

International IP Training Courses in International Intellectual Property Training Institute (IIPTI)

Course Title	Contents	Qualified Participants	Period	Location
Joint CIPTC Training and Education Seminar	IP Protection For business Advanced overseas	Korean and Chinese business advanced overseas	Oct. (dates will be determined later)	Peking, China
WIPO PCT Seminar	Training on how to effectively use the PCT System	20 individual from 8 developing countries	Oct. 9 - 11	IIPTI
Training Program for Malaysian Patent Examiners	Intensive training course to teach Korea's patent examination know-how and searching methods for prior art	4 patent examiners in biotechnology from Malaysia	Oct. 22 - Dec. 22	IIPTI
KOICA General Training Course	Training on the KOICA Patent Information Automation	15 people from 10 countries	Nov. 4-20	IIPTI

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Korea-China Copyright Forum

When : September 17 ~ 19, 2007

Where : Beijing, China

Host Organization : Ministry of Culture and Tourism, Republic of Korea; National Copyright Administration of China

Organization : Copyright Commission, Republic of Korea; Copyright Protection Center of China

Contact No. : +82 (2) 3704-9474

Asia Pacific Copyright Forum 2007

When : October 18 ~ 20, 2007

Where : 2nd Grand Intercontinental Hotel (Samsung Dong)

Host Organization : Ministry of Culture and Tourism, Republic of Korea

Organization : Copyright Commission, Republic of Korea

Contact No. : +82 (2) 3704-9474



Publication

- Publisher: Commissioner Sang-Woo Jun, Korean Intellectual Property Office
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Subscription

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The Korea IP News Quarterly



It is a great pleasure to announce the publication of *the Korea IP News Quarterly*, a newsletter that will keep international readers informed of the achievements of the Korean government with respect to Korea's intellectual property (IP) administration.

Since the founding of the Korean Intellectual Property Office in March 1977, KIPO has continually endeavored to innovate and upgrade itself in order to offer the best IP administrative service in the world.

The total number of IP applications in the Republic of Korea was mere 25,000 in 1997. By last year, this number had increased dramatically to more than 370,000, making Korea the fourth largest country for IP application in the world. Moreover, the period for examining patents on a first-action basis, which averaged 36.9 months in 1996, has been drastically shortened. With last year's average of 9.8 months, we now have the fastest patent examination service in the world.

The quality of patent examinations has been significantly enhanced as well. For example, since KIPO was designated as an International Searching Authority by the World Intellectual Property Organization (WIPO) in 1997, there has been an increase in the number of foreign companies, such as Microsoft, which have requested our office to conduct international patent searches instead of using their own domestic IP offices. Furthermore, last year we conducted 3,900 international searches, which was the fourth highest number out of the 13 International Searching Authorities behind the European Patent Office, the Japan Patent Office, and the United States Patent and Trademark Office. To promote the protection and development of IP at a global level, KIPO is also engaged in various bilateral and multilateral forms of cooperation with international organizations such as WIPO and APEC, as well as with numerous other countries.

The global role and responsibility of KIPO has increased significantly as a result of our recent achievements, which have been remarkable from a qualitative and quantitative perspective. In spite of that success, there has been no effective or regular means of providing the global community with information about Korea's IP administration. To remedy this problem, we are now launching the very first issue of *the Korea IP News Quarterly*.

The Korea IP News Quarterly will comprehensively cover the major activities and information from all the IP-related governmental institutions in Korea, such as the Korea Customs Service, the Ministry of Justice, and the Ministry of Culture and Tourism. The newsletter will be composed of sections on patents, trademarks, utility models, copyrights, IP protection and enforcement; it will also feature a variety of articles for international readers who are interested in Korean IP administration.

The articles will highlight the most recent information on Korea's IP laws, regulations, policies and institutions. They will also focus on distinctive patents and applications for other types of IP rights. In addition, they will cover diverse topics such as dispute settlements that can serve as case studies for international readers and international cooperation with other governments and international organizations. I have every confidence that this newsletter will become successfully established as an effective vehicle by which international readers can enhance their understanding and awareness of Korea's IP administration.

