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NEWSLETTER

Lee & Ko IP

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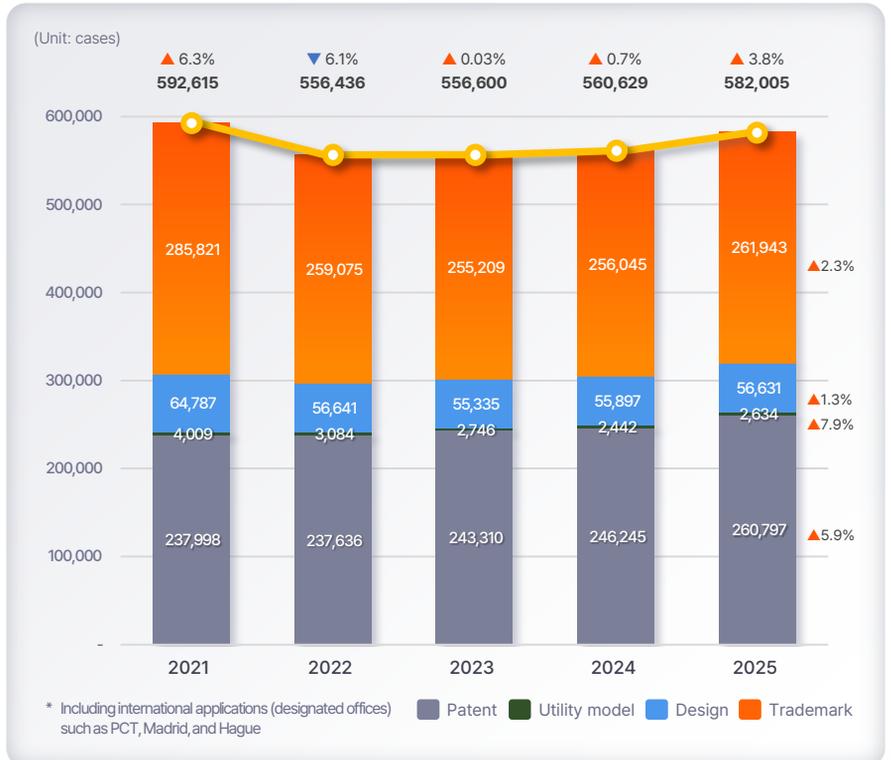
Statistical Analysis of Domestic Intellectual Property in 2025

This report analyzes the 2025 statistics on intellectual property applications and Intellectual Property Trial and Appeal Board (IPTAB) cases based on the data published by the Ministry of Intellectual Property (MOIP) in January 2026. While the number of intellectual property applications filed with MOIP in 2025 increased compared to 2024, there was a slight decrease in the number of cases handled by IPTAB.

