

INVENTION OFFICE OF THE DEMOCRATIC PEOPLE’S REPUBLIC OF KOREA

AS
DESIGNATED (OR ELECTED) OFFICE

CONTENTS

THE ENTRY INTO THE NATIONAL PHASE – SUMMARY

THE PROCEDURE IN THE NATIONAL PHASE

ANNEXES

Fees	Annex KP.I
Inventor’s declaration	Annex KP.II
Assignment deed	Annex KP.III
Power of attorney	Annex KP.IV

List of abbreviations:

Office: Invention Office of the Democratic People’s Republic of Korea

LI: Law on Inventions

RLI: Regulations under the Law on Inventions

SUMMARY**Designated
(or elected) Office****SUMMARY****KP****INVENTION OFFICE OF THE
DEMOCRATIC PEOPLE'S REPUBLIC OF
KOREA****KP****Summary of requirements for entry into the national phase**

Time limits applicable for entry into the national phase:	Under PCT Article 22(1): 30 months from the priority date Under PCT Article 39(1)(a): 30 months from the priority date
Translation of international application required into: ¹	Korean
Required contents of the translation for entry into the national phase: ¹	Under PCT Article 22: Description, claims (if amended, both as originally filed and as amended, together with any statement under PCT Article 19), any text matter of drawings, abstract Under PCT Article 39(1): Description, claims, any text matter of drawings, abstract (if any of those parts has been amended, both as originally filed and as amended by the annexes to the international preliminary examination report)
Is a copy of the international application required?	No
National fee: ²	Currency: Won (KPW) and Euro (EUR) For patent: Filing fee: Equivalent in KPW of EUR 230 Additional fee for late furnishing of the translation, per month: Equivalent in KPW of EUR 30 For inventor's certificate: None
Exemptions, reductions or refunds of the national fee:	None

[Continued on next page]

¹ Must be furnished within the time limit applicable under PCT Article 22 or 39(1). If not already complied with within the time limit applicable under PCT Article 22 or 39(1), the translation may be filed within two months from the expiration of that time limit, provided that the additional fee for late furnishing of the translation has been paid.

² If not already paid within the time limit applicable under PCT Article 22 or 39(1), the Office will invite the applicant to pay the national fee within two months from the date of invitation.

SUMMARY**Designated
(or elected) Office****SUMMARY****KP****INVENTION OFFICE OF THE
DEMOCRATIC PEOPLE'S REPUBLIC OF
KOREA****KP***[Continued]*Special requirements of the Office
(PCT Rule 51*bis*).³Name and address of the inventor if they have not been furnished in
the "Request" part of the international application⁴Inventor's declaration⁴Assignment deed where the applicant is not the inventor⁴Appointment of an agent if the applicant is not resident in the
Democratic People's Republic of KoreaTranslation of the international application to be furnished in two
copies

Who can act as agent?

Any patent agent

Does the Office accept requests for
restoration of the right of priority
(PCT Rule 49*ter.2*)?Yes, please refer to the Office for the applicable criteria and/or any
fee payable for such requests³ If not already complied with within the time limit applicable under PCT Article 22 or 39(1), the Office will invite the applicant to comply with the requirement within a time limit of two months from the date of invitation.⁴ This requirement may be satisfied if the corresponding declaration has been made in accordance with PCT Rule 4.17.

THE PROCEDURE IN THE NATIONAL PHASE

KP.01 TRANSLATION (LATE FURNISHING OF). If the translation of the international application has not been furnished by the applicant within the time limit applicable under PCT Article 22 or 39(1), the translation can still be furnished within a further period of three months, provided that the additional fee for late furnishing of the translation, indicated in the Summary, has been paid within those three months.

KP.02 TRANSLATION (CORRECTION). Errors in the translation of the international application can be corrected with reference to the text of the international application as filed (see National Phase, paragraphs 6.002 and 6.003).

KP.03 FEES (MANNER OF PAYMENT). The manner of payment of the fees indicated in the Summary and in this Chapter is outlined in Annex KP.I.

KP.04 POWER OF ATTORNEY. A patent agent must be appointed by a power of attorney. A model is given in Annex KP.IV.

KP.05 INVENTOR'S DECLARATION. For details, see the model for such declaration in Annex KP.II. Legalization is not required. For time limits, see the Summary.

KP.06 ASSIGNMENT DEED. For details, see the model for such deed in Annex KP.III. Legalization is not required. For time limits, see the Summary. If the applicant(s) has (have) obtained the right to file the international application through the intermediary of one or more other persons and not directly from the inventor(s), the assignment deed(s) linking the inventor(s) and the applicant(s) must be produced.

LI Art. 26
RLI Art. 40

KP.07 ANNUAL FEES. Once a decision is made to grant a patent, the applicant becomes liable to pay to the Office an annual fee for each year following the international filing date. The first payment of annual fees is due within three months after receipt by the applicant of the decision that a patent will be granted and must comprise the annual fees for each year which has lapsed after the international filing date and the year during which the payment is made. Payment for each of the subsequent years must be made within three months before the anniversary of the international filing date on which the year commences or, where a supplement for late payment is also paid, within six months after the said anniversary. For the amount of these fees, see Annex KP.I.

PCT Art. 28
41
RLI Art. 29

KP.08 AMENDMENT OF THE APPLICATION; TIME LIMITS. Until the end of the examination procedure, the applicant may make amendments to the description, claims and drawings, provided that the scope of the subject matter of the application is not broadened thereby.