Finally, I sincerely hope that all international readers will continue to take a deep and lasting interest in *the Korea IP News Quarterly*.

Thank you very much.

September 2007

Sang-Woo Jun
Commissioner
Korean Intellectual Property Office

Commissioner strengthens international ties at the WIPO General Assembly

“Commissioner Jun will deliver a keynote address, during which he will seek support for the inclusion of the Korean language as one of the official languages of publication”

Commissioner Sang-Woo Jun of the Korean Intellectual Property Office (KIPO) will attend the Forty-third Series of Meetings of the Assemblies of the Member States of the World Intellectual Property Organization (WIPO), which commences on September 24 in Geneva, Switzerland.

At the opening ceremony, Commissioner Jun will deliver a keynote address, during which he will seek support for the inclusion of the Korean language as one of the official languages of publication in the Regulations under the Patent Cooperation Treaty (PCT).

KIPO will also introduce and strongly promote an e-learning module called IP Panorama, which will be set up for display in a booth at the Geneva meetings.

In addition, Commissioner Jun will hold bilateral meetings with the US, Japan, China and Denmark and participate in the Meeting of Heads of Patent Offices, which includes the heads of the European Patent Office, the Japan Patent Office, the State Intellectual Property Office of the People's Republic of China, and the United States Patent and Trademark Office (USPTO).

On September 25, Commissioner Jun he will sign a memorandum of understanding on cooperation of establishment of an IP automation system between Korea and Indonesia.

In the bilateral meeting with the USPTO, Commissioner Jun discuss

how to firmly establish the Patent Prosecution Highway System between the two countries on the basis of the results of a pilot phase. He will also discuss with his counterpart, Mr. Jon Dudas, the issue of US support for Korea's proposal to have Korean included as a language of publication in the PCT regulations. The two heads will also discuss other important issues such as the reduction of PCT fees and the exchange and training of KIPO and USPTO examiners.

The agenda of the Meeting of Heads of Patent Offices includes a number of issues that are crucial for improving the international patent system, such as the backlog of examinations, the problems and future expectations with regard to the PCT system, and the mutual utilization of examination results.

By adopting a memorandum of understanding with Indonesia, Commissioner Jun will promote cooperation with Indonesia, particularly on intellectual property education and on the funding and establishment of a patent information system.

Commissioner Jun's active participation in the Forty-third Series of Meetings at Geneva and in various other meetings with leaders of the intellectual property field is expected to be a catalyst for a host of vigorous activities and tangible achievements on a bilateral and multilateral basis.

■ Kang-Min Lee, KIPO International Organization Team
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Amended Patent Act and Utility Model Act take effect

“Thanks to amendment of the Patent Act and the Utility Model Act and their entrance into force beginning July 1, a revised patent administration system was introduced that can promote better customer satisfaction and convenience in IP administration”

From July 1, inventors may apply for a patent without claims and delay submission of claims. As long as the applicant submits the claims until the time he/she requests the patent examination or one and a half years elapses since the application, the application is regarded as being applied at the time of application. Thanks to this new system, inventors (37% of whom are individuals or small- or mid-sized enterprises) may file easier patent applications and have ample time to prepare well-elaborate claims.

Now that the application date may be regarded still effective without submission of claims, the system makes it easier for inventors to preoccupy a faster application date and eventually a faster patent right.

Secondly, a patent examiner shall examine all the claims. When the examiner notifies a rejection of an application, the examiner shall

state concrete reasons for all the claims to be rejected. Now, applicants can figure out all the claims to be rejected and their reasons, so they can easily respond in order to earn the patent rights by either abandoning or supplementing some of claims.

Thirdly, in order to enable a fast patent application process, an examiner may make a decision whether to register the applied patent even before other documents are turned in if the applicant has such an intention.