1. Overall Intellectual Property Application Trends

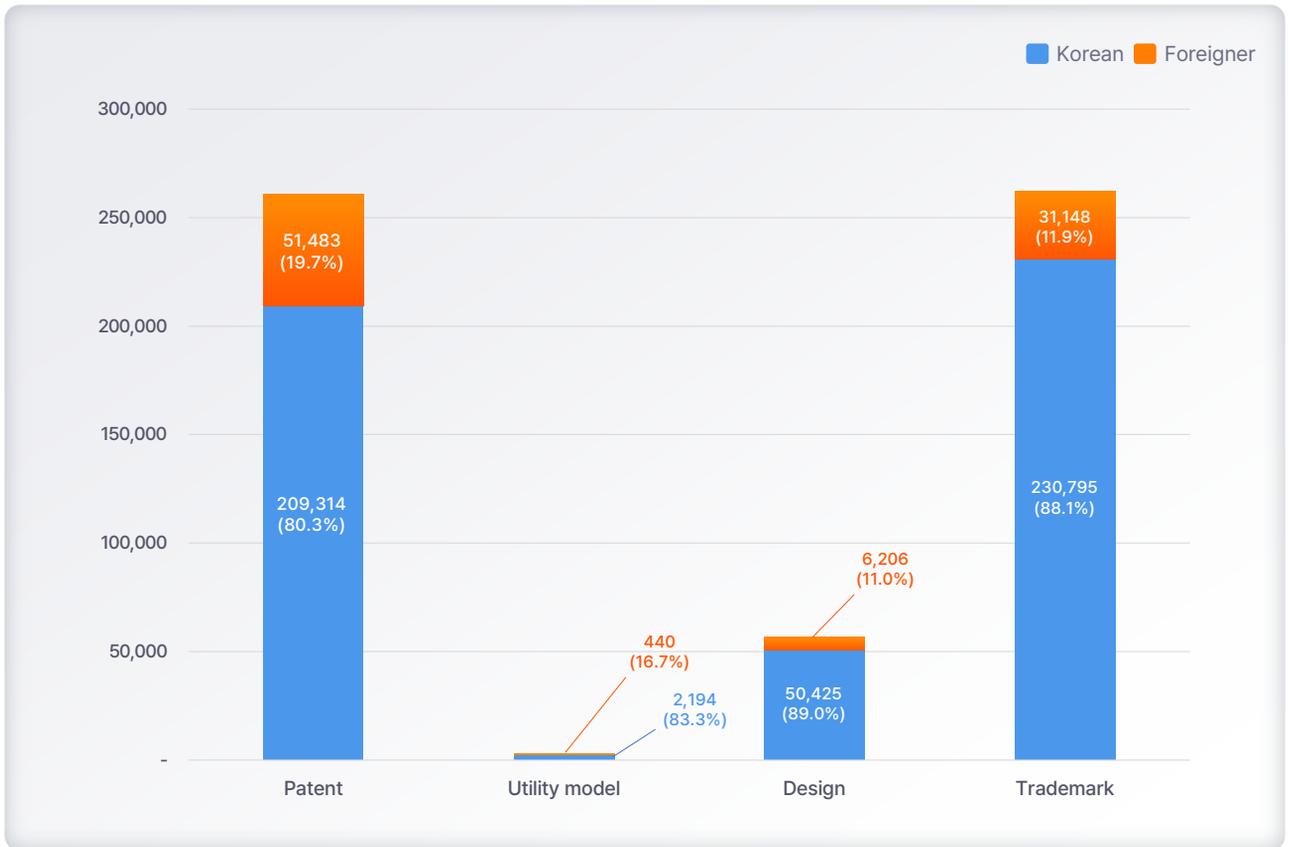
The total number of IP applications, including applications for patents, utility models, designs, and trademarks, in 2025 reached 582,005 – an increase compared to 2024 (560,629) – and represents an increase of 3.8%. Specifically, the number of applications for patents, utility models, designs, and trademarks increased by 5.9%, 7.9%, 1.3%, and 2.3%, respectively.

[IP Application Trends in Korea by Year]



