

# **DELIBERATION STANDARDS FOR EXCLUSIVE RIGHTS TO NEW PRODUCTS**

## **§1. Purpose**

The purpose of these deliberation standards is to prescribe the matters delegated to the New Product Deliberation Committee (hereinafter referred to as the “Deliberation Committee”) in accordance with [§2-100] of the Regulations on Business Conduct and Services of Financial Investment Companies (the “Regulations”) and the details necessary for the implementation of the same provision.

## **§2. Grant of Exclusive Rights**

(1) Exclusive rights shall not be granted if a new product of a financial company falls under any of the cases in the following subparagraphs:

1. In cases where implementation is not possible due to a violation of relevant laws;
2. In cases where a new product is jointly developed or sold by financial investment companies in accordance with governmental policies or relevant laws;
3. In cases where a new product can be developed by a person with general knowledge in the relevant field, such as by adding a common technology to the existing products or services, or simply integrating two or more of the existing products or services (amended May 13, 2010);
4. In cases where a new product is a complex product or service linked with a product or service from another financial field (amended May 13, 2010);
5. In cases where a new product is systematized by adding the content capable of being developed by a person with general knowledge in the relevant field to the content that has already been announced, such as research results published in academic journals;
6. In cases where a new product is merely a change in the method by which a common business practice is performed from a non-electronic one to an

electronic one;

7. In cases where a new product is a privately placed fund that is not allowed to conduct invitation of offers or public sale; or
8. In cases other than the ones above where the grant of exclusive rights is not appropriate.

(2) The grant period of the exclusive rights shall follow the deliberation standards on exclusive rights stated in Annexed Paper 1.

### **§3. Forms**

(1) The application form for exclusive rights to new products stated in Item 1 of [§2-91(1)] of the Regulations and the description form for new products stated in Item 2 of the same provision are attached in Annexed Paper 2. (Amended on May 13, 2010)

(2) The form provided by the Deliberation Committee in accordance with [§2-95(1)] of the Regulations is attached in Annexed Paper 3.

(3) The form provided by the Deliberation Committee in accordance with [§2-97] of the Regulations is attached in Annexed Paper 4.

### **ADDENDUM (June 19, 2009)**

These deliberation standards shall become effective as of June 19, 2009.

### **ADDENDUM (May 13, 2010)**

These deliberation standards shall become effective as of May 13, 2010.

## Deliberation Standards on Exclusive Rights

### a. Deliberation Items

- Level of originality when compared to existing domestic and foreign products or services (40%)
- Level of contribution to national economy, including development of financial markets, etc. (30%)
- Level of improvements in customer benefits for financial transactions (15%)
- Level of human and physical resources invested in development of products or services (15%)

### b. Deliberation Scoring Chart

Item (scoring)	Grade				Notes
	Excellent	Good	Fair	Poor	
Level of originality when compared to existing domestic and foreign products or services	40 ~ 35	34 ~ 29	28 ~ 23	22	
Level of contribution to national economy, including development of financial markets, etc.	30 ~ 26	25 ~ 21	20 ~ 16	15	
Level of improvements in customer benefits for financial transactions	15 ~ 13	12 ~ 10	9 ~ 7	6	
Level of human and physical resources invested in development of products or services	15 ~ 13	12 ~ 10	9 ~ 7	6	
Total score					

c. Grant Period for Exclusive Rights

- Decisions are made by averaging the total scores from the deliberation scoring charts of the present members.

Classification	Grant Period
95 points or above	6 months
90 points or above and below 95 points	5 months
80 points or above and below 90 points	4 months
70 points or above and below 80 points	3 months
60 points or above and below 70 points	2 months
Below 60 points	1 month

<Annexed Paper 2>

Name of applicant company		Date of application		200 . . . . .	
Name of division		Name of creator		Phone number	
		E-mail		Fax number	
Name of new product or service					
<b>【Main features of new product】</b>   					
<b>【Recognized scope of exclusive rights】</b>   					
<b>【Recognized evidence of exclusive rights】</b>   					
<b>【Other relevant information】</b>   					
<p>I hereby apply for deliberation on the exclusive rights issued for a new product from a financial investment company in accordance with [§2-91] of the Regulations on Business Conduct and Services of Financial Investment Companies.</p> <p style="text-align: right;">YY    MM    DD</p> <p style="text-align: center;">CEO ○ ○ ○ of ○ ○ Financial Investment Company (Signature)</p>					

## New Product Description Form

### 1. Summary of New Product

**【Background of product development】**

**【Detailed description of new product features (structure) and characteristics】**

**【Expected effect of new product】**



2. Recognized evidence for each deliberation item regarding  
exclusive rights to new products

<b>【Level of originality when compared to existing domestic and foreign products or services】</b>
<b>【Level of contribution to national economy, including development of financial markets, etc.】</b>
<b>【Level of improvements in customer benefits for financial transactions】</b>
<b>【Level of human and physical resources invested in development of products or services】</b>

※ Please attach a Powerpoint document to be used for a presentation of approximately ten minutes regarding the new product to the New Product Deliberation Committee.

<Annexed Paper 3>

**Application of Objection regarding Exclusive Rights to New Product**

Name of applicant company		Date of application		200 . . . . .	
Name of division		Name of person in charge		Phone number	
		E-mail		Fax number	
Name of new product or service					
Party concerned					
<b>【Content of objection】</b>          					
<b>【Demands for action to be taken】</b>          					
<b>【Other relevant information】</b>          					
<p>I hereby file an application of objection regarding the exclusive rights to the new product held by _____ in accordance with [§2-95] of the Regulations on Business Conduct and Services of Financial Investment Companies.</p> <p style="text-align: right;">YY    MM    DD</p> <p style="text-align: center;">CEO ○ ○ ○ of ○ ○ Financial Investment Company (Signature)</p>					

<Annexed Paper 4>

**Application of Demand for Elimination of Infringement of Exclusive Rights to New Product**

Name of applicant company		Date of application		200 . . .	
Name of division		Name of person in charge		Phone number	
		E-mail		Fax number	
Name of new product or service					
Infringing Party					
【Content of infringement】					
【Demands for action to be taken】					
【Other relevant information】					
<p>I hereby file an application of demand for eliminating infringement of the exclusive rights to the new product held by our company in accordance with [§2-97] of the Regulations on Business Conduct and Services of Financial Investment Companies.</p> <p style="text-align: right;">YY MM DD</p> <p style="text-align: center;">CEO ○ ○ ○ of ○ ○ Financial Investment Company (Signature)</p>					