

2025

# Korea-US IP Forum

October 8, 2025 | Korean Cultural Center New York, USA



# SEEING THE FULL PICTURE

## CAPTURING VALUE THROUGH IP



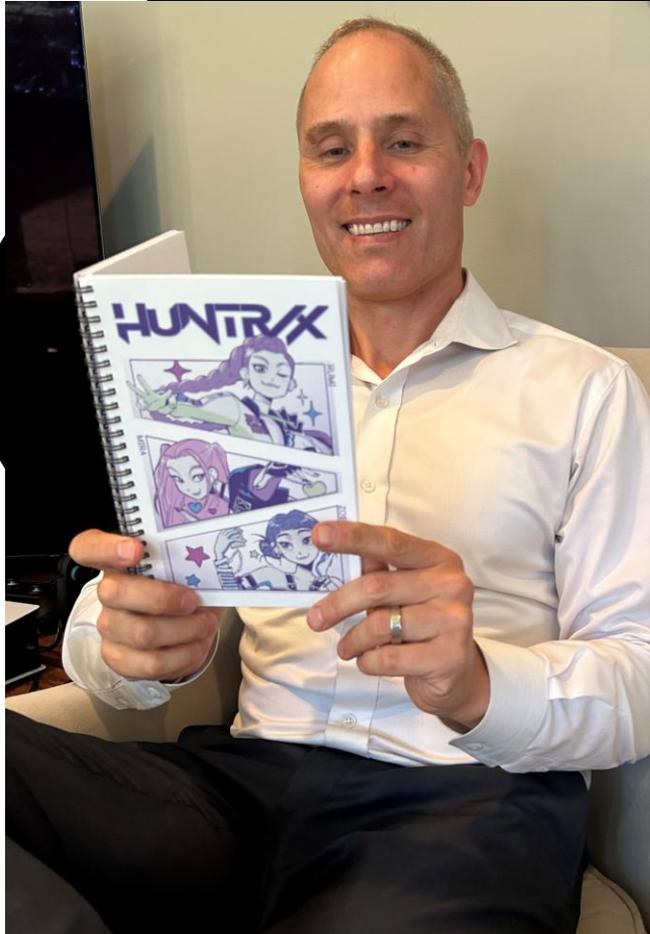
Korea – US IP Forum  
October 8, 2025

Russ Jacobs  
director, managing corporate counsel  
Starbucks Coffee Company

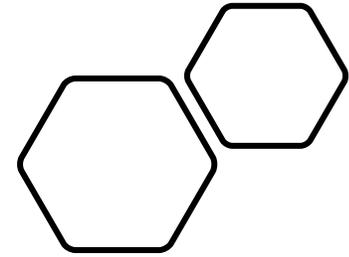


An IP journey from  
bean to cup: seeing  
the full picture

Three case studies on innovation and  
capturing value through IP  
Watch for value creation insights from a pop  
culture phenomenon and practice pointers



“Focus is good, but focusing on one part leads to ignoring other parts, making you separated, isolated.” – Tonic man



# Case Study 1: Cultivating Beans

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Problem to Solve:

- Ensuring the long-term supply of high-quality green coffee in the face of environmental pressures

[\(video\)](#)



# Case Study 1: Cultivating Beans

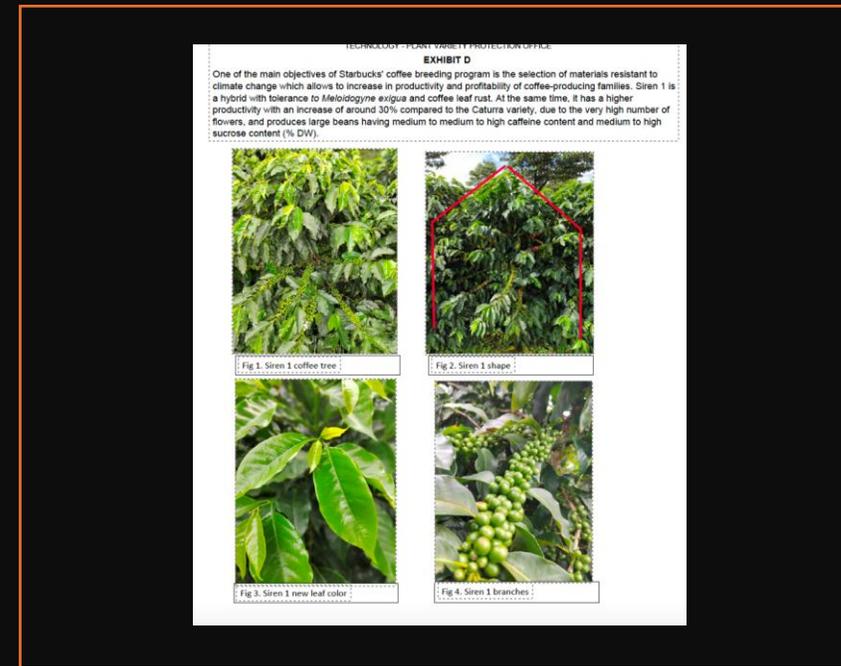
Providing seedlings and  
advancing agronomy through  
Starbucks Farmer Support  
Centers



# Case Study 1: Cultivating Beans

## San Isidro – 35 Coffee Hybrid Plant Variety Protection

- The **Plant Variety Protection Act** in the U.S. grants breeders' exclusive rights to **propagate** (grow, sell, and market) a new variety of plant for a specific period (usually 20-25 years).
- The PVP, which recognizes Starbucks agronomists, will become the **free and 'open-source' gift**.



Form PV 4/0

OMB NO. 07-81-0056  
Expiration Date: 01/31/2022

**USDA** U.S. Department of Agriculture  
Agricultural Marketing Service  
Science & Technology Program

Plant Variety Protection Office  
1400 Independence Avenue, SW  
Room 2915-South Building, Stop 0274  
Washington, DC 20250  
(202) 260-8983  
[PVPOMail@usda.gov](mailto:PVPOMail@usda.gov)

## Application for Plant Variety Protection Certificate



# Case Study 1: Cultivating Beans



Value creation insight:

Find value in what you share  
“Our music ignites the soul and brings people together.” – Celine

Practice pointer:

Use a lens of *proportionality* – registration does not require aggressive enforcement

## Case Study 2: Blending The Coffee



Problem to Solve:

Launch a “balanced and approachable” light-roast coffee. “Delicious hot or iced, both with milk and without. Suited for any brewing method. Sunny.”

# Case Study 2: Blending the Coffee

Global protection for  
the name



## Case Study 2: Blending the Coffee



Value creation insight:

Capture moments of inspiration

“And now, that duty falls to you. That victory is within your reach. It is your voices, your song that will create the Golden Honmoon.” – Celine

Practice pointer:

Use a lens of *strategy* – protect what has value for the business proposition

# Case Study 3: Serving Quality

---

Problem to solve:

Delivering an iconic cup  
worthy of our premium  
beverages





# Case Study 3: Serving Quality

Using the full intellectual property toolkit to protect the iconic Starbucks cup



## Case Study 3: Serving Quality



Value creation insight:

Protecting creations requires hard work  
“The world will know you as pop stars,  
but you will be much more than that. You  
will be Hunters.” – Celine

Practice pointer:

Use a lens of *prioritization* – develop  
robust protection strategies for key assets

# Questions

Hacienda Alsacia,  
Sabanilla, Costa Rica



2025

# Korea-US IP Forum

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# Design Strategies for Corporate Growth

2025 Korea-U.S. IP Forum, New York, NY

October 8, 2025



**McDonnell Boehnen  
Hulbert & Berghoff LLP**

**Dunstan H. Barnes, Ph.D.**



# AGENDA

- Background to Design Patents
- Graphical User Interfaces (GUIs)
- Modern Design Protection

# Background

**Design Patent,  
Copyright, Trade Dress**

# U.S. IP Rights

## 1. Patent

- Utility Patens
- **Design Patent**
- Plant Patent

## 2. **Copyright**

## 3. Trademark

- **Trade Dress**

## 4. Trade Secret



# U.S. Design Rights

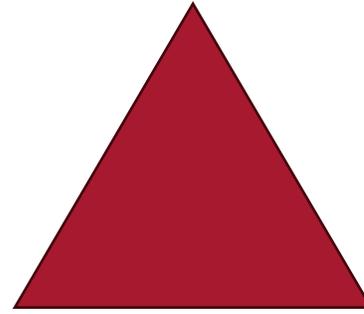


**Design  
Patent**



**Copyright**

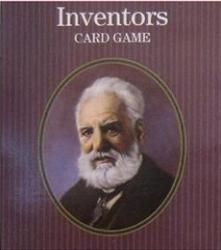
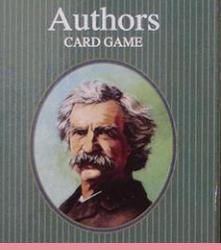
Christian  
*Louboutin*



**Trade  
Dress**



# Each Design IP Right Has A Different Policy Aim

IP Right	Policy	Requirements	Term	Protection
Design Patent		Novel, Non-obvious, Ornamental	15 years from issuance*	Substantially the Same
Copyright		Expression, Originality, Non-useful	Life of author + 70 yrs	Substantial Similarity + Copying
Trade Dress		Distinctiveness, Non-functional	Potentially Perpetual	Likelihood of Confusion

\*Applications filed on or after May 13, 2015; those before have 14-year term from issuance.

# Design Patent v. Trade Dress

	Design Patent	Trade Dress
What is protected?	Overall visual appearance of claimed design	Source indicator based on appearance of product
What is required?	Claimed design must be ornamental, new, and not obvious over existing prior art designs	Trade dress must serve as a source identifier, be distinctive in the marketplace, be used in commerce, and must be primarily nonfunctional

# **What Do Design Patents Protect? Eligible Subject Matter**

# What Do Design Patents Protect?

- The ornamental (visual) appearance of an article of manufacture
- In the United States, ornamental appearance may refer to:
  - Configuration or shape of an article,
  - Surface ornamentation applied to an article, or
  - Combination of configuration and surface ornamentation



# Eligible Subject Matter?



# Eligible Subject Matter?



# Eligible Subject Matter?



# Eligible Subject Matter?



# US Patent No. D000,001

- Issued: Nov. 9, 1842
- To: George Bruce
- For: Printing Types

*I claim four kinds of Setters with Points, called, in the printed impressions, New Double Small Pica Script, Two-line Song-Primer Ornamented No. 3, Two-line Nonpareil Ornamented, and Song-Primer Ornamented.*

*I claim a series of Border Pieces of the size called, in the printed impressions, Double Pica, and numbered 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26.*

*I claim another series of Border Pieces of the size called, in the printed impressions, Pica, and numbered 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53.*

# Statutory Requirement for Ornamentality

- **35 U.S.C. § 171:**
  - Whoever invents any new, original and **ornamental** design for an article of manufacture may obtain a patent therefor, subject to the conditions and requirements of this title.
- **What does “ornamental” mean?**
  - Judicially interpreted by United States Court of Customs and Patent Appeals
  - **Ornamental = not dictated solely by function**
  - “[W]hen a configuration is the result of functional considerations only, the resulting design is not patentable as an ornamental design for the simple reason that it is not ‘ornamental’— was not created for the purpose of ornamenting.”

*In re Carletti*, 328 F.2d 1020, 1022 (C.C.P.A. 1964)



# Non-Eligible Subject Matter



PURELY ARTISTIC



PURELY FUNCTIONAL

# Non-Eligible Subject Matter



PURELY ARTISTIC



DESIGN PATENTS MAY  
PROTECT EVERYTHING  
IN BETWEEN



PURELY FUNCTIONAL

# The Test For Design Patent Infringement

# The Test for Design Patent Infringement

*Gorham, As Clarified in Egyptian Goddess (Fed. Cir. 2008)*

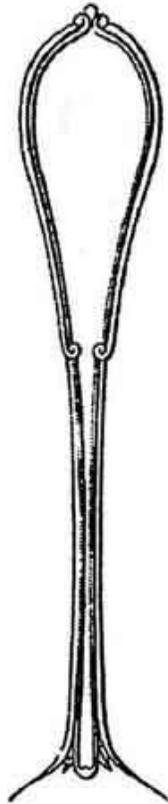
- In the Eye of an Ordinary Observer:
  - “Is the overall appearance of the patented design
  - substantially the same as
  - the overall appearance of the accused design
  - in view of the prior art?”

# The Great Chicago Fire of 1871



# The Test for Design Patent Infringement

## *Gorham v. White*, 81 U.S. 511 (1871)



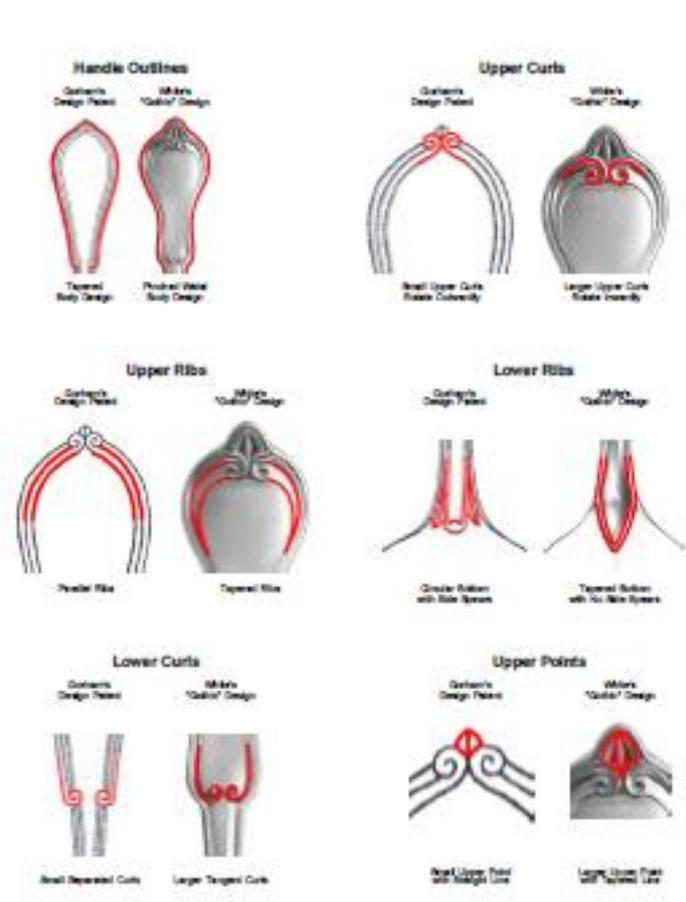
Gorham's Patented Design



White's Accused Design

# The Test for Design Patent Infringement

## *Gorham v. White, 81 U.S. 511 (1871)*



# The Test for Design Patent Infringement

## *Gorham v. White*, 81 U.S. 511 (1871)



Gorham's Patented  
Design



White's Accused  
Design

# The Test for Design Patent Infringement

## *Gorham v. White*, 81 U.S. 511 (1871)



Prior Art



Gorham's Patented Design



White's Accused Design



# The Test for Design Patent Infringement

## *Gorham v. White*, 81 U.S. 511 (1871)



Prior Art



Gorham's Patented Design

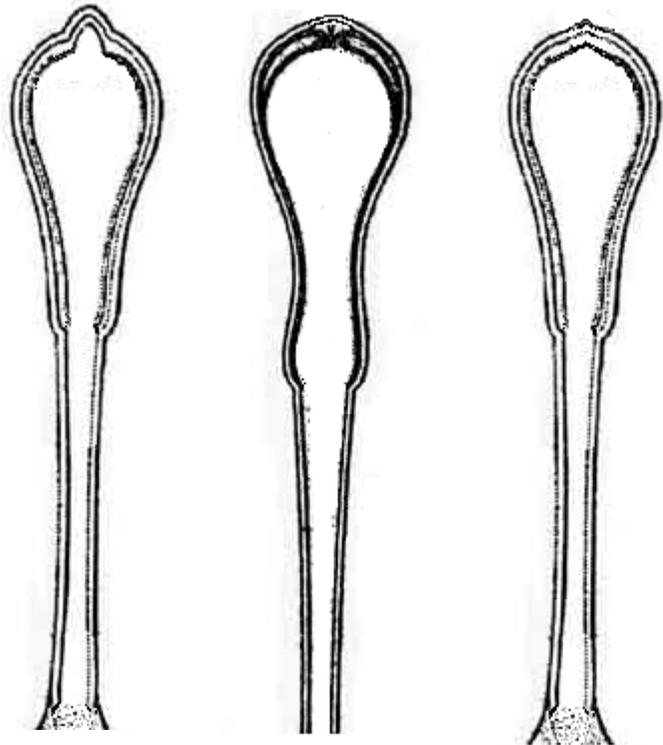


White's Accused Design

**INFRINGEMENT**

# The Test for Design Patent Infringement

## *Gorham v. White*, 81 U.S. 511 (1871)



Hypothetical Prior Art



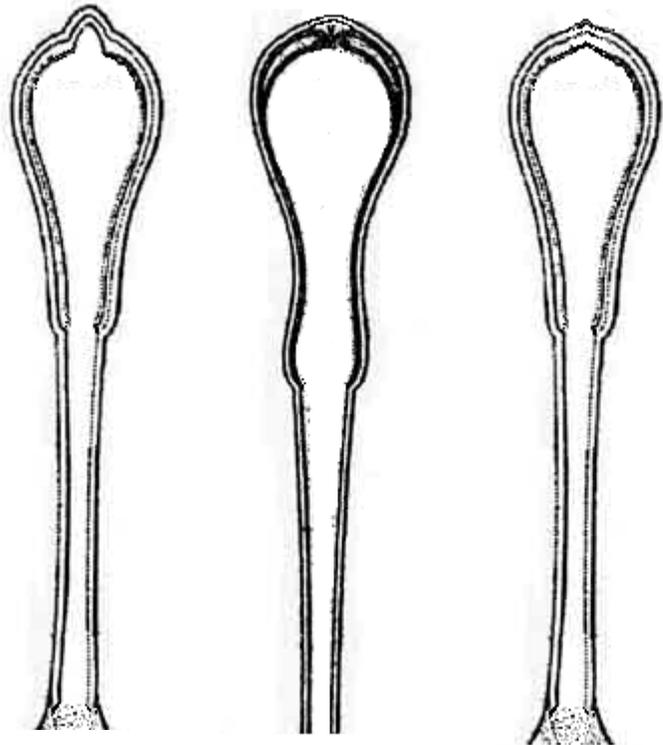
Gorham's Patented Design



White's Accused Design

# The Test for Design Patent Infringement

## *Gorham v. White*, 81 U.S. 511 (1871)



Hypothetical Prior Art



Gorham's Patented  
Design



White's Accused  
Design

**LIKELY NO INFRINGEMENT**

# The Test for Design Patent Infringement

*Gorham, As Clarified in Egyptian Goddess (Fed. Cir. 2008)*

- In the Eye of an Ordinary Observer:
  - “Is the overall appearance of the patented design
  - substantially the same as
  - the overall appearance of the accused design
  - in view of the prior art?”

**Design Patents Do Not  
Protect General Concepts**

# Design Patents Do Not Protect General Concepts

## Designs May Incorporate Same Idea without Infringement

U.S. Patent

Sep. 14, 1999

Sheet 1 of 3

Des. 413,755



FIGURE 1

# Design Patents Do Not Protect General Concepts

Designs May Incorporate Same Idea without Infringement

U.S. Patent

Sep. 14, 1999

Sheet 1 of 3

Des. 413,755

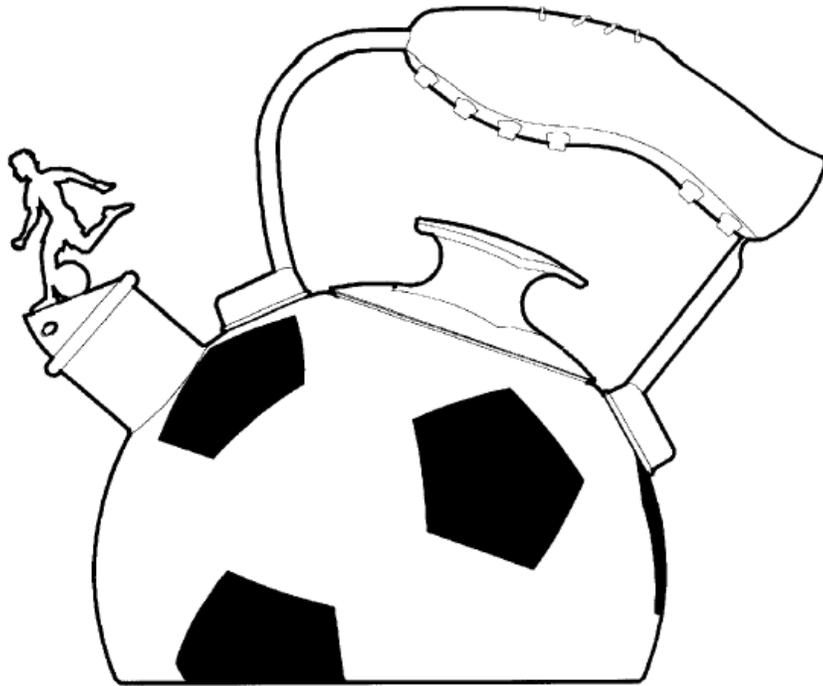


FIGURE 1

ACCUSED DESIGN



SAME GENERAL IDEA, BUT NO INFRINGEMENT

# Trade Dress

# What Product Does This Bottle Contain?



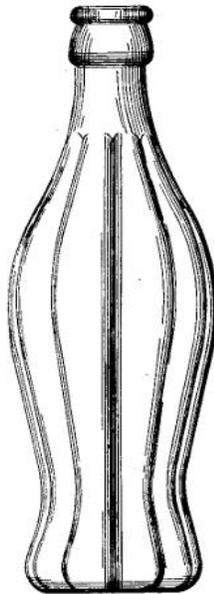
# Design Patents Can Help To Secure Trade Dress Rights

48,160.

DESIGN.  
A. SAMUELSON.  
BOTTLE OR SIMILAR ARTICLE.  
APPLICATION FILED AUG. 18, 1915.

Patented Nov. 16, 1915.

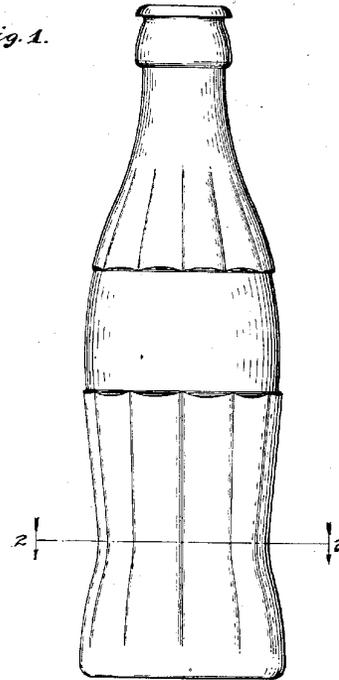
FIG. 1.



Dec. 25, 1923.

C. J. ROOT  
BOTTLE  
Filed Feb. 4, 1922

Fig. 1.

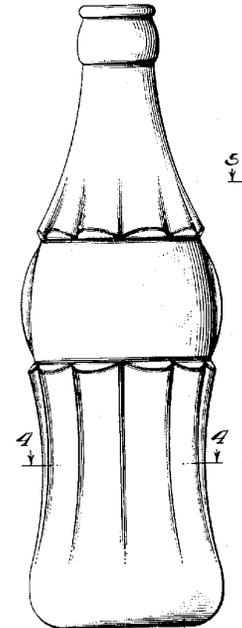


Des. 63,657

Aug. 3, 1937.

E. KELLY  
BOTTLE  
Filed March 24, 1937

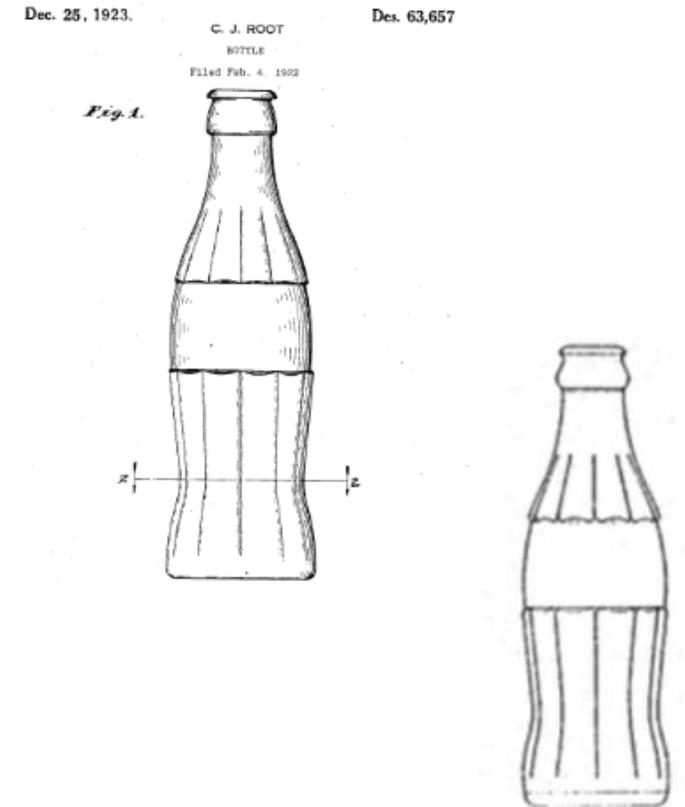
FIG. 1.



