



INTELLECTUAL PROPERTY
OFFICE OF THE PHILIPPINES
Rising • Shining • Beckoning

The IPOPHL and the Future of IP Governance in the Philippines

by Atty. Rowel S. Barba
Director General - IPOPHL

6-point agenda that builds on and complements our **institutional gains** and defines the **strategic areas** that IPOPHL will pursue in the years ahead.

BRIGHT

Agenda

2020-2025



Rising.
Shining.
Beckoning.

Building Collaboration and
Partnerships with Local and
International Partners.



Government
Strategic Partners

B Building Collaboration and Partnerships with Local and International Partners.



Government
Strategic Partners

Department of **Trade and Industry** (DTI)

Department of **Science and Technology** (DOST)

Department of **Education** (DepEd),
Commission on Higher Education
(CHED), and the **Technical Education**
and **Skills Training** (TESDA)

National Committee on Intellectual
Property Rights

National Innovation Council

Building Collaboration and Partnerships with Local and International Partners.



Philippine Chamber of Commerce and Industry (PCCI)

e-Commerce Platforms

Creative Industry

- Animation Council of the Philippines, Inc.
- Creative Content Creators Association of the Philippines, Inc.
- Game Developers Association of the Philippines
- Homonym
- Big Bad Wolf

Building Collaboration and Partnerships with Local and International Partners.



Academe
Strategic Partners

ITSOs or Innovation and Technology Support Offices

IP Academy on IP Education and professional training.

B Building Collaboration and Partnerships with Local and International Partners.



International Community

Adopt best practices of advanced IP Offices

International IP System

- accession to the **Madrid Protocol**, **Marrakesh Treaty**
- designation as an **international search authority** for the Patent Cooperation Treaty
- Bilateral partners: European Patent Office (**EUIPO**), Japan Patent Office (**JPO**), US Patent and Trademark Office (**USPTO**), **IP Australia**, World Intellectual Property Organization (**WIPO**)
- Active engagement with **ASEAN** and the **APEC** including bilateral cooperation with member countries and economies.

Policy and International Affairs Office

Raising the Ante for Customer Service



Streamlining processes

Sustain our current gains

Customer satisfaction

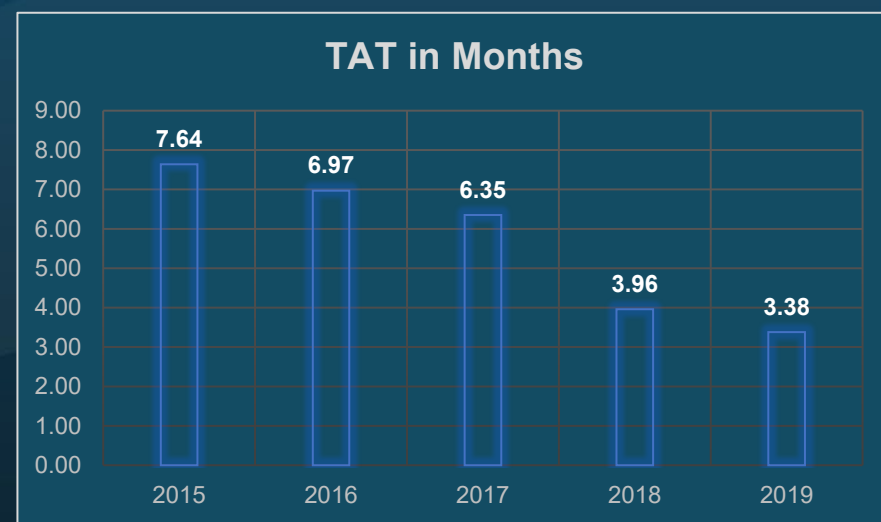
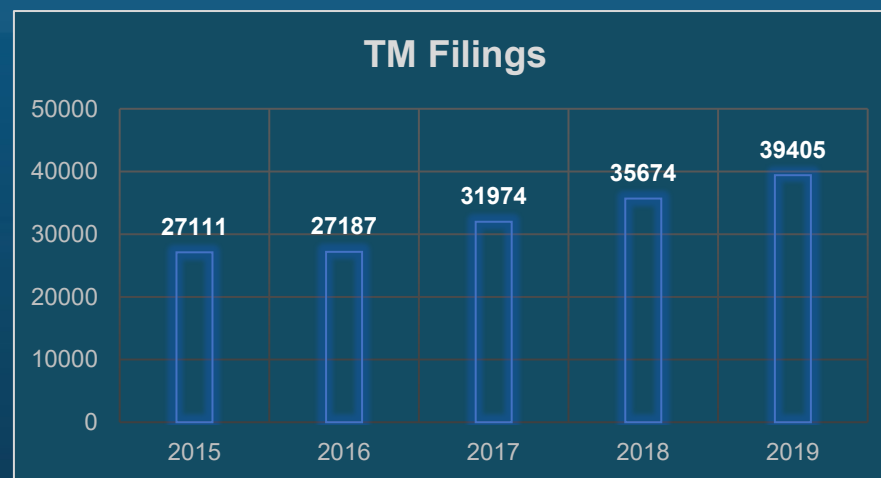
Expansion of Services

