Patent Strategy in Asia

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Patent Strategy in Asia
Patent Strategy in Asia: Korea – Prosecution - Divisionals

See Korea Patent Act, Article 52
Patent Strategy in Asia: Korea – Request for Examination
Patent Strategy in Asia: Korea – Ex-Officio Reexamination
Patent Strategy in Asia: Korea – Cancellation Proceedings

Organization of the IPTAB

The IPTAB consists of 11 trial boards, a Trial Policy Division, and a Litigation Division. A trial board is composed of about 9 administrative patent judges who are in charge of conducting the trials. Meanwhile, the Trial Policy Division is responsible for receiving documents, formalities examination, etc., and the Litigation Division is responsible for litigation proceedings.

As mentioned above, the 11 trial boards consist of about 0 administrative judges including the chief administrative patent judge. A trial board makes decisions based on a majority vote out of three administrative patent judges. For matters of grave concern, the board may expand the vote to five judges including the President of the Intellectual Property Trial and Appeal Board.

http://www.kipo.go.kr/kpo/user.tdf?a=user.english.html.HtmApp&c=30300&catmenu=ek03_07_01
Patent Strategy in Asia: Korea – Patent Litigation Overview

- Patent Court of Korea, Statistics as of 12/8/16
  (patent.scourt.go.kr/patent_e/judicial/judicial_02/index.html)
Patent Strategy in Asia: Korea – Patent Litigation Overview

<table>
<thead>
<tr>
<th>Year</th>
<th>Cases Filed</th>
<th>Cases Disposed</th>
<th>Cases Pending</th>
</tr>
</thead>
<tbody>
<tr>
<td>2008</td>
<td>1,449 (843)</td>
<td>1,670 (885)</td>
<td>714 (587)</td>
</tr>
<tr>
<td>2009</td>
<td>983 (686)</td>
<td>1,208 (788)</td>
<td>499 (559)</td>
</tr>
<tr>
<td>2010</td>
<td>978 (602)</td>
<td>1,018 (817)</td>
<td>484 (844)</td>
</tr>
<tr>
<td>2011</td>
<td>1,255 (727)</td>
<td>1,286 (787)</td>
<td>478 (884)</td>
</tr>
<tr>
<td>2012</td>
<td>1,152 (687)</td>
<td>1,188 (710)</td>
<td>447 (292)</td>
</tr>
<tr>
<td>2013</td>
<td>1,040 (637)</td>
<td>1,024 (612)</td>
<td>468 (817)</td>
</tr>
<tr>
<td>2014</td>
<td>955 (649)</td>
<td>989 (673)</td>
<td>449 (293)</td>
</tr>
<tr>
<td>2015</td>
<td>883 (489)</td>
<td>818 (488)</td>
<td>515 (814)</td>
</tr>
</tbody>
</table>

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  (patent.scourt.go.kr/patent_e/judicial/judicial_02/index.html)
Patent Strategy in Asia: Korea – District Courts – Patent Venue
Patent Strategy in Asia: Korea – Split Tribunals

INFRINGEMENT

INVALIDATION

KIPO
The Korean Intellectual Property Office
Patent Strategy in Asia: Korea – Ownership Disputes
Patent Strategy in Asia: Korea – Litigation
Infringement/Damages Disclosures
Patent Strategy in Asia: Korea – Patent Appeals
Patent Strategy in Asia: Korea – KFTC and SEPs

STANDARD ESSENTIAL PATENTS
Patent Strategy in Asia: Korea – KFTC and Licensing
Patent Trials in the Eastern District of Texas

• Conclusions
• Questions & Answers
THANK YOU

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