

IPOPHL MEMORANDUM CIRCULAR No. 2020-13

Subject : ADVISORY ON IPOPHL SERVICES IN VIEW OF THE DECLARATION OF A MODIFIED ENHANCED COMMUNITY QUARANTINE OVER THE NATIONAL CAPITAL REGION

WHEREAS, on 13 March 2020, the Office of the President, through the Executive Secretary, issued a Memorandum imposing stringent social distancing measures in light of the sharp increase in the number of Corona Virus Disease 2019 (COVID-19) cases in the country;

WHEREAS, on 16 March 2020, Presidential Proclamation No. 929 declared a State of Calamity throughout the Philippines due to COVID-19 and imposed an Enhanced Community Quarantine throughout Luzon;

WHEREAS, on 24 April 2020, the Office of the President declared that the period of Enhanced Community Quarantine in certain areas of the Philippines, including the National Capital Region, is extended and shall remain effective until 15 May 2020;

WHEREAS, on 7 May 2020, the Civil Service Commission issued Memorandum Circular 10, s. 2020, on the Revised Guidelines for Alternative Work Arrangements and Support Mechanisms for Workers in the Government During the Period of State of National Emergency Due to COVID-19 Pandemic;

WHEREAS, on 11 May 2020, the Inter-Agency Task Force for the Management of Emerging Infectious Diseases Office issued Resolution No. 35 declaring all highly-urbanized cities in the National Capital Region as high-risk areas and placing them under Modified Enhanced Community Quarantine (MECQ) beginning on 16 May 2020;

WHEREAS, pursuant to the government objective of containing the spread of COVID-19 and minimizing the exposure to risk of the public, stakeholders and our employees, and with the continuing restrictions on public transportation, IPOPHL shall continue utilizing a work-from-home arrangement or such other alternative work arrangements during the MECQ;

NOW THEREFORE, in view thereof, the following guidelines are to be adopted during the period of MECQ:

1. **Skeleton Workforce and Work-from-Home Arrangement.** IPOPHL shall resume limited regular operations at its main office commencing on 25 May 2020. To ensure continuity in the delivery of its services, taking into account medical and logistical considerations, each Director/Unit Head shall decide on the number of personnel to comprise the skeleton workforce up to a maximum of 40% of the bureau or unit's total number of manpower comprising permanent and co-terminus employees, contract of service personnel, and job order personnel. Personnel who are not part of the skeleton workforce shall work from home.
2. **Maximized use of online filing system.** To promote efficiency and maximize the work-from-home arrangement of its personnel and to transition to the exclusive use, as applicable, of electronic filing and payment procedures as the new normal, filings and payments shall be made electronically as follows:

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DATE **MAY 20 2020**
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Intellectual Property Center
#28 Upper McKinley Road
McKinley Hill Town Center
Fort Bonifacio, Taguig City
1634 Philippines

a. **Online Filings for Trademark Applications and Trademark-Related Transactions/Documentary Submissions.** New and renewal applications for trademarks shall only be filed online through the IPOPHL electronic filing system. Documents related to registered marks as well as pending trademark applications emanating from applicants, registrants, their agents and successors-in-interests, shall be transmitted only through eDocfile.

b. **Online Filing for New Patent, Utility Model and Industrial Design Applications.** New applications for patent, utility model, industrial design emanating from or transmitted within the National Capital Region shall be filed online through the IPOPHL electronic filing system except voluminous invention applications. Voluminous applications are those which exceed 250 pages, which may be filed manually or via mail or courier.

b.1. **Bona Fide Applications.** Only *bona fide* online applications shall be uploaded into the system.

b.2. **Multiple Identical Online Applications.** Applicants who filed multiple online identical invention, utility model or industrial design applications due to inadvertence or technical issues and received system-generated acknowledgment receipts, applicants/agents are required to confirm via email to verify@ipophil.gov.ph which application will be given due course within 48 hours from the receipt of acknowledgement. Otherwise, the first application filed shall be considered as the bona fide application and the other identical application/s will be considered as redundant applications which shall not be processed and shall be removed from the Patents internal system.

b.3. **Fictitious Online Invention/UM/ID Applications.** An application containing highly-questionable entries (e.g., title, names, addresses, etc.) and/or unintelligible specification details not compliant with Section 32 of the Intellectual Property Code of the Philippines indicating the absence of *bona fide* intention to seek protection shall be considered as fictitious applications. Such applications shall be filtered and reviewed and shall be removed, when warranted, from the Patents internal system.

c. **Scanned copies of originals.** Scanned copies of required original documents shall be submitted through the online filing system in lieu of the originals. Parties, however, may be required to submit the original document if questions arise regarding the authenticity or due execution of the scanned copy.

d. **Online Technical Support.** For technical concerns and issues on online filing and payment, queries can be sent to onlineservices@ipophil.gov.ph.

e. **Other IPOPHL Bureaus and Offices.** Other IPOPHL Bureaus and Offices without existing online filing systems shall continue to accept manual filings and filings via postal mail or private courier in accordance with their

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respective rules or through IPOPHL Satellite Offices (IPSOs) pending the development of online systems as soon as possible.

