



# BRIDGING THE PACIFIC

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News From KOREA

## Innovating Technological Development Upgraded IPR Protection to Bolster the Economy

Responding to the new global reality of the 21st century, Korea's Participatory Government is emphasizing the central role of technological innovation in paving the way for its vision of creating an advanced economy with a per capita income of 20,000 dollars. Supporting this drive, the government has introduced several initiatives, including the elevation of the post of minister for science and technology to the deputy prime minister level and the institution of a number of programs designed to encourage entrepreneurs and government employees toward a spirit of innovation and creativity.

A key aspect of such technological innovation should be the protection of intellectual property rights (IPR). Korea's leading position in the IT sector, to take one example, means that it has a firm interest in driving the development of new and adequate IPR policies. All in all, the Korean government is expected to actively endeavor to protect IPRs in a drive to help develop related domestic industries and attract foreign direct investment (FDI). Also, business circles' awareness of the importance of genuine goods usage is on the increase.

As a result of the government's policy focus on IPR protection, and under the instruction of President Roh in February this year, the Korean government made public a fundamental and comprehensive enforcement plan for intellectual property rights protection on May 3. This new initiative, comprising 15 tasks, aims at the establishment of a stronger system of measures to crack down on IPR infringements, the advancement of IPR-related laws and regulations, and the promotion of public awareness of IPR protection.

First, the plan seeks to establish a standing enforcement and punishment system against IPR infringements. Accordingly, the Joint Government Enforcement Task Force Team was set up in May. During the intensive enforcement period from April to June this year, more than 11,000 people were charged with infringing on intellectual property rights and 269 of these were arrested. Furthermore, to improve the expertise of enforcement personnel, education programs were set up and have been in operation in each relevant ministry.

Second, the plan aims at the advancement of the existing legal framework of IPR protection. Technology and techniques for circumventing IPR laws often progress so

fast that the relevant legal system cannot keep up. The Korean government is fully committed to constantly upgrading the legal infrastructure to reflect the ever-changing environment, as well as the international trends in IPR protection. Relevant laws have been amended or are being reviewed for amendments. For example, to confer interactive transmission rights on phonogram producers and performers, an amendment to the Copyright Act was passed by the National Assembly this fall.

Third, the public's attitude toward IPR infringement is one of the biggest obstacles to IPR protection. All too often, the general public takes lightly, or is totally unaware, of the fact that copying software, films, or music CDs is simply illegal. In light of this, the Korean government will incorporate the education of IPR protection into the official school curriculum next year, especially for primary and middle schools. As for the general public, various media outlets such as the Internet, TV, radio, and even subway advertisements are being used to increase public awareness of IPR protection.

### Korea's IPR Protection Measure Package

Intensify crack-down against IPR violators	<ul style="list-style-type: none"><li>- Operate combined gov't office teams to combat violations</li><li>- Regular payroll for standing manpower engaged in crackdown on IPR violators related to music, videos, games, etc.</li><li>- Reinforce education for crackdown staff</li></ul>
Upgrade laws & systems concerning IPR protection	<ul style="list-style-type: none"><li>- Improve laws &amp; systems to prevent illegal copying via the Internet</li><li>- Foster environment for smooth transactions for copyright utilization</li><li>- Revise regulation on offenses subject to prosecution based only upon complaints</li><li>- Reinforce the protection for copyrights in digital environment</li><li>- Seek ways to prevent monopolistic gains by exclusive users of famous foreign brands, etc.</li><li>- Provide legal basis for confiscation and destruction of counterfeit goods</li><li>- Improve Civil Law on damage compensation system</li></ul>
Enhance awareness of IPR importance	<ul style="list-style-type: none"><li>- Include IPR in regular education curriculum</li><li>- Reinforce public education and publicity</li></ul>
Reinforce global-based capacity in connection with IPR protection	<ul style="list-style-type: none"><li>- Reinforce international cooperation</li><li>- Step up efforts to protect Korea's IPRs abroad</li></ul>
Establish pan-national system to protect IPRs	<ul style="list-style-type: none"><li>- Operate policy consultancy committee to protect IPRs</li></ul>