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Annual Report 2000

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The Korean Intellectual Property Office



Overview of **KIPO** Administration
Overall Review of the Year **2000**

Constant **Expansion** and Stable Diffusion of Intellectual Property Administrative Information

Streamlining KIPO's Administrative Procedures and **Operations**

Commitment to the **Advancement** of the IPR Legal System

IPR Protection and Heightened Enforcement

Encouragement of Invention and **Support** for its Commercialization

Strengthened International **Cooperation** in the Field of IPR

Human Resource Development Activities

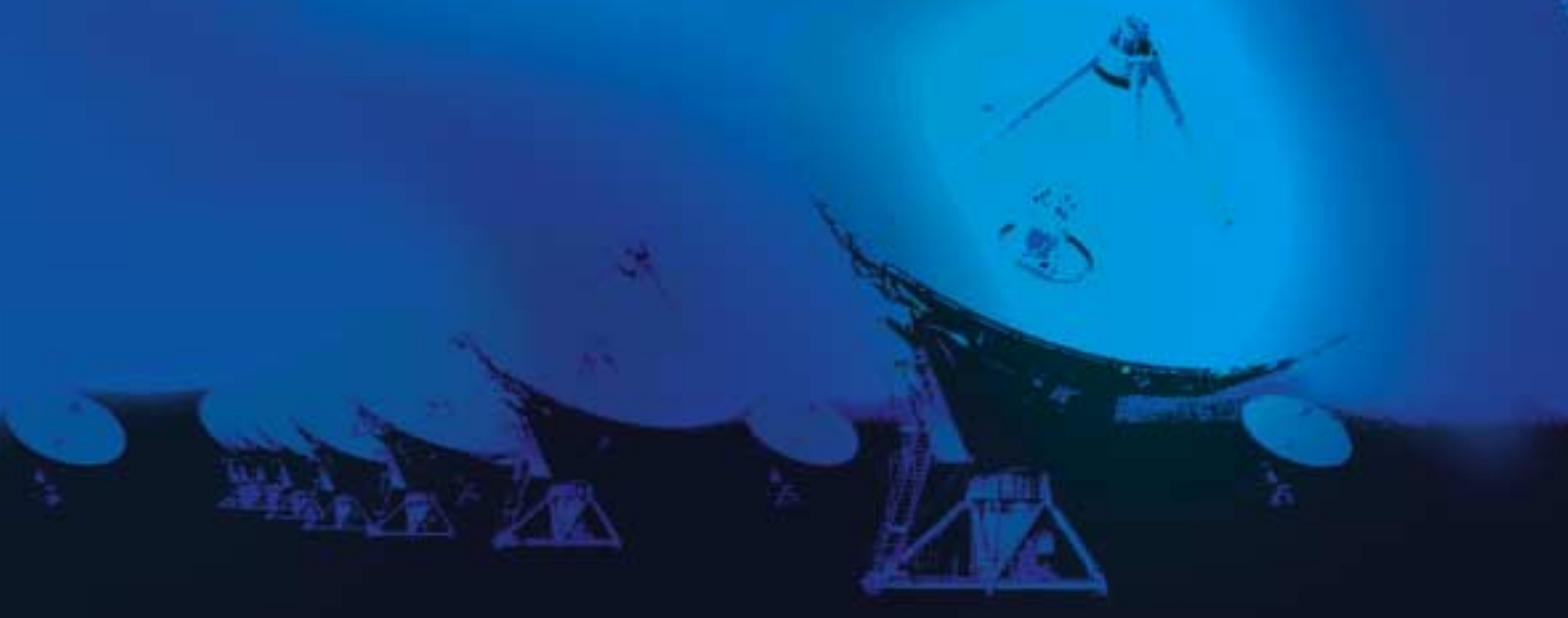
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Cheomseongdae ("Star Gazing Tower") Observatory
Built in 634 A.D. during the reign of Queen Seondeok, the 27th Ruler of the Shilla Dynasty.

Foreword



LEEM, Laegue
Commissioner



In today's economic environment, often called a knowledge-based economy, knowledge and information function as sources of value-added creation and the crucial element of competitiveness. The enormous wave of metamorphoses lead by the information technology revolution and further integration of the global economy has shattered the territorial separation of national boundaries and the world economic system has entered into an era of infinite borderless competition.

In such a knowledge-based-economic society, it is acknowledged that IPRs, such as patent and trademark, are indispensable for economic management and development in the 21st century from the view point of providing incentives for consistent technological innovation. In addition, protection and nurturing of such intellectual properties have emerged as vital tasks for the continuous advancement of the national economy.

The Korean Intellectual Property Office (KIPO), which is responsible for managing the institutional infrastructure for the support of IPR creation, acquisition, and utilization, has continued in the last year to make every effort to aggressively cope with the demand of today's changing innovation environment.

To this end, KIPO has employed an open-door policy for more efficient IPR administration corresponding to international harmonization trends and for the improved convenience of customers. At the same time, KIPO has consistently maintained its policy to deliver a superior quality of examination and trial examination through fostering the expertise of examiners and trial examiners as well as improving various procedures and practices. In addition, KIPO has realized the accurate and prompt handling of overall administrative procedures through systematically enhancing the computerized office environment.

For the effective implementation of the above missions, KIPO has proposed three primary visions that intellectual property administration should abide by in the 21st-century knowledge-based-economy: IPR administration endeavoring to be the world's best, IPR administration leading social transformation into a knowledge-based economy, and IPR administration rooted in the public's daily life. Under these three visions, KIPO has set up and implemented 67 key directives and 468 detailed action plans.

KIPO's efforts, represented by the Combined IPR Administration Innovation Project, were enhanced by the adoption of Total Quality Management System (TQM) and Knowledge Management System principles, widely used by private enterprise management, for the heightened productivity of IPR administration and significant advancement of the IPR system. KIPO's efforts, which are based upon the entire staff's voluntary participation and experimental spirit, have aimed at the expansion of customer satisfaction and begun to offer IPR administrative services of a higher quality.

With the foundation of efficient organizational operation via internal innovation, KIPO will actively participate in the various international activities and the process of establishing new standards in the IPR field. Also, KIPO will keep pace with the world's efforts for harmonization and advancement of IPR administration.

I hope this Annual Report helps you to better understand the IPR system and the current status of IPR-related issues in Korea.

Sincerely,



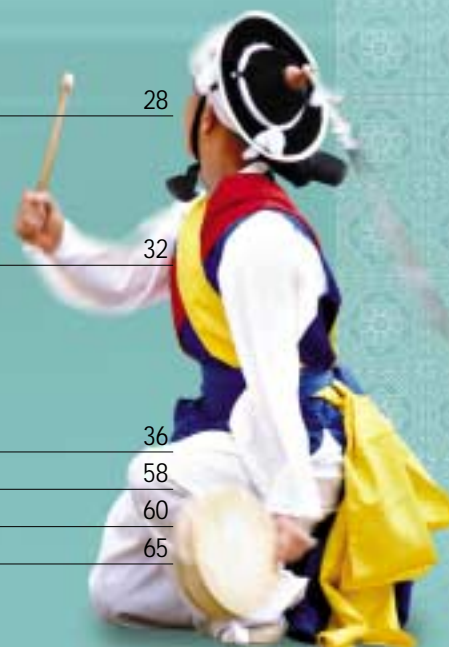
Haesikye
A traditional Korean sun dial.

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KIPO has revised and made provisions for implementing IPR-related laws and regulations in order to prepare for bringing the legal system in line with international standards.

Overview of the KIPO Administration

The 21st century will have knowledge-based societies which will be more dependent upon creative knowledge and information than ever before. Today's world is already experiencing the information and digital revolution era. In this regard, IPR will extend its role as the locomotive of the 21st-century knowledge-based society.

In the 21st century, with such new challenges, the role of the government organization in charge of IPR affairs is acknowledged as more crucially important than ever before. In coping with today's trends, KIPO is expanding its infrastructure to transform Korea to a knowledge based society via striving for the provision and diffusion of technology and encouraging technological innovation and invention.

KIPO's key IPR policy emphasizes further technological development, the implementation of an IPR system for appropriate and effective IPR protection, as well as infringement prevention, and the creation of a friendly environment to promote foreign investment and increase trade.

Further to this policy, KIPO has launched diverse efforts for system revision, especially for prompt and accurate examination and appeal/trial examination for earlier right acquisition through securing excellent examination expertise and expanding the scope of prior art search out-sourcing.

During the year 2000, the highest number of IPR applications ever submitted were recorded at a total of 282,767. This indicates that the nation-wide management innovation and restructuring efforts for overcoming the economic crisis for the last couple of years have begun to bear fruit.

Despite significant increase in applications, KIPO has taken measures to maintain the pendency period at the world level and to improve examination quality and productivity. The examples are:

- Greater expansion of out-sourcing scope of prior art search
- Enhancement of computerized examination systems to effectively assist examiners.
- Establishment of the Examination Review Division and implementation of the Merit Award System for Excellent Examiners

- Improving the effectiveness of examination practices through various efforts such as the activation of the group examination system for applications with multi-fold technologies.
- Maintaining the pendency period of 20.6 months for patent and 9.8 months for trademarks with the first action standard.

Furthermore, KIPO opened the Home Filing Era by launching the world's first full-scale on-line electronic application system through the Internet. KIPO focused on system stabilization and high performance upgrades in order to establish the base for a Cyber IP office and provided customer oriented IP services.

In addition to these IPR management and operation revisions, KIPO has revised and made provisions for implementing IPR-related laws and regulations in order to prepare for bringing the legal system in line with international standards.

First of all, KIPO streamlined the procedures for IPR acquisition, enhanced the protection levels, and at the same time internationalized the IPR legal system by actively introducing the current international standards.

- Improvement of the amendment system, appeal/trial system, and technology evaluation system of utility models by revising the Patent Law and the Utility Model Law.
- Revision of the Trademark Law in order to meet the requirements for accession to the Trademark Law Treaty and the Madrid Protocol.



The 36th Annual Invention Day Ceremony at COEX Auditorium in Seoul, held May 19, 2001, and attended by (Left to right) Lee, Sang hee, Korea Invention Promotion Association President, Minister Chang, Che shik of the Ministry of Commerce, Industry and Energy, President Kim, Dae jung, First Lady Lee, Hee ho, and KIPO Commissioner Leem, Laegue.

- Revision of the Unfair Competition Prevention and Trade Secret Protection Law in order to strengthen the well-known trademark protection.

In the year 2000, KIPO achieved a conspicuous outcome in preparing the patent protection standards for e-commerce, bio-technology, and new technology fields.

- As patent applications for business methods utilizing the Internet increases, KIPO formulated the Examination Guideline for E-commerce Related Inventions to clarify the examination standards and strive for early rights acquisition through an accelerated examination process of inventions with a short life cycle.
- KIPO revised the Examination Guideline for Bio-technology Related Inventions so that a patent may be granted only where a DNS sequence listing can prove the concrete utility for a certain disease treatment and rejected where a DNA sequence listing cannot prove its function.

KIPO has also unfolded a diverse IPR enforcement approach to enhance IPR protection such as crackdown activities for the prevention of counterfeit goods manufacture and circulation.

- KIPO revised the related provisions in order to easily appraise the damage amount and to increase the penalty to maximum 7 years imprisonment and maximum fine of 100,000,000 Won.
- the Revised Unfair Competition Prevention and Trade Secret Protection Law also reflects Korea's will to strengthen and increase anti-counterfeiting activities and raise the penalty against trade secret infringement.
- KIPO plans to continue its enforcement policy against counterfeit goods manufacture and circulation under the viewpoint that counterfeit goods encroach upon another person's intellectual property rights, create an unfair business environment, and cause trade conflicts.

Internationally, KIPO began acting as a PCT International Searching Authority (ISA) and International Preliminary Examining Authority (IPEA) on December 1, 1999. During the year 2000, KIPO received 1,573 PCT requests and was ranked the 11th largest Receiving Office in the world. Simultaneously, KIPO's ISA capacity is growing quickly with the 1,282 international search requests, and is now the 6th largest ISA in the world. KIPO has positively participated in the formulation process of international standards through multilateral cooperation with WIPO (World Intellectual Property Organization), APEC (Asia-Pacific Economic Cooperation), and WTO/TRIPs Council. At the same time, KIPO is expanding the scope of bilateral cooperation through heads meetings with major offices in the U.S.A., EU, China, and Japan.



Atrium of the Daejeon Government Complex which houses KIPO as well as 10 other government agencies.



At KIPO's invitation, students from an elementary school tour the Inventor's Hall of Fame at KIPO.



A total 282,767 IPR applications were filed in 2000, the highest number of applications filed to date. This was an increase of 51,739 (22.4%) over applications filed in 1999.

Overall Review of the Year 2000

1. Applications

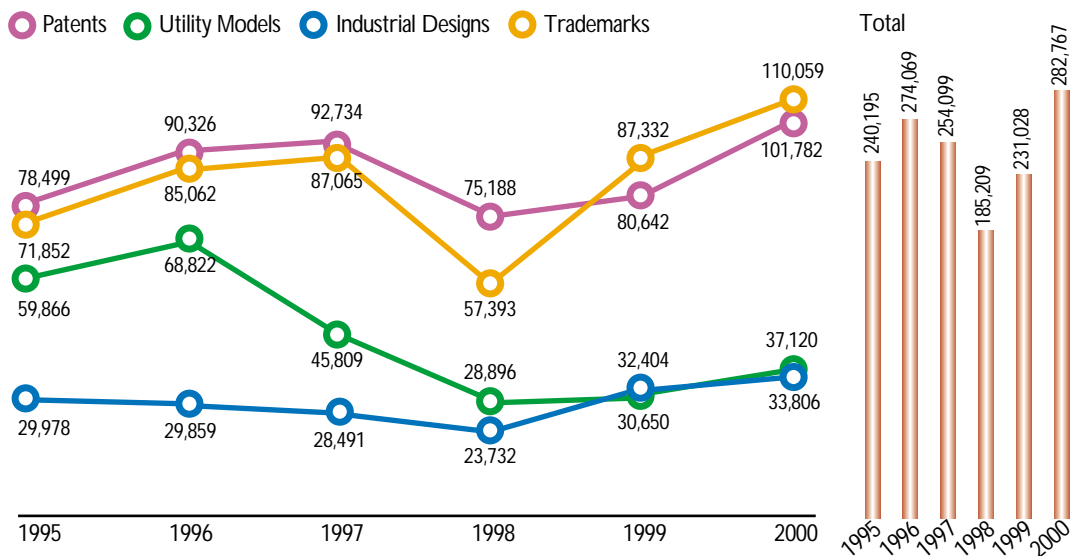
A total 282,767 IPR applications were filed in 2000, the highest number of applications filed to date. This was an increase of 51,739 (22.4%) over applications filed in 1999. The increases of applications in each field are; 26.2% increase for patents, from 80,642 applications in 1999 to 101,782 in 2000; 21.1% increase for utility models, from 30,650 applications to 37,120 applications; 4.3% increase for design, from 32,404 applications to 33,806 applications; 26.0% increase for trademark, from 87,332 applications to 110,059 applications.