Des. 105,529

# Overlapping Design Patent and Trade Dress Protection

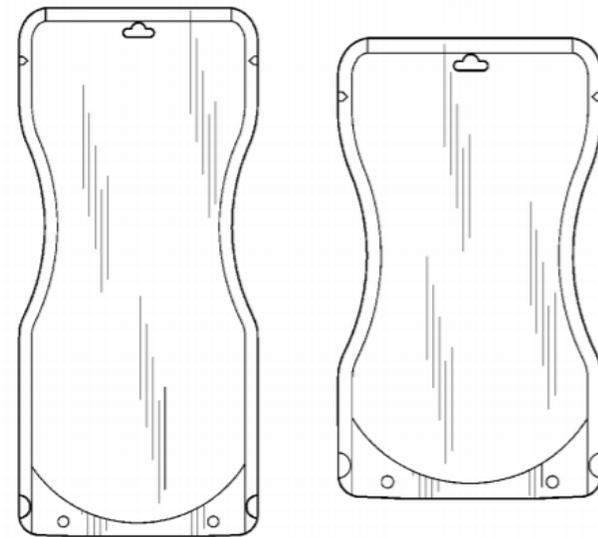
- Design patent and trade dress protection may be used on the same product design for overlapping periods of time
- For a new product?
  - Likely too soon for trade dress to have acquired secondary meaning
  - File a design patent application
- After design patent expires?
  - If you can now prove that trade dress has acquired secondary meaning
    - File for trade dress protection



**US Registration  
Number 1,057,884**

# Overlapping Design Patent and Trade Dress Protection – Case Example

- *Am. Bev. Corp. v. Diageo N.A., Inc.*, 936 F. Supp. 2d 555, 597 (W.D. Pa. 2013)
  - The court found Daily's frozen cocktail pouch not functional in either a design patent or trade dress sense
    - Court noted myriad alternative designs
    - Court stated that a design patent is presumptive proof of nonfunctionality on a claim for trade dress infringement



D571,672



# Graphical User Interfaces (GUIs)

# Background on GUIs

# What is a GUI?

- A Graphical User Interface (GUI) allows users to interact with graphics appearing on electronic devices such as smartphones, tablets, and netbooks

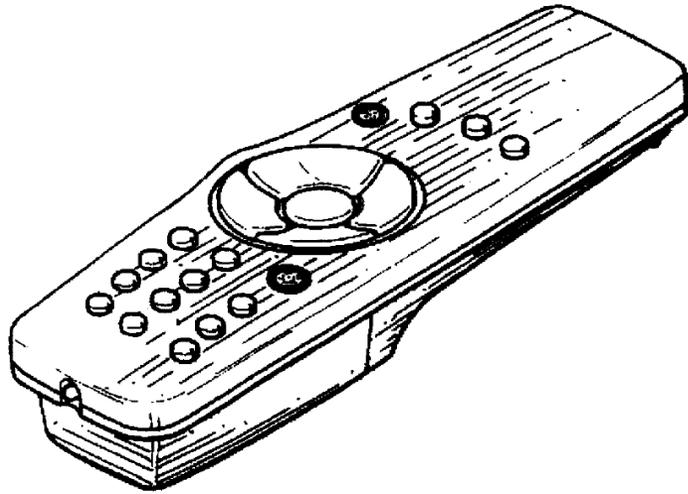


# Why are GUIs important?

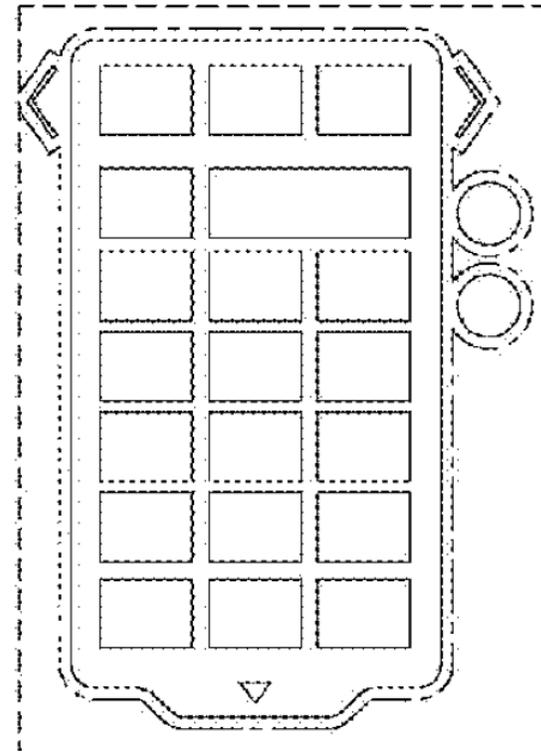
- Particularly in the age of the Internet of Things, well designed GUIs allow users to interact with devices without the need for complicated training
- GUIs allow for greater efficiency with less skill
- Functional and ornamental aspects of GUIs both have value and may both be worth protecting

**Why are GUIs worth protecting?**

# Design Under The Glass



**TV Remote Control**  
US D386,185  
(LG Elecs. 1997)

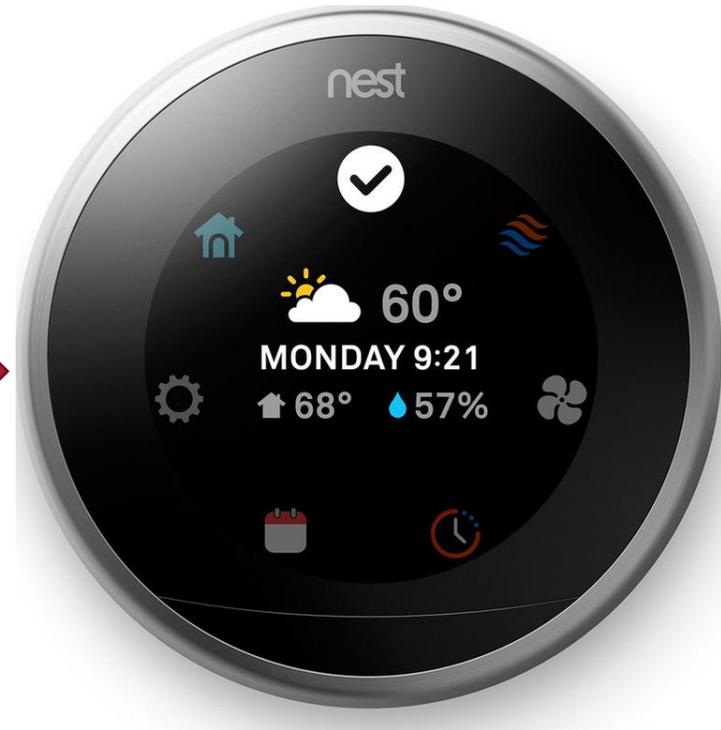


**Display Screen with GUI**  
US D755,211  
(LG Elecs. 2016)

# Design Under The Glass



# Design Under The Glass



# Design Under The Glass



# Modern Design Protection

# **Design Patents – Why Bother?**

# Why Would Anyone Want a Design Patent?

- **Good designs are valuable**
  - “When two products are equal in price, function, and quality, the better-looking product will outsell the other.” – Raymond Loewy, 1929
  - Many products are knocked off for their ornamental appearance
  - Design patents prevent others from producing substantially similar products or knockoffs
- **Multiple design patents on a product may provide strong protection**
  - It can be hard to invent around or invalidate a well-planned design patent portfolio
- **Helpful to have more arrows in your quiver (layered protection)**
  - Hard, if not impossible, to predict *ex ante* which IP rights will be most valuable *ex post*
- **Faster and less expensive to obtain design patents than utility patents**
  - Costs of about \$2k-5k to prepare and file vs. about \$8k-14k for a utility patent application
  - Average of about 1.75 years from filing to issuance vs. about 2.5 years for a utility patent



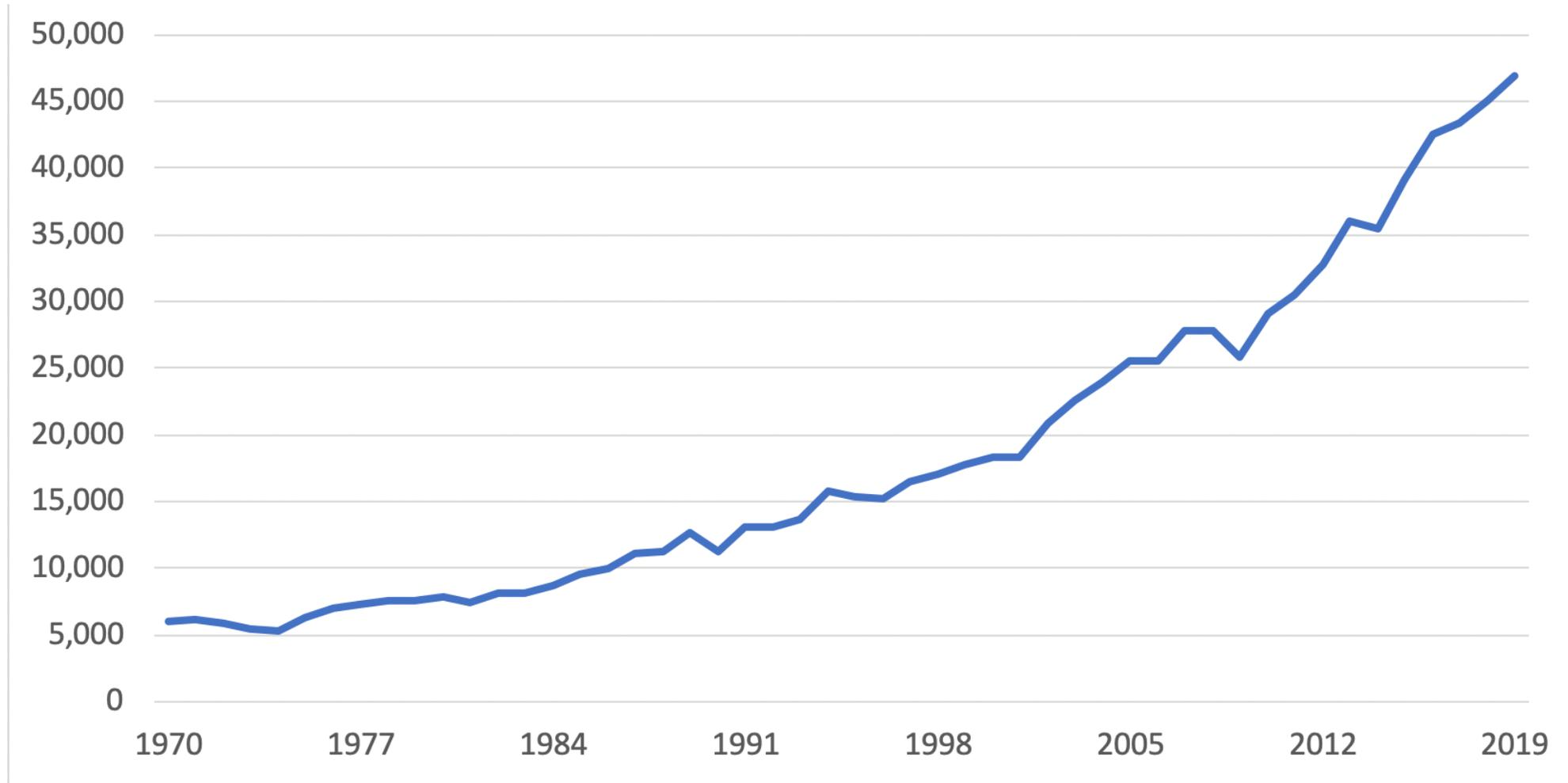
# Why Would Anyone Want a Design Patent? (Continued)

- **Ornamentality of a design is a low bar**
  - In contrast, trade dress lack of functionality is a high bar
- **An expired design patent may give rise to trade dress protection**
  - But it is not possible to rely on trade dress to develop design patent rights
- **It can be easier to prove design patent infringement**
  - Typically, asking a jury to review and compare a patented design and an accused product to determine whether the accused product has an overall appearance that is substantially the same
- **Design patent damages**
  - Section 289 – disgorgement of an infringer's profits (equitable remedy)



# Growth of Design Patents

# U.S. Design Patent Applications Filed



# Which companies are applying for design patents?

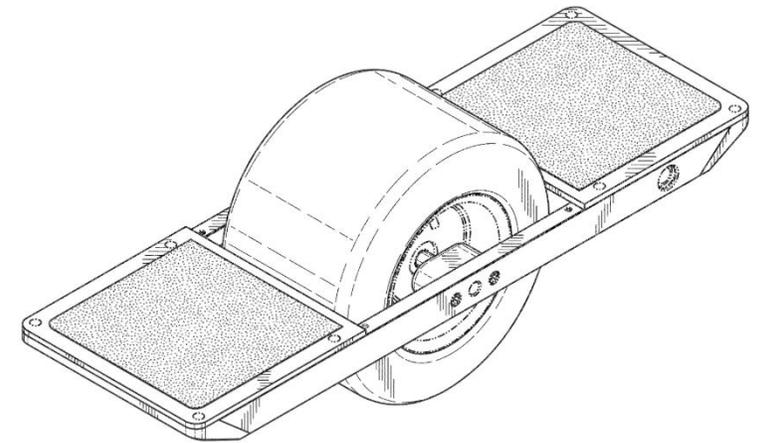
- Automakers
  - Ford, Hyundai/KIA, Porsche, General Motors
- Apparel Makers
  - Nike, Adidas
- Technology Companies
  - Samsung Electronics, Apple , LG Electronics, Google
- Consumer Products Manufacturers
  - Procter & Gamble, Black & Decker, Colgate-Palmolive
- Home Improvement and Building Products
  - Masco Corporation



# Design Patents – TROs

# Temporary Restraining Orders

- Can be particularly useful when copyists show up at a trade show with a knockoff product
  - Hard to get a TRO based on a utility patent since claim construction is first needed
  - Easier to ask a district court judge for an emergency TRO since judge just needs to compare design drawings with the allegedly infringing device
- U.S. District Court in Nevada regularly handles such requests due to the numerous trade shows that take place in Las Vegas
  - Future Motion owns U.S. Patent Nos. 9,101,817 and D746,928 (image right)
  - Future Motion was able to obtain a TRO patent on its D'928 patent to have Federal Marshals confiscate knockoffs at CES in 2016



# Takeaways

# Takeaways

- Design patents can be a useful and valuable addition to a company's IP portfolio
- Design patents can be obtained not only for physical products, but also for graphical user interfaces (GUIs)
- Temporary restraining orders (TROs) are typically easier to obtain for design patents than utility patents, particularly in emergency situations





Thank you

감사합니다



2025

# Korea-US IP Forum

October 8, 2025 | Korean Cultural Center New York, USA



# CONSIDERATIONS FOR FILING AND PROSECUTING U.S. PATENT APPLICATIONS

Korea-U.S. IP Forum

October 8, 2025

Jennifer J. Chheda, Ph.D.  
Partner, New York



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# AGENDA

Types of Prior Art & Exceptions

Double Patenting

Doctrine of Equivalents

## ONE TYPE OF PRIOR ART & EXCEPTIONS (35 U.S.C. § 102(A)(1) & (B)(1))

- **Type of Prior Art:** Before the effective filing date of the claimed invention, the claimed invention was:
  - Patented,
  - Described in a printed publication,
  - In public use,
  - On sale, or
  - Was otherwise available to the public (see 35 U.S.C. § 102(a)(1))
- **Exception to Prior Art:** Disclosure made 1 year or less before the effective filing date of the claimed invention is **not** prior art to the claimed invention if:
  - An inventor made the disclosure, or the disclosure was made by another who (directly or indirectly) obtained the subject matter from the inventor; or
  - Before the disclosure, the subject matter was publicly disclosed by the inventor or another who (directly or indirectly) obtained the subject matter disclosed from the inventor (see 35 U.S.C. § 102(b)(1))

## SECOND TYPE OF PRIOR ART & EXCEPTIONS (35 U.S.C. § 102(A)(2) & (B)(2))

- **Type of Prior Art:** Claimed invention was described in an issued U.S. patent or a published U.S. patent application or PCT patent application designating the U.S., which patent or patent application publication:
  - Names another inventor, and
  - Was effectively filed before the effective filing date of the claimed invention. (See 35 U.S.C. § 102(a)(2).)
- **Exception to Prior Art:** Disclosure is **not** prior art to claimed invention if:
  - Disclosed subject matter was (directly or indirectly) obtained from the inventor
  - Disclosed subject matter, before the subject matter was effectively filed, was publicly disclosed by either (a) the inventor, or (b) another who (directly or indirectly) obtained the subject matter disclosed from the inventor
  - Disclosed subject matter and the claimed invention, not later than the effective filing date of the claimed invention, were owned by the same person or subject to an obligation to assign to the same person (see 35 U.S.C. § 102(b)(2))

## COMMON OWNERSHIP: JOINT RESEARCH AGREEMENT (35 U.S.C. § 102(C))

- Deemed owned by the same person or subject to an obligation to assign to the same person if:
  - Disclosed subject matter was developed and the claimed invention was made by, or on behalf of, a party to a joint research agreement in effect before the effective filing date of the claimed invention
  - Claimed invention was made as a result of activities undertaken within the scope of the joint research agreement
  - Application includes the names of the parties to the joint research agreement

## TWO TYPES OF DOUBLE PATENTING

- **Same Invention or Statutory Double Patenting:**

- Claim in one patent/patent application and the claim in another patent/patent application are drawn to **identical** subject matter
- Basis is found in 35 U.S.C. § 101: “Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a **patent** therefor. . .”

- **Non-statutory (or Obviousness-Type) Double Patenting:**

- Subject matter of a claim in a patent/patent application is **different, but not patentably distinct**, from the subject matter claimed in another patent/patent application

(Emphasis added to 35 U.S.C. § 101)

# REQUIREMENT FOR DOUBLE PATENTING

- At least one common inventor between one patent/patent application and another patent/patent application
- At least one common applicant or common owner between one patent/patent application and another patent/patent application
- No common assignee, common owner, or common inventor but subject to applicant established joint research agreement

(12) <b>United States Patent</b> <b>Feldmann et al.</b>		(10) <b>Patent No.:</b> <b>US 7,846,442 B2</b>
		(45) <b>Date of Patent:</b> <b>Dec. 7, 2010</b>
(54) <b>METHODS OF TREATING RHEUMATOID ARTHRITIS WITH AN ANTI-TNF-ALPHA ANTIBODIES AND METHOTREXATE</b>	7,138,118 B2 * 11/2006 Le et al. .... 424/145.1 2002/0010180 A1 1/2002 Feldmann et al. 2002/0068057 A1 6/2002 Feldmann et al. 2002/0136723 A1 9/2002 Feldmann et al. 2004/0228863 A1 11/2004 Feldmann et al. 2006/0099212 A1 5/2006 Feldmann et al.	
(75) <b>Inventors:</b> <b>Marc Feldmann, London (GB); Ravinder N. Maini, London (GB)</b>		
(73) <b>Assignee:</b> <b>The Mathilda and Terence Kennedy Institute of Rheumatology Trust, London (GB)</b>		
(*) <b>Notice:</b> Subject to any disclaimer, the term of this patent is extended or adjusted under 35 U.S.C. 154(b) by 750 days.		
(21) <b>Appl. No.:</b> <b>11/225,631</b>		
(22) <b>Filed:</b> <b>Sep. 12, 2005</b>		
FOREIGN PATENT DOCUMENTS		
	AU A-58976/90 2/1991	
	AU 92/17649 3/1992	
	AU 93/51522 10/1993	
	AU 1997/021229 2/1997	
	AU 2003/264629 12/2003	
	CA 2021369 A1 1/1991	
	DE 40 06 269 A1 8/1991	
	EP 0 240 344 A2 10/1987	

(12) <b>United States Patent</b> <b>Feldman et al.</b>		(10) <b>Patent No.:</b> <b>US 6,270,766 B1</b>
		(45) <b>Date of Patent:</b> <b>Aug. 7, 2001</b>
(54) <b>ANTI-TNF ANTIBODIES AND METHOTREXATE IN THE TREATMENT OF ARTHRITIS AND CROHN'S DISEASE</b>	Borigini, M.J., and Paulus, H.E., "Combination Therapy," <i>Baillière's Clin. Rheum.</i> , 9(4):689-710 (1995). Kalden, J.R., and Manger, B., "Biologic Agents in the Treatment of Inflammatory Rheumatic Diseases," <i>Curr. Opin. Rheum.</i> , 9:206-212 (1997). Kavanaugh, A., et al., "Anti-TNF- $\alpha$ Monoclonal Antibody (mAB) Treatment of Rheumatoid Arthritis (RA) Patients With Active Disease On Methotrexate (MTX): Results of a Double-Blind, Placebo Controlled Multicenter Trial," <i>Arth. Rheum.</i> , 39(Suppl.9): 18-22 (Oct. 1996), Abstract 575. Horneff, G., et al., "Elevated levels of circulating tumor necrosis factor- $\alpha$ , interferon- $\gamma$ , and interleukin-2 in systemic reactions induced by anti-CD4 therapy in patients with rheumatoid arthritis", <i>Cytokine</i> , 3(3):266-247 (1991). Brennan, F., et al., "Inhibitory effect of TNF $\alpha$ antibodies on synovial cell interleukin-1 production in rheumatoid arthritis", <i>The Lancet</i> , 2(8657):244-247 (1989). Steinbruchel, D., et al., "Monoclonal antibody treatment (anti-CD4 and anti-interleukin-2 receptor) combined with cyclosporin A has a positive but not simple dose-dependent effect on rat renal allograft survival", <i>Scandinavian J. Immunol.</i> , 34(5):627-633 (1991). Breedveld, F., et al., "Anti-CD4 antibodies in rheumatoid arthritis", <i>Clinical and Experimental Rheumatology</i> , 10(4):325-326 (1992). Brennan, F., et al., "TNF $\alpha$ -a pivotal role in rheumatoid	
(75) <b>Inventors:</b> <b>Marc Feldman, Highgate; Ravinder N. Maini, London, both of (GB)</b>		
(73) <b>Assignee:</b> <b>The Kennedy Institute of Rheumatology, London (GB)</b>		
(*) <b>Notice:</b> Subject to any disclaimer, the term of this patent is extended or adjusted under 35 U.S.C. 154(b) by 0 days.		
(21) <b>Appl. No.:</b> <b>08/690,775</b>		
(22) <b>Filed:</b> <b>Aug. 1, 1996</b>		
<b>Related U.S. Application Data</b>		
(62) Continuation-in-part of application No. 08/607,419, filed on Feb. 28, 1996, now abandoned, which is a continuation-in-part of application No. PCT/GB94/00462, filed on Mar. 10, 1994, which is a continuation-in-part of application No. 08/403,785, filed as application No. PCT/GB93/02070 on Oct. 6, 1993, now Pat. No. 5,741,488, which is a continuation-in-part of application No. 07/958,248, filed on Oct. 8, 1992, now abandoned.		



## GOAL & RATIONALE FOR NON-STATUTORY TYPE DOUBLE PATENTING

- **Primary Goal:** “[P]revent an unjustified timewise extension of patent exclusivity beyond the life of a patent” (*Allergan USA, Inc. v. MSN Lab’ys Priv. Ltd.*, 111 F.4<sup>th</sup> 1358, 1367 (Fed. Cir. 2024))

- **Public Policy:** “The public should . . . be able to act on the assumption that upon expiration of the patent it will be free to use not only the invention claimed in the patent but also any modifications or variants thereof which would have been obvious to [a POSA] . . . at the time the invention was made” (*In re Zickendraht*, 319 F.2nd 225, 232 (CCPA 1963))

# NON-STATUTORY DOUBLE PATENTING ANALYSIS

## Step 1: Claim Construction

- Construe the claims in the challenged patent/application and reference patent/application and determine the differences

## Step 2: Patentably Distinct?

- Do the differences render the claims in the challenged patent/application patentably distinct from the claims in the reference patent/application?

## OPTIONS FOR OVERCOMING DOUBLE PATENTING

- **Statutory Double Patenting:**

- Claim Amendments
- **Cannot** Use Terminal Disclaimer

- **Non-statutory Double Patenting:**

- Non-obviousness or Improper Reference Patent/Patent Application Arguments
- Safe Harbor
- Claim Amendments
- Terminal Disclaimer

## SAFE HARBOR UNDER 35 U.S.C. § 121

- **Immunization from Non-statutory Double Patenting:**

- USPTO issued a Restriction Requirement requiring the election of one invention and the restriction requirement was not withdrawn

- **Examples of Situations Where Safe Harbor Does NOT Apply:**

- Applicant voluntarily restricts two or more inventions
- Claims in divisional application are not consonant with the restriction requirement by the examiner

## TERMINAL DISCLAIMER (37 C.F.R. § 1.321)

- Disclaims terminal portion of term of a given patent so as not to extend the term beyond the term of the reference patent

- Can result in significant patent term loss

- May be filed during litigation – BUT must be filed **before** the expiration of the reference patent

- Patent is enforceable during the period that the patent is commonly owned with the reference application/patent

## TERMINAL DISCLAIMER & PATENT TERM IMPLICATIONS

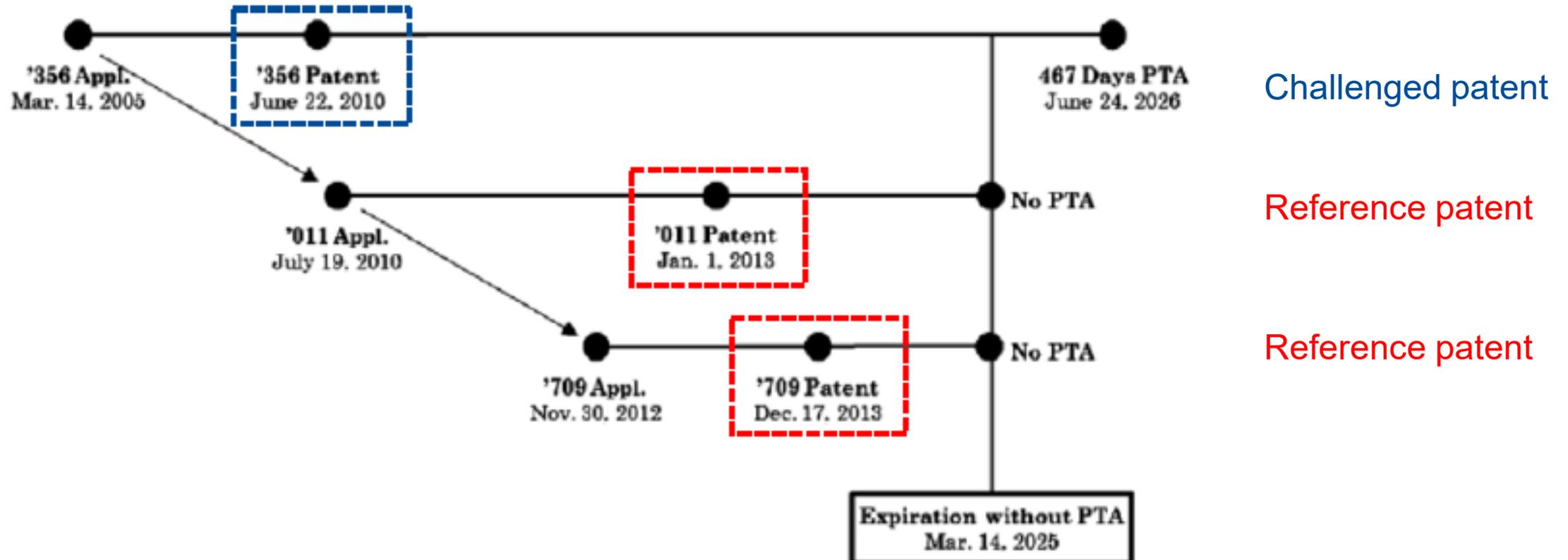
- Patent Term Extension (PTE)

- The patent expiration date used for non-statutory double patenting analysis is the **date before PTE is added** (*Novartis AG v. Ezra Ventures LLC*, 909 F.3d 1367 (Fed. Cir. 2018))

- Patent Term Adjustment (PTA)

- The patent expiration date used for non-statutory double patenting analysis is the **date after PTA has been added** (*In re Collect, LLC*, 81 F.4<sup>th</sup> 1216 (Fed. Cir. 2023))

# ALLERGAN USA, INC. V. MSN LAB'YS PRIV. LTD., 111 F.4TH 1358 (FED. CIR. 2024)



“[A] first-filed, first-issued, later-expiring claim cannot be invalidated by a later-filed, later-issued, earlier expiring reference claim having a common priority date.” (*Id.* at 1369)

# INFRINGEMENT

- **Literal Infringement**

- An accused product or process contains each and every element of a patent claim. (*Cross Med. Prods.*, 424 F.3d at 1310 (Fed. Cir. 2005))

- **Doctrine of Equivalents (DOE)**

- Under the doctrine of equivalents, a claim limitation not literally met may be satisfied by an element of the accused product or process if the differences between the two are “insubstantial” to one of ordinary skill in the art. (*Warner-Jenkinson Co., Inc. v. Hilton Davis Chem. Co.*, 520 U.S. 17, 40 (1997))

## DOCTRINE OF EQUIVALENTS (DOE)

### Insubstantial Differences Inquiry

Determine whether the element in the accused product or process “performs substantially the same function in substantially the same way to obtain the same result” as the claim limitation. (*Warner-Jenkinson*, 520 U.S. at 38)

### Application

“[A]ppplied to individual elements of the claim, not to the invention as a whole” (*Warner-Jenkinson*, 520 U.S. at 29)

### Does Not

(1) Cover product or method which would render the claim obvious over prior art; and (2) Allow the patentee to recapture through equivalence coverage given up during prosecution.

