



***General Statement***

by

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**Commissioner**

**Korean Intellectual Property Office**

**On the Occasion**

**of**

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Thank you, Mr. Chairman.

We would like to congratulate you for being elected to chair this Assembly, and thank Director General and the Secretariat for their hard work.

Mr. Chairman and distinguished delegates:

WIPO faces various challenges, two of which are significant to the IP community, that is, promoting innovation and narrowing the IP-divide between developed and developing countries.

Recent developments in innovation and creative industries are the advancements of Artificial Intelligence and Big Data which had big impacts on not only society, but also the IP community. For example, Big Data makes it possible to review and assess the current state of art and the utilization of an invention or technology on a global scale in absolutely new ways.

In this regard, it is noteworthy that rather than solely focusing on the traditional way of protecting granted rights, there is now a paradigm shift which reinforces IP protection by restricting certain actions themselves as unfair competition activities such as free riding or piracy.

International IP community starts to come back to the original place where it started, a few generation ago, the protection of novel creation and business reputation regardless it is with or without right as a subject matter of IPR regime.

Another important issue is the IP-divide between developed and

developing countries. The divide may sharply grow in the coming era of industrial revolution 4.0.

Since bridging the IP-divide among Member States is of obvious importance, the Korean government, in collaboration with WIPO, is working to address this issue by utilizing the Korea Funds-in-Trust for IPRs.

Last August, such activities and positive effects were demonstrated at the 'Global IP-Sharing Korea' event which was co-hosted by the KIPO and WIPO, and graced by Director General Dr. Gurry.

Meanwhile, our delegation firmly believes that the WIPO External Office can play an important role in narrowing the IP-divide among Member States, and for this reason, a new External Office in Korea is necessary.

This stems from the facts that a WIPO External Office in Korea can provide enhanced and consolidated services to users of the PCT, Madrid and Hague system, and more importantly, disseminate to the Member States our unique and invaluable experience and know-how of transforming from an LDC to an IP powerhouse within half a century.

Bearing in mind WIPO's *raison d'être*, the establishment of External Offices should not merely depend on political and geographical representations, but there must be discussions on future advances in achieving WIPO's goals.

Let me turn to the other issues surrounding WIPO.

With regard to the protection of genetic resources and associated traditional knowledge, there is no doubt that the IGC discussions are very important and the spirit of fair and equitable benefit sharing arising from these resources should be highly respected. However, there are disagreements as to what is the effective way of protecting such genetic resources and associated traditional knowledge, so much so that users and stakeholders have expressed their concerns on this issue.

In this regard, our delegation believes that it is necessary for us to take more time to deeply discuss and research, while giving consideration to users' opinions, as well as the potential ripple effect on industry and other related areas.

Discussion on the Design Law Treaty (DLT) is another important issue in that the DLT has the potential to provide applicants with faster, more efficient service when acquiring rights, as well as to help spur economic development and innovation by making an IP system that is more clear and simple for applicants.

It is our hope that an agreement will be reached regarding the remaining issues on the DLT, such as disclosure requirement and technology transfer. We further hope that such agreement will be based on the spirit of compromise and cooperation as learned through our experiences like the Marrakesh Treaty and Beijing Treaty, and that there will be a resulting diplomatic conference convened in 2017.

Last but not least, I would like to touch on Program and Budget issues briefly.

The significance of the transparency and efficiency in the Program and Budget is undeniable. This is why our delegation actively participates in discussions for improving the transparency and efficiency in areas such as the allocation methodology for the budget and WIPO Internal Oversight Charter (IOC). In addition to the transparency and efficiency, specifically regarding the IOC, we should always keep at the forefront the independency of the investigatory process.

The Republic of Korea, as we have in the past, stands ready to lend WIPO its full support by faithfully fulfilling its responsibilities and commitments, as well as by effectively collaborating with its fellow Member States.

Mr. Chairman and distinguished delegates:

I would like to conclude by highlighting some of Korea's recent IP-related activities.

The Korean government views enhancing the convenience of applicants, timely and proper decisions of rights that consider the balance between applicants and third parties, and the prevention of erroneously granted rights as top priority issues.

In this regard, last April, we acceded to the Singapore Treaty on the Law of Trademarks, and we revised the Korean Trademark Act for the convenience of applicants to include streamlining of procedures and simplification of the terms for easier comprehension by the public.

We also amended the Korean Patent Act, effective as of March

2017, to include the introduction of the patent cancellation system in order to prevent the erroneous granting of patent rights through simple and fast procedures, and a shortening of the period allowed for examination requests from 5 to 3 years.

Finally, we have newly established a platform called the "Cultural Creation & Convergence Belt" in February 2015 in order to build a virtuous cycle for the overall ecosystem of the cultural contents industry. This platform supports the entire process of the contents industry, including content production, distribution, and consumption.

Thank you.