

ERRATUM TO “THE REVISED IMPLEMENTING RULES AND REGULATIONS FOR PATENTS, UTILITY MODELS AND INDUSTRIAL DESIGNS” WHICH WAS PUBLISHED IN THE MANILA TIMES NEWSPAPER ISSUED ON APRIL ...

IPO ERRATUM TO “THE REVISED IMPLEMENTING RULES AND REGULATIONS FOR PATENTS, UTILITY MODELS AND INDUSTRIAL DESIGNS” WHICH WAS PUBLISHED IN THE MANILA TIMES NEWSPAPER ISSUED ON APRIL 26, 201, January 17, 2012

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/638ed50d3f01/>

- Rule 406.1 of The Revised Implementing Rules and Regulations for Patents, Utility Models and Industrial Design is corrected to read, as follows:

Rule 406.1. Enabling Disclosure. – The enabling disclosure shall contain a clear and detailed description of at least one way of doing the invention using working examples. It shall contain a sufficient and clear disclosure of the technical features of the invention including the manner or process of making, performing, and using the same, leaving nothing to conjecture.

In case of chemical substance and pharmaceutical subject matter, the disclosure must include one or more representative embodiments or working examples, a description of the result of the pharmacological test in the case of pharmaceutical subject matter, and all compounds must include their claimed activity.

- Rule 1100 of The Revised Implementing Rules and Regulations for Patents, Utility Models and Industrial Design shall become rule 1004, under Part 10, and corrected to read, as follows:

Rule 1004. Term of Patent. – The term shall be twenty (20) years from the filing date of the application. However, a patent shall cease to be in force and effect if any prescribed annual fees there for is not paid within the prescribed time or if the patent is cancelled in accordance with the provisions of the IP Code and these Regulations.

- The title of Part 11 of The Revised Implementing Rules and Regulations for Patents, Utility Models and Industrial Design is changed from TERM OF PATENTS to ANNUAL FEES and the provision there under are renumbered and corrected to read as follows:

PART 11 ANNUAL FEES

Rule 1100. Annual Fees. – The first annual fee on patent shall be due and payable on the expiration of four (4) years from the date the application is published, and on each subsequent anniversary of such date. Payment may be made within three (3) months before the due date. The obligation to pay the annual fees shall terminate should the application be withdrawn, refused, or cancelled.

For the PCT national phase entry applications, the first annual fee shall be due and payable on the expiration of four (4) years from the international publication date, regardless of the language of the publication.

Rule 1101. Date Application is published. – The application is published on the date that the IPOPHL E-Gazette containing the application is released from circulation. For example, if the IPOPHL E-Gazette

containing the application is released for circulation on January 15, 1999, then the first annual fee shall be due and payable on January 15, 2003.

Rule 1102. Non-payment of Annual Fees; Grace Period. – If an annual fee is not paid within the prescribed time, a notice of non-payment shall be published in the IPOPHL E-Gazette. After the publication, the notice shall also be immediately mailed to the patent owner, applicant, or the resident agent.

Within a grace period of six (6) months from the publication of the notice of non-payment in the IPOPHL E-Gazette, the annual fee plus the prescribed surcharge for delayed payment and the publication fee must be paid in full. Upon failure to pay the annual fees, surcharges, and the publication fee within the grace period, a notice that the application is deemed withdrawn or that the patent considered lapsed as of the date following the expiration of the original period within which the annual fee was due, shall be issued and published in the IPOPHL E-Gazette and recorded in the appropriate register of the Office.

- Rule 1517 of the Revised Implementing Rules and Regulations for Patents, Utility Models and Industrial Designs is corrected as follows.

Rule 1517. Publication of the Industrial Design Application. – An industrial design application shall be published in the IPOPHL E-Gazette after formality examination prior to registration. However, the application may be published immediately after filing provided the following formal requirements are complied with upon filing of the application:

- The description and claim and drawings are made in accordance with these Regulations;
- The filing fee and other required fees have been fully paid;
- If priority is claimed, the prior documents are submitted; and
- Other additional formal requirements required by the Office have been complied with.

- Rules 1616 and 1617, Part 16, Chapter 9 of the Revised Implementing Rules and Regulations for Patents, Utility Models and Industrial Designs are corrected as follows.

Rule 1616. Time for Response by Applicant; Withdrawal of Application for Failure to Respond within Time Limit. – The provisions on the “Time for Response by Applicant” and “Withdrawal of Application” as provided for in Part 9, Rules 928, 929, 929.1, and 930 of the Regulations for Patents shall apply, *mutatis mutandis*, to utility models or industrial designs.

Rule 1617. Reconstitution of Application File Wrappers. – The provisions on the “Reconstitution of Application File Wrappers” as provided for in Part 9, Rule 931 of the Regulations for Patents shall apply, *mutatis mutandis*, to utility models or industrial designs.

Date Filed: 17 January 2012

ABOUT BATAS.ORG

Study smarter at BATAS.org

The Philippine bar review and law-school companion built around how your brain actually remembers.

The complete Philippine law library - free for everyone.

More than 100,000 Supreme Court decisions, Republic Acts, and executive issuances - full-text searchable, browsable by category and year, and always free. No paywall, no login. This PDF came from it.

Audio case-brief lectures.

Any decision becomes a podcast-style lecture - facts, issues, ruling, and doctrine - with read-along highlighting and a hands-free presentation mode. Study while commuting, working out, or resting your eyes.

Bar review built on the science of memory.

Complete, sequenced courses for all eight bar subjects, narrated like podcasts and reinforced with retrieval practice and spaced review - the study techniques with the strongest evidence behind them.

The full law-school curriculum.

One subscription unlocks the entire J.D. curriculum - every subject, every lesson, with your progress tracked down to the paragraph so you can pick up exactly where you left off, on any device.

Mock exams that tell you where you stand.

Timed multiple-choice exams graded instantly, with per-subject score breakdowns and focus suggestions that point you at your weakest topics first.

A study planner that keeps you on pace.

Set your schedule and BATAS tells you every day whether you are on track for bar day - and exactly which lesson to take next.

Start free at <https://batas.org>

The law library is free forever - and your first lesson is one click away.

The text of this document is an official public record and remains in the public domain. Formatting, presentation, and compilation © 2026 batas.org.

Downloaded free from the batas.org Law Library. Share it freely - the library is free for every law student, bar reviewee, and practitioner.