**



### ➤ Allows **amendments to translations** based on **the original specification**



- Reducing  
**the period for requesting examination**

**5** years → **3** years

- Limiting  
**the period for request for correction trial**

(not allowed if a invalidation trial is pending)

- ➡ **Encourages early establishment of rights for legal certainty**



#### ➤ Trial for Trademark Cancellation for Non-Use

requested by an interested party → anyone can request such a trial

No provision to restrict an act make false evidence  
→ the act to use the mark three months ahead of the trial request  
will be considered “nominal use”

a relevant license shall be lapsed from that time a decision is made  
→ will be lapsed from the trial request date retrospectively

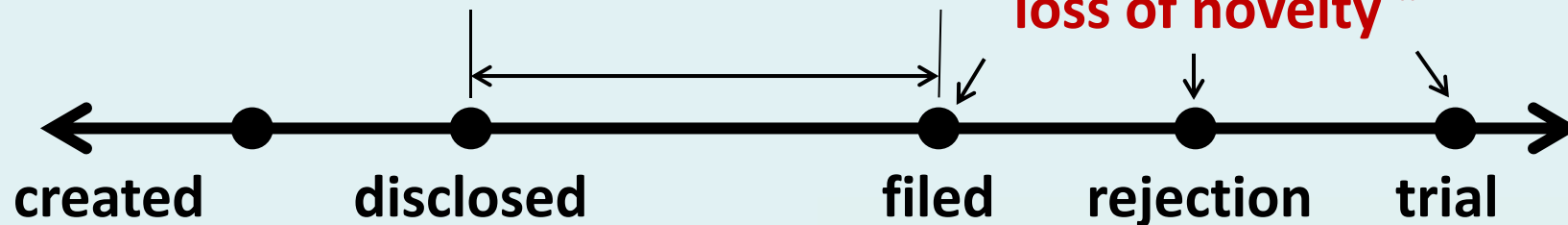
#### ➤ Change timeline to Determine Registrability

Registrability of a trademark is determined when a application for trademark registration is filed → will be determined when registration of a trademark is decided

### ➤ Extension of term of design protection

**15** years → **20** years

### ➤ Adding opportunities to claim exceptions to loss of novelty



### ➤ International design application system

**Hague agreement**





**THANK YOU!**