The dramatic climb in applications was due to the increase of patent and trademark applications by 20 to 30% as the domestic market was revitalized concurrent to the economic recovery. Also, the government's knowledge-industry-fostering policy contributed to the application increase in patents and utility models as the patent and utility model applications from newly established venture companies proliferated with the booming venture industry.

Applications by domestic residents were recorded at a 23.2% increase over the previous year, (232,251 applications) comprising 82.1% of total applications. Applications filed by foreign nationals numbered 50,516. A 18.6% increase over the previous year, consisting of 17.9% of the total applications. Applications by Korean nationals still dominate the application pool. Among applications by foreign nationals, patent applications increased by 15.0% (24,672 → 29,014), utility models increased by 11.6% (306 → 346), design increased by 11.3% (1,533 → 1,729), while trademark increased by 17.3% (16,070 → 19,427). The comparison of foreign applications by country shows that the top three countries are: Japan (17,105 cases, 33.9%), U.S.A. (16,257 cases, 32.2%), and Germany (4,199 cases, 8.3%), possessing 74.4% of the total foreign applications.

Applications by Koreans and Foreign Entities		(Case, %)				
Classification		1999		2000		Increase over the previous year
		Number	Percentage	Number	Percentage	Ratio
Patents	Korean	55,970	69.4	72,768	71.5	2.1P
	Foreign	24,672	30.6	29,014	28.5	△ 2.1P
	Total	80,642	100.0	101,782	100.0	
Utility Models	Korean	30,344	99.0	36,774	99.1	0.1P
	Foreign	306	1.0	346	0.9	△ 0.1P
	Total	30,650	100.0	37,120	100.0	
Designs	Korean	30,871	95.3	32,077	94.9	△ 0.4P
	Foreign	1,533	4.7	1,729	5.1	0.4P
	Total	32,404	100.0	33,806	100.0	
Trademarks	Korean	71,262	81.6	90,632	82.3	0.7P
	Foreign	16,070	18.4	19,427	17.7	△ 0.7
	Total	87,332	100.0	110,059	100.0	
Total	Korean	188,447	81.6	232,251	82.1	0.5P
	Foreign	42,581	18.4	50,516	17.9	△ 0.5P
	Total	231,028	100.0	282,767	100.0	

Application Status



2. Examinations

A. Patents and Utility Models

KIPO changed the delivery performance measures to the first action standard to correspond to the international standard. In 2000, KIPO delivered a total of 137,117 examinations (patent examination: 68,338 and utility model examination: 68,779). Of the total 68,779 utility model registration applications, 28,236 (41%) applications were filed prior to July 1999, and did not

qualify for processing under the Quick Registration System. However, 40,543 applications (59%) were filed and processed under the Utility Model Quick Registration System.

B. Trademarks and Industrial Designs

Trademark examination delivery increased by 12% to 83,358 in 2000 from 74,450 in 1999. This was a result of upgraded examination delivery speed based upon improving the functions and performance of the trademark search system. Designs examination delivery increased 7.6% from 26,985 cases in 1999 to 27,540 cases in 2000. This was due to the creation of an efficient examination environment through the continuous revision and classification of the design examination references.

3. Registrations

The registered IPRs in 2000 numbered 126,261 which was a 14.8% decrease from the previous year. Renewed registrations by annual fee payment was 133,510 (27.9% increase) and the registration change-by- assignment was 118,898 (10.9% increase).

According to the new registration trend, utility model registrations showed a consistent rate of increase at 26.9%, while registration of patent, design, and trademark decreased by 44.3%, 4.1%, and 6.6% respectively. Due to the economic crisis of 1998 and the 24 month average processing time from filing to registration, there was a 44.3% decrease in patent registrations.

The new registration trend by industry shows that the electronic communication field, with cutting-edge technology, occupies 30,738 cases (40.1% of total 76,620 cases) and the machinery field with added-value bearing potential occupies 17,704 cases (23.1% of total cases). Registrations in these two fields occupy 63.2% of total cases.

The comparison of registration ratios between individual and legal entities show that individual registration increased by 36.2% (47,729 cases), while registration by legal entities decreased by 30.6% (78,532 cases). Registration by domestic residents occupies 84.1% of the total cases

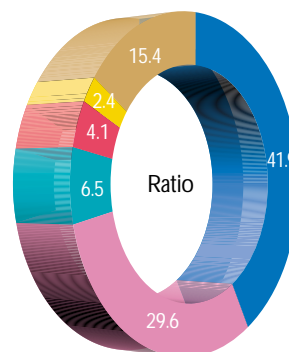
Registration Trend					
Classification	1996	1997	1998	1999	2000
Patents	16,516 (32.0)	24,579 (48.8)	52,900 (115.2)	62,635 (18.4)	34,894 (Δ 44.3)
Utility Models	9,191 (12.8)	13,713 (49.2)	25,717 (87.5)	32,868 (28.0)	41,726 (26.9)
Designs	20,192 (18.9)	24,633 (22.0)	24,931 (1.2)	19,636 (Δ 21.2)	18,835 (Δ 4.1)
Trademarks	26,464 (Δ 11.2)	42,484 (60.5)	59,611 (40.3)	32,968 (Δ 44.7)	30,806 (Δ 6.6)
Total	72,363 (7.3)	105,409 (45.7)	163,159 (54.8)	148,107 (Δ 9.2)	126,261 (Δ 14.8)

* Remark: Trademark renewal excluded, () rate of increase over the previous year.

Individual . Legal Entity & Domestic Residents . Foreigners Registration Trend							(case, %)
Classification		1996	1997	1998	1999	2000	Increase Rate
Status	Individual	17,849 (24.7)	22,411 (21.3)	29,649 (18.2)	35,100 (23.7)	47,729 (37.8)	36.2
	Legal Entity	54,514 (75.3)	82,998 (78.7)	133,510 (81.8)	113,108 (76.3)	78,532 (62.2)	△ 30.6
Nationality	Domestic Resident	55,482 (76.7)	81,497 (77.3)	125,401 (76.9)	117,366 (79.2)	106,242 (84.1)	△ 9.4
	Foreigner	16,881 (23.3)	23,912 (22.7)	37,758 (23.1)	30,842 (20.8)	20,019 (15.9)	△ 35.1
Total		72,363 (100.0)	105,409 (100.0)	163,159 (100.0)	148,208 (100.0)	126,261 (100.0)	△ 14.8

Registration by Foreign Nationals (case, %)

Nationalities	
● Japan	8,396
● U.S.A.	5,933
● Germany	1,304
● France	826
● United Kingdom	486
● Others	3,074
Total	20,019



* Remark: Trademark renewal excluded

(9.4% decrease from the previous year) while registration by foreigners occupies 15.9% (35.1% decrease from the previous year). Foreign registration by nationality shows that Japan (41.9%) and the U.S.A. (29.6%) combined to possess 71.5% of total foreign registrations and that Japan, the U.S.A., and Germany were strong in patent registration while France and Switzerland were strong in trademark registration.

By the end of 2000, the total registrations were 1,230,757. However, existing registrations were only 909,312 because 321,445 of the registrations (26.1%) expired due to nonpayment of annual fees, patent term expiration, right abandonment, and invalidation trials.

4. Appeals/Trials

Appeal/Trial requests in 2000 totaled 5,880 cases which was a 20.7% decrease in comparison to that of 1999. Appeals/Trials in patent and utility model were 2,585 (36.7% decrease) and appeals/trials for trademark and design were 3,295 (1.1% decrease). 2,963 appeal/trial cases were delivered in patent and utility model while 3,431 appeal/trial cases were delivered in trademark and design (total 6,394 cases). The number of delivered appeal/trial cases per single trial examiner was 94 in patent and utility model and 170 in trademark and design.



The on-line application rate increased from 57.3% in January 1999, the early period of on-line application, to 87.3% in December 2000.

Constant Expansion and Stable Diffusion of Intellectual Property Administrative Information

1. The Launch of KIPOnet

Since the early 1990s, KIPO has experienced a sharp increase in IP applications. Since 1995, the number of IP applications received has reached over 200,000 annually. KIPO realized that it could not handle the workload by the traditional method of manually handling paper-form documents. Therefore, KIPO began a project to automate IP administration procedures from filing, to receipt of documents, examination, registration, and finally, to the publication of official gazettes in November 1995. As a result, KIPO completed the development of the KIPOnet System in December 1998. The goals of KIPOnet development were to provide prompt and accurate IP administration service to applicants and researchers as well as to effectively cope with the ever-increasing demand for application examinations and appeals/trials within our Office.

The launch of KIPOnet ushered in the era of home filing, in which applicants do not have to visit our office to submit applications. KIPOnet elevated the level of user service by enabling applicants to register their rights, inspect necessary application records, and request as well as receive miscellaneous certificates through on-line communications. KIPOnet also utilizes the Internet Video Conference System by which our office and users can communicate interactively with each other, resulting in a significant narrowing of the gap between the public and the administration office.

2. Stabilization and Refinement of the KIPOnet Operation

KIPOnet became fully operational in January 1999 along with the Internet On-Line Application System. It is functioning at an operating level of 99.83% and enjoys the popular support of users.

KIPO has achieved the further advancement of the KIPOnet System since its inception. In order to improve users' convenience, KIPO began the Same-Day Notification Service which enables applicants to confirm the acceptance status of on-line applications within one day. KIPO also initiated the On-Line Payment System through which applicants can make fee payments to KIPO from home, using Internet Banking.

For the purpose of raising the stability and efficiency of program development, new programs are tested, before installation, on the KIPOnet operational environment within the Model Office, a virtual office environment which mirrors every function of KIPOnet. Launching the KIPOnet

Quality Management System enabled KIPO to manage outputs, draw data maps, automatically analyze data errors, and systematically manage data history.

KIPO also adopted a Single Sign-On System through the Integrated Management System and realized management automation to monitor the status of performance, breakdown, and repletion.

KIPO reorganized the process of application document handling, formality examination, and digitization of paper documents and automated the electronic conversion of paper documents by establishing the Data Conversion Center.

KIPO's educational and promotional activities helped to obtain the record setting growth of the on-line application rate. KIPO consistently upgraded and distributed free of charge electronic application software. It also provided free training on electronic application software along with running the UHD (User Help Desk), Field Access Helper System, and Happy Call. In addition, KIPO designated 50 model universities for utilizing KIPOnet and delivered related lecture courses at the International Intellectual Property Training Institute (IIPTI). As a result, the on-line application rate increased from 57.3% in January 1999, the early period of on-line application, to 87.3% in December 2000.



3. Enhancement of International Cooperation in the Field of IP Information Technology

KIPO is preparing to share IP-related information and materials, including priority documents with WIPO and other major IP offices, while working on dispatching KIPO's IT experts to WIPO's IMPACT project. KIPO is taking the firm position that the electronic exchange of PCT priority documents at the multilateral level with WIPO and participating WIPO's IT projects are essential to establishing international IPR standards and promoting of IPR around the world.

At the bilateral level, KIPO has held IT experts meetings with the Japanese Patent Office (JPO) twice in February and November, 2000 in order to strengthen cooperation in the IP administrative information field between Korea and Japan. In the meetings, the two offices agreed to continue discussions with an emphasis on the following agenda items: electronic filing systems, networking, data exchange, search systems, and search databases base including electronic exchange of priority documents and construction of a close circuit between the two Offices.

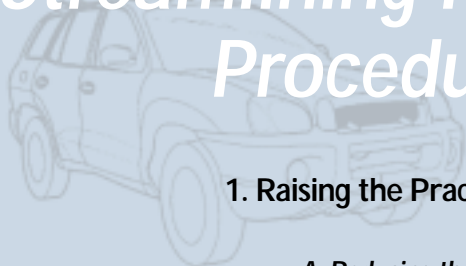
KIPO has sent KIPOnet experts to Brazil to assess the status of computerization of the National Institute of Industrial Property (INPI) and to consult with them on their needs as requested by the INPI. As a result, KIPO established a cooperative partnership with INPI in the computerization of IPR administration.

In addition, KIPO has discussed with the State Intellectual Property Office (SIPO), The People's Republic of China, various issues associated with computerization.



- ◎ *KIPO realized the pendency period of 20.6 months for patents and utility models by the end of 2000.*
- ◎ *During the year 2000, KIPO received 1,573 PCT requests and was ranked the 11th largest Receiving Office in the world. Simultaneously, KIPO's ISA capacity is growing quickly with the 1,282 international search requests, and is now the 6th largest ISA in the world.*

Streamlining KIPO's Administrative Procedures and Operations



1. Raising the Practice Efficiency in Examination and Appeal/Trial Procedures

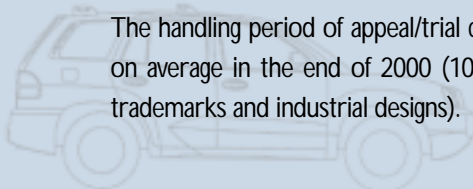
A. Reducing the Pendency Period of Examinations and Appeals/Trials

KIPO has changed the standard to monitor the examination handling procedure from the completion of an examination to first action to correspond with international trends. Under this new standard, KIPO realized the pendency period of 20.6 months for patents and utility models by the end of 2000 in continuation of 21 months of pendency period in the end of 1999. In the case of trademarks and industrial designs, the pendency periods of 9.8 and 7.1 months, respectively have been realized.

Examination and Appeals/Trials Delivery Trend		(Unit: Months)			
Year		End of 1997	End of 1998	End of 1999	End of 2000
Examination	Patents · Utility Models	36.0	28.1	23.6	20.6
	Trademarks	16.8	12.5	9.7	9.8
	Industrial Designs	11.0	7.3	7.2	7.1
Appeals/Trials		12.0	7.8	6.0	7.1

This is due to KIPO's efforts to improve examination practices through expanded outsourcing of prior art search and IPC classification, the stabilization of examination evaluation system, and drastic reinforcement of the computerized office environment.

