

Perspective

S

from Courts



**High Court
Judge
Jiyong Jang**

1

Digitalization
in Court Proceedings

E-Court

- ✓ Established in 2008, Enacted in 2010
- ✓ IP(2010), Civil(2011), Family & Administrative(2013), Bankruptcy(2014), Enforcement(2015), Criminal(2025)
- ✓ E-filing & E-case management with Cloud service (over 90% in civil cases), E-service of documents



E-litigation

- ✓ All civil judgments are rendered electronically
 - No printed judgments
 - No handwritten signature (wet ink)
- ✓ Act on the Use of E-document in Civil Procedure

Framework Act on E-documents & E-transactions

Digital Signature Act



E-Court

Why?

Homepage

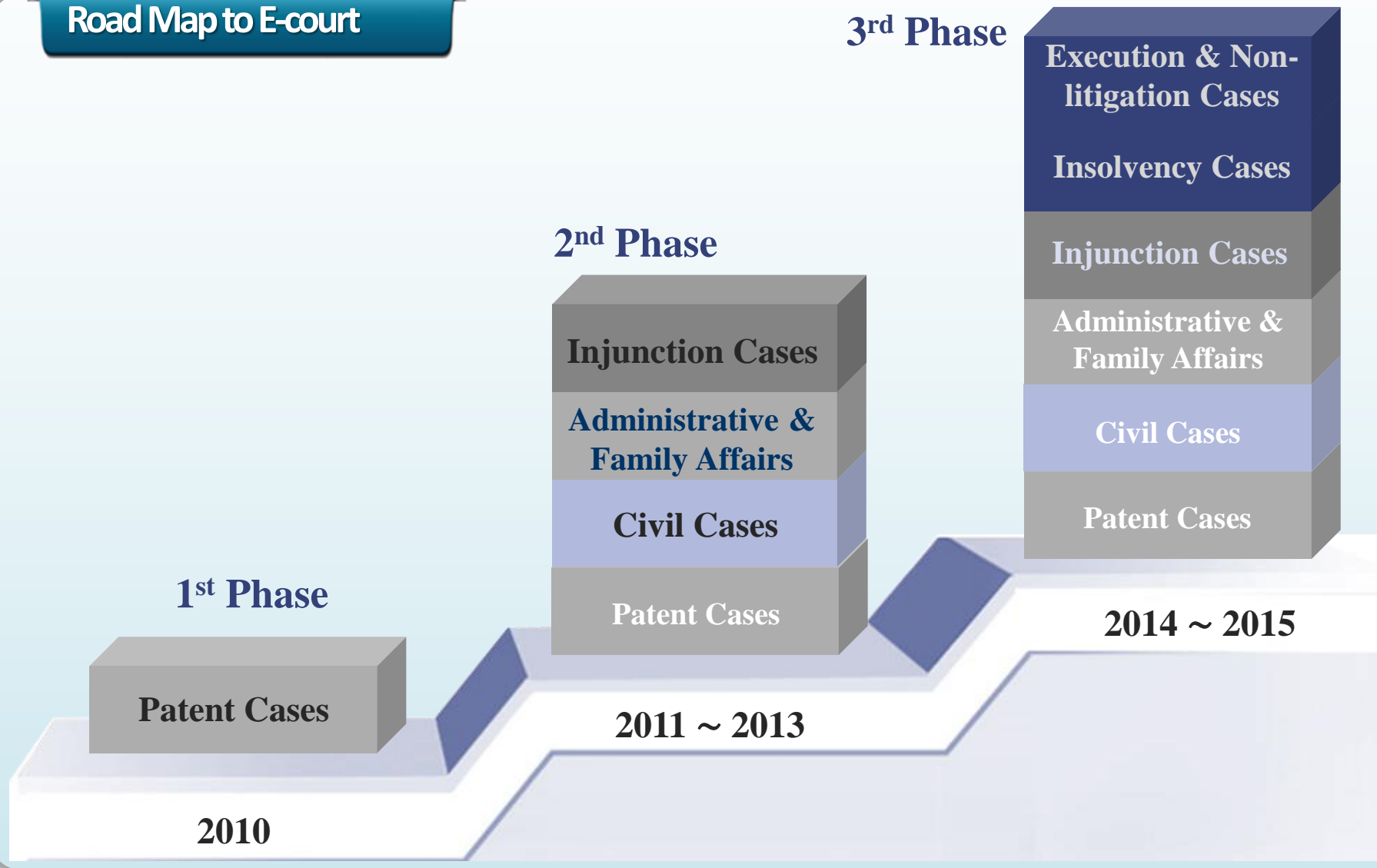
Application

E-Courtroom

Achievement

Road Map

Road Map to E-court



E-Court

Why?

