

구성원 소개

Attorney Lee Eung-se is a specialist in intellectual property (IP), construction, and energy.

Having served as the Head of the IP Group at Barun Law LLC, he handles a wide range of matters including patent infringement litigation, employee invention compensation cases, trademark and design disputes, trade secret infringement cases, and copyright disputes. In the construction and real estate sector, based on his expertise as an arbitrator in construction matters at the Korean Commercial Arbitration Board, he handles civil and administrative cases and advisory work relating to construction payments, defect disputes, and bidding matters. In addition, he has contributed legal columns on construction law for over 10 years to The Korea Economic Daily, analyzing key industry issues and proposing solutions.

In the energy sector, Mr. Lee previously led the firm's Energy/Infrastructure Team, where he advised and represented major power generation companies, including state-owned utilities, across a wide range of matters. He has also achieved notable results in criminal cases, including election law violations involving elected members of the National Assembly and cases involving breach of trust, embezzlement, and stock price manipulation by CEOs of KOSDAQ-listed companies. Based on his experience as a member of the Trust Forum of the Korea Financial Investment Association, he also provides advisory and litigation services relating to trusts.

학력

2021	Completed the Digital Finance Expert Program (Blockchain and Digital Assets), KAIST College of Business
2013	Finance Law Program, Seoul National University
2006	Graduate School of Law, Korea University (Ph.D., majoring in commercial law, intellectual property law)
2004	Graduate School of Law, Korea University (LL.M., majoring in intellectual property law)
1999	University College London (Academic Visitor)
1988	Judicial Research and Training Institute of the Supreme Court of Korea (17th)
1986	College of Law, Korea University
1985	Passed the Bar Exam (27th), Korea
1982	Daeil High School

경력

2012 ~ Present	Partner, Barun Law LLC
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최근업무사례

[지식재산] 영업비밀의 묵시적 사용승낙이 문제된 사건

[지식재산권] 발전소 건설 및 운영 발주처 N사가 선행호기 설계사 A사가 납품한 설계자료를 B사가 참조하게 하여 후행호기를 설계하게 한 것은 영업비밀 침해행위가 아니라는 사례

[방송통신·M&A] 케이블TV 채널 인수 관련 분쟁에서 완승, 위약벌 50억원까지

[영업비밀] 위법한 압수·수색에 의하여 수집된 증거의 증거능력을 배제하고 항소심에서 무죄 판결을 이끌어낸 사안

[지식재산] 진보성 위반의 무효사유가 있는 특허권에 기초하여 가처분 신청을 기각한 사안

[지식재산] 특허침해를 인정한 1심 판결 뒤집고 항소심에서 특허비침해 판결 이끌어

[지식재산] 상대방의 특허권침해 주장을 효과적으로 방어한 사안

[특허] 복수 주체에 의한 특허권 침해의 성립 여부가 문제된 사건

[지식재산] 사명 변경 후 변경된 사명과 일응 유사한 측면이 있는 사명을 사용하던 회사와의 상표권 침해금지청구권 등을 피보전권리로 한 가처분사건에서 승소한 사례

[지식재산] 상표권 침해소송 중 상대방이 제기한 상표권 불사용취소 분쟁에서 승소한 사례

[지식재산] 매장 내 음원 재생행위에 대한 저작권 침해를 부정한 1심 및 항소심 판결을 뒤집고 대법원에서 공연권 침해를 인정받으며 파기환송 판결을 이끌어 낸 사건

[인사노무] 태양광발전사업 겸직행위를 이유로

2007 ~ 2009	Senior Judge, Seoul Central District Court
2004 ~ 2006	Professor, Judicial Research and Training Institute of the Supreme Court of Korea
2003	Senior Judge, Chuncheon District Court
2002	Judge, Seoul District Court
2000 ~ 2001	Judge, Seoul High Court
1998 ~ 1999	Judge, Suwon District Court
1996 ~ 1997	Judge, Ueijungbu District Court
1993 ~ 1995	Judge, Busan District Court
1991 ~ 1992	Judge, Busan District Court Eastern Branch Court
1988 ~ 1990	Judge Advocate, Republic of Korea Navy

한 공공기관의 '해임' 처분이 정당하다는 판단을 받은 사례

[일반상사·민사소송] 데이터센터 전력사용계약의 해제조건이 성취됐음에도 계약 유효 확인을 구한 상대방의 가처분 신청을 기각시킨 사례

주요업무분야

건설·부동산

에너지/인프라

방송정보통신(TMT)

