FURTHER AMENDING MINISTRY ORDER NO. 69 SERIES OF 1983, AS AMENDED, TO INCLUDE REPUBLIC ACT NO. 8293 (INTELLECTUAL PROPERTY CODE OF THE PHILIPPINES) IN THE ENUMERATION OF TRADE A...

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WHEREAS, Executive Order No. 913 (issued 1983) authorizes the Secretary of Trade and Industry to adjudicate, personally or by delegation, cases of violation of trade and industry laws;

WHEREAS, Republic Act No. 8293, a new law involving intellectual property rights, has yet to be included in the enumeration of trade and industry laws in Section 1 (d) of Ministry Order No. 69, Series of 1983, as amended;

NOW, THEREFORE, the following are hereby prescribed:

> SECTION 1. Section 1 (d) of Ministry Order No. 69, Series of 1983, as amended, is hereby further amended by deleting Republic Act Nos. 165 and 166, both as amended, the same having been repealed by Republic Act No. 8293, from the list of the enumeration of "trade and industry laws", and including Republic Act No. 8293 therein.
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> SECTION 2. Henceforth, complaints for violation of Republic Act No. 8293 irrespective of the total amount of damages claimed therein, or even if no damages are claimed therein, may be filed with the proper DTI Offices and the latter shall administratively adjudicate (mediate, formally hear, decide or dismiss, as the case may be) the same under E.O. 913 and Ministry Order No. 69 as amended: Provided, however, that if the damages claimed in the complaint is in the total amount of Two Hundred Thousand Pesos (P200,000.00) or more, the complaint may be filed either with the said proper DTI Offices pursuant to E.O. 913 and Ministry Order No. 69 as amended, or with the Bureau of Legal Affairs, Intellectual Property Office, pursuant to Republic Act No. 8293 and its Implementing Rules and Regulations on Administrative Complaints and: Provided further, that the filing of the complaint in one venue precludes the filing of the same in the other.
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> The proper DTI Offices shall continue to have the authority to adjudicate under E.O. 913 and M.O. 69 cases involving violations of intellectual property laws.
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> SECTION 3. Nothing in this Order shall be interpreted to transfer, diminish, modify, or duplicate any power, function, duty, or responsibility of the Intellectual Property Office, its various bureaus and units, its Director-General and its other officials and employees.
>
> SECTION 4. This Order shall take effect fifteen (15) days after publication in two (2) newspapers of general circulation.

Adopted: 18 January 2000

(SGD.) LILIA R. BAUTISTA
Acting Secretary

Recommended by:

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Director
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