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INTERNET ADDRESS RESOURCES ACT

[Enforcement Date 26. Jul, 2017.] [Act No.14839, 26. Jul, 2017., Amendment by
Other Act]

과학기술정보통신부 (디지털산업제도과)044-202-6141, 6145



법제처 국가법령정보센터

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CHAPTER I GENERAL PROVISIONS

Article 1 (Purpose)

The purpose of this Act is to promote convenience for Internet users and contribute to the informatization of the nation and of society by promoting the development and use of Internet address resources and by establishing a stable system for managing Internet address resources.

Article 2 (Definitions)

The definitions of terms used in this Act shall be as follows:

1. The term "Internet address" means an information system comprised of figures, letters, codes or a combination thereof, enabling the identification of and access to a specific information system on the Internet in accordance with established communications protocols, following international standard methods and national standard methods, which falls under any of the following items:
 - (a) Internet protocol address: Address which enables recognition by a computer and information communications facilities on the Internet;
 - (b) Domain name: Label which helps people to remember Internet protocol addresses on the Internet;
 - (c) Other matters prescribed by Presidential Decree;
2. The term "Internet address resources" means resources, such as information, facilities and technology necessary for the use of Internet addresses or Internet addresses;
3. The term "Internet address management organizations" means the Korea Internet and Security Agency (hereinafter referred to as the "Internet and Security Agency") under Article 52 of the Act on Promotion of Information and Communications Network Utilization and Information Protection, Etc., which performs duties related to the assignment and registration, etc. of Internet addresses, and any corporation or organization entrusted with duties of managing Internet addresses by the Internet and Security Agency;

4. The term "users of Internet addresses" means persons who are assigned Internet protocol addresses by Internet address management organizations or persons who register domain names or Internet addresses (hereinafter referred to as "domain names, etc.") falling under subparagraph 1 (c) with Internet address management organizations, proxy Internet address managers or top-level domain registration companies (hereinafter referred to as "Internet address management organizations, etc."), with the purpose of recognizing the information system, such as a computer, on the Internet;
5. The term "personal information" means personal information under Article 2 (1) 6 of the Act on Promotion of Information and Communications Network Utilization and Information Protection, Etc.;
6. The term "proxy Internet address managers" means persons appointed to vicariously perform part of the duties concerning the assignment or registration of Internet addresses by Internet address management organizations under Article 14 (1);
7. The term "top-level domain registration companies" means companies which vicariously perform duties of registering generic top level domains or country code top-level domains (excluding country code top-level domains for the Republic of Korea).

[\[This Article Wholly Amended by Act No. 9782, Jun. 9, 2009\]](#)

Article 3 (Obligations of State) (1) The State shall endeavor to promote the development and use of Internet address resources and ensure that Internet addresses are used in a fair and appropriate manner.

(2) The State shall endeavor to ensure that policies related to Internet address resources are formulated and implemented in a transparent and democratic manner.

[\[This Article Wholly Amended by Act No. 9782, Jun. 9, 2009\]](#)

Article 4 (Scope of Application)

This Act shall apply to Internet address resources, such as Internet protocol addresses assigned in the Republic of Korea and domain names registered, possessed or used in the Republic of Korea.

[\[This Article Wholly Amended by Act No. 9782, Jun. 9, 2009\]](#)

CHAPTER II IMPLEMENTATION OF POLICIES ON INTERNET ADDRESS RESOURCES,
ETC.

Article 5 (Formulation and Implementation of Basic Plans) (1) The Minister of Science and ICT shall formulate and implement basic plans (hereinafter referred to as "basic plans") on the development, promotion of use and management of Internet address resources. <Amended by Act No. 11690, Mar. 23, 2013; Act No. 14839, Jul. 26, 2017>

(2) Basic plans shall include the following matters:

1. Basic objectives for the development, promotion of use and management of Internet address resources;
2. Matters concerning the present status or supply and demand of Internet address resources;
3. Matters concerning the development and standardization of Internet address resources;
4. Matters concerning the protection of users of Internet addresses and the settlement of disputes;
5. Matters concerning cooperation on Internet address resources between the State or local governments and the private sector;
6. Matters concerning international cooperation on Internet address resources;
7. Matters concerning the procurement or operation of financial resources for the development, promotion of use or management of Internet address resources;
8. Other matters concerning the development, promotion of use and management of Internet address resources.

