



Protection of Industrial Technology

The safeguarding of a company's advanced and core technologies is of paramount importance, not only for maintaining competitiveness but also for shaping future economic and security dominance on a national scale. Korea rigorously protects these technologies through legislative measures such as the Unfair Competition Prevention and Trade Secret Protection Act, as well as the Act on Prevention and Protection of Industrial Technology. Recognizing the gravity of infringement or leakage and the necessity of robust solutions, Shin & Kim LLC has assembled a dedicated industrial technology protection team comprising approximately 20 top-tier legal and technical experts. This team includes attorneys specializing in technical fields within our intellectual property practice, former prosecutors, and law enforcement officials.

Our industrial technology protection practice at Shin & Kim LLC consists of seasoned attorneys who have served as patent court judges and judges of the Intellectual Property Division of the Seoul High Court, alongside specialists such as patent attorneys and pharmacists. Additionally, our team includes attorneys and digital forensics experts with firsthand experience in directing or investigating cases of industrial technology and trade secret leakage at national law enforcement agencies. This breadth of expertise allows us to offer comprehensive solutions tailored to our clients' diverse needs, spanning legal and administrative matters related to industrial technology and trade secrets.

Key Services

Shin & Kim LLC provides the following services in connection with the industrial technology practice:

- Representation in application for injunctive relief and civil litigation, including cases involving industrial technology/trade secret infringement, non-compete clause, and/or claims for damages
- Representation in criminal prosecutions related to industrial technology infringement and trade secret leakage, as well as legal representation during the investigation and trial stages
- Response to investigations and trials by conducting research on similar technologies and relevant literature, and securing evidence of technology infringement and trade secret leakage through digital forensics, among other methods.
- Consultation on industrial technology verification, and export of national core technologies
- Consultation on industrial technology security checks in cooperation with the Korean Association for Industrial Technology Security and the Korean Academy of Industrial Security

- Consultation on responding to requests for disclosure of information on industrial technology and representation in trials and litigation
- Consultation on establishing industrial technology/trade secret protection systems, employee hiring/termination and non-disclosure agreements (NDAs) of companies
- Review of potential infringement of industrial technology/trade secrets, evaluation of contracts such as confidentiality/non-compete agreements, and formulation of strategies to minimize legal risks

Experience

- Handled civil and criminal litigation for technology leakage of lamination equipment.
- Handled a criminal case of technology leakage of semiconductor cleaning equipment.
- Handled a criminal case of trade secret infringement related to the leakage of lithium extraction technology, along with related claims of compensation for employee inventions.
- Handled a criminal case of the leakage of gene therapy technology.
- Handled civil and criminal cases related to the leakage of clostridium botulinum strain technology, and provided advice on related the U.S. ITC cases and civil litigation, 28 U.S. Code § 1782 (Section 1782), etc.
- Handled a criminal case of the source code leakage of a security system company.
- Handled a criminal case of white LED technology leakage.
- Handled a criminal case of technology leakage related to a mobile phone checklist.
- Handled a criminal case of technology leakage related to a wireless communication repeater.
- Handled civil and criminal cases concerning technology leakage in the cemented carbide sector—resulting in the highest amount of damages recognized in a civil case for trade secret infringement in Korea.
- Handled a case involving the revocation of a decision to disclose information on a work environment assessment report due to concerns of trade secret leakage. This marked the first instance in Korea where a decision to suspend enforcement of a decision to disclose a work environment assessment report was issued.
- Handled a criminal case of the technology leakage of a small business by a well-known domestic home appliance company.
- Represented a client in a technology leakage case related to semiconductor materials.
- Represented a client in a technology leakage case related to ultrasound diagnostic equipment, involving the recognition of trade secret infringement concerning technology developed after departing from the client.
- Represented a client in a technology leakage case related to a tax accounting program.
- Represented a client in a technology leakage case related to a chemical mixture manufacturing process.
- Represented a client in a technology leakage case between domestic and foreign automobile companies.
- Represented a client in a technology leakage case in the semiconductor sector.

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