

Recent Developments of the PCT In Korea

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This presentation will highlight the following topics :

I. Korea's Status in Patent Intensity Based on WIPO Statistics

II. Introduction of KIPO (Korean Intellectual Patent Office) in Viewpoint of PCT

III. KIPO's Efforts to Encourage Invention

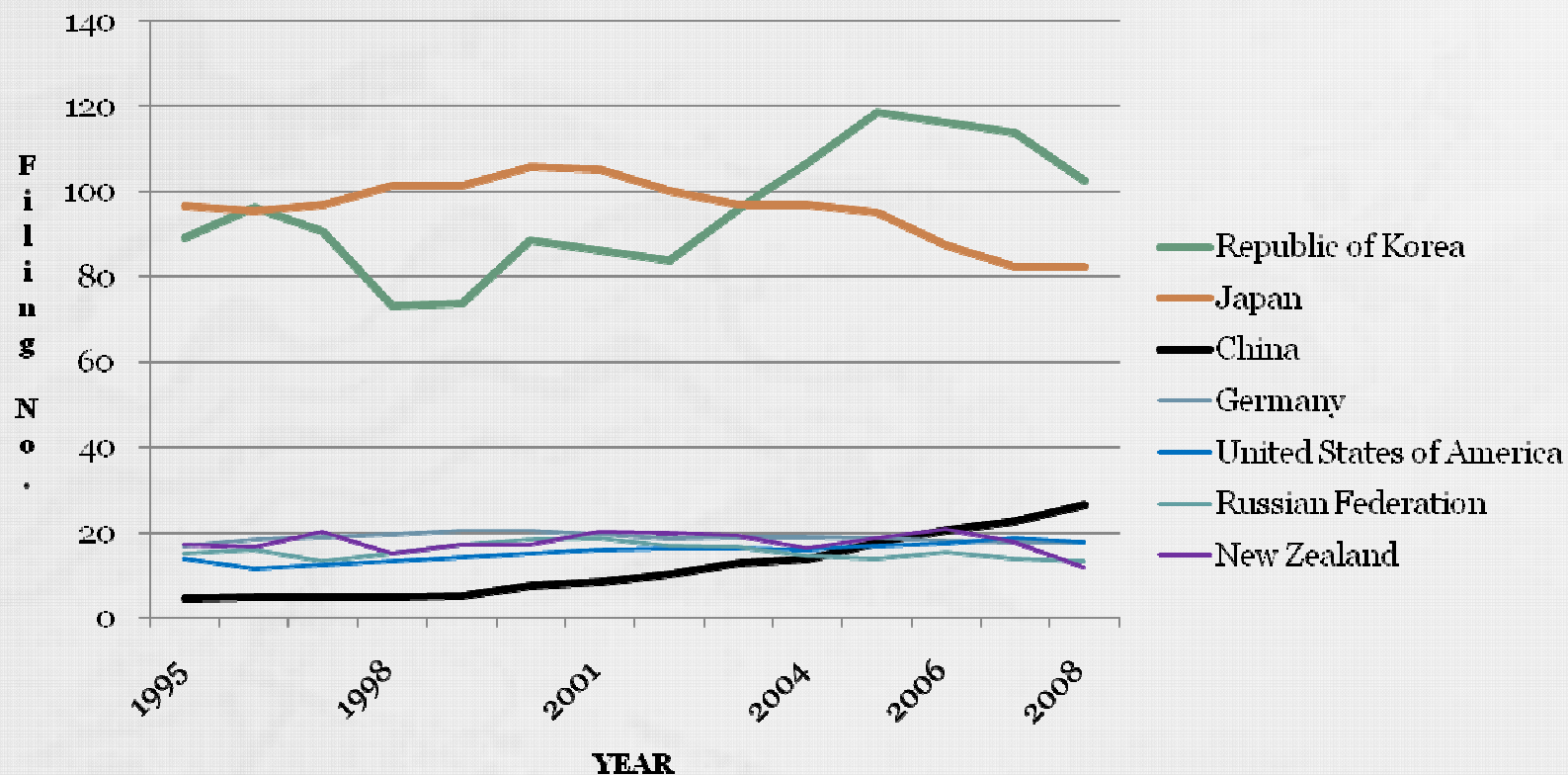
IV. Development of IP Automation in KIPO