Improved TATs

Raising the Ante for Customer Service



Improved TATs



Raising the Ante for Customer Service



Customer

Improved TATs

7.6 months

in 2015

3.4 months

in 2019

Strategies:

- **Implement mandatory online filings**
- **Enhance automation systems**
- **Strengthen the Joint Examination Track**

Raising the Ante for Customer Service



Customer

Improved TATs

0.1%

Average yearly improvement in TAT for grant of patents and registration of industrial designs, and utility models.

2015-2019

5% average
increase in
applications

Raising the Ante for Customer Service



Improved TATs



UM in 2 months

This is an express lane where the UM application is recommended for publication within 2 months from the filing date, after compliance with formality requirements; no additional cost to applicants.

2015 -
2019

25%
annual
growth of
UM
applications

2015 - 2019

18% annual average
of registered UM

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Customer

Improved TATs

fast-lane in ID

This is an express lane where the ID application is recommended for publication within 5 days from the filing date, after compliance with formality requirements; no additional cost to applicants.

**2015 -
2019**

**12%
annual
growth of ID
applications**

2015 - 2019

**15% annual average
of registered ID**

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Expansion of Services

International Searching Authority

International Preliminary Examining Authority

Service and assistance to inventors benefiting from a more efficient functioning of the PCT system and to promote the use of the patent system in the country.

Waiver of IPOPHL search and preliminary examination fees to qualified universities and research development institutions to facilitate access to the PCT system.

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Strategies:

- **Implement home-to-home patent services**
From filing to receipt of certifications.
- **Sustain issuance of early search report (ESR) and written opinion (WO)** for both local and foreign invention applicants using IPOPHL as the Office of first filing. ESR/WO issued within 6 months instead of waiting for the 18 months.
- **Enhance capacity as an international search authority under the Patent Cooperation Treaty (PCT)**

Raising the Ante for Customer Service



Customer

Service Improvement Strategies

Speed up resolutions on TM oppositions and cancellations

resolve petition for cancellation of TM registrations **within six months from filing.**

creation of an “**Express Lane**” for certain types of Inter Partes Cases.

IP Adjudication Mobile Application

For case status, schedule of hearings and mediation, rules and guidelines.

100% online mediation services and hearing for inter partes and IPV cases

Raising the Ante for Customer Service



Customer

Service Improvement Strategies

Establish an online system for the registry of important literary and artistic works

Develop the collective management system as the preferred rights management option for creatives

Raising the Ante for Customer Service



Quality Assurance

Assured quality of issued IP rights

A predictable and stable IP system with the quality of IP rights can stand legal and judicial scrutiny.



3 layers of QA for the Bureau of Patents

in-process quality check examiners output.

ISO Quality Management System of IPOPHL

Patent Quality Review System



Upgraded to the new standard -ISO 9001:2015
The quality management system of IPOPHL complies with the international standards of doing business.

Raising the Ante for Customer Service



Streamlining processes

Sustain our current gains

Customer satisfaction

Quality
Management
System

Boosting
Manpower
Complement

Expansion of Services

Improved TATs

Integrate IP awareness and
education in society



Filings

Campaign outcome

10%

Average yearly
increase in total filings

2015-2019

Integrate IP awareness and education in society



Filings

Increase from 2018 to 2019

Patents

2%

Total of 4,024

**80%
PCT**

UM

4%

Total of 2,228

**96%
Residents**

ID

7%

Total of 1,631

**62%
Residents**

Starting in 2016, local applications are significantly higher than foreign applications, demonstrating the increasing awareness of the significance of seeking ID protection among local creators and Designers.

Integrate IP awareness and education in society



Filings

Increase from 2018 to 2019

Trademarks

10%

Total of 39,399

**60%
Residents**

Industry:

Agricultural products and services, followed by pharmaceuticals, health, cosmetics; scientific research, information and communication technology; management, communications, real estate, and financial services; and textiles - clothing and accessories.