Homepage

Application

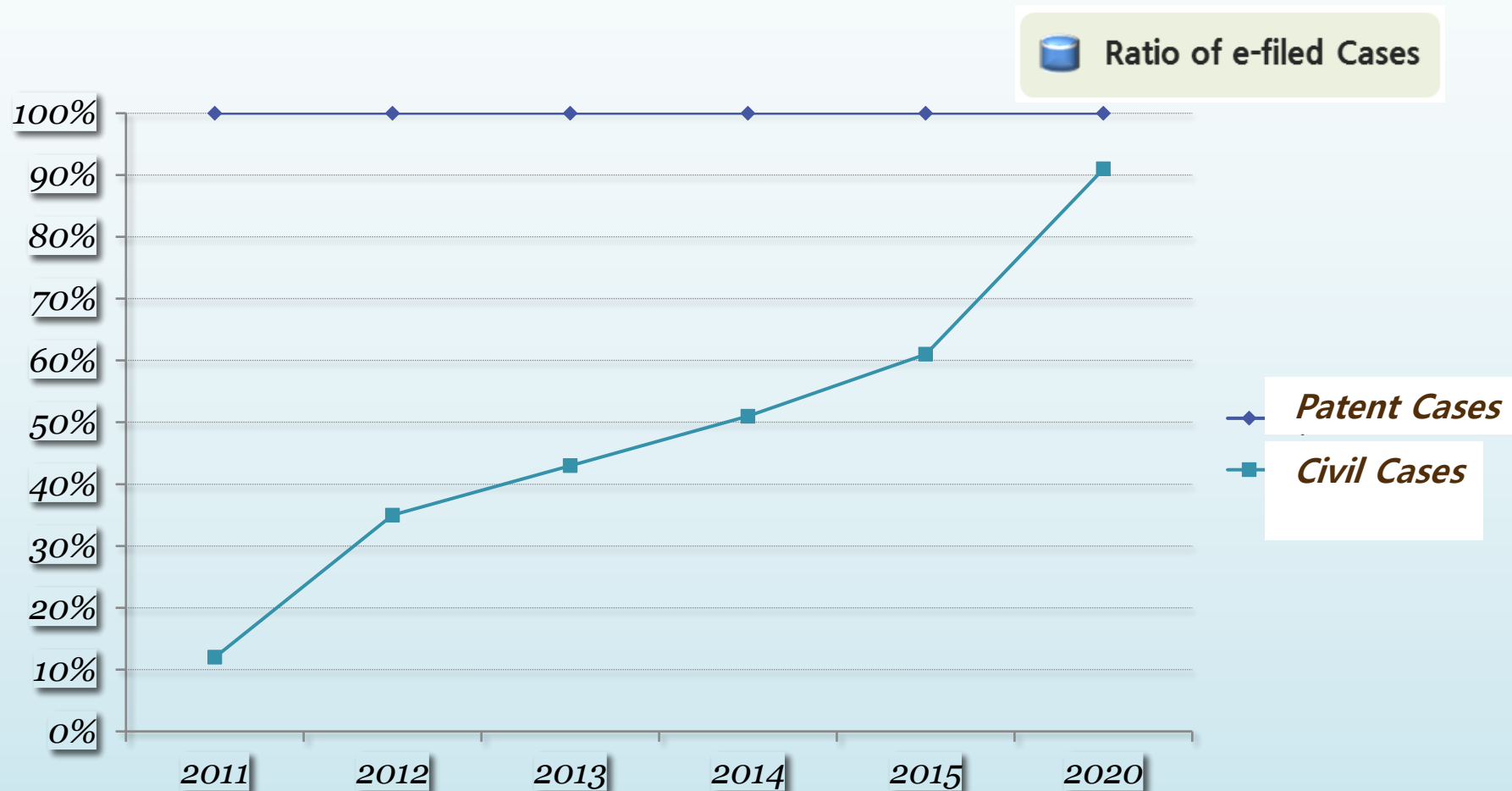
E-Courtroom

Achievement

Road Map

Using E-filing System

May . 2011. ~ Dec. 2020.



Electronic Docket Viewer

2013나50(가) - 특허권침해금지 등

기록목록 **소장** 서증등록목록

기존일자	문건명	제출자명	진행
2012.10.10	소장	알파텍	
2012.10.10	소장_서증	알파텍	
2012.12.10	답변서	베타텍	
2012.12.10	답변서_서증	베타텍	
2013.05.24	판결문	1심법원	
2013.05.30	항소장	베타텍	
