



**MEMORANDUM OF UNDERSTANDING
BETWEEN
THE WORLD INTELLECTUAL PROPERTY ORGANIZATION (WIPO)
GENEVA
SWITZERLAND
AND
THE KOREA CREATIVE CONTENT AGENCY (KOCCA), SEOUL
THE REPUBLIC OF KOREA
(HEREINAFTER REFERRED TO COLLECTIVELY AS “PARTIES” AND
INDIVIDUALLY AS “PARTY”)**

Whereas,

A. The World Intellectual Property Organization (hereinafter referred to as “WIPO”) is an intergovernmental organization and a specialized agency of the United Nations system of organizations with its headquarters located in Geneva, Switzerland, dedicated to developing a balanced and accessible international intellectual property system. Through its Arbitration and Mediation Center (the “WIPO Center”), established in 1994, WIPO offers Alternative Dispute Resolution (“ADR”) services for the resolution of intellectual property (“IP”) related disputes. This includes WIPO Arbitration and Mediation services. In addition, the WIPO Center offers targeted adaptations to the standard WIPO ADR framework for specific industry sectors. This includes WIPO Mediation and Expedited Arbitration for Film and Media (“WIPO Film and Media Rules”), permitting a cost effective and expedited dispute resolution process in the film and media sectors.

B. The Korea Creative Content Agency (hereinafter referred to as “KOCCA”) is a governmental organization under the Ministry of Culture, Sports and Tourism with its headquarters located in Seoul, the Republic of Korea (“Korea”), dedicated to fostering Korean cultural content industry, promoting creative economy in Korea, and developing Korea as a leader in global content.

C. The Parties recognize that the content industry is fast evolving internationally with a particular need for time and cost efficient dispute resolution mechanisms, requiring specific legal expertise and knowledge of the content industry market. Also, the Parties acknowledge that WIPO ADR services, including the WIPO Film and Media Rules, are appropriate for the resolution of content disputes.

D. The Parties wish to cooperate in the promotion of their common objectives as stated in this Memorandum.

Now the Parties agree as follows:

ARTICLE I - AREAS OF COLLABORATION

The Parties endeavor to collaborate in the promotion of ADR services and such collaboration may include the following:

1. Promoting WIPO ADR services, including WIPO Film and Media Rules in Korea, and encouraging content producers and other stakeholders in the Korean content industry to use WIPO ADR services;
2. Providing tailored mediation and arbitration seminars and other trainings for concerned stakeholders and neutrals in the content industry;
3. Cooperating to identify specialized IP neutrals based in Korea for potential appointment under ADR procedures administered by the WIPO Center;
4. Sharing information pertaining to relevant events and statistical data of mutual interest; and;

ARTICLE II – DISPUTE ADMINISTRATION BY THE WIPO CENTER

The WIPO Center shall administer content related disputes under the WIPO Film and Media Rules, which include reduced fees. The Parties agree to consider further fee reductions as may be appropriate.

ARTICLE III - GENERAL PROVISIONS

This Memorandum of Understanding does not create nor is it intended to create any enforceable rights or impose any legally binding obligations on the Parties.

Any provision of this Memorandum of Understanding may be amended at any time by mutual consent of the Parties, formalized through an exchange of letters specifying the date of entry into force of the amendment concerned.

Unless otherwise agreed by the Parties, each Party shall bear its own costs and expenses in furthering the objectives of this Memorandum of Understanding in accordance with each Party's budget.

This Memorandum of Understanding shall enter into force on the date of its signature.

This Memorandum of Understanding shall continue for an indefinite period of time, and may be terminated by either Party with three months prior written notice to the other Party.

Nothing in the present Memorandum of Understanding may be deemed or interpreted as a waiver of any privileges or immunities accorded to WIPO by its constituent acts or international law.


Any dispute between the Parties regarding this Memorandum of Understanding shall be resolved amicably by negotiation between the Parties.


IN WITNESS WHEREOF, this Memorandum of Understanding has been signed

in Seoul, Republic of Korea, on September 4, 2012, in two originals in English.

For the Korea Creative Content Agency

For the World Intellectual
Property Organization
(WIPO)


Sang-Pyo Hong
President and CEO


Erik Wilbers
Director
WIPO Arbitration and Mediation