

NOTIFICATION ON APPLYING FOR INTERNATIONAL CONTRACT REVIEW

We hereby designate and notify the application procedures for the review of international contracts pursuant to Article 48 (Request for Review of International Contracts) of the Enforcement Decree of the Monopoly Regulation and Fair Trade Act.

April 7, 1997
The Fair Trade Commission

Article 1 Purpose

The purpose of this Notification is to set forth the procedures for applying for the review of international contracts in accordance with Article 48 of the Enforcement Decree of the Monopoly Regulation and Fair Trade Act (hereinafter, the "Act").

Article 2 Scope of Application

(1) This Notification shall apply to the following international contracts, as provided for in Article 47 (Types of International Contracts) of the Enforcement Decree of the Act:

1. Industrial Property Rights Contracts;

A contract introducing the licensing or usage rights of industrial property rights such as patents, utility models, designs and trademarks.

2. Copyright License Contracts;

A contract introducing the copyrights of books, phonograms, audio-visual products or computer programs.

3. Know-how License Contracts;

A contract introducing the licensing or usage rights of trade secrets and other similar rights concerning technology.

4. Franchise Contracts;

A contract introducing the licensing or usage rights of a franchise status for the purpose of providing goods or services or for supervising the operation of business by using the business mark of the franchiser.

5. Joint Research and Development Agreements;

6. Import Distribution Contracts;

An Import Agency Contract with the purpose of importing the product or providing the service on a continuous basis (excluding the business of issuing bills of sale) whose term is one year or longer.

7. Joint Venture Investment Contracts.

Article 3 Applying for Review Prior to the Conclusion of the Contract

Any person who desires to enter into an international contract may submit to the Fair Trade Commission an application for review to determine whether the contract is in violation of the provisions of Article 32 (Restrictions on the Conclusion of Unreasonable International Contracts), paragraph 2 of the Act in accordance with the attached form (in the event there is a draft of the contract, attach the draft with the translation thereof).

Article 4 Applying for Review after the Conclusion of the Contract

A person who entered into an international contract may apply for a review of the contract to determine whether the content thereof is in violation of the provisions of Article 32(1) of the Act within 60 days from the date of conclusion of the contract to the Fair Trade Commission by submitting the application for review in accordance with the attached form with a copy of the contract (including the translation thereof) attached. The same shall apply in the event the content of the contract has been amended or changed.

Article 5 Response to the Application for Review

1. When the Fair Trade Commission has received an application for review in accordance with the provisions of Articles 3 and 4, it shall give written notice of the results thereof to the applicant within 20 days from the date of the request, unless there exist legitimate reasons.

2. An applicant for review who has been notified by the Fair Trade Commission that the contract is in violation of the provision of Article 32 (1) of the Act may apply for another review within 60 days from the date of such notice, after amending the relevant provisions of the contract.

ADDENDUM

1. Effective Date

This Notification shall take effect on the day of notification.

2. Supersession

As of the Effective Date, this Notification shall supersede the "Notification on Applying for International Contract Review", Fair Trade Commission Notification No. 1995-4.

<Exhibit 1>

Application for Review of Industrial Property Rights Contract (Initial & Modified)										
Licensee	Name of Company		Capital		Total Assets				F R O C E S S I N G P L A N	
	Name of Representative		Sales Turnover		Total Number of Employees					
	Major Business				Foreign Investment Ratio					
Licensor	Name of Company				Nationality					
	Name of Representative				Capital					
	Major Business									
Details of Contract1)	Date of Contract	Initial Date				Modified				
	Period of Contract					Monopoly		No Monopoly		
	payment of cost	Period		Amount	Advance Payment					
					Fixed Technology Fee					
					Current Technology Fee					
	Name of Product under Contract									
	Usage of Product									
Details of Technology	Transfer of Industrial Property Rights				Provision of Technical Services					

		Granting Power of Execution of Industrial Property Rights				Trademark (if the trademark is included)				
	Type of Industrial Property Rights	Patent Rights		Utility Model Rights		Design Rights		Trademark Rights		
Point of Contact	Address of Company	(zip:)								
	Telephone Number				Fax Number					
	Contract Party	Department			Position		Name			

To the Fair Trade Commission,

I hereby apply for the above in accordance with Article 48 (Request for Review of International Contracts) of the Enforcement Decree of the Monopoly Regulation and Fair Trade Act.

