

2011 ICR Law Center Special Seminar Series

「 Regulations over Intellectual Property Rights Licensing 」

The 4th IPR Seminar

**Comparison & Analysis of IPR Licensing Guidelines of
Several Competition Authorities, in an International Context**

- **Date:** Friday, June 10th, 2011 1:30 pm ~ 6 pm
- **Venue:** Kangnam-Gu Yeoksam-Dong KIPS Center Intl Conference Room (19th Fl)

The Innovation, Competition & Regulation Center (the “ICR Law Center”) specializes in expert research on theoretical and practical issues that arise in the context of Competition, Regulatory, Communications and Intellectual Property Law. We began our work in September 2010. Since then, we have launched a successful line of seminars, conferences and lectures that has inspired comprehensive discussion on the most current issues.

On this note, the ICR Law Center has kicked off a new series of seminars on “Regulations over Intellectual Property Rights Licensing”. This seminar series comes into place as concerns over abuse of Intellectual Property rights have grown lately. The ICR Law Center realized that while the need for a more coherent legal scheme is urgent, there is a dearth of reliable research on the subject in Korea. In particular, there is a pressing demand for interdisciplinary studies on the theoretical and practical issues that lie in the junction between Intellectual Property Law and Competition Law.

The June seminar shall conduct a comprehensive comparison and analysis of IPR Guidelines in an international context. Previously, the March seminar touched on IPR issues in the Software industry, the April seminar on IPR issues in the IT industry and the May seminar on IPR issues in the Pharmaceutical industry.

As we wrap up the IPR seminar series with this June seminar, we hope our efforts to gather premier experts in the field of Intellectual Property and Competition laws to discuss the legal issues as well as economic perspectives have provided a balanced base for policy-making appropriate in a Korean context. We also appreciate the great amount of positive feedback that has valued our interdisciplinary approach on both theoretical and practical issues.

We plan to invite the best international experts from academia, regulatory institutions, international organizations, business and law firms. We welcome all within the professional community to join our efforts to foster international exchange and elevate the integrity of our legal systems. Finally, we thank our sponsors at the law firms of Kim & Chang, Lee & Ko, Shin & Kim and Yulchon for making this event possible.

ICR Law Center Director Ryu, Jin Hee

○ **Program** (Simultaneous Interpretation to be provided)

13:00 ~ 13:30	Registration
13:30 ~ 13:40	Greetings by Ryu, Jin Hee (Director, ICR Law Center/ Professor, Korea Univ. Law School)
13:40 ~ 16:00	Part 1: Presentations
Moderator: Kim, Jong Min (Professor, Kook Min Univ. Law School)	Session I : Kerin Coughlin (Attorney, Constantine Cannon) “U.S. Competition Guidelines for Intellectual Property Licensing Overview & Comparison with Korean Guidelines”
	Session II : Meng Yanbei (Professor, Renmin Univ. of China Law School) “Regulating & Limiting the Regulation: Research on IP Licensing from China’s Antimonopoly Law - Concurrent discussion over formulation of China’s Guidelines for Anti-monopoly Enforcement in the Field of Intellectual Property Rights”
	Session III : Kim, Hyun A (Attorney, Shin & Kim) “Issues & Suggestions for the Unfair Exercise of Intellectual Property Rights in Korea”
	Session IV : Park, Hwan Sung (Attorney, Lee & Ko) “Thoughts on IPR Licensing Guidelines of Competition Authorities from a Comparative Law Perspective”
	Session V : Rho, Sang Sub (Director, Market Watch Division) “Current Application & Future Tasks of the Korea Fair Trade Commission’s IPR Guidelines”
16:00 ~ 16:20	Coffee Break
16:20 ~ 18:00	Part 2: Open Discussion
Moderator: Kim, Jong Min (Professor, Kook Min Univ. Law School)	Open Discussion : All Session I Presentators Discussion Panel : Ko, Choong Gon (Executive Directors, LG Electronics IP Center) Kim, Bong Sub (Patent Attorney, Kim & Chang) Kim, Tae Man (Director, Korea Intellectual Property Office) Hong, Dae Sik (Professor, Sogang Univ. Law School)
18:00 ~	Closing & Dinner

