

Master Plan for IPR Protection

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Office of Government Policy Coordination
Inter-Ministerial Joint Project

I. Background for Establishment of Master Plan

II. Master Plan for IPR Protection

IPR Tasks of Individual Ministries

I. Background for Establishment of Master Plan

- To date, the Korean government has been consistently making efforts to reform IPR and patent related laws and regulations to the level of international regulations in order to enhance IPR protection within Korea.
- Currently Korea is assessed to be faithfully complying with international treaty obligations as a whole.

- However, due to technological developments such as the Internet, new forms of copyrighted works are increasing requesting enhanced levels of protection exceeding the current level of protection provided by the international treaties.
- Overall review on the overall IPR system and improvement measures are needed.

- Despite improvements in the legal framework, current IPR infringement situations are not being corrected to a satisfactory level, and even becoming a cause of trade friction with some trade partners.
- Strengthened IPR protection is needed in order to enhance competitiveness in such high value-added industries as film, music and software games, and to resolve trade conflicts with trade partners.
- Since IPR related affairs are dissipated among various ministries, there need be a coordinated direction for the overall IPR policy through establishment of supra-ministerial master plan.
- President's order to establish a national scale effective response measure in order to fundamentally reduce cases of IPR infringement (Cabinet meeting, 2/24/2004)
- Decision to form an "IPR Protection Policy Council" consisting of experts from government and private sectors (Policy Coordination Meeting on national pending issues, 3/18/2004)
- ∫ Japan: Set up an IPR Strategy Headquarter (headed by the Prime Minister) to come up with measures regarding creation, protection and utilization of IPR (Dec.2004~)

II. Master Plan for IPR Protection

(1) Goal : Advanced IPR Protection

(2) Basic Direction:

- Standing enforcement/punishment system against IPR infringement
- Completion of advanced legal framework for IPR protection
- Settlement of new practices and culture regarding IPR protection

(3) Key Tasks (15 Tasks in 5 Areas):

- Strengthened enforcement on IPR infringers
- Introduction of advanced legal framework for IPR protection
- Enhancement of IPR protection awareness
- Strengthened IPR protection capabilities overseas
- System to carry out pan-governmental efforts For IPR protection

1. Strengthened Enforcement on IPR Infringers

(1) Task 1: Joint Government Enforcement Efforts on IPR Infringers

- Current Status:
 - The Korean Prosecutors Office has set up and operated the "joint investigation headquarters" and "local joint investment teams" against IPR infringers since 1993 in order to conduct efficient enforcements against IPR infringers

-)/ Current status of enforcement personnel per ministry (as of April 2004)
 - Prosecutor's Office: One full-time prosecutor in 23 nation-wide prosecutor offices, in charge of general criminal cases while dealing with IPR related affairs as well
 - National Police Agency: 3~4 full-time police officers in charge of IPR infringement and other public welfare crimes
 - Ministry of Information and Communication: 41 Standing Inspection Team members
 - Ministry of Culture and Tourism: 35 support personnel for standing enforcement on music, video, game and online piracy
 - Customs Office: 217 officers in charge of customs clearance and inspection
 - KIPO: 3 officers from the Industrial Property Protection Division
- o Problems:
 - Inefficient enforcement due to withdrawal of dispatched police officers from the Prosecutor Office Joint Enforcement Team
 -)/ Decrease of 12% in legal charges (booking) and 32% in arrest between November 2003 and March 2004
 - Limited systemic enforcement results due to lack of organic cooperative system among various enforcement agencies
 - Insufficient funds for maintaining standing personnel in enforcement agencies
 - * NPA: Lack of personnel and funds, too much work other than that related to IPR enforcement; MOCT: Insufficient police authority, lack of experience
- Future Plans:
 - o Set up and operate a "Joint Government Enforcement Task Force Team"(May 2004~)
 - Establish a "Joint Government Investigation Headquarters" (headed by: Supreme Prosecutor's Office Criminal Division Director General) against IPR infringers at the Supreme Prosecutor's Office, and set up "Government Local Joint Enforcement Teams" at 23 nation-wide prosecutor's offices and place these agencies under the IPR Protection Policy Council.
 - Participation by the Supreme Prosecutor's Office (chair), NPA, MOIC, MOCT, Custom's Office, Korea Industrial Property Office, and Korea Food and Drug Administration
 -)/ Whether to dispatch standing police officers need be decided upon consultation between the Ministry of Justice and NPA, while collecting or coordinating opinions with related ministries at the Office of Government Policy Coordination when necessary.
 - Systemic and consistent enforcement on overall IPR related matters
 - Creation and implementation of effective enforcement measures
 - Collection and maintenance of related data and usage as public campaign materials