## PROSECUTION HISTORY ESTOPPEL

Surrender of subject matter resulting from arguments or amendments during prosecution;  
DOE may not reach surrendered subject matter

To invoke argument-based estoppel, the prosecution history must evince a **clear and unmistakable surrender** of subject matter (*Amgen Inc. v. Coherus BioSciences Inc.*, 931 F.3d 1154, 1159–60 (Fed. Cir. 2019))

Prosecution history estoppel provides a legal limitation on the application of doctrine of equivalents by excluding the equivalent subject matter surrendered during prosecution

# CONSIDERATIONS FOR U.S. PATENT APPLICATIONS

- Translations
- Filing Strategy
- Claiming Strategy
- Statements During Prosecution
- Related Patents/Applications Naming a Common Inventor and/or Having a Common Assignee/Owner
- Joint Research Agreements

## CONTACT INFORMATION & BIO



Jennifer J. Chheda, Ph.D.  
Partner  
New York  
Phone: (212) 326-3886  
Email: [jjchheda@jonesday.com](mailto:jjchheda@jonesday.com)

Dr. Jennifer Chheda has more than 25 years of experience in procuring and enforcing patents relating to biologics and small molecules. Jennifer's experience also includes patentability, invalidity, noninfringement, freedom-to-operate, and inventorship analyses and conducting due diligence for potential investors, acquirers, and licensees. Jennifer has coordinated worldwide litigations and invalidation proceedings to ensure consistency between the litigations and proceedings. She has provided strategic advice regarding invalidity and infringement contentions. Jennifer has also provided strategic advice to clients regarding PTAB and other post-grant proceedings. Her scientific background is an asset in working with experts to develop reports and to prepare them for depositions and trial. In addition, Jennifer has drafted and negotiated IP agreements and provided IP advice in the context of M&A transactions.

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2025

# Korea-US IP Forum

October 8, 2025 | Korean Cultural Center New York, USA



# Converging Currents: Korea's Evolving Patent Litigation in a Comparative Context

October 8, 2025

**Bowon KWON**

Judge, IP High Court of Korea

# The #1 Job-Creating Investor in the U.S.

[CRS](#)

Exhibit 9a   2024 Top 10 Country from, Reshoring (of those reporting country from) + FDI					
Rank by Jobs	Country	Jobs	Cases	Average Jobs/Case	% of Total Jobs*
1	South Korea	17,909	36	497	20%
2	Germany	10,045	72	140	11%
3	Canada	9,797	48	204	11%
4	Japan	6,483	62	105	7%
5	France	5,063	17	307	6%
6	China	4,933	45	110	5%
7	Australia	4,118	14	305	5%
8	Taiwan	4,095	18	226	5%
9	Switzerland	3,518	27	130	4%
10	United Kingdom	3,327	24	139	4%

Fi

Exhibit 9b   2025* Country from, Reshoring (of those reporting country from) + FDI					
Rank by Jobs	Country	Jobs	Cases	Average Jobs/Case	% of Total Jobs
1	South Korea	24,444	48	509	31%
2	China	10,280	52	199	13%
3	Germany	8,364	75	111	11%
4	France	5,160	48	108	7%
5	Ireland	4,200	6	700	5%
6	Japan	4,200	30	140	5%
7	India	4,020	24	168	5%
8	Canada	3,720	42	89	5%
9	Italy	2,256	24	94	3%
10	Luxembourg	2,148	12	179	3%

\*Projected from Q1 data

[2024 Annual Report](#)

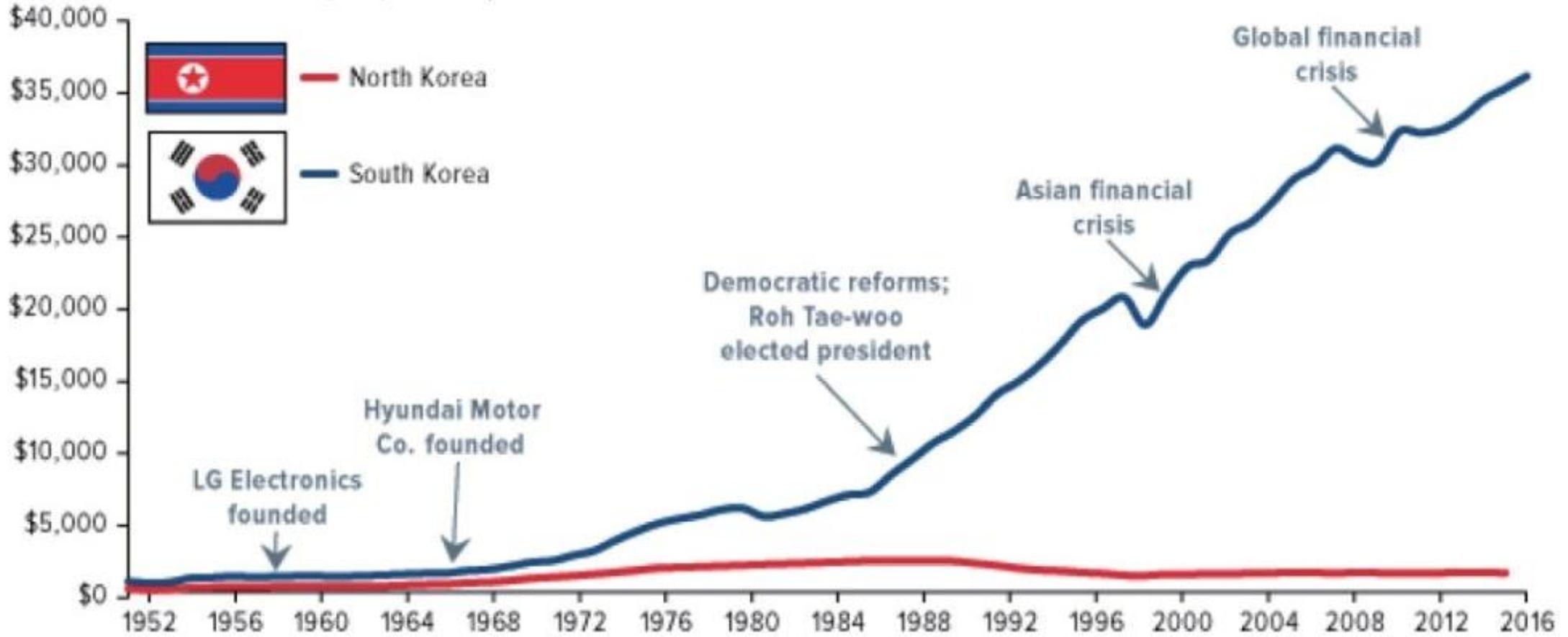


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*IP*

## Miracle on the Han River, 70 Years Later

Gross National Income (GNI) Per Capita

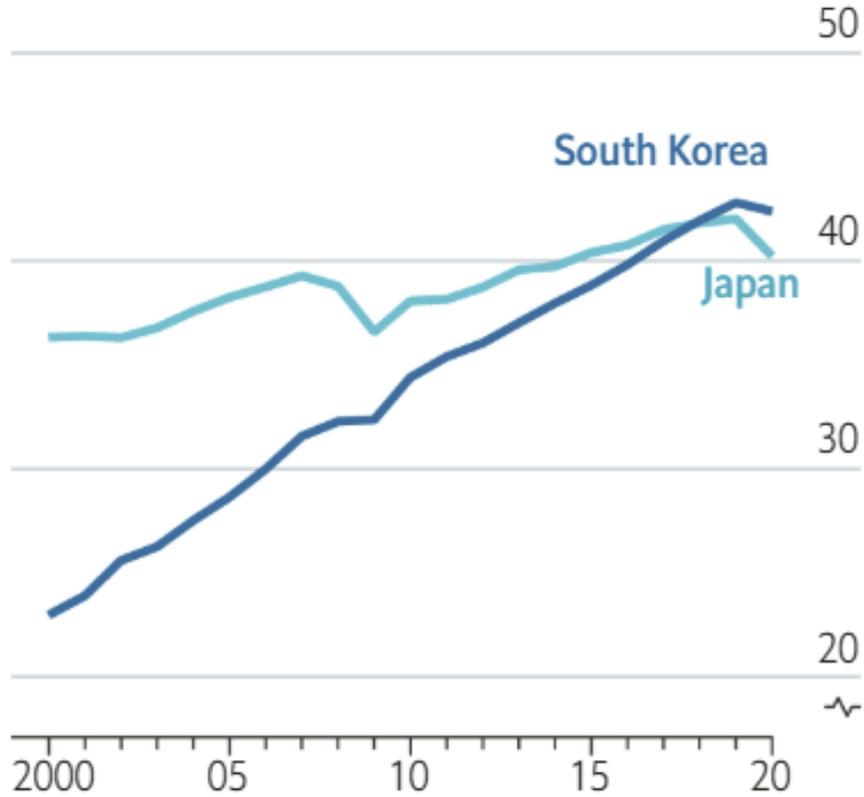


Source: Maddison Historical Statistics Project, U.S. Global Investors

[Devnet – Part 1 – South Korea has set an example for developing countries in the world](#)  
[Wikimedia Commons](#)

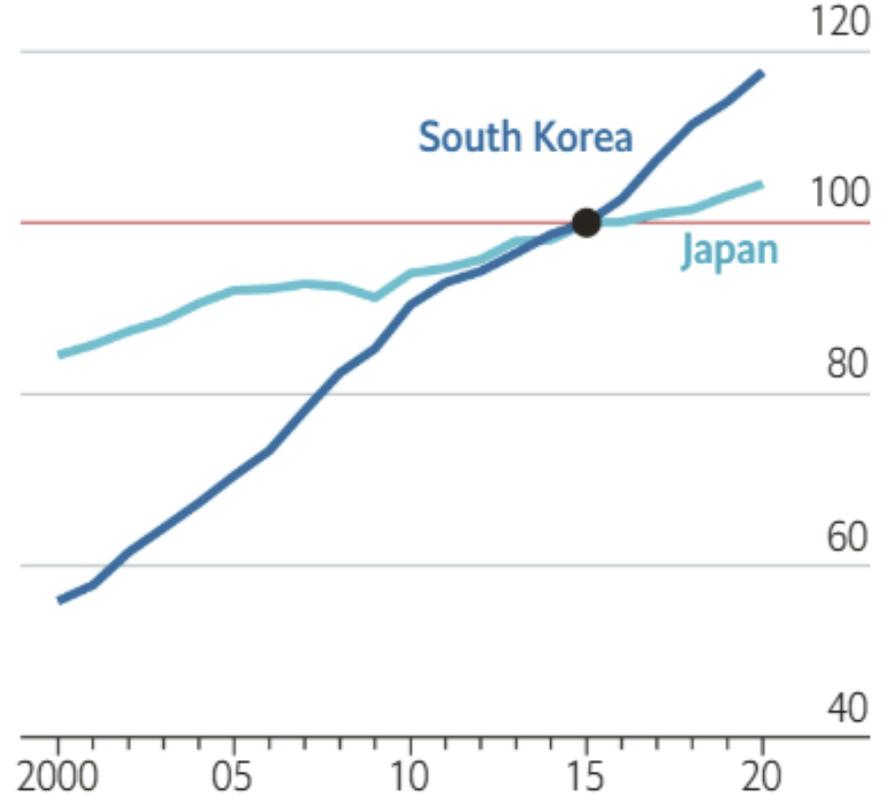
## Won of these days

$\overline{\text{GDP}}$  per person, \$'000 at PPP\*, 2017 prices



Sources: World Bank; OECD; Analysis by Richard Katz

$\overline{\text{GDP}}$  per hour worked, 2015=100, \$ terms



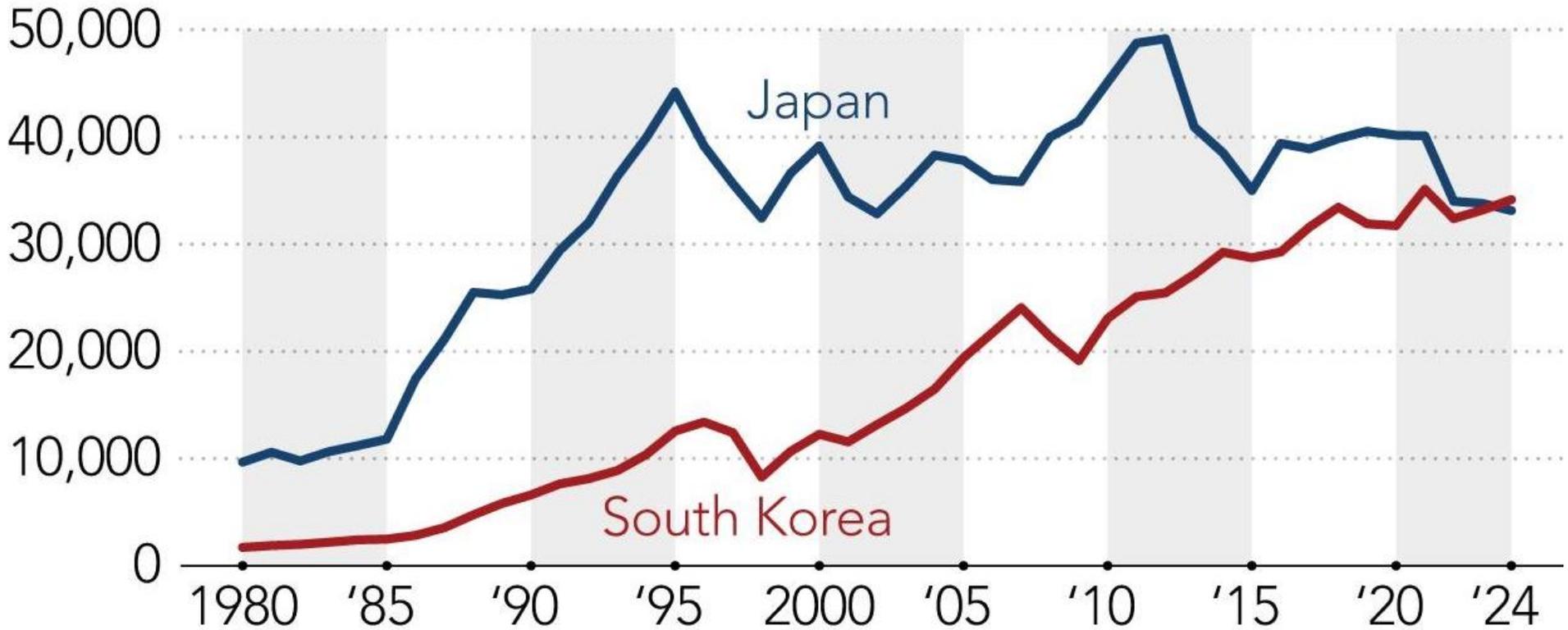
\*At purchasing-power parity

[By one measure of living standards, South Korea has overtaken Japan](#)

[Korea Has Already Passed Japan in Per Capita GDP](#)

# South Korea's GDP per capita has overtaken Japan

(Current prices, in dollars)

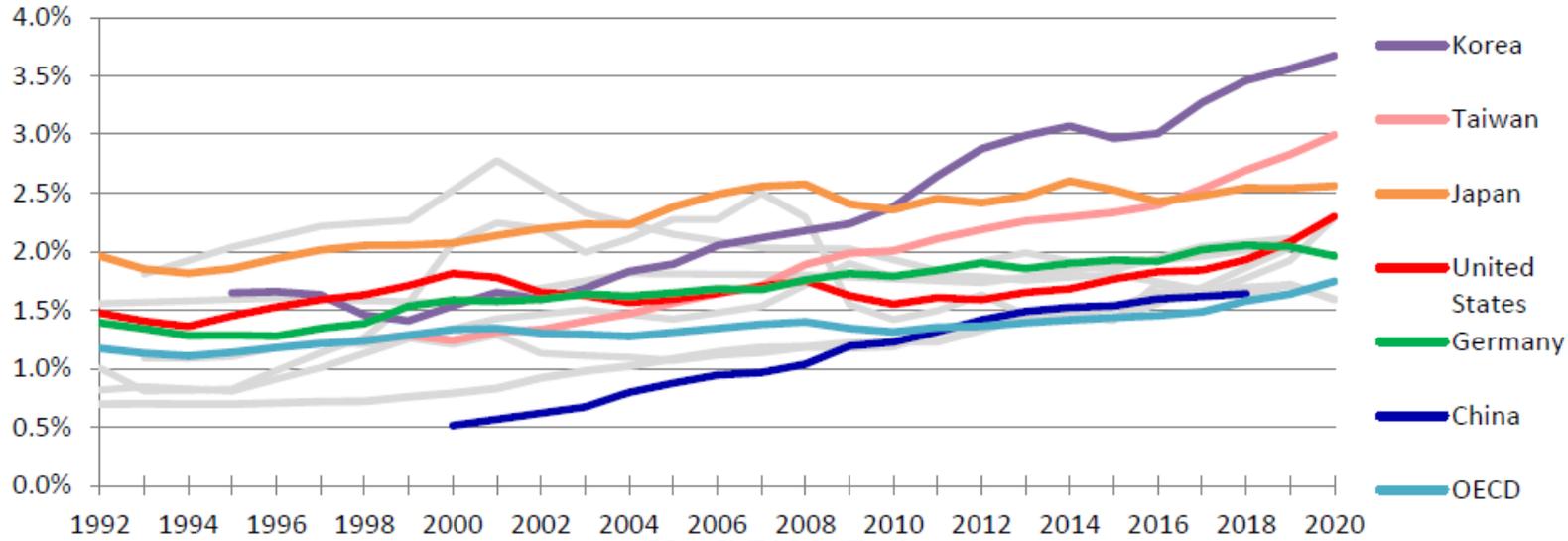


Source: International Monetary Fund

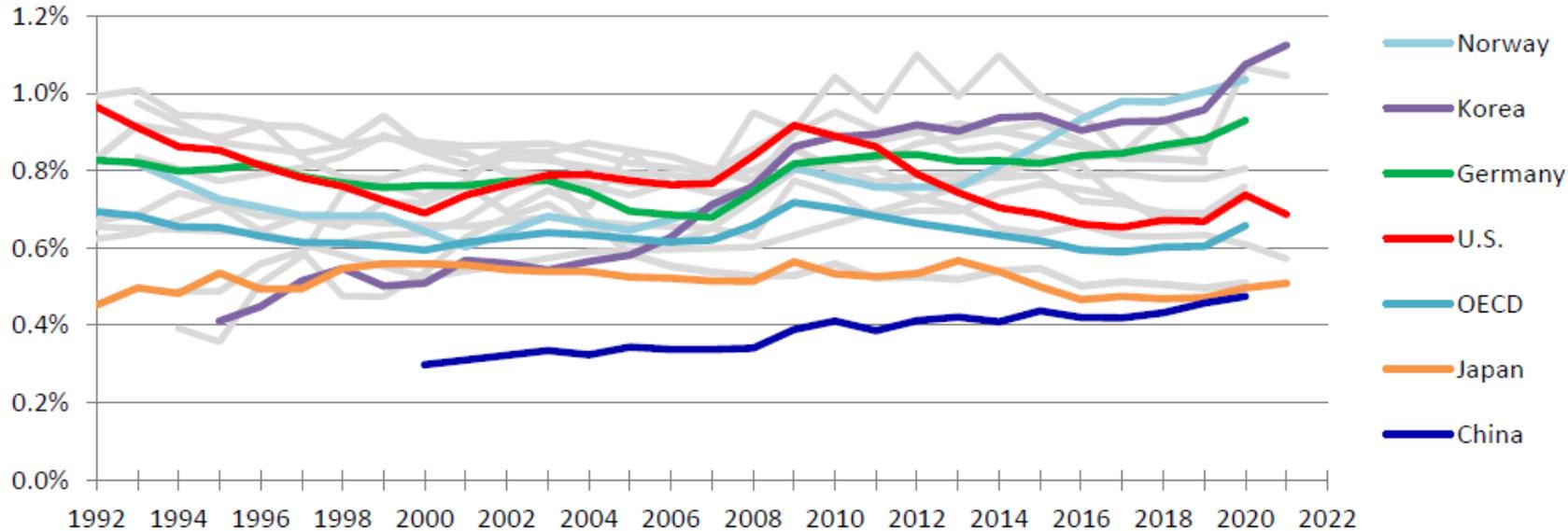
[Japan shouldn't care that South Korea has higher GDP per capita](#)

[S. Korea's GNI per capita surpasses Japan for first time, ranks 6th among countries with 50m+ people](#)

**Figure 2.5 Private R&D Intensity**  
Business-funded R&D as a percent of GDP

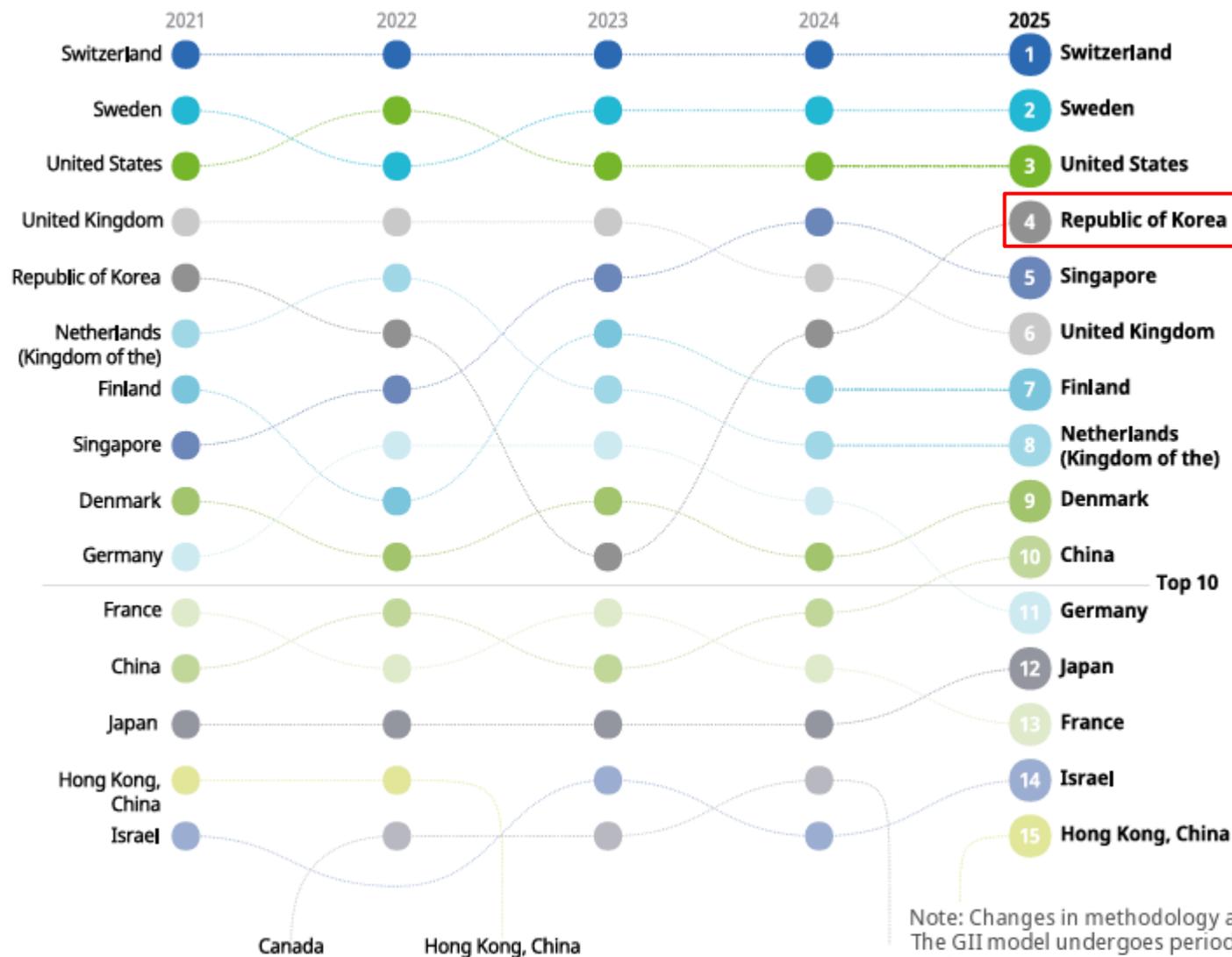


**Figure 2.4 Public R&D Intensity**  
Government R&D as a percent of GDP



[U.S. R&D and Innovation in a Global Context: The 2023 Data Update](#)

Figure 1 The GII dynamo: the top 15 innovators, 2021–2025



Note: Changes in methodology and variations in data availability may affect the year-to-year comparison of GII rankings. The GII model undergoes periodic refinements, which should be a consideration when interpreting longitudinal performance trends.

Source: Global Innovation Index Database, WIPO, 2025.

Cf.