(3) The Minister of Science and ICT shall, when it formulates basic plans, undergo the deliberation of the Internet Address Policy Deliberation Committee under Article 6. <Amended by Act No. 11690, Mar. 23, 2013; Act No. 14839, Jul. 26, 2017>

(4) Necessary matters concerning the formulation and implementation, etc. of basic plans shall be prescribed by Presidential Decree.

[This Article Wholly Amended by Act No. 9782, Jun. 9, 2009]

Article 6 (The Internet Address Policy Deliberation Committee) (1) The Internet Address Policy Deliberation Committee (hereinafter referred to as the "Deliberation Committee") shall be established under the control of the Ministry of Science and ICT, so as to deliberate on policies for Internet address resources, etc. <Amended by Act No. 11690, Mar. 23, 2013; Act No. 14839, Jul. 26, 2017>

(2) The Deliberation Committee shall deliberate on the following matters:

1. Matters concerning the formulation and implementation of basic plans;
2. Matters concerning approval for the entrustment of duties of Internet address management organizations under Article 9;
3. Matters concerning approval for the standing rules on the management of Internet addresses under Article 13;
4. Matters concerning major policies for the settlement of disputes related to Internet addresses;
5. Matters concerning international cooperation related to Internet address resources;
6. Other policy matters related to Internet address resources, submitted by the Chairperson.

(3) The Deliberation Committee shall be comprised of not more than ten members, including the Chairperson, and the Chairperson shall be elected, from among members.

(4) Members of the Deliberation Committee shall be persons with abundant knowledge and experiences on Internet address resources, and shall be commissioned or nominated by the Minister of Science and ICT, from among persons falling under any of the following subparagraphs:<Amended by Act No. 11690, Mar. 23, 2013; Act No. 14839, Jul. 26, 2017>

1. Any public official in Grade III or higher, or any person who holds or held a position equivalent thereto in a public institution;
2. Any person who holds or held the position of a judge, public prosecutor, attorney-at-law or patent attorney for not less than ten years;
3. Any person who holds or held the position of an associate professor or higher in a college or certified research institute, or holds or held a position equivalent thereto for not less than five years and who majored in information and communications;
4. Any person who holds or held the position of an executive in a company related to information and communications for not less than five years;
5. Any person who holds or held the position of the representative of an organization or institution related to information and communications;
6. Any person deemed to have qualifications equivalent to the aforementioned positions by the Minister of Science and ICT.

(5) Necessary matters concerning the composition and operation of the Deliberation Committee shall be prescribed by Presidential Decree.

[This Article Wholly Amended by Act No. 9782, Jun. 9, 2009]

Article 7 (Development and Standardization of Internet Address Resources) (1) The Minister of Science and ICT shall formulate and implement policies necessary for the sustainable development and standardization of Internet address resources. <Amended by Act No. 11690, Mar. 23, 2013; Act No. 14839, Jul. 26, 2017>

(2) The Minister of Science and ICT may provide financial, administrative or technological support to the research and development of Internet address resources or projects for the standardization of Internet address resources, promoted by the private sector.<Amended by Act No. 11690, Mar. 23, 2013; Act No. 14839, Jul. 26, 2017>

(3) Necessary matters concerning the formulation and implementation of policies on the research and development or standardization of Internet address resources and support under paragraphs (1) and (2) shall be prescribed by Presidential Decree.