- Operate an “Enforcement Guidance Council” consisting of representatives from 7 related ministries as a consultation body for operation of the Joint Enforcement Team
- Intensive enforcement against IPR infringers
 - Enforcement period: April 26~June 25 2004 (2 months)
 - Major targets: Piracy and sales of films, computer software, books; import, manufacture and sales of counterfeit products, and pharmaceuticals
 - ∫ Enforcement on key issues of concern as a priority, and select other targets in consideration of local trends and conditions
 - Maintain standing enforcement system even after termination of intensive enforcement period

(2) Task 2: Grant Permanent Status to Standing Inspection Team under the Sound Records, Video Products and Game Software Act

- Current Status:
 - Basis of operation: Article 42 of the Sound Records, Video Products and Game Software Act (Closure of illegal operation sites and collection of illegal products)
 - Formation of enforcement team (35 members): Full-time employees hired upon recommendation of the Recording Industry Association of Korea (RIAK), Korea Film Association, and Korea Media Rating Board (sound recordings: 15 employees, online services: 4, video products: 8, game software: 8)
 - Sound recordings and online services: 20 employees (RIAK)
 - Video products: 7 (Korea Film Association)
 - Game software: 8 (KMRB)
 - Support and assistance (2004): Personnel costs were paid from the government funds (6.41 million won)
- Problems encountered during enforcement activities:
 - Difficulty in obtaining evidence at enforcement sites due to lack of enforcement authority for Standing Inspection Teams (SIT)
 - Lack of expertise of SIT members, decreased work morale due to insufficient improvements in guarantee of status and treatment
 - ∫ Current status of police authority granted to agencies:
 - Granted: 41 Ministry of Information and Communication personnel, 99 Customs Office personnel (investigation personnel)
 - Not granted: Ministry of Culture and Tourism, Korea Industrial Property Office
- Future Plans:

- Guarantee status and enhance treatment of SIT personnel through establishing permanent positions
 - Organization restructuring plan to be drafted by MOCT and discussed with other ministries (June 2004~)
- Enhance effectiveness in enforcement activities by granting police authority to SIT personnel
 - After organization restructuring is completed, proceed upon cooperation with the Ministry of Justice

(3) Task 3: Enhanced Education of Full-Time Enforcement Personnel

□ Current Status:

- Separate disparate training programs provided without overall consistent program
 - Limited expertise due to regular/sporadic training for prosecutors in charge
 - Lack of joint education programs that are provided to all ministries and lack of training to local government officials
 - Weak performance of enforcement activities due to lack of skills in detecting piracy
- Limited in-depth education per sector
 - Absolute lack of professional trainers related IPR education
 - Possibility of conflict with enforcement target subjects due to lack of professional inspection skills and enforcement duties

□ Future Plans:

- Set up and operate joint training curriculum necessary for conducting enforcement on infringers
 - Legal training center: Professional training curriculum for training IPR inspection work
 - International patents training center: Operation of “IPR guidance personnel curriculum”
 - Telecommunications officer training center: Regular and special training for enforcement team members
 -) Detailed implementation plans to be established within first half of 2004 (led by the Ministry of Justice)
- Strengthened internal training per areas of expertise
 - Seminar with prosecutors in charge of IPR matters
 - Enhanced training on enforcement regulations and tips to identify piracy (monthly, MOCT)

- Enhanced identification capability of counterfeit products by using private experts as trainers (May, June, September, Korea Industrial Property Office)
- Collective professional training on enforcement government officials in order to support KFDA's special joint enforcement activities on counterfeit and illegal drugs (April, May, June, KFDA)
- Training on IPR enforcement duties (May, August, NPA)
- Training on IPR personnel with foreign brand right holder as speaker (May and September, Korea Customs Office)