- Attached: 1. One copy of the contract concerned (including a translated version).
 2. If applying for review prior to the conclusion of the contract, one copy of review request details or draft of the contract concerned (including a translated version).

 Applicant

Note: 1) Draw a circle (○) inside the appropriate box for Monopoly, Detail of Technology, and Type of Industrial Property Rights.

<Exhibit 2>

Application for Review of Copyright Contract (Initial and Modified)										
Licensee	Name of Company		Capital			Total Assets				
	Name of Representative		Sales Turnover			Number of Employees				
	Major Business				Foreign Investment Ratio					
Licensor	Name of Company				Nationality					
	Name of Representative				Capital					
	Major Business									
Detail of Contract 1)	Date of Contract	Initial					Modified			
	Period of Contract						Monopoly			
	Payment of Cost	Period			Amount	Advance Payment				
						Fixed Copyright Fee				
						Current Copyright Fee				
	Name of Product under Contract						Type of Copyright Contract			
	Detail of Contract	Transfer of Copyright				Approval to Use Copyright				
Scope of Use of Copyright		Photocopy Right				Distribution right		Performance Right		
	Broadcast Right				Secondary Copyright		Others			

Point of Contact	Address of Company	(zip:)					
	Telephone Number				Fax Number		
	Contract Party	Department			Position		Name

To the Fair Trade Commission:

I hereby apply for the above in accordance with Article 48 (Request for Review of International Contract) of the Enforcement of the Monopoly Regulation and Fair Trade Act.

- Attach: 1. One copy of the contract concerned (including a translated version).
 2. If applying for review prior to the conclusion of the contract, a copy of review application detail or a draft of contract concerned (including a translated version).

 Applicant

Note: 1) Draw a circle (○) inside the appropriate box for Monopoly, Detail of Contract, and Scope of Use of Copyright.

<Exhibit 3>

Application for Review of Know-how Contract (Initial and Modified)							
Licensee	Name of Company			Capital			Total Assets
	Name of Representative			Sales Turnover			Number of Employees
	Major Business				Foreign Investment Ratio		
Licensor	Name of Company				Nationality		
	Name of Representative				Paid-in Capital		
	Major Business						
Detail of Contract ¹⁾	Date of Contract	Initial					Modified
	Period of Contract					Monopoly	
	payment of cost	Period			Amount	Advance Payment	
						Fixed Technology Fee	
						Current Technology Fee	
	Name of Product under Contract						
	Usage of Product						
Detail of Technology	Provision of Know-how					Provision of Technical Service	
Point of Contact	Address of Company	(zip:)					

Telephone Number					
Contract Party	Department		Position		Name

To the Fair Trade Commission,

I hereby apply for the above in accordance with Article 48 (Request for Review of International Contract) of the Enforcement Decree of the Monopoly Regulation and Fair Trade Act.

- Attach: 1. One copy of the contract concerned (including a translated version).
 2. If applying for review prior to the conclusion of the contract, a copy of review application detail a draft of the contract concerned (including a translated version).

 Applicant

Note: 1) Draw a circle (○) inside the appropriate box for Monopoly, No Monopoly, and Detail of Technology.

<Exhibit 4>

Application for Review of Franchise Contract (Initial and Modified)						
Licensee	Name of Company		Capital		Total Assets	
	Name of Representative		Sales Turnover		Number of Employees	
	Major Business			Foreign Investment Ratio		
Licensor	Name of Company			Nationality		
	Name of Representative			Capital		
	Major Business					
Detail of Business1)	Date of Contract	Initial			modified	
	Period of Contract				Monopoly	
	Payment of Cost	Period of Payment	Amount		Advance Payment	
					Fixed Technology Fee	
					Current Technology Fee	
	Name of Business under Contract					
Type of Contract	Obtain Right of Use of Franchise		Obtain Right of Execution of Franchise			
	Obtain Right of Use and Right of Execution of Franchise					

Point of Contact	Address of Company		(zip:)				
	Telephone Number		Fax Number				
	Contract Party	Department	Position		Name		

To the Fair Trade Commission:

I hereby apply for the above in accordance with Article 48 (Request for Review of International Contract) of the Enforcement Decree of the Monopoly Regulation and Fair Trade Act.