V. Language as a Momentum in PCT Development of Korea

VI. Promotion of Benefits of PCT for applicants to develop the PCT

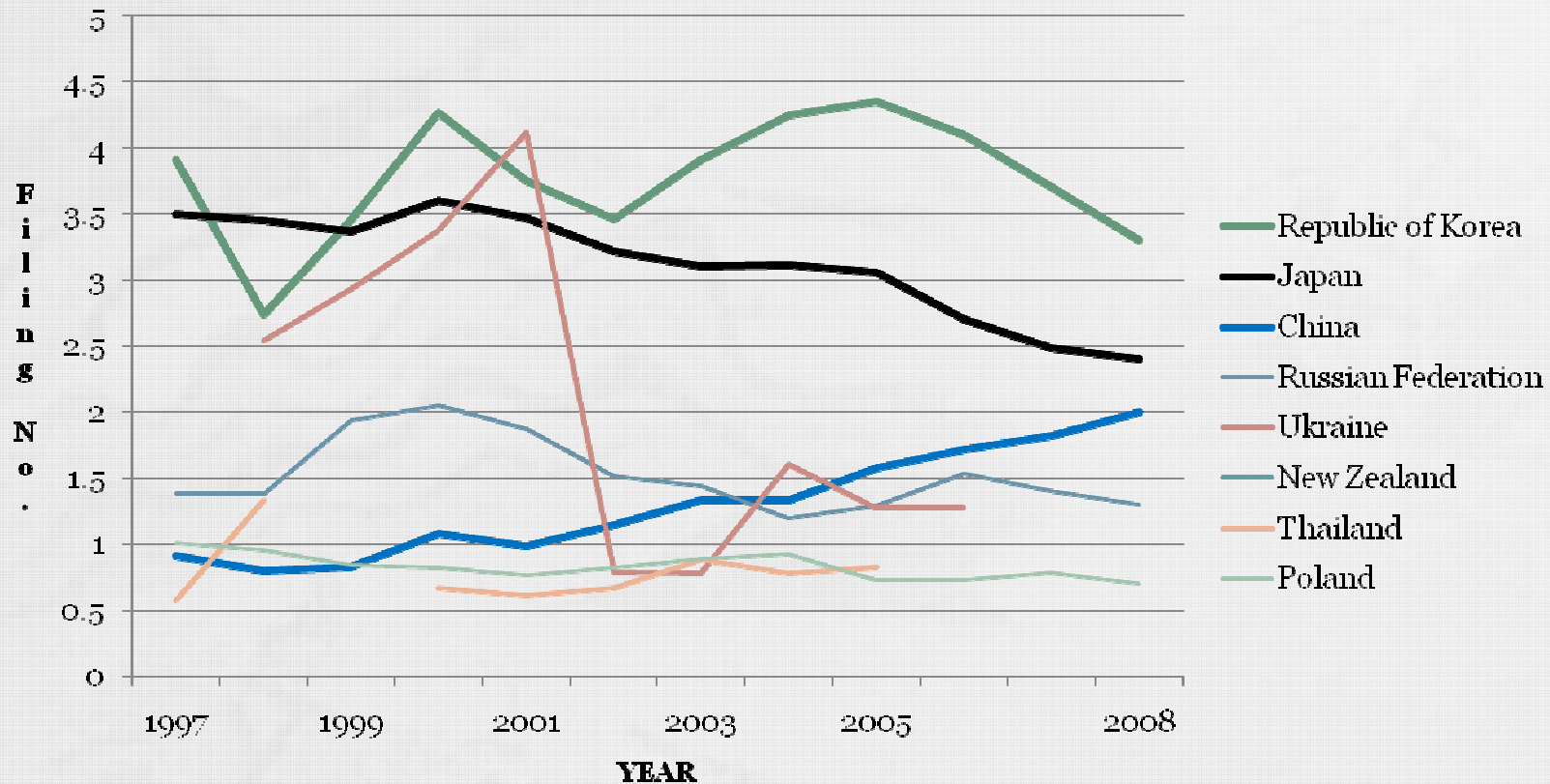
*Korea's Status in Patent Intensity
Based on WIPO Statistics*

Resident patent filings per \$billion Gross Domestic Product



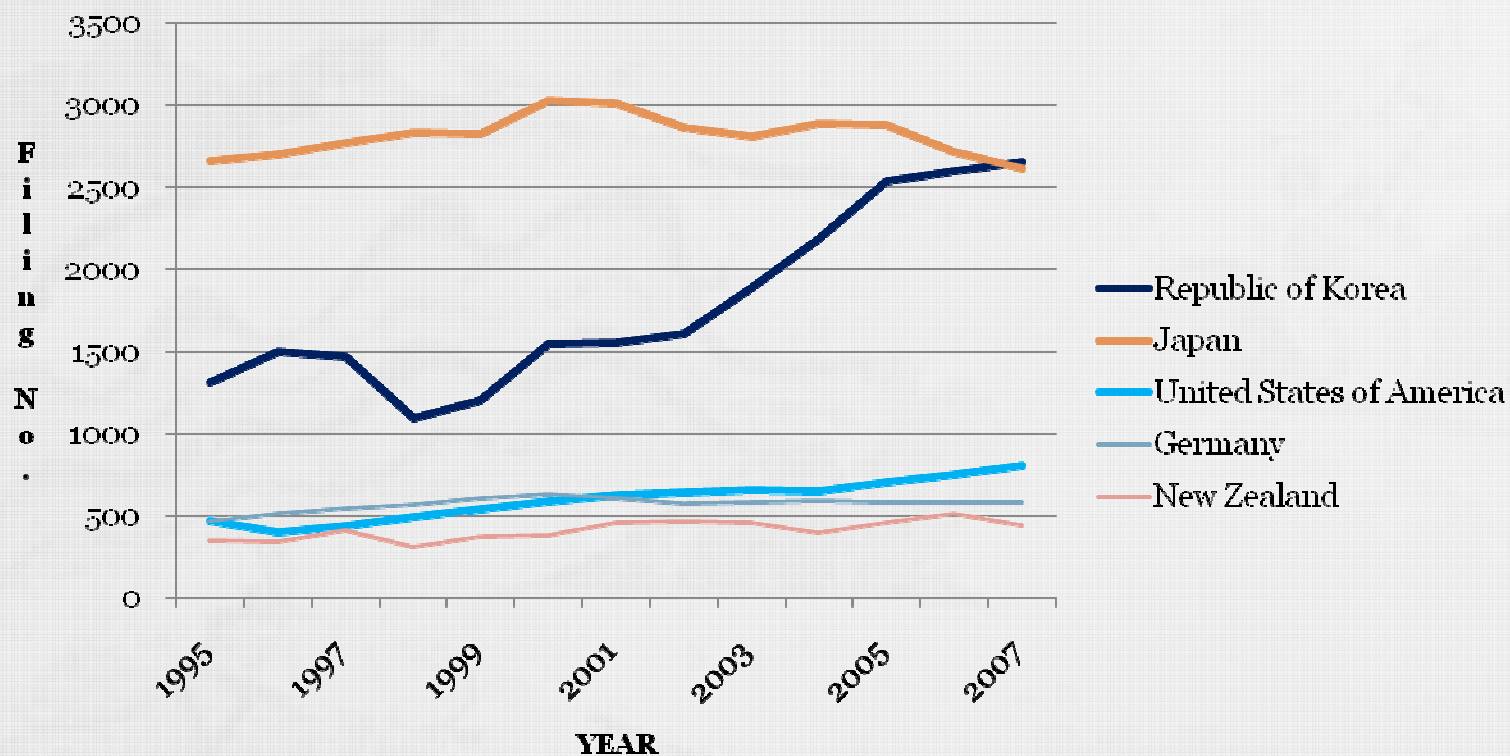
Source: WIPO Statistics Database and World Bank (World Development Indicators), June 2009

Number of Resident Patent Filings per \$Million Research & Development (R&D) Expenditure