2. Advanced Legal Framework for IPR Protection

(4) Task 4: Improved Legal System for Prevention of Online Piracy

- Current Problems:
 - Speedy and large-scale distribution over the Internet of various types of pirated works including films, music, games, computer programs, educational material.
 - Despite the current trend, regulations that enable quick response to the distribution of such pirated works are insufficient under the current laws regarding IPR protection such as the Computer Programs Protection Act.
- Future Plans:
 - Consider measure to grant "authority to request correction to Online Service Providers (OSP)" to the Program Deliberation and Mediation Committee (PDMC) under the Ministry of Information and Communication in order to expedite the reporting and processing of computer program piracy cases.
 - Prepare draft amendment of the Computer Program Protection Act (May 2004, Ministry of Information and Communication)
 - Measures to establish a "Regulations on the Minister of Information and Communication's Correction Orders and OSP Responsibilities" in order to prevent the distribution of pirated online contents.
 - Prepare draft amendment of the Online Digital Contents Industry Promotion Act (May 2004, Ministry of Information and Communication)
 - Clarify the legal basis for online enforcement on sound recordings
 - Pursue amendment of the Sound Records, Video Products, Game Software Act (May, 2004 ~, Ministry of Culture and Tourism)

(5) Task 5: Establishing the Foundation for the Desirable Use of Copyrights

- Current Problems:

- Copyrights infringement tend to be caused by the perceived burden of time and money required for receiving permission to use from right holders and the lack of understanding regarding the contents of the copyrighted work.
- Due to the prevalent use of the Internet, online services of copyrighted works are now widely used, while most of these services are being illegitimately used without the authorization from the legitimate right holders.
- Although there are 8 copyright trust management agencies in Korea, including the Korean Association of Phonogram Producers, the Korea Music Copyright Association, and the Korea Art Performers Association,
 - A number of phonogram producers are starting to avoid engagement in the on-line music business itself due to the lack of efficiency of the trust management system.
- Future Plans:
 - Consider introduction of the “Copyright Usage Approval Marking System”: currently under external research study (Korean Copyright Law Academic Society, March~August 2004)
 - / “Copyright Usage Approval Marking System”: a system that enables the right holder to mark approval of copyright usage on the copyright product (also being introduced in Japan)
 - Standard contracts (to be prepared and distributed by second-half of 2004)
 - Standard contracts that reflect the various types of copyright contract relationships to be manufactured and distributed by the Copyright Commission for Deliberation and Conciliation
 - Promote usage of Copyright Trust Management System (second half of 2004)
 - Assistance for establishing copyright information databases and distribution payment settlement systems for increased transparency and efficiency of trust management agency operations
 - / Copyright Trust Management System: a system under the Copyright Act which enables a group composed of copyright holders entrusted with the copyrights of individual right holders to collectively hand out approval of copyright usage.

(6) Task 6: Amendment of “Complaint Requirement” under the Copyright Act and the Computer Program Protection Act

- Current Problems:
 - Aside from the Trademark Act, in principle, the Korean law on intellectual property rights consists of a “complaint requirement” regarding rights infringement (recognition of IPR as a private right).

-)/ The reason there is no complaint requirement in the Trademark Act reflects the recognition of trademarks as being of ‘public nature’ in that the infringement of trademark rights can create misconception or confusion of the origin of a product and thus harm not only the right holder but also consumers.
- However, there is a high possibility that IPR infringement in today’s digital environment can cause fatal results to not only the right holders but also the related industry as a whole.
 - Thus, the need to pursue statutory reform of the “complaint requirement” in the Copyright Act and the Computer Program Protection Act in order to expedite enforcement and processing procedures.
- Future Plans:
 - Consider changing the “complaint requirement” to “non-complaint requirement” or “vindication upon right holder’s will”
 - While maintaining the current “complaint requirement” regulation, consider measures for the government to exercise the right of indictment for the protection of public rights when it comes to profit-driven mass piracy cases.
 - In light of the need for respecting the will of the victimized right holder and consultation on compensation measures, also consider changing to “vindication upon right holder’s will”, rather than scrapping the complaint requirement as a whole.
 - Prepare draft amendment and consult with related ministries (July 2004~)

(7) Task 7: Strengthened Protection of Copyrights and Neighboring Copyrights in the Digital Environment

- Current Problems:
 - The Korean Copyright Act meets the international treaty requirements since Korea obtained its WTO membership in 1995.
 - There have been continuous amendment efforts to the direction of reflecting the contemporary changes in the digital environment.
 -)/ Letter requesting admission to the WIPO Copyright Treaty submitted as of March 2004
 - Due to recent changes in the copyright environment, various statutory reform demands have been surfacing, and thus currently efforts to reform the current Copyright Act overall is underway.
-)/ Key Areas for Review for Overall Law Amendment:

- Recognition of the exclusive interactive transmission right for phonogram producers: Whether to grant the exclusive right on all forms of transmission (including broadcasting and interactive transmission) to phonogram producers
 - Specifically, whether to upgrade the protection of the right of broadcasting from the current remuneration right (post-factum) to the exclusive right (prior)
 - Protection of temporary copies: Whether to apply the exclusive reproduction right protection on ‘temporary copies’ that are created when temporarily stored/copied in the computer during the process of using a copyright product
 - Scope of ‘private copies’ and introduction of the ‘private copy remuneration system’: Whether to enable remuneration of losses incurred by the right holder caused by private copies by imposing a certain amount of payment on machinery/media used for private copying
 - Protection of letter fonts: Protection of the design of letter fonts used in computers through neighboring copyrights
- Future Plans:
- Expedite statutory amendments required for the resolution of the ‘exclusive transmission rights’ issue as it demands urgent clarification of right ownership issues.
 - Granting of the exclusive interactive transmission right to phonogram producers (to be submitted to the National Assembly in June 2004)
 - Overall reform of the Korean Copyright Act
 - Draft amendment to be prepared in August 2004 and collect opinions of related ministries (September ~ December 2004)
 - Submit to National Assembly (within the first-half of 2005)

(8) Task 8: Improvement of Parallel Imports System

_ Current Status:

- _ Increase in third-party import of products legally trademarked overseas without permission from domestic exclusive user
- _ Exclusive user selling products at a much higher price than overseas, thus creating social problem; Parallel Imports System introduced accordingly (Korea Customs Service/ Fair Trade Commission notification, October 1995)

<Parallel Imports of Customs-Registered Trademarks>

(Unit: Cases)

Year	No. of Trademark Registrations	Import by Trademark Holder	Parallel Imports System
2003	870,671	41,310 (4.7%)	829,361 (95.3%)
Jan.-March 2004	295,874	29,323 (9.9%)	266,551 (90.1%)

- _ Problems:
 - Possible manufacture/carry-in of counterfeit goods, and resulting infringement of exclusive license
 - Weak legal effect because the system is regulated through Korea Customs Service notification
 - Numerous policy considerations exist, such as IPR, trade policy, consumer protection
- _ Future Plans:
 - _ Decide position on Parallel Imports admission criteria, regulation through law, etc.
 - Form T/F with Ministry of Finance and Economy, Ministry of Commerce, Industry and Energy, Fair Trade Commission, Korea Customs Service, Korea Industrial Property Office, etc. (May 2004)
 - _ Collect suggestions for improvement and pursue revision of related laws (second half of 2004)

(9) Task 9: Development of Legal Basis for Collecting/Destroying Counterfeits

- _ Current Status:
 - _ Criminal prosecution not allowed if suspects not confirmed for counterfeit goods discovered during customs inspection; counterfeits accordingly sent back without seizure/destruction
 - After goods are returned, they are often carried in again into the country and escape being discovered
 - _ Same problem occurs when counterfeits are discovered within the country but criminal prosecution is not allowed because the suspect is unconfirmed
 -) When frontline prosecutors raised the issue, Ministry of Justice requested Korea Industrial Property Office to revise trademark laws to settle the problem of failing to criminally prosecute counterfeit goods (July 2003)
- _ Future Plans:
 - _ Determine feasibility of legislation and examine improvement measures (Korea Industrial Property Office, May 2004)
 - Examine which laws should serve as basis
 - Examine constitutional court cases on constitutionality of new provision on seizure/destruction (counsel from lawyers, professors, and other experts)
 - _ Consultation with related ministries/agencies, and pursue legislation if needed (June 2004 ~)

