NEWSLETTER **bkl** bae, kim & lee ip

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KIPO's Guidelines for Processing Digitally Signed Documents

The Korean Intellectual Property Office (KIPO) has announced that it is now possible for foreigners experiencing difficulties in handling cases requiring face-to-face or offline communication under the current COVID-19 situation to submit a digitally signed power of attorney or a digitally (remotely) notarized document (hereinafter referred to as "digitally signed document").

Below are the standards announced by the KIPO:

<1> Guidelines for Processing

(1) In the case that a digitally signed document has the following general signature type:

DocuSigned by Noel Egnatios ahn Cle Moll Educatios E10B38AC5B444AE (Signature using a signature pad) (Signature + Symbol) (Signature using a mouse) (Signature(Image)) (Signature + Digital Signature Properties)

Such documents will be accepted as a valid document if the patent attorney submitting the digitally signed document includes a description verifying that the document is digitally executed directly by the signatory within the Korean translation of the document.

(2) In the case that a digitally signed document consists of characters, symbols (digital symbol), etc.

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Digitally signed by Lisa Jones DN: cn=Lisa Jones, o=Kahili Coffee G ou=Sales Reason: I have reviewed this door Date: 2004.07.14 13:17:03 -07:00"



(Character + Digital Signature Properties)

(Symbol + Digital Signature Properties)

Such documents will be accepted as a valid document if the property information (signatory authentication) indicating that the digital signature is authentic is copied (screenshotted) and submitted together with the verification as mentioned in the above (1).

<2> Notes

- (1) The above digital signatures cannot be accepted if the signed image is simply composed by using a program. A power of attorney must be digitally signed as a single-bound document.
 - ⇒ Although there is no description in the Guidelines for Procedure announced by the KIPO, we are of the opinion that for a document to be valid, it must be digitally signed using a global signature software in view of the international standards.
- (2) The acceptance of digitally signed documents is a temporary measure implemented in consideration of the COVID-19 pandemic.

The KIPO is providing the opportunity to submit digitally signed documents in consideration of situations where face-to-face work cannot be carried out due to restrictions imposed by COVID-19. However, as there are not many cases yet, it is expected that the validity of the documents will be determined through the examination process after submission.

If you have any questions or concerns regarding the above, please feel free to contact us.

