



## Licensing and Franchising

Shin & Kim's Intellectual Property Practice Group acts for clients on licensing issues in various industries, including pharmaceutical, bio-technology, music and games. When licensing arrangements of clients lead to various types of disputes, such as those involving the scope of license, royalty payments, technology protection and post termination relations, through its extensive expertise, knowledge and experience in handling licensing matters, Shin & Kim's Intellectual Property Practice Group provides effective legal solutions to clients with the goal of minimizing the impact of disputes while addressing clients' concerns.

In addition to licensing arrangements, franchise arrangements also encompass licensing issues and our Intellectual Property Practice Group provides advice and services to clients with respect to all legal issues that may arise in a franchise context, including the licensing and use of intellectual property rights.

Licensing and franchising arrangements may also give rise to certain antitrust and fair trade issues under applicable laws and regulations, including the Monopoly Regulation and Fair Trade Act and the Fair Franchise Deal Act. Our Intellectual Property Practice Group collaborates and works closely with our Fair Trade team to provide comprehensive and complete solutions to our clients with respect to such areas.

### Key Services

**Shin & Kim provides services in the following areas in relation to licensing and franchising:**

- License, franchise and publishing agreements (preparation, negotiation and execution)
- License, franchise and publishing arrangement structuring
- Preliminary injunctions, compensation for damages and other disputes regarding licensing and franchising
- Investigations pursued by the Korea Fair Trade Commission regarding licensing and franchising

### Experience

- KT&G, in licensing the brands "Davidoff" and "Lamborghini"
- Company B, in reviewing its character licensing agreement

- Affiliates in the K Group, on executing an inter-group agreement on the use of trademarks
- A major domestic pharmaceutical company, in reviewing of agreements on co-development and establishing an exclusive license
- The L Group, in reviewing an agreement for the use of trademarks in relation to a spin-off
- A domestic pharmaceutical company, in reviewing agreements on technology transfer and licensing to a Chinese enterprise
- A pharmaceutical company, on the use of trademarks in its conversion into a holding company
- An online English education business, on its franchise agreements
- Dispute over the game publishing agreement regarding the “Legend of Mir”
- Dispute over the game publishing agreement on the “Cross Fire”
- “Cross Fire” game publishing agreement
- Licensing agreements for a major theme park

## Key Contacts

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## Awards and Rankings

- Tier 1 Law Firm in Intellectual Property  
Asia Pacific Legal500 2015-2018,2021-2022