



INTERNATIONAL ASSOCIATION OF SCIENTIFIC, TECHNICAL & MEDICAL PUBLISHERS

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European Commission
DG Trade

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**STM submission
EU IPR survey 2010 on IPR protection and
enforcement in third countries**

SOUTH KOREA

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How do you globally assess the IPR situation in this country?

**Effectiveness of current IPR (protection and enforcement)
situation in this country (from 0 = very poor to 10 = excellent)**

5

**Extent to which IPR protection and enforcement has improved in
this country in the last two years (5 = no change; less than 5 =
worsening; more than 5 = improving)**

7

**In a few words, what do you consider as the main WEAKNESSES of the
country concerned regarding IPR PROTECTION? (legislation and
procedures for the registration of IP rights, including oppositions, etc.)**

- Korea has an unacceptably high level of Internet piracy affecting every copyright sector; this is especially disturbing given the extent of broadband Internet availability in the country
- Academic book publishers continue to face problem of illegal photocopying in and around university campuses. The sophistication of the unauthorized copies has increased such that it is becoming difficult to separate originals from pirate prints
- The same problem exists with respect to English teaching materials that is illegally copied by language centres which operate for profit

In a few words, what do you consider as the main WEAKNESSES of the country concerned regarding IPR ENFORCEMENT? (legislation, deterrence of the sanctions, customs measures, speed, lack of trained officials, fear of retaliation, corruption, lack of awareness or of political will, etc.)

- Resources devoted to fight against internet piracy are inadequate
- Despite a side letter to the Korea-U.S. FTA aiming at underground piracy and reducing campus-based infringements of academic textbook and journal piracy, the early efforts have not continued since 2006

In a few words, what do you consider as the main STRENGTHS (and/or recent positive improvements) of the country concerned regarding IPR PROTECTION?

- South Korea is one of few countries that has adopted more stringent measures for addressing rampant online piracy, including a graduated response framework
- South Korean law provides for a Database Protection Right
- South Korea amended its copyright law, including implementing certain obligations in the Korea-US FTA.

In a few words, what do you consider as the main STRENGTHS (and/or recent positive improvements) of the country concerned regarding IPR ENFORCEMENT?

- Law enforcement have generally been responsive to rights holders, conducting raids against copy shops engaged in unauthorized copying that have been brought to their attention by rights holders.

Which degree of PRIORITY do you think should be given by the EU to the country concerned? (0 = lowest priority; 3 = highest priority)

2