Source: WIPO Statistics Database and UNESCO, June 2009

Number of resident patent filings per million population



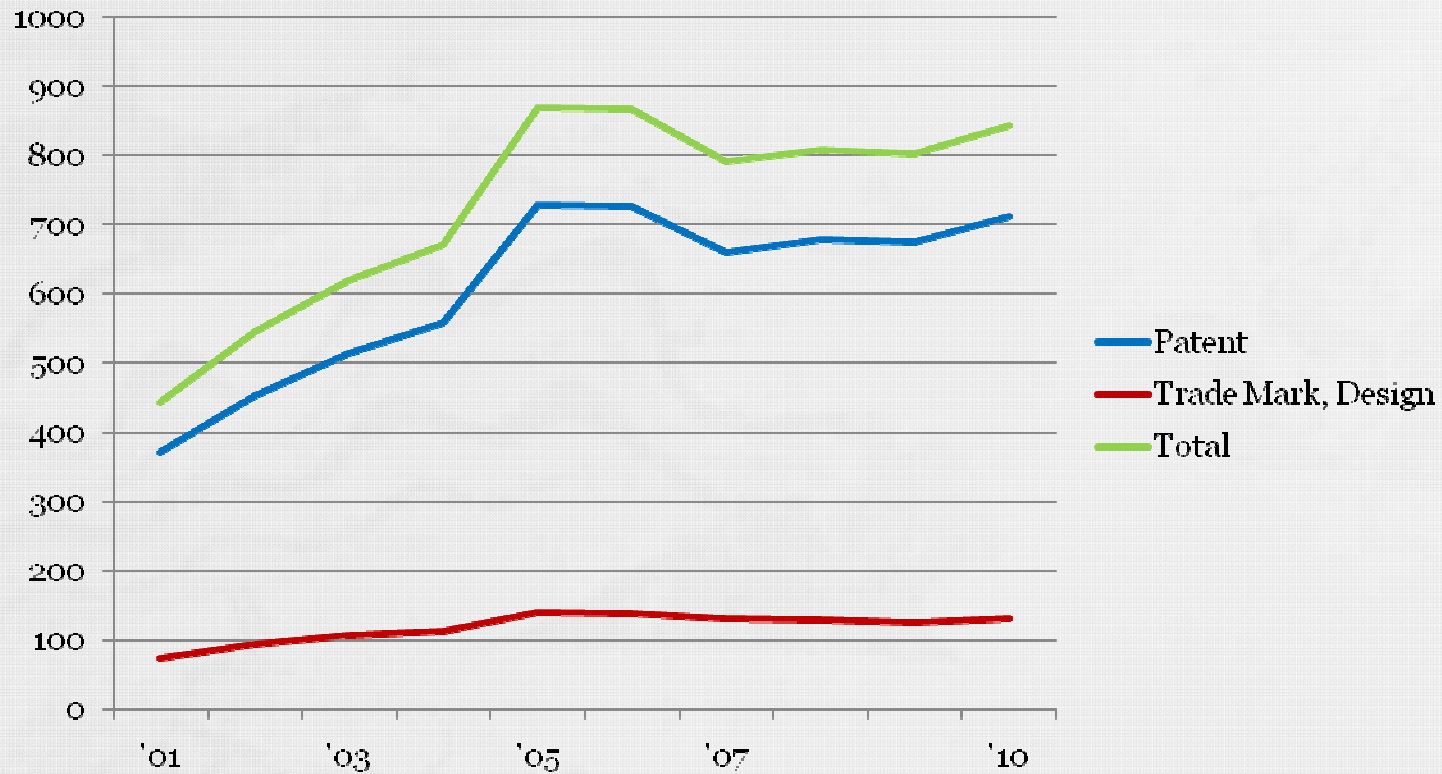
Source: WIPO Statistics Database and World Bank (World Development Indicators), June 2009