Integrate IP awareness and education in society



Filings

Increase from 2018 to 2019

Copyright

33%

Total of 1,682

May grow further in the next years as our Bureau of Copyright and Related Rights has been active in engaging with the creative community, especially during the quarantine when many artists and creators lost jobs.

Integrate IP awareness and
education in society



Filings

Filing Growth Driver

**Expansion of
Satellite Offices**

**Expansion of
ITSO Network**

**Social Media
Campaigns**

Integrate IP awareness and
education in society



Filings

Target

**Increase
in IP filings**

Integrate IP awareness and education in society



Filings

Target

**Increase
in IP filings**

Strategies

Increase
social media
presence
and media
exposure.

Expand
satellite
offices and
ITSO
network.

Encourage
inventors
and
businesses
to go global

Integrate IP awareness and education in society



Filings

Target
**Increase
in IP filings**

Strategies

Encourage
inventors
and
businesses
to go global

9%

Average growth rate

Madrid Protocol

2015	5257
2016	4745
2017	6139
2018	6414
2019	8017

Integrate IP awareness and education in society



Filings

Target
Increase
in IP filings
Strategies

Encourage
inventors
and
businesses
to go global

9%

Average growth rate

Madrid Protocol

2015	5257
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Juan
for the
World

Fee waiving
program for Juan

Integrate IP awareness and education in society



Filings

Target
Increase
in IP filings
Strategies

Juan
for the
World

Fee waiving
program for Juan

Encourage
inventors
and
businesses
to go global

9%

Average growth rate

Madrid Protocol

2015	5257
2016	4745
2017	6139
2018	6414
2019	8017

2%

Average growth rate

PCT

2015	2856
2016	2609
2017	2559
2018	2943
2019	3220

Integrate IP awareness and education in society



Filings

Target
**Increase
in IP filings**

Strategies

Integrating
IP in
education
and skills
training

Commission on Higher
Education

Philippine Science High
School

De La Salle University

Philippine Institute for
Development Studies

TESDA or the Technical
Education and Skills
Development Authority

Integrate IP awareness and education in society



Filings

Target
Increase
in IP filings

Strategies

Reaching
out to more
MSME

Juana Make a Mark

Juan for the World

Inventor Assistance
Program

MSMES IP strategies
development

G Going Back to Basics



Strengthening the ability of IPOPHL to deliver its core functions, namely to protect patents, trademarks, copyright, technology transfer arrangements; provide cost-efficient avenues for IP dispute resolution and enforce IP rights.

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Enforcement



IP Violation Reports/ Complaints

**2015
2019**
5 years data

129 IP Violations

2020
January to
September
9 months data

135 IP Violations

32% counterfeiting
30% piracy

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New Rules

Add more disruptive enforcement functions to the IEO.

clearly including online counterfeiting and piracy in its coverage.

coordinating with the National Telecommunications Commission (NTC) to take down IP-rights offending posts.

monitor marketplaces proactively based on findings of the IPOPHL and elevate issues found to IP rights owners.



Going Back to Basics



Enforcement



site-blocking and take-down mechanisms for online piracy

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Enforcement



**whole-of-nation
approach in
enforcement**

The country has maintained a **good standing** in the United States Trade Representative's annual **Special 301 Watch List** for 7 straight years.

2014
2020

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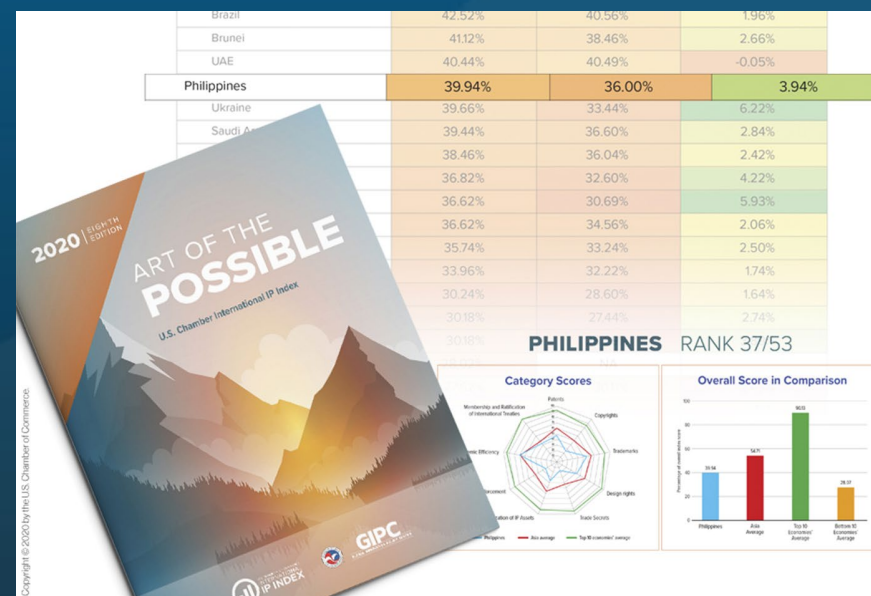


