

## **Chaho JUNG, Esq.**

**Professor of Law**  
**School of Law, Sungkyunkwan Univ.**  
**#313, 25-2 Sungkyunkwan-ro, Jongno-gu**  
**Seoul, Korea 03063**  
**Mobile: +82-10-4407-9177**  
**Office: +82-2-760-0594**  
**E-mail: chaho@skku.edu**

### **Education**

Aug. 2013	Chungnam National University, Daejeon, Korea Ph.D. (law)
Aug. 1996-May 1999	Franklin Pierce Law Center, Concord, NH, U.S.A. Juris Doctor
Aug. 1996-July 1997	Franklin Pierce Law Center, Concord, NH, U.S.A. Master of Intellectual Property
March 1980-Feb. 1987	Sungkyunkwan University, Seoul, Korea Bachelor of Science in Mechanical Engineering

### **Professional Experiences**

Aug. 2007-present	Sungkyunkwan University School of Law · Professor of Law
March 2004-Aug. 2007	Chungnam National University School of Law · Assistant Professor of Law
Oct. 1992-March 2004	Korean Intellectual Property Office (KIPO) · Examiner, Machinery Exam. Bureau · Deputy Director, Exam. Coordination Division · Senior Deputy Director, Int'l Cooperation Division · Director, Precision Machinery Division
April 1990-Oct. 1992	Ministry of Trade, Industry and Energy Deputy Director, Trade Administration Division · Trade Control on High-tech. Commodities

### **Licenses**

2000	New York Bar & Massachusetts Bar (inactive)
2000	Korean Patent Attorney (inactive)

### **Awards**

2020	2 <sup>nd</sup> Best Thesis Award (by the Korea Patent Attorney Association)
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2019 1<sup>st</sup> Best Thesis Award (by the Korea Patent Attorney Association)  
 2016 Best Academic Performance Award (by AIPPI Korea)

## Books

2019 *Study on Design Protection Law Cases* (with about twenty co-authors)  
 2018 *Patent Requirements* (with about twenty co-authors)  
 2018 *Theories and Practices of Patent Infringement Litigation* (with about twenty co-authors)  
 2017 *Study on U.S. Patent Cases (II)* (with about twenty authors & editor-in-chief)  
 2017 *Trade Secret Protection Law* (with about twenty authors & editor-in-chief)  
 2016 *Study on Korean Patent Cases (II)* (with about twenty authors & editor-in-chief)  
 2016 *Damages Jurisprudence in Patent Law* (with one co-author)  
 2015 *Employee Invention Law* (with about twenty authors & editor-in-chief) (translated into Japanese and Chinese and published in Japan and China)  
 2015 *IP Law in Korea*, 2d ed., Wolters Kluwer (with about ten co-authors) (in English)  
 2014 *Nonobviousness Jurisprudence in Patent Law*  
 2013 *Study on Korean Patent Cases* (with about forty co-authors & editor-in-chief)  
 2013 *International Business Law in the 21<sup>st</sup> Century*, Cambridge Independent Press (with ten co-authors) (in English)  
 2013 *Study on U.S. Patent Cases (I)* (with about twenty authors & editor-in-chief)

## Papers (published on major journals)

Jan. 2021 *A Method to Calculate Share Rates of Two Employers on an Employee Invention and a Patent Created by a Dual-employed Employee of a University and a Spin-off Company*, J. of Industrial Property, No. 66, Korea Intellectual Property Law Society, pp. 223-256.

Dec. 2020 *A Study on Impact of 2019 Amendment of the Patent Act Article 128(5): Whether or Not There is Any Change in the Methodology for Calculating "Royalty" Damages*, The Journal of Intellectual Property, Vol. 15, No. 4, Korea Institute of Intellectual Property, pp. 1-34 (with Sung Pill HWANG, a primary author)

Dec. 2020 *Consent of Patent Application on an Invention Jointly Owned by a Private Company and a Public Institute: From Joint Owner Consent Principle to Joint Owner Individual Principle*, J. of Law & Tech. Vol. 11, No. 2, Chungbuk National Univ. Law Institute, pp. 323-356 (with Heerae CHO, a supporting author)

