

# Youngjoon Kwon

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School of Law, Seoul National University  
Shinlim-Dong, Kwanak-Gu,  
Seoul, 151-743, Korea

## Work Experience

September 2015 -Present	<b>School of Law, Seoul National University</b> , Seoul, Korea. Professor of Civil Law.
October 2010 -August 2015	<b>School of Law, Seoul National University</b> , Seoul, Korea. Associate Professor of Civil Law.
June 2012 -May 2014	<b>School of Law, Seoul National University</b> , Seoul, Korea Associate Dean for Planning and International Affairs
October 2012 -March 2013	<b>Law and Technology Center, Seoul National University</b> , Seoul, Korea Director
January 2011 - February 2011	<b>Max Planck Institute</b> , Hamburg, Germany Visiting Scholar
January 2010	<b>Max Planck Institute</b> , Hamburg, Germany Visiting Scholar
August 2009 - July 2010	<b>Duke Law School</b> , Durham, USA Visiting Scholar
September 2006 -October 2010	<b>School of Law, Seoul National University</b> , Seoul, Korea. Assistant Professor of Civil Law.
February 2006 - August 2006	<b>Supreme Court of Korea, National Court Administration</b> Judge of Planning and Coordination Office, Director of International Affairs. Conducted various projects on the globalization and internationalization of the Supreme Court of Korea, including participating in various international meetings and conferences, offering & operating special education programs on Korean law and legal system for foreign judges and scholars, rendering international judicial assistance, and selecting & sending Korean judges abroad for their further studies and trainings.
February 2003 - February 2006	<b>Daegu District Court</b> Presiding Judge, Presided over civil trials.
February 2002 - February 2003	<b>Eastern Branch Court of Seoul District Court</b> Presiding Judge, Presided over criminal trials.
April 1999 - February 2002	<b>Seoul District Court</b> Judge, Dealt with civil and criminal cases.
August 1997 - April 1999	<b>Headquarter of the Korean Marine Corps</b> Judge Advocate. Worked as a military prosecutor and a legal counsel to the commander of the Korean Marine Corps.
April 1996 - August 1997	<b>Headquarter of the Korean Navy</b> Judge Advocate. Worked as a military Judge and a legislative officer, particularly concentrating on administrative and maritime legal issues.
Mar. 1994 - Feb. 1996	<b>Judicial Research and Training Institute</b> Trainee & Worked as a Probationary Judicial Officer in Daegu Prosecutor's Office and Northern Branch Court of Seoul District Court.
Oct. 1993	<b>Passed the National Judicial Examination</b> Earned the Highest Score among 21,000 Applicants Nationwide.

# Youngjoon Kwon

## Education

- March 2000            **Graduate School of Law, Seoul National University**  
- February 2006      Ph.D. degree conferred in February 2006.
- September 2003     **Harvard Law School**  
- June 2004           LL.M. degree conferred in June 2004.
- March 1998           **Graduate School of Law, Seoul National University**  
- February 2000      LL.M. degree conferred in February 2000.
- March 1989           **College of Law, Seoul National University**  
- February 1994      LL.B. degree conferred in February 1994 (with distinction: *summa cum laude*).

## Publications

STUDIES IN THE CONTRACT LAWS OF ASIA (VOL 2), OXFORD UNIVERSITY PRESS (2017) (CHAPTER CONTRIBUTOR)  
(FORTHCOMING) (IN ENGLISH)

*An Overview on the UNCITRAL Model Law on Secured Transactions and its implication*, Comparative Private Law,  
Vol. 24, No. 2 (May. 2017)

*General Review on the Supreme Court Decisions on Civil Cases in the Year 2016*, Civil Law Journal, Vol 78 (Feb. 2017)

*On the Improvement of Law School Teaching*, Studies on Legal Education, Vol. 11, No. 3. (Dec. 2016)

*Reduction of Liquidated Damages Ex Officio and a Penalty Clause – The Issue of Analogical Application*, Justice Vol.  
155 (Aug. 2016)