The handling period of appeal/trial cases maintained the reduction trend by showing 7.1 months on average in the end of 2000 (10 months for patents and utility models and 5.0 months for trademarks and industrial designs).



B. Quality Improvement of Examination and Appeal/Trial Process

For the quality examination of intellectual property applications, KIPO implemented the Examiner Evaluation System by establishing the Examination Review Division.

For patent and utility model examinations, KIPO introduced the Group Examination System for combined technologies and the Examiner Team System for enhanced communication among examiners and adopted the Examination Manual and Guideline. At the international level KIPO, in cooperation with the JPO, carried out the Joint Prior Art Search Project with the goal of mutual recognition of prior art search results for the applications that are filed in both countries.

In trademarks and industrial designs, KIPO enlarged the search data base for higher quality of trademark examination, consolidated the examiner's reference tools, and continued to provide on-the-job training to examiners.

In the case of appeals/trials, KIPO made every effort to improve the performance of the trial examiners. KIPO repealed the Appeal Against Decision to Reject Amendment and Trial for Invalidation of Correction because they were procedurally insignificant and/or caused delays in examination and appeal/trial processes. For strengthened cooperation with the judicial branch, KIPO revised the law to exchange information on necessary areas such as infringement litigation.

KIPO also adopted the New Ruling Writing Method for easy and clear understanding of the disputed issues between parties and introduced the Early Public Disclosure System of Scheduled Appeal/Trial Cases which allows mutual notice and review among the pending appeal/trial cases for the purpose of heightening the fairness and consistency among appeals with similar issues.

The Appeal/Trial Closing Schedule Notification System, under which parties are notified of the closing schedule of appeals/trials 30 days in advance, was introduced to expedite the proceedings by encouraging early submission of responses and evidence and expand the opportunity opportunity concerned parties to submit opinions.

The Expedited Appeal/Trial System was revised by narrowing the scope of the subject of the Expedited Appeal/Trial System and streamlining the procedures, taking into account that too broad a scope of the subject would hinder the effectiveness of the system.



2. Carrying out the Roles of International Searching Authority and International Preliminary Examining Authority under the Patent Cooperation Treaty

KIPO has successfully stabilized the function of PCT/ISA and IPEA even though it began to carry out the role of PCT/ISA and IPEA only 13 months ago, in December 1999. The year 2000 was the turning point in KIPO's PCT history with the submission of a record setting 1,573 PCT applications. This record was an 84% increase over the previous year's PCT applications, making Korea the 11th largest PCT filing country in the world. This was partially due to KIPO's extensive public awareness campaign and designation of Korean as a search language for KIPO/ISA. Foreign PCT applicants also entering the Korean national phase were 15,133 (19.7% increase over previous year's 12,649 applications).

The workload of KIPO ISA and IPEA has conspicuously increased along with the explosively increasing PCT applications by Korean nationals, especially the sizable number of PCT applications in the Korean language. KIPO received 1,282 requests for international search in 2000, ranking as the sixth largest international searching authority in the world.

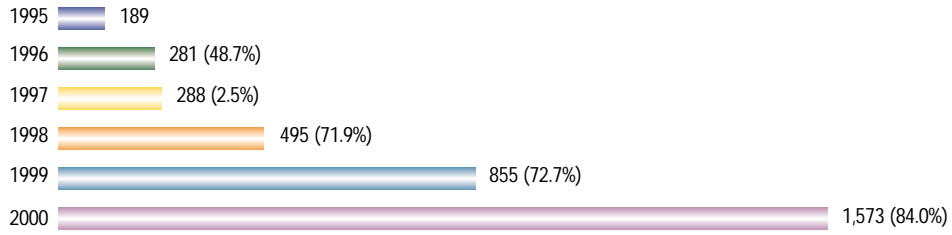
This PCT growth trend is expected to continue in the year 2001. KIPO's ISA and IPEA functions are also expected to rapidly grow in proportion to the increased rate of PCT applications in Korea.



A presentation explaining international applications under the Patent Cooperation Treaty (PCT) held at KIPO.

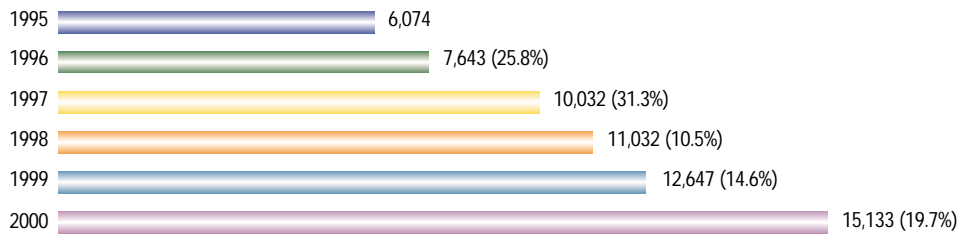
PCT International Filing Trend in Korea

(Unit: Number of Applications, Percentage increase over previous year)



Trend of PCT Applications Entering into Korean National Phase

(Unit: Number of Translations Received by KIPO, Percentage increase over previous year)





- ◎ Patent Law and Utility Model Law were comprehensively revised in order to harmonize with international trends and expedite the examination process.
- ◎ With the aim of joining the Madrid Protocol, KIPO has made provisions for implementing international trademark filing procedures and the Damage Compensation Claim System.
- ◎ Revision of Industrial Design Law for the Strengthened Protection of Industrial Designs in line with Industrial Advancement.
- ◎ KIPO achieved a conspicuous outcome in preparing the patent protection standards for e-commerce, bio-technology, and new technology fields.

Commitment to the Advancement of the IPR Legal System

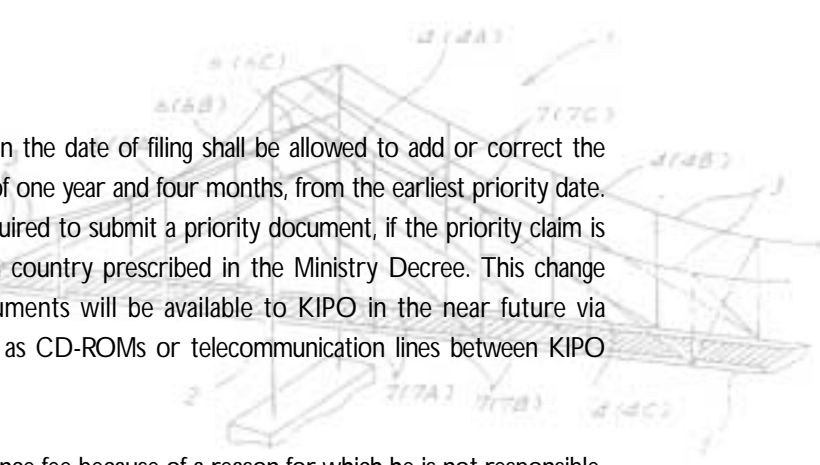
1. Improvement of the Patent and Utility Model Systems

The Patent Law and Utility Model Law were comprehensively revised, inter alia, to harmonize with the international trends, to attempt to expedite the examination and trial procedures, to reflect the changes of technology and examination circumstances, and to strengthen the protection of patent rights.

Reflecting the current tendency that technology disclosures on the Internet are more and more common, the disclosure of technology on a "specific telecommunication line" determined by the Presidential Decree is considered to have the same status of prior art as the disclosure in a printed publication. In addition, an inventor or his successor in title may seek exceptions to lack of patentability, where the patent application is filed within six months from the disclosure of the invention on a "specific telecommunication line."

The time limit for a voluntary amendment has been shortened from 15 months from the filing date or the priority date to the notice to grant or, if a reason of rejection is found, to the first notice to reject. This change reflects the fact that the examination of an application before the 18-month publication is common nowadays. Because of the expeditious character of the U.M. system, the time limit for a voluntary amendment in a U.M. application is 2 months from the filing date.

Even though the old provision prohibited changes to essential subject matter, the new provision prohibits the addition of new matter, which provides a reason for rejection. The specific standard used to determine whether an amendment includes new matter is almost the same as that under the old provision used to determine whether an amendment is within the scope of the description and drawings as first filed.



An applicant who claimed priority on the date of filing shall be allowed to add or correct the priority claim before the expiration of one year and four months, from the earliest priority date. Furthermore, an applicant is not required to submit a priority document, if the priority claim is based on an application filed with a country prescribed in the Ministry Decree. This change reflects the fact that priority documents will be available to KIPO in the near future via electronic or magnetic means, such as CD-ROMs or telecommunication lines between KIPO and other foreign offices.

If a patentee fails to pay the maintenance fee because of a reason for which he is not responsible, he may restore the patent right by paying the maintenance fee within 14 days after the reason vanished or within 6 months after the original time limit to pay the maintenance fee according to whichever comes earlier.

The penalty for patent infringement has been enhanced from 5 year imprisonment to 7 year imprisonment and from a 50 million Korean won fine to a 100 million Korean won fine.

2. Revision of Trademark and Industrial Design Laws

A. Revision of Trademark Law for User Convenience and Harmonization with International Treaties

In order to join the Trademark Law Treaty, KIPO streamlined the document forms and established the Goods Designation Conversion Registration System.

With the aim of joining the Madrid Protocol, KIPO has made provisions for implementing international trademark filing procedures and the Damage Compensation Claim System. However, provisions related to international trademark filing procedures under the Madrid Protocol will be enforced after the Madrid Protocol is effectuated in Korea.

For heightened protection of trademark owners, penalty amounts against trademark infringement were upwardly adjusted.

B. Revision of Industrial Design Law for the Strengthened Protection of Industrial Designs in line with Industrial Advancement

KIPO adopted the Partial Design Registration System for a wider scope of protection for industrial designs and eased the requirement for the registration of a design of a set of articles. The examination scope of registration requirement was expanded in order to minimize the creation of imperfect design rights. Also, the penalty provision against design infringement was enhanced for better protection of design right owners.

3. Appeal/Trial System Revisions

The Appeal/Trial System Revision Council was launched in January in order to raise the fairness,

expertise, and consistency in appeal/trial proceedings. The Fee Calculation and Payment Regulation was adjusted to bring appeal/trial fees in line with the administrative burden and to harmonize the appeal/trial fees according to the reasons for appeals/trials. The Rulings Search System was constructed by integrating the rulings by the IP Trial Tribunal and the Patent Court into a data base system. In addition, KIPO developed the On-line Appeal/Trial Request System to enable requests for an appeal/trial from long distances and carried out the Appeal/Trial Document Optical Compilation Project to transform appeal/trial wrappers into optical disks.

4. Customer Service Improvements

Along with the great expansion of public internet use, KIPO has experienced an increase in users and user requests for enhanced services. In response, KIPO elevated the on-line customer service capacity by enhancing the quality and content of KIPO's web sites and implemented the QRS (Quick Response System) Corner which provides Q&A services. In 2000, 9,213 requests/questions were handled and, since 1999, every customers' IP-related question has been answered within 48 hours.

In addition, KIPO increased customer convenience by operating the On-Line Individual Disclosure System of application and registration information, adopting the full-time consulting examiner system, and introducing the on-line payment system through electronic cash and credit cards.

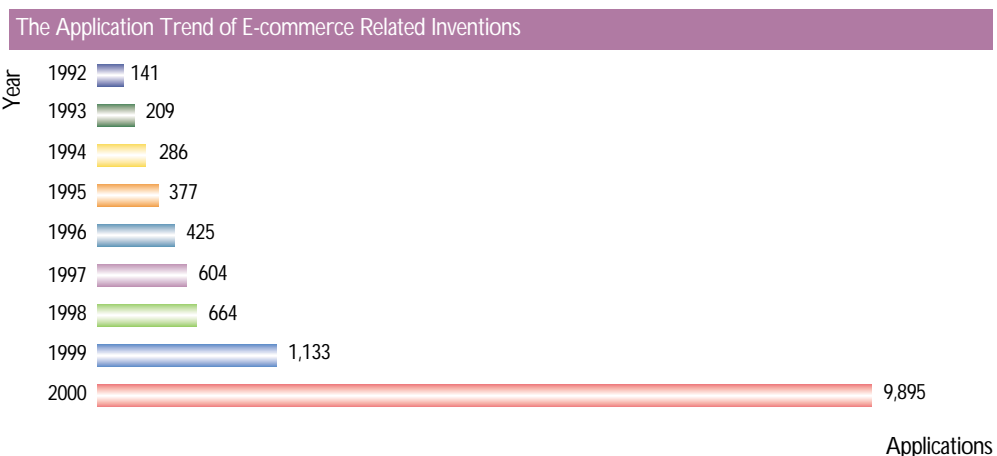
5. Legal Reform in the Newly-Emerging Technology Fields

A. Reform in Bio-technology Related Examination System

KIPO has prepared a revised version of the Patent Examination Guideline for Inventions related to the Human Genome Project (HGP). In the process of updating the Patent Examination Guideline, KIPO took into account the recent developments in bio-technology related inventions including genes, protein, monoclonal antibodies, and antisense, etc. To accommodate the rapid progress in bio-technology, including the completion of the HGP, KIPO revised the Patent Examination Guideline for Inventions Related to Bio-technology in preparation for the expected increase in HGP-related inventions and patent applications containing vast amounts of genetic data. In this regard, KIPO prepared the standard for description requirements, inventive step, and industrial applicability in relation to the product of HGP such as Expressed Sequence Tag (ETS) and Single Nucleotide Polymorphism (SNP). KIPO also proposed the standard for inventive step, and industrial applicability regarding gene related inventions using homologous sequence searching and consolidated the criteria for the unity of invention in coping with the applications containing large amounts of genetic data.

KIPO also established a electronic system for nucleotide and amino acid sequence listings to facilitate prompt and accurate examination practices for genetic sequence related applications. In January 1999, KIPO developed and distributed KoPatentIn, software to prepare genetic sequence listings. With the help of KoPatentIn, KIPO has been operating the electronic file submission system of genetic sequence listings and began to require the submission of an electronic genetic sequence listing file. At the same time, KIPO established a data base with approximately 4000 cases of genetic sequence listings previously submitted to KIPO and

developed a bio-technology search system for the data base. KIPO began to disclose the data base to the public through the Internet.



B. Improvement of the E-commerce Related Examination System

In 2000, e-commerce related applications reached 9,895 cases which is a 773% increase in comparison to the previous year because Internet use and e-commerce related venture business start-ups have been booming.

