

MAX PLANCK SERIES ON ASIAN INTELLECTUAL PROPERTY LAW

INTELLECTUAL PROPERTY LAW IN KOREA

SECOND EDITION

Edited by
Byung-II Kim & Christopher Heath



Max Planck Institute
for Intellectual Property and
Competition Law



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Intellectual Property Law in Korea

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Edited by

Byung-Il Kim
Christopher Heath



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Intellectual Property Law in Korea

Max Planck Series on Asian Intellectual Property Law

Volume 6

Editor
Reto M. Hilty
Director

Editor:

The Max Planck Institute for Intellectual Property and Competition Law has pioneered intellectual property research and education in Asia since the late 1960s and in 1975 set up a Department for Japan and East Asia. The Institute has not only been involved in fundamental research on Asian intellectual property law, but also in drafting legislation for various Asian countries both on the Institute's own account, and in cooperation with projects funded by the European Union, WIPO, the World Bank, UNDP, the German GTZ and others. Cooperation agreements have been concluded with institutions in Japan, Korea, Taiwan, China and Thailand. The Max Planck Institute regularly receives guest researchers from Asian countries, conducts conferences and workshops on Asian intellectual property law, often co-hosted together with institutions in Asia.

Contents/subjects:

Spurred by the TRIPS Agreement and an increasing number of bilateral free-trade agreements, most Asian countries have completely overhauled their intellectual property systems in the past twenty years. Extension systems for patents, protection of geographical indications or general fair use provisions have been added, enforcement structures have been improved and specialised IP courts been set up in China, Taiwan, Japan, Thailand and Korea.

These developments are reflected in the Max Planck Institute's Asian IP series that includes both country-specific reports and comparative studies on current problems of interest. Particular attention in this respect is given to the non-English speaking countries of Asia where reliable information is often difficult to come by.

Objective & readership:

The Max Planck Series on Asian Intellectual Property Law aims at providing expert coverage of intellectual property rights, their administration and enforcement in Asian jurisdictions for both academic and practicing lawyers. Since the year 2000, more than fifteen volumes have been published.

Editors and Contributors

Dr Hyewon Ahn joined Lee International IP & Law Group in 2015. She is a partner in the Chemistry & Pharmaceuticals Team, and a member of the firm's IP Litigation Team. After her admission to the patent bar in 2003, her practice has focussed on litigating patent cases and advising domestic and foreign clients on obtaining, exploiting and enforcing patents in the areas of pharmaceuticals, medicinal chemistry, organic chemistry and biotechnology. Her primary practice areas further includes patent linkage, regulatory approval and data exclusivity.

Dr Ahn has a unique experience in patent matters both in Korea and Europe. Prior to joining Lee International, she worked at df-mp, Dörries Frank-Molnia & Pohlman in Munich as a patent consultant and as a European and German patent attorney trainee. Before moving to Germany, she worked at Dr Ahn(So-Young)'s International Patent Law Office and at Kims and Lees International Patent Law office. Her experience also includes positions as in-house counsel with global patent responsibility for Amorepacific Group.

She received her legal education at MIPLC, Max-Planck Institute for Intellectual Property and Competition Law and University of Augsburg. In her dissertation, she investigated the impact of second generation inventions on pharmaceutical innovation. She received her BS and MS in Pharmacy from Ewha Womans University.

She can be reached by email at hwahn@leeinternational.com.

Sung Jai Choi is a Judicial Research Officer of Korean Supreme Court. He worked as a lawyer at Kim & Chang, the largest and renowned law firm in Korea in the area of Intellectual Property laws related litigation, enforcement and dispute resolution as well as the antitrust litigation and consultation. He is a former professor at Kyungpook National University law school, teaching Intellectual Property Laws and Antitrust Laws. As a lawyer he has experienced a number of intellectual property and antitrust cases at Samsung and Microsoft as an in-house counsel. He also served for the Korean government as an expert for the Korean Fair Trade Commission and Korean Intellectual Property office. He was admitted to the Korean Bar in 2000. His legal educational degrees include BA (1993) from Seoul National University and two LLMs from the Seoul National University (2000) and Columbia University Law School at New York

(2004). He got his PhD degree from Seoul National University with a dissertation on the interface between Intellectual Property and Antitrust Laws (2009).