*Introduction of KIPO
(Korean Intellectual Patent Office)
in Viewpoint of PCT*

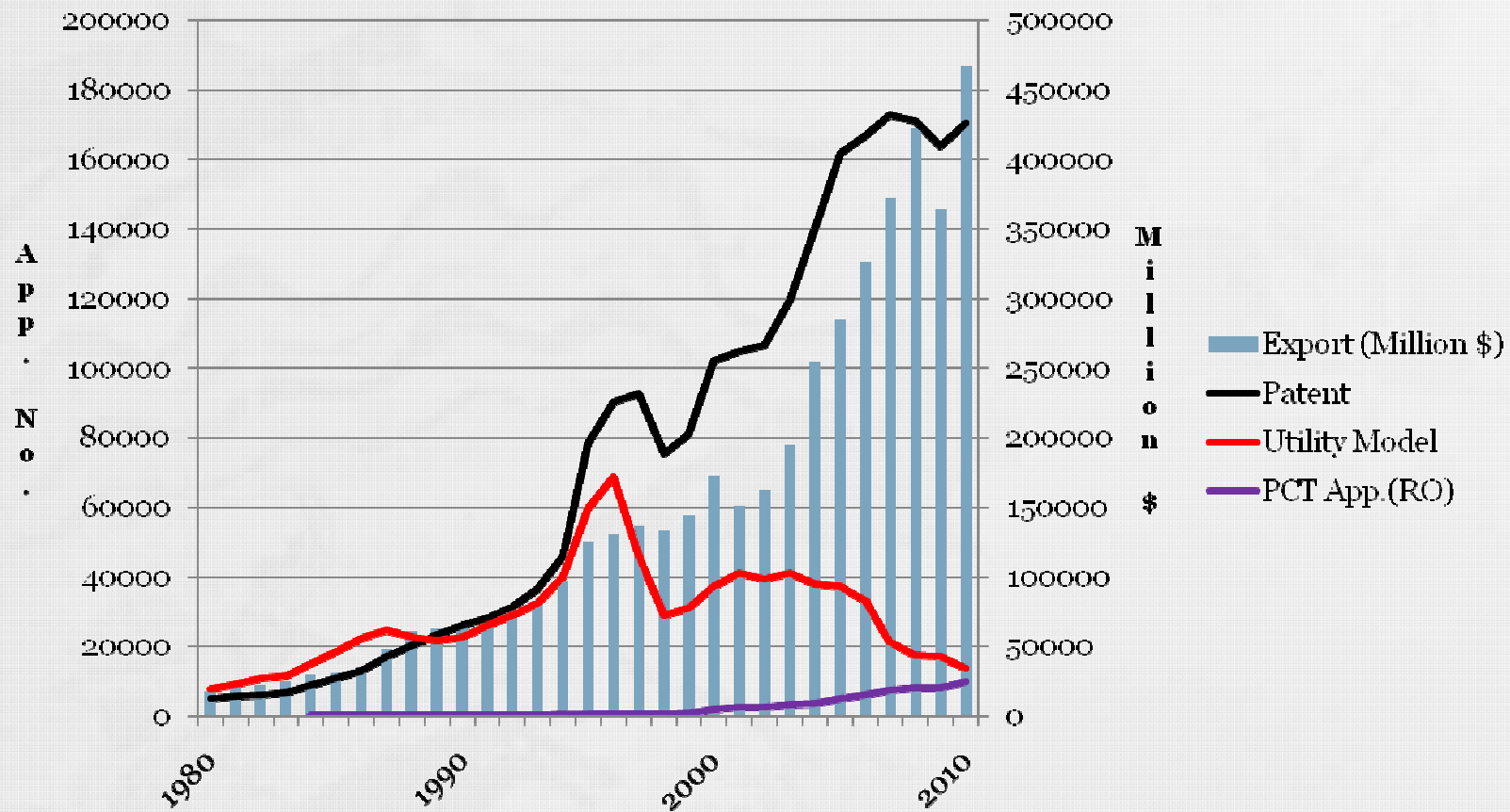
History of PCT in Korea

- Joined Paris Convention (May 1980)
- Joined PCT (May 1984, 36th contracting State)
- Started receiving PCT applications (August 1984)
- KIPO was designated as an ISA/IPEA (Sep. 1997)
- KIPO Started its work as an ISA/IPEA (Dec. 1999)
- Korean was adopted as an PCT Publication Language (Sep. 2007)

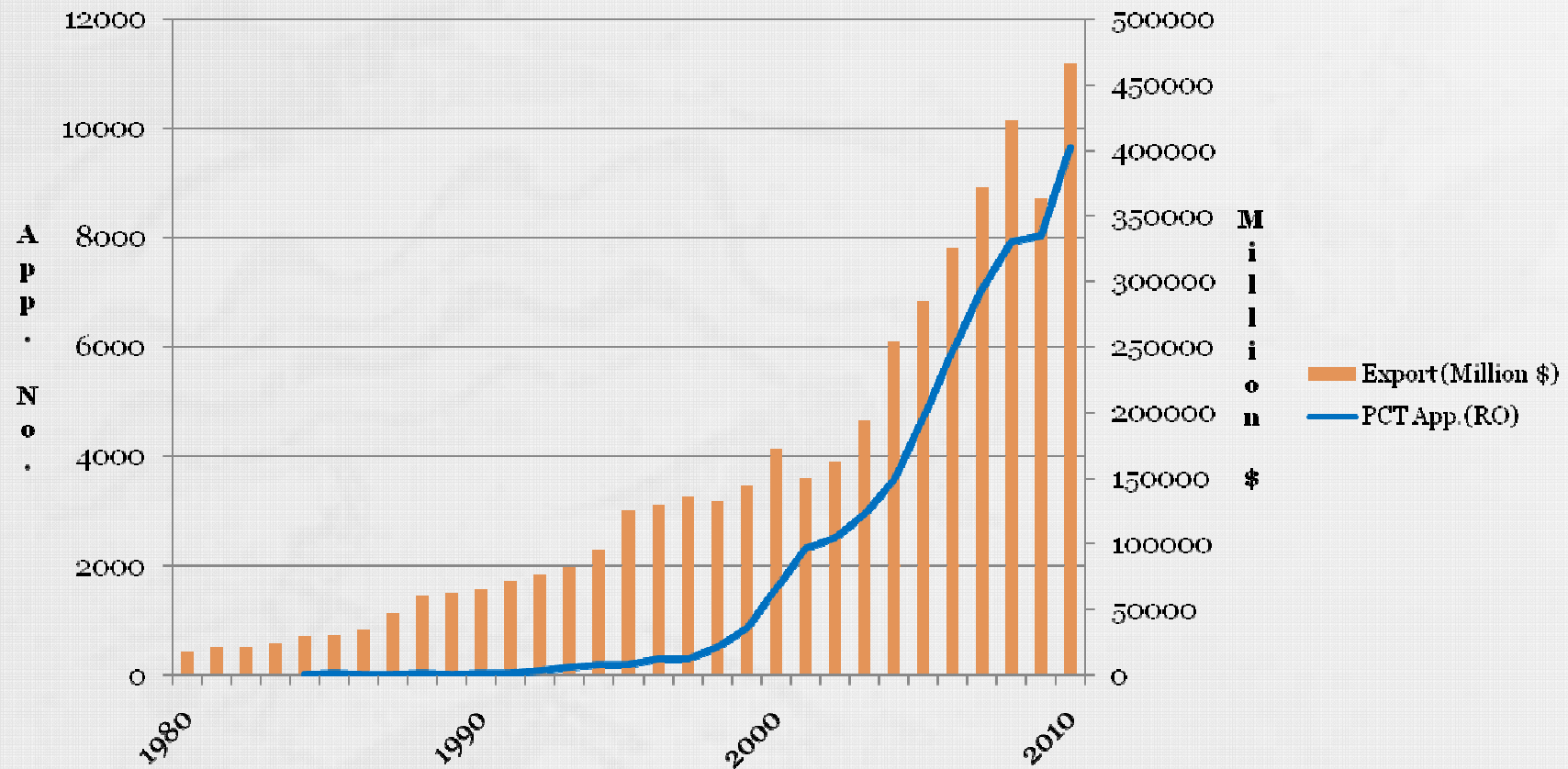
Examiners in Korean Intellectual Patent Office (Total: 866 (712 for patents, 154 for trademarks)('11])