[This Article Wholly Amended by Act No. 9782, Jun. 9, 2009]

Article 8 (International Cooperation on Internet Address Resources) (1) The Minister of Science and ICT shall formulate and implement policies for cooperation with other countries or international organizations, so as to operate the Internet in a reliable manner and secure Internet address resources. <Amended by Act No. 11690, Mar. 23, 2013; Act No. 14839, Jul. 26, 2017>

(2) The Minister of Science and ICT may support international cooperation on Internet address resources in the private sector.<Amended by Act No. 11690, Mar. 23, 2013; Act No. 14839, Jul. 26, 2017>

(3) Necessary matters concerning support for international cooperation in the private sector under paragraph (2) shall be prescribed by Presidential Decree.

[This Article Wholly Amended by Act No. 9782, Jun. 9, 2009]

Article 9 (Entrustment of Duties of Internet Address Management Organizations)

The Internet and Security Agency may allocate duties of Internet address management organizations by Internet address and entrust such duties to corporations or organizations prescribed by Presidential Decree, after obtaining approval from the Minister of Science and ICT.<Amended by Act No. 11690, Mar. 23, 2013; Act No. 14839, Jul. 26, 2017>

[This Article Wholly Amended by Act No. 9782, Jun. 9, 2009]

CHAPTER III USE AND MANAGEMENT OF INTERNET ADDRESSES, ETC.

Article 10 (Assignment of Internet Protocol Addresses) (1) Anyone who intends to use Internet protocol addresses shall be assigned Internet protocol addresses by Internet address management organizations.

(2) Necessary matters concerning an application for the assignment of Internet protocol addresses, and standards or methods for assignment under paragraph (1) shall be prescribed by Presidential Decree.

[This Article Wholly Amended by Act No. 9782, Jun. 9, 2009]

Article 11 (Registration of Domain Names) (1) Anyone who intends to use domain names, etc. shall register domain names with Internet address management organizations, etc. In such cases, Internet address management organizations, etc. may request any person who files for registration to submit information which can identify him/her, when necessary.

(2) When information which helps to identify any person who files for registration in the latter part of paragraph (1) turns out to be false, Internet address management organizations, etc shall cancel domain names, etc.

(3) Necessary matters concerning standards, applications and methods for the registration of domain names, etc. or methods of identification under paragraph (1) shall be prescribed by Presidential Decree.

[This Article Wholly Amended by Act No. 9782, Jun. 9, 2009]

Article 12 (Prohibiting Registration, etc. of Domain Names for Unlawful Purposes) (1) No one shall obstruct the registration of any domain name, etc. of persons who have a legitimate source of authority, or register, possess or use domain name for unlawful purposes, such as reaping illegal profits from persons who have a legitimate source of authority.

(2) When anyone registers, possesses or uses a domain name, etc., in violation of paragraph (1), persons who have a legitimate source of authority may request the cancellation of such domain name or transfer of registration of such domain name, etc. to a court.

[This Article Wholly Amended by Act No. 9782, Jun. 9, 2009]

Article 13 (Standing Rules on Management of Internet Addresses) (1) Internet address management organizations shall establish standing rules on the management of Internet addresses (hereinafter referred to as "standing rules on the management of Internet addresses"), including the following matters, and obtain approval from the Minister of Science and ICT. The same shall apply to revisions to approved matters: <Amended by Act No. 11690, Mar. 23, 2013; Act No. 14839, Jul. 26, 2017>

1. Matters concerning the assignment or registration of Internet addresses;
2. Matters concerning standards or condition for the use of Internet addresses;
3. Matters concerning the protection of information and facilities related to Internet addresses;
4. Matters concerning the suspension or abolition of the use of Internet addresses or revocation of registration thereof;
5. Matters necessary for the transfer and acceptance of Internet address databases (limited to cases where duties are entrusted under Article 9);
6. Matters concerning the assignment or registration fees of Internet addresses;
7. Matters concerning the selection, management or supervision, etc. of proxy Internet address managers;
8. Other matters necessary for the management of Internet addresses.

(2) Internet address management organizations shall conscientiously follow the standing rules on the management of Internet addresses under paragraph (1).

[This Article Wholly Amended by Act No. 9782, Jun. 9, 2009]

Article 14 (Vicarious Performance of Duties of Internet Address Management) (1) Internet address management organizations may select proxy Internet address managers to order them to vicariously perform part of the duties related to the assignment or registration of Internet addresses.