ESG

벤처지원

산업기술유출대응

특허·실용신안

저작권·저작권접권

상표·디자인·부정경쟁

주요 업무 및 활동

Intellectual Property

- Case seeking invalidation of trademark registration involving Company W, a tableware distribution company
- Software copyright infringement dispute between Company P and Company D
- Trade secret infringement case relating to design technology involving Company N
- Damages litigation concerning infringement of simultaneous retransmission rights between a terrestrial broadcaster and a cable TV operator
- Patent infringement case involving concrete piles used at construction sites
- Employee invention compensation case relating to bridge technology patents
- Patent infringement case involving earth anchor brackets used in construction
- Patent infringement case concerning a pile structure construction method used in civil engineering
- Patent infringement (indirect infringement) case involving a display product for contact lenses
- Patent infringement case concerning a method for purification and separation of an organic luminescent material
- Patent infringement case involving mobile phone cases
- Patent infringement case involving medical sutures between Company J and Company M

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- Trademark infringement dispute involving a well-known denim brand
 - Dispute relating to parallel imports of foreign furniture trademarks
 - Advisory on compensation collection matters for the Korea Music Performers Association
 - Neighboring rights dispute relating to an album of a well-known rock singer
 - Unjust enrichment claim relating to distribution of royalties by the Korea Music Performers Association among performers
 - Employee invention compensation case relating to harmful website blocking programs for high-speed communication networks
 - Damages claim against a patent attorney for professional negligence in patent prosecution
 - Injunction and damages claim relating to transmission of audiovisual works due to copyright infringement
 - Case seeking payment of royalties for musical works against IPTV service providers, representing the Korea Music Copyright Association
 - Injunction prohibiting employment transfer of executives due to trade secret infringement
 - Trade secret infringement case involving genetic technology of a life sciences company
 - Criminal case involving alleged trade secret infringement of chemical manufacturing technology by a company CEO (acquittal)
 - Trademark injunction case filed by an entertainment management company seeking to prohibit the use of a trademark applied for by a video platform operating company (successfully represented the trademark owner and obtained dismissal of the injunction application; the court determined similarity of designated service categories based on the relevant consumer group)
 - Trademark cancellation trial for non-use concerning a registered trademark (regarding whether use of only part of a mixed Korean-English trademark constitutes trademark use)
 - Represented the Korea Music Copyright Association in copyright (public performance right) infringement cases against various retail and service businesses (following remand by the Supreme Court, awarded the 8th Korea Legal Awards 2025 in the litigation category by the Korean Bar Association and other organizations)

Construction, Real Estate, Trusts, and Right to Light

- Damages claim against a design company arising from collapse of a retaining wall at a baseball stadium site
- Damages dispute arising from design changes between commercial unit purchasers and a developer/constructor
- Service fee dispute between a regional housing cooperative and a sales agency
- Numerous cases involving construction payments and defect-related damages between project owners and contractors
- Litigation and arbitration concerning construction costs due to price fluctuations and design changes

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- Settlement of shared cost contributions among joint contractors in construction projects
 - Dispute over trust costs between settlor and trustee (trust company) in real estate development trusts
 - Advisory to preferred beneficiaries in real estate security trusts
 - Advisory to settlors in real estate disposal trusts
 - Presentations at the Trust Forum of the Korea Financial Investment Association on topics such as fiduciary duties of trustees and invalidity of transactions between proprietary and trust accounts
 - Disputes concerning rights to sunlight and views between large-scale apartment complexes developed by redevelopment associations
 - Lecturer (2014–Present), Construction and Real Estate Law Training Institute, Seoul Bar Association (topics: Right to Light, View Rights, Road Noise, and Environmental Rights in Practice)

Energy

- Provided advisory and litigation services to Korea Electric Power Corporation, Korea South-East Power, Korea Western Power, Korea Midland Power, and Korea Hydro & Nuclear Power on various operational matters
- Review of contracts entered into by power generation companies, and advisory on contract disputes, defect disputes, and shareholder agreements for newly established entities

