



29 June 2012

OFFICE ORDER NO. 160
Series of 2012

SUBJECT: AMENDMENT TO OFFICE ORDER NO. 154, Series of 2010

In line with the Intellectual Property Office of the Philippines' (IPOPHL) strategic goal of providing speedy, effective and quality legal remedies and to be the forum of choice for the resolution of Intellectual Property disputes, and pursuant to the authority of the Director General under Sec. 7.1 of Rep. Act No. 8293, also known as the Intellectual Property Code of the Philippines, Office Order No. 154, series of 2010 (Rules of Procedures for IPO Mediation Proceedings) is hereby amended as follows:

1. The last paragraph of Section 1, to wit:

"In the event the parties, after an unsuccessful mediation, advise the IPO Mediation Office of their intention to submit their dispute to arbitration, the originating office shall dismiss the case upon proof that arbitration proceedings has commenced pursuant to the pertinent rules if and when arbitration is available."

is hereby deleted.

2. Section 6 is amended, to read as follows:

"Section 6. Refusal to Mediate; Non-Settlement of Dispute – If within sixty (60) days from referral of the case to mediation the parties refuse to mediate or are unable to settle their dispute and submit an agreement, the mediator shall declare the mediation unsuccessful and shall forthwith terminate the proceedings by issuing a Notice of Non-Settlement of Dispute in the presence of the parties or their duly appointed representatives. The 60-day period, however, may be extended for another thirty (30) days upon written request by both parties. Should no settlement be reached within the additional period, the mediation proceedings shall likewise be terminated.

"Upon the issuance of the Notice of Non-Settlement of Dispute, the parties or their duly appointed representatives shall be personally informed and briefed right there and then regarding the option to submit their dispute to arbitration. The parties shall be given five (5) days from which to appear personally before the Office to file their motion or manifestation that they are submitting their dispute to arbitration. The failure of the parties to appear within the said period shall be deemed a refusal to submit their dispute to arbitration and the records of the case shall be immediately returned to the originating office.

"If the parties manifest that they are submitting their dispute to arbitration, such motion or manifestation shall be forwarded to the originating office together with the records of the case. The originating office shall within three (3) days upon receipt of the records dismiss the case."

This Office Order takes effect fifteen (15) days after publication in a newspaper of general circulation. This Office Order shall also be immediately posted in the IPOPHL website, and shall be effective until revoked, amended or modified.

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RECEIVED BY 


Atty. RICARDO R. BLANCAFLOR
Director General