Dec. 2020 *Patent Right Infringement of a Second Medical Use Invention: Focusing on the Pregabalin Decision (Seoul Central Court 2016 Gahab 517156 Decision)*, Sungkyunkwan Law Review, Vol. 32, No. 4, Sungkyunkwan Univ. Law Institute, pp. 279-337 (with Yein HAN, a primary author)

Oct. 2020 *A Study on Whether an Inventor's Disclosure of an Employee Invention is Infringement of Employer's Trade Secret Right: Critical Analysis on the Supreme Court 2012 Do 6676 Decision*, J. of Industrial Property, No. 65, Korea Intellectual Property Law Society, pp. 47-107 (with Guanghong ZHANG, primary author)

Aug. 2020 *A Study on Necessity to Introduce Enhanced Damages System into the Korea Trademark Act*, Seoul L. Rev. Vol. 28, No. 2, Univ. of Seoul Law Research Institute, pp. 329-377 (with Taemi JANG, a primary author)

July 2020 *Calculation of Employee Invention Remuneration in the Case Where Company's Profit is Deficit through Exploitation of an Employee Invention*, J. of Industrial Property, No. 64, Korea Intellectual Property Law Society, pp. 179-232 (with Sung Pill HWANG, a supporting author)

- June 2020 *Calculation of Exclusive Right Contribution Rate (Excess Revenue Rate) Based on Exclusive License Royalty & Non-exclusive License Royalty in Calculating Employee Invention Remuneration*, J. of Law & Tech. Vol. 11, No. 1, Chungbuk National Univ. Law Institute, pp. 211-261 (with a supporting author Lihua WEN)
- Apr. 2020 *25% Rule in Assessing Reasonable Royalty Rate: Study on Rejection of the 25% Rule in Uniloc v. MS and Proper Role of the Rule in Korea*, Chungang L.R. (CAUJLS), Vol. 44, No. 1, Chungang Univ. Law Institute, pp. 403-448 (with Sung Pill HWANG, a primary author)
- Dec. 2019 *Calculation of Damages Caused by Patent Infringement: Apportionment Jurisprudence of the U.S.A.*, J. of Science & Law, Vol. 10, No. 2, Chungbuk National University Law Institute, pp. 311-375 (with SungPill HWANG, a supporting author)
- Dec. 2019 *Determination of Inventors' Dedication Rate for Calculating Remuneration of an Employee Invention*, Sungkyunkwan Law Review, Vol. 31, No. 4, Sungkyunkwan Univ. Law Institute, pp. 113-211 (with Lihua WEN, a primary author)
- Oct. 2019 *Whether Presumption Effect is being Acknowledged on Inventor Names Designated in an Employee Invention Report, a Patent Application, a Patent Gazette, etc.*, J. of Industrial Property, No. 61, Korea Intellectual Property Law Society, pp. 81-132 (with Lihua WEN, a supporting author)
- August 2019 *A Study on Introduction of the American Amicus Curiae System to Korean Patent Litigation System*, Information Law Journal, Vol. 23, No. 2, Korea Information Law Society, pp. 141-181 (with HyeEun SHIN, a supporting author)