## WIPO Global Innovation Index 2025

GII rank	Economy	Score	Income group rank	Region rank
1	Switzerland	66.0	1	1
2	Sweden	62.6	2	2
3	United States	61.7	3	1
4	Republic of Korea	60.0	4	1
5	Singapore	59.9	5	2
6	United Kingdom	59.1	6	3
7	Finland	57.7	7	4
8	Netherlands (Kingdom of the)	57.0	8	5
9	Denmark	56.9	9	6
10	China	56.6	1	3
11	Germany	55.5	10	7
12	Japan	53.6	11	4
13	France	53.4	12	8
14	Israel	52.3	13	1
15	Hong Kong, China	51.5	14	5
16	Estonia	51.1	15	9
17	Canada	51.1	16	2
18	Ireland	50.4	17	10
19	Austria	50.1	18	11
20	Norway	49.2	19	12

For

**Figure 1 Top 10 innovation clusters, and their footprint, 2025**

Rank	Cluster name	Global share of publications	Global share of PCT filings	Global share of VC deals
1	Shenzhen-Hong Kong-Guangzhou	2.4%	9.0%	2.9%
2	Tokyo-Yokohama	1.4%	10.3%	2.2%
3	San Jose-San Francisco	0.7%	3.9%	6.9%
4	Beijing	4.0%	3.8%	2.9%
5	Seoul	1.7%	5.4%	3.1%
6	Shanghai-Suzhou	2.5%	3.3%	3.7%
7	New York City	0.9%	1.0%	4.8%
8	London	0.7%	0.5%	4.4%
9	Boston-Cambridge	0.9%	1.5%	2.0%
10	Los Angeles	0.5%	0.9%	2.5%



[Innovation Cluster Ranking 2025](#)

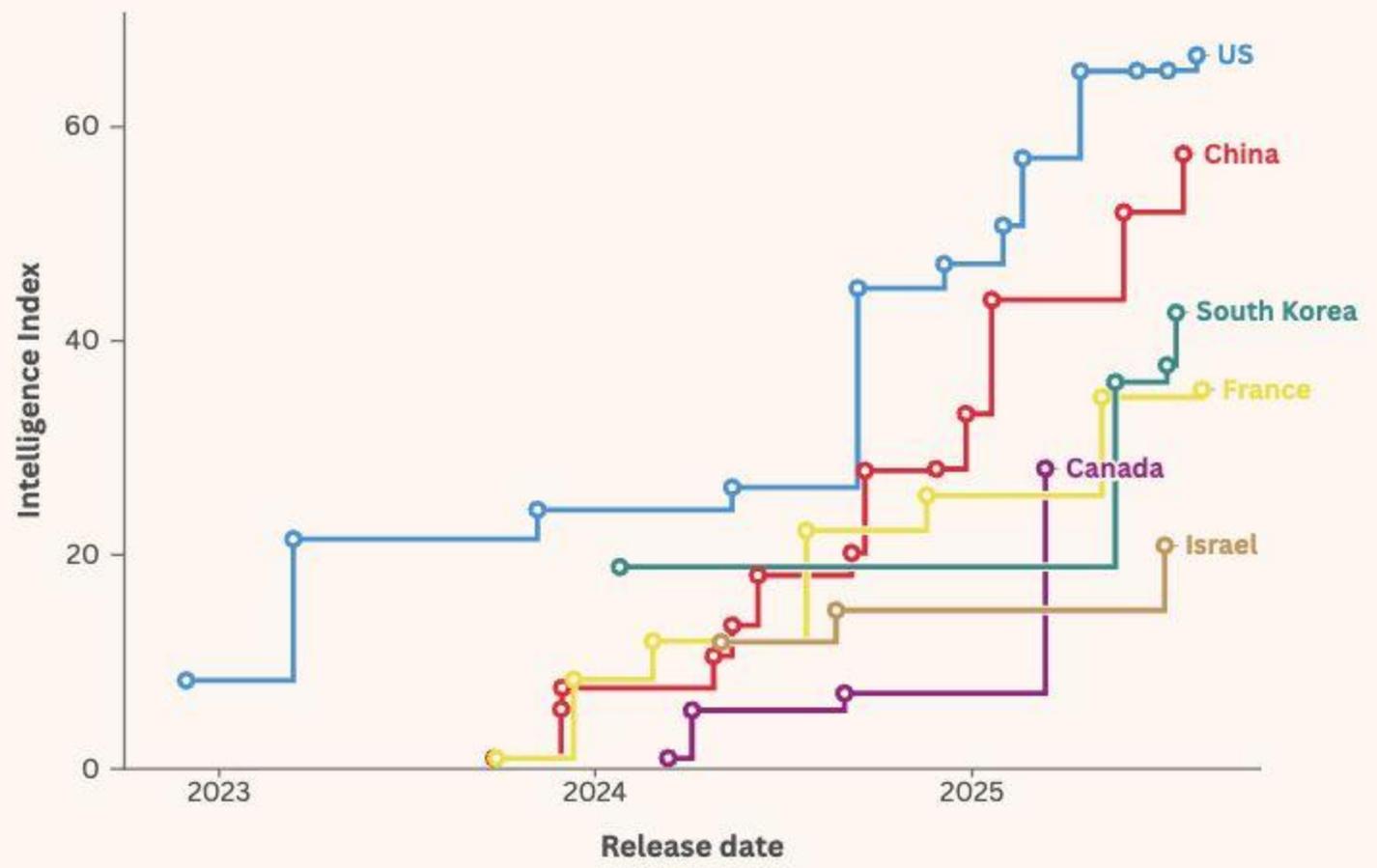
Source: WIPO Statistics Database, May 2025.

# The 2024 IMD World Digital Competitiveness Ranking

			Score		
01	Singapore		100.00	↗	2
02	Switzerland		93.15	↗	3
03	Denmark		91.99	↗	1
04	USA		91.31	↙	3
05	Sweden		90.42	↗	2
06	Korea Rep.		88.62	-	-
07	Hong Kong SAR		88.11	↗	3
08	Netherlands		87.03	↙	6
09	Taiwan (Chinese Taipei)		86.33	-	-
10	Norway		84.58	↗	4
11	UAE		84.06	↗	1
12	Finland		83.57	↙	4
13	Canada		83.16	↙	2
14	China		82.59	↗	5
15	Australia		81.24	↗	1
16	Israel		80.75	↙	3
17	Ireland		80.34	↗	4
18	United Kingdom		78.21	↗	2
19	Iceland		78.18	↙	2
20	France		76.58	↗	7

## Graph Time 📈 | The race for frontier AI models heats up

Leading AI models 'intelligence' by release date and country



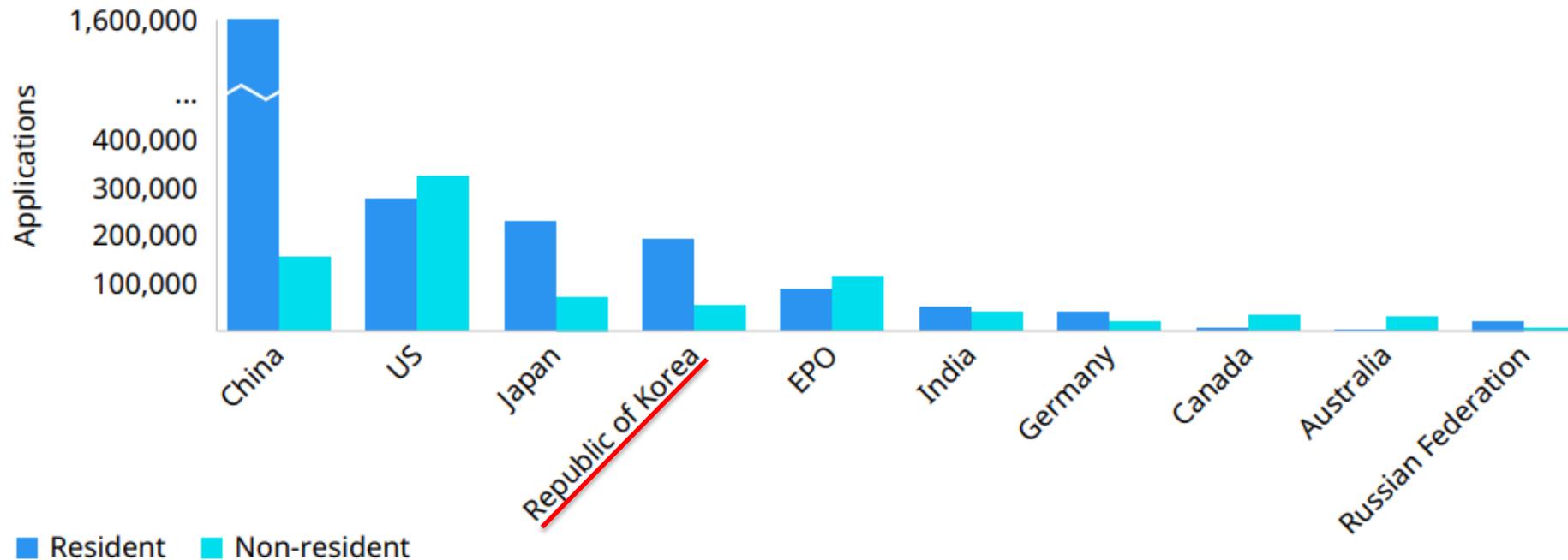
Source: Artificial Analysis Intelligence Index • The index combines 10 evaluations of how smart AI models are, including MMLU-Pro, GPQA Diamond, Humanity's Last Exam and SciCode.



# Patent applications

The IP office of the US attracted the most non-resident applications in 2023 – more than twice as many as China

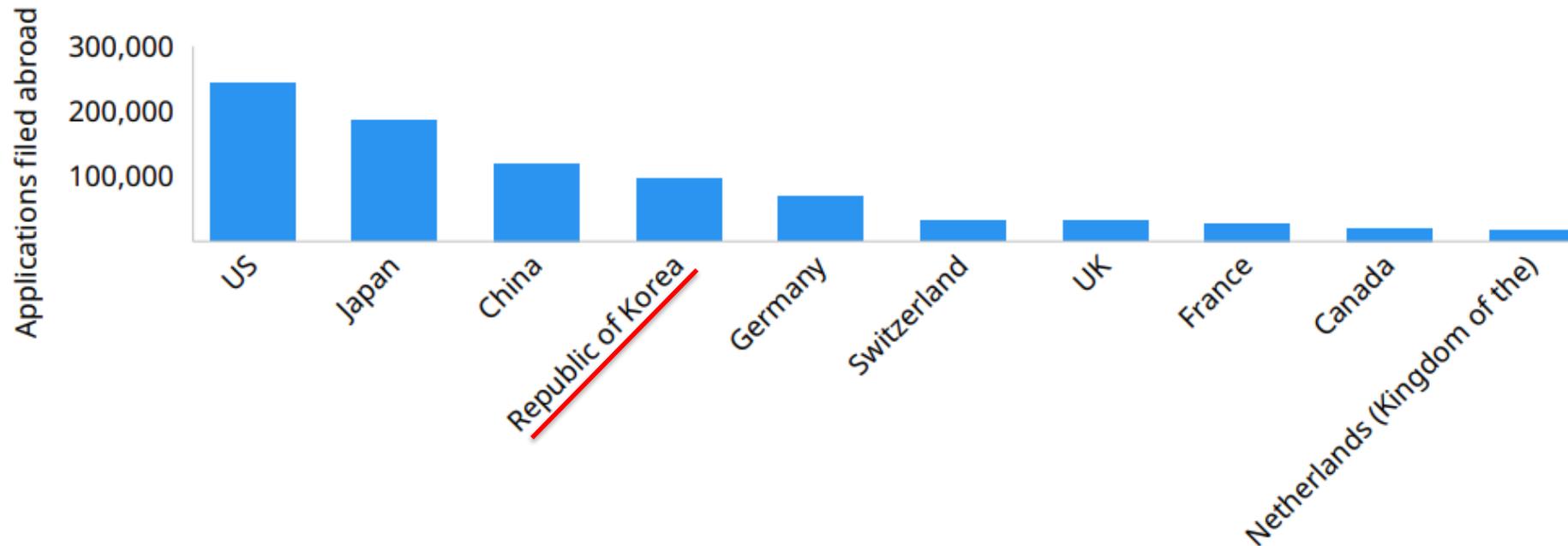
## 1.2. Patent applications at the top 10 offices, 2023



# Patent applications filed abroad

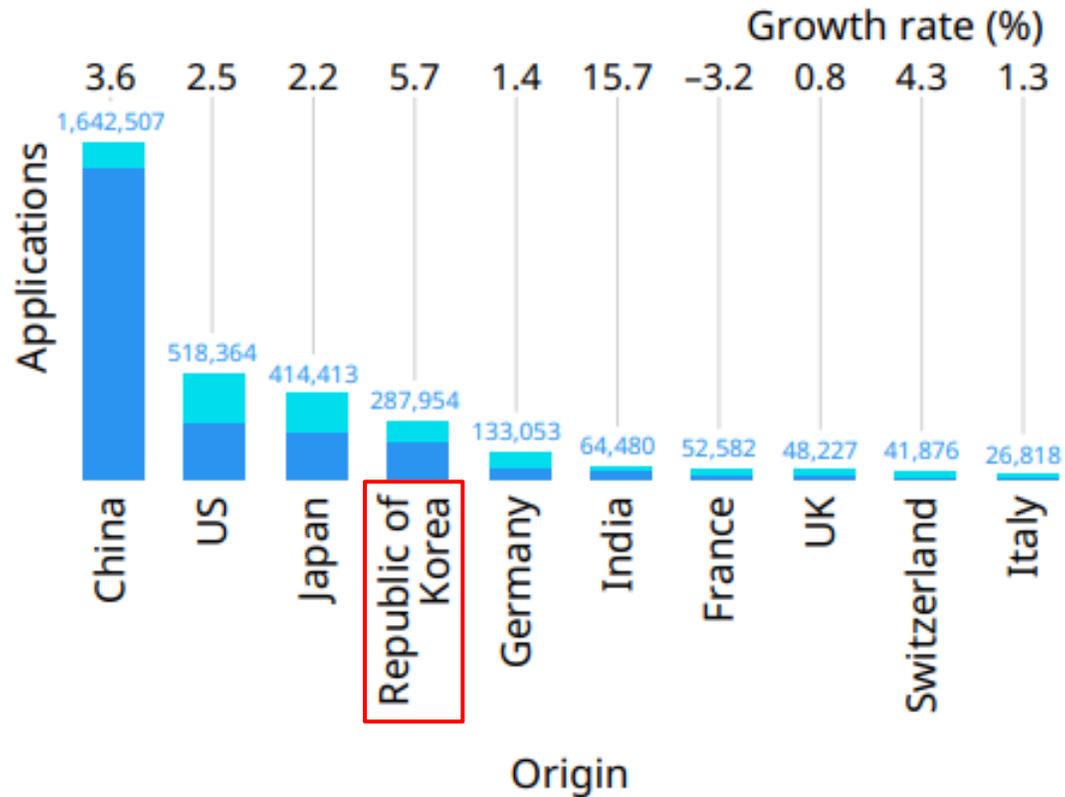
US applicants have filed the most patent applications abroad every year for the past decade

## 1.4. Patent applications filed abroad by the top 10 origins, 2023

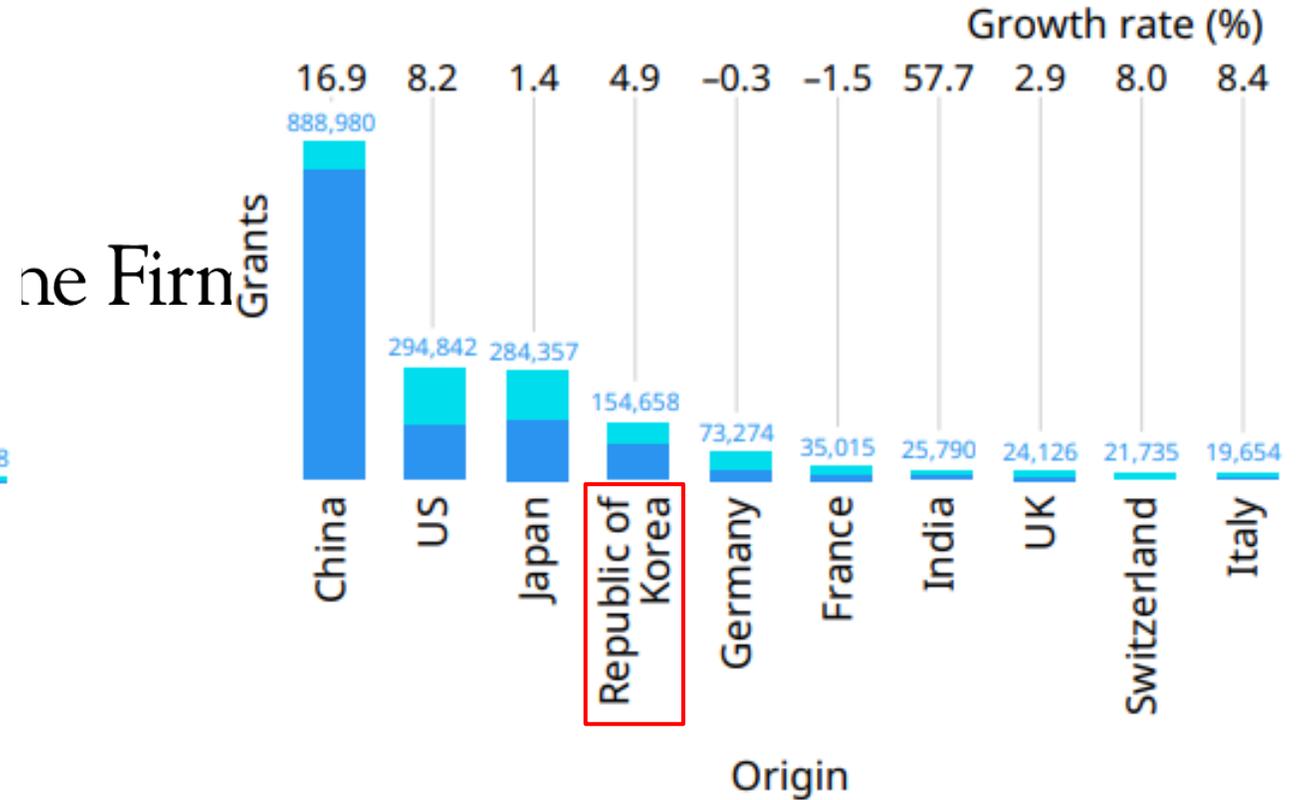


# Patent applications and grants

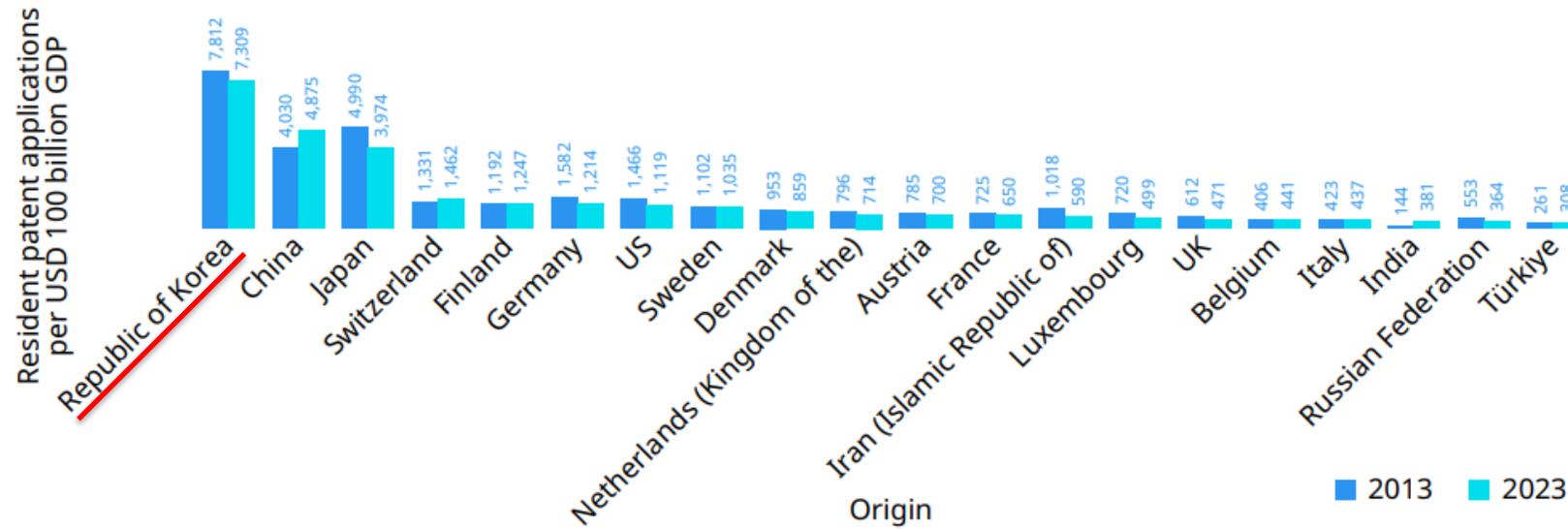
A17. Patent applications for the top 20 origins, 2023



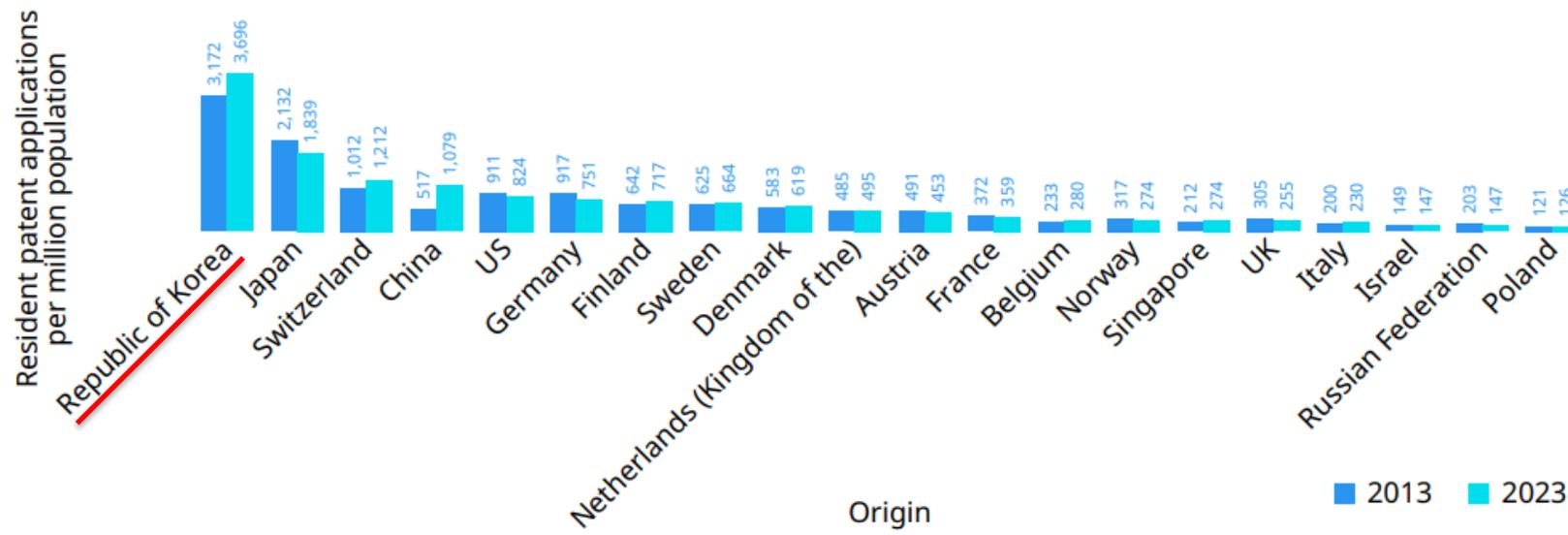
A21. Patent grants for the top 20 origins, 2023