In order to cope with this trend, in August 2000, KIPO instituted the Examination Guideline for E-commerce Related Inventions which formulated the specific criteria for the protection of e-commerce related inventions. Under the guideline, simple business ideas, without technical embodiment, are not considered as patentable subject matter and customary automation of traditional business methods are not patentable because of the lack of inventive steps. The guideline defined that only technically advanced materialization of traditional or new business methods can be patentable.

In addition, KIPO included e-commerce related inventions with a short life cycle in areas that qualify for accelerated examination.



KIPO Commissioner Leem, Laegue (far left) presides over a session on the electronic searching system for nucleotide and amino acid sequence listings held January 2001.



In the year 2000, Korea revised the Patent Law, the Utility Model Law, the Industrial Design Law, the Trademark Law, and the Unfair Competition Prevention and Trade Secret Protection Law for the enhanced protection of IPRs, which will be effectuated from July 1, 2001.

IPR Protection and Heightened Enforcement

1. Legal Improvement on the IPR Protection System

The Korean government is strengthening IPR protection in order to establish sound business practices as well as to promote social transformation into a knowledge-based society. In the year 2000, it revised the Patent Law, the Utility Model Law, the Industrial Design Law, the Trademark Law, and the Unfair Competition Prevention and Trade Secret Protection Law for the enhanced protection of IPRs, which will be effectuated from July 1, 2001. Specifically, the Korean government enhanced penalty provisions against infringement under Patent Law, Utility Model Law, Industrial Design Law, and Trademark Law making it easier to estimate damage amounts by simplifying the damage-related provisions. Penalty amounts were adjusted from up to 50-million-won fine or 5-years imprisonment to up to 100-million-won fine or 7-years imprisonment. For simpler damage estimation, the expected profit per single legitimate good multiplied by the sold quantity of infringed goods can be presumed as the damage amount, and the court can decide the damage amount by considering evidence where it is extremely difficult to estimate the damage amount.

Well-known trademark protection was also intensified under the revised Unfair Competition Prevention and Trade Secret Protection Law. The revised law incorporates the notion of the anti-dilution principle in that using a trademark, a trade name, or other mark widely recognised as a third party's trademark, a trade name, or other mark publicly is an act of harming the reputation or distinctiveness of the third party. The revised Unfair Competition Prevention and Trade Secret Protection Law also includes the same provision for damage estimation as that of the Patent Law.

2. Reinforced Anti-Counterfeiting Activities

KIPO has made concerted efforts to prohibit the manufacture and circulation of counterfeit products. The underlying purpose is to establish, at the domestic level, sound business practices and protect consumers through heightened IPR enforcement and to prevent, at the international level, trade conflicts.

The Industrial Property Protection Division of KIPO is carrying out various anti-counterfeiting activities such as investigating and analysing the incidence of counterfeit products' circulation and production nation-wide and continuing wide-ranging execution of enforcement activities under the annual enforcement plan by maintaining a close cooperative relationship with the Public Prosecutor's Office, the police, and the local governments, as well as providing expert-manpower support and diverse trademark-related information. As a result, 242 indictments and 424 corrective recommendations were carried out and 36,753 counterfeit articles were uncovered by KIPO in 2000.

Along with enforcement activities, the Industrial Property Protection Division carries out public education campaigns for merchants and general consumers of counterfeit goods. In addition, the Industrial Property Protection Division operates the Counterfeiting Complaint Center which provides counterfeiting-related Q&A services and deals with counterfeiting-related complaints.

3. Staff Training and Public Awareness Campaigns

Recently, as manufacture and circulation of counterfeited goods have gone underground, investigations have become more difficult to conduct and investigators required to possess a higher level of expertise than ever before.

In order to improve the technical expertise of investigative officials, KIPO is providing anti-counterfeiting related education which last year included 13 training sessions for over 668 investigators and printing of 16,300 leaflets that were widely disseminated to the police, customs officers, and local government officials.

Along with anti-counterfeiting activities, campaigns to elevate the public's awareness of counterfeit goods boycotts are essential in order to root out the circulation of counterfeited goods. KIPO also escalated the public awareness of its' anti-counterfeiting campaign through the mass media. The Industrial Property Protection Division of KIPO advertised seven times in major newspapers and disseminated anti-counterfeiting service announcements by utilizing 140 large electronic Ad screens installed on the top of tall buildings in major cities for three months in August, September, and December as part of the public awareness anti-counterfeiting campaign.



KIPO has created Patent Maps in 24 areas including the cutting-edge technology fields under the Medium-to-Long-Term Patent Map (PM) Building Project.

Promotion of Invention and Support for its Commercialization

1. Deployment of the SME IPR Acquisition Campaign

In September 1999, KIPO launched the SME IPR Acquisition Campaign in cooperation with 14 associated organizations, including the Korean Chamber of Commerce, in order to motivate SMEs' technological independence and inculcate the acquisition will for IPRs.

Through this campaign, IP circuit workshops have been held in 38 areas in Korea in 2000, and examiners who have established ally relationships with small-and-medium enterprises have provided prior art search techniques and information on IP systems. These activities contributed greatly to the elevation of IP awareness and KIPO is planning to put emphasis on dissemination of specialized know-how for the creation of IPRs.

KIPO is giving strong support to SMEs' creation of IPRs through lowering fees for application and registration by 50-to-70% in order to lessen the burden for SMEs in obtaining IPRs and providing free legal services to SMEs for first-time IPR applications.

KIPO's activities have yielded successful results. By the end of 2000, 6,700 companies and 19,000 individuals filed new IPR applications, showing 114% and 49% increases, respectively.

2. Circulation of Patented Technologies

Trade markets for patented technologies, which KIPO promotes and supports are comprised of the Circulating Patent Technology Market, a technology trading event, the Internet Patent Technology Market, a trading place in virtual Cyber space, and the Standing Patent Technology Market. The patent technologies traded on the markets, and information of their commercialization, can be found on the website (www.patentmart.or.kr) and are listed in the Patent Mart Journal.

3. Assistance for Invention Commercialization

In May 2000, KIPO helped KIPA (Korean Invention Promotion Agency) to establish the Patent

Angel Club, which includes patent commercialization experts, such as patent attorneys and accountants, in order to aid venture companies holding excellent patented technologies through financing the commercialization of such technologies. In this club, patent commercialization experts, participate as support angels providing expert advice.

Meanwhile, the Patent Commercialization Committee was formed in December 1999 in order to foster development of SMEs and venture companies possessing globally competitive technology. KIPO and other relevant agencies on the committee which includes the Ministry of Commerce, Industry and Energy (MOCIE), Small and Medium Business Administration, Korea Technology Credit Guarantee Fund, and the Small and Medium Industry Promotion Corporation have been providing a one stop service system established to support incubation, financing, management, and marketing for qualified companies.



Attendees of the Excellent Patented Products Fair, held in Seoul, check out an exhibitor's display.

4. Trend Research and Utilization of New Technology Development

KIPO is researching the new technology development trend in the fields which have a weak technological base or expect a high added value potential. For the research, trial examiners and outside expert groups have been teamed up as New Technology Trend Search Teams. KIPO is planning to utilize the search results as a reference for national technology development strategy and as technology development guidance for industry including SMEs.

KIPO has created Patent Maps in 24 areas including the cutting-edge technology fields under the Medium-to-Long-Term Patent Map (PM) Building Project. These PMs are distributed free of charge to people in industry, academic, and research circles. At the same time, KIPO diffused PM information through seminars and explanatory meetings. KIPO also utilized Internet technology to disseminate information on new technology trends by means of constantly upgrading web pages of New Technology Trend Search Teams and providing new search tools for non-patent literature.



KIPO has increased the level and scope of its role in the area of international cooperation.

Strengthened International Cooperation in the Field of IPR

1. Multilateral Cooperation

A. WTO/TRIPs Implementation and Subsequent Entente

Since the WTO/TRIPs Agreement took effect in January 1995, approximately thirty advanced Member States have received legislative review on their respective IP-related laws (figures are from 1996 to 1998). Developing countries were obliged to undergo such legislative review from January 1, 2000, as the 5 year grace period for WTO/TRIPs compliance terminated under the provisions of Article 63.2 and Article 65.2. Korea received this legislative review at the TRIPs Council from June 26 - 30, 2000, along with twelve other developing Member States including Hong Kong, Singapore, and Israel. In this regard, it was determined that Korea is providing extensive and sufficient protection for IPRs in full compliance with WTO/TRIPs.

With regard to the built-in agenda of the WTO/TRIPs Agreement, Korea has maintained its active approach to main issues. The built-in-agenda includes the establishment of a multilateral system of notification and registration of geographical indication, TRIPs Article 27.3(b) review, and application of non-violation complaints to TRIPs. It also contains e-commerce related IPR issues as a new agenda item.

Korea is in position to support developing country members in reaching full compliance with the TRIPs Agreement as well as to progressively participate in the TRIPs Council discussions concerning the built-in-agenda and the new agenda.

B. Increasing Role at and Cooperation with WIPO

In order to protect IPRs in line with international standards, Korea is preparing for accession to the Trademark Law Treaty and the Madrid Protocol for the International Registration of Trademarks by respectively 2001 and 2002. Subsequently, Korea is also carefully considering joining the international agreements administered by WIPO such as the Hague Agreement Geneva Act.

In May 2000, Korea took part in the Diplomatic Conference for the Adoption of the Patent Law Treaty and other Standing Committees at WIPO for the formation of new IPR standards. Korea is also ready to actively participate in discussions of international issues including the harmonization of substantive Patent Law, PCT Reform, and the protection of genetic resources, traditional knowledge and expressions of folklore.

Korea has positively participated in the decision making and review processes of WIPO's activities and operations through attending the WIPO General Assembly, including the Program and Budget Committee, and Standing Committees. At the same time, Korea has cooperated with WIPO on such activities as the WIPO-KIPO funded IPR-related research project.

In the information technology field, Korea is eagerly involved with WIPO's IT projects such as the preparation for the global IPR IT network calibrated for the new IPR environment and the establishment of the electronic global application system.

C. IPR-Related Activities at APEC

KIPO has continuously done its utmost in its' efforts to realize the advancement of IPR administration and enhance Korea's international competitiveness through active participation in APEC/IPEG (Intellectual Property Rights Experts Group) activities. KIPO successfully concluded the 11th IPEG Meeting on Cheju Island, Korea. The IPEG Meeting was the first joint information exchange meeting between the private and public sectors which explored areas of cooperation, reviewed IPR enforcement status, and discussed perspectives on effective enforcement within APEC. KIPO also has played a leading role in TRIPs Implementation and Technical Cooperation activities, in particular the (g) item in the Collective Action Plan to be executed by IPEG.

KIPO will continue to increase its role in the IPR field through continuous participation in IPEG activities for fostering mutual understanding and maintaining practical cooperative relationships among Member Economies.



KIPO hosts the APEC Intellectual Property Rights Experts Group, July 12 - 13, 2000, Cheju Island, Korea

2. Bilateral Cooperation

A. Public Awareness Activities and Prevention of IPR-Related Trade Conflicts

In Korea-US relations in the field of IPR, KIPO has attempted to pro-actively settle trade conflicts and address IPR-related concerns. KIPO has not only continued to communicate with the USTR, but has also participated in the Trade Action Group Meeting between the Korean government and the USA, which addresses major trade issues including IPR between the two countries.

KIPO has also tried to continue the dialogue with IPR-related civilian interest groups, including the American Chamber of Commerce in Korea and the American Intellectual Property Law Association (AIPLA), with regard to our policies and efforts to enhance intellectual property protection through improving laws and providing strict enforcement.

Simultaneously, KIPO made similar efforts with the EU member countries to promote better understanding of Korea's IPR system and policies. KIPO took part in regular meetings of government officials between Korea and the EU, in order to win more support for enhanced understanding of KIPO's IPR policies among EU members.

Meanwhile, KIPO set up the Overseas IPR Protection Center within the International Cooperation Division in July 1997. The Center has provided Korean companies with legal advice and consultation on IPR-related trade barriers and unfair practices they have encountered overseas.

B. Head Meetings with Major Patent and Trademark Offices

In May 2000, the heads meeting between KIPO and EPO (European Patent Office) was held to deal with interests of mutual concern. In the meeting, Commissioner of KIPO and President of EPO agreed to strengthen the cooperative relationship between the two Offices through exchange of experts and information in the areas of newly-emerging technologies, including e-commerce and bio-technology, exchange of computerized IP administration, and exchange of examiners.

KIPO also advanced the relationship with OHIM (Office of Harmonization in the Internal Market, Trademarks and Designs) by hosting the third heads meeting between KIPO and OHIM, which agreed to exchange trademark examiners and information. In addition, the seminar on European Community Trade Mark (CTM) was held at Seoul and Daejeon in September 2000 and it enhanced mutual understanding of each party's systems, policies, and procedures.

In August 2000, KIPO held the third heads meeting between KIPO and IP Australia, with cooperation on examination, computerization and in the international IPR arena. In addition, KIPO had the first heads meeting with the IP Office of New Zealand (IPONZ),

which discussed human resource development in the field of examination and issues on the newly-emerging intellectual properties.

With regard to bilateral cooperation in the Asian region, KIPO held heads meetings with SIPO (State Intellectual Property Office) and JPO (Japan Patent Office). The Commissioner of SIPO, visited KIPO, in October 2000, for the seventh heads meeting between the two Offices. Both Offices participated in lively discussions regarding schemes to expand the cooperative relationship and lay a foundation for reciprocal IPR protection. In November 2000, KIPO held the twelfth heads meeting between KIPO and JPO. The meeting produced agreements in three areas; IT cooperation through regular IT expert meetings; mutual cooperation on the international stage, including the PLT Diplomatic Conference; and, cooperation in patent examination policies, including the mutual exchange of prior art search results.

KIPO proposed establishing the framework for possible trilateral cooperation between KIPO, SIPO and JPO with the aim of providing a more favorable environment for IPR-users and applicants in Northeast Asia.

Trilateral cooperation between KIPO, SIPO and JPO could lead to construction of a streamlined, cost-efficient and qualitative IPR administration service system by which a base for mutual use of examination results among the three Offices would be attained. In the long term, it can be advanced to mutual utilization of processes and examination results concerning patent applications commonly filed in the three countries.

In the Future, we plan to cooperate with countries which are interested in mutual utilization of processes and examination results concerning patent applications for the enhancement of productivity of patent examinations.