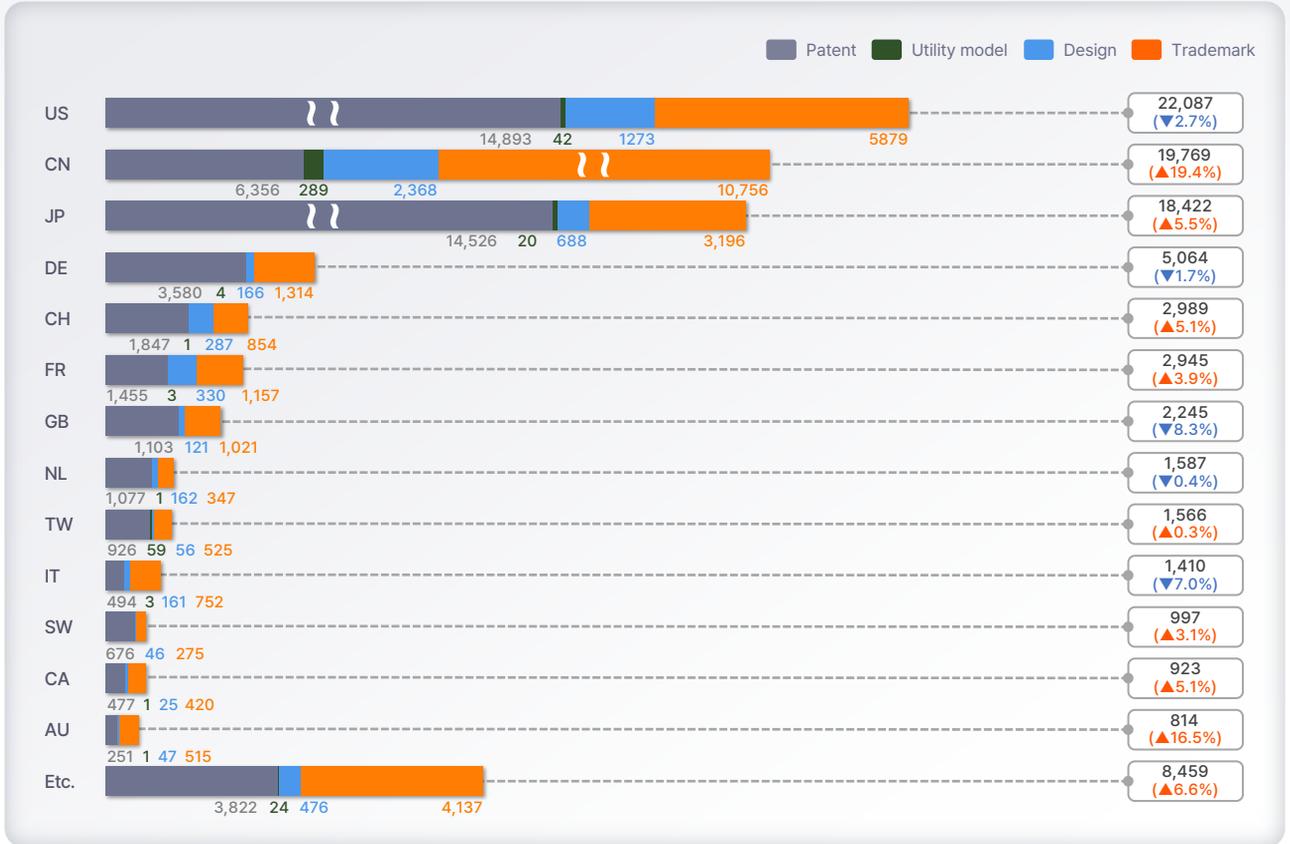
Domestic IP applications can be categorized into those by Korean applicants (Koreans' applications) and those by foreign applicants (foreigners' applications). In 2025, Koreans' applications increased from 475,471 in 2024 to 492,728, and foreigners' applications also increased from 85,158 in 2024 to 89,277. In 2025, the share of foreigners' applications was 19.7% for patents, 16.7% for utility models, 11.0% for designs, and 11.9% for trademarks, as depicted in the chart below.

[Domestic Applications by Korean and Foreign Applicants in 2025]



When analyzing foreigners' domestic applications by nationality, American applicants (24.7%), Chinese applicants (22.1%), and Japanese applicants (20.6%) rank at the top. In 2025, there were significant increases in the numbers of applications from Chinese applicants (19.4%↑) and Australian applicants (16.5%↑) compared to the previous year, while applications from other nationalities showed only minor fluctuations.

[Domestic Applications by Foreign Applicants' Nationality in 2025]



2. Patent Application Trends by Industry

Based on the cumulative number of patent applications filed from January to October 2025, patent filing activity was analyzed by industry. The “computer programming, systems integration, and management services sector” recorded the highest number of applications, with 21,105 filings. This was followed by Semiconductor manufacturing (13,007), Manufacture of measuring, testing, navigation, control, and other precision instruments (10,699), Primary and secondary battery manufacturing (10,624), Basic pharmaceutical substances and biological products (8,490) and Computer manufacturing (5,928).