PCT Art. 25
PCT Rule 51

KP.09 REVIEW UNDER ARTICLE 25 OF THE PCT. The applicable procedure is outlined in paragraphs 6.018 to 6.021 of the National Phase. If, upon review under PCT Article 25, the Office denies an error or omission on the part of the receiving Office or the International Bureau, an appeal against this decision may be lodged within two months from the decision.

PCT Art. 24(2)
48(2)

KP.10 EXCUSE OF DELAYS IN MEETING TIME LIMITS. Reference is made to paragraphs 6.022 to 6.027 of the National Phase. Where the applicant has failed to observe a time limit in the proceedings, he may request restoration of his rights; such a request must be presented in writing and indicate the reason for missing the time limit; at the same time, the omitted act must be completed.

PCT Art. 4(3)
43
PCT Rules 49bis.1
(c)
76.5

KP.11 INVENTOR'S CERTIFICATE. Subject to what is said in paragraph KP.13, any desire of the applicant to obtain, in the Democratic People's Republic of Korea, on the basis of an international application, an inventor's certificate instead of a patent, must have been indicated, for international applications filed before 1 January 2004, in the international application (in Box No. V of the request) when filed; for international applications filed on or after 1 January 2004, since the request form no longer provides for the furnishing of such an indication, the applicant, when performing the acts referred to in PCT Article 22 or 39, shall so indicate to the Office.

KP.12 The requirements for the national phase are basically the same as for patents, except that no fees must be paid for an inventor's certificate.

LI Art. 32
RLI Art. 49

KP.13 An international application for a patent or, once a patent has been granted, that patent, may be converted into an application for an inventor's certificate or into an inventor's certificate, upon entering the national phase or at any time thereafter. Fees which have already been paid by the time of filing the request for conversion will not be refunded.

FEES

Currency: Won (KPW) and Euro (EUR)

National (filing) fee	equivalent in KPW of EUR 230 ¹
National procedure of PCT application	equivalent in KPW of EUR 230 ¹
Request for extension of term (per month)	equivalent in KPW of EUR 30
Registration:	
— of assignment of rights	equivalent in KPW of EUR 80
— of change or amendment	equivalent in KPW of EUR 60
Filing an appeal	equivalent in KPW of EUR 130
For granting patent	equivalent in KPW of EUR 230
Annual fees (to be paid before the due date):	
— for the 1 st to the 3 rd year (per year)	equivalent in KPW of EUR 130
— for the 4 th to the 6 th year (per year)	equivalent in KPW of EUR 170
— for the 7 th to the 9 th year (per year)	equivalent in KPW of EUR 330
— for the 10 th to the 12 th year (per year)	equivalent in KPW of EUR 400
— for the 13 th to the 15 th year (per year)	equivalent in KPW of EUR 465
— for the 16 th to the 20 th year (per year)	equivalent in KPW of EUR 600

How can payment of fees be effected?

Applicants who are foreign nationals or foreign entities must pay all fees (including annual fees) through a patent attorney.

¹ Published in *PCT Gazette* No. 28/2003, of 10 July 2003, page 15884.

조선민주주의인민공화국
D P R of Korea

발명가 확인서

Inventor's Declaration

내(우리)는 아래에 지적된 발명의 창조자(들)이다.

(발명명칭)

성, 이름 _____

주소 _____

국적 _____

이상이 정확한 발명가(들)임을 확인합니다.

발명가(들)의 수표(들):

날자

장소

***** (*The below to be filled by the inventor*) *****

I(We), the undersigned author(s) of the invention,

(Title of Invention)

Name, Surname _____

Domicile _____

Citizenship _____

hereby declare that the true inventor(s) without exception are named in the declaration.

Signature(s) of the inventor(s):

Date

Place

조선민주주의인민공화국

D P R of Korea

양 도 증 Assignment Deed

나(우리)는 _____

(이름)

조선민주주의인민공화국에서 수여한 특허 / 또는 에 제출한 신청문건

(발명명칭)

에 기초한 나의(우리의) 발명으로부터 생기는 모든 권리들을 내(우리)가 넘겨주었다는것을 확인합니다.

나(우리)는 _____

(이름)

앞에서 말한 권리들을 넘겨받았다는것을 확인합니다.

양도한 사람의 수표:

날자

양도받은 사람의 수표:

장소

(The below to be filled by the client and inventor)

I(We) _____

(Name ,Surname)

declare that I(We) have transferred all the rights resulting from my(our) invention under the title

(Title of Invention)

which the patent has been granted on/or the patent application is filed in the Democratic People's Republic of Korea.

I(We) _____

(Name.Surname)

declare that I(We) accept the aforesaid rights.

Signature of the assigner

Date

Signature of the assignee

Place

조선민주주의인민공화국
D P R of Korea

특허권및발명권
PATENTS & INVENTOR'S CERTIFICATES

위 임 장

Power of Attorney

아래에 서명한 나(우리)는 _____

(이름과 주소)

조선민주주의인민공화국 발명총국앞에서 _____ 가

(대리소 이름)

(발명명칭)

와 관련한 모든 수속에서 나(우리)를 대표할것을 위임한다.

날자

수표:

장소

(개인인경우:이름,성;

회사인경우:상업등록부에

밝힌 정확한 이름)

***** (The below to be filled by the client) *****

I(We).the undersigned _____

(Name & Address)

do hereby authorize the _____ to represent me(us) in all

(Name of Agency)

proceedings concerning

(Title of the Invention)

before the Invention Office of the DPR of Korea.

Date

Signature:

(Single person:name,surname;

Place

Firm:exact name on the trade register)