Criminal

- Case involving violation of the Public Official Election Act by an elected member of the 19th National Assembly (acquittal)
- Case involving breach of trust under the Act on the Aggravated Punishment of Specific Economic Crimes by a CEO of an affiliate of Group H (suspended sentence)
- Case involving stock price manipulation by an executive of a securities company (suspension of sentence)
- Case involving breach of trust, embezzlement, and stock manipulation by a CEO of a KOSDAQ-listed company
- Case involving embezzlement under the Act on the Aggravated Punishment of Specific Economic Crimes by a CEO of a mid-sized company (suspended sentence)
- Fraud case involving investment funds under the Act on the Aggravated Punishment of Specific Economic Crimes (acquittal)
- Fraud case relating to mutual financing (acquittal)
- Case involving violation of the Aggravated Punishment Act (flight) by an executive of a public enterprise (suspended sentence)
- Fraud case relating to real estate (acquittal)
- Occupational breach of trust case involving a group chairman (acquittal)

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- Fraud case relating to stock trading (acquittal)
 - Fraud and door-to-door sales violations (acquittal)

Administrative

- Action seeking confirmation of invalidity of a decision rejecting a proposal for designation of an urban development zone between a project promotion committee and a local government head
- Case seeking cancellation of a decision denying relief for unfair dismissal of an employee of a local public corporation in Gyeonggi-do
- Case seeking cancellation of surcharge imposition due to bid rigging in the defense industry
- Administrative appeal seeking cancellation of a local government's refusal to grant development permission
- Case seeking cancellation of a public notice determining a park development plan related to a cemetery park project
- Administrative cases seeking cancellation of imposition of tourism promotion fund charges and return of subsidies against local governments

Other Civil Matters

- Management control disputes including injunctions suspending duties of CEOs of listed companies
- Arbitration concerning construction payments between Company G and Company S
- Preliminary injunction preserving the status of a preferred negotiation bidder between Company D and a local government
- Action seeking confirmation of invalidity of rejection of an urban development zone designation proposal
- Damages claim against a former controlling shareholder for improper asset valuation prior to sale of a KOSDAQ-listed company
- Damages claim against a local government based on a company's status as a delegated administrative entity

Professional Activities (Past and Present)

- Registered IP Specialist, Korean Bar Association
- Vice President, Korea Intellectual Property Lawyers Association (<http://kipla.kr>)
- Arbitrator (Construction and Software), Korean Commercial Arbitration Board
- Legislative Advisory Member, KOSDAQ Association
- Member, Trust Forum, Korea Financial Investment Association

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- Member, Special Committee on Legislative Review, Korean Bar Association
 - Mediator, Korea Content Dispute Resolution Committee (KCDRC), Korea Creative Content Agency
 - External Counsel to multiple organizations including the Korea Music Copyright Association, Jeju Special Self-Governing Province, Korea Electric Power Corporation, Korea South-East Power, Korea Western Power, Korea Midland Power, Korea Hydro & Nuclear Power, Global Robotics, Sinhwa Intertek, VCA Korea, De'Longhi Korea, SNE Research, Korea Mechanical Equipment Contractors Association, and Korea Software Industry Association
 - Member, Special Committee on Telecommunications and User Protection, Korea Communications Standards Commission
 - Outside Director (Audit Committee Member), Bit Computer; Outside Director, WiderPlanet
 - Member, Viewer Committee, LG U+
 - Adjunct Professor, Korea University School of Law
 - Columnist, The Korea Economic Daily (formerly Construction Economy Daily), Construction & Real Estate Law (Apr. 2016 – Present)

Publications and Articles

- *The Meaning of "Forgery" of Electronic Records under Article 232-2 of the Criminal Act (2026)* — included in *100 Selected Information Law Cases (III)* published by the Korean Association for Information Law
- *Commentary on the Virtual Asset User Protection Act* (author of portions relating to Article 10(4) and (5))
- *Requirements for Product Shape to Constitute Trade Dress (2024)* — included in *100 Selected Unfair Competition Prevention Act Cases* published by the Patent Law Association
- *Summaries and Copyright Infringement (2016)* — included in *100 Selected Information Law Cases (II)* published by the Korean Association for Information Law
- *Evidence Examination Procedures in Criminal Proceedings in England (2009)*
- *Sports-Related Contracts (2008), Entertainment and Antitrust Law (2008)* — included in *Entertainment Law*, edited by Sohn Kyung-han
- *The Principle of Non-Formalism and Registration Systems in Copyright Law (2007)*
- *A Review of Article 587 of the Civil Act (2006)*
- *A Study on Secondary Copyright Infringement* (Master's Thesis, 2004)
- *Current Sentencing Practices and Issues Relating to Suspended Sentences (2004)*
- *Electronic Signatures and Authentication (2003)*
- *Sunlight Rights Infringement and Environmental Litigation (2002)*
- *Legislative Improvements to the Detention System (1997)*