Patent applications in information and communications technology (ICT)-related industries*, including artificial intelligence and quantum technologies, totaled 27,033 cases, representing a 21.1% increase year-on-year. Meanwhile, primary and secondary battery manufacturing recorded the second-highest growth rate, with patent filings rising by 14.4% compared to the same period in 2024.

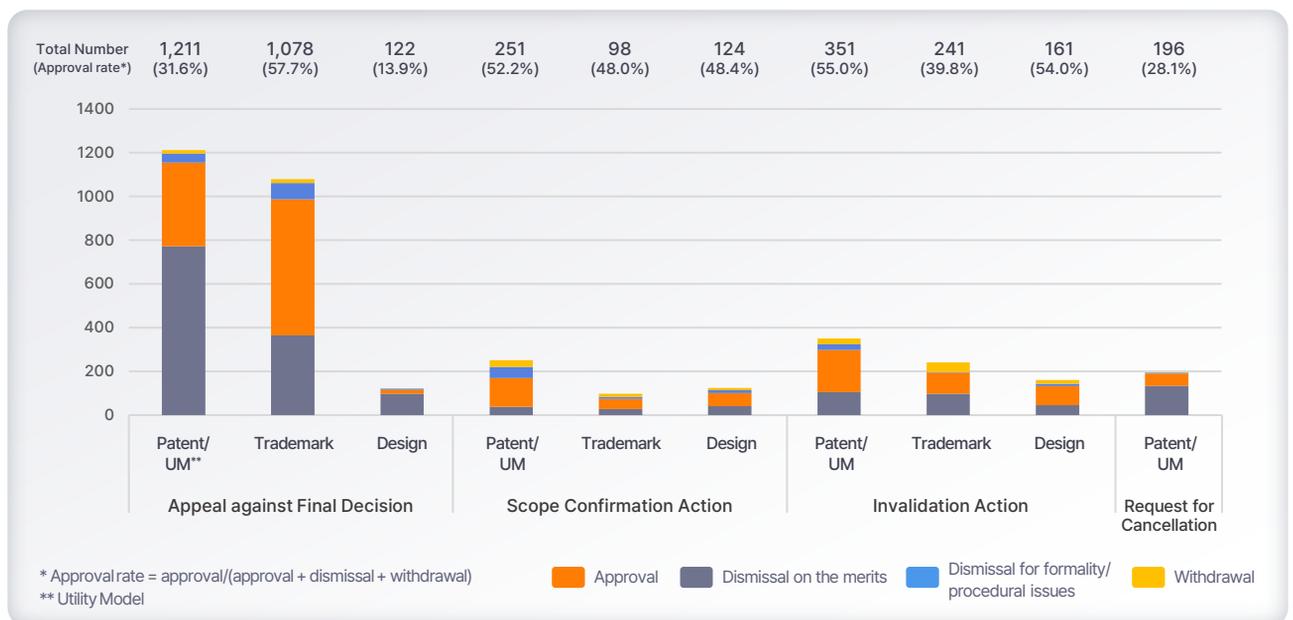
* The information and communications technology (ICT)-related industries refer collectively to the computer programming, systems integration and management services, and computer manufacturing sectors.

Based on the cumulative number of patent applications filed from January to October 2025, major applicants in the domestic secondary battery-related field were analyzed. In line with their strong performance in 2024, the three leading companies in secondary battery — LG Energy Solution, Samsung SDI, and SK On — maintained their positions at the top with 2,569, 2,067, and 625 applications filed, respectively. Hyundai Motor Company filed 370 applications, moving up one place from the same period in 2024 to rank fourth, while LG Chem filed 251 applications, dropping two places year-on-year to rank sixth. Among foreign applicants, Toyota Motor filed 355 applications, ranking fifth and recording an approximately 230% increase compared to the 155 applications during the same period in 2024. CATL filed 326 applications, ranking seventh, down one place from the previous year.

