This thesis is aimed at analyzing problems in relation to the protection of patent holders from parallel import and reverse engineering of patented inventions. It attempts to suggest solutions to the above-mentioned problems, leading to revision of principles of existing patent law and legal process on this matter so as to achieve greater efficient protection in fair compensation to patent holders for their intellectual efforts in creating new inventions, within the spirits of intellectual property law.

This research reveals that in the present world in which technology increasingly plays important roles in the daily life of people creation of inventions and international technological transfers become vital factors for economic growth of each country. Nevertheless, principles under the existing patent law in relation to the protection of inventions of patent holders from parallel import are far from clear and precise. Also, provisions of law in relation to reverse engineering of patented inventions are not consistent with the fair use doctrine of countries highly recognized for intellectual property rights protection such as the United Kingdom and the United States of America. In this instance, existing legislation recognizes fair use only where action in question is not intended for commercial gain and has no provision candidly prohibiting reverse engineering of patented inventions in the case of parallel import. A need is, therefore, felt for setting forth clear rules on parallel import of patented inventions and determining the
extent to which reverse engineering in patented inventions is permitted. In this light, it is suggested that the existing patent law be amended to the effect that provisions permitting reverse engineering be limited to actions performed without seeking profits and pursued for the purpose of education and research, in line with the fair use doctrine. Further, the existing patent law should be amended through the insertion of provisions embodying absolute prohibition of reverse engineering in the case of parallel import.