KIPO Commissioner Leem, Laegue (front left) and JPO (Japan Patent Office) Commissioner Kouzo OIKAWA (front right) and their delegations at the 12th heads meeting held in Daejeon, Korea on November 22, 2000.



For the cultivation of IPR experts such as examiners, trial examiners, and patent attorneys, IIPTI carried out the Advanced Examiners Training courses, and the Practical Drill Program for patent attorneys.

Human Resource Development Activities

International Intellectual Property Training Institute (IIPTI) has been developing various training programs and providing educational resources for enhancing awareness of IPR topics and increasing professional development opportunities since it was established in 1987 as a sub-organization of KIPO.

1. The Major Functions of IIPTI

IIPTI's purpose is the systematic cultivation of IPR specialists and the enhancement of job capacity thereof in the public as well as private sectors in order to encourage IPR creation and expedite rights acquisition

2. The Major Activities of IIPTI

For the cultivation of IPR experts, such as examiners, trial examiners, and patent attorneys, IIPTI carried out the Advanced Examiners Training courses, and the Practical Drill Program for patent attorneys.

For the promotion of IPR awareness among the general public, IIPTI operated elementary educational programs for IPR-related staff from industry, research institutes, and patent law firms. Also, IIPTI executed visiting education programs for SMEs as a part of the SME IPR Acquisition Campaign. At the same time, for the purpose of establishing infrastructure for IPR creation, IIPTI carried out the Circuit School Education Programs for students in local areas and the Leaders' Program for Invention Clubs at Schools to equip teachers with the knowledge and materials required to provide students with effective guidance in the inventive process.

IIPTI has also been active in the field of international training programs. Under KOICA (Korea International Cooperation Agency) sponsorship, IIPTI has provided training opportunities to public officials from developing countries. IIPTI also hosted the Asian Regional Forum in cooperation with WIPO (World Intellectual Property Organization) and participated in ATRIP (Association for the Advancement of Teaching and Research in Intellectual Property) activities.

3. Training Results and Plans for 2000 and Beyond

A. Training Program									
Year	2000 Result (A)			2001 Plan (B)			B-A		
	1	2	3	1	2	3	1	2	3
Public officers	14	28	1,586	14	21	1,130	-	△7	△ 456
Educators	3	8	946	3	8	920	-	-	△ 26
Civilians	12	32	1,459	13	29	1,640	1	△3	181
Foreigners	3	3	155	3	4	145	-	1	△ 10
Total	32	71	4,146	33	62	3,835	1	△9	311

Remarks 1: Number of Courses
 2: Number of Classes
 3: Number of Participants

B. Field Training Program						
Year	2000 Result (A)		2001 Plan (B)		B-A	
	Classes	Participants	Classes	Participants	Classes	Participants
School Circuit Training Programs	56	16,270	70	19,000	14	2,730
SME Visiting Programs	38	4,834	-	-	△ 38	△ 4,834
Total	94	21,104	70	19,000	△ 24	△ 2,104

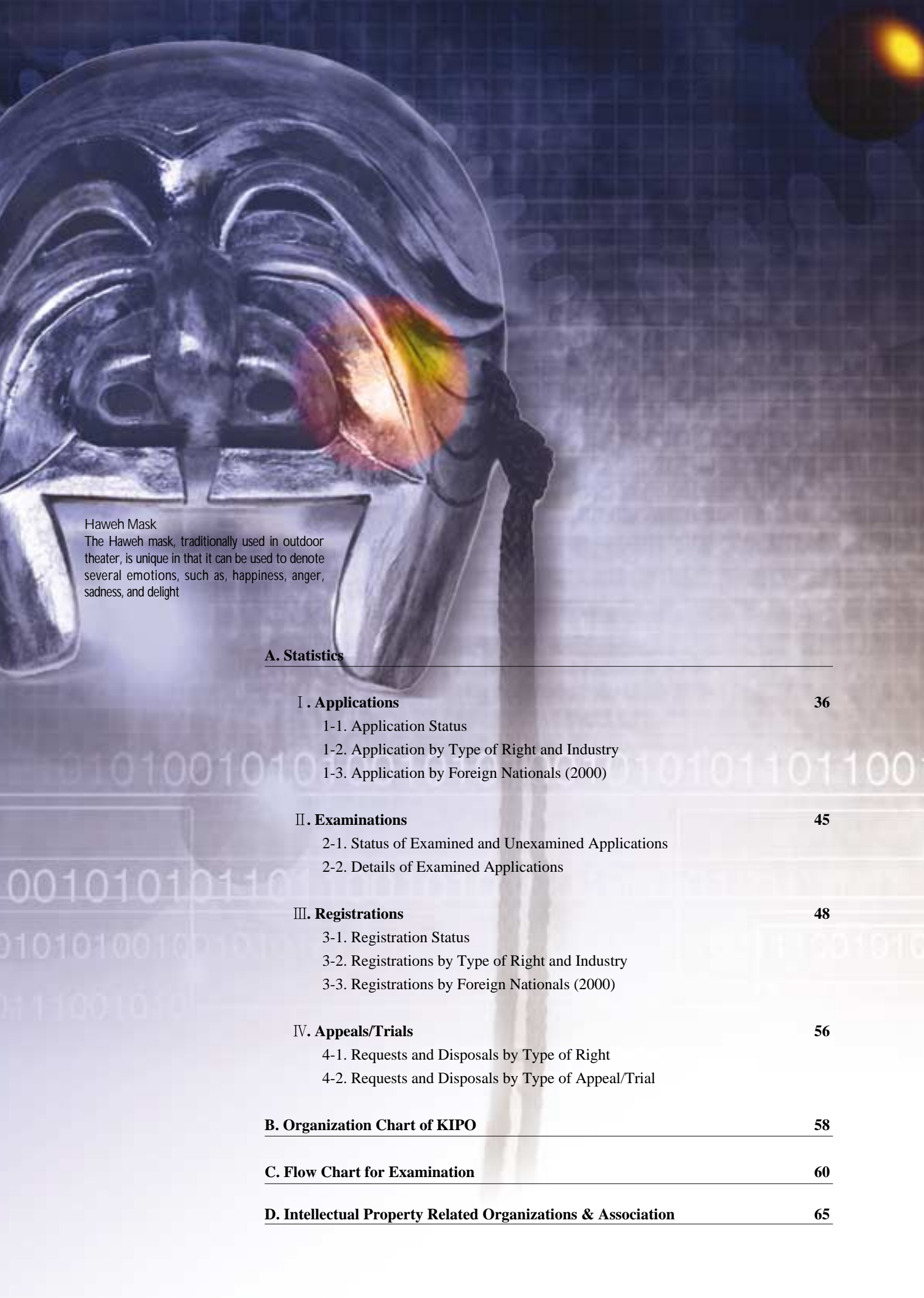
* "SME Visiting Programs" began to be separately carried out by the Invention Policy Division



Attendees participate in a seminar concerning On-the-Job Training for Trainers and Instructors of Intellectual Property co-hosted by WIPO (World Intellectual Property Organization) and the International Intellectual Property Training Institute (IIPIT) in Daejeon, Korea.



The Sungduk Bell
Cast in 771 A.D., it is famous for its fine design and hauntingly beautiful sound.



Haweh Mask

The Haweh mask, traditionally used in outdoor theater, is unique in that it can be used to denote several emotions, such as, happiness, anger, sadness, and delight

A. Statistics

I. Applications

36

- 1-1. Application Status
- 1-2. Application by Type of Right and Industry
- 1-3. Application by Foreign Nationals (2000)

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- 4-1. Requests and Disposals by Type of Right
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B. Organization Chart of KIPO

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C. Flow Chart for Examination

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D. Intellectual Property Related Organizations & Association

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A. STATISTICS

1. APPLICATIONS

1-1. Application Status

Sector	1987	1988	1989	1990	1991	1992
Patents	17,062 (12,191)	20,051 (14,355)	23,315 (16,294)	25,820 (16,738)	28,132 (14,879)	31,073 (31,073)
Utility Models	24,773 (1,089)	22,677 (1,011)	21,530 (875)	22,654 (993)	25,895 (770)	28,665 (742)
Industrial Designs	20,231 (1,329)	18,162 (1,425)	18,196 (1,687)	18,769 (1,363)	20,097 (1,284)	22,948 (1,188)
Trademarks	30,762 (8,587)	34,681 (10,480)	39,832 (12,914)	46,826 (13,262)	46,612 (13,144)	45,124 (11,961)
Total	92,828 (23,196)	95,571 (27,271)	102,873 (31,770)	114,069 (32,296)	120,736 (30,077)	127,810 (29,012)

Note: The figures in parentheses indicate the corresponding number of applications by foreigners.

1993	1994	1995	1996	1997	1998	1999	2000
36,491 (15,032)	45,712 (17,148)	78,499 (19,263)	90,326 (21,913)	92,734 (25,388)	75,188 (24,592)	80,642 (24,672)	101,782 (29,014)
32,218 (713)	39,806 (574)	59,866 (504)	68,822 (360)	45,809 (359)	28,896 (292)	30,650 (306)	37,120 (346)
27,568 (1,368)	29,033 (1,369)	29,978 (1,596)	29,859 (1,768)	28,491 (1,816)	23,732 (1,588)	32,404 (1,533)	33,806 (1,729)
59,593 (13,034)	72,581 (16,262)	71,852 (16,634)	85,062 (18,621)	87,065 (20,843)	57,393 (14,492)	87,332 (16,070)	110,059 (19,427)
155,870 (30,147)	187,132 (35,353)	240,195 (37,997)	274,069 (42,662)	254,099 (48,406)	185,209 (40,964)	231,028 (42,581)	282,767 (50,516)

A. STATISTICS

1-2. Applications by Type of Right and Industry

A. PATENTS

Sector	1995	1996	1997	1998	1999	2000
Machinery	22,007	26,146	20,606	11,254	13,532	10,578
Chemicals	7,787	8,489	9,395	9,112	9,934	6,708
Fibers	1,521	1,409	1,864	1,637	1,363	776
Electric & Telecommunication	38,343	44,057	48,989	41,420	41,390	38,704
Civil Engineering & Construction	1,441	1,651	1,577	1,507	2,628	2,318
Mining & Metal	1,887	2,218	2,630	2,442	2,827	2,839
Beverage, Medical & Hygiene	3,435	3,842	4,595	4,875	5,446	4,721
Office Supplies & Printing	430	691	926	955	711	424
Agriculture, Forestry & Marine	355	473	534	590	907	542
Miscellaneous Goods	1,293	1,350	1,618	1,396	1,904	1,472
Total	78,499	90,326	92,734	75,188	80,642	101,782

B. UTILITY MODELS

1995	1996	1997	1998	1999	2000
32,314	38,487	19,452	9,218	8,638	9,168
896	1,096	1,125	780	1,067	1,380
1,651	1,711	1,511	1,002	963	1,120
15,258	16,350	13,831	8,388	6,427	7,823
2,603	3,115	2,351	2,162	3,443	5,038
1,020	1,323	1,062	832	799	700
1,107	1,185	1,037	1,135	1,600	2,000
616	782	789	681	759	807
973	1,080	1,128	1,161	1,629	1,725
3,428	3,699	3,523	3,537	5,325	5,952
59,866	68,822	45,809	28,896	30,650	37,120

A. STATISTICS

1-2. Applications by Type of Right and Industry

C. PATENTS AND UTILITY MODELS

Sector	1995	1996	1997	1998	1999	2000
Machinery	54,321	64,633	40,058	20,472	22,170	19,926
Chemicals	8,683	9,579	10,520	9,892	11,001	8,088
Fibers	3,172	3,120	3,375	2,639	2,326	1,896
Electric & Telecommunication	53,601	60,407	62,820	49,808	47,817	46,527
Civil Engineering & Construction	4,044	4,766	3,928	3,669	6,071	7,356
Mining & Metal	2,907	3,541	3,692	3,274	3,626	3,539
Beverage, Medical & Hygiene	4,542	5,027	5,632	6,010	7,046	6,721
Office Supplies & Printing	1,046	1,473	1,715	1,636	1,470	1,231
Agriculture, Forestry & Marine	1,328	1,553	1,662	1,751	2,536	2,267
Miscellaneous Goods	4,721	5,049	5,141	4,933	7,229	7,424
Total	138,365	159,148	138,543	104,084	111,292	138,902

D. INDUSTRIAL DESIGNS (1987~1990)

Sector	1987	1988	1989	1990
Textile & Ornament	2,590	2,293	2,440	1,982
Food & Medicines	110	96	44	75
Kitchenware & Furniture	3,730	3,168	2,911	2,772
Toy & Sportsware	871	807	778	766
Packing & Container	1,585	1,284	1,529	1,633
Medical Science & Machine Equipment	565	610	644	656
Industrial Machinery & Equipment	2,289	2,226	2,131	2,589
Electric & Telecommunication	2,983	2,889	2,583	2,656
Civil Engineering & Construction	1,470	1,365	1,683	1,953
Miscellaneous Goods	4,038	3,424	3,453	3,687
Total	20,231	18,162	18,196	18,769

A. STATISTICS

1-2. Applications by Type of Right and Industry

E. INDUSTRIAL DESIGNS (1995~2000)

Sector	1995	1996	1997	1998	1999	2000
Foodstuffs, Including Dietetic Foods	42	49	148	106	223	140
Articles of Clothing and Personal Belongings	1,912	2,304	2,018	2,108	2,849	3,043
Household Goods, Furnishing	2,972	3,444	3,266	3,012	4,531	4,185
Housing Apparatus	3,259	3,383	3,721	2,472	4,185	4,511
Games, Toys and Sports Goods	878	969	933	804	1,150	1,080
Stationer's Goods, Desk Equipment and Office Machinery	2,634	2,977	3,053	2,599	3,478	3,576
Vehicles	4,726	3,389	2,513	1,272	1,643	1,205
Electrical and Electronic Equipment	4,181	3,747	3,645	3,205	3,665	3,691
General Machinery, not elsewhere specified	1,291	1,471	1,612	1,296	1,658	1,469
Industrial Machinery	3,131	2,746	2,680	2,409	2,411	2,045
Building Units and Construction Elements	2,988	3,024	3,047	2,845	3,404	3,286
Basic Industrial Products	1,964	2,353	1,855	1,604	2,972	2,516
Not elsewhere specified	-	-	-	-	235	3,059
Total	29,978	29,856	28,491	23,732	32,404	33,806

F. TRADEMARKS

Sector	1994	1995	1996	1997	1998	1999
Machinery	10,005	10,169	6,278	6,976	2,718	10
Fibers	9,782	9,752	9,058	8,928	6,804	
Chemicals	10,251	9,096	11,221	11,202	7,211	6
Pharmaceuticals & Sanitary	5,992	5,594	6,444	6,014	3,774	4
Foods	11,460	11,188	13,085	11,266	7,188	20
Miscellaneous Goods	13,425	12,543	16,572	18,126	12,453	48
Electric & Telecommunication	267	267	5,315	6,145	5,273	
Service Marks	11,399	13,243	17,085	18,408	11,972	2
Total	72,581	71,852	85,058	87,065	57,393	90

Year 1999, 2000 (NICE Classification)

	Chemicals	Metal	Machinery	Fibers	Furniture	Jewelry	Musical Instruments
1999	13,130	2,572	13,584	10,905	2,964	4,204	3,159
2000	14,772	2,793	19,422	10,408	3,276	4,362	2,659
	Papers	Confectionery	Rubber Marks	Service	Others	Total	
1999	4,818	10,840	470	21,573	114	87,332	
2000	5,418	12,289	480	33,973	210	110,059	

Note : Total trademark applications in 1999, are the sum of figures by general classification and NICE classification.

