

Insights



Nathan Park on Qualcomm, the KFTC and the Globalization of Competition Enforcement

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Nathan Park, who is Of Counsel at Kobre & Kim, spoke with Global Competition Review on the Seoul High Court's ruling this week that affirmed a 2016 fine imposed by Korea's antitrust watchdog against global chipmaker powerhouse Qualcomm.

Korea's Fair Trade Commission (KFTC) fined the chipmaker SK ₩ 1.03 trillion (US \$868 million) in December 2016, accusing it of "abusing its dominance" and "employing unfair licensing agreements" – the largest the KFTC had ever imposed on a single company. A subsequent appeal made by the chipmaker was rejected by the Seoul High Court.

Mr. Park said the decision highlights two key takeaways: That the KFTC is solidifying its reputation as one of the world's most active regulators of anticompetitive behaviors; and that competition enforcement has become increasingly globalized.

"Given how well-connected the Korean economy is to the world, especially in areas of high tech industry," Park said, "multinational corporations have to be cognizant of the regulatory risk posed by the KFTC."

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