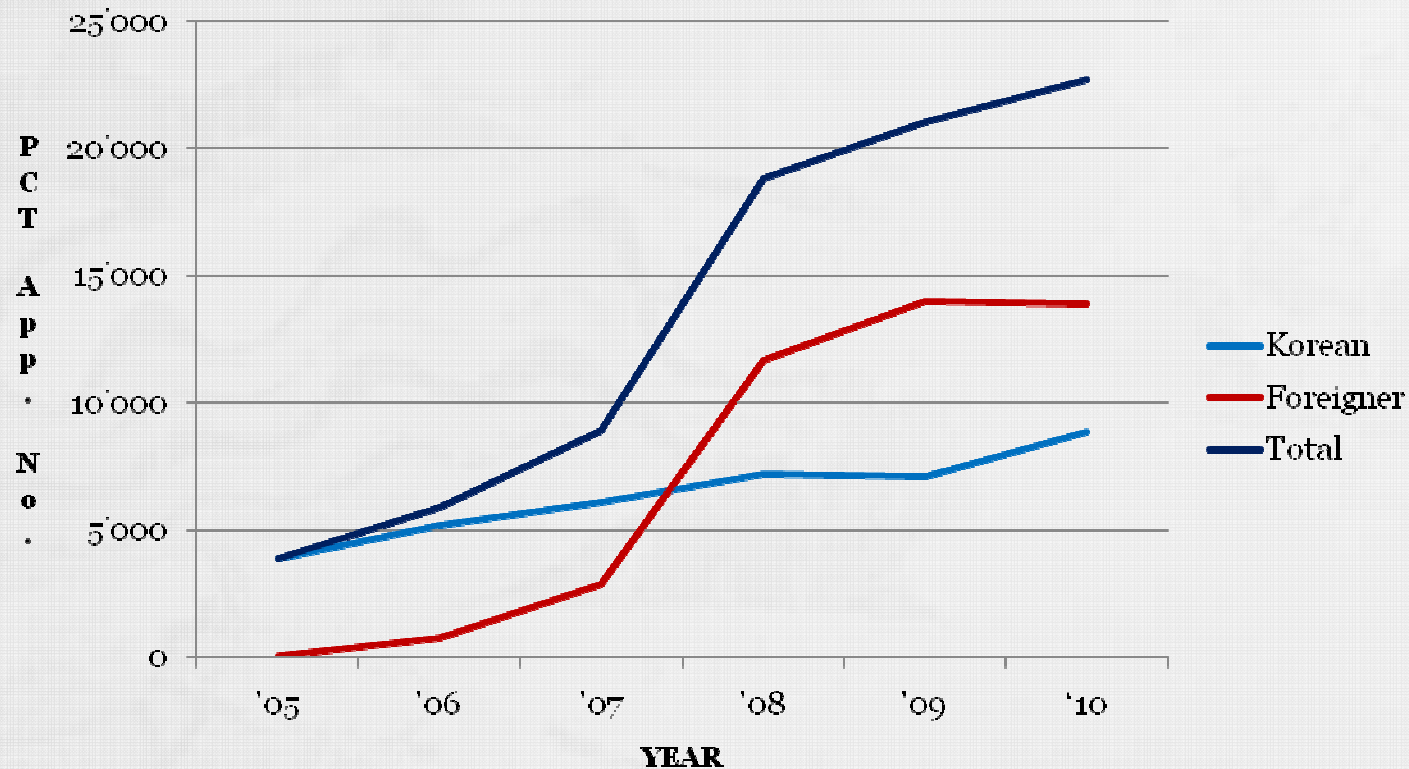
Patent, Utility Model, PCT Application Filings and Export Trends in Korea



PCT Application Filings and Exports Relation in Korea



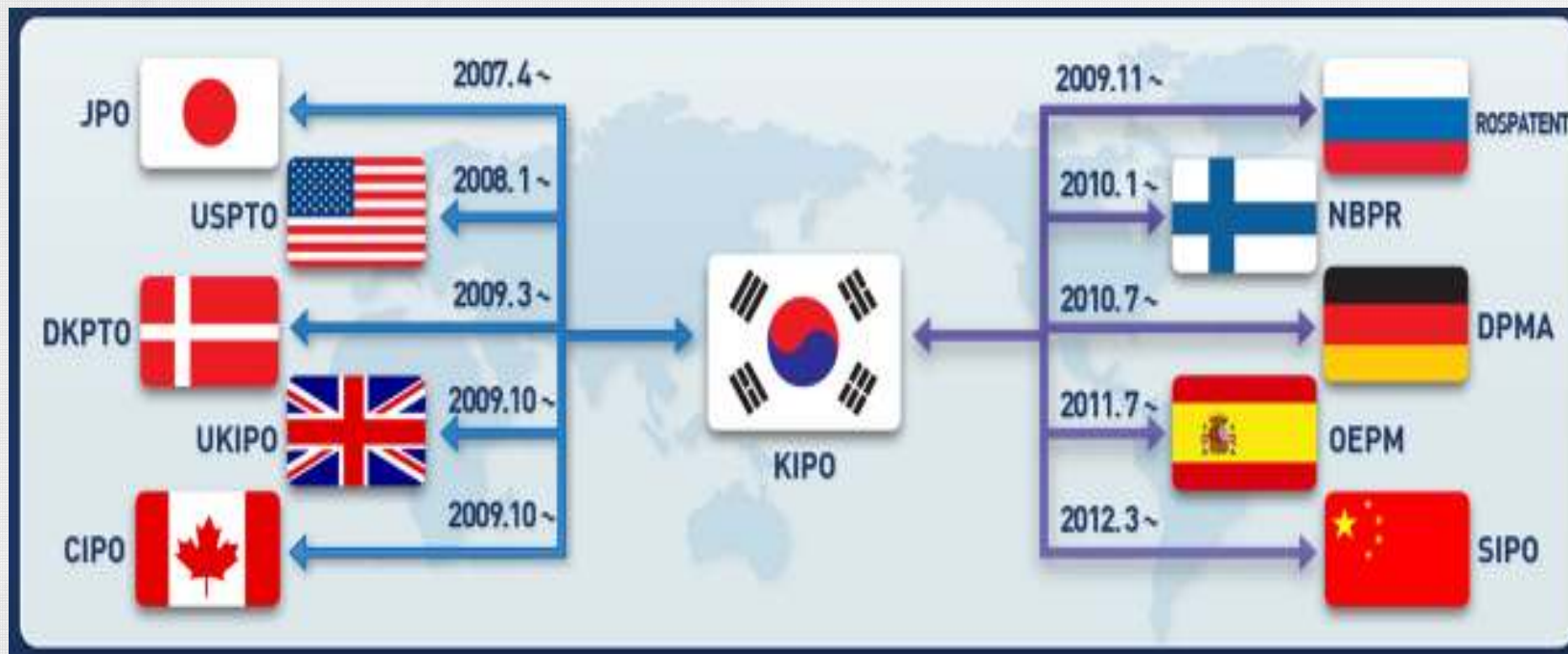
KIPO as a International Searching Authorities (ISA) selected by applicants