3. Trends in IPTAB cases

In 2025, the total caseload of the IPTAB declined by 5.0% compared to the previous year. Notably, patent invalidation actions dropped by 24%, from 365 cases in 2024 to 277. The approval rates for appeals against rejections of patent-utility model, trademark, and design applications were 31.6%, 57.7%, and 13.9%, respectively. In scope confirmation actions, the approval rate for patents-utility models was 52.2%, an increase from 45.8% in 2024. The approval rates for trademarks and designs in scope confirmation actions were 48.0%, and 48.4%, respectively. In invalidation actions, the approval rate for patents-utility models was 55.0%, a slightly increase from 52.5% in 2024. On the other hand, the approval rate for trademarks was 39.8%, a decrease from 44.4% in 2024. The approval rate for designs was 54.0%. The approval rate for requests for cancellation for patents-utility models was 28.1%, an increase from 23.2% in 2024, which is lower than that of invalidation actions.

[Trends in IPTAB Proceedings in 2025]



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Key Changes to Korea's Design Practice in 2026

Following the Ministry of Intellectual Property's recent amendment to the Design Protection Act, fundamental changes are taking shape across the full spectrum of design patent filing and dispute resolution practices.

This amendment, which took effect on November 28, 2025, is primarily aimed at addressing structural loopholes in the Partial-Substantive Examination System (PSES). In particular, it seeks to curb unauthorized registrations and abuses of rights, while expanding remedial mechanisms that enable legitimate rights holders to more effectively recover misappropriated designs.

At the same time, the amendment streamlines application procedures to reduce the administrative burden on applicants and enhance filing efficiency, while placing greater emphasis on pre-review in the context of partially examined design applications.

1. Improvement of Partial-Substantive Examination System (PSES)

The PSES has been operated to facilitate the rapid acquisition of design rights, particularly for product categories with short trend or market life cycles. However, as the number of cases has increased in which already well-known designs are registered under the PSES and subsequently used to monopolize sales or assert rights against distribution channels, concerns regarding abuse of the system have been consistently raised, underscoring the need for corrective measures.

Under the recent revision of the system, even applications filed under the PSES may now be refused registration where an examiner identifies clear grounds for rejection, such as a lack of novelty. As it is no longer appropriate to assume a high likelihood of registration merely because an application is subject to partial-substantive examination, the importance of conducting thorough prior-design reviews and carefully structuring rights-acquisition strategies from the filing stage has increased significantly.

2. Extension of Opposition Filing Period

The opposition system has been refined to enhance its practical effectiveness. Under the previous framework, an opposition was required to be filed within three months from the date of publication of the registration, a timeframe that was often viewed as unduly restrictive in practice.

Under the revised system, where an infringement notice has been received, an opposition may now be filed within three months from the date of such notice, provided that the filing occurs within one year from the registration publication date. As cases increasingly arise in which the timing of an infringement notice or a platform-imposed sanction at a distribution channel serves as a decisive turning point, there is a growing tendency to formulate opposition strategies in close coordination with the exercise of rights.

3. Expansion of Rights Recovery Options through Claims for Transfer of Design Rights

Under the previous framework, where a third party wrongfully registered a design belonging to another, the legitimate owner was required to initiate an invalidation proceeding to cancel the unlawful registration and subsequently file a new application in order to secure rightful ownership. This multi-step process was not only costly and time-consuming, but also left the legal status of the design right uncertain during the intervening period.

Under the revised system, a legitimate right holder may file a claim for transfer of the design right before the competent court and, upon a favorable ruling, be directly registered as the owner of the design. Depending on the circumstances of the case, rights holders may now choose between pursuing invalidation followed by reapplication or seeking a direct transfer of the design right, thereby enabling a more strategic assessment of the most efficient enforcement pathway at the outset of a dispute.

In corporate practice, comprehensive records relating to the creation of the design, documentation evidencing ownership, and well-drafted agreements with collaborators or third-party contractors (including outsourcing arrangements) can serve as decisive evidence in post-dispute enforcement. In cases involving misappropriated design registrations, the availability of robust documentary evidence supporting legitimate ownership can significantly accelerate and streamline the rights recovery process.