- June 2019 *Period-Limited or Perpetual Injunction of a Trade Secret Infringement: Seoul High Court 2014Na2011824 Decision*, The Journal of Intellectual Property, Vol. 14, No. 2, Korea Institute of Intellectual Property, pp. 45-86 (with Guanghong ZHANG, a supporting author)
- June 2019 *Royalty Rate Application Method in Calculating the Company's Profit to Calculate Employee Invention Remuneration: Explanations on Its Concept and Merits Thereof*, Science & Law Review, Vol 25, No. 2, HanNam University Science & Law Institute, pp. 105-163 (with Lihua WEN, a supporting author)
- June 2019 *The Employee Inventions Apportionment Ratio Calculation Jurisprudence in Calculating Employee Invention Remuneration*, Sungkyunkwan Law Review, Vol. 31, No. 2, Sungkyunkwan Univ. Law Institute, pp. 287-343 (with Lihua WEN, a supporting author)
- Feb. 2019 *Constitutional Status of Patent Administrative Trials and Appeals: Whether Current Patent Administrative Trials and Appeals System Mutatis Mutandis Applies Judicial Procedure*, Justice Vol. 170, No. 3 (with Hera LEE, a supporting author)
- July 2018 *Conflicts between Trial Scope Non-Limitation Theory and Res Judicata Principle in a Legal Proceeding, Appealed against a Ruling of the IP Trial & Appeal Board (IPTA)*, J. of Industrial Property, No.56, Korea Intellectual Property Law Society, pp. 33-81 (with Hera LEE, a supporting author).
- June 2018 *An Improvement Proposal for the Extinctive Prescription (Statute of Limitation) System for a Damages Claim Based on a Patent Right Infringement*, Sungkyunkwan Law Review, Vol. 30, No. 2, Sungkyunkwan Univ. Law Institute, pp. 239-301 (with Seung Hyun LEE, a primary author).
- Mar. 2018 *Patent Damages Determination in Korea*, IIC-Int'l Review of IP and Competition Law, Vol. 49, No. 3, Mas Planck Institute, pp. 267-298 (in English).
- Mar. 2018 *Burden of Proof of Apportionment Ratio in Calculation Damages under Patent Law*, The Journal of Intellectual Property, Vol. 13, No. 1, Korea Institute of Intellectual Property, pp.1-52 (with Hyun Jae JOO (a primary author) & Lihua WEN (a supporting author)).
- Mar. 2018 *A Study on Whether an Electronic File Can Be Considered as Product under the Korean Civil Act*, Sungkyunkwan Law Review, Vol. 30, No. 1, Sungkyunkwan Univ. Law Institute, pp. 127-170 (with Seung Hyun LEE, a supporting author).
- Jan. 2018 *Indispensability of "Consideration" in a Covenant Not to Compete*, Human Rights and Justice, Vol. 471, Korea Bar Association, pp. 54-72 (with Ji-In PARK as a supporting author).
- Dec. 2017 *A Suggestion for an Amendment of Section 128(4) of the Patent Act to Apply "Unauthorized Management Jurisprudence" to Infringer's Profit Jurisprudence*, Sungkyunkwan Law Review, Vol. 29, No. 4, Sungkyunkwan Univ. Law Institute, pp. 1-82 (with Seung Hyun LEE,