**A37. Resident patent applications per USD 100 billion GDP for the top 20 origins, 2013 and 2023**

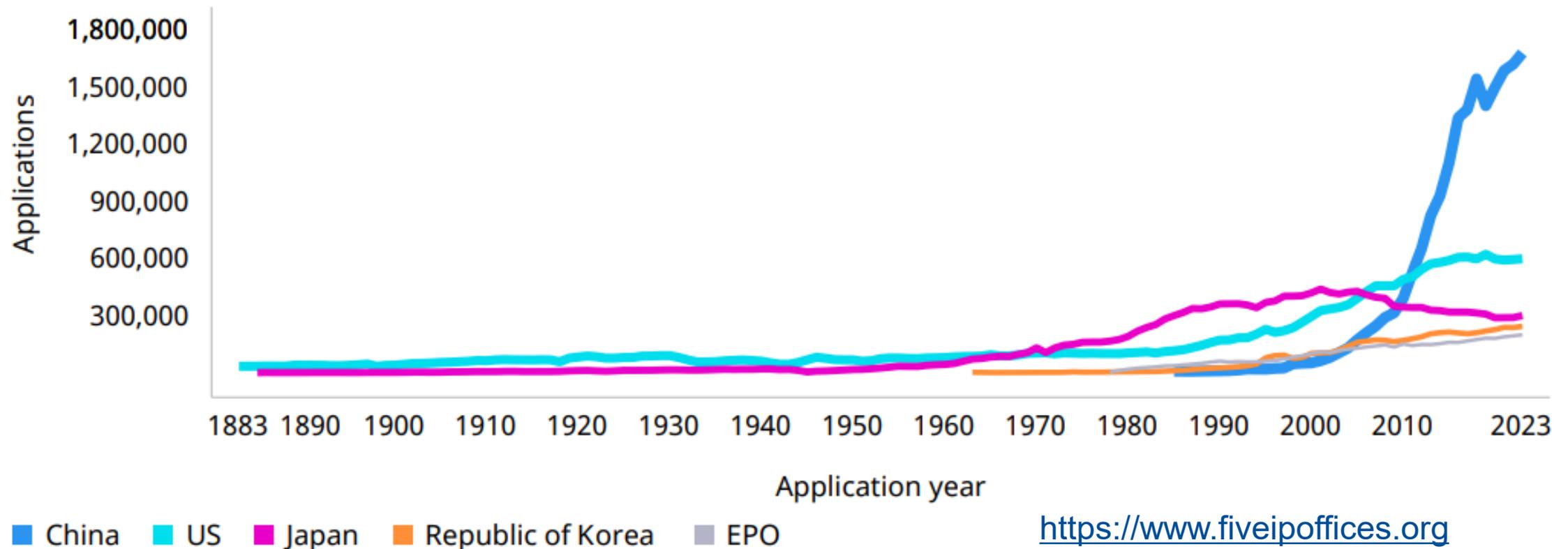


**A38. Resident patent applications per million population for the top 20 origins, 2013 and 2023**

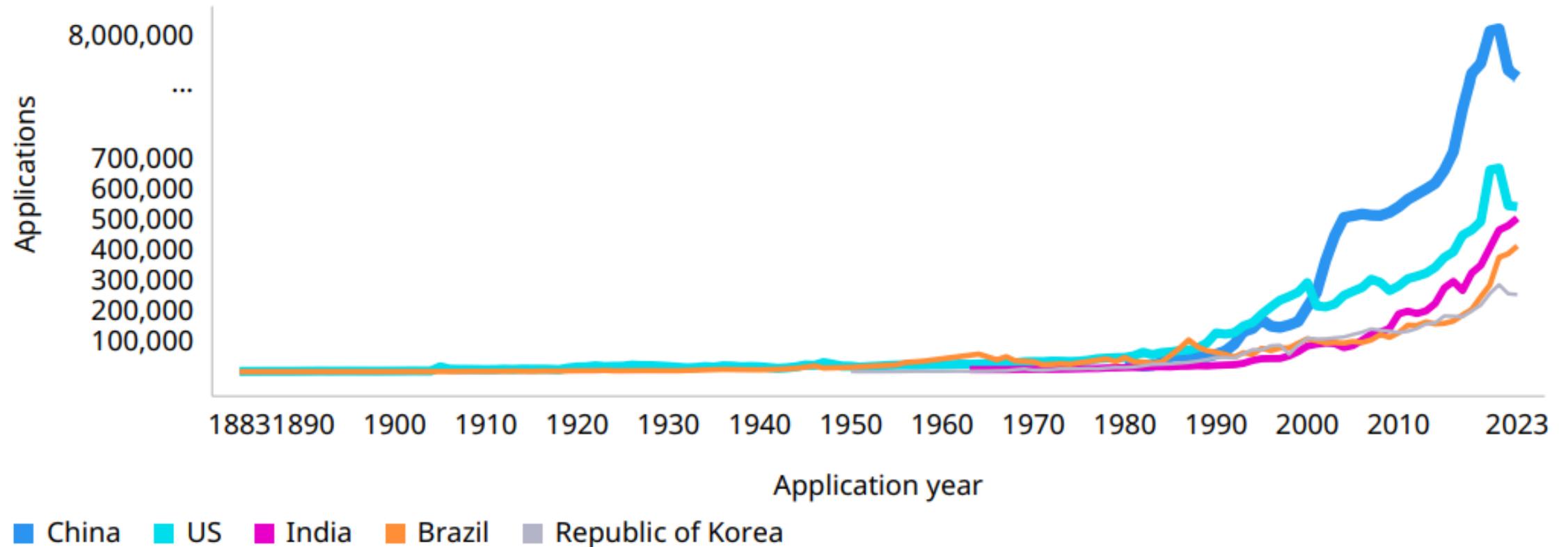


# KIPO is one of the IP5 Offices

Trend in patent applications for the top five offices, 1883-2023

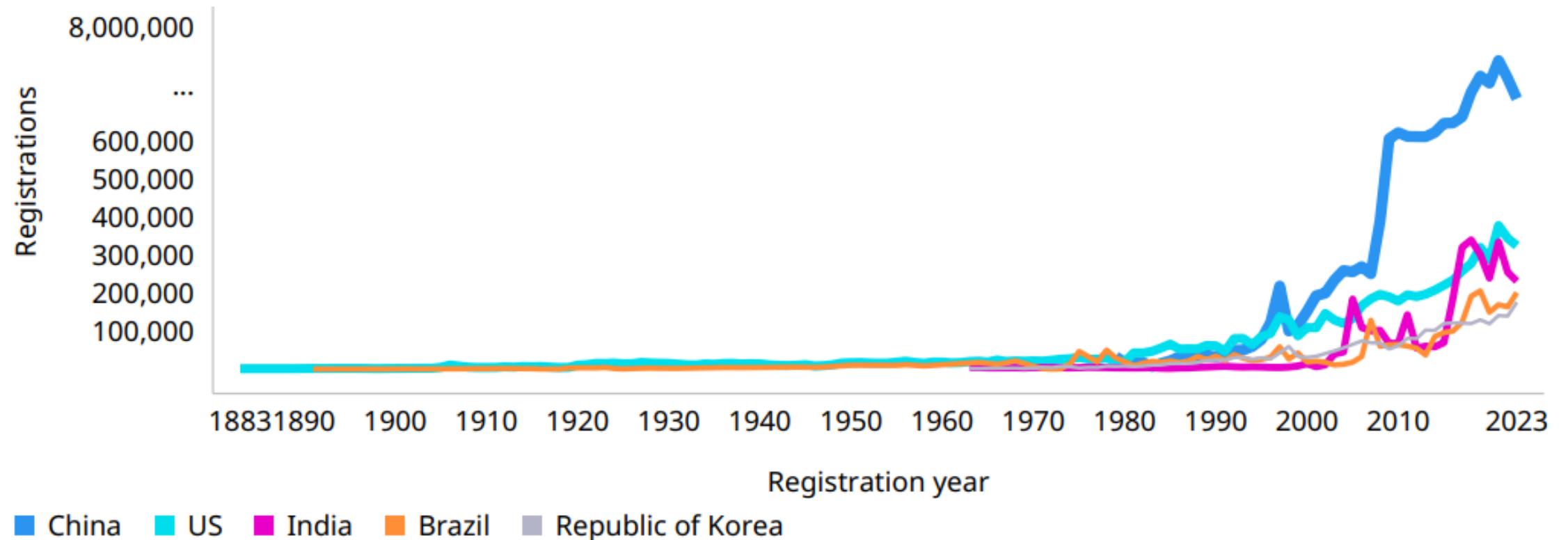


**B8. Trend in trademark applications for the top five offices, 1883–2023**



Note: Data are based on the numbers of applications filed; that is, differences between single-class and multi-class filing systems across IP offices are not taken into account. The top five offices were selected based on 2023 application totals. Source: WIPO Statistics Database, August 2024.

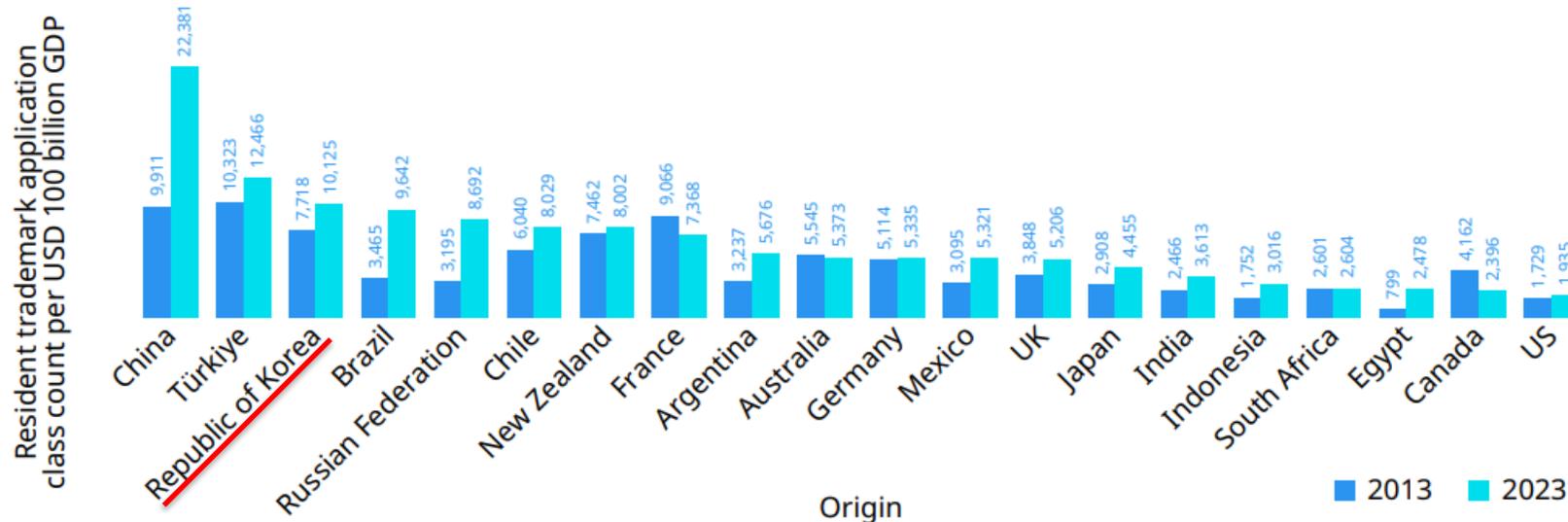
**B14. Trend in trademark registrations for the top five offices, 1883-2023**



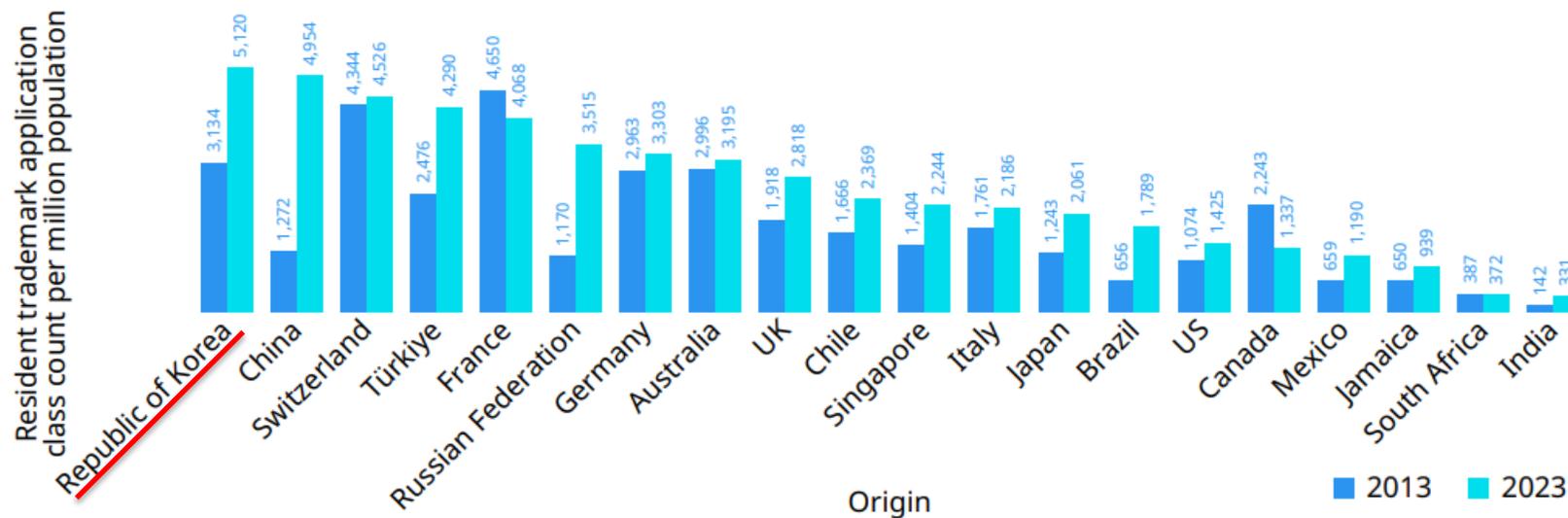
Note: Data are based on the numbers of registrations recorded; that is, differences between single-class and multi-class registration systems across IP offices are not taken into account. The top five offices were selected based on 2023 registration totals.

Source: WIPO Statistics Database, August 2024.

**B30. Resident trademark application class count per USD 100 billion GDP for selected origins, 2013 and 2023**



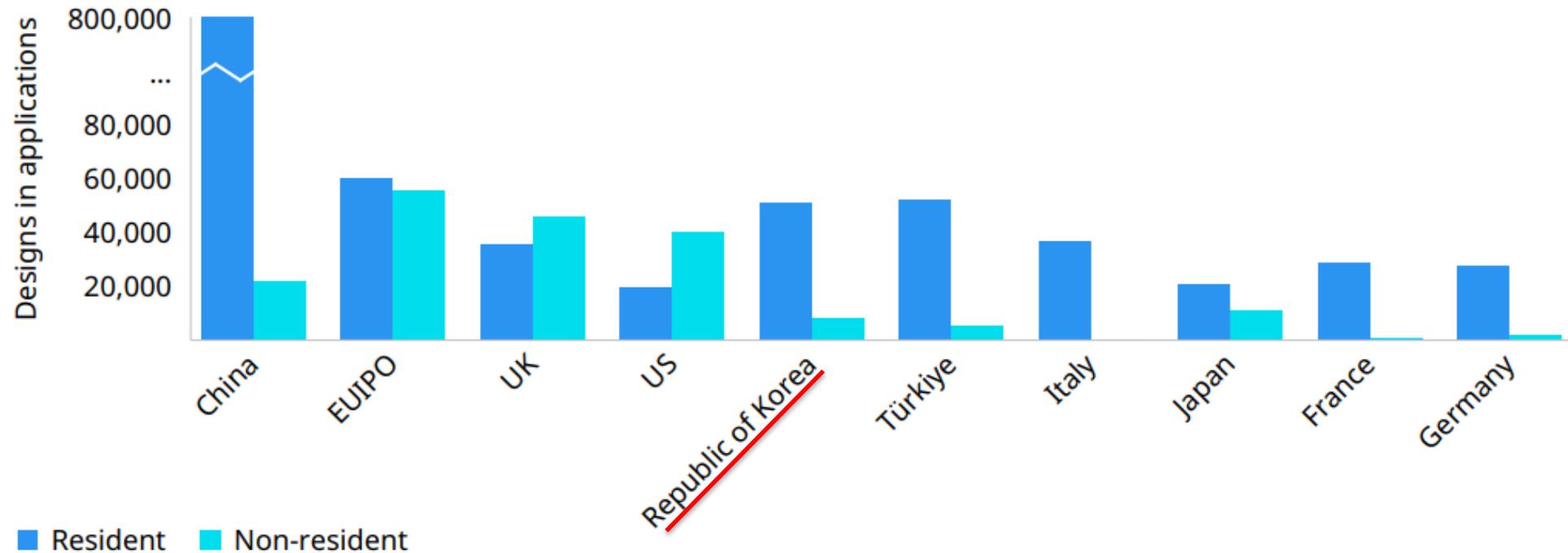
**B31. Resident trademark application class count per million population for selected origins, 2013 and 2023**



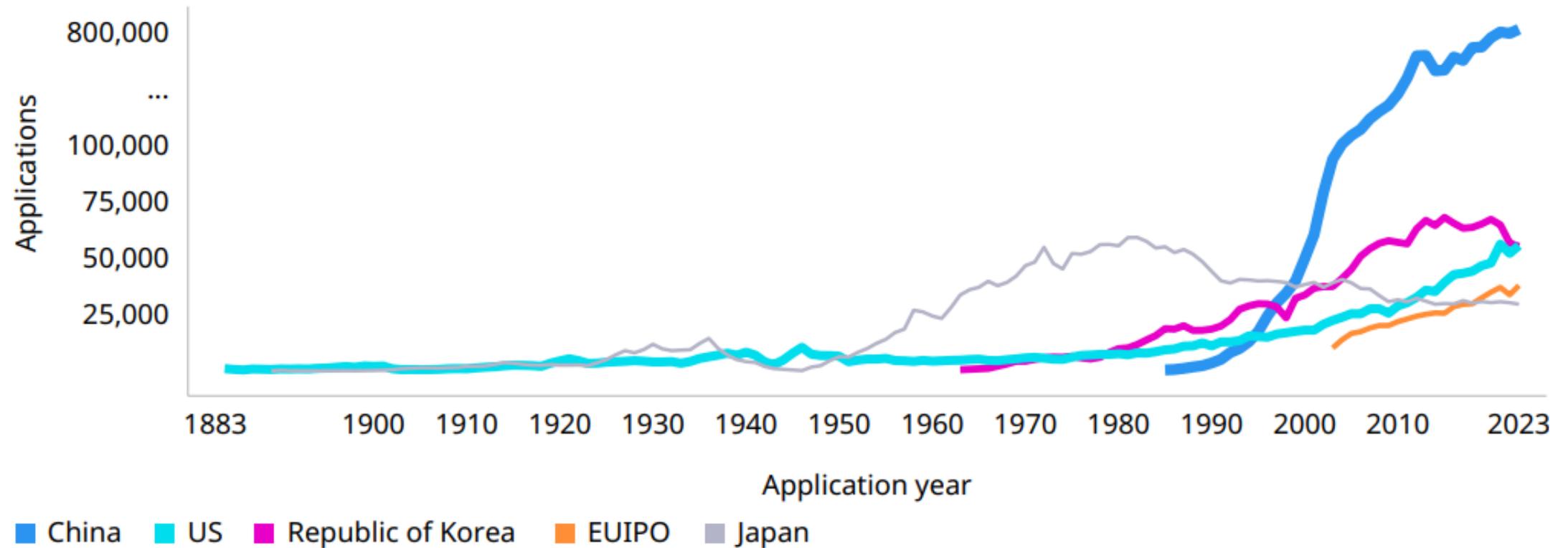
# Design applications

The office of China had the highest filing activity in 2023

## 3.3. Application design counts for the top 10 offices, 2023



**C8. Trend in industrial design applications for the top five offices, 1883–2023**



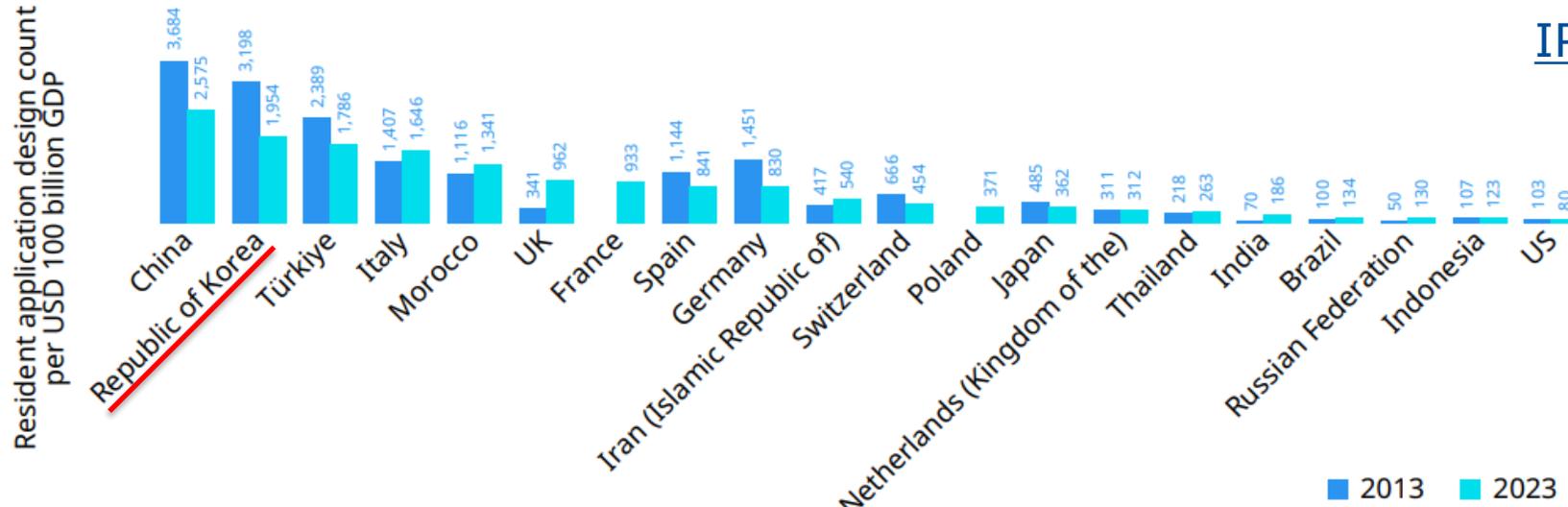
Note: The decrease in applications at the IP office of China in 2017 is most likely explained by the new way in which that office counts applications data. Starting from 2017, China's application count data include only those applications for which the necessary application fees have been paid. EUIPO is the European Union Intellectual Property Office. Data are based on the numbers of applications filed; this means that differences between single-design and multiple-design filing systems across IP offices are not taken into account. The top five offices are selected based on 2023 totals.

Source: WIPO Statistics Database, August 2024.

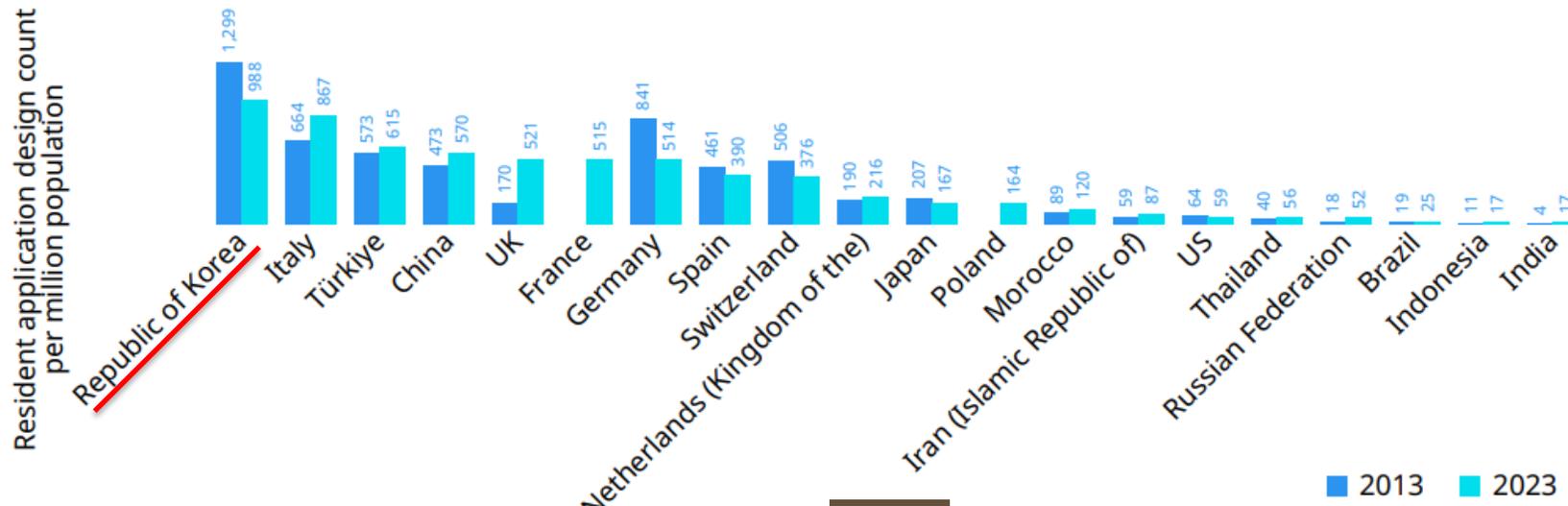
**C26. Resident application design count per USD 100 billion of GDP for the top 20 origins, 2013 and 2023**

**WIPO**

IP Indicators 2024



**C27. Resident application design count per million population for the top 20 origins, 2013 and 2023**



# Korean IP Law as a Hybrid System of Civil Law and Common Law

- Bifurcated Litigation

- Judge-Driven Process



“abuse of right” defense  
One Firm Worldwide®

K-discovery system US-influenced court-controlled

- Adversarial elements

civil law

common law

- Remedies

- Likelihood of success, Irreparable harm, Balance of hardships, Public interest  
“necessity of preservation”

- Punitive (treble, quintuple) Damages

- Criminal sanctions

- Hybrid principles

- Inventive step

- Judge-made Doctrine of Equivalents  
prosecution history estoppel, prior art bar

- Copyright Law: List of permitted uses, fair use provision  
moral rights (right to integrity, right of attribution)

general clause in the Unfair Competition Prevention Act

incorporating various common law doctrines through judicial interpretation

codified into statutory law

blend civil law

common law

civil law

common law

Korea's hybrid IP system

global

harmonization of IP law



gateway for

2025

# Korea-US IP Forum

October 8, 2025 | Korean Cultural Center New York, USA





# 2025 KOREA-US IP FORUM

**Manyeol Han**

Counselor for IP, Korean Embassy

Oct 2025



주미국 대한민국 대사관  
Embassy of the Republic of Korea in the USA



지식재산처  
Ministry of Intellectual Property



# OVERVIEW

**IP AND KOREA**

**IP UNDER TRUMP ADMINISTRATION**

**CORPORATE'S IP STRATEGY**

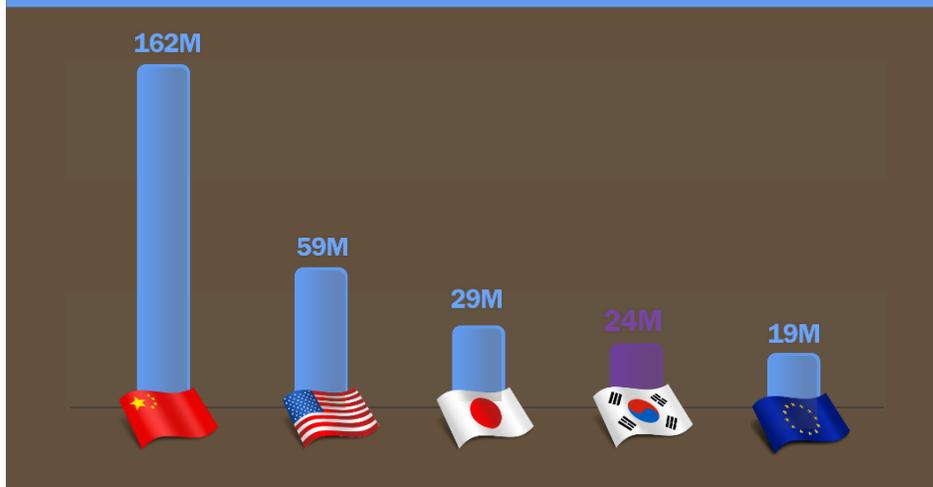


# **1. IP AND KOREA**

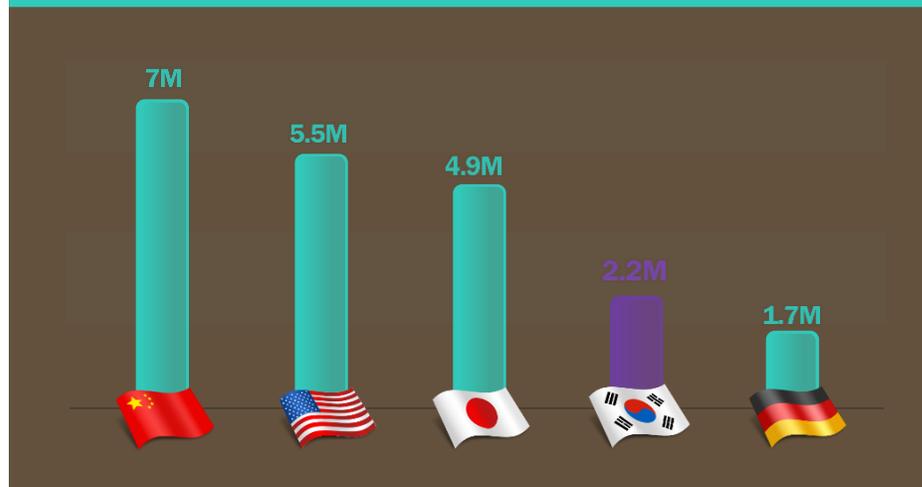
**IP UNDER TRUMP ADMINISTRATION**

**CORPORATE'S IP STRATEGY**

## Patent Filings by Major Countries



## PCT Filings by Major Countries

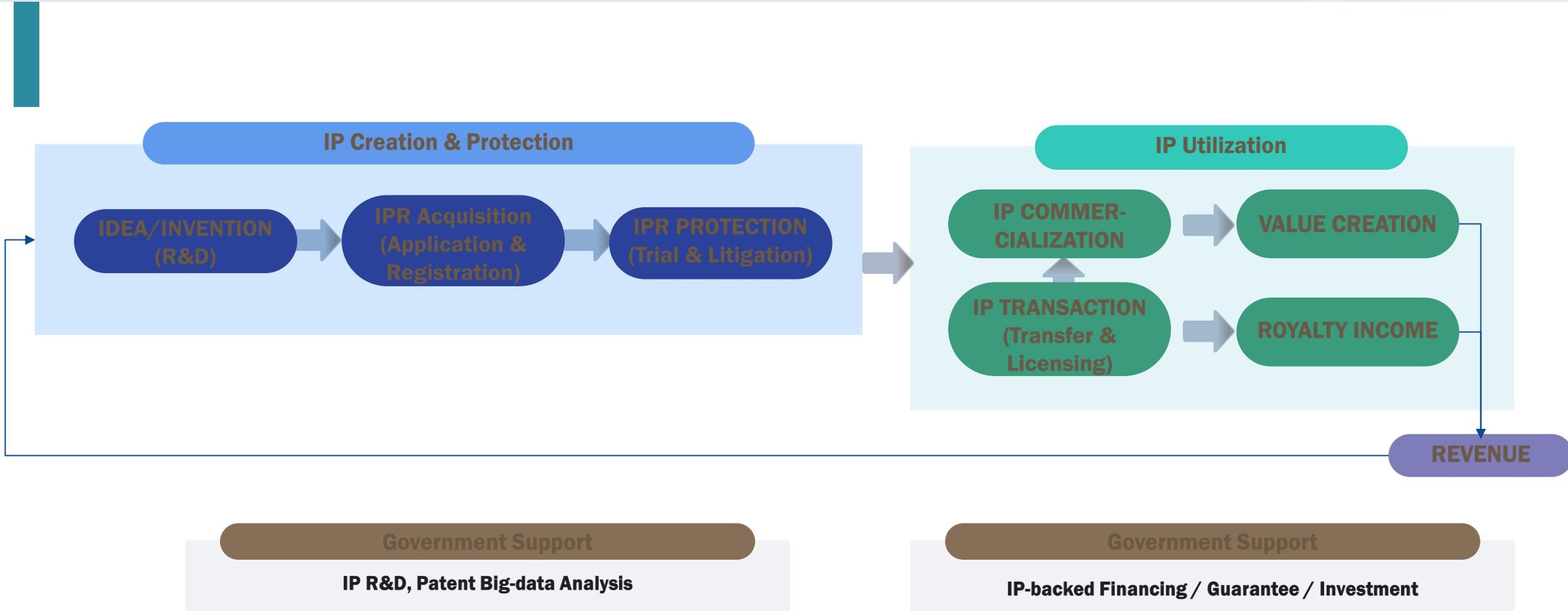


## Permanent Members of IP5



## Trade Balance for Industrial Property Rights





## Facilitation of innovative companies' growth by boosting IP transaction

- IP financing volume in Korea to KRW 12 trillion (USD 8.7 billion) to help SMEs and startups

