



LOIDA CALANOG AND LEILANI MADRID,
Complainants,

IPV No. 10-2014-00002

For: Infringement of Copyright
under Republic Act 8293

-versus-

CRISTINA FERNANDEZ AND ZENAIDA
YLARDE,
Respondents.

X-----X

NOTICE OF DECISION

Atty. JAKE C. LUNA
Counsel for Complainants
JR Building, St. Michael the Archangel Subdivision
Galicia 3, Mendez, Cavite

Atty. ALEXANDER M. MADRONA
Counsel for Respondents
Unit F, St. Joseph Commercial Apartments
Sto. Tomas Road, City of Biñan
4024 Laguna

GREETINGS:

Please be informed that Decision No. 2014 - 05 dated September 29, 2014 (copy enclosed) was promulgated in the above entitled case.

Taguig City, September 29, 2014.

For the Director:

Edwin A. Dating
Atty. EDWIN DANILO A. DATING
Director III
Bureau of Legal Affairs


CERTIFIED TRUE COPY
DATE: OCT 08 2014
Marilyn F. Retutal
MARILYN F. RETUTAL
IPRS IV
Bureau of Legal Affairs



LOIDA CALANOG AND LEILANI MADRID,
Complainants,
 -versus -
 CRISTINA FERNANDEZ AND ZENAIDA YLARDE,
Respondents.

IPV No. 10-2014-00002
 For: Infringement of Copyright under Republic Act 8293

Decision No. 2014- 05

**DECISION BASED ON
 COMPROMISE AGREEMENT**

LOIDA CALANOG AND LEILANI MADRID (“Complainants”) filed on 26 February 2014, a complaint against CRISTINA FERNANDEZ AND ZENAIDA YLARDE (“Respondents”) for alleged Infringement of Copyright under Republic Act 8293. The Complainants assail the Respondents’ alleged unauthorized publication and distribution of the book entitled Alibata Pagbasa at Wika which is exactly the same as the draft or manuscript made by the Complainants in 2001.

This Bureau issued a Notice to Answer and served a copy thereof to Respondents on 7 March 2014. The Respondents filed their Answer on 27 March 2014 refuting the material allegations of the Complainant.

In compliance to Office Order No. 154, s. 2010 (“Rules of Procedure for IPO Mediation Proceedings”) and Office Order No. 197, s. 2010 (“Mechanics for IPO Mediation Settlement Period”), this Bureau issued on 2 March 2014 Order No. 2014-049 referring the case to mediation.

On 23 September 2014, the Alternative Dispute Resolution Services of this Bureau submitted a Mediation Report submitting a copy of the parties’ Joint Motion to Admit and Approve Compromise Agreement with Motion to Render Judgment Based on Compromise. The pertinent portions of the COMPROMISE AGREEMENT reads, as follows:

“ As per agreement, the complainants shall receive an amount of P100,000.00 payable in two (2) equal monthly installments by issuing four (4) dated checks under the name of the complainants of P25,000.00 per check payable on August 29, 2014 and September 30, 2014.

Likewise, the respondents undertake to cause the stoppage of distribution and publication of the book “ALIBATA PAGASA AT WIKA” (kinder).

In the event that the check would be dishonored, the said amount shall be due and demandable and the same shall be immediately executory.

The parties manifest that they have read and understood the content of the foregoing pleading and that the same was freely and voluntarily entered into.”

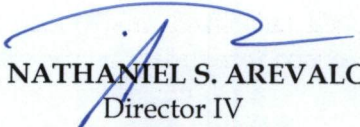
This Bureau evaluated the COMPROMISE AGREEMENT and finds that the same has been duly entered into by the parties with the terms and conditions thereof not contrary to law, morals, good customs, public order or public policy.

Accordingly, an approved Compromise Agreement shall have the effect of a decision or judgment on the case and shall be enforced accordingly in accordance with the pertinent rules of IPO and the Rules of Court.¹

WHEREFORE, premises considered, the parties’ Compromise Agreement is hereby **APPROVED**. Accordingly, with the approved COMPROMISE AGREEMENT having the force and effect of a decision or judgment, the parties are enjoined to faithfully comply with the terms set forth therein.

SO ORDERED.

Taguig City, 29 September 2014.


Atty. **NATHANIEL S. AREVALO**
Director IV
Bureau of Legal Affairs

/vanj_MVD

¹ Office Order No. 154 Series of 2010.