a primary author).

- Dec. 2017 *Apportionment Ratio Calculation Jurisprudence in Calculation Damages Caused by Patent Infringement*, Information Law, Vol. 21, No.3, Korea Association for Info-Media Law, pp. 1-42 (with Lihua WEN, a supporting author).
- Sept. 2017 *Improvement Suggestions for Korean Patent System Based on Review of Duality of Patent Assertion Entities*, Sungkyunkwan Law Review, Vol. 29, No. 3, Sungkyunkwan Univ. Law Institute, pp. 485-522.
- Sept. 2017 *Whether a Graduate Student Invention is a University's Employee Invention and Methods to Include Such an Invention as University's Right*, The Journal of Intellectual Property, Vol. 132 No. 3, Korea Institute of Intellectual Property, pp.1-36 (with Lihua WEN, a supporting author).
- June 2017 *Patent Eligibility Jurisprudence of a Computer Implemented Invention in the U.S.A.: Criteria Based on CAFC Judgements Affirming Patent Eligibility and Implications According Thereto*, Sungkyunkwan Law Review, Vol. 29, No. 2, Sungkyunkwan Univ. Law Institute, pp. 109-144 (with Haeyoung LEE, a primary author).
- June 2017 *Justification of Patent Protection on Program Invention*, The Journal of Science and Technology Law, Vol. 23, No. 2, Hannam Univ. Science and Technology Institute, pp. 113-158.
- Mar. 2017 *Burden to Prove Deficiency of Inventive Step of a Patent Invention*, Sungkyunkwan Law Review, Vol. 29, No. 1, Sungkyunkwan Univ. Law Institute, pp. 375-404.
- Feb. 2017 *Harmonization and Unification of Patent Laws of Korea, China and Japan*, The Justice, No.2, Korean Legal Center, pp. 148-158.
- Dec. 2016 *Jurisdiction Consolidation of Patent Cases: Whether or Not a Case is Related to a Patent Right*, Sungkyunkwan Law Review, Vol. 28, No. 4, Sungkyunkwan Univ. Law Institute, pp. 193-236.
- Sept. 2016 *Patent Misuse of a Total-Sales Royalty Provision, Which Imposes Royalty on Unpatented Products: Focused on Judgment Rendered by the Korean Supreme Court on November 13, 2014 (Case Nos. 2012Da42666 and 2012Da42673)*, Human Rights and Justice, Vol. 460, Korean Lawyers Association, pp. 111-132 (with Ji En LEE, a supporting author).
- June 2016 *A Common Misconception on Inventive Step (Nonobviousness) Jurisprudence and Determination of Obvious Extraction*, Korea Legal System Research, Vol. 1, No. 50, pp. 133-163.
- Mar. 2016 *Review Scope of a Trial Revocation Litigation Against a Patent Invalidation Trial Holding*, Sungkyunkwan Law Review, Vol. 28, No. 1, Sungkyunkwan Univ. Law Institute, pp. 247-282 (with Sheng Mei LIANG, a primary author).
- Feb. 2016 *Damages Calculation on Domestic Manufacture and Exportation of Patent Infringing Products*, Kyungbook National University Law Journal, Vol. 53, Kyungbook Univ. Law Institute, pp. 209-241.
- Feb. 2016 *Change of Damages Calculation Period Depending on Patent Making under the U.S. Patent Law*, Legal Research, Vol. 47, Chonbuk Univ. Law Institute, pp. 607-633 (with Minhee JO, a supporting author).
- Dec. 2015 *Applying Product Itself Theory, Process Limitation Theory or Invention Substance Theory on Interpretation of a Product-by-Process Claim: Critical Review on Supreme Court 2011Hu927 en banc Decision & 2013Hu1726 Decision*, J. of Korea Information Law, Vol. 19. No. 3, Korea Information Law Society, pp. 65-110 (with Hye Eun SHIN, a supporting author).
- Dec. 2015 *Declaration Interest of a "Proposed" or "Planned" Declaration Target Invention in a Negative Patent Scope Declaration Trial*, J. of Industrial Property, No. 48, Korea Intellectual Property Law Society, pp. 291-326.
- Dec. 2015 *Improvement Proposals for Employee Invention Assignment System*, Sungkyunkwan Law Review, Vol. 27, No. 4, Sungkyunkwan Univ. Law Institute, pp. 347-378.
- Sept. 2015 *Lost Profit Calculation Applying Non-Infringing Alternatives and Market Share Rule in a Patent Infringement Litigation*, Hongik Law Review, Vol. 16, No. 3, Hongik Univ. Law Institute, pp. 683-710 (with Taemi JANG, a supporting author).
- Sept. 2015 *Free-to-work Technology Defense and Prior Art Defense in a Patent Right Scope Declaration Trial and a Patent Infringement Litigation*, Sungkyunkwan Law Review, Vol. 27, No. 3, Sungkyunkwan Univ. Law Institute, pp. 271-303.