2013.05.30	항소장	알파텍	
2013.06.05	항소이유서	베타텍	
2013.06.25	답변서	알파텍	
2013.06.25	답변서_서증	알파텍	
2013.06.25	답변서	알파텍	
2013.06.25	답변서_첨부	알파텍	
2013.07.17	준비서면	베타텍	
2013.07.17	준비서면_서증	베타텍	
2013.08.24	변론기일자료	알파텍	
2013.08.24	변론기일자료	알파텍	
2013.08.24	변론기일자료	베타텍	
2013.08.24	변론기일자료	베타텍	

소 장

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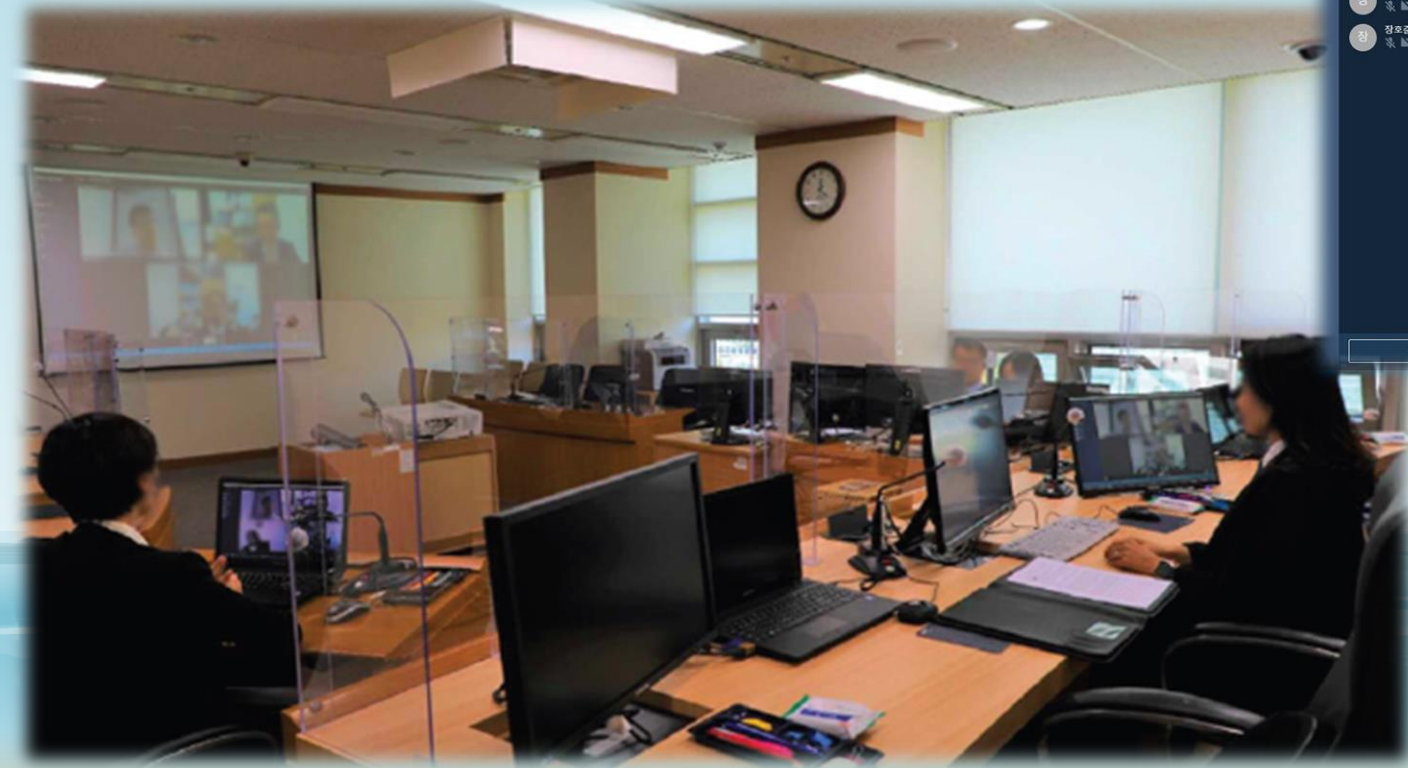
특허권 침해금지등 청구

