

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 April 14, 2016 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 April 14, 2016 until May 31, 2016, 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 April 14, 2016 until May 31, 2016 to Japanese applicants or agents affected by the disruption of communication and postal services shall be deemed to have been mailed on May 31, 2016. Thus, the responses shall be deemed to be due on July 31, 2016 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 May 31, 2016.
- Notices of withdrawn application mailed from April 14, 2016 until May 31, 2016 shall be deemed to have been mailed on May 31, 2016. Thus, the corresponding petitions for revival shall be filed not later than four (4) months from April 14, 2016. The revival fee shall be waived, upon request.
- For annual fees due from April 14, 2016 to May 31, 2016, 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 April 14, 2016 until May 31, 2016, 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 April 14, 2016 until May 31, 2016 to Japanese applicants or agents affected by the disruption of communication and postal services shall be deemed to be mailed on May 31, 2016. Thus, the responses shall be deemed to be due on July 31, 2016 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 14, 2016.

- 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 14, 2016.
- Applications for renewal of registered trademarks expiring from April 14, 2016 until May 31, 2016 shall be given an extension of one (1) month or until June 30, 2016 to file the request for renewal. IPOPHL shall waive the surcharge, upon request.
- Declarations of Actual Use that are due on April 14, 2016 until May 31, 2016 will be accepted by the Office until June 14, 2016.
- 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 IPOPHL Memorandum Order in the IPOPHL website immediately upon receipt hereof.

All rules and regulations, memorandum 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 16 day of JUN 2016 at Taguig City.

Republic of the Philippines
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