4. Streamlining Design Application Formalities

To alleviate the administrative burden at the filing stage, the requirement to include a summary of the creation details in design registration applications has been abolished. Under the previous

framework, this requirement frequently resulted in redundant descriptions of matters already apparent from the drawings and specifications, or led to amendments necessitated by minor inconsistencies in wording.

The removal of this requirement not only reduces the preparatory burden on applicants, but also reinforces the principle of drawing-oriented examination by placing greater emphasis on the visual disclosure of the design.

With respect to partial designs, the requirements for designating the subject matter of protection have been relaxed. Previously, applicants were required to designate the name of the entire product even where protection was sought only for a specific portion thereof.

Under the revised system, applicants may now designate either the overall product or the specific portion being claimed. This change enables a more intuitive and precise indication of the scope of protection, thereby enhancing clarity in rights interpretation and contributing to the prevention of future disputes.

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Introduction to the Special Judicial Police System of the Ministry of Intellectual Property (MOIP)

A special judicial police officer is an administrative public official designated by the chief prosecutor of the competent district prosecutors’ office to conduct investigations within a specific scope of authority. To effectively crack down on industrial property rights infringement, industrial property special judicial police officers are designated, and the Ministry of Intellectual Property (MOIP) operates the Technology & Design Police Division and the Trademark Police Division. Separately, MOIP also operates the Unfair Competition Investigation Division.

1. Personnel, Duties, and Legal Basis of the Special Judicial Police Divisions

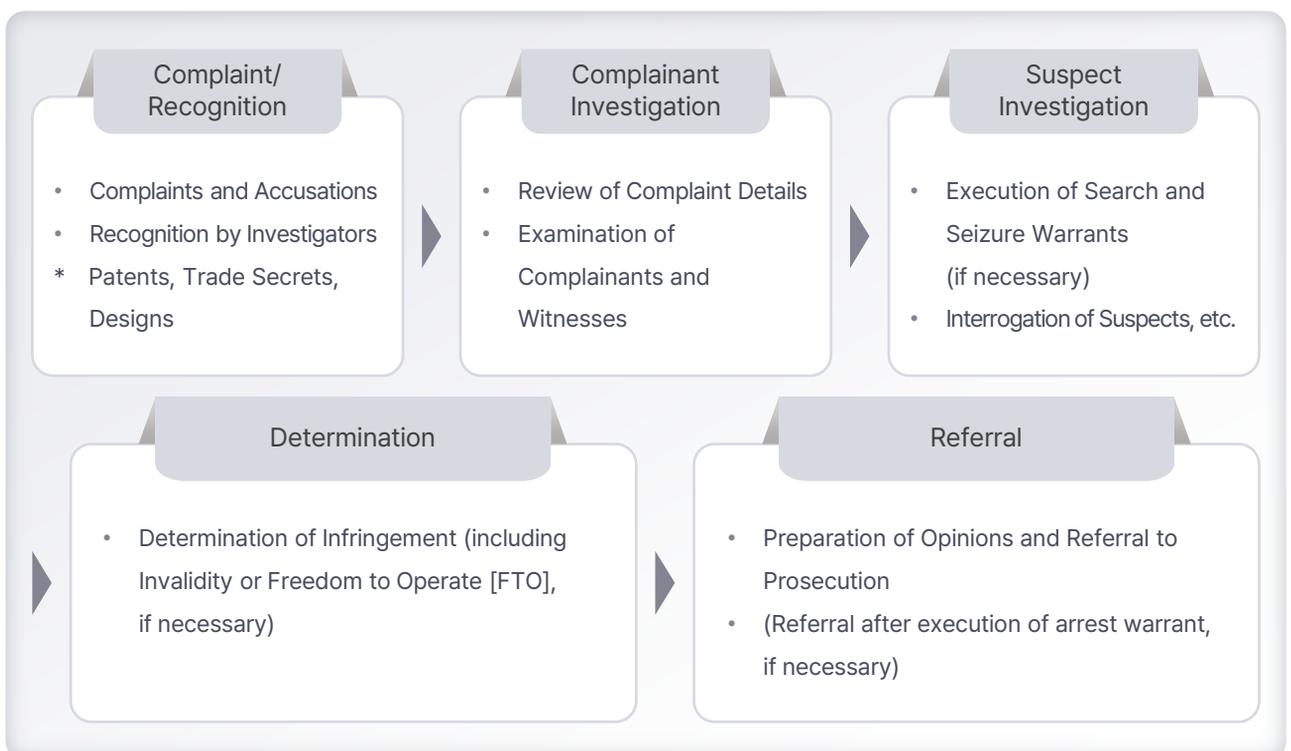
Pursuant to “the Act on the Persons Performing the Duties of Judicial Police Officers and the Scope of Their Duties,” the Trademark Police Division was first established in 2010, followed by the establishment of the Technology & Design Police Division in 2019. In addition, the Unfair Competition Investigation Division was formed in 2017 and has been conducting investigations into violations of “the Unfair Competition Prevention and Trade Secret Protection Act.” To further strengthen intellectual property protections, amendments were made to the prosecution of patent, utility model, and design right infringements. Where previously a victim had to file a formal complaint for prosecution to commence, authorities can now pursue prosecution unless the victim objects, thereby enabling more strategic, intelligence-based investigations. As a result, the role of the special judicial police for intellectual property rights has been significantly expanded. The following table summarizes the personnel and scope of duties of each special judicial police division and the Unfair Competition Investigation Division.