Finally, 203 different kinds of document forms required for a patent application were unified and abolished to 63 kinds to simplify the patent application process. Now customers can receive an easier, faster and more convenient IP administration service.

■ Jong-Joo Park, KIPO Patent Examiner Policy Team TEL +82 [42] 481-5399



A KIPO-WIPO workshop in Daejeon, Republic of Korea, May 9-10, 2007

In the fiscal year of 2007-2008, the Korean Intellectual Property Office (KIPO) plans to undertake seven activities for developing countries and the least developed countries. The activities include the promotion of modern intellectual property administration through national projects, study visits, and so on; capacity building through a workshop for the least developed countries; the development of patent mapping modules; and a workshop on the effective use of the Patent Cooperation Treaty system.

The economic development of the Republic of Korea is attributed in no small measure to innovative IP administration and the establishment of an IP infrastructure. To share the experience of such development with developing countries and the least developed countries (LDCs), the Korean Intellectual Property Office (KIPO) established a special fund at the World Intellectual Property Organization (WIPO) in 2004. Called the Korea Funds-in-Trust, the fund has been used over the past four fiscal years to make voluntary contributions to WIPO projects worth KRW2.5 billion (US\$2.7 million).

Thus far KIPO has conducted 22 activities in support of 50 developing countries and LDCs. Seven more activities will be undertaken in the current fiscal year (ending June 2008). Examples of those activities include study visits, workshops, and support projects for national IP offices.

On-line exchange of priority documents

“KIPO plans to keep improving its patent administrative services by extending the on-line exchange of priority documents with other countries”

In July this year a new scheme was introduced for patent applicants with regard to the submission of documents for a claim of priority.

If you submit a patent application to either the Korean Intellectual Property Office (KIPO) or the European Patent Office (EPO), you no longer need to submit those documents to both offices. KIPO and the EPO have agreed to the on-line exchange documents for a claim of priority.

The claim of priority refers to a situation where a patent application is filed in two countries and the application date for the second country is deemed to be the same as the application for the first country.

To claim priority in the past, an applicant was required to collect the documents issued by the patent office in the first country and submit them to the patent office in the second country.

Introduction of KIPO's Funds-In-Trust activities

“KIPO will do its best to promote patent administration, protect international IP rights, and raise the international status of Korea, by strengthening international cooperation with WIPO, as well as with developing countries and LDCs”

The major activities to date can be summarized as follows:

- Raising IP awareness through nine projects, such as seminars, workshops, consultations, and study visits
- Strengthening the IP infrastructure through four projects, such as the establishment of IP information centers, support for free patent information search services, and the distribution of IP manuals
- Creating an environment for worldwide protection of IP through nine projects, such as developing and deploying administrative software for offices designated as receiving offices under the Patent Cooperation Treaty (PCT-ROAD), and holding seminars and workshops on the PCT and Madrid systems.

These efforts have earned KIPO a good reputation among the member states of WIPO.

Furthermore, KIPO will do its best to promote patent administration, protect international IP rights, and raise the international status of Korea, by strengthening international cooperation with WIPO, as well as with developing countries and LDCs.

■ Yun-Koo Hwang, KIPO International Organization Team
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However, as a result of the agreement between KIPO and EPO, you only need to enter the priority claim number, and KIPO and the EPO will find the relevant documents and exchange them on-line for you.

KIPO and the Japan Patent Office have been exchanging priority documents on-line since August 2002. As in that case, the adoption of the system between KIPO and the EPO is expected to alleviate the cost and administrative burden and enhance the convenience of applicants.

Depending on the outcome of this agreement, KIPO plans to keep improving its patent administrative services by extending the on-line exchange of priority documents with other countries.

■ Hyun-Hee Park, KIPO Technical Cooperation Team
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Korea-US Patent Prosecution Highway

“The Patent Prosecution Highway has the potential to significantly shorten the examination period and to drastically reduce the social and economic expenses of the applicant”

The Korean Intellectual Property Office (KIPO) and the United States Patent and Trademark Office (USPTO) have agreed to operate a system called the Patent Prosecution Highway on a pilot basis, beginning January 1, 2008.

