

****Title:**** Kenneth Roy Savage/K Angelin Export Trading vs. Judge Taypin, et al., G.R. No. 118151 (1998)

****Facts:****

1. ****Initial Complaint & Search Warrant:****

- Eric Ng Mendoza, president of Mendco Development Corp. (MENDCO), filed a complaint against Kenneth Roy Savage and K Angelin Export Trading.
- The complaint alleged that the petitioners engaged in unfair competition by copying MENDCO's design patents for wrought iron furniture.
- Based on this, Supervising Agent Jose Ermie Monsanto of the National Bureau of Investigation (NBI) applied for a search warrant from the Regional Trial Court (RTC) of Cebu City.
- Judge Aproniano B. Taypin issued Search Warrant No. 637-10-1697-12 on October 16, 1997. The warrant was executed the next day, resulting in the seizure of various pieces of wrought iron furniture from K Angelin Export International's factory.

2. ****Motion to Quash Search Warrant:****

- On October 30, 1997, the petitioners filed a motion to quash the search warrant on several grounds, including the non-existence of the alleged crime, lack of probable cause, improper questioning by the judge, and inadequate description of items to be seized.
- On November 10, 1997, they filed a supplemental motion arguing the absence of a certification of non-forum shopping.
- Both motions were denied by Judge Taypin on January 30, 1998.

3. ****Motion for Reconsideration:****

- On March 2, 1998, the petitioners filed a motion for reconsideration, reiterating their previous grounds and adding that the court lacked jurisdiction and failed to substantiate its denial order.
- The motion was also denied, prompting the petitioners to seek relief from the Supreme Court.

****Issues:****

1. ****Jurisdiction:****

- Whether the RTC had the authority to issue the search warrant given it wasn't designated as a special court for Intellectual Property Rights (IPR).

2. **Certification of Non-Forum Shopping:**

- Whether the absence of a certification of non-forum shopping invalidates the search warrant application.

3. **Existence of the Crime:**

- Whether the alleged offense of unfair competition under Art. 189 of the Revised Penal Code (RPC) existed, or had been rendered academically moot by subsequent legislation.

Court's Decision:

1. **Jurisdiction:**

- The Supreme Court ruled that the ability to issue search warrants is inherent in all courts and not limited by Administrative Orders designating special courts for specific cases.

- The designation under Administrative Order No. 113-95 pertains only to trying and deciding cases, not to ancillary processes like issuing search warrants.

2. **Certification of Non-Forum Shopping:**

- The Court found that a search warrant application does not require a certification of non-forum shopping as per the Rules of Court.

- Thus, the absence of such certification in the initial instance was not grounds for dismissal or invalidation of the search warrant.

3. **Existence of the Crime:**

- The alleged crime of unfair competition involving design patents was rendered moot by the Intellectual Property (IP) Code (RA 8293), which repealed Articles 188 and 189 of the RPC.

- Given the lack of specific statutory provisions for criminal liability for the alleged acts, any prosecution under the superseded provisions could no longer proceed.

- Consequently, since the legal basis for the alleged crime was invalidated, the search warrant issued for offences under the repealed provisions was also invalid.

Doctrine:

- **Ancillary Jurisdiction of Courts:** Courts have inherent authority to issue search warrants as part of their ancillary jurisdiction, irrespective of their specific judicial designations.

- **Certification of Non-Forum Shopping:** Not mandatory for applications for search

warrants, focusing primarily on initiatory pleadings.

- **Penal Statute Application:** Penal statutes and amendments must be liberally construed in favor of the accused, preventing prosecution under repealed or superseded statutes.

Class Notes:

- **Key Elements:**

- **Search Warrants:** Requirements include probable cause, personal examination by the judge, and specific description of items and location.

- **Jurisdiction:** Designations for special courts do not limit general judicial powers.

- **Certification of Non-Forum Shopping:** Required primarily for initiatory pleadings, not procedural applications like search warrants.

- **Statutes:**

- **Article 189, RPC:** Penal provisions for unfair competition (repealed).

- **IPR Code (RA 8293):** Current legal framework for IP and unfair competition.

Historical Background:

- The case reflects transitional legal challenges during the shift from the old RPC provisions governing intellectual property to a more modern IP framework under RA 8293 (Intellectual Property Code). The decision underscores the need for clarity in statutory provisions during law reforms and the protection of accused individuals from outdated legal bases.