A. STATISTICS

1-3. Applications by Foreign Nationals (2000)

Country	Patents	Utility Models	Industrial Designs	Trade marks	Total
France	1,005	0	63	1,171	2,239
Germany	2,727	7	96	1,369	4,199
Japan	121,198	54	811	4,042	17,105
Netherlands	945	1	56	388	1,390
Switzerland	545	-	47	1,011	1,603
U.S.A.	8,583	60	441	7,173	16,257
United Kingdom	602	4	27	995	1,628
OTHERS	2,409	220	188	3,278	6,095
Total	29,014	346	1,729	19,427	50,516

2. EXAMINATIONS

2-1. Status of Examined and Unexamined Applications

Right	Year	Applications	Examined	Unexamined	Total
Total	1995	240,195	126,502	520,257	125,861
	1996	274,069	133,567	626,896	133,348
	1997	254,099	194,492	464,625	194,112
	1998	185,209	303,564	647,560	303,134
	1999	231,028	262,377	507,176	262,377
	2000	282,767	248,015	557,206	248,015
	Patents	1995	78,499	20,060	230,494
1996		90,326	23,011	297,809	22,891
1997		92,734	36,246	198,116	36,246
1998		75,188	86,655	325,810	86,364
1999		80,642	94,578	304,986	94,578
2000		101,782	68,338	352,066	68,338
Utility Models		1995	59,866	20,570	155,662
	1996	68,822	20,893	203,591	20,794
	1997	45,809	29,496	118,387	29,336
	1998	28,896	58,758	180,467	58,619
	1999	30,650	66,364	101,061	66,364
	2000	37,120	68,779	74,708	68,779
	Industrial Designs	1995	29,978	28,170	34,531
1996		29,859	29,799	34,591	29,799
1997		28,491	38,455		38,455
1998		23,732	34,416	38,878	34,416
1999		32,404	26,985	22,312	26,985
2000		33,806	27,540	26,369	27,540
Trademarks		1995	71,852	57,702	99,570
	1996	85,062	59,864	124,768	59,864
	1997	87,065	90,075	122,977	90,075
	1998	57,393	123,735	120,405	123,735
	1999	87,332	74,450	78,817	74,450
	2000	110,059	83,358	104,063	83,358

A. STATISTICS

2-2. Details of Examined Applications

		Patents · Utility Models								
		First Action						Final Action		
		Decision for Registration	Notice to Rejection	Expedited Examination	Other Notices	Abandoned	Total	Decision for Registration	Withdrawn, Abandoned, Invalidated	Total
Patents	1995							13,834	745	20,060
	1996							16,646	484	23,011
	1997							27,581	526	36,246
	1998							62,955	1,468	86,364
	1999							58,604	5,099	86,978
	2000	18,861	46,927	69	318	2,163	68,338			
Utility Models	1995							9,906	716	27,570
	1996							10,720	370	20,893
	1997							17,091	472	29,336
	1998							34,646	848	58,619
	1999							32,281	4,445	57,722
	2000	40,629	27,036		114	1,000	68,779			

Industrial Designs · Trademarks								
		First Action				Final Action		
	Registration Publication/ Decision for Registration	Notice to Rejection	Expedited Examination	Total	Decision for Registration	Final Rejection	Withdrawn, Abandoned, Invalidated	Total
Industrial Designs	1995				21,611	6,404	155	23,170
	1996				23,919	5,371	509	29,799
	1997				31,290	6,928	237	38,455
	1998				25,924	5,252		31,176
	1999				23,293	3,031		26,324
	2000	17,498	10,034	8	27,540	21,791	3,849	25,640
Trade marks	1995				39,007	17,914	781	57,702
	1996				47,275	11,788	801	59,864
	1997				69,150	19,721	1,204	90,075
	1998				85,501	31,931		117,432
	1999				50,501	22,407		72,908
	2000	43,096	40,077	185	83,358	48,531	22,169	70,700

A. STATISTICS

3. REGISTRATIONS

3-1. Registration Status

Sector	1987	1988	1989	1990	1991	1992
Patents	2,330 (1,734)	2,174 (1,599)	3,972 (2,791)	7,762 (5,208)	8,690 (6,137)	10,502 (6,932)
Utility Models	3,419 (434)	3,108 (389)	5,311 (498)	8,846 (950)	8,370 (911)	7,870 (778)
Industrial Designs	11,552 (826)	10,502 (901)	12,561 (1,318)	13,927 (1,559)	13,723 (1,404)	13,635 (1,159)
Trademarks	14,708 (4,846)	17,272 (5,706)	22,263 (7,690)	23,790 (8,321)	23,876 (7,994)	30,298 (9,024)
Total	32,009 (7,840)	33,056 (8,595)	44,107 (12,297)	54,325 (16,038)	54,659 (16,446)	62,305 (17,893)

Note : The figures in parentheses indicate the corresponding number of Registration by foreigners.

1993	1994	1995	1996	1997	1998	1999	2000
11,446 (6,901)	11,683 (5,909)	12,512 (5,937)	16,516 (8,195)	24,579 (10,082)	52,900 (17,000)	62,635 (19,321)	34,894 (12,006)
7,592 (778)	7,817 (538)	8,149 (436)	9,191 (442)	13,713 (458)	25,717 (553)	32,868 (374)	41,726 (395)
13,133 (1,054)	13,695 (887)	16,986 (1,119)	20,192 (1,509)	24,633 (1,768)	24,931 (2,231)	19,636 (1,469)	18,835 (1,117)
30,392 (9,283)	25,409 (6,927)	29,811 (7,517)	26,464 (6,735)	42,484 (11,604)	59,611 (17,974)	32,968 (9,678)	30,806 (6,501)
62,563 (18,016)	58,604 (14,261)	67,458 (15,009)	72,363 (16,881)	105,409 (23,912)	163,159 (37,758)	148,107 (30,842)	126,261 (20,019)

A. STATISTICS

3-2. Registrations by Type of Right and Industry

A. PATENTS

Sector	1995	1996	1997	1998	1999	2000
Machinery	1,948	2,644	4,297	10,867	12,716	5,773
Chemicals	2,014	3,178	3,508	7,210	6,977	3,431
Fibers	522	513	862	1,108	1,471	613
Electric & Telecommunication	6,104	7,324	12,031	26,740	33,117	20,900
Civil Engineering & Construction	306	411	610	1,393	1,706	732
Mining & Metal	606	936	809	1,222	1,954	996
Beverage, Medical & Hygiene	554	900	1,373	2,669	2,544	1,520
Office Supplies	137	142	322	501	725	187
Agriculture, Forestry & Marine	92	121	189	319	424	219
Miscellaneous Goods	229	347	578	867	1,001	523
Total	12,512	16,516	24,579	52,896	62,635	34,894

B. UTILITY MODELS

1994	1995	1996	1997	1998	1999	2000
1,559	2,298	2,818	5,295	10,049	12,408	11,931
159	277	291	337	520	773	1,449
193	354	304	419	1,041	1,222	1,358
3,816	2,976	2,771	4,091	8,669	8,927	9,838
524	508	723	1,035	1,914	2,838	4,994
176	353	316	392	489	794	1,116
207	196	378	331	545	858	1,931
158	164	154	216	310	562	827
237	249	382	458	689	1,099	1,991
788	774	1,054	1,139	1,489	3,387	6,291
7,817	8,149	9,191	13,713	25,715	32,868	41,726

A. STATISTICS

1. APPLICATIONS

1-1. Application Status

Sector	1987	1988	1989	1990	1991	1992
Patents	17,062 (12,191)	20,051 (14,355)	23,315 (16,294)	25,820 (16,738)	28,132 (14,879)	31,073 (31,073)
Utility Models	24,773 (1,089)	22,677 (1,011)	21,530 (875)	22,654 (993)	25,895 (770)	28,665 (742)
Industrial Designs	20,231 (1,329)	18,162 (1,425)	18,196 (1,687)	18,769 (1,363)	20,097 (1,284)	22,948 (1,188)
Trademarks	30,762 (8,587)	34,681 (10,480)	39,832 (12,914)	46,826 (13,262)	46,612 (13,144)	45,124 (11,961)
Total	92,828 (23,196)	95,571 (27,271)	102,873 (31,770)	114,069 (32,296)	120,736 (30,077)	127,810 (29,012)

Note: The figures in parentheses indicate the corresponding number of applications by foreigners.

D. INDUSTRIAL DESIGNS

Sector	1995	1996	1997	1998	1999	2000
A. Foodstuffs, Including Dietetic Foods	35	25	30	100	67	54
B. Articles of Clothing and Personal Belongings	831	1,186	1,281	1,427	1,581	1,623
C. Household Goods, Furnishing	1,741	2,536	2,069	2,566	2,274	2,603
D. Housing Apparatus	1,966	2,515	2,477	2,456	1,980	2,242
E. Games, Toys and Sports Goods	516	713	529	701	546	542
F. Stationer's Goods, Desk Equipment and Office Machinery	1,847	1,771	2,787	2,913	2,300	2,188
G. Vehicles	1,552	1,870	3,945	2,733	1,029	1,155
H. Electrical and Electronic Equipment	2,247	2,806	4,070	4,384	2,671	2,248
I. General Machinery, not elsewhere specified	818	917	1,483	1,187	1,054	965
J. Industrial Machinery	1,813	1,853	2,348	2,382	1,812	1,390
K. Building Units and Construction Elements	2,471	2,493	2,059	2,289	2,319	1,922
L. Basic Industrial Products, not elsewhere specified	1,149	1,507	1,555	1,793	2,003	1,903
Total	16,986	20,192	24,633	24,931	19,636	18,835

A. STATISTICS

3-2. Registrations by Type of Right and Industry

E. TRADEMARKS

Sector	1995	1996	1997	1998	1999	2000
Machinery	4,140	1,521	4,440	5,448	555	28
Fibers	2,725	1,766	3,844	5,520	672	54
Chemicals	4,890	4,749	6,692	8,160	632	62
Pharmaceuticals & Sanitary	3,353	2,250	3,425	4,336	387	5
Foods	4,775	4,768	5,598	8,041	1,306	49
Miscellaneous Goods	5,460	5,755	9,326	11,736	1,856	89
Electric & Telecommunication	102	1,561	3,122	4,379	689	41
Service Marks	4,366	4,094	6,037	11,991	2,356	109
Total	29,811	26,464	42,484	59,611	12,657	437

Year 2000 (NICE Classification)

	Chemicals	Metal	Machinery	Fibers	Furniture	Jewelry	
1999	3,724	597	3,384	1,981	856	940	
2000	5,182	934	5,080	3,369	1,118	1,235	
	Musical Instruments	Papers	Confectionery	Rubber	Service Marks	Others	Total
1999	568	1,320	2,606	167	4,168	4,204	24,515
2000	895	1,509	3,749	176	7,079	43	30,369

Note: Total trademark registrations in 1999, are the sum of figures by general classification and NICE classification.

3-3. Registrations by Foreign Nationals (2000)

Country	Patents	Utility Models	Industrial Designs	Trademarks	Total
France	284	0	47	495	826
Germany	691	8	48	557	1,304
Japan	6,695	114	501	1,086	8,396
Netherlands	230	2	45	128	405
Switzerland	184	-	58	413	655
U.S.A	3,135	57	275	2,466	5,933
United Kingdom	179	2	27	278	486
Others	608	212	116	1,078	2,014
Total	12,006	395	1,117	6,501	20,019

A. STATISTICS

4. APPEALS/TRIALS

4-1. Requests and Disposals by Type of Right

Year		1995	1996	1997	1998	1999	2000
Requests	Patents	1,122	1,161	1,614	2,277	3,298	1,994
	Utility Models	753	751	980	758	783	591
	Industrial Designs	727	703	712	584	629	508
	Trademarks	2,382	2,073	2,566	2,762	2,703	2,787
	Total	4,984	4,688	5,872	6,381	7,413	5,880
Disposals	Patents	979	1,080	1,840	2,264	2,481	2,413
	Utility Models	794	776	1,037	1,137	729	550
	Industrial Designs	704	699	799	1,091	696	535
	Trademarks	2,041	2,280	2,542	3,328	3,373	2,896
	Total	4,518	4,835	6,218	7,820	7,279	6,394

