

Title:

Ching v. Salinas, et al.

Facts:

Jessie G. Ching, owner and general manager of Jeshicris Manufacturing Co., believes he owns copyrights over a “Leaf Spring Eye Bushing for Automobile” comprised of plastic. Ching had these works registered with the National Library and, believing others were illegally manufacturing and distributing them, sought the assistance of the National Bureau of Investigation (NBI). The NBI applied for search warrants against William Salinas, Sr. and officers of Wilaware Product Corporation for alleged infringement under Sections 177.1 and 177.3 of R.A. No. 8293 (Intellectual Property Code of the Philippines). The RTC issued search warrants which resulted in the seizure of several items considered to be infringing on Ching’s copyright.

The respondents moved to quash the search warrants on the grounds that the subject works were neither artistic nor literary but were spare parts of automobiles, and thus should be patentable rather than copyrightable. The RTC quashed the search warrants, agreeing that there was no probable cause for their issuance since the objects were not literary or artistic as required for copyright protection.

Ching petitioned the CA, arguing that the RTC had no jurisdiction to resolve the validity of his copyright registrations in a search warrant proceeding and that his works were protected by the Intellectual Property Code. The CA dismissed Ching’s petition, stating that for search warrants to be reinstated, the objects must be copyrightable, which Ching’s works were not. The CA’s ruling was upheld when Ching appealed to the Philippine Supreme Court.

Issues:

1. Whether the RTC had the jurisdiction to determine the copyrightability of Ching’s utility models in the proceeding to quash the search warrants.
2. Whether Ching’s utility models are considered literary and/or artistic works that are copyrightable under R.A. No. 8293.

Court’s Decision:

The Supreme Court upheld the CA’s decision stating that the RTC did have jurisdiction to delve into the copyrightability of the models when determining probable cause for the issuance of search warrants. The Court also ruled that Ching’s utility models were not

copyrightable, as they were neither literary nor artistic works, nor were they ornamental designs or models for articles of manufacture. They were deemed useful articles with a utilitarian function, ineligible for copyright protection under R.A. No. 8293.

Doctrine:

The Court reiterated the doctrine that the determination of probable cause in the issuance of search warrants involves the examination of whether an offense exists. Ownership of copyrighted material is proven by originality and copyrightability. Copyright protection does not extend to useful articles or works of industrial design with utilitarian function unless they include artistic features that can exist independently of the utilitarian aspects.

Historical Background:

At the historical backdrop, the Intellectual Property Code of the Philippines (R.A. No. 8293) delineated the scope of copyright protection, specifically emphasizing literary and artistic works and excluding utilitarian designs. The central issue in this case revolves around the interpretation and application of these boundaries relative to technological works that have a functional purpose. The Supreme Court's decision underscores the legal distinction between copyrightable artistic creations and non-copyrightable utility models, a principle that has implications on how intellectual property laws are enforced and upheld in the Philippines, especially in relation to the manufacturing and industrial sectors.