



9 February 2024

(24-1134)

Page: 1/2

**Council for Trade-Related Aspects of
Intellectual Property Rights**

Original: English

**NOTIFICATION OF LAWS AND REGULATIONS UNDER
ARTICLE 63.2 OF THE TRIPS AGREEMENT**

REPUBLIC OF KOREA: UTILITY MODEL ACT

Notifying Member	REPUBLIC OF KOREA
-------------------------	-------------------

Details of the notified legal text

Title	Utility Model Act
Subject matter	Industrial property (general); Patents (including plant variety protection)
Nature of notification	<input checked="" type="checkbox"/> Main dedicated intellectual property law or regulation <input type="checkbox"/> Other law or regulation
Link to legal text*	https://ip-documents.info/2024/IP/KOR/24_01309_00_e.pdf
Notification status	<input type="checkbox"/> First notification <input type="checkbox"/> Amendment or revision to notified legal text <input checked="" type="checkbox"/> Replacement or consolidation of notified legal text(s)
Previous notification(s) referred to	IP/N/1/KOR/P/15
Brief description of the notified legal text	
<p>Amendments were made on regulations on enforcement. Under the previous system, an investigation for the crime of infringement was initiated only when a victim filed a complaint within six months from the date on which the victim became aware of the infringement according to Article 230 of the Criminal Procedure Act. Due to the limitation of the timeline, victims were likely to file a request in a hurry without sufficient preparation. Another problem was that even cases showing clear evidence of infringement could not be investigated unless a victim submitted a complaint. In order to solve this issue, the new system allows an investigation to commence and proceed without a victim's complaint. The system also introduces the condition that prosecution cannot be initiated if the victim clearly expresses his/her intention not to open a case.</p>	
Language(s) of notified legal text	English
Entry into force	10 June 2022
Other date	

Notification details

Submission date of notification	22 January 2024
Other information	The latest and previous texts are available at: https://elaw.klri.re.kr/kor_service/lawView.do?hseq=60922&lang=ENG
Agency or authority responsible	Korean Intellectual Property Office kipomla@korea.kr

* Links are provided to texts of laws and regulations notified under the TRIPS Agreement in the form supplied by the Member concerned; the WTO Secretariat does not endorse or revise their content.