

Every month, KOTRA Express provides answers to some frequently asked questions submitted by foreign-invested companies in Korea and potential investors.

Recognition of computer program work as foreign investment



Can a computer program work be recognized as an object of investment under the Foreign Investment Promotion Act?



A computer program work can be recognized as an object of investment, provided that it is used for industrial activities.



Additional information

- A copyright can be recognized as an object of investment under the Foreign Investment Promotion Act only if it is used for industrial activities. Although there are no regulations²⁹⁾ or guidelines on this matter, technology evaluation and assessment institutes³⁰⁾ designated by Presidential Decree will make a decision on each case.
- However, computer program works are generally recognized as 'copyright used for industrial activities' as long as they do not fall under the cases restricted from foreign investment³¹⁾.

29) Korea's intellectual property rights laws are as follows: Patent Act; Utility Model Act; Design Protection Act; Trademark Act; Copyright Act; Act on the Layout-Designs of Semiconductor Integrated Circuits; Seed Industry Act; and Unfair Competition Prevention and Trade Secret Protection Act

30) Technology evaluation institutes stipulated by Presidential Decree: Korea Institute for Advancement of Technology, Korea Technology Finance Corporation, Korea Evaluation Institute of Industrial Technology, Korea Environment Corporation, Korean Agency for Technology and Standards, Korea Institute of Science and Technology, Korea Institute of Science and Technology Information, National IT Industry Promotion Agency

31) Article 4 (2) of the Foreign Investment Promotion Act

If you have further questions please contact +82-1600-7119 or visit www.investkorea.org >>How We Can Help >> Online Consulting.