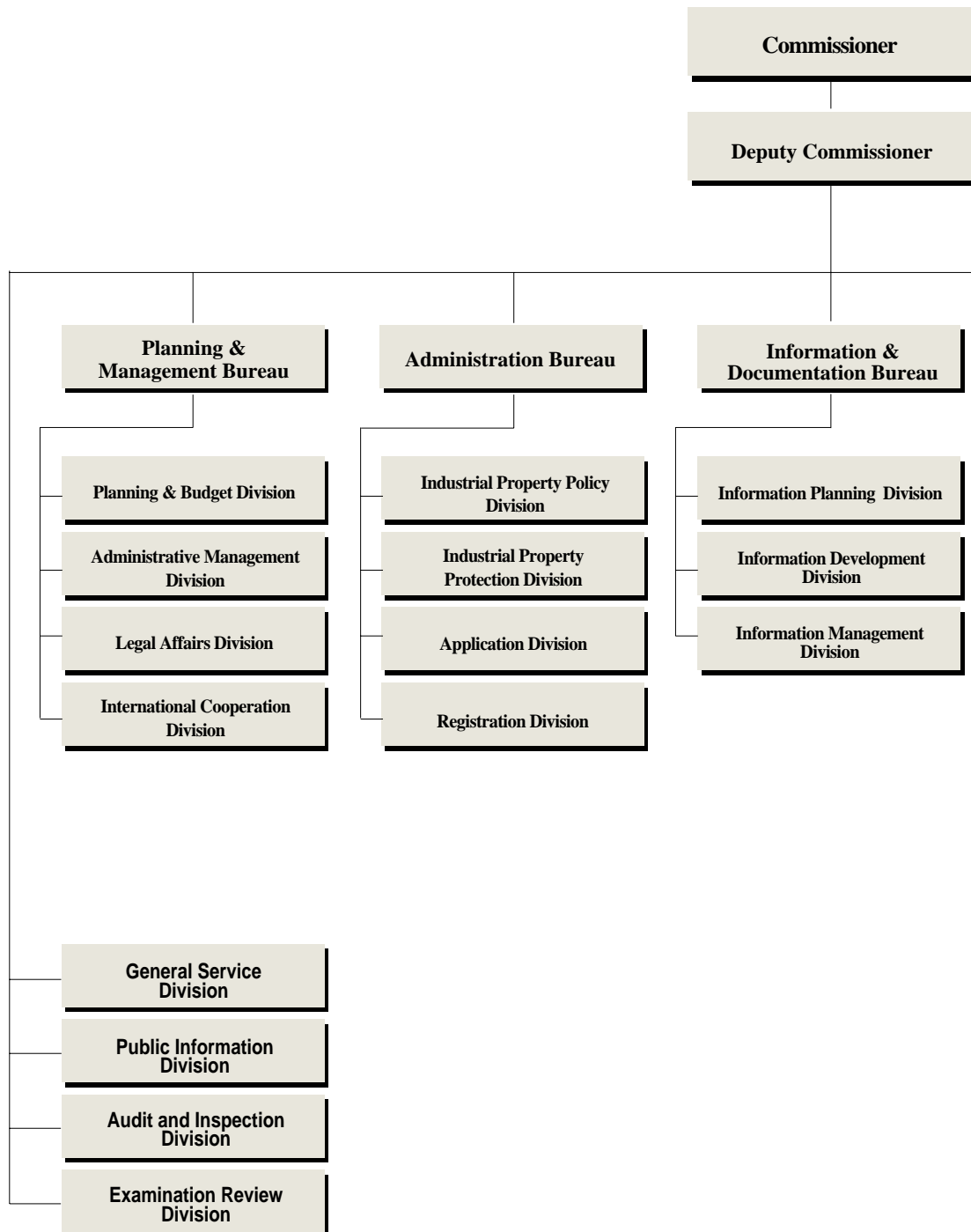
Note 1: The Trial Board (TB) and the Appellate Trial Board (ATB) within KIPO was integrated into the Industrial Property Tribunal (IPT) on March 1, 1998. Therefore, the data from '95-'97 are the sum of appeals/trials that both TB and ATB dealt with.

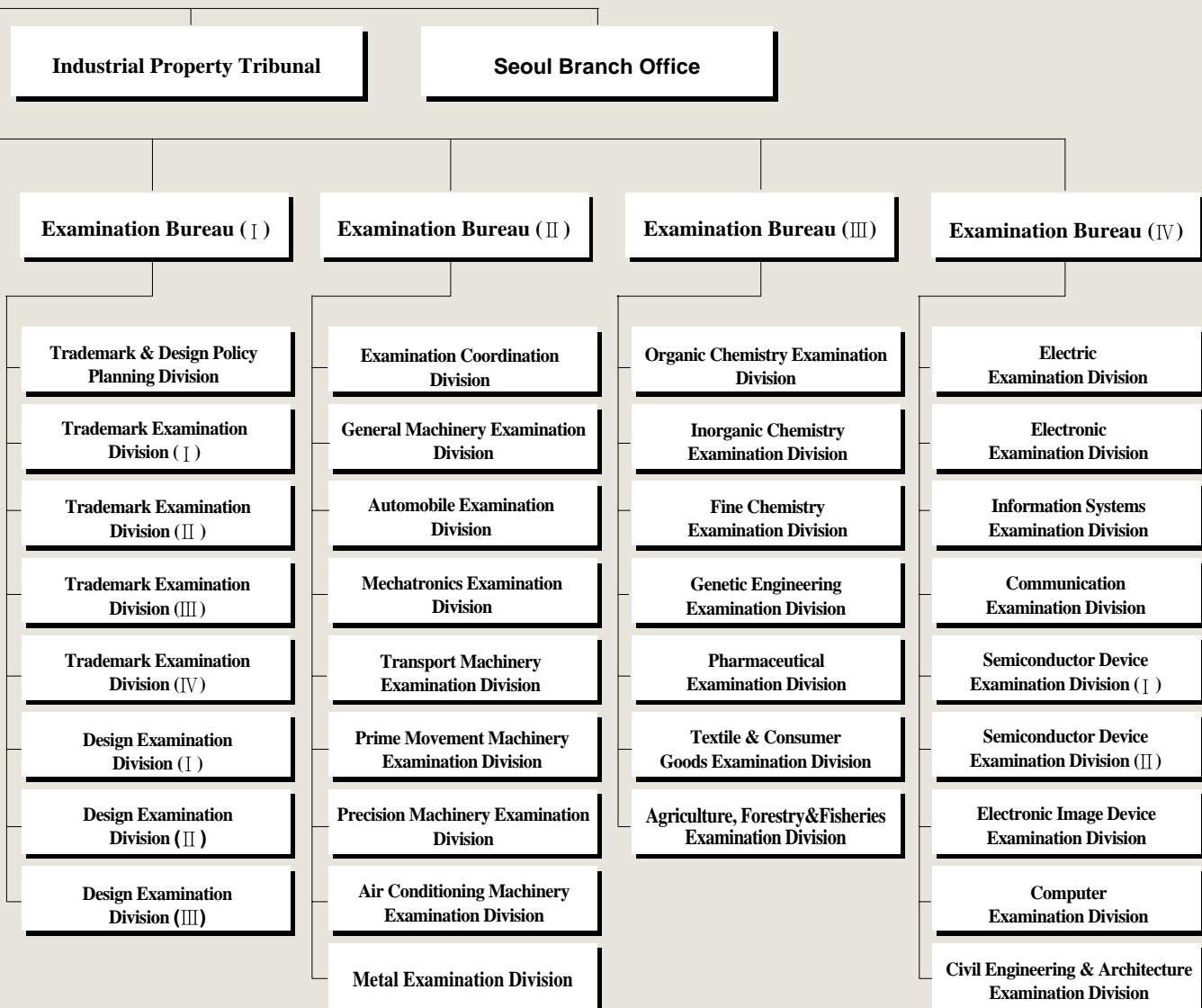
Note 2: Requests for re-examination to oppose decision of registration refusal are included in the data of "Disposals".

4-2. Requests and Disposals by Type of Appeal/Trial

Type of Appeal/Trial	Right	98		99		2000	
		Request	Disposal	Request	Disposal	Request	Disposal
Rejection	Patents	2,020	1,896	2,942	2,208	1,537	2,108
	Utility Models	486	673	370	398	144	197
	Industrial Designs	212	340	197	209	166	152
	Trademarks	1,698	1,681	1,395	1,912	1,614	1,659
	Total	4,416	4,590	4,904	4,727	3,461	4,116
Invalidation	Patents	123	174	132	116	193	122
	Utility Models	128	232	201	162	218	174
	Industrial Designs	253	466	293	337	223	260
	Trademarks	378	598	505	576	401	437
	Total	882	1,470	1,131	1,191	1,035	993
Cancellation	Patents	-	-	-	-	-	-
	Utility Models	-	-	-	-	-	-
	Industrial Designs	-	-	-	-	-	-
	Trademarks	602	905	717	790	697	712
	Total	602	905	717	790	697	712
Scope of Protection	Patents	101	143	121	93	157	112
	Utility Models	134	222	189	154	162	161
	Industrial Designs	116	282	137	150	114	117
	Trademarks	81	141	85	94	75	88
	Total	432	788	532	491	508	478
Others	Patents	33	51	103	64	107	71
	Utility Models	10	10	23	15	67	18
	Industrial Designs	3	3	2	-	5	6
	Trademarks	3	3	1	1	-	-
	Total	49	67	129	80	179	95
Total	Patents	2,277	2,264	3,298	2,481	1,994	2,413
	Utility Models	758	1,137	783	729	591	550
	Industrial Designs	584	1,091	629	696	508	535
	Trademarks	2,762	3,328	2,703	3,373	2,787	2,896
	Total	6,381	7,820	7,413	7,279	5,880	6,394

