



Submission No 28

Inquiry into Australia's Relations with the Republic of Korea; and Developments on the Korean Peninsula

Organisation: IP Australia

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Dr John Carter
Foreign Affairs Sub-Committee Secretary
Department of the House of Representatives
Parliament House
Canberra ACT 2600

Submission No. 28

Dear Dr Carter

Subject: Joint Standing Committee on Foreign Affairs, Defence and Trade,
Inquiry into Australia's Relationship with the Republic of Korea

IP Australia is pleased to provide the attached submission for the above inquiry. Our submission outlines our working relationship with the Korean Intellectual Property Office (KIPO). Should you have any questions about policy matters in this regard, please contact Ms Caroline McCarthy, Director, International Policy Section on 02 62832097 or cmccarthy@ipaustalia.gov.au. Otherwise, if you have questions about the cooperative arrangements between KIPO and IP Australia, please contact Mr Gary Kichenside, Director, International Cooperation, 0262832042 ph or gkichenside@ipaustalia.gov.au.



Dr Ian Heath
Director General
IP Australia
16 June 2005.

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Joint Standing Committee on Foreign Affairs, Defence and Trade Inquiry into Australia's Relationship with the Republic of Korea

Submission from IP Australia¹

IP Australia has a long standing working relationship with its Korean counterpart agency, the Korean Intellectual Property Office (KIPO) - <http://www.kipo.go.kr>. No formal agreements or arrangements exist between the two offices.

IP Australia undertakes annual heads of office meetings with KIPO to discuss issues of mutual interest. In recent years the main focus of these discussions has been on the mutual recognition of patent examination work undertaken in both offices. In March 2005, at the 7th Heads of Office meeting, a work program for the coming year was agreed upon which will see both offices work towards an improved understanding of the patent examination procedures in each office, and the supporting IT systems and human resources. This activity has the potential to reduce the duplication of resources in the processing of applications lodged at each office.

In addition, the Plant Breeders Rights office within IP Australia will make presentations at the Technical Workshop on "Examination of Distinctness, Uniformity and Stability (DUS) according to the UPOV Principles" Seoul, September 2005, as a means of sharing DUS testing experience with experts from the Korean Testing authority.

Over the past four years, IP Australia has hosted numerous short and long term study visits from KIPO officials and undertaken short term visits to KIPO to enable the offices to share information on IT developments, legislation regimes and office procedures.

IP Australia also has a close working relationship with KIPO through the APEC Intellectual Property Rights Experts Group (IPEG). Korea is the current chair of this Group – 2004-2005. Under IPEG, IP Australia is co-sponsoring an APEC funded project that KIPO has proposed entitled 'disseminating E-learning Content on Intellectual Property Rights Information'.

The above cooperative activities are not unique to Korea. IP Australia is also undertaking similar activities with other major IP Offices.

Korea and Australia are members of the World Intellectual Property Organization (WIPO) – a Geneva based UN Specialised Agency. As a member of WIPO, Korea is a party to eleven of the 23 treaties on intellectual property administered by WIPO. In comparison Australia is a party to ten of these treaties. Both countries are also parties to the International Convention for the Protection of New Varieties of Plants (UPOV).

In 2004, IP Australia had approximately 830 staff compared to 1200 for KIPO. In 2004, Korea received about seven times the number of patent applications and about two times the number of trade mark applications than Australia. In the terms of patent applications received, Korea is ranked about 8th in the world while Australia is ranked 14th.

¹ IP Australia is a Prescribed Agency within the Department of Industry, Tourism and Resources.