The Patent Prosecution Highway is a priority system for patents application filed at both KIPO and the USPTO. When either office decides that an application is patentable, the other office will expedite the examination of that application by utilizing the examination results of the first office.

This agreement on the Patent Prosecution Highway is the second such agreement that KIPO has signed with an advanced country-the first being with the Japan Patent Office (JPO). The American agreement highlights the USPTO's recognition of KIPO's examination quality as well as its heightened status in the global intellectual property community.

The USPTO's patent examination period (on a first-action basis) currently averages 22.6 months. However, the Patent Prosecution Highway has the potential to significantly shorten the examination period and to drastically reduce the social and economic expenses of the applicant.

In May this year, Commissioner Sang-Woo Jun of KIPO submitted a proposal on the Patent Prosecution Highway to the Meeting of Heads of Patent Offices (which, besides KIPO and the USPTO, includes the JPO, the European Patent Office, and the State Intellectual Property Office of the People's Republic of China). Commissioner Jun suggested that the Patent Prosecution Highway (which was already operational between KIPO and the JPO and between the JPO and the USPTO) should be expanded to other patent offices, either bilaterally or multilaterally.

The USPTO expressed strong support for Commissioner Jun's proposal and, in June 2007, made an official proposal to establish such a system with KIPO, the result of which is the pilot scheme slated for early 2008.

Commissioner Jun will soon hold a bilateral heads meeting with the USPTO at Geneva and sign an official agreement on the Patent Prosecution Highway

■ Yeo-Wool Bae, KIPO International Cooperation Team TEL +82 (42) 481-5066 and Sang-Hyun Byun, KIPO Patent Examiner Policy Team TEL +82 (42) 481-5390

Launch of IP Panorama at the WIPO General Assembly

“Initiative in e-learning gives birth to IP Panorama”

At the Forty-third Series of Meetings of the Assemblies of the Member States of the World Intellectual Property Organization (WIPO) in Geneva, WIPO and the Korean Intellectual Property Office (KIPO) will officially release and promote IP Panorama, an on-line interactive multimedia program.

CD-ROMs containing all ten modules of IP Panorama will be distributed to all the members during the assembly meetings. In addition, from September 24 to 26, IP Panorama will be displayed in a showroom on the main floor of the WIPO headquarters.

This e-learning program was jointly developed by WIPO and KIPO, with technical assistance from the Korea Invention Promotion Association (KIPA). The aim of the program is to help small and medium-sized enterprises utilize and manage intellectual property (IP) in their business strategy. IP Panorama focuses more on practical IP knowledge rather than legal knowledge, as practical expertise is especially useful for adapting to real business situations. The ten modules of IP Panorama cover patents, trademarks, industrial designs, trade secrets, copyrights, technology licensing, IP auditing, and IP and international trade. The program combines state-of-the-art

computer technology with instructional design technology; that is, it is based on the so-called storytelling strategy.

Various IP offices, such as those of Thailand and Hong Kong, are interested in converting IP Panorama into their own language, and WIPO and KIPO are eager to cooperate on any such project.

In Korea, IP Panorama has already been used as an advanced form of teaching in the field of IP. Sixty-five patent attorneys have acquired a certificate after studying the IP Panorama program and they have given positive feedback. The high regard of IP experts reflects the value of IP Panorama as a teaching material. IP Panorama is expected to be used in the fall semester of 2007 at several colleges. The Korea University and Yonsei University, which are among the top five universities in Korea, have decided to launch a credit course to enhance the IP knowledge of their students.

KIPO and WIPO will distribute IP Panorama around the world. It will be available at the IP Academy (www.ipacademy.net), which is operated by KIPO and KIPA, and at the SME Web site of WIPO (www.wipo.int/sme).

