

[REPUBLIC ACT NO. 3850, April 13, 1964]

AN ACT TO CREATE A PHILIPPINE INVENTORS COMMISSION, DEFINE ITS POWERS, FUNCTIONS AND DUTIES, AND FOR OTHER PURPOSES THAT WILL PROMOTE AND ENCOURAGE PHILIPPINE INVENTIONS AND THEIR MANUFACTURE.

Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

SECTION 1. This Act shall be known and cited as the "Philippine Inventors Incentives Act."

SEC. 2. There is hereby created a Philippine Inventors Commission, under the supervision of the National Science Development Board, hereinafter referred to as the Commission, for the purpose of giving technical, financial and legal assistance to inventors in the Philippines.

SEC. 3. The Commission shall have the following functions, powers and duties:

- (a) To give technical assistance to inventors by examining their submitted inventions to determine their patent ability and by helping them prepare their patent applications under certain term and conditions;
- (b) To grant financial aid to inventors to enable them to develop, perfect and produce their patented inventions or those which are pending patent, under certain terms and conditions;
- (c) To render legal assistance to inventors by representing them in filing their patent applications here and/or abroad and in protecting their secured patents from infringement in patent cases, under certain terms and conditions;
- (d) To recommend to government lending institutions inventions that are beneficial to our country for long term loans not exceeding seventeen years to enable inventors to manufacture their inventions, with only their letters patent as collateral, the amount of loan to be granted depending upon the importance and market of their inventions as determined by the Commission;
- (e) To help inventors find markets for their inventions here and abroad;
- (f) To encourage Philippine inventors to make known their inventions by giving annually sizeable cash awards and medals, to be known as the "President Awards for Inventions," to patented inventions in the Philippines in the field of agriculture, chemistry, commerce, communications, education, engineering, fishery, forestry, medicine, national defense, pharmacy, physics, public safety and welfare, public works, transportation and other fields of science chosen by three distinguished persons in these respective fields of endeavor appointed annually by the President of the Philippines to serve as judges of the contest which shall be open to all inventors in the Philippines without distinction as to nationality or position who may submit entries in one or more fields.

- (g) To establish and maintain a public research laboratory and experimental station where authorized inventors and researchers may avail themselves of its facilities and services for carrying out or perfecting their approved inventions and researches: *Provided*, That the inventor or researcher shall, before making use of its facilities and services, agree to give to the Commission at least one tenth of all royalties arising from his invention or research, depending upon the extent of facility or service to be given to him, to help maintain the public research laboratory and experimental station: *Provided, further*, that the laboratory facilities and services of the national Institute of Science and Technology and other government agencies, offices and instrumentalities shall be made available to inventors or researchers who may need the same, as recommended by the head of the Commission, against whom the expenses incurred in such laboratories shall be chargeable ;
- (h) To promote and encourage inventiveness and creativeness among our people by inducing them to submit new and useful ideas, researches or gadgets in the fields mentioned in paragraph (f) that may solve the problems of our country through an annual "Creative Research Contest" with cash prizes and medals to the winners chosen by the respective judges of the "Presidential Awards for Inventions;"
- (i) To publish and disseminate information about inventions, researches and science in general;
- (j) To hold regular monthly sessions for the exchange of ideas among inventors;
- (k) To help Philippine inventors join international competitions on inventions or researches, or recommend them to such competitions; and
- (l) To organize creative societies in schools, colleges and universities to promote and encourage creativeness among our youth.

SEC. 4. All functions referring to the promotion and development of inventions conferred upon the National Science Development Board in Republic Act Numbered Two thousand sixty-seven are hereby transferred to the Commission which shall hereafter exercise those functions.

SEC. 5. The Commission shall be under a Commissioner and an Assistant Commissioner appointed by the President of the Philippines with the consent of the Commission on Appointments. Each shall be a Filipino citizen, at least twenty-five years of age and an inventor with at least one invention or utility model patent issued by the Philippine Patent Office. The Commissioner and the Assistant Commissioner shall receive an annual compensation of twelve thousand pesos and ten thousand pesos, respectively, and both shall hold office during good behavior and may be removed from office only for cause.

SEC. 6. The Commissioner shall promulgate, subject to approval of the National Science Development Board, such rules and regulations as may be necessary for the conduct and exercise of the functions, powers and duties of the Commission under this Act: *Provided*, That any assistance rendered by the Commission in accordance with paragraphs (a), (b), (c) and/or (g) of Section three of this Act shall be given on condition that the inventor-applicant shall sign a contract agreeing to give to the Commission at least ten per cent of all royalties arising from the local and foreign patents of his invention developed and perfected or secured and/or protected through the service and or financing of the Commission, depending upon the extent of the service or given to him. The proceeds from these contracts shall accrue to the general funds of the Commission and shall be used to carry out its objectives. The invention and the patent that may be obtained therefor shall belong to the inventor, subject to the provision of this section.