*Liability Concerning Autonomous Car Accident* Civil Law Journal, Vol. 75 (Jun. 2016)

*Introduction and Analysis of the Korean Civil Code Amendment Bill on the Right of Retention*, Seoul Law Journal Vol.  
57, No. 2. (Jun. 2016)

*Thoughts on the Self-Determination Right to Personal Information and the Consent Regime*, Collection of Treaties  
(Jeonnam University) Vol. 36, No. 1. (Mar. 2016)

*Interpretation of Insurance Clauses regarding Suicide and Disaster-related Compensation* Journal of Property Law, Vol.  
32, No. 3. (Nov. 2015)

*Civil Law Jurisprudence, Individual and Community, and the Role of the Judiciary*, Comparative Private Law, Vol. 22,  
No. 4 (Nov. 2015)

CIVIL LAW – CASES AND MATERIALS, BEOBMOONSA (JUL. 2015) (CHAPTER CONTRIBUTOR)

CIVIL LAW II, 2<sup>ND</sup> EDITION, PARKYOUNGSA (JUL. 2015), (COAUTHORED WITH CHANGSOO YANG)

*Negligence in Tort Law and an ‘Average Person’*, Comparative Private Law, Vol. 22, No. 1 (Feb. 2015)

*Korean Civil Code Amendment Draft on Unjust Enrichment Law*, Seoul Law Journal, Vol. 55, No. 4 (Dec. 2014)

*Assessment of Damages in the Antitrust Case of Price Collusion*, Law and Economic Regulation, Vol. 7, No. 2 (Nov.  
2014)

*The Abolition of the Customary Superficies and the Adoption of the Statutory Lease*, Civil Law Journal, Vol. 68 (Sep.  
2014)

*Interpretation of a Best-Efforts Clause*, Seoul Law Journal Vol. 55, No. 3 (Sep. 2014)

\* The Best Article Award, Law Research Institute, Seoul National University

LAW AND POLICY ON PERSONAL INFORMATION PROTECTION, PAKYOUNGSA (MAY 2014) (CHAPTER CONTRIBUTOR)

# Youngjoon Kwon

*Study on the Draft of the Korean Civil Code Amendment on a Fraudulent Transfer*, Civil Law Journal, Vol. 66 (Mar. 2013)

*Interpretation of a renegotiation clause in the long-term contract*, Study on Private Law Decisions, Vol. 36 (Feb. 2014)

*Recent Reform in Korean Legal Education*, Journal of Korean Law, Vol. 13, No. 2 (Dec. 2013) (in English)

*Contribution among Joint Tortfeasors under U.S Law*, Civil Law Journal, Vol. 63 (Sep. 2013)

*A Study on Variable Statutory Interest Rate*, Comparative Private Law, Vol. 20, No. 1 (Feb. 2013)

KOREAN LEGISLATION RESEARCH INSTITUTE (ED.), INTRODUCTION TO KOREAN LAW, SPRINGERS (JAN 2013) (IN ENGLISH) (CHAPTER CONTRIBUTOR)

*Changes in Economic Circumstances and the Response of the Civil Law*, Law & Policy, Vol. 12. No. 4. (Dec. 2012)

*Analysis on the Ownership of Private Land used as a Road*, Issues in the Civil Adjudication, Vol. 21 (Dec. 2012)

*Legal Analysis of Traditional Leasehold in Korea (Chonseghwon) from a Comparative Legal Perspective*, Arizona Journal of International and Comparative Law (2012) (in English) (coauthored with Yong-Shik Lee)

*Negligence Standard in Determining the Liability of the Personal Data Controller in case of Hacking*, Justice, Vol. 132 (Oct. 2012)

*Pure Economic Loss in American Law*, Civil Law Journal, Vol. 57 (Mar. 2012)

*Liability of Savings Bank Director in a Real Estate Project Finance*, Comparative Private Law Vol. 19, No. 1 (Feb. 2012)