(10) Task 10: Improvement of Civil Compensation System for Damages

- _ Current Status:
 - _ Compensation for Damages in IPR infringement in Korea is based on “protection from loss,” thus being a very weak deterrent against infringement
 - U.S. has been continuously requesting Korea to introduce a “court damage compensation system” to strengthen deterrence
 - _ Ministry of Culture and Tourism and other related ministries are studying the need for and the possibility of adopting court damage compensation system and punitive damage compensation system
 -) Court damage compensation system: allows compensation within a certain amount range regardless of the actual amount of loss calculated
 -) Punitive damage compensation system: court ordering payment of twice or thrice the actual amount of loss to use as an example to others that such illegal actions that warrant strong criticism from society are punished severely
- _ Future Plans:
 - _ Define position on whether to adopt the said system (May 2004)
 - Comprehensively consider balance with Korea’s civil suit and civil law system, effects on related industries, legislation in other countries, etc.
 - _ Collect opinion from experts, and consult with related ministries/agencies (June 2004 ~)

3. Enhancement of IPR Protection Awareness

(11) Task 11: Inclusion of IPR Protection in Regular Education Curriculum

- _ Current Status:
 - _ Ministry of Culture and Tourism, Ministry of Information and Communication, Korea Industrial Property Office and other related ministries/agencies are producing education/ outreach materials (booklets, videos, etc.), distributing them to schools nationwide and posting them on-line; but effects are limited
 - _ Considering concerns that the widespread use of the Internet might turn the public into IPR violators without clear awareness that a crime is being committed, there is need to include IPR protection in the regular elementary, middle and high school curricula
- _ Future Plans:

- _ “Understanding IPR Properly” included in the “Supplementary Guidance Materials to Textbooks” for elementary, middle and high schools in 2005 (scheduled to be published and distributed in May 2005)
- _ In revising the education curriculum in the future, information on IPR will be included in the outline of the curriculum
 - Included in the “Guidelines for Writing Textbooks” so that IPR will be incorporated in related textbooks (social class, ethics class, etc.)
- _ Recommend inclusion of IPR in establishing plans for 2005 teachers’ training program of city/provincial education offices (implemented through official notice, January 2005)
- _ Conduct outreach education programs on IPR issues during consultative meetings of university personnel
- _ Enhance public information efforts through websites of institutions that distribute academic/research information (university libraries, Korea Education and Research Information Service, etc.)

(12) Task 12: Enhancement of Public Awareness

- _ Current Status:
 - _ Rise in possibility of IPR infringement by ordinary citizens without clear understanding of crime due to the development of new information media such as the Internet
 - _ Lack of recognition that IPR violation amounts to breaking the law necessitates education/public information efforts targeting the general public
- _ Future Plans:
 - _ Public information activities through government-owned media
 - Establish an IPR corner on the “Korea.net” Internet bulletin board of the Korean Overseas Information Service; link websites of related ministries/agencies to share public information and press reports
 - Public information activities and receiving reports of counterfeit goods through the “Cyber Intellectual Property Protection Center” (Korea Industrial Property Office)
 - Establish “Legitimate S/W Use Promotion” corner (Ministry of Information and Communication)
 - Establish “Genuine/Counterfeit Goods Cyber Exhibit” corner (Korea Customs Service)
 - Produce regular feature programs on KTV

- Promotion Activities Via the Internet
 - Utilize the Internet for briefings on administrative affairs, review running special features and stories in the media (Government Information Office)
 - Pursue placing POP UP advertisements on websites of government agencies (May~June, 2004, Ministry of Culture and Tourism, Ministry of Information and Communication)
 - Review plan for promotion activities using Internet portal sites (such as Naver, Daum and yahoo) (Ministry of Information and Communication)

- Advertisements Promoting IPR Protection
 - Run public service advertisements in cooperation with the Public Service Advertisement Council (July, 2004, Ministry of Culture)
 - Put up electric sign advertisements (Government Information Service)
 - Send out advertisements using STM (short text messaging) services (From June, 2004), review plan to put up public service advertisements on electric signs (from July, 2004)
 - Review plan to display advertisements on or within subways (Ministry of Culture, Ministry of Information and Communication)

- Create and Distribute Promotion Material
 - Distribute promotion material in locations widely used by the public
 - Consult with KORAIL (Korea National Railroad), review plan to distribute promotion material within trains (Ministry of Culture and Tourism, Ministry of Information and Communication)
 - Consult with airlines, review plan to send out messages on IPR protection for air-travel passengers through on-board-monitors (Korea Customs Service)

- _ Plans for Publishing Promotion Material
 - Create multimedia and other types of promotion materials on legitimate S/W use (Ministry of Information and Communication)
 - Print essential points on IPR protection in the cartoon magazine <Yaho Korea> (Government Information Service)
 - Create multimedia and other types of promotion materials on IPR (Ministry of Culture)

