



OFFICE ORDER NO. 204
Series of 2012.

**IMPLEMENTING THE COMMUNITY REVIEW (CR) PROCESS FOR PATENTS,
UTILITY MODELS & INDUSTRIAL DESIGN APPLICATIONS**

1. Declaration of Policy. An effective intellectual property system propels domestic creativity and innovation. Thus, it is a declared policy that “the State shall promote the diffusion of knowledge and information for the promotion of national development and progress and the common good.” Towards this end, and to promote transparency in granting patents, utility models and industrial design registration, published information on pending applications shall be provided to relevant sectors of society with the end in view of engaging the community in the patent granting process.

2. Coverage/Applicability. The Intellectual Property Office of the Philippines (IPOP HL) promulgated the Revised Implementing Rules and Regulations (Revised IRR) for Patents, Utility Models, and Industrial Designs, which became effective on February 2, 2012 providing for a community review process for patent, utility model and industrial design applications under Rule 802 (*Community Review of Patent Applications*) and Rule 1700 (*Community Review of the Utility Model and Industrial Design Applications*).

The Community Review shall apply to all Patent, Utility Model and Industrial Design Applications published on or after October 22, 2012.

3. Mechanics

- a) Upon publication of the bibliographic information of the patent, utility model and industrial design applications in the electronic gazette, the Bureau of Patents shall transmit the same to the Intellectual Property Satellite Office (IPSO) and Innovation and Technology Support Office (ITSO) support group within IPOP HL.
- b) The IPSO support group shall ensure that the published information is transmitted to the relevant industry association or regulatory government agencies, while the ITSO support group shall publicize the information in its website as well as transmit the same to relevant universities or schools. The IPSO and ITSO shall identify and select the recipients of the published information based on their interest and knowledge in the particular field of technology or subject matter covered by the patent, utility model or industrial design application. Any interested person or entity may also notify IPOP HL of its interest to be a recipient of published information of any particular field of technology.
- c) The sending of the published information involving utility model and industrial design applications shall be made by the IPSO and ITSO

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support group within day (5) working days from the time the information is provided by the Bureau of Patents in order to allow recipients to review and file their observations to within the thirty (30) day period provided in Rule 1701.

- d) For patents applications, the time to transmit the published information shall be fifteen (15) working days and interested parties may file adverse information to the patent applications within six (6) months from the publication date of the application at the electronic gazette under Rule 802.
- e) Parties may submit their comments, observations and adverse information directly to the Bureau of Patents in accordance with the Revised Implementing Rules and Regulations (Revised IRR) for Patents, Utility Models, and Industrial Designs. However, parties may inquire and seek clarification through the IPSO and ITSO support groups, which will facilitate the exchange of information between the examiner and the interested party, including possible conference and preliminary discussions with the interested party.

- 4. **CR and the Patent Granting Process.** The CR process seeks to enhance transparency and facilitate the flow of information regarding UM, ID and patent applications filed with IPOPHL. However, the CR process shall run parallel to, and should not delay the examination of the applications, which shall proceed according to the provisions of RA 8293 and its Implementing Rules and Regulations.
- 5. **Effectivity.** This Office Order shall take effect on September 25, 2012.


ATTY. RICARDO R. BLANCAFLOR
Director General

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