*Patent Abuse and its Related Issues in Korea*, Industrial Property Law Journal Vol. 36 (Dec. 2011)

*Protecting Reliance in a Contractual Relationship*, Seoul Law Journal Vol. 52, No. 4 (Dec. 2011)

*The Indefeasibility of Real Estate Title*, Bupjo, Vol. 661 (Oct. 2011)

CHAPTER CONTRIBUTOR IN; GUNNAR DUTTGE & SANGWON LEE(ED), THE LAW IN THE INFORMATION AND RISK SOCIETY, UNIVERSITAETSVERLAG GOETTINGEN (AUG. 2011) (in English)

CIVIL LAW II, PARKYOUNGSA (JUL. 2011) (COAUTHORED WITH CHANGSOO YANG)

*Pure Economic Loss: A Korean Perspective*, Journal of Korean Law, Vol. 10, No. 2 (Jun. 2011) (in English)

*Theoretical Foundation of Contract Law and Its Implication – On Autonomy and Paternalism –*, Justice Vol. 124 (Jun. 2011)

ANN BLACK & GARY BELL(ED), LAW AND LEGAL INSTITUTIONS OF ASIA, CAMBRIDGE UNIVERSITY PRESS (MAR. 2011) (CHAPTER CONTRIBUTOR) (in English)

*Harmonizing European Private Law*, Comparative Private Law, Vol. 18, No 1 (Mar. 2011)

*Contract-related issues concerning Cloud-computing*, Law & Technology Vol. 7, No. 2. (Mar. 2011)

*The Doctrine of Changed Circumstance – From the Perspective of Risk-allocation*, Civil Law Journal, Vol. 51 (Dec. 2010)

*Copyright and Ownership – From the Aspect of Monopoly and Public Domain*, Economic Regulation and Law, Vol. 26, No. 1. (May. 2010)

CHAPTER CONTRIBUTOR IN; KUK CHO(ED), LITIGATION IN KOREA, EDWARD ELGAR PUBLISHING (APR 2010) (in English)

*The Relationship between Prescription and Good Faith Doctrine*, Journal of Property Law, Vol. 26, No. 1. (Jun. 2009)

*Decision-making Process of the Reconstruction of the Residence Complex – An Analysis of the Court Decisions*, Civil Law Journal, Vol. 45 (Jun. 2009)

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*Protecting Personal Information and its Civil Remedy*, Bupjo, Vol. 630 (Mar. 2009) (coauthored with Sangjo Jeong)

*Determining Unlawfulness through Balance of Interests Regarding the Right to One's Image and the Right of Privacy*, Study on Private Law Decisions, Vol. 31 (Feb. 2009)

*Theoretical Foundation of Tort Law and Its Implication – On the Paradigm of Prevention and Recovery* -, Justice Vol. 109 (Feb. 2009)

CHAPTER CONTRIBUTOR IN; KYUNGHAN SOHN(ED) (OCT. 2008), ENTERTAINMENT LAW, Seoul, Jinwonsa, 167-185

*Theory, Doctrine and Practice in the Civil Adjudication*, Seoul Law Journal Vol. 48, No. 3 (Sep. 2008)

\* The Article of the Year, The Korean Legal Center

*Torts and Injunction – Some thoughts on eBay vs MercExchange*, Law & Technology Vol. 4, No. 2. (Mar. 2008)

*Accessing Information on the Internet: Shaping the Standard for Determining its Unlawfulness*, Comparative Private Law, Vol. 14, No 3 (Sep. 2007)

*Trespass to Chattel and its Modern Application in the U.S. Tort Law*, IT and Law (Aug. 2007)

COPYRIGHT LAW COMMENTARY (COAUTHORED), Parkyoungsa (Aug. 2007)

*Trustee in a Bankruptcy Procedure as a Bona Fide Purchaser* Bupjo Vol. 608 (May. 2007)