Foreign Country(12): Philippines, Viet Nam, Indonesia, Mongolia, Singapore, New Zealand, U.S.A., Malaysia, Sri Lanka, Australia, Thailand, Chile, Peru

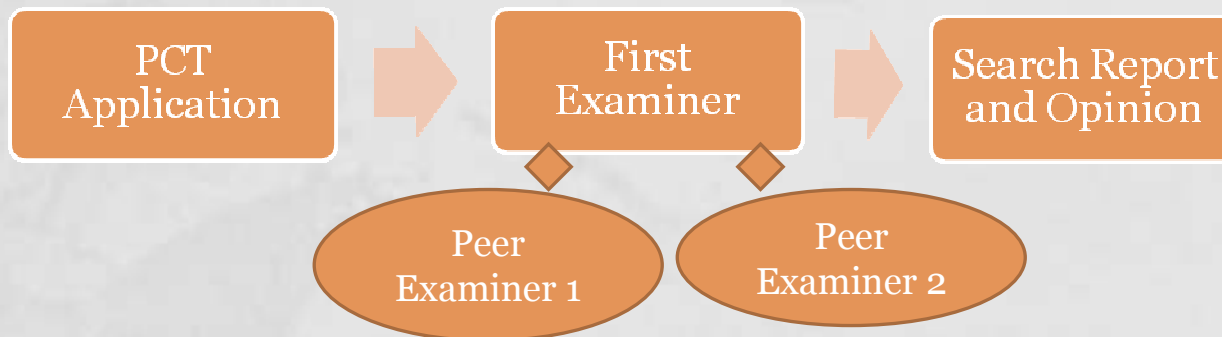
PPH (Patent Prosecution Highway) Situation in KIPO

- ▶ Japan, U.S.A, Denmark, U.K., Canada, Russia, Finland, Germany, Spain, China (10)
- ▶ PCT-PPH: U.S.A.(‘11.7.), China (‘12.3), Japan(be expected)



Collaborative Search & Examination in PCT

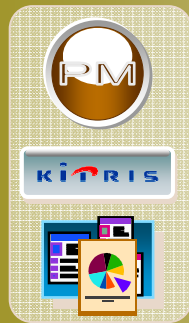
- Participants : EPO, KIPO, USPTO
- Why is CS&E so interesting ?
 - **Innovative way** of collaboration between the Offices.
 - It is **work-sharing** and something more: **collaboration**
 - It addresses quality and efficiency aspects.
 - Consulted external users look forward to this development.
 - It is part of the **PCT Roadmap** of WIPO General Director



*KIPO's Efforts
to Encourage Invention*

Utilizing IP Information

- Building infrastructures for the strategic use of patent information



- Legal Infrastructure

Amend Laws & Regulation → Institutionalization

<From 2004>

- Systematic management of National R&D projects



Planning
Patent Trend Analysis



Selecting
Prior Art Search

- Capability building for utilizing patent information



R&D IPR Consulting Center

Patent Information
Seminars

Education at universities

Strategic use of patent information

Patent Map

- Raise nationwide awareness of the use of patent information
- Develop patent maps for new technologies
- Launch PM Portal (www.patentmap.or.kr)



KIPRIS

- Provide free search services on patent information
- Collect domestic and foreign patent documents