- Pursue Campaigns and Special Events on Rooting Out Illegal Piracy
 - Carry out campaigns and lectures on eradicating illegal piracy, beginning in neighborhoods adjacent to university campuses (Ministry of Culture, To be pursued each quarter)
 - Pursue joint campaigns on IPR protection with newspapers and broadcasting stations, broadcast special television programs on the subject (June~July, 2004)

- Strengthen Oversea Efforts
 - Distribute related material to foreign media in Korea and explain efforts being pursued

- Utilize Korea's overseas public affairs facilities to promote government efforts and brief foreign media in Korea on the nation's IPR protection efforts
 - Post English-version IPR related material on the government's main English website *korea.net*
 - Monitor foreign media's reports on IPR and provide articles on government's IPR protection efforts to foreign media
- Regularly hold working-level consultation meetings on promotion activities (Chairman: Head of the Government Information Office) with all related government agencies attending (beginning in April of 2004, to be held semiannually)

4. Strengthened IPR Protection Capabilities Overseas

(13) Task 13: Promote International Cooperation for IPR Protection

- Current Status:
 - Korea is being viewed to be in compliance of IPR related international regulations by entering major agreements under WIPO and by establishing laws that reflect WTO/TRIPS
 - Korea has sustained close cooperative ties with WIPO, an international organization specializing in IPR, by establishing a mutual cooperation agreement (November, 2001) with WIPO
 - Korea has made efforts to strengthen mutual cooperative relations in the IPR sector such as holding bilateral meetings with major countries
 - Signed an IPR cooperation agreement with EU Chamber of Commerce (July, 2003)
- Future Plans:
 - In the IPR sector, ROK will continue to work towards enhancing its status and role in the global community
 - Will proactively participate in international discussions on IPR led by the WTO, WIPO and other related organizations
 - Will establish law to enable the ROK to enter the WTTP (Ministry of Culture) (2005)
 - Strengthen efforts to promote Korea's developments in improving systems/policies for IPR protection to major countries such as the United States and the EU nations
 - Hold working-level consultation meetings on IPR with the EU Chamber of Commerce (First half of 2004)
 - Strengthen efforts to utilize events such as bilateral talks with the United States to explain ROK's achievements in improving IPR related systems

- Strengthen ROK's protection of trade secrets so that it meets level of advanced countries
- 'Unfair Competition Prevention and Trade Secret Protection Act' revised (July of 2004)

(14) Task 14: Strengthened Overseas Activities for IPR Protection

□ Current Status:

- Korea's overseas IPR violations (Based on October 2003 KOTRA report)
 - Around 30 countries have reported a total of 253 violations
 - By region, Asia, including China, accounts for 50%
 - Violations of and disputes concerning trademark rights accounted for the majority of reported cases
- Cause of IPR violations abroad
 - Lack of understanding on how important IPR is and ill-management of IPR
 - Lack of specialists in the IPR field and excessive financial burdens
 - Difficulty in gathering evidence of violations and in receiving local legal advice

□ Future Plans:

- Hold Overseas IPR Protection Presentations (May 7th 2004)
 - To be jointly hosted by Korea Industrial Property Office and KOTRA, attendees will be corporations doing business abroad
 - Provide education on IPR violation countermeasures and examples of how IPR violation victims handled their cases in the past
- Establish a joint system with government agencies involved in IPR issues participating
 - Regularly check-up on IPR violations through strengthened cooperation systems among organizations and agencies involved in the IPR issue such as the Ministry of Foreign Affairs and Trade, Ministry of Commerce, Industry and Energy, Korea Industrial Property office, KOTRA, KITA
 - Proactively deal with overseas IPR violations by strengthening cooperative ties among private sector business organizations stationed overseas, trade officials and embassies and legations abroad
- Strengthen operations of Korea Industrial Property office's 'Overseas IPR Protection Centers'
 - Conduct regular surveys of overseas IPR violations
 - Provide legal support through the already established legal advisory team (composed of fourteen members including four lawyers and six patent attorneys)

- Promote the Overseas IPR Protection Center so that it can be widely used by business entities
- Strengthen diplomatic efforts towards countries where violations have taken place
 - Hold high-level talks between Korea Industrial Property office and Chinese Trademark Bureau (May, 2004)
 - Discuss ways for Korea Customs Service and China's IPR Bureau to cooperate with each other (Later half of 2004)