(2) Internet address management organizations shall follow fair and transparent procedures, in selecting proxy Internet address managers under paragraph (1), and shall not impose unfair conditions thereon.

[This Article Wholly Amended by Act No. 9782, Jun. 9, 2009]

Article 15 (Protection of Personal Information) (1) Internet address management organizations, etc. shall protect personal information of users of Internet addresses.

(2) With respect to the protection of personal information under paragraph (1), Articles 22, 23, 23-2, 24, 24-2, 25, 26-2, 27, 27-2, 28, 28-2, 29 through 32, 36 (1), 63, 64, subparagraphs 1 through 8 of Article 71 (1), subparagraph 1 of Article 73, and 76 (1) 1 through 5 (excluding subparagraph 1-2), (2) (excluding subparagraph 2), and (3) 22 through 24 related to personal information shall apply mutatis mutandis. In such cases, "providers of information and communications services" shall be deemed "Internet address management organizations, etc." and "users" shall be deemed "users of Internet addresses" <Amended by Act No. 14080, Mar. 22, 2016>

[This Article Wholly Amended by Act No. 9782, Jun. 9, 2009]

CHAPTER IV INTERNET ADDRESS DISPUTE RESOLUTION COMMITTEE

Article 16 (Establishment and Organization of the Internet Address Dispute Resolution

Committee) (1) The Internet Address Dispute Resolution Committee (hereinafter referred to as the "Dispute Resolution Committee") shall be established, so as to conciliate disputes (hereinafter referred to as "disputes") over the registration and use of Internet addresses.

(2) The Dispute Resolution Committee shall be comprised of 30 or less members, including one Chairperson.

(3) Members shall be appointed or commissioned by the Minister of Science and ICT, from among the following persons:<Amended by Act No. 11690, Mar. 23, 2013; Act No. 14839, Jul. 26, 2017>

1. Any person who holds or held the position of an associate professor or higher in a college or certified research institute, or holds or held a position equivalent thereto and who majored in law;
2. Any public official in Grade IV or higher (including public officials in general service who belongs to the Senior Civil Service Corps) or any person who holds or held a position equivalent thereto in a public institution, with experience on Internet addresses or intellectual property rights;
3. Any person who is qualified as a judge, public prosecutor, attorney-at-law or patent attorney;
4. Other persons deemed to have qualifications equivalent to the aforementioned positions by the Minister of Science and ICT.

(4) The terms of office of members shall be three years.

(5) The Chairperson shall be appointed by the Minister of Science and ICT, from among members. <Amended by Act No. 11690, Mar. 23, 2013; Act No. 14839, Jul. 26, 2017>

(6) A secretariat shall be established under the control of the Internet and Security Agency, so as to facilitate duties of the Dispute Resolution Committee.

(7) No one, other than the Dispute Resolution Committee, shall use the name the "Internet address Dispute Resolution Committee" or similar.

[This Article Wholly Amended by Act No. 9782, Jun. 9, 2009]

Article 17 (Exclusion, Challenge and Refraining of Members) (1) Any member falling under any of the following subparagraphs shall be excluded from the deliberation and resolution of cases of claiming for the conciliation of the relevant disputes (hereinafter referred to as "cases"):

1. When any member or his/her spouse or former spouse is a party to the relevant case, or is a joint holder of any right or obligation in the relevant case;
2. When any member is or was in a blood relationship with a party to the relevant case;
3. When any member testifies to or appraises the relevant case;
4. When any member is or was involved in the relevant case, as an agent for a party to the relevant case, or as an officer or employee.

(2) If any ground exists for which it would be difficult to expect the impartial deliberation and resolution of any member, the party concerned may apply for challenge for him/her with the Dispute Resolution Committee. In such cases, the Dispute Resolution Committee shall make a decision on such application for challenge, when it deems that such application is reasonable.