IPR Seminar Series Guide

2011 ICR Law Center Special Seminar Series (Venue: Seoul, Korea)

Regulations over Intellectual Property Rights Licensing

Sponsors: Kim & Chang, Lee & Ko, Shin & Kim, Yulchon

I. Prologue & New Scholars' Forum

February 11, 2011

1. Legal Regulation on the Unfair Use of Intellectual Property Rights
Sohn, Ho-Jin (Adjunct Professor, Han Kyung University)
2. Regulation on the Anti-competitive Practices of Patent Trolls
Lee, Sang-Joo (Attorney/ Managing Director, Samsung Electronics)
3. A New Criteria for Granting Injunctive Relief on Patent Infringements
Shim, Mi-Rang (Lecturer, Korea University)

II. First Seminar

in collaboration with The Sejong Intellectual Property Research Center at Choong Nam Univ.

March 7, 2011

Part 1 – The Importance of Regulations over Intellectual Property Rights

1. The Importance and Effects of Legal Regulatory Systems
on the Exercise of Intellectual Property Rights
Sang-Jo Chung (Professor, S.N.U. Law School; Director, Technology & Law Center)
2. Basic Strategies of Korea's Intellectual Property Policy
and the Regulation over Intellectual Property Rights
Tae-Hyun Choi (Deputy Head, I.P. Strategic Planning, Prime Minister's Office)

Part 2 – Overview of Issues of IPR Licensing in the Software Industry

1. Compulsory Licensing as an Antitrust Remedy
Choi, Jae Pil (Professor, Michigan State Univ. Dept. of Economics)
2. Antitrust Regulations over Licensing Practices of Intellectual Property Rights;
the IBM Case
Sohn, Seung Woo (Professor, Dankook Univ. Law School)
3. Competition Law Issues of Open-source Software & Intellectual Property Rights
Lee, Chul Nam (Choong Nam Univ. Law School)

III. Second Seminar

in collaboration with the Social Science Korea/Law & Economics Research Team at Korea Univ.
April 8, 2011

Overview of Issues of IPR Licensing in the IT Industry

- **Standard Setting and FRAND Licensing Terms**
 - **Cross Licensing and Patent Pools**
1. Standard Setting Enforcement
Under Section 5 of the Federal Trade Commission Act
Alden Abbott (Deputy Director, U.S. Federal Trade Commission)
 2. Antitrust Regulations over Deceptive Practices during Standard-Setting Process;
Criteria for Liabilities and Plausibility of Regulations
Kwon, Kuk Hyun (Attorney, Kim & Chang)
 3. Making Sense of FRAND Commitments: Theory and EC Application
Anne Layne (Vice President, Compass LexEcon)
 4. Problems related to Standard-Setting Organizations and Patent Pools
Jung, Yeon Duk (Professor, Kun Kook Univ. Law School)
 5. Korean Competition Laws and FRAND Terms
Lee, Seung Kyu (Korea Fair Trade Commission)

IV. Third Seminar

May 2, 2011

Topic:

Issues of IPR Licensing in the Pharmaceutical Industry with a focus on Reverse Payments and Extension of Patent Life

1. U.S. Federal Trade Commission Briefing
on Pharmaceutical 'Pay-for-Delay' Settlements
Markus Meier (Assistant Director, U.S. Federal Trade Commission)
2. Economic Analysis of Patent Dispute Settlements
Nahm, Jae Hyun (Professor, Dept. of Economics at Korea Univ.)
3. Pharmaceutical Industry, IPR Licensing and Antitrust Regulations in Japan
Maki Kunimatsu (Professor, Dept. of Business Administration at Chuo Univ.(JP))
4. KFTC Enforcement in IPR Licensing Issues of the Pharmaceutical Industry
Kim, Jun Ha (Director, Korea Fair Trade Commission)
5. Regulation of Reverse Payment Agreements in Competition Laws
Lee, Suk Jun (U.S. Attorney, Yulchon)