3. **Cashier Section Operations.** Cashiering operations at the IPOPHL Main Office shall resume on **27 May 2020**. It shall be open 8AM-5PM, with cut-off at 4PM, from Mondays to Fridays. The cashier shall accept only payments that cannot be made through IPOPHL's online payment system, including but not limited to Patent applications and Copyright registrations, replies, services and other requests. Payment can also be done through postal money order.
4. **Documentary Receiving Operations.** The operations of IPOPHL's documentary receiving sections shall resume on **27 May 2020**. Documents shall be received from 8AM to 5PM, with cut-off at 4PM, from Mondays to Fridays.
5. **Extension of Deadlines.** The deadlines for submission of papers/replies/documents shall be as follows:
 - a. Deadlines falling from 16 March 2020 to 31 March 2020 initially extended until 31 May 2020, are further extended until 30 June 2020;
 - b. Deadlines falling from 01 April 2020 to 30 April 2020, initially extended for sixty (60) days, are further extended until 30 June 2020.
 - c. Deadlines falling from 01 May 2020 to 30 June 2020 will be extended until 30 July 2020.
6. **Prescribed Period for Submission of Third Party Observation and Adverse Information Under MC 2020-010.** Notwithstanding the foregoing, Memorandum Circular 2020-010 shall continue to govern the filing of written Third Party Observation (TPO) for inventions and Adverse Information (AI) on utility model and industrial design applications for PPE, medical/health care equipment/devices, and pharmaceutical products urgently needed to contain and address the COVID-19 health situation.
7. **Voluntary Surrender of Patents.** Filings and proceedings in relation to the voluntary surrender of patents, utility models, and industrial designs, may be filed manually, online, or by email. The extension of deadlines in item 5 above shall not apply to the said proceedings. However, the requirement on verification shall be complied with upon resumption of normal operations.
8. **Alphabetical Schedule for 27 May 2020 to 01 June 2020.** IPOPHL expects to handle an extraordinarily large volume of transactions for the week following the resumption of cashiering and documentary receiving services at the IPOPHL main office. To avoid long queues and in order to maintain social/physical distancing, transactions shall be accepted only in accordance with the following alphabetical schedule:

Date	First Letter*
27 May 2020 (Wednesday)	A – C
28 May 2020 (Thursday)	D – H
29 May 2020 (Friday)	I – O


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01 June 2020 (Monday)

P - Z

**If payor/filer is transacting for a law firm or company, first letter of the name of the law firm or company. If representing themselves or natural persons, first letter of payor's/filer's last name.*

9. **Issuance of Statements of Account (SOA).** The issuance of Statements of Account for official responses, new applications, pleadings, or other documents where a fee is required, shall be from 8AM-5PM, with cut-off at 3PM, from Mondays to Fridays, except for trademark-related transactions which is governed by Item 2.a. hereof.
10. **Requests for Certified True Copies and Other Certifications.** Requests for certified true copies of documents and other certifications may be filed via email, private courier or postal mail with the relevant Bureau or Office save in cases relating to TM which shall be filed online. The requesting party shall be informed of any applicable fees, with payments to be made in accordance with item 3 above.
11. **Schedule of Hearings.** Scheduled hearings before the IPOPHL shall remain suspended until 22 May 2020. These include mediation hearings unless the parties request for online hearing or conference. Hearings scheduled 25 May 2020 onwards, including online mediation, shall proceed unless otherwise advised. Parties are strongly encouraged to comply with national guidelines on social distancing, the wearing of masks and other personal protective equipment.
12. **Social Gatherings Cancelled.** Seminars, meetings, and public hearings scheduled at the IPOPHL, and the participation of IPOPHL officers and staff to similar activities organized by other institutions, are deemed cancelled until further notice.
13. **Access to Mailboxes.** Access to IPOPHL mailboxes shall be allowed starting 25 May 2020.
14. **IPSO Operations.** IPSOs shall continue operating in areas under GCQ.
15. **Transactions at the IPOPHL Ground Floor.** The public is advised that all transactions shall be done at the IPOPHL ground floor. The IPOPHL Library will temporarily be off limits to the public until further notice. Only those who have scheduled appointments will be allowed access to the 2nd, 14th and 16th floors.
16. **Additional Health & Social Distancing Measures.** To ensure the safety of the transacting public within the office premises, IPOPHL shall prescribe additional health & social distancing measures. IPOPHL security guards are authorized to limit the number of persons inside the lobby and all persons entering IPOPHL shall be required to wear masks and comply with other safety & health measures to be adopted by management, including temperature checking. A person with a temperature higher than 37° Celsius or with cough/cold shall be denied entry into the premises of IPOPHL.
17. To avoid inconvenience, the public is encouraged to send email to **ask@ipophil.gov.ph** or utilize the **IPOPHL Public Information Desk Hotline** at



Tel. No. (02)7238-6300 loc. 5405 and 5406 before proceeding to IPOPHL's offices.

This Memorandum Circular shall take effect immediately and shall remain effective until further notice. Previously issued IPOPHL Memorandum Circulars inconsistent with the foregoing are deemed modified, superseded, or amended accordingly.

Done on this 15th day of May 2020 in Taguig City, Philippines.



ROWEL S. BARBA
Director General



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DATE **MAY 20 2020**
PIA ANGELICA S. GABRIEL
Administrative Officer V
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