(3) When any member falls under grounds under paragraph (1) or (2), he/she may voluntarily refrain himself/herself from the deliberation or resolution of the relevant case.

[This Article Wholly Amended by Act No. 9782, Jun. 9, 2009]

Article 18 (Conciliation of Disputes) (1) Anyone who wishes to conciliate disputes related to the registration, possession or use of Internet addresses, may file a request for the conciliation of disputes to the Dispute Resolution Committee.

(2) When a request for the conciliation of disputes is filed under paragraph (1), the Dispute Resolution Committee shall notify a respondent who has registered Internet addresses of such fact, and such respondent shall submit written answers and related data (hereinafter

referred to as "written answers, etc.") to the Dispute Resolution Committee within 14 days after he/she is notified of such fact: Provided, That when such respondent requests the postponement of the submission of written answers, etc. due to unavoidable grounds, the Dispute Resolution Committee may extend a deadline for submission only once.

(3) When a respondent fails to submit written answers, etc. within a deadline for submission under paragraph (2), the Dispute Resolution Committee may hold a trial without the answer of such respondent.

(4) The Dispute Resolution Committee, which has received an application for resolution under paragraph (1), shall establish a conciliation division comprised of one or three members within seven days after a deadline for the submission of written answers elapses, and draw up a draft conciliation by holding a trial on the relevant case within 14 days after a conciliation division is established: Provided, That such period may be extended if unavoidable grounds exist.

(5) When a period is extended in accordance with the proviso to paragraph (4), the Dispute Resolution Committee shall notify the relevant person of such fact.

[This Article Wholly Amended by Act No. 9782, Jun. 9, 2009]

Article 18-2 (Standards for Judgement) (1) When the use of Internet addresses registered by a respondent falls under any of the following subparagraphs, the conciliation division may make a decision on conciliation, ordering the transfer of Internet addresses possessed by a respondent to an applicant or the cancellation of Internet addresses:

1. When the use of any Internet address by a respondent violates rights to emblems protected under the Trademark Act (hereinafter referred to as "emblems"), such as an applicant's trademark or service mark registered in the Republic of Korea;
2. When the use of any Internet address by a respondent causes people become confused over an applicant's product or business widely known in the Republic of Korea;
3. When the use of any Internet address by a respondent impairs judgement or damages the reputation of the name of an applicant, title, emblem or trade mark, which are famous in the Republic of Korea.

(2) When the registration, possession or use of Internet addresses by respondents obstructs the registration or use of Internet addresses by persons who have a legitimate source of authority, or such registration, possession or use is made for the purpose of reaping illegal profits, such as selling or lending Internet addresses to persons who have a

legitimate source of authority over names, titles, emblems or trade marks, etc., the conciliation division may make a decision under paragraph (1).

(3) When Internet addresses of respondents are the same as names, titles, emblems or trade marks, over which respondents have a legitimate source of authority, or when respondents have legitimate rights to or interests in the registration or use of Internet addresses, notwithstanding the provisions of paragraphs (1) and (2), the conciliation division may dismiss applications.

[This Article Newly Inserted by Act No. 9782, Jun. 9, 2009]

Article 19 (Requests for Data, etc.) (1) The Dispute Resolution Committee may request parties in dispute or Internet address management organizations, etc. to submit data necessary for conciliating disputes. In such cases, parties in dispute, etc. shall comply with such requests, unless justifiable grounds exist to the contrary.

(2) The Dispute Resolution Committee may order parties in dispute or persons for reference to appear before the Dispute Resolution Committee and listen to their opinions, when it is deemed necessary.

[This Article Wholly Amended by Act No. 9782, Jun. 9, 2009]

Article 20 (Effect of Conciliation) (1) The Dispute Resolution Committee shall notify parties in dispute of a draft conciliation without delay, after it draws up a draft conciliation under Article 18 (4).

