

**[IPO OFFICE ORDER NO. 12, S. 2009, February
04, 2009]**

AMENDMENTS TO THE IPO UNIFORM RULES ON APPEAL

In accord with the policy of the Intellectual Property Office of the Philippines to streamline its rules and procedures in resolving cases involving intellectual property rights and pursuant to the authority of the Director General under Sec. 7.1 of RA 8293, also known as the Intellectual Property Code of the Philippines, the following amendments to Office Order No. 12, s. 2002 entitled "IPO Uniform Rules on Appeal" are hereby promulgated, as follows:

Section 1. Section 1 is amended, as follows:

Section 1. Title and Coverage. – These Rules and shall be known as the "Uniform Rules on Appeal." These Rules shall cover decisions or final orders rendered by the Director of the Documentation, Information and Technology Transfer Bureau (DITTB), the Director of the Bureau of Legal Affairs (BLA), the Director of the Bureau of Patents (BOP) and the Director of the Bureau of Trademarks (BOT). Interlocutory orders, however, shall not be appealable to the Director General.

Section 2. Sections is amended, as follows:

Section 2. Appeal to the Director General. The decisions or final orders of the Bureau Director shall become final and executory thirty (30) days after receipt of a copy thereof by the parties unless, within the same period, a motion for reconsideration is filed with the Bureau Director or an appeal to the Director General has been perfected; Provided, that only one (1) motion for reconsideration of the decision or order of the Bureau Director shall be allowed; and, in case the motion for reconsideration is denied, the appellant or appellants has/have the balance of the period prescribed above within which to file the appeal.

Upon proper motion citing meritorious reasons and the payment of the full amount of appeal fee and other applicable fees before the expiration of the reglementary period to perfect an appeal, the Office of the Director General may grant an additional period of fifteen (15) days within which to file the appeal. No further extension of the period to file the appeal, however, shall be allowed.

Section 3. Section 3 is amended, as follows:

Section 3. Appeal Memorandum – The appeal shall be perfected by filing or submitting in the Office of the Director General the following:

- a) an appeal memorandum in two (2) legible copies;