\* Yulchon Academic Award, The Korean Civil Law Association

COPYRIGHT INFRINGEMENT: SUBSTANTIAL SIMILARITY STANDARD, Parkyoungsa (Seoul, Korea, Jan. 2007)

\* Outstanding Book, The National Academy of Science

*Using Private Land as a De Facto Road: Critical Analysis of the Korean Supreme Court Decisions on Unjust Enrichment*, Seoul Law Journal Vol. 47, No. 4 (Dec. 2006)

*Tortious Liability of Internet Service Provider for Defamation: A Korean Perspective*, Journal of Korean Law, Vol. 5, No. 2 (Jun. 2006) (in English)

## Professional Affiliations

Member of **The Korean Civil Law Association** (2006 – present), **The Comparative Private Law Association** (2006 – present), **The Civil Case Study Forum** (2006 – present), **The Korean Society of Property Law** (2007 – present), **The Law and Economics Association** (2008 – present), **The Law and Philosophy Association** (2010 – present)

Deputy Director of **The Asia-Pacific Law Institute**, Seoul National University, Korea (2016-present)

Editor of **Copyright**, Korea Copyright Commission (2014-2016)

Editor of **Civil Law Journal**, The Korean Civil Law Association (2012-2013)

Editor of **The Comparative Private Law**, The Korean Civil Law Association (2011-2012)

Editor of **BFL (Business/Finance/Law)**, Center for Financial Law, Korea (2008-Present)

Editor of **The Journal of Property Law**, The Korean Society of Property Law, Korea (2008-2012)

Editor of **Law & Technology**, Law and Technology Center (2007-Present)

Editor of **Human Right and Justice**, The Korean Bar Association, Korea (2009-2010)

Deputy Director of **The Law Research Institute**, Seoul National University, Korea (2007-2009)

Committee Member of **The Career Development Center**, Seoul National University, Korea (2007-2009)

# Youngjoon Kwon

Secretary of **The Korean Civil Code Amendment Research Committee**, The Korean Civil Law Association (2008-2009)

Committee Member of **The Korean Civil Code Amendment Committee**, The Ministry of Justice (2009 – 2014)

Representative of the Republic of Korea to **The United Nations Commission for International Trade Law** (2010-Present)

Member of **The International Trade Law Research Group**, The Ministry of Justice (2010-Present)

Expert Advisor on **Judicial Reform Committee of Vietnamese Judiciary** (2011)

Committee Member of **National Legal Policy Advisory Committee**, The Ministry of Justice (2012 – 2014)

Committee Member of **Korea Copyright Committee**, The Ministry of Culture and Tourism (2012 – Present)

Committee Member of **Audit Review Committee**, The Ministry of Education (2013-Present)

Committee Member of **Personal Information Protection Committee**, Naver (2015-Present)

Legal Experts in various International and Domestic Litigations, International Arbitration Cases

## Awards

**The Best Article Award**, Law Research Institute, Seoul National University (Mar. 2015)

**The Article of the Year**, The Korean Legal Center (Jan. 2009)

**Teaching Award**, School of Law, Seoul National University (Dec. 2008)

**Yulchon Academic Award**, The Korean Civil Law Association (Dec. 2008)

**Outstanding Book**, The National Academy of Science (Aug. 2008)

**Teaching Award**, School of Law, Seoul National University (Dec. 2007)

## Courses Taught

### Undergraduate

Contracts, Property, Torts, General Introduction to the Civil Law, Special Topics on Korean Civil Law, Introduction to Korean Law (English Course), Family Law

### Graduate / Law School

The Principles of European Contract Law, American Contract Law(English Course), Comparative Contract Law, Philosophical and Economic Foundation of Tort Law, Study on Selected Civil Law Decisions, Modern Contract Law, Real Estate Finance, American Private Law (English Course), Information Technology Law, Legal Clinic, General Theory of Private Law, Understanding Korean Law (English Course)

## Language

English (fluent), German (can read and understand), Japanese (can read and understand)