(2) When a respondent who receives a draft conciliation under paragraph (1) fails to submit any of the following certificates within 15 days from the date on which he/she receives a draft conciliation, such respondent shall be deemed to have accepted the conciliation of the Dispute Resolution Committee, and the applicant may apply for the implementation of such conciliation to the Dispute Resolution Committee:

1. Any certificate showing that respondent has filed a lawsuit over the relevant Internet address to the competent court;
2. Any certificate showing that respondent has applied for arbitration under the Arbitration Act, in accordance with an agreement between the relevant parties.

(3) When an applicant applies for the implementation of conciliation to the Dispute Resolution Committee under paragraph (2), the Dispute Resolution Committee shall request Internet address management organizations, etc. to implement such conciliation,

and Internet address management organizations, etc shall follow such request without delay.

(4) When parties in dispute accept a draft conciliation notified under paragraph (1), it shall be deemed that an agreement, the details of which are the same as a draft conciliation between parties in dispute, has been reached.

[This Article Wholly Amended by Act No. 9782, Jun. 9, 2009]

Article 21 (Refusal or Suspension of Conciliation) (1) The Dispute Resolution Committee may refuse conciliation, in cases where it is deemed that it is not appropriate for the Dispute Resolution Committee to conciliate disputes, when considering the nature of disputes, or an application for conciliation is made for unlawful purposes. In such cases, the Dispute Resolution Committee shall notify the relevant applicant of the grounds for the refusal of conciliation, etc.

(2) When a party in a dispute files a lawsuit, when settlement procedures for the relevant conciliation case are under way, the Dispute Resolution Committee shall suspend such conciliation and notify the other party in the dispute of such fact.

[This Article Wholly Amended by Act No. 9782, Jun. 9, 2009]

Article 22 (Expenses for Conciliation)

The Dispute Resolution Committee may have applicants for the conciliation of disputes bear expenses for conciliation, as prescribed by Presidential Decree.

[This Article Wholly Amended by Act No. 9782, Jun. 9, 2009]

Article 23 (Confidentiality)

No one who is or was engaged in duties of the Dispute Resolution Committee shall divulge any confidentiality known to him/her in the course of his/her performance of duties to others, or use such confidentiality for purposes, other than for performing his/her duties: Provided, That this shall not apply to cases where extraordinary provisions to the contrary exist in other Acts.

[This Article Wholly Amended by Act No. 9782, Jun. 9, 2009]

Article 24 (Procedures for Conciliation, etc.)

Necessary matters for the organization and operation of the Dispute Resolution Committee, methods and procedures for conciliating disputes, or the handling of

conciliation, except as otherwise prescribed in this Chapter, shall be prescribed by Presidential Decree.

[This Article Wholly Amended by Act No. 9782, Jun. 9, 2009]

CHAPTER V PENALTY PROVISIONS

Article 25 (Penalty Provisions)

Anyone who divulges any confidentiality made known to him/her in the course of his/her performance of duties to others or uses such confidentiality for purposes, other than for performing his/her duties, in violation of Article 23, shall be punished by imprisonment with labor for not more than one year or by a fine not exceeding 10 million won.

[This Article Wholly Amended by Act No. 9782, Jun. 9, 2009]

Article 26 (Legal Fiction as Public Official in Application of Penalty Provisions)

Any member of the Dispute Resolution Committee and anyone engaged in duties of Internet address management organizations shall be deemed a public official in application of Articles 129 through 132 of the Criminal Act.

[This Article Wholly Amended by Act No. 9782, Jun. 9, 2009]

Article 27 (Administrative Fine) (1) Anyone falling under any of the following subparagraphs shall be punished by an administrative fine not exceeding 10 million won:

1. Any person who fails to cancel domain name, etc., in violation of Article 11 (2);
2. Any person who uses the name the "Internet Address Dispute Resolution Committee" or similar, in violation of Article 16 (7).

(2) Administrative Fines under paragraph (1) shall be imposed and collected by the Minister of Science and ICT, as prescribed by Presidential Decree. <Amended by Act No. 11690, Mar. 23, 2013; Act No. 14839, Jul. 26, 2017>

[This Article Newly Inserted by Act No. 9782, Jun. 9, 2009]