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The 2007 Counterfeit Comparison Exhibition

The Counterfeit Comparison Exhibition helped participants to carefully tell the difference between authentic items and counterfeit items

The Korea Customs Service hosted the 2007 Counterfeit Comparison Exhibition at COEX, Seoul, from July 24 to 26, to protect the rights of customers and the owners of intellectual property and to establish a sound environment for commercial transactions. The various displays enabled the public to compare authentic and counterfeit versions of everyday goods.

A thousand items bearing 51 different brand names were displayed in 33 booths. The displayed items included fake versions of globally recognized fashion brands, such as Gucci, Louis Vuitton and Armani. Infringements

of design rights and patent rights were clearly evident in numerous everyday items such as medicines, athletic equipment, and spare parts for cars and motorcycles.

The exhibition helped participants to carefully tell the difference between authentic items and counterfeit items. It also raised public awareness of the abuses caused by counterfeit goods. Participants were given the opportunity of learning how to appreciate authentic products and how to avoid being fooled by the elaborateness of counterfeit goods.

A survey confirms that 86% of the 1472 participants felt that the exhibition was helpful



for identifying counterfeit items. The portion of respondents who said they still intended to buy counterfeit goods after the exhibition fell from 33% to 16%.

■ Sung-Soo Sohn, KCS Investigation Planning Division TEL +82 (42) 481-7942

The Fake Fee Project: a crackdown on counterfeit goods

The Korea Customs Service organized anti-counterfeit investigation teams and conducted the Fake Fee Project to seize a vast amount of counterfeit goods

The Korea Customs Service formed 57 anti-counterfeiting teams from a staff of 140 officials, whose exclusive aim is to seize counterfeit goods under an intensive seizure campaign code-named the Fake Fee Project. The project commenced last year and was repeated again this year.

This year the Fake Fee Project unearthed 320 counterfeit cases worth an estimated value of KRW114.7 billion. In comparison with last year's results, these figures represent a 12% reduction of cases and a 70% reduction in the estimated value of the seized goods.

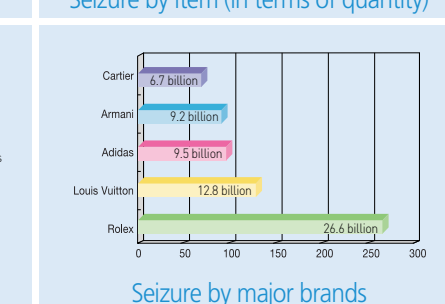
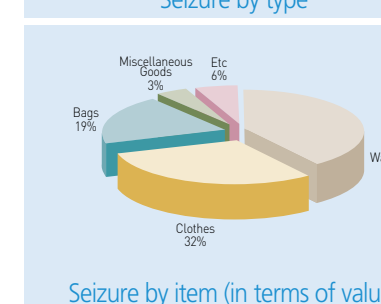
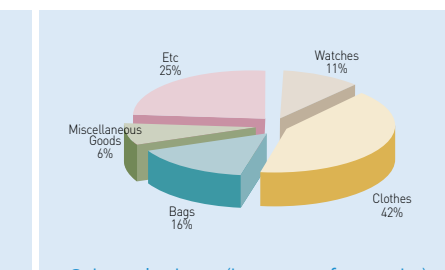
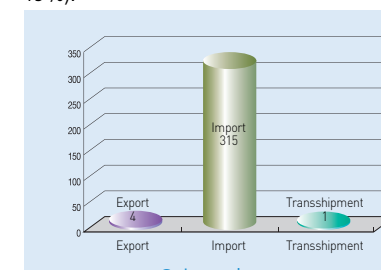
The reduction in the number and value of seized items appears to stem from the intensive anti-counterfeiting measures, which have reduced the major intellectual property infringements and turned them into petty counterfeiting cases or intellectualized cases which take advantage of travelers and Internet communications.

If we analyze the project results by type, we can see that imported freight constitutes the largest portion (315 cases, 98%), followed by exporting freight (four cases) and transshipment freight (one case).

