

[IPOP HL MEMORANDUM CIRCULAR NO. 17-013, July 10, 2017]

AMENDING THE REVISED IMPLEMENTING RULES AND REGULATIONS OF PATENTS, UTILITY MODELS, AND INDUSTRIAL DESIGNS

Whereas, it is the policy of the Intellectual Property Office to continuously streamline its operations, systems, processes, including administrative procedures, in resolving disputes and controversies involving intellectual property rights;

Whereas, under Sec. 7 (a) of the IP Code, the Director General shall manage and direct all functions and activities of the Office, including the promulgation of rules and regulations to implement the objectives, policies, plans, programs and projects of the Office;

Whereas, there is a need to further amend the Revised Implementing Rules and Regulations for Patents, Utility Models, and Industrial Designs;

Now, therefore, the Revised Implementing Rules and Regulations for Patents, Utility Models, and Industrial Designs, are hereby further amended as follows:

SECTION 1. Rule 929.1. is hereby amended, as follows:

Rule 929.1. *Revival of Application Without Cost.* — An application deemed withdrawn due to loss of applicant's response or Examiner's action that was not received as evidenced by the post office return card, and other unforeseen circumstances which may be considered as fault of the Office shall be revived without cost; Provided, that a petition to revive without cost is filed within four (4) months from the mailing date of the notice of withdrawal. In case of loss of applicant's response, the petition must be accompanied by the copy bearing the original stamp of the Office.

SECTION 2. Rule 1001 is hereby amended, as follows:

Rule 1001. *Contents of Patent.* — The patent certificate shall be issued in the name of the Republic of the Philippines under the seal of the Office and shall be signed by the Director of Patents, and registered together with the description, claims, and drawings, if any, in the books and records of the Office (Sec. 53, IP Code). For this purpose, a digitally signed Certificate of Registration shall have the same legal effect as a traditionally signed certificate.