NATIONAL ADMINISTRATIVE REGISTER · JANUARY 13, 2009

ON THE JOINT DOH-DTI-IPO-BFAD ADMINISTRATIVE ORDER NO. 2008-01: THE IMPLEMENTING RULES AND REGULATIONS OF REPUBLIC ACT 9502 OTHERWISE KNOWN AS THE “UNIVERSALLY ACCESSIBLE CHEAPE...

DOH ERRATUM, January 13, 2009

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Rule 12. Compulsory Licensing.

x x x

Section 4. Period for Filing a Petition for Compulsory License. A compulsory license may not be applied for on the ground stated in Section 5 (e) below before the expiration of a period of four (4) years from the date of filing of the application or three (3) years from the date of the patent whichever period expires last. A compulsory license which is applied for on any of the grounds stated in Section 5 (b), 5 (c), 5(d), 5 (f), and 6 of this Rules may be applied for at any time after the grant of the patent (94.1)

x x x

Section 13. Procedure for Compulsory License. The procedure for Compulsory Licensing are as follows - x x x

(iv.) Filing of Reply and Rejoinder - The petitioner may file a reply within a non-extendible period of ten (10) days from receipt of the copy of the Answer. On the other hand, the Respondent may file a rejoinder also within a non-extendible period of ten (10) days from receipt of the Reply. (IPP Rules)

(v.) Effect of Failure to File an Answer. In case the Respondent fails to file an Answer or if the Answer is filed out of time, the case shall be decided on the basis of the petition, the affidavits of witnesses and the documentary evidence submitted by the petitioner. (IPP Rules)

(vi.) Decision on the Pleadings - Within fifteen (15) days after the last responsive pleading has been filed, the Director of the BLA may render the decision on the case if the same does not warrant further proceedings. (IPP Rules)

x x x

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