5. Establishment of System to Carry out Pan-Governmental Efforts For IPR Protection

(15) Task 15: Operation of IPR Protection Policy Consultation Council

- Current Status:
 - IPR Protection Policy Consultation Council established (April, 2004)
 - Chairman: Minister of the Office for Government Policy Coordination
 - Council members: Vice Ministers from the Ministry of Justice, Ministry of Education, Ministry of Culture and Tourism, Ministry of Industry, Commerce and Energy, Ministry of Information and Communication, and Ministry of Planning and Budget; Commissioners from the Korea Customs Service, National Police Agency, Korea Industrial Property Office; Vice Commissioner of the Government Information Office
 - Non-Government members: 10 experts in each related field
 - Functions
 - Revising laws and systems regarding IPR
 - Establishing plans for cross-agency enforcement efforts and reviewing results of such activities
 - Preparing for possible future trade disputes
 - Establishing and executing measures to promote IPR protection, providing IPR education
 - _ Working-Level Consultation Meeting Established(April, 2004)
 - Chairman: Economic Counsel of the Office for Government Coordination
 - Members: Directors from the Ministry of Justice, Ministry of Education, Ministry of Culture and Tourism, Ministry of Industry, Commerce and Energy, Ministry of Information and Communication, Ministry of Planning and Budget, Korea Customs Service, National Police Agency, Korea Industrial Property Office, and the Government Information Office
- Future Plans:
 - Draw up comprehensive (draft) plan for IPR protection (May, 2004)

- Review results of efforts made under the comprehensive plan (Once every quarter)
 - Come up with new tasks and countermeasures
 - Review quarterly developments, continuous review of results, and evaluation of success of efforts
 - Analyze the main obstacles for achieving goals; draw up solutions through the working-level consultation meetings and other tools

List of the 15 Policy Tasks

TASK NUMBER	SUBJECT	MINISTRY IN CHARGE	
		MAIN ROLE	SUPPORTIVE ROLE
1	STRENGTHENED ENFORCEMENT ON IPR INFRINGERS		
Task 1	Joint government enforcement efforts on IPR infringers	Ministry of Justice (MOJ)	Related ministries
Task 2	Grant permanent status to Standing Inspection Team under the Sound Records, Video Products and Game Software Act	Ministry of Culture and Tourism (MOCT)	MOJ, Ministry of Government Administration and Home Affairs (MOGAHA), Ministry of Planning and Budget
Task 3	Enhanced education of full-time enforcement personnel	MOJ	Ministry of Information and Communication (MOIC), KIPO etc.
2	ADVANCED LEGAL FRAMEWORK FOR IPR PROTECTION		
Task 4	Improved legal system for prevention of online piracy	MOIC	MOJ, MOFAT, MOCT
Task 5	Establishing the foundation for the desirable use of copyrights	MOCT	MOFAT
Task 6	Amendment of “complaint requirement” under the Copyright Act and the Computer Program Protection Act	MOCT	MOJ, MOFAT, MOIC
Task 7	Strengthened protection of copyrights and neighboring copyrights in the digital environment	MOCT	MOIC, MOFAT
Task 8	Improvement of Parallel Imports System	MOCIE, Korea Customs Service (KCS)	KIPO
Task 9	Development of legal basis for collecting/destroying counterfeits	KIPO, KCS	MOFAT
Task 10	Improvement of civil compensation system for damages	MOCT	
3	ENHANCEMENT OF IPR PROTECTION		

	AWARENESS		
Task 11	Inclusion of IPR protection in regular education curriculum	Ministry of Education	
Task 12	Enhancement of public awareness	Government Information Office	Related ministries
4	STRENGTHENED IPR PROTECTION CAPABILITIES OVERSEAS		
Task 13	Promote international cooperation for IPR protection	MOFAT, KIPO	Related ministries
Task 14	Strengthened overseas activities for IPR protection	MOFAT	Related ministries
5	ESTABLISHMENT OF SYSTEM TO CARRY OUT PAN-GOVERNMENTAL EFFORTS FOR IPR PROTECTION		
Task 15	Operation of IPR Protection Policy Consultation Council	Office for Government Policy Coordination	MOJ