번호	서증명	제출자명	비고
감1	등록원부	알파텍	조사
감2	특허공보	알파텍	조사
감3	피고제품 카...	알파텍	조사
감4	피고제품생...	알파텍	조사
감5	피고제품 사진	알파텍	조사
감6	피고제품생...	알파텍	조사
감7	종래기술특허...	알파텍	조사
감8	종래기술특허...	알파텍	조사
감9	종래기술특허...	알파텍	조사
감10	종래기술특허...	알파텍	조사
감11	피고제품 생...	알파텍	조사
감12	피고제품생...	알파텍	조사
감13-1	특허제품 판...	알파텍	조사
감13-2	특허제품 총...	알파텍	조사
감13-3	특허제품 생...	알파텍	조사
감14	특허제품 생...	알파텍	조사
감15	라이선스 계약	알파텍	영수
감16	EU의견서	알파텍	영수
을1	비교대상발명1	베타텍	조사
을2	비교대상발명1	베타텍	조사
을3	비교대상발명2	베타텍	조사
을4	특허제품 생...	베타텍	조사
을5	특허제품 생...	베타텍	조사
을6	피고제조공정...	베타텍	조사
을7	인증서	베타텍	조사
을8	실문조사결과	베타텍	영수

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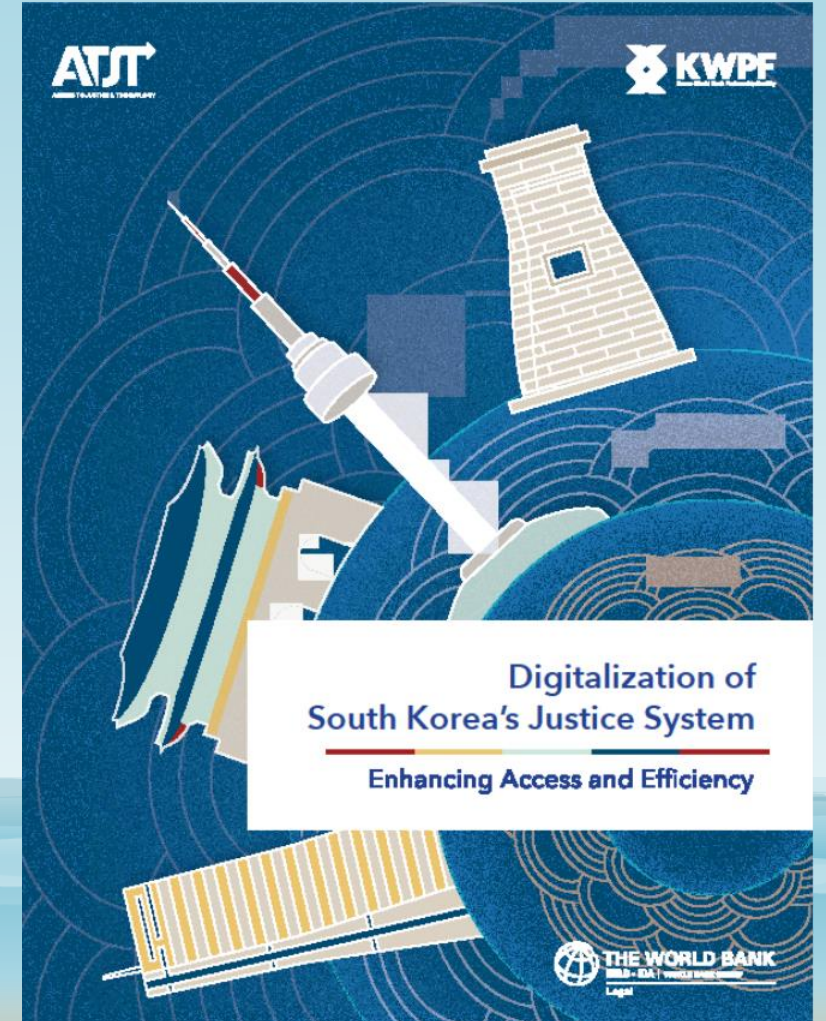


Virtual Trial



Next Generation System

1. Starting from 2025
2. Smart Court using Big Data, AI
3. Mobile E-litigation Service
4. Help from Chatbot,
5. Automatic Defect Check
6. Electronic Criminal Procedure



2

**Recognition &
Enforcement**

Electronic Enforcement

- ✓ Civil Execution (Enforcement) Act
- ✓ Enforcement Judgment/Decision with e-signature
 - E-filing, E-payment, Online auction
- ✓ Connected with E-Court system



R&E of Foreign Judgments

- ✓ Art. 217(1) of Civil Procedure Act, Art. 27 of Civil Execution (Enforcement) Act – court's decision
- ✓ E-filing by uploading foreign judgments (pdf), e-APP (Apostille Convention, legalization)
- ✓ UAE Abu Dhabi Commercial Court's confession judgments), U.S. Settlement Agreement



Relevant Acts

- ✓ Framework Act on E-documents & E-transactions
 - E-documents deemed as written(paper) documents