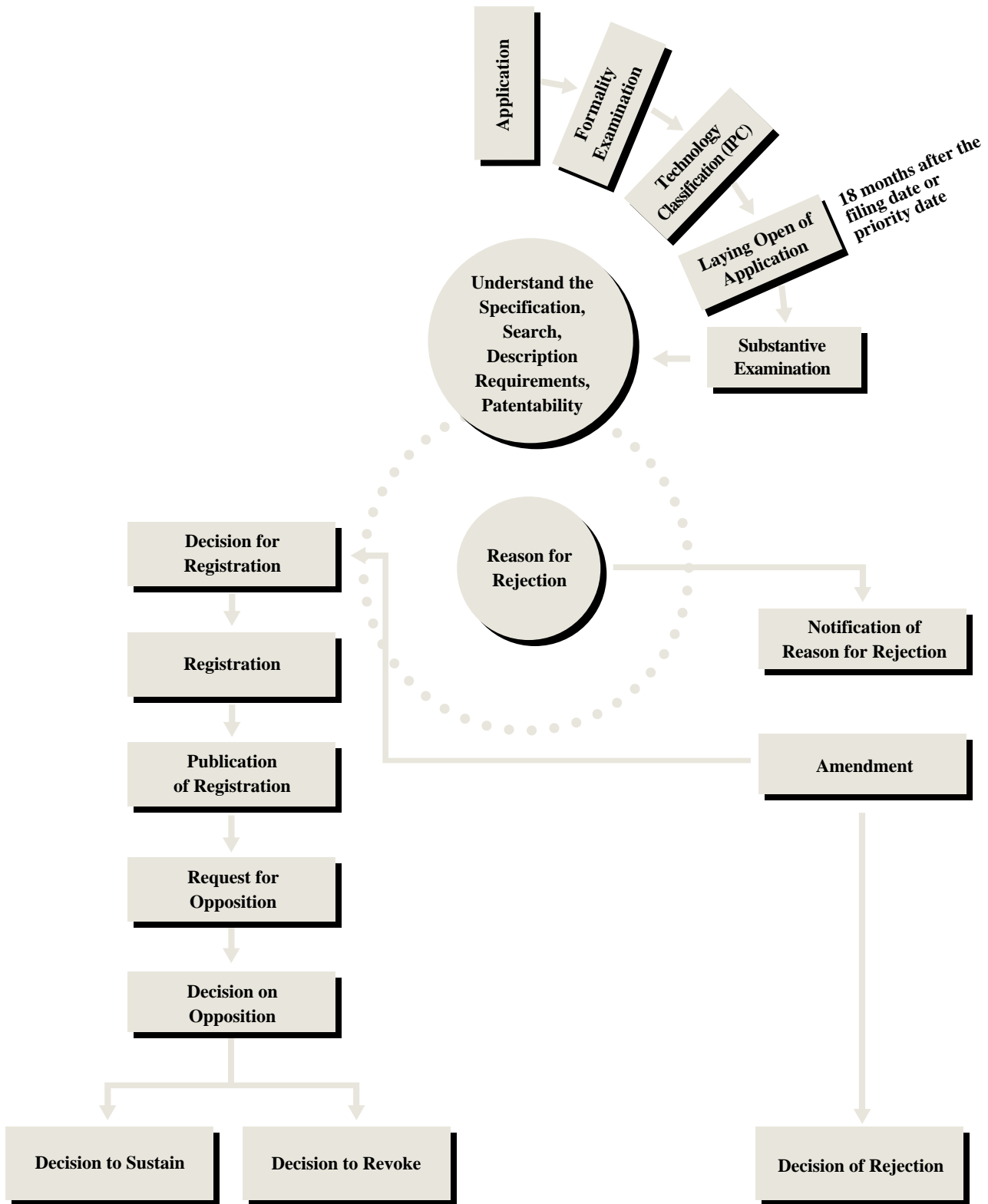
B. Organization Chart of KIPO



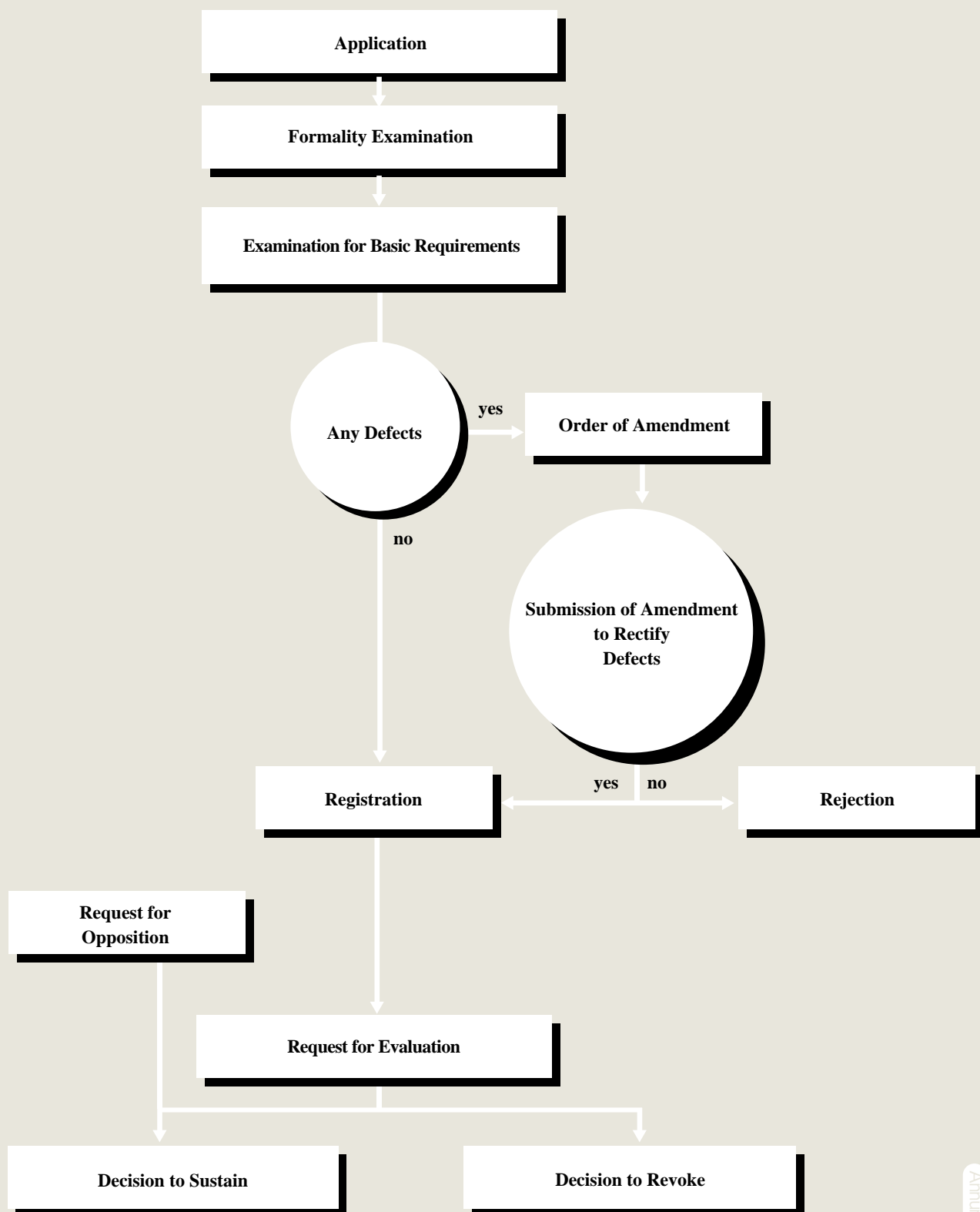


C. Flow Chart for Examination

Patents

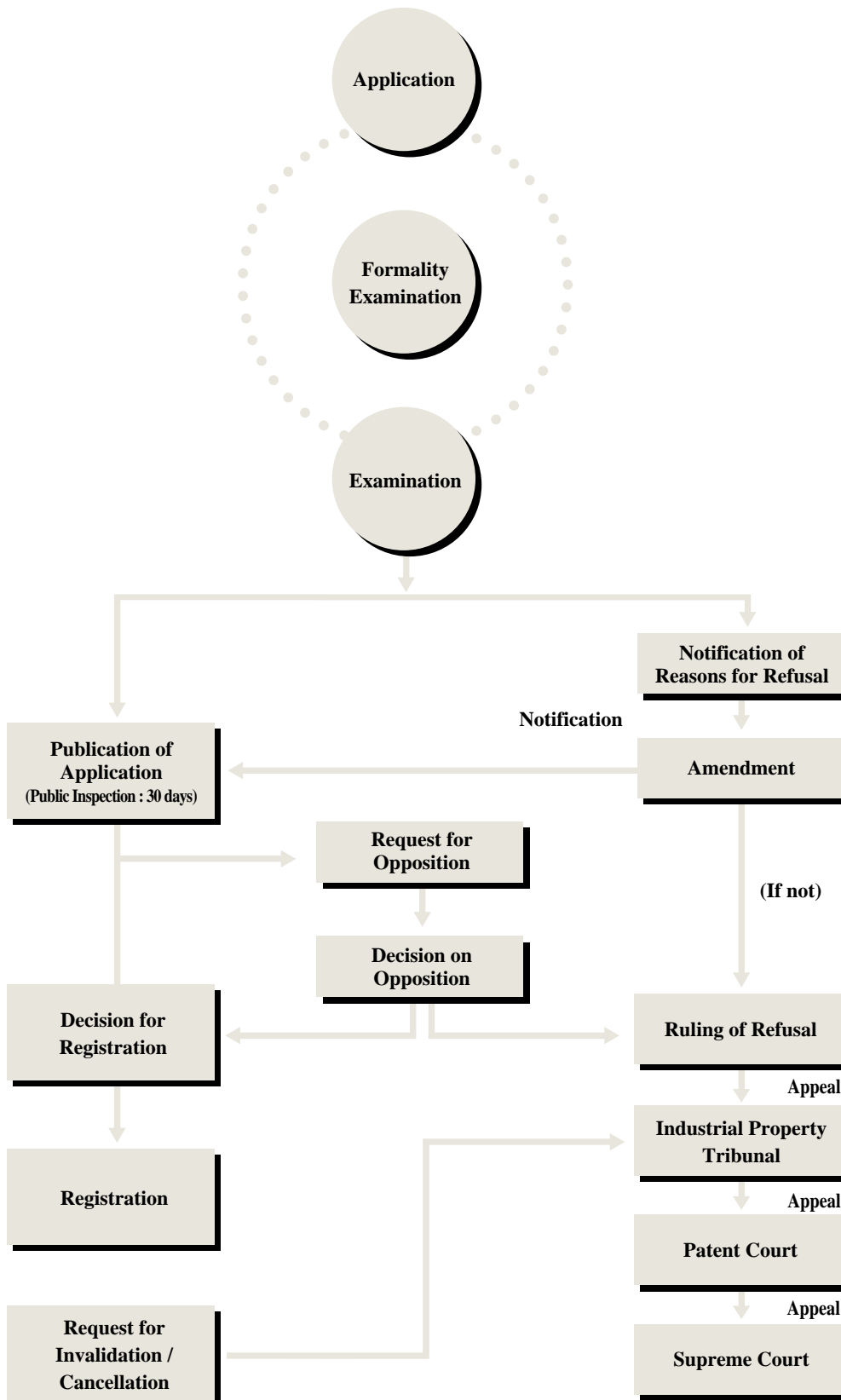


Utility Models

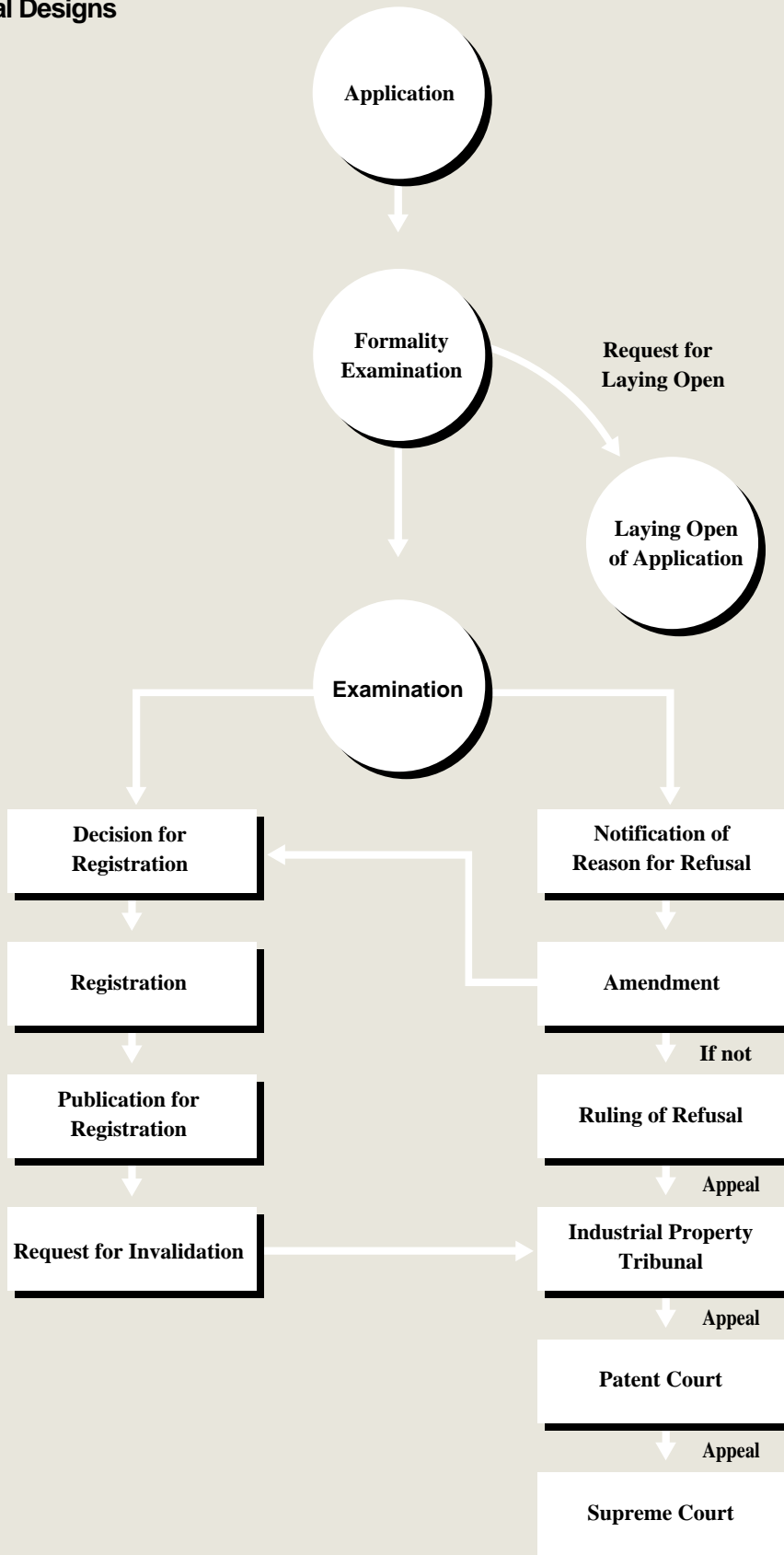


C. Flow Chart for Examination

Trademarks

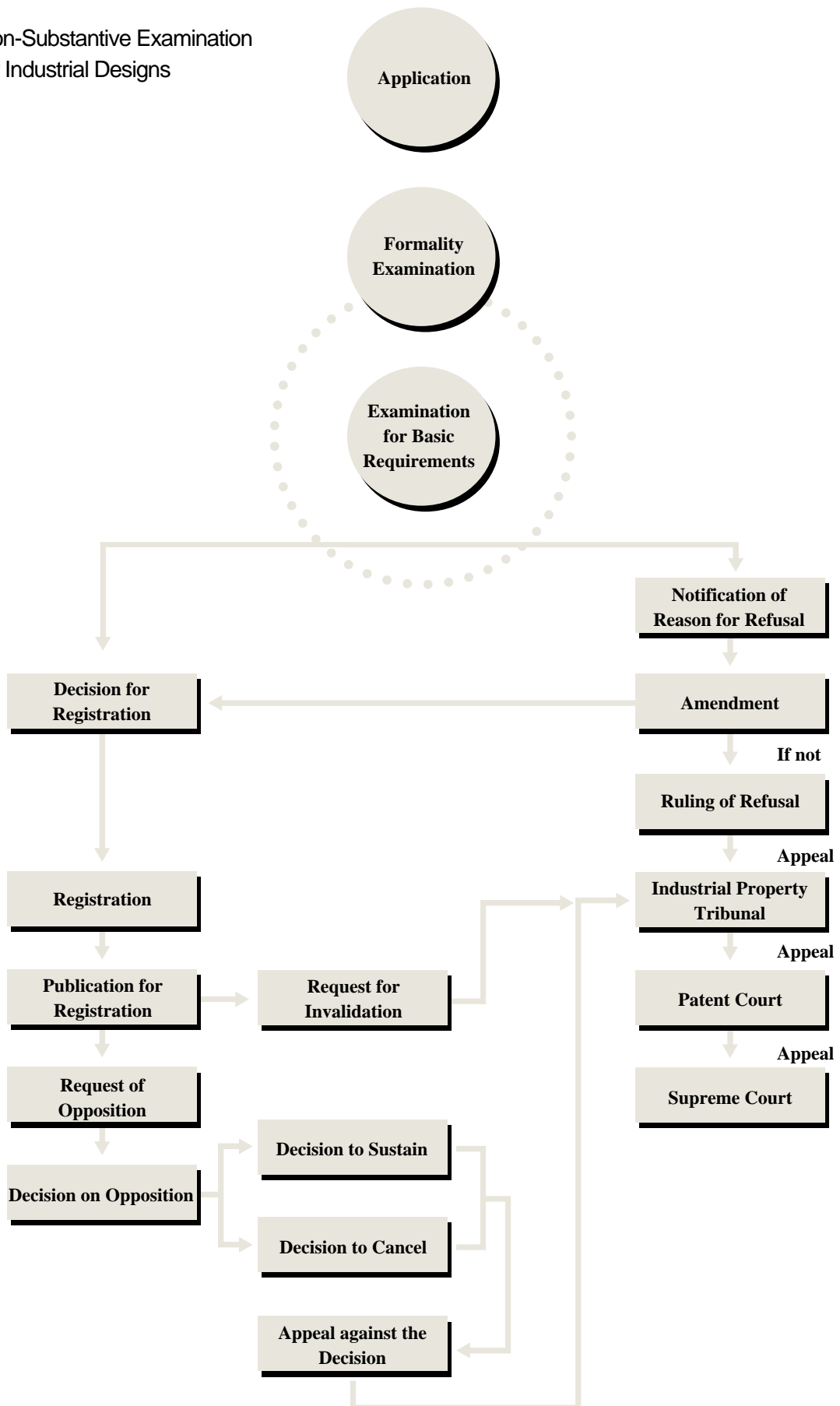


**Substantive Examination
for Industrial Designs**



C. Flow Chart for Examination

Non-Substantive Examination
for Industrial Designs



D. Intellectual Property Related Organizations & Associations

When dialing from outside Korea, please dial the following: +82 (2) XXX-XXX

Korea Invention Promotion Association	www.kipa.org/english/english.htm Tel: 557-1077~8 Fax: 554-6989
Korea Industrial Property Rights Information Center	www.kipris.or.kr Tel: 3452-8144 Fax: 3453-2966~7
Korea Association of Schools Invention	www.netizen.att.co.kr/~unikasi/ Tel: 707-0052 Fax: 716-5611
Korea Institute of Science and Technology Information	www.kinit.re.kr/english Tel: 962-4092 Fax: 962-4702
Supreme Court of Korea	www.scourt.go.kr/english/index.html Tel : 3480-1882
The Supreme Public Prosecutor's Office	www.sppo.go.kr/english/index.html Tel: 3480-2000 Fax: 3480-2555
National Association for Scientists & Engineers of Korea	Tel: 508-7881, 3453-8604 Fax: 3453-8420
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