- Attach: 1. One copy of the contract concerned (including a translation).
 2. If applying for review prior to the conclusion of the contract, a copy of review application detail or draft of the contract concerned (including a translation).

 Applicant (s)

Note: 1) Draw a circle (○) inside the appropriate box for Monopoly and Type of Contract.

<Exhibit 5>

Application for Review of Joint Research and Development Contract (Initial and Modified)						Processing Period
Name or Tradename of Foreign Enterprise/ Entrepreneur (Nationality)						Name or Tradename of the Local Enterprise / Entrepreneur (Business Registration Number or Resident Registration Number)
1.						1.
2.						2.
3.						3.
4.						4.
Detail of Research and Development	Date of Research and Development Contract		Initial		Modified	
	Term of Research and Development Contract					
	Subject of Research and Development					
	Location of Research and Development					
Point of Contact	Address of Company					
	Telephone Number		Fax Number			

	Contract Party	Department		Position		Name	
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To the Fair Trade Commission:

I hereby apply for the above in accordance with Article 48 (Request for Review of International Contract) of the ER Decree of the Monopoly Regulation and Fair Trade Act.

- Attach:
1. One copy of the contract concerned (including a translation).
 2. If applying for review prior to the conclusion of the contract, a copy of review application detail or draft of the contract concerned (including a translation).

Applicant

<Exhibit 6>

Application for Review of Import Distribution Contract (Initial and Modified)											
Local Compan y	Name of Company				Capital			Total Assets			
	Name of Representative				Sales Turnover			Number of Employees			
	Major Business					Foreign Investme nt Ratio					
Foreign Compan y	Name of Company										
	Name of Representative										
	Major Business										
Detail of Contract 1)	Date of Contract	Initial				Modifie d					
	Term of Contract				Monopoly	No Monopoly					
	Name of Product under Contract				Name of Product						
	Usage of Product										
	Detail of Contract	Sales by Purchase			Sales by Entrustment			Others			
Point of Contact	Address of Company										
	Telephone Number						Fax Nu mbe r				
	Contract Party	Addres s			Position			Name			

To the Fair Trade Commission,

I hereby apply for the above in accordance with Article 48 (Request for Review of International Contract) of the Enforcement Decree of the Monopoly Regulation and Fair Trade Act.

- Attach: 1. One copy of the contract concerned (including a translation).
 2. If applying for review prior to the conclusion of the contract, a copy of review application detail or a draft of the contract concerned (including a translation).

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 Applicant (seal)

Note: 1) Draw a circle (○) inside the appropriate box for Monopoly and Detail of Contract.

<Attention>

1. Sales by Purchase means importing and selling the product under contract under the name and calculation of the local company.
2. Sales by Commission means importing and selling the product under contract under the name of the local company and calculation of the foreign company.

<Exhibit 7>

Application for Review of Joint Venture Agreement (Initial and Modified)									
Name of Foreign Company or Foreign Investor									
Name of Local Company or Local Investor					Business Registration Number or Resident Registration Number				
Name of Joint Venture Company or Joint Investor									
Detail of Joint Venture	Detail of Business								
	Classification of Tax under Korea Taxation Classification								
	Foreign Investment Amount and Ratio (%)				Won (Dollar Equivalent), %				
	Method of Investment	Cash	Won (Dollar Equivalent: \$)			C a p i t a l G o o d	Won (Dollar Equivalent: &)		
Business Site									
Point of Contact	Address of Company		(Zip Code:)						
	Telephone Number				Fax Number				
	Contract Party	Address		Positi on		N a m e			

To the Fair Trade Commission:

I hereby apply for the above in accordance with Article 48 (Request for Review of International Contract) of the Enforcement Decree of the Monopoly Regulation and Fair Trade Act.

- Attach: 1. A copy of the contract concerned (including a translation).
 2. If applying for review prior to the conclusion of the contract, a copy of review application details or a draft of contract concerned (including a translation).

 Applicant (s)