He can be reached by e-mail at lawntech1@naver.com.

Christopher Heath (1964) studied at the Universities of Konstanz, Edinburgh and the LSE. He lived and worked in Japan for three years, and between 1992 and 2005 headed the Asian Department of the Max Planck Institute for Patent, Copyright and Competition Law in Munich. Christopher Heath, who wrote his PhD thesis on Japanese unfair competition prevention law, is a Member of the Boards of Appeal at the European Patent Office in Munich and co-editor of IIC.

He can be reached by e-mail at blitzblitzblau@web.de.

Sang Jo Jong, Professor of Law at Seoul National University, has graduated from Seoul National University and done his PhD studies at the London School of Economics. His Doctoral degree was awarded in 1991 for his thesis entitled 'The Legal Protection of Computer Programs with particular reference to the U.K., U.S., Japan & Korea.' His research and teaching mostly centre on copyright, trade mark, patent, unfair competition, antitrust, and internet laws. He also taught comparative intellectual property law at the University of Washington School of Law in 2014, at Georgetown University Law Center in 2007 and at Duke Law School in 2003. As professional activities, he has served as a civilian member of the Presidential Council of Intellectual Property, the President of Korea Game Law & Policy Society, the Director of the Center for Law & Technology, Seoul National University and a Panel Member of the WIPO Arbitration and Mediation Center. His publications include various topics ranging from 'The Legal Protection of Computer Programs with particular reference to U.K., U.S., Japan & Korea (Ph.D. Thesis)' to 'Contributory Infringement of Patents in Korea, 2 Washington University Journal of Law & Policy 287 (2000),' 'Property versus Misappropriation: Legal Protection for Databases in Korea, 8 Washington University Journal of Law & Policy 75 (2002),' 'Criminalization of Netizens for the Access to On-line Music, Journal of Korean Law, Vol. 4, No. 1 (2004),' and 'Fair Use: A Tale of Two Cities, Intellectual Property in Common Law and Civil Law (Edward Elgar, Northampton, 2013).'

He can be reached by email at sjjong@snu.ac.kr.

Chaho Jung is professor of law of the Sungkyunkwan University Law School. Before joining the school some 10 years ago, he had worked for the Korea Intellectual Property Office for about 12 years as patent examiner and director of an examining division. Prof. JUNG is one of the most active researchers and prolific writers in the patent law field in Korea. He published a book entitled *Inventive Step in Patent Law* and will soon publish a book on *Damages Jurisprudence of Patent Law*, and published many papers focusing on patent law. Prof. JUNG played key roles in establishing the Korea Patent Law Society, the U.S. Patent Law Study Group and the Design Law Study Group, all of which lead the development of Korean IP law. He is a member of the New York & Massachusetts bars and Korean patent bar.

He can be reached by email at chaho@skku.edu.kr.

Byung-Il Kim is Professor of Intellectual Property Law, Hanyang University Law School, Korea. He is also the Co-Director of Hanyang IP & Information Law Centre, Hanyang University and the Co-President of Korea Association for Infomedia Law. Prior to taking a position at Hanyang, he conducted research at the Universities of Munich, Houston and Oxford. He holds a Dr jur (LMU, Munich Germany), LL.M (Yonsei University), and a DBA (Yonsei University). His research focuses on Patent Law, Competition Law, Information Law, and Licensing Law.

He can be reached by e-mail at kimbyungil@hanyang.ac.kr or kimbyungil66@yahoo.com.

Patrick Yangoh Kim is the Head of Yoon & Yang (IP) LLC. He has over 30 years of experience in all areas of Intellectual Property including patents, trademarks, and designs. Mr Kim has extensive experience not only in prosecution but also in trials, litigation, enforcement, and dispute resolution for Intellectual Property, especially for foreign clients. Mr Kim has been consistently recognised in various peer-based directories and rankings, including Who's who Legal, Managing Intellectual Property, as a leading Patent Attorney in Korea. Mr Kim is a member of AIPPI and Asian Patent Attorneys Association (APAA), and is currently the Senior Vice President of APAA.

