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AMENDMENT TO LOI 06/09 “TAMANG BIHIS ALPHA”

PNP, January 15, 2010

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1. REFERENCES:

a. Chief, PNPs Orders dated September 27, 2008;
b. PNP LOI 2005 “Tamang Bihis” dated August 21, 2005;
c. PNP LOI 2007-50 “Bantay Bihis” dated November 21, 2007;
d. PNP LOI 06/09 “Tamang Bihis Alpha” dated February 23, 2009;
e. Repubic Act No. 8293, otherwise known as the “Intellectual Property Code of the Philippines”;
f. Memo from C, AFCCD, CIDG re Proper Complainant on the Issue of Alleged Violationof IP Rights of the PNP on Patented Items of Uniforms dated August 12, 2009; and
g. Memo from Director; Legal Service dated November 17, 2009 with subject as reference 1.f.

2. PURPOSE:

This Letter of Instructions will identify the actions to be taken by identified PNP offices and units in implementing stricter measures on the regulation and control on the use, manufacture, sale and distribution of PNP-owned industrial designs of uniforms, items of uniforms and accoutrements.

3. SITUATION:

The proliferation of nauthorized sellers, manufacturers and even distributors of PNP uniforms and accoutrements has become a hindrance in the PNPs program to improve the trust and confidence of the people towards the police. The production of substandard and unauthorized PNP uniforms has resulted to PNP uniforms and accoutrements being readily available not only to PNP personnel but also to criminals, who use these PNP uniforms as a disguise in the commission of their nefarious activities. This prompted the PNP to formulate and implement various measures necessary to have the PNP uniforms and accoutrements exclusively available only to bonafide members of the PNP.

As of today, there are already fifty-two (52) PNP uniforms and accoutrements which have already been registered with the Intellectual Property Office of the Philippines in order to safeguard the PNP’s ownership over these designs, which in the end will give the PNP a much needed tool in its legal offensive against illegal manufacturers, suppliers, distributors and sellers of PNP uniforms and items of uniform.

The PNP, as the owner of these property rights, will now have a basis to strictly implement the protection granted to it by law in order to eliminate the production of substandard and unauthorized uniforms.

4. MISSION:

In addition to the mission of LOI 06/09 “TAMANG BIHIS ALPHA”, this LOI will explicitly identify the courses of action of Task Force “Bantay Bihis” and other PNP units in the implementation of this LOI.

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5. EXECUTION:

a. Chief, PNP's Intent:

In addition to those mentioned in LOI 06/09 "TAMANG BIHIS ALPHA", the Chief, PNP wants that persons or entities that violate the intellectual property rights of the pNP as to the design and texture of its uniform and accoutrements be brought to justice, thereby strengthening and institutionalizing the legal offensive needed to achieve this purpose. Further, persons or entities authorized by the PNP to manufacture, sell and distribute PNP uniforms and accoutrements are also given the corresponding rights and privileges in accordance with Republic Act No. 8293, otherwise known as the Intellectual Property Code of the Philippines.

b. Tasks:

In addition to those already mentioned in LOI 06/09 "TAMANG BIHIS ALPHA", the following are the tasks tobe performed by various PNP offices and units in the implementation of this LOI.

1) RDs PRO 1-13, COR, ARMM, NCRPO and CIDG

a) Represent the PNP in the filing of administrative, civil and/or criminal complaint/case against violators of RA 8293 and other related laws as well as recommend for the cancellation of the business permits and immediate closure of the busines establishment of the violators in their respective area of jurisdiction; and

b) Perform other tasks as directed.

2) DRD

a) Assist the CIDG and other operating units in the conduct of operation against unauthorized persons or entities illegally manufacturing, selling and distributing PNP uniforms and accoutrements by providing technical personnel who can properly identify any infringement of PNP uniforms and accoutrements; and

b) Perform other tasks as directed.

c) Coordinating Instructions:

1) This LOI adopts all provisions of the previously issued LOIs pertaining to the "BANTAY BIHIS" program of the PNP for as long as the same are not inconsistent with this LOI;

2) Concerned Chiefs of Offices/Units are hereby directed to strictly observe and implement this LOI; and

3) Lateral coordination among tasked offices/units is highly encouraged to ensure the strict implementation of this LOI.

6. EFFECTIVITY:

This LOI shall be effective upon approval.

(SGD.) JESUS A VERZOSA, CEO VI
Police Director General
Chief, PNP

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