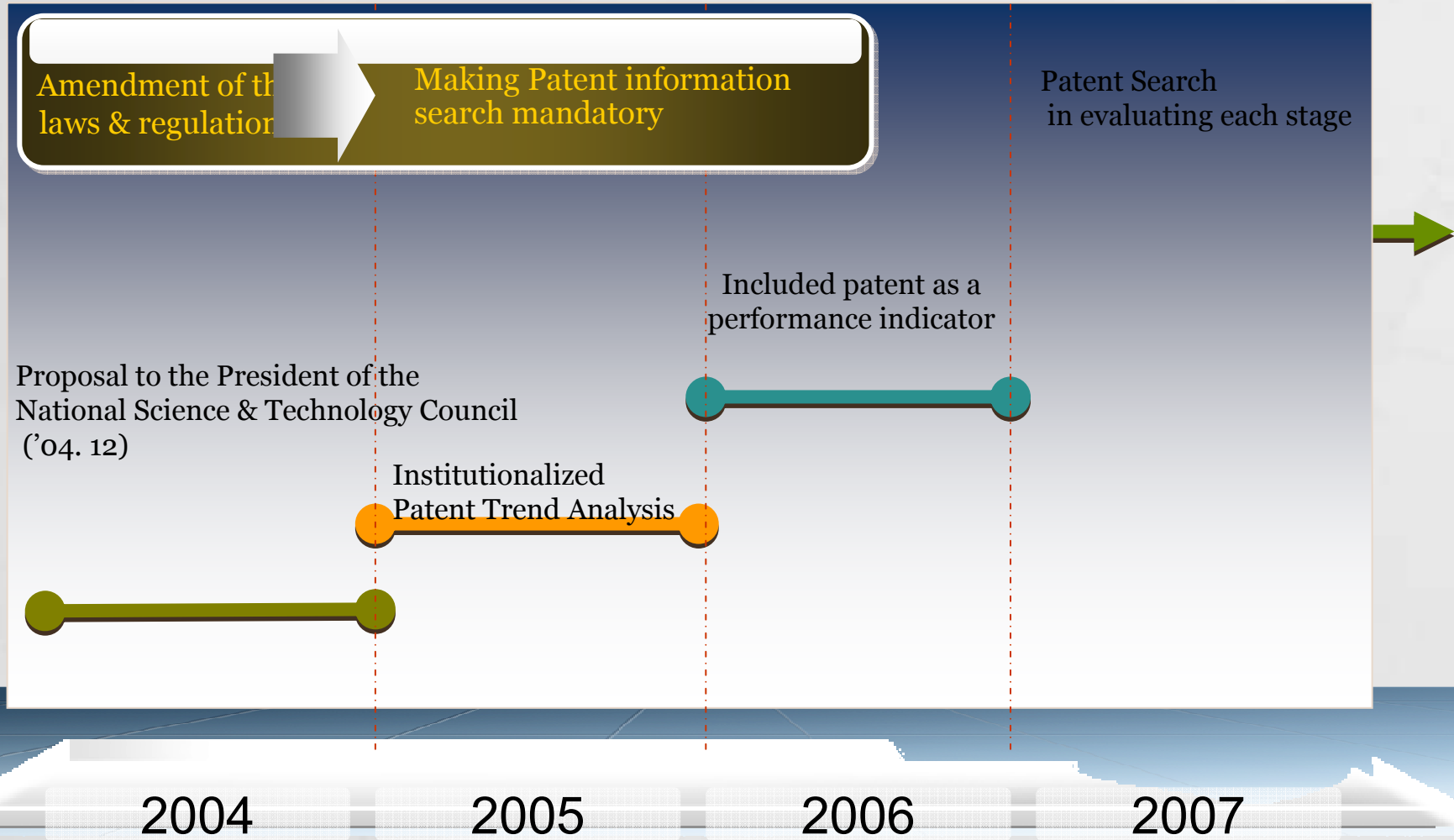


Statistics

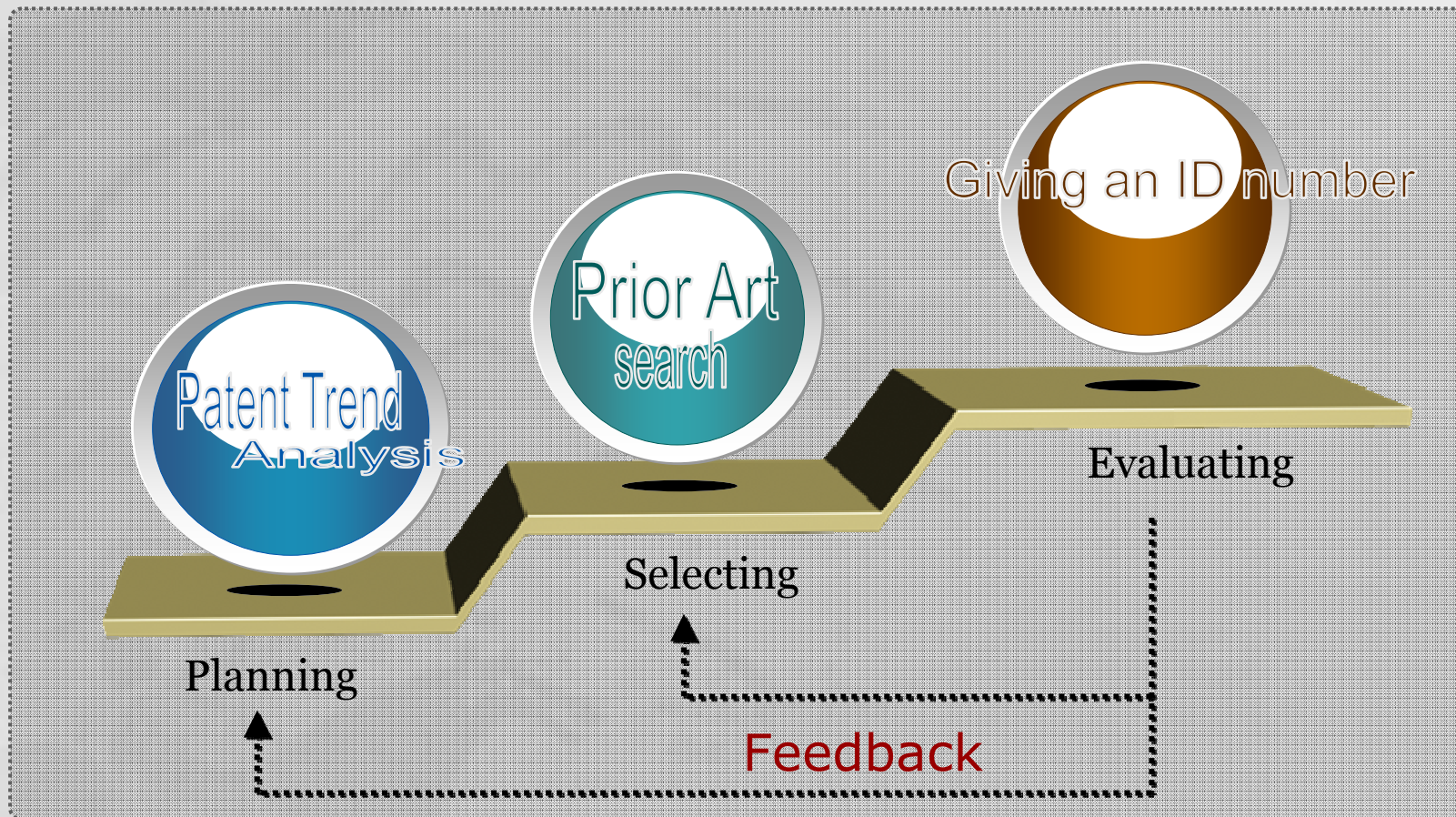
- Publish patent statistics analysis reports for patent policy
- Encourage mutual usage of patent & industry statistics



Encouragement of utilization through legal system



Improvement of the planning and managing systems to make effective national R&D programs



Planning
Level

Patent Trend Analysis in drafting R&D



- Technology trend
- Gap technology
- Patents for basic technologies



Guiding the direction
Of R&D projects

Selecting
Level

Prior art search in selecting R&D

- Type1- Prior art search before applying for a project
- Type2- Prior art search in evaluating R&D projects

Giving an ID number

Systematic management and evaluation of R&D projects

R&D Organizer

- Planning
- Selecting

Funding for R&D projects
(giving a unique number)

R&D agency

- Conducting R&D

Application info. Registration info. Commercialization info.