## Elevating KIPO into a Ministry-level agency

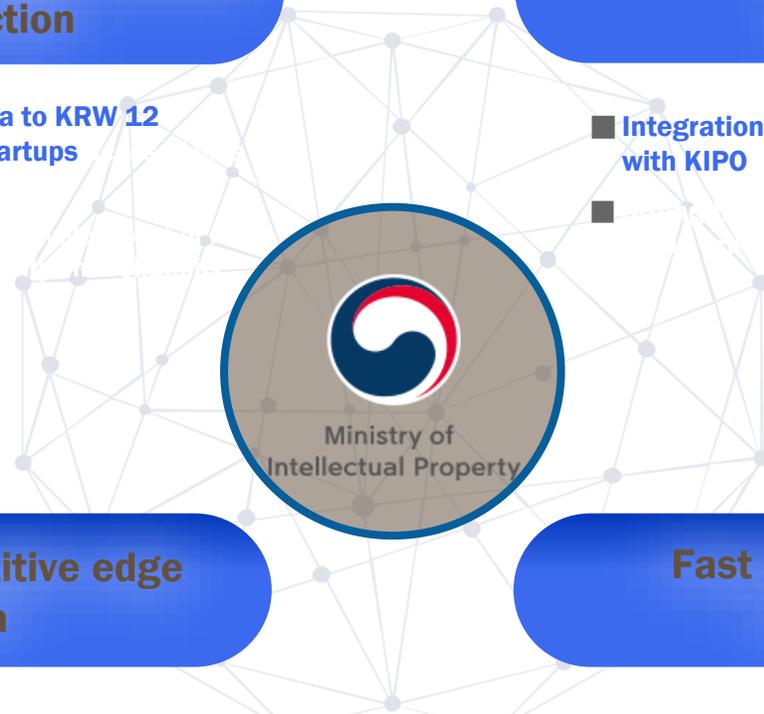
- Integration of the Presidential Council on Intellectual Property with KIPO

## Help businesses gain competitive edge with patent big data

- promising technologies by analyzing patent big data
- create standard essential patents

## Fast & accurate patent examination on advanced technologies

- Accelerated examination
- Hired experts in fields as examiners



## Introduction of the Trademark Consent System

- Identical or similar marks holder of the earlier registered (or filed) trademark gives consent
- 

## Increased Punitive Damages for Trade Secret Infringement

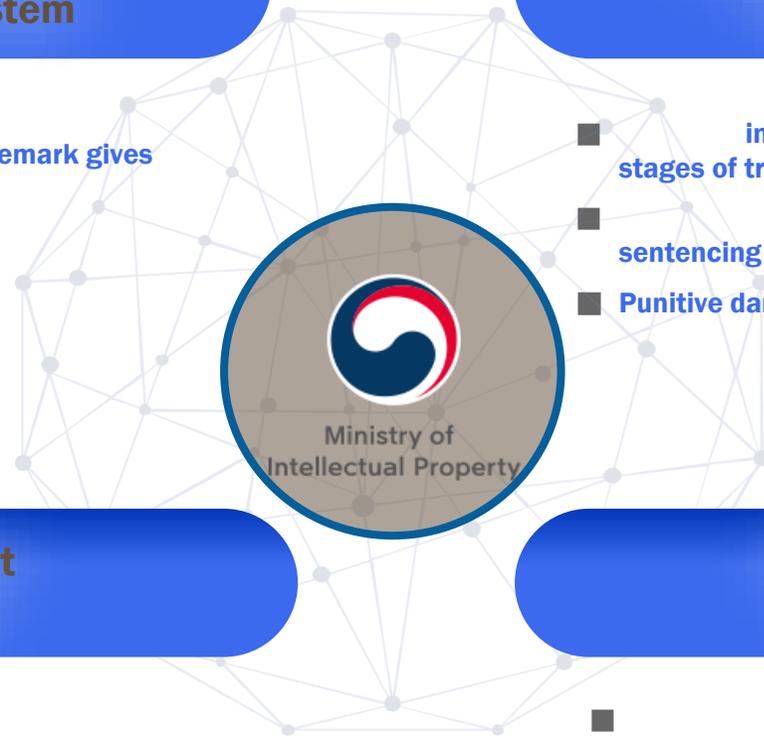
- investigative authority for Technology Police to all stages of trade secret crimes
- sentencing guidelines increased from 9yrs to 12yrs
- Punitive damages increased 5X actual loss

## Revision of Patent Term Extension

- Cap on Extension Duration: 14 years
- Limit: One patent extension

## Inclusion of 'exporting' as an infringing act

- 
- export activities are also subject to injunctions and damages





**IP AND KOREA**

**2. IP UNDER TRUMP ADMINISTRATION**

**CORPORATE'S IP STRATEGY**

## America First: Protect Innovation and IP

- **America First Trade Policy**  
intellectual property rights  
conferred upon PRC persons
- 
- 

## Secretary of Commerce: Howard Lutnick Director of USPTO: John Squires

- **Lutnick: Holds approximately 400 patents**
- **Squires: Former Goldman Sachs Chief IP Counsel;**



## Pro-patent Legislative Agenda

- **PERA**
- **PREVAIL**
- **RESTORE Injunction**

Section 101

Tightens PTAB

## Reducing Patent Examination Backlogs

- **~800K → ~650K by FY 2028**
- **Hiring 1,100 patent examiners**
- **AI tools for examiners**

## IPR: Discretionary Denial

- Extent of reliance on expert testimony, Settled expectations of parties, Economic, public health, or national security interests
- Settled Expectations – older than 6 years
- 

## Value-Based Patent Fees

- Patent holders pay 1%-5% of patent's appraised value annually
- Feasibility under review
- 

## Strengthening National AI Competitiveness

- Flexible Patent eligibility in AI/Software
- Firing Register of US Copyright Office

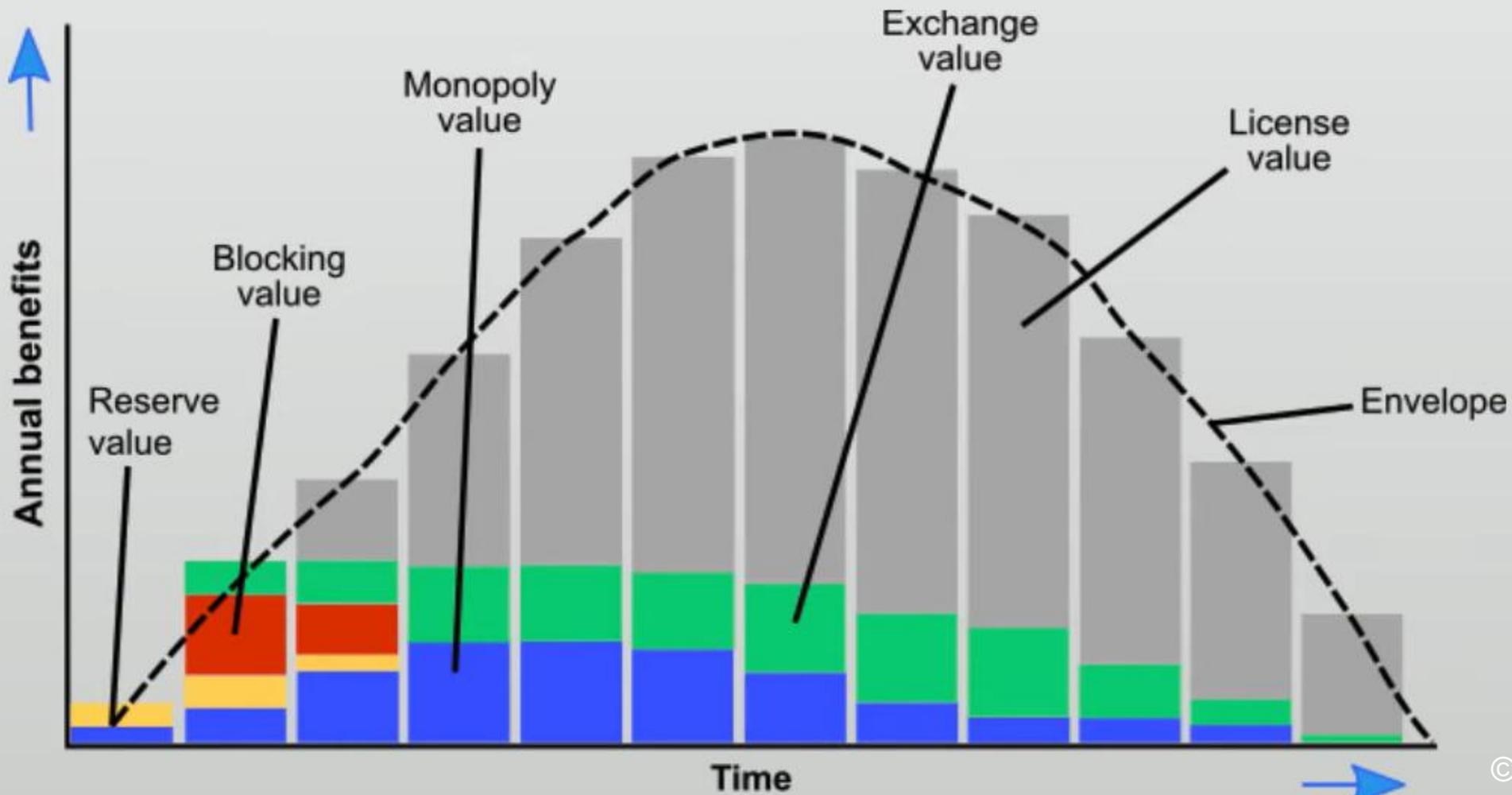




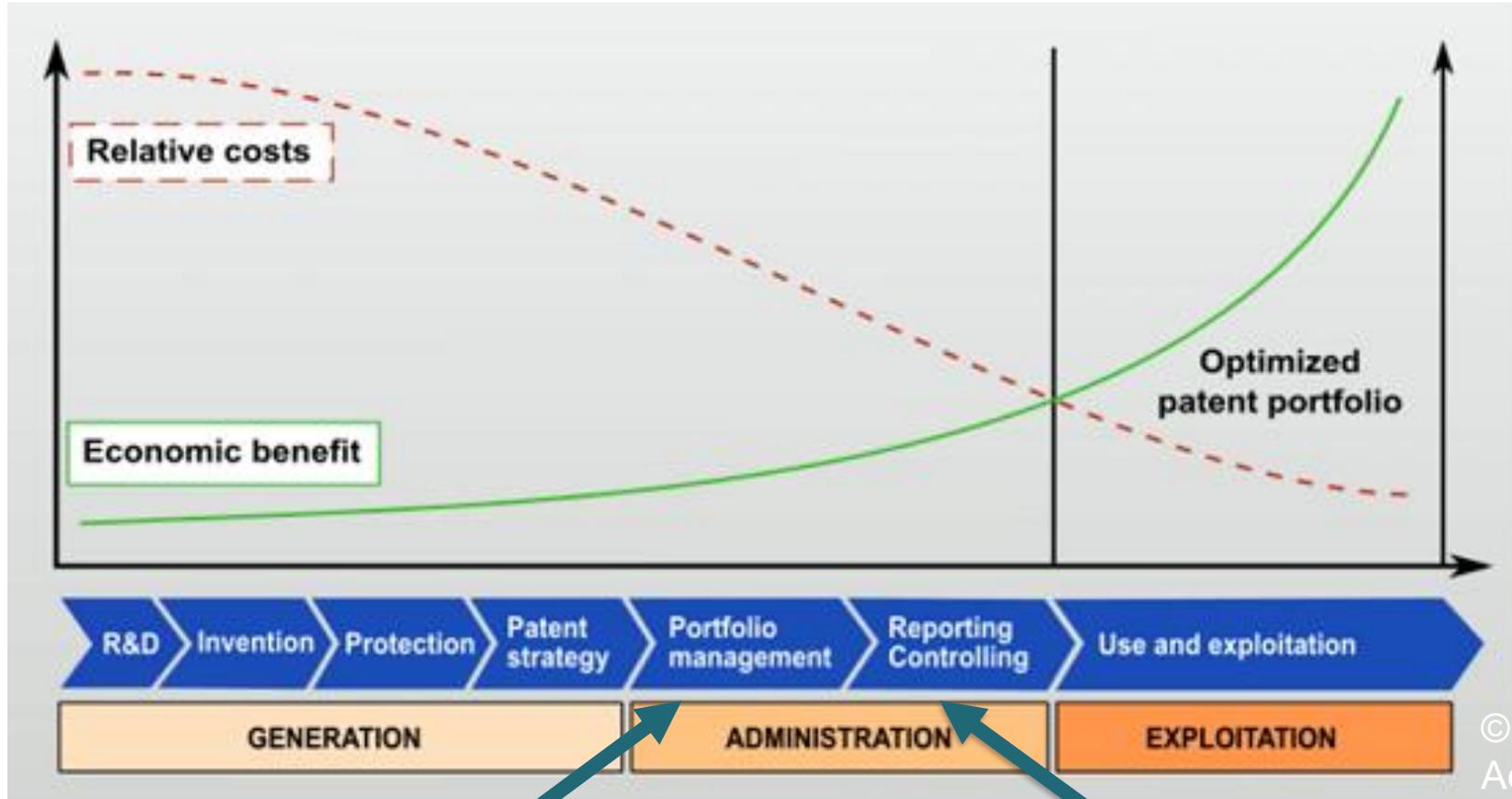
**IP AND KOREA**

**IP UNDER TRUMP ADMINISTRATION**

**3. CORPORATE'S IP STRATEGY**



# Leverage IP (cont'd)

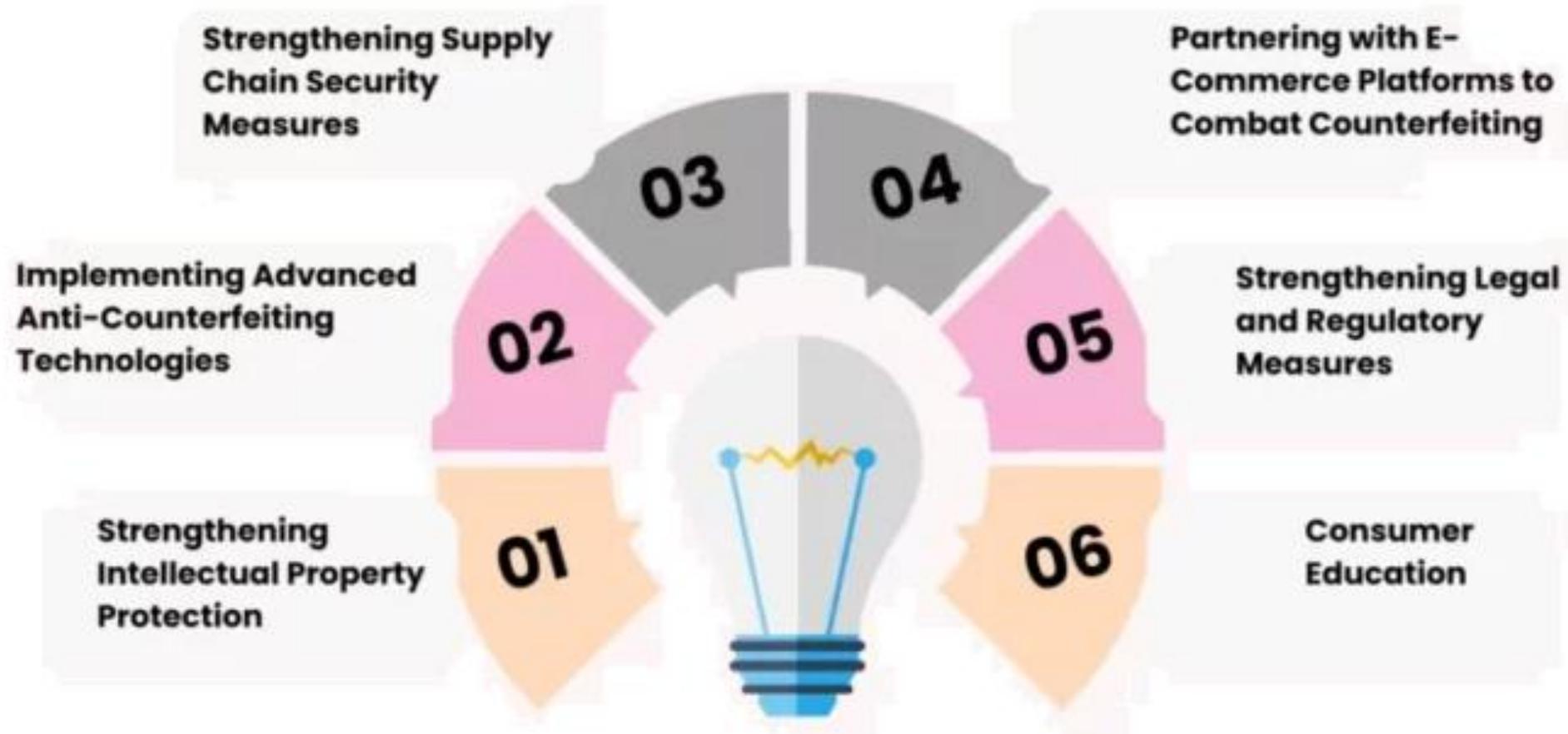


Typically managed by most SMEs

NPE's Starting Point



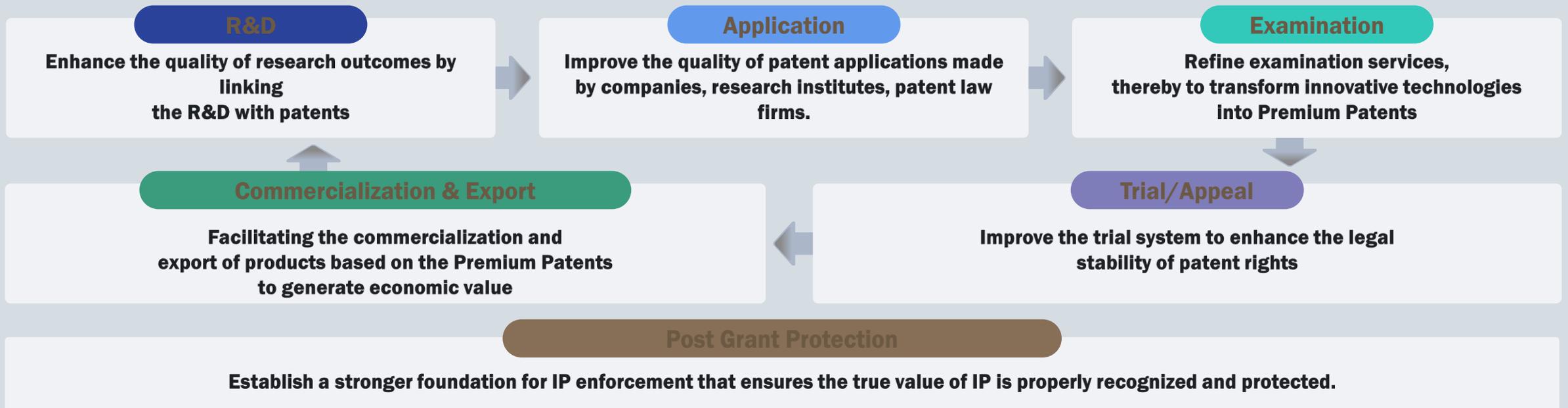
# Anti-Counterfeiting Measures



## Premium Patent

- ① Involves innovative technologies with potentially high economic values
- ② Ensures broad exclusive rights, and be valid and clear to third parties
- ③ Be legally stable
- ④ Produce profit (i.e. can be converted into monetary value)

## IP Virtuous Cycle and Innovation Ecosystem



# INSURANCE

- **Not needed immediately**
- **Essential when problems arise**
- **Hard to recognize true value**

INTELLECTUAL PROPERTY: SHAPING TODAY, INSPIRING TOMORROW

# Dreaming the Future with Boundless Imagination

---



Ministry of  
Intellectual Property



2025

# Korea-US IP Forum

October 8, 2025 | Korean Cultural Center New York, USA





# OVERVIEW OF S KOREA'S COMPETITION LAW AND INTELLECTUAL PROPERTY RIGHTS

October 8 2025

Sung Keun Kim

The Embassy of Republic of Korea to the USA

# ABOUT THE KFTC

- ✓ Established in 1981
- ✓ Organization : Chairman, Vice-Chairman, 3 standing commissioners, 4 non-standing commissioners and Secretariat with specialized bureaus such as Competition Policy, Consumer Policy, Cartel, Business Group, etc.)
- ✓ 5 Regional offices across Korea
- ✓ Number of Staffs : 647 → 800 (?)



## MAIN LAWS UNDER THE KFTC

Competition

**Monopoly Regulation and Fair Trade Act(MRFTA)**  
Fair Transactions in Subcontracting Law  
Fair Transactions in Large Retail Business Law  
Fair Franchise Law Transactions Act

Consumer  
Protection

Framework Act on Consumers  
E-commerce Consumer Protections Act  
Act on Door to Door Sales  
Act on Fair Labelling and Advertising  
Act on the Regulation of Terms & Conditions  
Installment Transactions Act  
Product Liability Act  
Consumer Cooperatives Act

## MAIN CONTENTS OF MRFTA

- ✓ Prohibition of Abuse of Market Dominant Position (Article 5)
- ✓ Anti-competitive M&A (Article 9)
- ✓ Some business practices of large business groups (Article 17~36)
- ✓ Cartel(Article 40~41)
- ✓ Unfair Trade Practices(Article 45)

\* Unfairly rejecting a transaction, Unfairly discriminating against the other party to a transaction, Unfairly excluding a competitor, Unfairly enticing a competitor's customer, Unfairly forcing a competitor's customer to make transactions, Unfairly disrupting business activities of other business entities

- ✓ Resale Price Maintenance(Article 49)

## EXEMPTION OF MRFTA

① Article 116 : Legitimate Acts under Statutes or Regulations

② Article 117 : Exercising Intangible Property Rights

\* This Act shall not apply to any act that is deemed the legitimate exercise of any right under the Copyright Act, the Patent Act, the Utility Model Act, the Design Protection Act, or the Trademark Act.

③ Article 118 : Acts of Specified Associations

# APPLICATION OF THE MRFTA TO THE ABUSE OF INTELLECTUAL PROPERTY RIGHTS

(Q) Is it impossible to apply the MRFTA to all acts involving intangible intellectual property rights?

(A 1) No, Even in the exercise of intellectual property rights, the MRFTA applies when a patent holder abuses their patent to restrict competition in the relevant market.

(A 2) Guidelines for the Review of Unfair Exercise of Intellectual Property Rights  
(August 30 2000~)

# GUIDELINES FOR THE REVIEW OF UNFAIR EXERCISE OF INTELLECTUAL PROPERTY RIGHTS(1)

## ✓ Purpose

- Regulate unfair acts in exercising IPRs that restrict market competition or harm consumer interests.
- Clarify the application of the MRFTA

## ✓ Scope

- Applies to all types of intellectual property rights, including patents, utility models, designs, and trademarks.
- Excludes legitimate exercise of rights that does not restrict competition

# GUIDELINES FOR THE REVIEW OF UNFAIR EXERCISE OF INTELLECTUAL PROPERTY RIGHTS(2)

## ✓ Abuse of Market Dominance

- When a patent holder abuses exclusive rights to exclude competitors or block market entry.

## ✓ Violation of FRAND Terms

- For Standard Essential Patents (SEPs), requiring licenses without adhering to Fair, Reasonable, and Non-Discriminatory (FRAND) conditions.

## ✓ False Information / Unfair Litigation

- Filing lawsuits to pressure competitors or withholding key information to hinder defense.

## ✓ Indirect Abuse through Rights Transfer

- Transferring rights to third parties (e.g., patent assertion entities) to indirectly restrict competition.

## ✓ Unfair Licensing Conditions

- Including clauses in license agreements that restrict competition, such as grantbacks or package licensing

## SANCTIONS AGAINST ABUSIVE BEHAVIOR OF IPRS

### ✓ **Corrective Measures**

- Cease and desist orders

### ✓ **Structural Remedy**

- The USA → Yes, Korea → ?

