



Office Order No. 53  
Series 2011

**Accommodations for Patent and Trademark Applicants, Owners and Agents  
Affected by the Calamity in Japan**

The widespread devastation caused by the calamities that hit Japan on March 11, 2011 and thereafter resulted in massive displacement in affected areas including pervasive disruption of power supply, communication services and internet facilities. These conditions prevented the resumption of normal working conditions for Japanese applicants and IP practitioners.

In view of such disruption, the following reliefs and measures shall be implemented to assist Japanese applicants and IP practitioners based in affected areas:

**For Patent, Utility Models and Industrial Design Applications**

- Responses due from March 11, 2011 until April 11, 2011, shall be granted an extension of two (2) months, upon request. A second extension may be granted, upon request, for a period of two (2) months provided that the aggregate period granted inclusive of the initial period allowed to file the response shall not exceed six (6) months from the mailing date of the official action requiring such response.
- Office actions mailed from March 11, 2011 until April 11, 2011 to Japanese applicants or agents affected by the disruption of communication and postal services shall be deemed to have been mailed on April 11, 2011. Thus, the responses shall be deemed to be due on June 11, 2011 without prejudice to a request for extension of two (2) months, upon request. A second extension may be granted provided that the aggregate period granted inclusive of the initial period allowed to file the response shall not exceed six (6) months from April 11, 2011.
- Notices of withdrawn application mailed from March 11, 2011 until April 11, 2011 shall be deemed to have been mailed on April 11, 2011. Thus, the corresponding petitions for revival shall be filed not later than four (4) months from April 11, 2011. The revival fee shall be waived, upon request.
- For annual fees due from March 11, 2011 to April 11, 2011, a grace period of six (6) months from the due date shall be granted for the payment of the fee and the surcharge shall be waived, upon request.
- Assistance shall be extended for requests for reconstitution of records



### **For Trademarks, Service Marks and Collective Marks Applications**

- Responses due from March 11, 2011 until April 11, 2011, shall be granted an extension of two (2) months, upon request provided that the aggregate period granted inclusive of the initial period allowed to file the response shall not exceed four (4) months from mailing date of the official action requiring such response.
- Office actions mailed from March 11, 2011 until April 11, 2011 to Japanese applicants or agents affected by the disruption of communication and postal services shall be deemed to be mailed on April 11, 2011. Thus, the responses shall be deemed to be due on June 11, 2011 without prejudice to a request for extension of two (2) months, upon request provided that the aggregate period granted inclusive of the initial period allowed to file the response shall not exceed four (4) months from April 11, 2011.
- For abandoned trademark applications, IPOPHL shall waive the revival fee upon request. The request for revival may be filed not later than three (3) months from April 11, 2011.
- Applications for renewal of registered trademarks expiring from March 11, 2011 until April 11, 2011 shall be given an extension of one (1) month or until May 11, 2011 to file the request for renewal. IPOPHL shall waive the surcharge, upon request.
- Declarations of Actual Use that are due on March 11 until April 11, 2011 will be accepted by the Office until May 11, 2011.
- Assistance shall be extended for requests for reconstitution of records.


Ms. Amy D. Tabije, Administrative Officer III, FMAS Bureau, is hereby directed to immediately file three (3) certified copies of these Rules with the University of the Philippines Law Center, and, one (1) certified copy each to the Senate of the Philippines, the House of Representatives, the Supreme Court of the Philippines, and the National Library.

Mr. Restituto E. Maligaya, Information Technology Officer III, MIS Bureau, is hereby directed to post this Office Order in the IPOPHL website immediately upon receipt hereof.

All rules and regulations, office orders, memoranda, circulars, and memorandum circulars or parts thereof inconsistent with these Rules are hereby repealed.

These rules and regulations shall take effect immediately after this Office Order's publication in a newspaper of general circulation.

Done this 31 day of March 2011 at Makati City.

  
**ATTY. RICARDO R. BLANCAFLOR**  
Director General