

AMENDMENT OR CORRECTION OF CERTAIN PROVISIONS OF THE REGULATIONS ON INTER PARTES CASES

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Pursuant to the provisions of Republic Act No. 8293, otherwise known as the Intellectual Property Code of the Philippines, the Rules and Regulations on Inter Partes Proceedings (Petitions for Cancellation of a Mark, Patent, Utility Model, Industrial Design, Opposition to Registration of a Mark, and Compulsory Licensing) published on 05 October 1998 and took effect on 20 October 1998, are hereby amended as follows:

SECTION 1. The omitted phrase "If the petition is" is hereby inserted in Rule 2, Section 9 (b) which now reads, in part:

"If the petition is amended, the time fixed for the filing and service of the answer shall, unless otherwise ordered, run xxx"

SECTION 2. Rule 2, Section 11 (a) is hereby amended by deleting the phrase "to recover his costs from the petitioner/opposer" and shall read, in part, as follows:

"If the petitioner/opposer does not appear at the time and place designated in the Notice of Pre-Trial Conference or a Notice of Hearing or in a subsequent order, or failed to prosecute his case for an unreasonable length of time, or fail to comply with these Regulations or any order of the Bureau, the petition or notice of opposition, as the case may be, shall be dismissed for failure to prosecute and judgment rendered in favor of the respondent. xxx

SECTION 3. The word "effected" is hereby changed to "affected" in the last line of Rule 5, Section 2 which now reads:

SECTION 2. Partial Cancellation. Where the grounds for cancellation relate to a part of the industrial design, cancellation may be affected to such extent only. The restriction may be effected in the form of an alteration of the affected features of the design.

SECTION 4. Rule 6, Section 3(a) is hereby amended as follows"

"(a) National emergency as declared by the President or other circumstances of extreme urgency as declared by the appropriate government authorities."

SECTION 5. Furnishing of Certified Copies. Mr. Eduardo Joson, Records Officer II, is hereby directed to immediately file three (3) certified copies of these Regulations with the University of the Philippines Law Center, and, one (1) certified copy each to the Office of the President, the Senate of the Philippines, the House of Representatives, the Supreme Court of the Philippines, and the National Library.

SECTION 6. This Office Order shall take effect immediately and shall be published in a newspaper of general circulation.

Adopted: 29 Dec. 1998

(SGD.) EMMA C. FRANCISCO
Director General

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