### ✓ **Surcharge**

- Abuse of Market dominant position : Up to 6% of the relevant domestic sales revenue
- Unfair Trade Practices : Up to 4% of the relevant domestic sales revenue
- Cartel (e.g. Pay for delay) : Up to 20% of the relevant domestic sales revenue



## QUALCOMM CASE (2016)

# Thank You



For Your Attention  
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2025

# Korea-US IP Forum

October 8, 2025 | Korean Cultural Center New York, USA



# Introduction to KOIPA U.S. Capital IP Center

한국지식재산보호원 워싱턴 D.C. IP센터 소개

Sunghye Oh (오승혜), Director / Managing Attorney at the U.S. Capital IP Center



# 해외지식재산센터 현황

현황 및 연락처('25년 1월 기준)

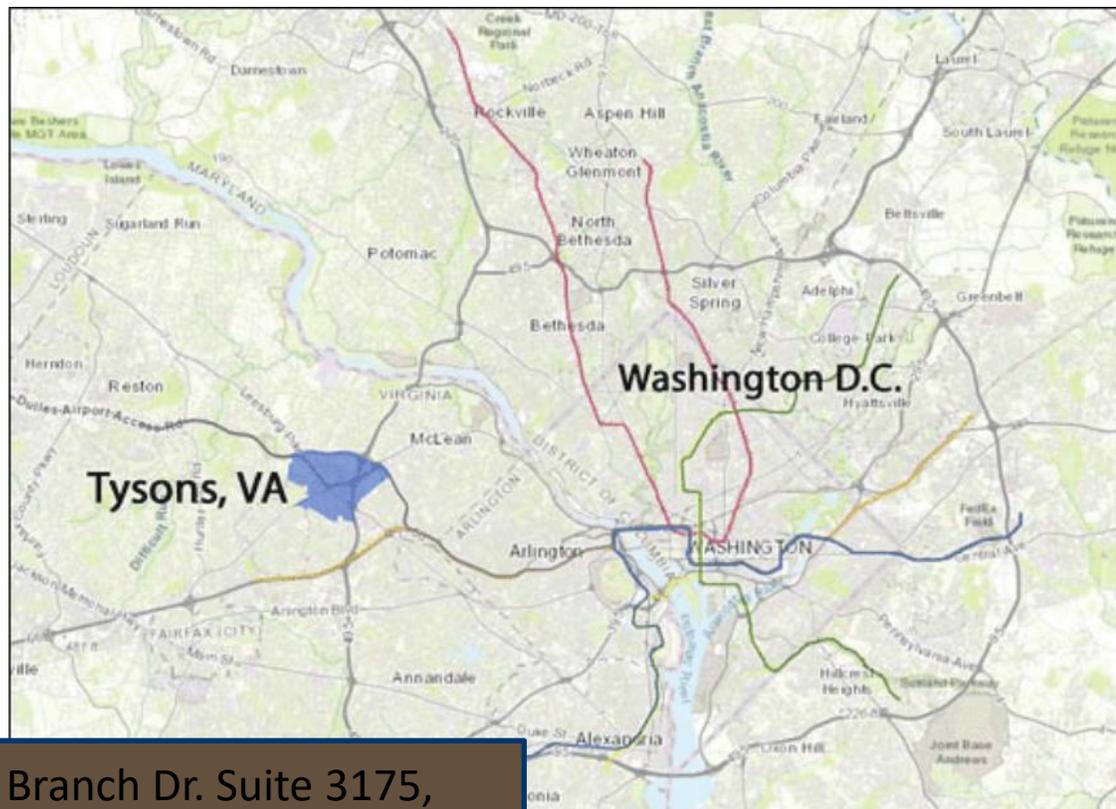
● 해외지식재산센터(IP센터) 8개국 10개소

● 해외지식재산센터 미설치 관할 32개국

권역	소재지	전화번호	이메일	서비스 제공국가(지역)
북미 IP센터	로스앤젤레스	+1-323-424-4005 070-5150-2844	la_ipcenter@koipa.re.kr	미국 서부, 캐나다
미국 동부 IP센터	워싱턴 D.C	+1-571-459-2501 070-5150-2832	washington_ipcenter@koipa.re.kr	미국 동부
동북아 IP센터	베이징	070-5150-2818(2814)	beijing_ipcenter@koipa.re.kr	중국 북부, 몽골
중국 남부 IP센터	광저우	+86-20-2208-1510 070-5150-2804	guangzhou_ipcenter@koipa.re.kr	중국 남부(홍콩, 마카오, 대만 포함)
일본 IP센터	도쿄	+81-3-6362-0500 070-5150-2787	tokyo_ipcenter@koipa.re.kr	일본
유럽 IP센터	프랑크푸르트	+49-69-2429-9299 070-5150-2782	frankfurt_ipcenter@koipa.re.kr	독일, 영국, 프랑스, 스페인, 스위스, 이탈리아, 네덜란드, 튀르키예, 스웨덴, 러시아
동남아 동부 IP센터	호치민	070-5150-2779	hochiminh_ipcenter@koipa.re.kr	베트남, 필리핀, 호주, 뉴질랜드, 싱가포르
동남아 서부 IP센터	방콕	070-5150-2754(2774)	bangkok_ipcenter@koipa.re.kr	태국, 인도네시아, 말레이시아, 캄보디아, 미얀마
서남아·중동 IP센터	뉴델리	+91-11-4230-6300(내선 348) 070-5150-2753	newdelhi_ipcenter@koipa.re.kr	인도, 방글라데시, 파키스탄, UAE, 사우디아라비아, 카자흐스탄, 아랍에미리트
중남미 IP센터	멕시코시티	+52-55-5920-2730 070-5150-2746	mexicocity_ipcenter@koipa.re.kr	멕시코, 브라질, 칠레, 아르헨티나, 콜롬비아, 페루, 에콰도르



Ten wide-area IP Centers are operational in 8 countries, covering 40 countries worldwide.



7927 Jones Branch Dr. Suite 3175,  
Mclean, VA

# U.S. Capital IP Center Services

## 1) Assistance with Intellectual Property Rights (지식재산권 상담 지원)

- Providing assistance by phone, e-mail, drop-in or local visitation for concerns regarding acquisition and protection of U.S. IP rights
- Providing initial response guidelines for businesses that have been sued or received a court summons in the U.S.

## 2) Information Services (정보제공)

- Providing information related to IP laws and holding seminars/instructional sessions concerning IP rights
- Collecting up-to-date information regarding current U.S. IP litigation trends to help prevent and avoid potential conflicts (Monthly Newsletters)
- Monitoring of national and international industries and related patent activity to identify and predict potentially problematic patents, and to provide early warnings for potential conflicts
- Creating a database of U.S. attorneys to be utilized by small businesses that may lack access to such information

# U.S. Capital IP Center Services

## 3) Subsidizing application fees and costs (비용지원사업)

- Eligibility Requirements:
  - 1) An individual, small or medium-sized company registered as a business in South Korea and
  - 2) Operating or planning to operate a business in the United States
  
- **Subsidies for Patent and Trademark Applications**
  - 1) Utility Patent – up to \$2,500/application
  - 2) Design Patent - up to \$1,500/application
  - 3) Trademark – up to \$700/application
  - 4) Small & Mid-sized company: 50% of attorney fees (up to total \$5,000, maximum of 10 cases per year per company)

# U.S. Capital IP Center Services

## 3) Subsidizing application fees and costs (비용지원사업)

### - Subsidies for Legal Opinion Letters

- 1) Preventing the risk of IP-related disputes arising from overseas exports:
  - ✓ Conducting patent infringement analysis (FTO)
  - ✓ Reviewing non-disclosure agreements (NDA)
- 2) Responding to legal disputes related to Intellectual Property (pre-litigation)
- 3) Subsidies - Small company: 70% of attorney fees, Mid-sized company: 50% of attorney fees (up to \$10,000 each case, maximum of 2 cases per year per company)

# U.S. Capital IP Center Services

## 1) Assistance with Intellectual Property Rights (이동식 상담회)





# U.S. Capital IP Center Services

## 2) Information Services (세미나)



원목부터 이송현 상무관, 이태협 PCT KOREA 소장, 노원철·이신정 변호사, 김성훈 재미한인특허변호사협회장, 마이클 김 미특허청 특허심판원 차장, 나광표 한국 특허심판원 심판장, 안세령 경제공사, 토미 마틴 변호사, 랜달 레이더 전 CAFC법원장, 한만열 특허관, 어빈드 이연가·박민우 변호사, 영태선 벡터 네이트 대표, 존 김 변호사, 김용하 지식재산보호원 IP 센터장, 모건 맥퍼슨 CBP 변호사.

### “기업 간 특허분쟁 증가 추세”

‘제3회 한미 지식재산 포럼’ 성료...양국 전문가 100여명 한자리에

“2024 한미 지식재산 포럼이 지난 23일 버지니아 알렉산드리아의 웨스틴 호텔에서 열렸다.

주미대사관과 특허청이 주최한 행사로 올해 3회째를 맞아 100명이 넘는 양국 특허전문가들이 한자리에 모이는 연례행사로 자리 잡았다는 평가다.

이날 개회사에 나선 주미대사관 안세령 경제공사는 “지식재산의 중요성이 날이 갈수록 높아지고 있다며 “매년 한미 간 특허출원이 증가하고 기업 간 특허분쟁도 증가하고 있는 만큼 기업들이 지식

재산 보호에 더욱 신경 써 주길 바란다”고 당부했다.

미 특허청의 마이클 김 특허심판원 차장(대리)은 “한미 특허심판원 간 교류가 늘고 있는 점을 높이 평가한다”며 “앞으로 한미 간 지식재산권 협력이 더욱 강화되기를 희망한다고 축사했다.

이날 개회사로 초청된 랜달 레이더 전 연방순회법원장은 “기업의 경쟁력을 높이는 가장 핵심적인 수단은 특허”라며 “한미 양국에서 활발하게 특허를 출원하고 있는 한국 기업들을 높이 평가

한다”고 말했다. 또한 그는 “한국의 특허 법원이 영어 법정을 개설하는 등 글로벌 허브 법원으로 부상하고 있다”며 “시간·비용 부담이 높은 미국 법정보다 한국에서 특허소송을 진행하는 것도 생각해 보길 바란다”고 추천했다.

이어 ‘국경 간 지식재산 침해 현황 및 대응방안’을 주제로 패널토의가 열렸으며 ‘미국 내 특허소송 전략’, ‘한국의 특허 소송 제도’ 등의 세션에 이어 미 특허청 토마스 홍 심사관의 안내로 특허청 방문 프로그램이 진행됐다. (유재원 기자)

# U.S. Capital IP Center Services

## 2) Information Services (설명회)



# U.S. Capital IP Center Services

## 2) Information Services (온라인 설명회)

**지식재산권 및 특허정보 활용법 웨비나**

KIC DC에서 미국 시장 진출에 반드시 필요한 지식재산권 및 특허정보 활용법을 알고싶은 스타트업들을 초대합니다.

2024년 8월 8일 (목) | 한국시간 오후 9시

웨비나 링크: [HTTPS://US02WEB.ZOOM.US/J/81105473014](https://us02web.zoom.us/j/81105473014)

강의 주제 1: 미국 진출 시 필수 지식재산권  
강연자: 한국지식재산보호원 이 동부 IP 센터장 김용하님

강의 주제 2: 특허정보의 활용  
강연자: 한국특허기술진흥원 이태현 소장님

웨비나 참여 대상: 지식재산권과 특허정보 활용법에 관심이 있는 누구나

**상표란 무엇인가?**

• 상품·서비스의 단일 출처를 나타내는

1. 단어 (슬로건 포함) NIKE JUST DO IT
2. 디자인 SAMSUNG 
3. 단어+디자인 
4. 트레이드 드레스 (상품 디자인/패키징, 매장 실외/실내장식)   

**2025 아마존 US 입점사업 KOTRA 뉴욕무역관**

**웨비나교육**

아마존 US 입점 교육 웨비나

1. 입점교육  
**아마존 US 입점 A to Z**  
링크: <https://bit.ly/아마존입점교육링크>  
일시: 4월 22일 (화) 오전 10:00 - 12:00  
장사: 아마존 KOREA (입점 담당자)
2. 등록/법률 교육  
**아마존 FBA & 지식재산권**  
링크: <https://bit.ly/법률정보지원교육링크>  
일시: 4월 30일 (수) 오전 9:30 - 11:30  
장사: 강남마켓(법률사) & 지식재산보호원 워싱턴 D.C 센터

아마존 시장 진입법, 아마존 입점 프로세스 O&E, 아마존 규정별 선행 전략, FBA 활용 방안, 아마존 FBA 입고 절차 및 수출 프로세스, 아마존 US 입회 관련 지식재산권 & 상표권

KOTRA koipa amazon [문의는 lifestyle@kotra.org](mailto:문의는 lifestyle@kotra.org)

# U.S. Capital IP Center Services

## 2) Information Services (유튜브)

**YouTube** Search [ ] [ ] [ ]

**KOIPA U.S. Capital IP Center (ex- NY IP-DESK)**  
@CAPITALIPCENTER · 472 subscribers · 73 videos  
KOIPA U.S. Capital IP Center (워싱턴 D.C. 지식재산센터)의 채널에 오신 것을 환영합니다. 이 ...more  
koipa.re.kr/home/content.do?menu\_cd=000127

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- 해외지식재산센터 사업소개 88 views · 3 months ago
- 2024 Korea-US IP Forum 37 views · 3 months ago
- 2024 Atlanta IP Seminar (2024 애틀랜타 지식 재산 세미나) 53 views · 5 months ago
- Biotech Intellectual Property Forum (Biotech IP Forum) 1:47:09
- 2023 한-미 지식재산포럼 (2023 Korea-US IP Forum) 세미나 전체 영상 2:25:46
- KOTRA NY IP-DESK SERVICES 4:32
- 미국 디자인특허권 취득 가이드 22:36
- 2024년 3월 바이오테크 지식재산포럼 (2024 March Biotech IP Forum) 세미나 전체 영상
- 우리 기업들의 미국 지식재산권 해결사 - KOTRA 뉴욕 IP-DESK 서비스 안내

www.youtube.com/watch?v=lxPd7wmmum0

# U.S. Capital IP Center Services

## 2) Information Services (심층 정보제공 뉴스레터)



### 인슐렛 vs. 이오플로우, 6,300억 원 영업비밀 분쟁 사건 분석과 시사점 ANALYSIS

- 핵폭탄급 평결과 전면 금지명령: 미국 법원, 중복배상 방지 위해 인슐렛에 선택권 부여
- 기술 유출 대응, 어디까지 준비되어 있나: 이오플로우 사건의 교훈

이번 달 중순에는 세계 최대 바이오 전시회 중 하나인 'The BIO International Convention 2025'가 미국 매사추세츠주 보스턴에서 열렸습니다. 저희 워싱턴 D.C. IP센터도 이번 전시회에 참여하여, 국내 바이오 기업들을 대상으로 IP센터 소개 및 전시회 참가 시 유의사항에 대한 안내를 제공하고, 현장에서 1:1 개별 상담도 진행하였습니다. 이에 이번 6월 뉴스레터에서는 '바이오' 분야에 조금 더 초점을 맞춰 국내 바이오 기업의 미국에서의 분쟁 사례에 대해 소개하고자 합니다.

저희 센터에서는 이미 작년 12월 '글로벌 IP현장뉴스'를 통해 한국의 '이오플로우(EOFlow)'가 영업비밀 침해로 미국의 '인슐렛(Insulet)'에 4억 5,200만 달러(약 6,337억 원)를 배상하라는 천문학적인 금액의 배심원 판결 받은 소식에 대해 전해드린 바 있습니다. 특히 피고가 한국 기업이라는 점에서 국내에서도 큰 주목을 받았습니다. 이 사건은 이후 법원에서 손해배상액이 5,940만 달러(약 849억 5,388만원)으로 감액되는 등 재판이 추가적으로 진행되었습니다.



### 챗지피티의 지브리 스타일로 사진 바꾸기는 스튜디오 지브리의 저작권을 침해하는가 ANALYSIS

- AI가 생성한 '지브리 스타일' 이미지의 저작권 침해 여부에 대한 판단
- 현행법상 시각적 '스타일'은 일반적으로 저작권으로 보호되지 않아, 캐릭터나 장면 복제 없으면 침해 인정 어려워

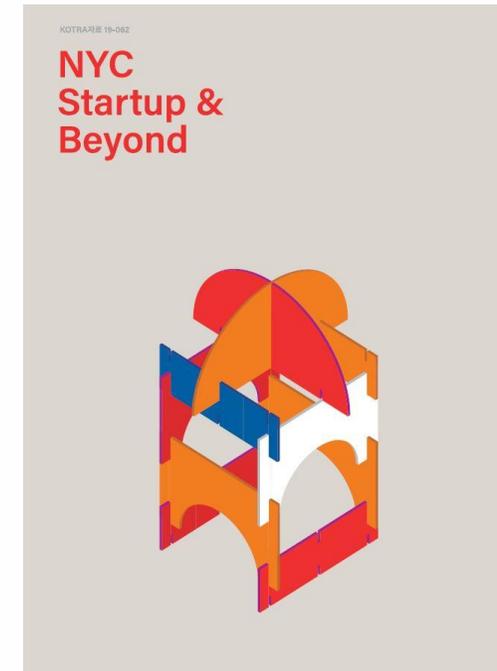
최근 카카오톡 프로필 사진들이 하나둘 스튜디오 지브리(Studio Ghibli) 영화에 등장할 법한 이미지들로 바뀌었다. 셀카, 가족사진을 넘어서 인터넷에 유행하는 밈까지도 스튜디오 지브리의 특징적인 부드러운 파스텔 색조로 재해석되고 있다. 이는 챗지피티(ChatGPT)의 3월 25일 최신 업데이트 이후 발생한 현상이다. 이번 업데이트는 챗지피티의 이미지 생성 능력을 크게 향상해 사용자가 단 몇 초 만에 그럴듯한 지브리 스타일의 이미지를 생성할 수 있게 했다. 이 기능은 출시되자마자 전 세계적으로 엄청난 인기를 끌었고, 실제로 사용자 폭주로 인해 시스템이 다운되었다.

오픈에이아이(OpenAI)의 업데이트된 이미지 생성기는 AI와 예술의 역할에 대한 새로운 논의를 촉발시켰다. 이 논의는 약 4000명이 공개서한에 서명해



# U.S. Capital IP Center Services

## 2) Information Services (책자)



# U.S. Capital IP Center Services

## 3) Subsidizing Patent and Trademark Applications and Legal Opinion Letter Drafting (비용지원사업)

The screenshot shows the website interface for KOIPA U.S. Capital IP Center. The main content area displays a notice titled "2025 해외지식재산센터 법률서비스 지원사업 제3차 정기공고(관리번호)". The notice includes the following details:

- 관리번호: 2025-M00006
- 접수기간: 2025-05-01 09:00 ~ 2025-05-21 18:00
- 관련양식:
  - 1. 2025 해외지식재산센터 법률서비스 지원사업 3차 정기공고.pdf
  - 2. 2025년 해외지식재산센터 법률서비스 지원사업 수행로템 리스트\_250430.xlsx
  - 3. 니스 상표 분류표(12판).pdf
  - 4. 로카르노 디자인 국제분류(14판).pdf

Below the notice is a large blue banner with the text: "2025 해외지식재산센터 법률서비스 지원사업 (제3차) 정기공고". The banner also features a globe and a scale of justice icon. At the bottom of the banner, it says: "해외 현지 진출(예정) 중소기업의 해외 지재산 권리 보호 및 지재산 분쟁·침해 대응 지원을 위한 지원 사업을 아래와 같이 공고합니다." and "2025. 5. 1. 한국지식재산보호원장".

KOIPA U.S. Capital IP Center (지식재산보호원 워싱턴 ...)  
105 followers  
2w • 🌐

★2025년 제3차 정기 법률서비스 지원사업 안내★

안녕하세요. 한국 지식재산보호원(KOIPA) 워싱턴 D.C. IP센터입니다. 해외지식재산센터에서 정기적으로 진행 중인 특허/상표 출원 및 법률의견서 작성 비용 지원 사업에 대해 안내드립니다.

이번 제3차 지원사업 신청기간은 2025년 5월 1일(목) ~ 2025년 5월 21일(수) 18:00입니다(한국시간 기준).

비용 지원 사업의 유형은 크게 두 가지로, 간략한 내용은 아래와 같습니다.

- 1) 지식재산권 출원 비용 지원: 미국 진출(진출 예정) 기업이 지식재산권을 미리 확보할 수 있도록 기업당 연 최대 10건, 총액 한도 \$5,000 범위에서 상표·디자인·특허·실용특허 출원 비용을 지원합니다.
- 2) 법률의견서 작성비용 지원: 미국 진출(진출 예정) 기업과 외국 기업 사이의 지재산 분쟁 예방 및 대응을 위한 법률의견서 작성 비용(경고장, 합의서, 특허침해분석(FTO), 비밀유지계약서(NDA) 작성 및 검토 등)을 기업당 연 최대 2건, 일정 범위내에서 지원합니다.

보다 구체적인 내용은 뉴스레터를 참고해 주시기 바랍니다.  
전체 뉴스레터 확인하기 ->

<https://lnkd.in/grdqduTv>

Show translation

# Thank you!

2025

# Korea-US IP Forum

October 8, 2025 | Korean Cultural Center New York, USA



# PCT Service of Korea

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Korean Intellectual  
Property Office

***PCT Korea HELP-DESK***

***IP\_Korea Center***

***Hyun kyung LEE***

KIPO as an ISA/IPEA

# OVERVIEW

About KIPO

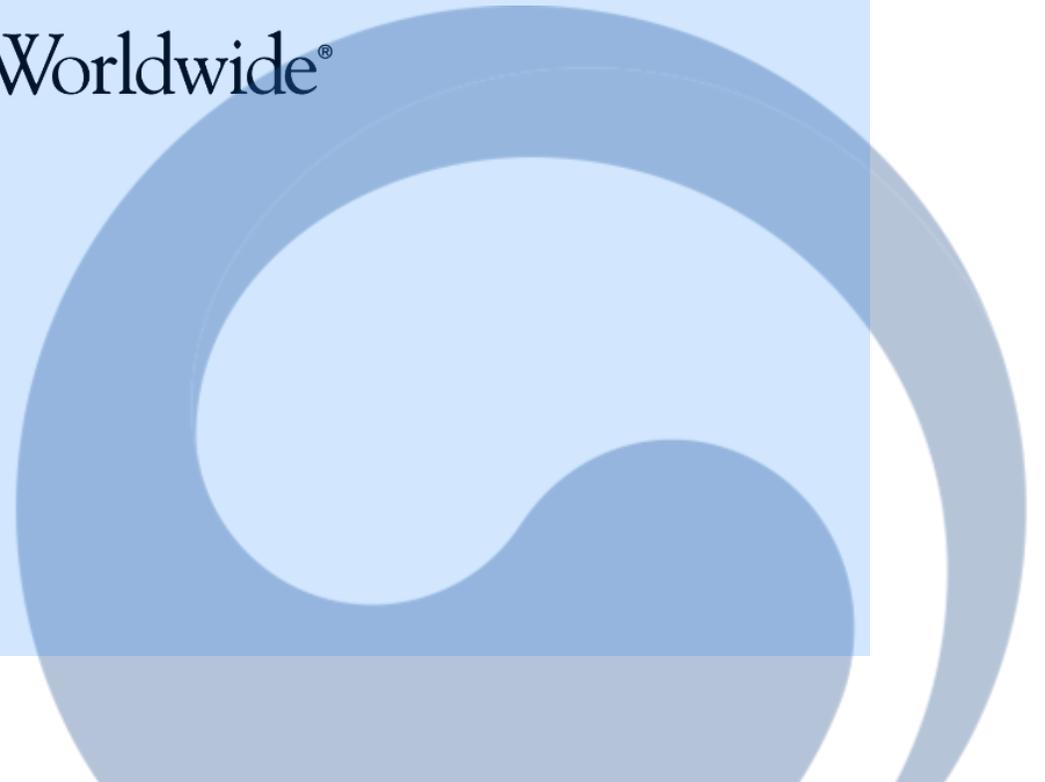
PCT Statistics



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Benefits of Using KIPO as an ISA/IPEA

KIPO's PCT Services



# About KIPO

## Examination Dept. Structure

- 36 examination divisions
- 2 exclusive divisions for PCT
- Approx. 900 patent examiners & 200 searching personnel
- Almost 52% of examiners have PhDs

## Resources & Search Tools

- KIPOnet system & dedicated search software
- Search system for non-patent documents
- Various sources for non-patent literature (NPL), web databases, & journals (Delphion, Springer, IEEE, STN, etc.)

## Data Coverage

- Almost 100% coverage of bibliographic data & images from major patent offices (USPTO, EPO, WIPO, JPO, CNIPA)
- Access to Non-Patent Literature via:
  - ✓ NDSL (National Digital Science Library)
  - ✓ Thomson Innovation (world's largest NPL provider)
  - ✓ ScienceDirect, IEEE, STN, OSA, ITU, etc.

