
**Council for Trade-Related Aspects of
Intellectual Property Rights**

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**MAIN DEDICATED INTELLECTUAL PROPERTY
LAWS AND REGULATIONS NOTIFIED UNDER
ARTICLE 63.2 OF THE AGREEMENT**

PHILIPPINES

The present document reproduces the text¹ of the Rules and Regulations Establishing the Fee Structure of the Intellectual Property Office, as notified by the Philippines under Article 63.2 of the Agreement (see document IP/N/1/PHL/2).

**Conseil des aspects des droits de propriété
intellectuelle qui touchent au commerce**

**PRINCIPALES LOIS ET REGLEMENTATIONS CONSACREES A LA
PROPRIETE INTELLECTUELLE NOTIFIEES AU TITRE
DE L'ARTICLE 63:2 DE L'ACCORD**

PHILIPPINES

Le présent document contient le texte¹ des Règles et réglementations établissant le barème des taxes fixé par l'Office de la propriété intellectuelle, notifiées par les Philippines au titre de l'article 63:2 de l'Accord (voir le document IP/N/1/PHL/2).

**Consejo de los Aspectos de los Derechos de Propiedad
Intellectual relacionados con el Comercio**

**PRINCIPALES LEYES Y REGLAMENTOS DEDICADOS A LA
PROPIEDAD INTELECTUAL NOTIFICADOS EN VIRTUD
DEL PÁRRAFO 2 DEL ARTÍCULO 63 DEL ACUERDO**

FILIPINAS

En el presente documento se reproduce el texto¹ de las Normas y Reglamentos por los que se establece la estructura de derechos de la Oficina de la Propiedad Intelectual, notificado por Filipinas en virtud del párrafo 2 del artículo 63 del Acuerdo (véase el documento IP/N/1/PHL/2).

¹ In English only./En anglais seulement./En inglés solamente.

June 8, 2000

**RULES AND REGULATIONS ESTABLISHING THE FEE STRUCTURE
OF THE INTELLECTUAL PROPERTY OFFICE**

Whereas, the State recognizes that an effective industrial property system is vital to the development of domestic creativity, facilitates transfer of technology, attracts foreign investments and ensures market access for our products;

Whereas, it is the policy of the State to streamline administrative procedures and enhance enforcement of intellectual property rights in the Philippines;

Whereas, in declaring the foregoing State policies, Republic Act No. 8293, otherwise known as the Intellectual Property Code of the Philippines re-engineered the intellectual property regime in the country and adopted innovative changes such as the first-to-file system in patent administration, removal of prior use as a requirement for trademark application, possibility of provisional remedies in administrative complaints for violation of intellectual property rights, liberalization of technology transfer registration;

Whereas, the Intellectual Property Code abolished the Bureau of Patents, Trademarks and Technology Transfer under the Department of Trade and Industry and, in lieu thereof, created the Intellectual Property Office to administer and implement the above-mentioned State policies;

Whereas, the Intellectual Property Office has promulgated seven sets of implementing rules and regulations pursuant to the Intellectual Property Code;

Whereas, to implement the Intellectual Property Code and the rules and regulations promulgated pursuant thereto, there is a need to restructure the fees and charges prescribed by the former Bureau of Patents, Trademarks and Technology Transfer;

Now, therefore, pursuant to the provisions of the Intellectual Property Code, the following rules and regulations establishing the fees and charges of the Intellectual Property Office are hereby promulgated:

PART I

Definitions

SECTION 1. *Title.* — These Rules shall be known as the "IPO Fee Structure".

SECTION 2. *Definition of terms and acronyms.* — Unless otherwise specified, the following terms and acronyms shall mean or refer to:

- (a) "Bureau" refers to any or all of the bureaus of the IPO, namely:
 - Bureau of Legal Affairs (BLA)
 - Bureau of Patents (BOP)
 - Bureau of Trademarks (BOT)
 - Documentation, Information and Technology Transfer Bureau (DITTB)
 - Management Information Systems and EDP Bureau (MIS-EDPB)
 - Administrative, Financial and Human Resource Development Service Bureau (AFHRDSB)
- (b) "Director" refers to any or all of the Directors or Officer-in-Charge of the bureaus of the IPO
- (c) "Director General" refers to the Director General of the IPO
- (d) "Examiner" refers to an Intellectual Property Rights Specialist in the Bureau of Patents and Bureau of Trademarks
- (e) "Fees" refer also to charges and costs; refer to costs imposed on direct recipients of public goods and services by the IPO in the exercise of its functions
- (e) "IP Code" means Republic Act No. 8293 or the Intellectual Property Code of the Philippines
- (f) "IPO" or "Office" refers to the Intellectual Property Office
- (g) "Publication Fee" refers to publication in the IPO Gazette
- (h) "IRR" refers to the implementing rules and regulations (including any and all amendments) promulgated by the IPO

SECTION 3. *Small and big entity; Presumption; Reduction.* — For purposes of assessment and payment of fees:

- (a) A small entity is:
 - 1. Any natural or juridical person whose assets are worth Twenty Million Pesos (P20M) or less; or,
 - 2. Any entity, agency, office, bureau or unit of the Philippine government including government-owned or controlled corporations, state universities and colleges and government-owned or government-run schools.
- (b) A *big entity* is any natural or juridical person other than a small entity as defined above.
- (c) Any natural or juridical person is presumed to be a big entity unless a written statement to the contrary is submitted by such natural person or the duly authorized representative of such juridical person.
- (d) A small entity is entitled to a fifty percent (50%) reduction of the rates unless otherwise provided in these Rules.
- (e) Entitlement to the reduction of rate may be claimed at the time of payment by submitting the written statement referred to in paragraph (c) of this Section. Said written statement shall be submitted only once for each application, case or registration.
- (f) The change in status or any assignment or other transfer from big entity to small entity shall not result in any refund whatsoever of any payment made prior to the submission of the written statement referred to in paragraph (c) of this Section. A change in status, assignment or other transfer from small entity to big entity shall not result in any increase of fees paid prior to the recordal of the change, assignment or other transfer.

PART II

General Provisions

SECTION 1. *Fees payable in advance.* — All fees shall be collected in advance of any service to be rendered or materials to be furnished. The Office may not act on any pending transaction or request unless the prescribed fee is paid in full and on or before the due date.

SECTION 2. *Due date for fees.* — Fees shall be paid on or before the due date prescribed in the IP Code or IRRs. Where no due date is specified, the fees shall be

due upon submission or filing of the request for the service or material incurring the fee.

SECTION 3. *Payment of fees.* — Fees shall be paid in cash, money order, bank drafts and or cheques in Philippine currency.

SECTION 4. *Date of payment.* — Fees shall be considered to have been paid as follows:

- (a) In case of cash payment: the date of receipt in cash of the amount due in full.
- (b) In case of money order, cheque or bank draft payment: the date of receipt of the money order, cheque or bank draft provided that the same is honored upon first presentment and provided that the payment covers the amount due in full.

SECTION 5. *Time and place of payment.* — Payment transactions shall be made during regular working days and business hours from Monday to Friday 8:00 a.m. to 12:00 p.m. and 1:00 to 5:00 p.m. to the IPO cashier only.

SECTION 6. *Non-payment or Insufficiency of the amount paid.* — Subject to the IP Code or the applicable IRR, the Office may give the person making the payment the opportunity to fully pay the fee or any deficiency within a maximum period of two (2) months from mailing date of the notice. Failure to pay the full amount shall not result in any refund whatsoever of any amount already paid.

SECTION 7. *Time and place for submission of documents.* — Any official response, pleading or other document or paper, whether or not a fee is due, shall be submitted to the Office during regular working days and business hours from Monday to Friday, at 8:00 a.m. to 12:00 p.m. and 1:00 to 5:00 p.m.

SECTION 8. *Legal Research Fund.* — All fees and charges shall be subject to the payment of the legal research fund required by Presidential Decree No. 200 at the rate of one percent (1%) of the fee paid but not less than Two Pesos (Php 2.00).

SECTION 9. *Donation to the IPO.* — Any lawful Philippine or foreign, natural or juridical, public or private, entity may donate to the IPO subject to the approval of the Director General and/or a duly designated officer.

All fees or excess amounts paid to the IPO without mistake on the part of the Office shall inure to the benefit of, and shall be deemed as donation to, the Office. All donations may be certified by the duly authorized personnel of the IPO for any and all lawful purposes.