In terms of specific items seized, clothing made up the largest portion (137 cases, 42%), followed by bags (51 cases, 16%) and watches (37 cases, 11%). The most valuable items were watches (KRW58.5 billion, 40%), presumably because authentic watches are expensive; the watches were followed by clothing (KRW46.7 billion, 32%) and bags (KRW26.8 billion, 19%).

The most frequently counterfeited brand names were Rolex (KRW26.6 billion), Louis Vuitton (KRW12.8 billion), Adidas (KRW9.5 billion) and Armani (KRW9.2).

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Contest on user-created content highlights intellectual property rights

The best way of minimizing the demand for counterfeit goods is to educate the public on the economic loss caused by counterfeit goods

To enhance public awareness of intellectual property rights (IPRs), the Korea Customs Service hosted a public contest on user-created content (UCC) around the theme of IPRs. Held between June 11 and August 16 this year, the aim of the contest was to educate the public on topics such as the necessity of intellectual property (IP) protection, the abusive effects of IP infringement, how to identify counterfeit goods, and the seizure of counterfeit goods.

The contestants submitted a total of 24 creative and vibrant UCC presentations, and the major prizes and supplementary prizes were awarded to the top eight submissions.

The best works will be registered on the Web site of the Korea Customs Service and displayed on public bulletin boards at airports nationwide, where they will be used to promote public awareness of IPRs.

Earlier in the year, from May 4 to 16, the Korea Customs Service ran a poster contest among its staff on the theme of IPR protection. The first prize (out of 231 posters) was awarded to Mr. Hongman Kim from the Masan Customs Office,

for his poster titled, "My mind is the excellent product which overcame the temptation of counterfeit goods".

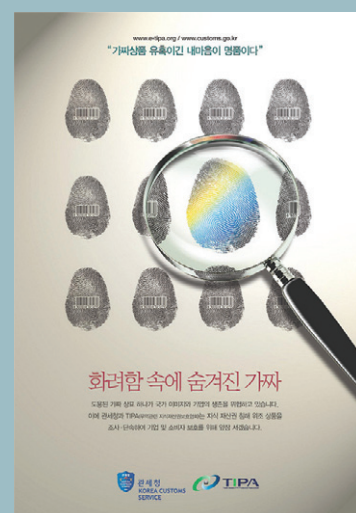
In yet another IPR protection campaign for domestic and foreign businesses, the Korea Customs Service produced a thousand anti-counterfeiting posters for display at airports and other locations with a large flow of people. The aim of the campaign is to eradicate counterfeit goods by enhancing public awareness of the harm they cause. This campaign was conducted in conjunction with the Trade-related IPR Protection Association, which was established in December last year.

The best way of minimizing the demand for counterfeit goods is to educate the public on the economic loss caused by counterfeit goods. Thus, the Korea Customs Service is committed to running further public awareness campaigns on the ills of counterfeit goods, as well as strengthening its border protection measures.

■ Keun-Hoo Lee, KCS Fair Trade Division, Korea Customs Service TEL +82 (42) 481-7637



The presidents of major IP-related associations and the comedian Jun-Ha Jeong participate in a finger printing event aimed at promoting the rejection of counterfeit goods.



Best poster in the poster campaign

Detection of intellectual property offences (January to July 2007)

Between January and July 2007, the Ministry of Justice was responsible for the detection of 19,390 cases of counterfeiting, involving 25,645 persons, of whom 362 were arrested for infringement of Korea's intellectual property laws. Compared with 2006, the number of persons detected in counterfeit activities dropped by 31% (37,146 persons) and the number of persons arrested fell by 54% (787 persons).