* Former special judicial police officer at MOIP

Category	Technology & Design Police Division	Trademark Police Division	Unfair Competition Investigation Division
Personnel	25	28	8
Scope of Duties	<ul style="list-style-type: none"> Patent and utility model rights infringement Design right infringement Trade secret infringement Product configuration imitation Circumvention of data protection measures 	<ul style="list-style-type: none"> Trademark rights infringement Acts causing confusion as to the source of goods or business Dilution of well-known marks 	<ul style="list-style-type: none"> Acts causing confusion as to the source of goods or business Misappropriation or unauthorized use of ideas Infringement of publicity rights, etc.

Investigations by the Technology & Design police proceed in accordance with the workflow illustrated in the flowchart below. Specifically, when a complaint or accusation is filed, or when an investigator becomes aware of an infringement, the procedure advances through an examination of the complainant and an investigation of the suspect. If the suspicion is substantiated, the case is referred to the prosecution.

[Investigation Process of the Technology Police]



2. Enforcement Status

The Special Judicial Police of the MOIP have received and investigated approximately 150 to 200 complaints of intellectual property infringement each year over the past five years (involving roughly 350 to 500 individuals under investigation). Of these, approximately 100 to 180 cases (involving 250 to 350 suspects) were determined to have sufficient grounds for charges and were referred to the prosecution. The consistency rate between prosecutorial dispositions and the referral opinions of the Special Judicial Police reaches approximately 92%, demonstrating the high level of expertise the Special Judicial Police possess in the field of intellectual property infringement. In 2025 alone, the retail value of counterfeit goods seized by the Trademark Special Judicial Police as a result of enforcement actions exceeded KRW 400 billion.

3. Recent Enforcement Trends

As methods of intellectual property infringement have become increasingly sophisticated, the importance of collecting and analyzing digital evidence has grown significantly. Accordingly, the Technology and Design Police have deployed digital forensic equipment and are actively collecting and analyzing digital evidence.

Intellectual property infringement through short-lived, fragmented sales networks on SNS, live commerce platforms, and members-only group purchasing schemes is difficult to detect using traditional complaint-based investigation techniques. To address these challenges, authorities are actively securing evidence of infringement through online monitoring and proxy purchases of counterfeit goods, and subsequently taking measures such as suspending online sales or linking these cases to planned investigations.

As described, the Special Judicial Police system of the MOIP serves as a key criminal enforcement mechanism against intellectual property infringement. With their high level of expertise in this field, the Special Judicial Police are well-positioned to handle cases of intellectual property infringement in Korea. Accordingly, filing a criminal complaint with the Special Judicial Police may be a viable option for those seeking to address such violations.