 - : available for perusal, preserved in the same form as when prepared, transformed, transmitted, received, saved or in a reproducible form
- ✓ Digital Signature Act
 - E-signature : Same effect as hand-written signature
 - Based on statute/regulation or Parties agreement



Relevant Acts

- ✓ Act on the use of E-documents in Civil Litigation
 - E-document: information transmitted, received or saved after being made available in e-format or converted thereinto by data processing equipment
 - E-documents(made/converted) deemed to be the same as the original documents
 - E-service or notification



Authentication

- ✓ Arbitration Act, New York Convention
 - original/authentic copy/translation of awards submitted
- ✓ Framework Act, Act on Use of E-document
 - E-documents electronically signed or converted to a digital format have the same effect as original documents
- ✓ Rules on the Use of E-document in Civil Procedure
 - If objection to authenticity raised in evidence taking, original documents shall be examined



R&E of Arbitral Awards

- ✓ E-filing using E-Court system
- ✓ E-awards could be deemed original
 - e-document with digital signature
- ✓ Awards in paper form can be converted into a digital format -> same effect



R&E of Foreign Arbitral Awards

- ✓ Electronic Enforcement System
- ✓ Art. IV of New York Convention
 - Authentication, Certification (applicable law)
 - Not required if there is no dispute
- ✓ Hague Apostille Convention, e-APP



Thank You

감사합니다