He can be reached by email at patkim@yoonyang.com.

Gyoocho Lee is a professor of law at Chung-Ang University School of Law in Seoul, Republic of Korea. He holds an LLB and an LLM from Yonsei University in Seoul, an LLM in comparative Asian law from the University of Washington in Seattle, WA (USA) and a JSD in comparative civil procedure from Washington University in St. Louis, MO (USA). He was a visiting researcher at Georgetown University Law Center in WA, DC (USA) and a visiting scholar at Washington University School of Law in St. Louis, MO (USA).

He has specialised in intellectual property law, private international law, civil procedure, and cultural property law. Currently, he is serving as the president of the Association of Contents Property for Next Generation, and as the vice president of the Korea Association for Infomedia Law and of the Korea Computer Game Law Association. Also, he is an arbitrator of KCAB (The Korean Commercial Arbitration Board), a mediator of Seoul District Court, and the director of KOSA (Korean Society of Authors). In addition, he is an editor of the Korean Yearbook of International Law and a member of the International Law Association's Committee on Intellectual Property and Private International Law.

He can be reached by e-mail at ghlee@cau.ac.kr.

Nari Lee is a professor intellectual property at Hanken School of Economics, Helsinki, Finland. She has studied law at Ewha Womans University in Korea and at Kyushu University, Japan (LLM), and holds doctorate from the University of Eastern Finland (PhD) and a Doctor of Laws (LLD) degree from Kyushu University, Japan. Since 1996, she has researched and taught in the area of intellectual property at various universities in Europe and in Asia. Before joining faculty at Hanken in 2012, she has worked as the

experience in all areas of Entertainment law including entertainment licensing, entertainment contract negotiation and preparation.

Mr Yang has been consistently recognised in various peer-based directories and rankings, including Chambers Global, Asia Pacific Legal 500, Who's Who Legal, Managing Intellectual Property, and World Trademark Review 1000, as a leading IP attorney. Mr Yang is a member of the International Trademark Association (INTA). He is currently the Vice Chair of the INTA's Famous & Well-Known Marks Committee (FWKMC), and also served as a Chair of the East Asia & Pacific sub-committee in 2012–2013.

Mr Yang is admitted to the bars of Korea and New York.
He can be reached by email at yjyang@kimchang.com

Preface

The ideas for a Max Planck Series on Asian Intellectual Property date back to the year 1997. The series was planned to give comprehensive coverage to intellectual property law in individual Asian countries, as well as to explore specific topics of comparative interest to the region. Between the first publication in 2000, and 2005, when the Max Planck Institute's Asian department was dissolved, 12 volumes were published. Amongst these, four were country reports: IP in Indonesia (2002), IP in Korea (2003), IP in Taiwan (2004) and IP in China (2005). The volume on Intellectual Property Law in Asia (2003) gave an introductory overview of IP protection in 14 different Asian jurisdictions, elaborated on legal culture and history in Asia, and further explained the objectives of the Max Planck Institute's project on IP in Asia. The last book published as part of the project was Japanese Copyright Law (2005) that paid tribute to Gerhard Schricker under whose benevolent guidance the project had been developed.

Since 2005, a further five volumes in the series were published, namely by Kung Chung Liu from Taiwan and Christoph Antons from Australia, both of whom had been closely involved in the conception and implementation of the Max Planck Institute's project.

One of the reasons for focusing on Asia – dynamic development and rapid change – also mean that books in this area get out-of-date relatively quickly. This is certainly true for intellectual property law in Korea, where frequent revisions of the IP laws and a very active judiciary meant that the first edition of 2003 had to be completely re-written, a task that was undertaken by a new generation of IP scholars and practitioners. Different from the previous edition, the statutory material is no longer contained in the book itself, but is available online at the site of the Legislative Center of the Korean Legislation Research Institute at: http://elaw.klri.re.kr/eng_service/main.do (search by field: industrial property law).

Relevant information could be considered up until 1 May 2015.

Byung-Il Kim & Christopher Heath

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