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Recent Developments in the Ministry of Intellectual Property (MOIP)

1. Official Launch and Enhanced Status of the 'MOIP'

As of October 1, 2025, the Korean Intellectual Property Office (KIPO) has been elevated to the 'Ministry of Intellectual Property (MOIP),' an agency directly under the Prime Minister's Office, and has officially commenced operations as the government's central coordinating body for national intellectual property policy. More than a simple name change, the launch of the MOIP signifies strong momentum for the integrated, government-wide management of the creation, protection, and utilization of intellectual property.

2. Enhancing AI-Based Intelligent Examination Support Systems

The MOIP is implementing artificial intelligence technologies to enhance both the speed and accuracy of the examination process.

Since December 2025, an upgraded 'AI-based design search system' has been in full operation, improving the accuracy of image searches based on approximately 520,000 newly added training data items. Furthermore, from early 2026, a pilot service for an 'AI-driven patent sentence search system' has been launched that is capable of understanding context and meaning beyond conventional keyword-based searches.

This transition to AI-based systems is expected to facilitate comprehensive prior art reviews, thereby providing applicants with highly reliable examination outcomes.

3. Establishing Global Standards Through Pursuit of Accession to the Patent Law Treaty (PLT)

The MOIP has announced a roadmap to complete its accession to the Patent Law Treaty (PLT) by 2029, with the aim of enhancing convenience for applicants and lowering barriers to obtaining patents.

Once the PLT takes effect, language requirements for filing an application will be relaxed, allowing applicants to file in any language they use, rather than only Korean and English.

In addition, certain administrative procedures, such as the transfer of patent rights, will be possible based solely on a handwritten signature, dispensing with notarization procedures or authentication documents. Furthermore, exceptions that allow overseas applicants to pay fees or file an application directly without a local agent are expected to be expanded.

Above all, remedies for restoring rights will be strengthened even in cases where statutory deadlines are missed due to formal errors or mistakes, which is expected to reduce the risk of applicants losing valuable rights as a result of procedural deficiencies.

4. Updating the Examination Practice Guidelines for the AI Inventions Reflecting the Evolving Technology Landscape

The MOIP has recently revised the 'Examination Practice Guidelines for the AI Invention' by adding new examination cases to address the rapid advancements in generative AI and on-device AI technologies.

This revision adds five specific examination cases, ranging from logo design generation technologies using generative AI to AI application cases in the biotech field, such as compositions for the treatment of Alzheimer's disease, thereby providing applicants with practical guidance.

The revised Guidelines clarify that for generative AI-related inventions, an inventive step may be recognized only where there are distinguishing features beyond the mere use of the technology (such as configurations for post-processing output data) and where the invention includes specific technical characteristics that surpass the predicted effects. In addition, in the chemical and biotech fields, it is specified that even if the effects can be predicted through AI, experimental data confirming the properties of the compounds and/or test examples evidencing pharmacological effects should be expressly described in the specification.

This revision aims to address potential uncertainties that may arise when filing complex inventions involving AI technologies in Korea, and to provide guidance for developing strategies to secure high-quality patent rights.

5. Enhancing IPTAB Proceedings for Faster Dispute Resolution

Under the revised regulations effective August 8, 2025, patent trial proceedings have been reorganized to reflect the practical needs in the field. In particular, for appeals against decisions of final rejection in advanced strategic industries, such as semiconductors, an accelerated trial may

now be granted solely upon the applicant's request.

In addition, for cases related to unfair trade practice investigations by the Korea Trade Commission, IPTAB's administrative judges have been empowered to expedite trials ex officio. This measure is designed to prevent prolonged trade disputes related to intellectual property infringement and ensure the availability of effective remedies.

Further, by promoting a trial-mediation linkage system that encourages amicable settlement between the parties during IPTAB's trial proceedings, a legal mechanism has been introduced to resolve disputes efficiently.