

## THE TRENDS OF KOREAN IP RIGHTS

### I. New Systems adopted in 2017

2017 brings many changes to the Korean Patent application system including the followings.

#### 1. Reduction of the Period for filing a Request for Examination (from 5 years to 3 years from the filing date)

For a speedy confirmation of rights of patent applications, the period for filing a request for examination will be reduced from five (5) years to three (3) years from the date of filing. [This revision shall apply to all patent applications **filed** (or internationally filed for PCT applications) on or after March 1, 2017].

#### 2. Introduction of the Request for Cancellation of a Patent Right

To improve the quality of patent, anyone can file a request for cancellation of a patent right within six (6) months from the publication date of the granted patent. [This revision shall apply to all patents **registered** on or after March 1, 2017].

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## II. Recent Statistics of Applications in Korea

### 1. Number of Applications by Right

The total number of patent applications reached 208,830, a 2.3% decrease compared to the previous year. Utility model applications reached 7,767, a 10.8% year-on-year decrease, design applications decreased by 3.4% to 65,643, and trademark applications decreased by 2.1% to 181,606. The total number of the IPR applications filed in 2016 showed the first decrease in six years since 2010.

〈The Number of Applications by right (for 5 years)〉

Unit: Case %

Right	2012	2013	2014	2015	2016 (Rate of Change)
Patents	188,915	204,589	210,292	213,694	208,830 (▽ 2.3)
Utility Models	12,424	10,968	9,184	8,711	7,767 (▽ 10.8)
Designs	63,135	66,940	64,413	67,954	65,643 (▽ 3.4)
Trademarks	142,176	159,217	160,663	185,443	181,606 (▽ 2.1)
Total	406,650	441,714	444,552	475,802	463,846 (▽ 2.5)

\* The number of international patent, design, and trademark applications included in the above table.

### 2. Number of Applications by Applicant Type

By applicant type, the applications filed by small and medium-sized entities and public/educational sectors showed an increase (average of 7.4% increase for small and medium-sized entities in the last five (5) years), whereas the applications filed by the other applicants including large entities have been decreased. In particular, the large entity which recorded the largest amount of applications until 2014 showed a decrease subsequent to the year 2015 and ranked the lowest out of the main types of the applicants.

〈The Number of Applications by applicant type (4 types)〉

Unit: Case %

Type	2012	2013	2014	2015	2016 (rate of change)
Large Entities	42,115	48,045	45,986	42,649	38,800 (▽ 9.0)
Small & Medium sized Entities	36,045	39,527	41,658	45,419	46,813 (3.1)
Individuals	35,645	37,358	38,047	40,916	39,936 (▽ 2.4)
Foreigners	44,301	44,611	46,219	46,421	45,403 (▽ 2.2)

### 3. Number of Patent Applications by Major Applicant

Despite that the number of applicants filed by large entities has been decreased, referring to the ranking of the major applicants, Samsung Electronics filed the largest number of patent applications,

followed by Hyundai Motor and LG Electronics. Foreign applicants were ranked in the order of Qualcomm, Intel, and Huawei.

(List of Major Patent Applications filed in 2016)

Ranking	Major Applicants	Number of Applications
1	Samsung Electronics Co., Ltd.	5,630 (6,725)
2	Hyundai Motor Company	3,791 (3,713)
3	LG Electronics Inc.	3,764 (3,452)
4	LG CHEM, LTD.	3,343 (3,333)
5	ETRI	2,308 (2,280)
6	Samsung Display Co., Ltd.	2,020 (2,827)
7	LG Display Co., Ltd.	2,007 (2,357)
8	Qualcomm	1,631 (1,505)
9	POSCO	1,589 (1,575)
10	LG INNOTEK CO., LTD.	1,170 (1,148)

(Patent Applications filed by Major Foreign Applicants in 2016)

Ranking	Foreign Companies	Number of Applications
1	Qualcomm	1,631 (1,505)
2	Intel	771 (685)
3	Huawei	511 (300)
4	Toyota	465 (623)
5	Microsoft	414 (277)
6	Cannon	403 (414)
7	Tokyo Electron	394 (461)
8	Sony	357 (271)
9	3M	353 (361)
10	BASF	351 (334)

#### 4. Number of Patent Applications by Technology

By major technology classification, the number of patent applications has been ranked in the order of electric engineering (34.3%), chemistry (21.0%), mechanical engineering (20.6%), instruments (13.1%), and others (11.0%), which showed a similar aspect compared to the previous year.

Large entities filed the largest number of applications for semiconductor manufacturing and processing apparatuses (3,169 cases) and fuel cell (battery) related inventions (1,978 cases), small and medium-sized entities filed the largest number of applications for electronic transaction, finance and payment methods (3,693 cases) and data processing apparatuses and methods (1,438 cases), and foreign applicants filed the largest number of applications for semiconductor manufacturing and processing apparatuses (3,514 cases) and data processing apparatuses and methods (2,026 cases).