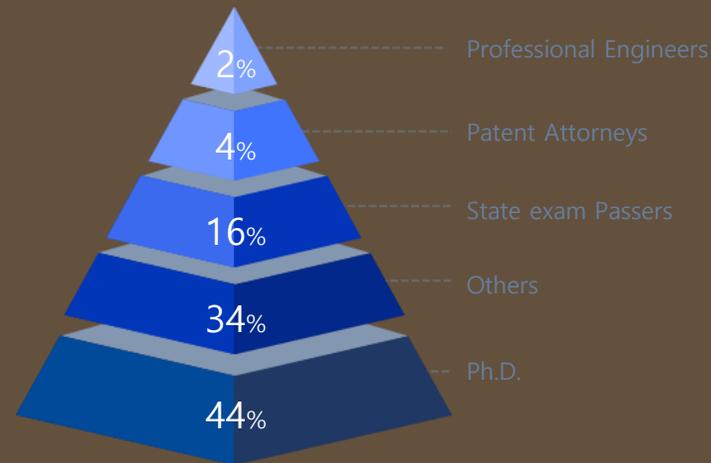
## Internal Search Systems

(KOMPASS, KIPOnet Dept.Structure)

- Korean Multi-functional Patent Search System (KOMPASS) with machine translation software
- KIPOnet- using "non-patent literature unified meta searches" for electronic journals, this system can search multiple Internet sites simultaneously, displaying results on one screen
- KIPO built an additional database for searching Chinese patent documents in 2016



# KIPO Staff



\*Source: KIPO Internal data, July, 2021

# PCT Application Trend



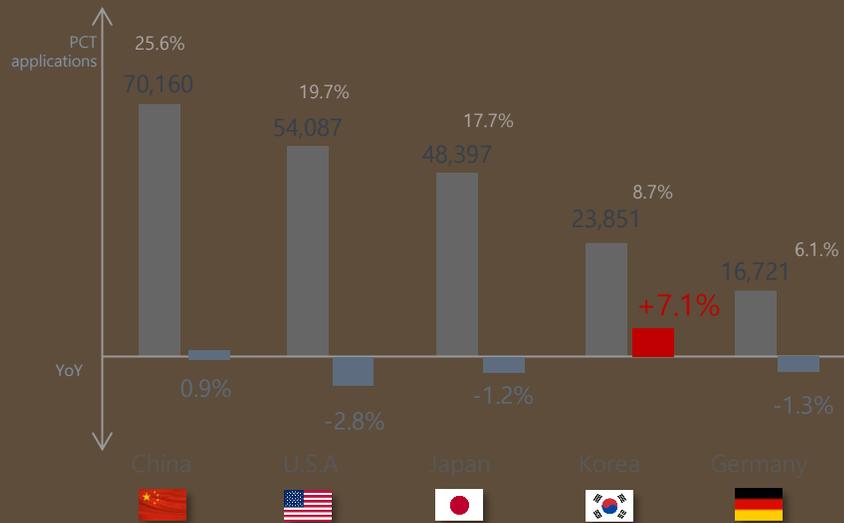
- The number of published PCT applications has more than doubled in the last 20 years, rising from nearly 110,000 in 2003 to about 266,500 in 2023

# PCT filings in 2024

PCT applications filed 273,900 (+0.5% over 2023)

The Republic of Korea had the most significant rise in filings among the top five

## PCT applications for the top 5 origins, 2024



\*Source: WIPO PCT Yearly Review 2025 (A8, A6, A4)

## PCT applications for the top Receiving Offices, 2024

	RO	PCT applications	Annual growth
1	China	74,763	1.3%
2	US	51,251	-3.2%
3	Japan	46,830	-1.1%
4	EPO	39,159	1.4%
5	Republic of Korea	23,677	6.8%
6	International Bureau	14,018	-1.1%

# Top 25 PCT applicants by technology sector, 2003-2023

## Electrical engineering

Ranking	Applicant (origin)	Published PCT applications					2023 sector share (%)	Average annual growth rate from 2018 (%)
		2003	2008	2013	2018	2023		
1	HUAWEI TECHNOLOGIES CO., LTD. (China)	92	1,719	2,076	5,158	5,680	5.4	1.9
2	QUALCOMM INCORPORATED (US)	412	868	1,933	2,260	3,213	3.0	7.3
3	<b>SAMSUNG ELECTRONICS CO., LTD. (Republic of Korea)</b>	<b>127</b>	<b>625</b>	<b>1,113</b>	<b>1,634</b>	<b>3,172</b>	<b>3.0</b>	<b>14.2</b>
4	TELEFONAKTIEBOLAGET LM ERICSSON (PUBL) (Sweden)	439	961	1,438	1,596	1,802	1.7	2.5
5	ZTE CORPORATION (China)	2	328	2,269	1,980	1,656	1.6	-3.5
6	GUANGDONG OPPO MOBILE TELECOMMUNICATIONS CORP., LTD (China)			18	1,025	1,647	1.6	9.9
7	BOE TECHNOLOGY GROUP CO.,LTD (China)			163	1,153	1,618	1.5	7.0
8	VIVO MOBILE COMMUNICATION CO., LTD. (China)				178	1,574	1.5	54.6
9	BEIJING XIAOMI MOBILE SOFTWARE CO., LTD. (China)				224	1,547	1.5	47.1
10	CONTEMPORARY AMPEREX TECHNOLOGY CO., LTD (China)				85	1,505	1.4	77.9
11	<b>LG ELECTRONICS INC. (Republic of Korea)</b>	<b>84</b>	<b>599</b>	<b>1,056</b>	<b>1,275</b>	<b>1,346</b>	<b>1.3</b>	<b>1.1</b>
12	NIPPON TELEGRAPH AND TELEPHONE CORPORATION (Japan)	3	38	45	108	1,315	1.2	64.8
13	MICROSOFT TECHNOLOGY LICENSING, LLC (US)				1,343	1,238	1.2	-1.6
14	NEC CORPORATION (Japan)	138	719	1,045	726	1,171	1.1	10.0
15	<b>LG ENERGY SOLUTION, LTD. (Republic of Korea)</b>					<b>1,097</b>	<b>1.0</b>	<b>n.a.</b>
16	MITSUBISHI ELECTRIC CORPORATION (Japan)	203	258	696	1,328	1,004	1.0	-5.4
17	NTT DOCOMO, INC. (Japan)	60	223	319	443	990	0.9	17.4
18	SONY GROUP CORPORATION (Japan)	699	257	765	972	977	0.9	0.1
19	PANASONIC INTELLECTUAL PROPERTY MANAGEMENT CO., LTD. (Japan)				752	920	0.9	4.1
20	CHANGXIN MEMORY TECHNOLOGIES, INC. (China)				1	867	0.8	286.9
21	MURATA MANUFACTURING CO., LTD. (Japan)	14	198	422	733	842	0.8	2.8
22	INTERNATIONAL BUSINESS MACHINES CORPORATION (US)	245	626	637	201	784	0.7	31.2
23	GOOGLE INC. (US)		168	550	764	775	0.7	0.3
24	BEIJING ZITIAO NETWORK TECHNOLOGY CO., LTD. (China)					761	0.7	n.a.
25	APPLE INC. (US)	23	282	506	314	684	0.6	16.9

Source: WIPO Statistics Database, March 2024.

# Distribution of ISRs by ISAs

Global Total

Distribution of ISRs by ISAs

ISA	2020	2021	2022	2023	2024	ISA share 2024 (%) <sup>1</sup>
EPO	83,018	78,960	84,053	84,082	83,911	31.5%
CNIPA	64,851	73,831	75,380	70,496	65,673	24.7%
JPO	50,345	48,500	49,154	47,328	47,121	17.7%
KIPO	28,550	28,359	29,936	29,278	30,793	11.6%
USPTO	22,028	23,504	22,974	21,396	24,192	9.1%
IP Australia	2,280	2,274	2,293	2,177	2,178	0.8%
ILPO (Israel)	1,448	1,486	1,407	1,251	1,041	0.4%
IPOS (Singapore)	695	873	564	985	944	0.4%

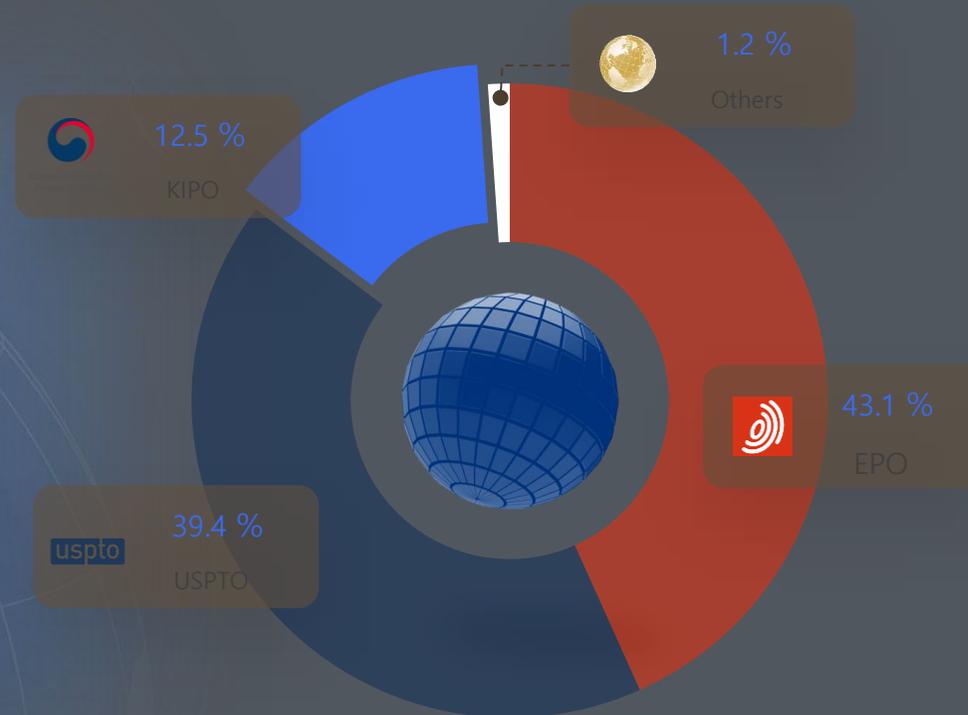
- ✔ The EPO remained the most selected ISA globally, issuing nearly **1/3 of the world's ISRs in 2024**
- ✔ CNIPA made up **24.7%**, and JPO **17.7%**
- ✔ KIPO made up **11.6 %**

\* Source: WIPO PCT Yearly Review 2025 (C17)

<sup>1</sup> ISA share %: A ratio compared to all ISRs issued

# ISAs Selected by U.S. Applicants

In 2024, 12.5% of PCT international searches from U.S. applicants were carried out by KIPO



\*Source: WIPO IP Statistics Data Center, July, 2025 -Estimat (<https://www3.wipo.int/ipstats/pmh-search/pct>)

# Benefits of Using KIPO as an ISA/IPEA



# A Broad Range of Prior Arts



Searching diverse prior arts has become increasingly necessary

Today's global technological advancements go beyond the scope of just one enterprise's nationality or geographical region

KIPO cites and refers to both foreign and domestic documents during thorough patent examinations



The in-house database at KIPO includes over 77.6 million patents

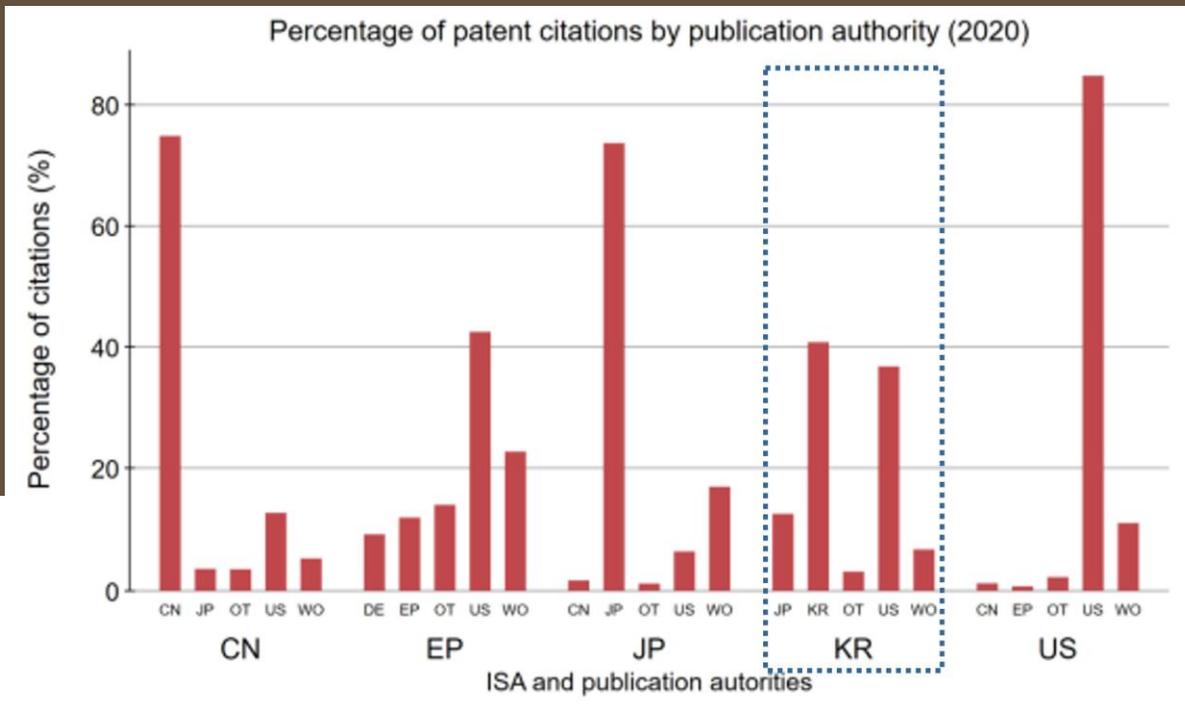


Non-Patent Literature (NPL) Searching

Extensive NPL searching is possible through KIPO's internal search system as well as various contracted commercial search services

# KIPO uses documents published in various languages, making their searches much more balanced

- ✓ KIPO examiners cite documents written in several different languages
- ✓ EPO and USPTO seldom use Asian documents
- ✓ JPO seldom uses Korean documents



\*Source: KIPO database

Source: WIPO Statistics Database, March 2022.

# Competitive Pricing

KIPO provides a fair price for the quality of its work

Competent ISA for US applicants	Search Fee (USD)	Preliminary Examination Fee (Estimated USD <sup>1</sup> )
USPTO	\$2,400	USD 705 <sup>2</sup> (\$705) / 880 <sup>3</sup>
EPO	\$2,094	EUR 1,915 (\$2,255)
Singapore	\$1,719	SGD 830 (\$652)
IP Australia	\$1,383	AUD 590 <sup>2</sup> (\$388) / 820 <sup>3</sup>
JPO	\$1,179	JPY 69,000 (\$481)
ILPO (Israel)	\$1,118	ILS 1,758 (\$519)
IPOPHL(Philippines)	\$600	USD 300
<b>KIPO</b>	<b>\$ 825</b>	<b>KRW 450,000 (\$331)</b>

\* Source: [WIPO PCT Fee Tables, July 1, 2025]

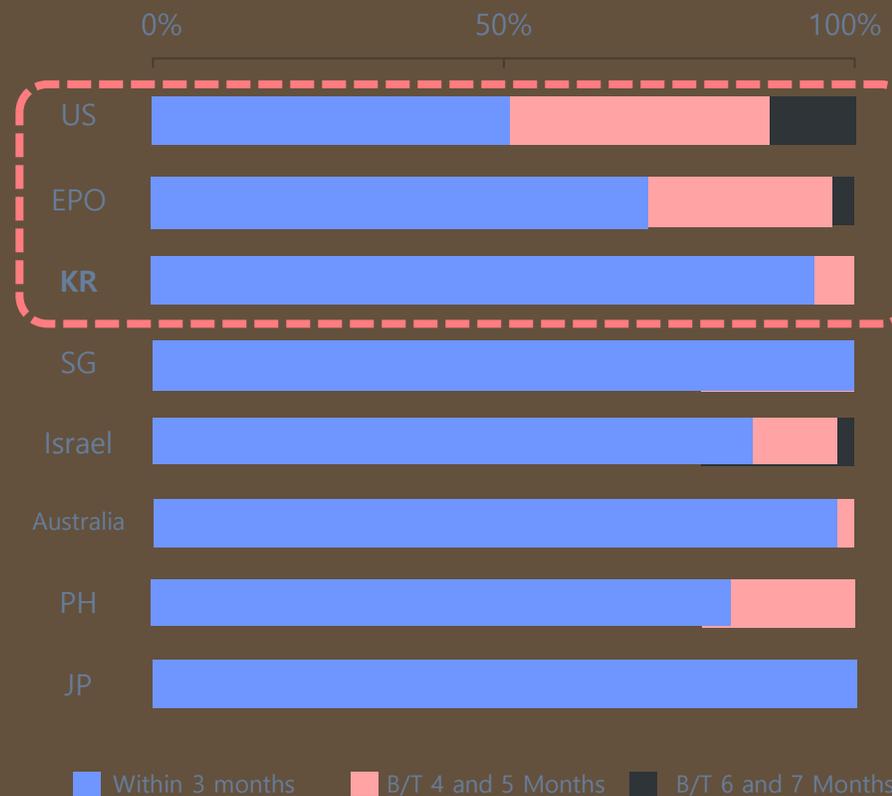
1 Current exchange rates applied (7-1-2025)

2 Payable when the ISA was the IPEA

3 Payable when the ISA was different from the IPEA

# ISR Transmittal Timeliness

Out of the 3 most chosen ISAs by US applicants, KIPO has the highest timeliness rate :  
EPO-69.4%, USPTO-50.2%, **KIPO-94.9%**



\* Source: WIPO PCT Yearly Review 2025 (C20)

\* Share of International Search Reports Transmitted to the IB Within 3 Months (%) 2024

# PCT Korea Center

Since 2009, KIPO has operated PCT Korea Center in Virginia for its U.S. PCT applicants

➤ **First foreign ISA to have a help desk in the U.S.**



Answers to FAQs are conveniently available on PCT Korea Center's website

Links to additional info, resources, about PCT Korea Center and KIPO, etc.



PCT Korea Center's **PCT Help Desk** provides real-time assistance with the PCT process and inquires regarding PCT procedures with KIPO as an ISA /IPEA



PCT Korea Center  
 8500 Leesburg Pike Suite 410 Vienna,  
 VA 22182 USA  
[www.pctkorea.com](http://www.pctkorea.com)  
[pctkorea@pctkorea.com](mailto:pctkorea@pctkorea.com)  
 Tel. 703-388-1066  
 Fax. 703-388-1084

# Thank You

We hope to continue to provide you with our PCT services.

“We are always striving to improve as a PCT ISA and IPEA.”

2025

# Korea-US IP Forum

October 8, 2025 | Korean Cultural Center New York, USA





# 뉴욕 글로벌비즈니스센터 소개

## Global Business Center

New York



# 1. 뉴욕 글로벌비즈니스센터(GBC) 개요

중소.벤처.스타트업의 글로벌 진출 지원을 위해 세계 주요 교역거점에  
글로벌비즈니스센터(GBC)를 설치하여 특성화.전문화된 서비스 제공

- 2006년 02월 : 뉴욕BI 개소 (NJ Englewood Cliffs)
- 2012년 11월 : 뉴욕BI 사무실 이전 (NJ Fort Lee)
- 2023년 04월 : 뉴욕GBC 전환 및 사무실 이전 (NYC Manhattan - Downtown)
- 2024년 06월 : 뉴욕GBC 사무실 이전 (NYC Manhattan - Midtown)



Office

위치 : 1 Penn Plaza, 14층 #1423, New York, NY 10119

면적 : 6,341sf (178평)

시설 : 독립실, 공유오피스, 대회의실, 소회의실, 대형라운지, 행사장 등

\* 세계경제 중심지인 뉴욕 맨해튼에 위치하여 IT, AI, 금융, 바이오헬스케어, 뷰티, 패션 등 다양한  
산업이 공존하며, 글로벌 벤처스타트업 생태계 허브 기능



## 2. 뉴욕 글로벌비즈니스센터(GBC) 사무공간



Office

### ☑ 입주기업 독립실 + 출장기업 공유오피스

- 입주기업 독립실 11개실, 출장기업 공유오피스 16석, 전용회의실, 라운지, 행사장 등
- 'G-Space' 예약시스템을 통해 출장기업, 현지진출기업의 공유오피스 상시 이용

\* G-SPACE 온라인예약 : <https://gbc.kosmes.or.kr/index.do>



건물전경



독립실



공유오피스



회의실



PENN1



라운지



공유오피스



행사장

## 2. 뉴욕 글로벌비즈니스센터(GBC) 사무공간



Office

- ☑ 뉴욕GBC 선정된 중소벤처기업에게 미국법인 주소지 등록이 가능한 독립실 사무공간 제공
  - 독립실 좌석 단위로 제공되며, 최장 3년까지 사용 가능함
  - 입주연차별로 사무공간 임차료를 일부 지원하며, 기업부담 임차료는 월 100~130달러 수준임 (1좌석/입주1년차 기준)

구분	내용	상세사항
사용기간	1년+1년+1년	- 1년 단위로 협약을 갱신하여 3년 입주 (단, 입주 후 GBC를 주소지로 하여 법인 설립을 완료한 기업은 차년도 자동 연장) - 독립실 공유사용 원칙 (단, 현지 직원 채용 등 단독사용이 필요하다고 판단되는 경우 예외적으로 허용)
지원금액	(입주 1년차) 실비의 80%지원 (입주 2년차) 실비의 50%지원 (입주 2년 초과) 지원 없음	- 최초 입주일을 기준으로 임차료 산정
보증금	500만원	- 임차료 미납의 경우, 입주기간 연장 불가하며, 보증금으로 임차료 상계 후 퇴소 조치 가능

\* 단, 잔여 독립실 부재 등 GBC별 현장 상황에 따라 입주 대기가 발생할 수 있음

### 3. 뉴욕 글로벌비즈니스센터(GBC) 현지화 지원프로그램



- ☑ 중진공,코트라 연계지원, 해외멘토단 1:1 기업자문, 투자유치.마케팅 프로그램 제공
  - (기본) 미국법인 설립, 법인주소지 제공, 비자(VISA) 취득, 법인은행계좌 개설 등
  - (연계) 중진공 해외법인운영자금, 수출바우처, 코트라 해외공동물류, 해외지사화, 전시회 등
  - (현지화) VC투자자 연결, 대형유통망 진출, 바이어발굴, FDA승인, IP특허.상표권 등

## 뉴욕 GBC 해외멘토단 (Alliances of GBC NY)

**Investment & Accelerator**

**Global Marketing & Branding**

**FDA, IP, Law & Accounting**



# 4. 현지 비즈니스 네트워크 구축 지원



☑ 뉴욕 정부기관, 한인경제단체 등과의 정례 네트워킹 및 협력거점 역할 수행  
 → (정부기관) 뉴욕시경제개발공사(NYCEDC), 브루클린상공회의소(BCC), 뉴욕주경제개발청(ESD) 등  
 (한인단체) 뉴욕한인경제인협회(NYKBI), 뉴저지월드옥타(NJ OKTA), 미국한인창업인연합회(UKF),  
 재미의료산업협회(KAMDA), 재미혁신기술기업인협회(KITEE) 등



**KOSME NY TECH DEMO DAY**  
 JUNE 6th, 2025 @PENN 1

AGENDA	
11:00 - 11:05	• Opening Address
11:05 - 11:10	• Welcoming Remarks
11:10 - 11:15	• Congratulatory Remarks
11:15 - 11:20	• KOSME Overview
11:20 - 12:00	• Startup Pitches
12:00 - 12:30	• Investor Meetings & Networking
12:30 - 13:30	• Networking Lunch

HOSTED BY: Ministry of SMEs and Startups, KOSME, Global Business Center New York  
 PARTNERS: KVIC, PEN NETWORK, uzdot

**KOSME NY TECH DEMO-DAY**

**2024 K-SMEs BUSINESS NETWORKING NY**  
 Date Mon. 6. 10. Time 2pm - 4:30pm

TIMETABLE	
13:50	RECEPTION
14:00	•OPENING REMARK
SESSION I	•INTRO OF GBC-NY ALLIANCES
	•K-SMEs IR PITCHING
	•GROUP PHOTO
15:30	•1:1 BUSINESS MEETINGS
SESSION II	•NETWORKING SNACK

HOSTED BY: Ministry of SMEs and Startups, KOSME, Global Business Center New York

**K-SMEs NETWORKING NY**

**2024 NYC STARTUP SUMMIT**

HOSTED BY: Ministry of SMEs and Startups, KOSME, Global Business Center New York

**NYC STARTUP SUMMIT**

**Korea Startup Forum NEW YORK 2023**

HOSTED BY: Ministry of SMEs and Startups, NOOM, PRIMER SAZZE, The Milk, KOSME, KITA NEW YORK, kotra, KITEE

**K-STARTUP FORUM NY**



# 5. 중소벤처기업 글로벌진출 거점 운영현황

「글로벌비즈니스센터(GBC), 코리아스타트업센터(KSC)」 16개국 27개소



구분	GBC																						
	뉴욕	LA	워싱턴 D.C.	시카고	멕시코 시티	산티아고	프랑크푸르트	두바이	모스크바	알마티	리야드	도쿄	호치민	하노이	방콕	뉴델리	자카르타	베이징	광저우	상하이	선전	충칭	
독립실																							
공유 오피스																							

\* 코리아스타트업센터(KSC) : 시애틀, 실리콘밸리(예정), 파리, 싱가포르, 하노이, 도쿄 6개소 운영 중

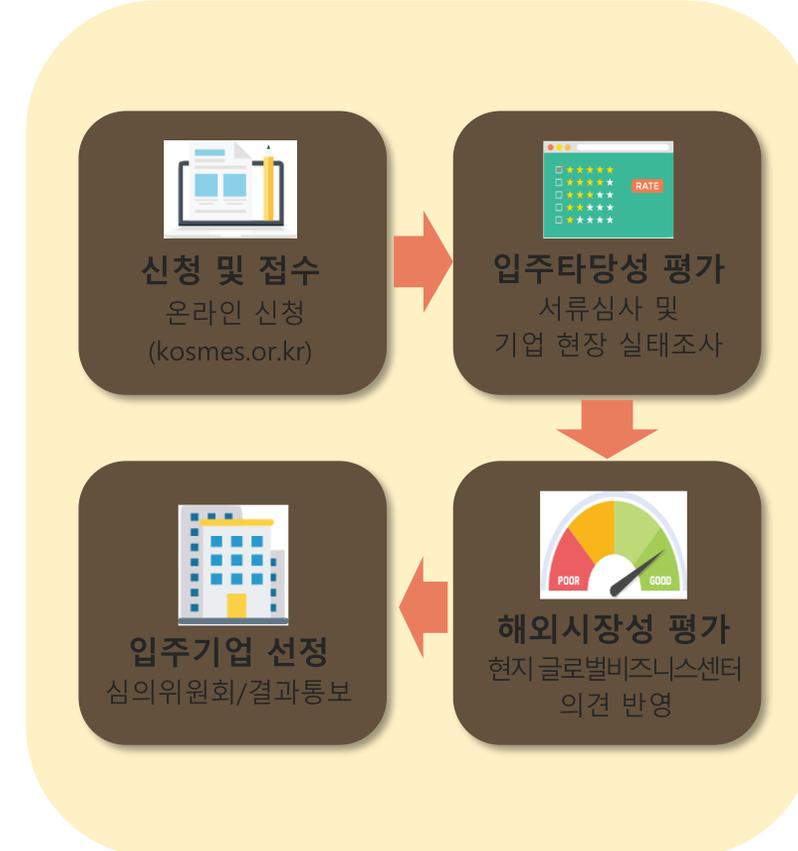
## 6. 글로벌비즈니스센터(GBC) 입주신청 및 선정절차

중소벤처기업진흥공단 홈페이지를 통해 온라인 신청 후 선정 평가 (2개월 소요)

### 신청방법



### 선정절차



# 7. 뉴욕GBC 주요 활동

## 중진공, 한국 중기 글로벌 투자 유치 행사

New York | 입력 2025.06.09 21:45

**KOSME 뉴욕 테크 데모 데이...벤처캐피탈 등서 100여 명 참석  
K-Tech 투자유치 프로그램 본격 가동...한국 테크기업 진출 지원**



중소벤처기업진흥공단은 지난 6일 뉴욕시 맨해튼에서 한국 중소기업과 미국 투자자를 직접 연결해 투자 유치 기회를 확대하기 위한 'KOSME 뉴욕 테크 데모 데이' 행사를 개최했다. [사진 중소기업진흥공단]

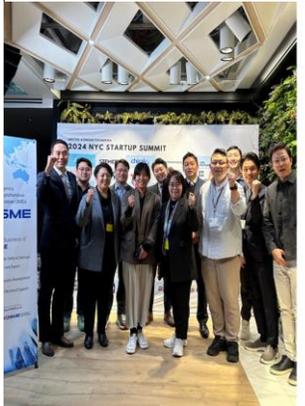


## 중진공, 뉴욕서 K-중소벤처기업 비즈니스 네트워킹 행사

기사입력 : 2024-06-13 08:09:00



중소벤처기업진흥공단(이사장 강석진)은 현지시간 10일 오후 미국 뉴욕 글로벌비즈니스센터에서 'K-중소벤처기업(SMEs) 뉴욕 비즈니스 네트워킹 행사'를 개최했다고 12일 밝혔다.



감사합니다



2025

# Korea-US IP Forum

October 8, 2025 | Korean Cultural Center New York, USA