- Aug. 2015 *Allowing Multiple “Declaration Target Inventions” in Patent Right Scope Declaration Trials*, Legal Study, Vol. 26, No. 2, Chungnam Nat’l Univ. Law School, pp. 265-296 (with Hera LEE, a supporting author).
- Aug. 2015 *Usefulness Theory of the Patent Scope Declaration Trial*, Industrial Property, Vol. 44, Korea IP, pp. 123-161 (with Hera LEE, a supporting author).
- June 2015 *Role of the Commissioner of the Patent Office in a Trial Revocation Litigation Appealed from a Decision Entered by a Patent Invalidity Trial*, Sungkyunkwan Law Review, Vol. 27, No. 2, Sungkyunkwan Univ. Law Institute, pp. 339-371 (with Sheng Mei LIANG, a supporting author).
- June 2015 *Admission of “Corresponding” Damages under Discretion of the Court under Sec. 128(6) of the Patent Act*, IP Study, Vol. 10, No. 2, Korea IP Research Institute, pp. 1-29 (with Taemi JANG, a supporting author).
- Dec. 2014 *Damages Compensation on Collateral Product or Collateral Service of Patent Infringing Product -Supreme Court 2005Da36830 Case on Ceiling-Acoustic-Board Construction Fee*, Journal of Law Research, Vol. 26, No. 3, Wonkwang Univ. Law Institute, pp. 245-267.
- Dec. 2014 *Requester Standing in a Patent Invalidation Trial - Expanding from “Interested Person” to “Any Person”*, Sungkyunkwan Law Review, Vol. 26, No. 4, Sungkyunkwan Univ. Law Institute, pp. 505-567 (with Sheng Mei LIANG, a supporting author).
- Sept. 2014 *Criterion for Judgment on Patent-Eligibility of Computer Software Invention in accordance with U.S. Case Law*, Sungkyunkwan Law Review, Vol. 26, No. 3, Sungkyunkwan Univ. Law Institute, pp. 451-485 (with Haeyoung LEE, a primary author).
- Sept. 2014 *Res Judicata of a Final Judgment v. Retroactive Effect of a Patent Invalidity: Whether to Pay or Reimburse Damages*, The Journal of Inha Law, Vol. 17, No. 3, Inha Univ. Law Institute, pp. 263-295 (with Taemi JANG, a primary author).
- Sept. 2014 *Prerequisite of Patent Direct Infringement for Finding Patent Indirect Infringement*, Sungkyunkwan Law Review, Vol. 26, No. 3, Sungkyunkwan Univ. Law Institute, pp. 413-450.
- May 2014 *Mixed Calculation and Selective Calculation of Damages of Patent Infringement*, Institute of Law Studies, Vol. 55, No. 2, Pusan National University, pp. 151-177 (with Taemi JANG, a supporting author).
- Apr. 2014 *Base of Patent Infringement Damages Calculation: Application of Entire Market Value Rule, Smallest Sellable Unit Rule or Contribution Rate Apportionment Rule*, The Journal of Legal Studies, Vol. 22, No. 2, Law Research Institute of Gyeongsang National University, pp. 243-270 (with Taemi JANG, a supporting author).
- Mar. 2014 *Damages Calculation under Infringer's Profit: A Proposal to Amend the Patent Act*, Ewha Legal Science Institute, Vol. 18, No. 3, Ewha Women Univ. Law Institute, pp. 239-292 (with Taemi JANG, a supporting author).
- Mar. 2014 *Whether a Remanufacture Infringes a Patent Right: Repair v. Reconstruction*, Journal of Hongik Law Review, Vol. 15, No. 1, Hongik Univ. Law Institute, pp. 835-860.
- Mar. 2014 *Maintenance Requirement of a Trade Secret: Reasonable Efforts for Objective Recognition*, Sungkyunkwan Law Review, Vol. 26, No. 1, Sungkyunkwan Univ. Law Institute, pp. 279-318.
- Sept. 2013 *Calculation of Infringer's Profit: UK - Hollister v. Medik*, IP Policy, Vol. 16, Korea Institute of Intellectual Property (an article).
- Sept. 2013 *Korea's Dream to Be a Global IP Hub*, International Business Law in the 21st Century, Cambridge Independent Press, pp. 33-49.
- Sept. 2013 *Determination of Inventive Step of an Invention Applying Common General Knowledge*, Sungkyunkwan Law Review, Vol. 25, No. 3, Sungkyunkwan Univ. Law Institute, pp. 265-289.
- Sept. 2013 *A New Ground of Rejection Demanding a New Notice Regarding a Patent Application*, Journal of Hongik Law Review, Vol. 14, No. 3, Hongik Univ. Law Institute, pp. 655-675.
- Sept. 2013 *A Method to Determine “Same Evidence” under Res Judicata Doctrine in Patent Trials*, Korea Industrial Property Law Association, No. 41, Korea Intellectual Property Society, pp. 179-215.
- Aug. 2013 *Self-Disclosure Exception Systems of IP5 Offices*, Journal of Korea Information Law, Vol. 17, No. 2, Korea Association for Info-Media Law, pp. 31-58.
- Aug. 2013 *Enablement Requirement of Patent Specification: The Viagra Case of the Canadian Supreme Court*, Human Right and Justice, No. 435, Korean Bar Association, pp. 87-99.