Enforcement



Rising.
Shining.
Beckoning.

whole-of-nation approach in enforcement



Philippines **scores higher**
in U.S. Chamber's
International IP Index 2020

Going Back to Basics



Enforcement



**whole-of-nation
approach in
enforcement**



EU clears Philippines
of priority label in
counterfeit watchlist

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Expediting prosecution of IP rights cases

Enforcement



The 2020 Revised Rules of Procedure for Intellectual Property Rights Cases



Reducing the period for rendering judgment on regular cases **to 60 days from 90 days**

Allowing Special Commercial Courts in Baguio City, Iloilo City, Cebu City, Cagayan de Oro City, and Davao City authority to **issue writs of search and seizure in civil and criminal actions.**

On trademark infringement and unfair competition cases, the rules enlisted for the first time what shall be accepted as **proof of actual use of a mark.**

Mandates the training of judges and court personnel by the Philippine Judicial Academy in coordination with the Office of the Court Administrator

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Enforcement



Anti-Counterfeiting and Anti-Piracy (ACAP) policy

All ITSOs to have an ACAP Policy by 2021.

100% of local government units (LGUs) in the National Capital Region by 2024.

50% of LGUs in Metro Cebu and Metro Davao by 2025. These cities are the chief economic centers in the country's two main island groups, Visayas and Mindanao, respectively.

50% of government agencies under Civil Service Commission – 2025.

Highlighting Human Capital



**An
organization
is only as
good as its
people.**



Capacity building and
retooling seminar-
workshops.

Transform IPOPHL into
a Fully Digitalized Agency



Digital

**Safe work
environment
for our
stakeholders
and
employees.**

**Ensure the
continuity of
services.**

Transform IPOPHL into a Fully Digitalized Agency



Digital

Expanded Suite of eServices



IP registration and
protection



registration and deposit
of copyrighted works



Adjudication of IP cases



Online payment options



Mobile App

Transform IPOPHL into a Fully Digitalized Agency



Digital

**Full digital
transformation will
be attained by the
end of 2021**

BRIGHT

Agenda

2020-2025



Rising.
Shining.
Beckoning.

RIGHT

Build
Collaboration
and
Partnerships

Raise the
Ante for
Customer
Service

Integrate
IP Awareness
and Education
into Society

Go Back
to Basics

Highlight
Human
Capital

Transform
IPOP HL
Into a Fully
Digitalized



Rising.
Shining.
Beckoning.

POLICY & LEGISLATIVE Agenda



Rising.
Shining.
Beckoning.

Policy and legal frameworks on IP

Deter counterfeiting and piracy

A take-down and blocking system.

Institutionalizing the IP Rights Enforcement and Coordination Office (IEO).

Accelerate innovation

Parallel filing of applications for patent and utility model.

Provisional patent application.

Recognition of non-traditional marks

Promotion of collective management organizations

Policy and legal frameworks on IP

Help MSMEs enforce their IP rights

Remove the threshold for the damage claim.

Improve raising awareness on IP.

Improve raising awareness on IP

Institutionalize the “Learning Environment, Accreditation, and Network Unit.

Transforming the Documentation, Information and Technology Transfer Bureau into the Bureau of Innovation and Business Development.

Support proposed laws

Internet Transactions Act

It will set the standard measures that e-commerce platforms, merchants, and websites must adopt to protect consumers and deter online counterfeiting, among other possible legal violations

It pushes for the solidary liability of e-commerce platforms holding them accountable and compel them to set preventive mechanisms which are not as stringent and adequate at present as their IP measures are mostly reactive.

Thank you!

Salamat!



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Intellectual Property Center
#28 Upper McKinley Road
McKinley Hill Town Center
Fort Bonifacio, Taguig City
Philippines



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