

AN ACT TO REGULATE THE USE OF DULY STAMPED OR MARKED BOTTLES, BOXES, CASKS, KEGS, BARRELS AND OTHER SIMILAR CONTAINERS.

REPUBLIC ACT NO. 623, June 05, 1951

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Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

SECTION 1. Persons engaged or licensed to engage in the manufacture, bottling or selling of soda water, mineral or aerated waters, cider, milk, cream, or other lawful beverages in bottles, boxes, casks, kegs, or barrels, and other similar containers, with their names or the names of their principals or products, or other marks of ownership stamped or marked thereon, may register with the Philippine Patent Office a description of the names or marks, and the purpose for which the containers so marked are used by them, under the same conditions, rules, and regulations, made applicable by law or regulation to the issuance of trademarks.

SEC. 2. It shall be unlawful for any person, without the written consent of the manufacturer, bottler or seller who has successfully registered the marks of ownership in accordance with the provisions of the next preceding section, to fill such bottles, boxes, kegs, barrels, or other similar containers so marked or stamped, for the purpose of sale, or to sell, dispose of, buy, or traffic in, or wantonly destroy the same, whether filled or not, or to use the same for drinking vessels or glasses or for any other purpose than that registered by the manufacturer, bottler or seller. Any violation of this section shall be punished by a fine of not more than one hundred pesos or imprisonment of not more than thirty days or both.

SEC. 3. The use by any person other than the registered manufacturer, bottler, or seller, without written permission of the latter, of any such bottle, cask, barrel, keg, box or other similar container, or the possession thereof by any junk dealer or dealer in casks, barrels, kegs, boxes, or other similar containers, the same being duly marked or stamped and registered as herein provided, shall be prima facie evidence that such use, or possession is unlawful.

SEC. 4. The criminal action provided in this Act shall in no way affect any civil action to which the registered manufacturer, bottler, or seller, may be entitled by law or contract.

SEC. 5. No action shall be brought under this Act against any person to whom the registered manufacturer, bottler, or seller, has transferred by way of sale, any of the containers herein referred to, but the sale of the beverage contained in the said containers shall not include the sale of the containers unless specifically so provided.

SEC. 6. The provisions of this Act shall not be interpreted as prohibiting the use of bottles as containers for "sisi", "bagoong", "patis", and similar native products.

SEC. 7. This Act shall take effect upon its approval.

Approved, June 5, 1951.

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