- Aug. 2013 *Enhanced Damages System in Patent Law: Current Movements in China, Taiwan, Canada & Australia*, Korean Lawyers Association, Vol. 62, No. 8, Law Association of Korea, pp. 135-180 (with Sheng Mei LIANG as a supporting author).
- July 2013 *Burden of Invalidation-Grounds Proof in a Patent Invalidation Trial as a Special Administrative*, Administrative Law Journal, No. 36, Korea Administrative Law and Practice Association, pp. 141-164.
- June 2013 *Whether Parts Exchange Infringes a Patent Right: Decision of British Supreme Court on Schütz v. Werit Case*, Intellectual Property Policy, Vol. 15, Korea Institute of Intellectual Property, pp. 95-102.
- June 2013 *International Copyright Exhaustion: Parallel Importation Case before the U.S. Supreme Court*, Journal of International Trade and Industry Studies, Vol. 18, No. 2, The Korean Association of Trade and Industry Studies, pp. 87-114 (with Eui San HWANG, a primary author).
- Mar. 2013 *Protection of Medical Method Inventions as Trade Secret*, The Journal of Intellectual Property, Vol. 8, No.1, Korea Institute of Intellectual Property, pp. 71-97 (with Eun Ji LEE, a supporting author).
- Dec. 2012 *Jurisdiction Consolidation of the Patent Court: Insights from the 30 Years Experiences of CAFC*, Industrial Property, No. 39, Korean Intellectual Property Society, pp.227-283
- Dec. 2012 *Revolution of Patents County Court of England*, Intellectual Property Policy, Vol. 7, No. 4, Korea Institute of Intellectual Property, pp. 141-176
- Dec. 2012 *Subject Matter Jurisdiction of the Korea IP Specialized Court*, Journal of Legislation Research, No. 43, Korea Ministry of Government Legislation, pp. 495-537
- Dec. 2012 *Case Study on Hindsight and Teaching-Away Regarding Patentability Determinations*, SungKyunKwan Law Review (Sungkyunkwan University Legal Research Institute), Vol. 24, No. 4, pp. 421-458
- Sept. 2012 *The Necessity to Introduce Enhanced Damages System in Korean Patent Law*, SungKyunKwan Law Review (Sungkyunkwan University Legal Research Institute), Vol. 24, No. 3, pp. 763-803 (with Ji-Hwan JOO as a supporting author).
- June 2012 *Korean Approval-Patent Linkage System: To Allow or Not Generic Exclusivity*, Law and Technology, Law Research Institute of Chungbuk National University.
- March 2012 *A Study on Dual Assignment of an Employee Invention*, Sungkyunkwan Law Review (SKK Law School), Vol. 24, No.1, pp. 1-30.
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- Dec. 2011 *Amendment Proposals of Patentability-Related Article 29 of the Patent Act*, Sungkyunkwan Law Review (SKK Law School), Vol. 23, No.3, pp. 955-985.
- Dec. 2011 *A Loophole in the Korean Employee Invention System, Reconfirmed by Stanford v. Roche, Creativity and Right* (SeChang Publication), Vol. 65, pp. 2-30.
- Dec. 2010 *Reestablishment of Concepts of Patent Right and Exclusive License Right*, Sungkyunkwan Law Review (SKK Law School), Vol. 22, No.3, pp. 1227-1258.
- April 2010 *The Risk of False Patent Marking on the U.S.A.-designated Products*, IP 21 (Korean Intellectual Property Office), Vol. 111, pp. 149-158.
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- Jan. 2010 *A Methodology to Diminish Hindsight in Determining Obviousness*, IP 21 (Korean Intellectual Property Office), Vol. 110, pp. 76-100.
- Dec. 2009 *A Suggestion to Improve Korean Compulsory Licensing System to Cope with a Pandemic Influenza*, JeonNam Law Review (JeonNam Law School), Vol. 29, No. 2, pp. 7-46.
- Dec. 2009 *A Suggestion on Re-Structuring Concepts of Specification, Description, Claim and Drawing in the Korea Patent Act*, Creation & Rights (SeChang Publication), Vol. 57, pp. 2-38.
- Aug. 2009 *Relationship between a Non-Competition Agreement for Trade-Secret and Reasonable Compensation for an Employee Inventor*, Sungkyunkwan Law Review (SKK Law School), Vol. 21, No.2, pp. 677-704.
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317-372.

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- July 2008 *IPT's Development Direction to achieve the world's top class examination quality*, Intellectual Property 21, Serial No. 104 (Korean Intellectual Property Office), pp.101-119.
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- Dec. 2007 Moon-Wook Lee and Chaho JUNG, *A Study on Unity of Invention*, Intellectual Property Research, Vol. 2, No. 2 (Korea Institute of Intellectual Property), pp. 46-70.
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- Jan. 2006 *Relationship between Person of Ordinary Skill in the Art and Patent Examiner: Innovation Plan for KIPO's Patent Examination Organization*, Intellectual Property 21, (Korean Intellectual Property Office).
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