Filing
(ID No.)

Granting
(ID No.)

Assigning/Licensing
(ID No.)



Encouraging broad sharing of IP Information

R&D IPR Consulting Center

- Consulting service for national R&D projects
- Visit each lab for IPR consultation, researcher's note
- Foreign IPR trend report



Seminars on patent information

- Promoting the use of patent information in R&D processes



Education at university

- Undergraduate: Basic theory of IP, Blended learning
- Graduate: Advanced courses, off-line training
- Patent maps for universities



*Development of IP Automation
in KIPO*

Development of Computerization in IP

Beginning Of IP Automation

IP Automation in an On-Line Environment

Knowledge-based IP services

- Paper based application
- Provides basic admin. process supporting functionalities, focusing on receiving and registration
- Simple search function
- Provides basic information to the public

Development of Computerization in IP

Beginning Of IP
Automation

**IP Automation in an
On-Line Environment**

Knowledge-based IP
services

- E-filing
- Electronic gazette publication (by CD-ROM)
- Automated IPR administration
- Integrated search functions
- Provides various informational services to the public
- Electronic document handling
- Interface with other government agencies
- Streamlined and standardized processes

Development of Computerization in IP

Beginning Of IP
Automation

IP Automation in an
On-Line Environment

**Knowledge-based
IP services**

- High value-added services using accumulated data
- Various e-learning training courses
- Knowledge-based IP administration environment to IPO members of staff and the general public
- Interconnects with other IPOs for information exchange
- Standardized processes reflecting PLT, TLT, Madrid Protocol, etc.

*Language as a Momentum
in PCT Development of Korea*

Language of the International Application

- From '99. 12., KIPO accept the International Application **in Korean** and **act International Searching Authority**

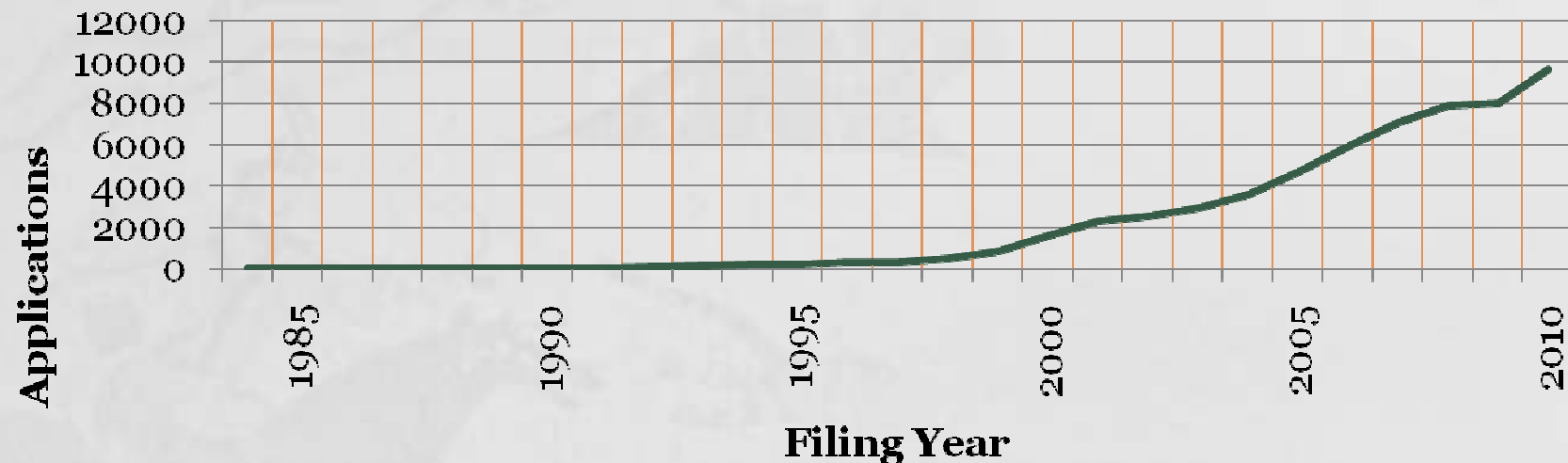
☞ Below Graph shows 1st inflection point at that year

※ The receiving Office accept the language on the condition

- A language accepted by the International Searching Authority
- A language of publication (Regulations under the PCT, Rule 12)

- Korean was adopted as an PCT Publication Language (in effect Jan. 2009)

Trends in PCT Applications (Korea)



*Promotion of Benefits of PCT
for applicants to develop the PCT*

Promotion of Benefits of PCT for applicants

- ◆ A single filing with a single Receiving Office within 12 months of the filing of a priority application can be considered to comply with the 12 month Paris Convention deadline in all countries which are members of the PCT
- ◆ Payment of a single modest fee, rather than paying separate filing fees in each of the designated countries
- ◆ National fees will need to be paid when national phase entry is confirmed, that is the payment of these filing fees is deferred

Promotion of Benefits of PCT for applicants

◆ the PCT applicant is also able to defer making a decision on the countries where patent protection will ultimately be pursued. This deferral period, which is generally 18 months, allows the patent applicant to assess suitable markets for the invention, and to assess the merits and likely commercial success of the invention.

Promotion of Benefits of PCT for applicants

- ◆ International Search Report (ISR) provides the applicant with a useful indication of the prior art against the invention
- ◆ As this International Search Report is issued prior to international publication, the applicant is afforded an opportunity to withdraw the application on receipt of an unfavourable ISR prior to publication of details of the invention.

Promotion of Benefits of PCT for applicants

- ◆ The applicant is also permitted an opportunity under Article 19 to amend the claims of the application to avoid prior art cited in the ISR.
- ◆ the opportunity to file a Demand for International Preliminary Examination, which may be accompanied by amendments to the description, claims and drawings.

*Thank you very much
for your attention*

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