KIPO’s Policies & Services for the Creative Economy

5 June 2014

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Commissioner
Strategies for an IP–based Creative Economy

- KIPO’s five–year plan to support the National Agenda

Customized Examination Services

Enhancing IP Protection

Globalized Patent Laws & Systems
Customized Examination Service
Patent Application and Pendency

**Patent Application**

<table>
<thead>
<tr>
<th>Year</th>
<th>Cases (thousand)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2009</td>
<td>164</td>
</tr>
<tr>
<td>2010</td>
<td>170</td>
</tr>
<tr>
<td>2011</td>
<td>179</td>
</tr>
<tr>
<td>2012</td>
<td>189</td>
</tr>
<tr>
<td>2013</td>
<td>204</td>
</tr>
</tbody>
</table>

**Unit:** cases

**PCT Application**

<table>
<thead>
<tr>
<th>Year</th>
<th>Cases</th>
</tr>
</thead>
<tbody>
<tr>
<td>2009</td>
<td>8,035</td>
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<tr>
<td>2010</td>
<td>9,669</td>
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<td>2011</td>
<td>10,447</td>
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<tr>
<td>2012</td>
<td>11,848</td>
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<tr>
<td>2013</td>
<td>12,386</td>
</tr>
</tbody>
</table>

**Unit:** cases

**Examination Pendency**

<table>
<thead>
<tr>
<th>Year</th>
<th>Pendency (months)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2010</td>
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<tr>
<td>2011</td>
<td>16.8</td>
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<tr>
<td>2012</td>
<td>14.8</td>
</tr>
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<td>2013</td>
<td>13.2</td>
</tr>
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</table>

**Unit:** months

**Pendency of Patent Trial and Appeal**

<table>
<thead>
<tr>
<th>Year</th>
<th>Pendency (months)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2010</td>
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<tr>
<td>2011</td>
<td>10.2</td>
</tr>
<tr>
<td>2012</td>
<td>10.2</td>
</tr>
<tr>
<td>2013</td>
<td>8.9</td>
</tr>
</tbody>
</table>

**Unit:** months
Human Resources

Number of Examiners

- 2002: 453
- 2007: 660
- 2013: 834

Composition of Examiners

- PhDs: 50.4%
- State exam passers: 16.8%
- Professional engineers: 2.4%
- Patent attorneys: 4.0%
- Others: 26.4%
Ensuring Patent Quality

High-quality examination

- Supplier’s point of view
- Examination is a search and review process
- Focus is on the examination stage only

High-quality IPRs

- IP user’s point of view
- Examination is a process for creating a quality patent
- Focus is on the pre-to-post-examination stage as well

Paradigm shift
Changing Processes and Enhancing Capabilities

Positive examination procedures

Expand interaction-based outsourcing of prior art searches

Intensive examination quality control

Increase the number of examiners on a continual basis
Enhancing IP Protection
IP Enforcement & Anti–Counterfeiting Activities

1. Establishing the Special Police Squad for Trademark Rights

2. Conducting anti–counterfeiting campaigns

3. Establishing the nationwide IP enforcement network
Globalized Patent Laws and Systems
Easing the “formal” requirements for acquiring an application date

Accepting foreign language (English) applications
Extending the translation submission period upon request in PCT application

Allowing amendment in the original language for the specification
Protecting creative ideas

- Easing requirements for grace period
- Increasing opportunity for divisional application

Allowing to amend application before registration
Allowing to divide application after decision of registration

Application
Idea: a1, a2, a3

Examination

Decision of Registration
Idea: a1, a2, a3

Registration
- a1
  - Examination
- a2
  - Registration
- a3
  - Examination

Division
Enhancing patent protection

- Damage compensation in infringement lawsuits
  - Increasing damages ex) Triple compensation
- Reinforcing material submission order
  - Obligatory submission upon the order of the court

Average compensation amounts

US: $1 million
Korea: $5,000
Thank you.