Description	Total		Trademark Act, Unfair Competition Prevention and Trade Secret Protection Act		Copyright Act		Computer Programs Protection Act		Sound Records, Video Products and Game Software Act		Industrial Design Protection Act, Patent Act, Utility Model Act	
	Case	Person	Case	Person	Case	Person	Case	Person	Case	Person	Case	Person
Total	19,390	25,645	3,455	5,187	9,888	10,850	1,760	3,091	3,493	5,163	794	1,353
		362		125		0		5		230		2

International meeting scheduled for the latter half of 2007

Name	Date	Participants	Organizer	Contact No.
Competent Authorities Meeting on IPR Protection	September or October	Ministry of Justice, Supreme Prosecutors' Office, Seoul Central District Prosecutors Office, US Embassy, American Chamber of Commerce, European Commission's Delegation to the Republic of Korea, European Union Chamber of Commerce, Japanese Embassy, Seoul Japan Club, Japan External Trade Organization	International Criminal Affairs Division of the Ministry of Justice	Jang Jeong Ho +82 (2) 503-7058

Amendment and Enforcement of the Copyright Act in the digital era

The Act strengthens the protection of on-line and off-line copyrights by imposing greater responsibility on on-line service providers

The Ministry of Culture and Tourism announces measures to eradicate products that infringe copyrights

Public awareness of copyright issues is negligible, and these industries can be seriously damaged by unlawful reproduction of copyright material

A significantly amended version of the Copyright Act was promulgated on December 28, 2006, in response to new services that surfaced due to the development of digital technology. In addition, amendments to raise the standard of copyright protection to a global level entered into force on June 29, 2007.

The newly amended Act promotes development of the cultural contents industry, which is at the core of national competitiveness in the 21st century. In particular, the Act enables the preparation of various institutional mechanisms that promote fair use of copyright-related works.

The Act strengthens the protection of on-line and off-line copyrights by imposing greater

On 22 August 2007, the Ministry of Culture and Tourism announced new measures for eradicating products that infringe copyrights.

Copyright-related industries, such as the film, music and game industries, are expanding each year in the knowledge society of the 21st century. However, public awareness of copyright issues is negligible, and these industries can be seriously damaged by unlawful reproduction of copyright material. So, the Ministry of Culture and Tourism prepared and announced the following measures to eradicate the products that infringe copyrights:

- (1) increasing public awareness of copyright protection through various media campaigns on the theme of banning unlawful reproduction, operating an on-line copyright class for youth (<http://1318.copyright.or.kr>) and establishing a pool of copyright instructors; through consultation with the Ministry of Justice, such classes may offer suitable education for offenders in lieu of prosecution
- (2) creating a convenient environment for using copyright-related products by expanding the establishment of a comprehensive approval system for the use of copyright material and a copyright-free Web site (<http://freeuse.copyright.or.kr>)
- (3) establishing a system of preventing copyright infringements by strengthening

responsibility on on-line service providers and by expanding the application of the law to a third party who is not the relevant copyright holder. The Act also includes a new provision on the establishment of various institutional mechanisms that promote fair use of copyright-related products through the donation of copyrights.

The Ministry of Culture and Tourism expects the amended Copyright Act to enable the establishment of an effective domestic copyright foundation. The Ministry also expects the Act to enhance the national status of copyright protection and improve the mechanism for meeting the global standards.

■ Sung-Jin Kim, Ministry of Culture and Tourism, Copyright Policy Team TEL +82 (2) 3704-9473

preliminary functions that promote the settlement of disputes, for instance through the provision of copyright guidelines, the establishment of a system for tracking unlawful copyright products, and the introduction of a governmental mediation system

(4) conducting intensive seizures of unlawfully produced DVDs in crackdowns conducted jointly with the Public Prosecutor's Office, the National Police Agency and the Ministry of Culture and Tourism; and giving positive consideration to the introduction of special juridical and police authority to facilitate the conducting of exclusive and fast criminal investigations in the copyright area

(5) requiring special on-line service providers to set up a filtering that minimizes unlawful transmission of on-line services; and imposing fines for breaches of this requirement.

The Ministry of Culture and Tourism predicts a sales increase of about KRW5 trillion by 2010 and the creation of new jobs for 56,000 people following the eradication of unlawful reproductions in the film, music and game industries. Furthermore, in the related manufacturing and service industries, sales are expected to exceed KRW50 trillion and new jobs are likely to number more than 70,000.

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