Republic of Korea:

GROUP SUMMARY REPORT

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<tr><td>Developments</td><td>1. KIPO was elevated to a ministry-level authority, the Ministry of Intellectual Property (MOIP), with effect from 1 October 2025, as an independent vice-ministerial agency under the Prime Minister, with an expanded organisation including a new IP Dispute Response Bureau and a new Hallyu Tourism Trademark Examination Division (launched 23 December 2025).

2. An ultra-fast priority examination track was introduced with effect from 15 October 2025, giving a first examination result within 30 days and a final outcome in about 60 days, for applicants that export or plan to export and for Paris Convention or Madrid Protocol basic applications (official fee KRW 160,000 per class, with no cap on the number of trademark applications).

3. No substantive amendment to the Trademark Act during the reporting period. The 2025 amendments reported last year (broader definition of trademark use for overseas direct purchases; opposition period shortened to 30 days; punitive damages cap raised to five times) are now fully in force.</td></tr>
<tr><td>Statistics</td><td>
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<tr><th>Year</th><th>Number of New Applications</th><th>Average timeframe from filing up to registration (months)</th></tr>
<tr><td>2024</td><td>256,045</td><td>12.6</td></tr>
<tr><td>2025</td><td>261,943</td><td>11.9</td></tr>
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*) Specific reason for increase/decrease, if any: Trademark filings increased by approximately 2.3% in 2025 on an application (single-class) basis, and by approximately 3.6% on the multi-class basis used in the official statistics (327,669 in 2025 against 316,202 in 2024). By Nice class, the highest growth rates were recorded in Class 36 (financial and insurance services) and Class 3 (cosmetics). The increase is attributed to the continued growth of the K-Beauty industry and to the acceleration of AI transformation (AX) and digital transformation (DX), which has reshaped the financial and service markets and prompted businesses in the related fields to secure trademark rights.
**) Other comments, if any: The average examination period shortened from 12.6 months in 2024 to 11.9 months in 2025. The figure is the average period from filing to first examination action and blends standard and expedited examination; expedited examination takes about 45 days and the new ultra-fast track 30 days.</td></tr>
<tr><td>Cases</td><td>Refurbishment (Up-cycling) for the Owner’s Personal Use Is Not Trademark Use (Supreme Court, Case No. 2024Da311181, 26 February 2026)

Reversing the IP High Court decision reported last year (2023Na11283, 28 October 2024), the Supreme Court held that where the owner of goods bearing a registered trademark has them refurbished, altered or up-cycled for personal use, the display of the mark in that process is not, in principle, “use of a trademark”, because trademark use is tied to placing goods into the stream of commerce. The principle extends to a professional refurbisher acting at the owner’s request and returning the goods to the owner. An exception applies where the refurbisher in substance dominates the process and markets the refurbished products as its own merchandise placed into commerce; the trademark owner bears the burden of proving such special circumstances. The case was remanded and is currently pending before the IP High Court (2026Na10041).</td></tr>
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