SHIN & KIM

Platform Regulation

With the digital transformation, online platforms are rapidly expanding across all industries and aspects of daily life—beyond mere transaction intermediation services—to include generative artificial intelligence (AI), search, social media, digital content, advertising, mobility, productivity tools, and operating systems. In response, competition authorities both domestically and internationally, including the Korea Fair Trade Commission, have been comprehensively overhauling regulatory frameworks specifically tailored to online platforms. As ex ante platform regulations, such as the European Union's Digital Markets Act, are being fully implemented overseas, the Korea Fair Trade Commission is also actively continuing to regulate and monitor issues related to monopolistic practices and unfair trade practices in the online platform sector.

The platform industry possesses unique characteristics—such as network effects, two-sided and multi-sided market structures, and the importance of data—that are cannot be fully addressed through traditional regulatory perspectives alone. In particular, as the competitive landscape of the market is rapidly changing due to the emergence of new technologies and business models, such as generative AI, tailored solutions based on a deep understanding of the platform economy are essential.

Led by its AI & Digital Competition Team (Team Leader: Attorney Changhun Lee), Shin & Kim proactively analyzes domestic and international regulatory trends to provide strategic solutions tailored to clients' business realities regarding competition law and other regulatory issues faced by platform operators. Experts with extensive experience in these fields deliver practice-oriented legal services, offering comprehensive support to clients from the business planning stage to investigations and litigation.

Amid the rapidly changing platform market and regulatory landscape, Shin & Kim helps clients effectively manage regulatory risks while continuing to innovate and grow their new businesses.

Key Services

Shin & Kim provides the following services related to platform regulation:

- Response to investigations and regulations by domestic and international competition authorities: Representation in fact-finding investigations and responses to inquiries by domestic and international competition authorities regarding platforms.

- Pre-emptive risk assessment: Review of legal issues and risks under various laws, including the Monopoly Regulation and Fair Trade Act, related to platform services and business models.
- Support for legislative and policy initiatives: Providing expert opinions on domestic and international platform-related legislation and assisting in policy responses.
- Platform regulatory compliance: Establishment of an ex-ante compliance framework tailored to platforms.
- Advisory services on platform mergers: Response to merger reviews and analysis of competition restriction issues related to platform M&A and strategic investments.

Experience

- Handling fair trade cases for domestic and international operators in the platform sector (investigation responses, fact-finding response, filings, litigation).
- Risk advisory services for major platform operators regarding their services and business models under the Monopoly Regulation and Fair Trade Act, the Framework Act on Artificial Intelligence, the Consumer Protection in Electronic Commerce Act, the Fair Labeling and Advertising Act, and the Fair Transactions in Large-Scale Retail Business Act.
- Support for major platform operators in responding to platform-related legislative and policy developments.
- Representation and advisory services regarding platform M&A and investment transactions, establishment of joint ventures, and merger filings.

Key Contacts

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