SECTION 10. *Amounts paid due to the fault of the Office.* – All fees or excess amounts paid to the IPO due to the fault of the Office shall be refunded unless the payor waives the same in writing in favor of the IPO. In case of waiver by the payor, the payment shall be governed by the immediately preceding section on "Donation to the IPO".

PART III

Schedule Of Fees

SECTION 1.0 *Schedule of General Fees.* — The general fees prescribed in this Section are applicable to the services and materials furnished by all the Bureaus and offices of the IPO.

SECTION 1.1. *Recordal of assignment in Patents.* — Whenever a request for recordal/annotation of assignments from small to big entity (Ref. Code No. 109) and any other assignment affecting title (Ref. Code No. 111) is made prior to publication of an invention application under Section 44 of the IP Code, such recordal/annotation shall be published not earlier than the said publication.

SECTION 1.2 *Recordal of assignment in Trademark.* — Whenever a request for recordal/annotation of assignment from small to big entity (Ref. Code No. 115) is made prior to the publication for opposition under Sec. 133 of the IP Code, such recordal/annotation shall be published not earlier than said publication for opposition.

Ref. Code	GENERAL FEES TYPE OF FEE	Php	
		Big	Small
101	1. CERTIFICATION FEE	280.00	
		plus cost of reproduction/computer print-out	
102	2. CERTIFIED TRUE COPY	350.00	175.00
		plus cost of reproduction/computer print-out	
103	3. COMPUTER PRINT-OUT / MICRO-FICHE PRINT OUT	PhP 15.00 per page	
104	4. CONFERENCE with the Examiner	280.00	FREE
105	5. IPO ACTION Box	Php 1,500.00	
		Annual Rental	

106	6. IPO GAZETTE	500.00	
		Per copy	
		Price subject to change as may be determined and announced from time to time	
107	7. PUBLICATION FEE	280.00	
		minimum; approximately 1/8 page	
108	8. RECONSTITUTION of Records	555.00	
		plus other applicable fees such as certification fee, reproduction fee and publication fee	
	9. RECORDAL/ANNOTATION of:		
	9.1 Invention		
109	9.1.1 1 st Assignment of <i>application</i> from small to big entity	4,140.00	N/A
		plus publication fee	
110	9.1.2 1 st Assignment of <i>issued patent</i> from small to big entity	5,520.00	N/A
		plus publication fee	
111	9.1.3 Any other Assignment or document affecting title	485.00	242.50
		plus publication fee	

	9.2 Utility Model and Industrial Design		
112	9.2.1 1 st Assignment of <i>application</i> from small to big entity	2,070.00	N/A
		plus publication fee	
113	9.2.2 1 st Assignment of <i>issued patent</i> from small to big entity	2,760.00	N/A
		plus publication fee	
114	9.2.3 Any other Assignment or document affecting title	240.00	120.00
		plus publication fee	
	9.3 Trademarks		
115	9.3.1 1 st Assignment of <i>application</i> from small to big entity	2,070.00	N/A
		plus publication fee	
116	9.3.2 1 st Assignment of <i>registered mark</i> from small to big entity	3,450.00	N/A
		plus publication fee	
117	9.3.3 Any other Assignment or document affecting title	485.00	242.50
		plus publication fee (if applicable)	
118	9.3.4 Updating of data such as change of name, change of address	485.00	242.50
		plus publication fee (if applicable)	
119	9.4 Other documents not required by the Office	415.00	207.50

	10. REPRODUCTION/Photocopy	Prevailing rate will be determined and announced from time to time	
120	10.1 Domestic	Php 2.50 per page	
121	10.2 Overseas	US \$ 0.50 per page plus other applicable charges	
122	11. SURCHARGE for late payment of fees where applicable	20% of the required fee	
123	12. Express charges, freight, postage, telephone, telefacsimile including cost of paper and other related expenses; E-mail and other electronic communications, publication in the IPO website, publication in media other than IPO Gazette	Actual cost plus handling fee equivalent to 10% of the actual cost	
	13. APPEALS/PETITIONS/MOTIONS		
124	13.1 Appeal to a Bureau Director from a final order or decision	1,380.00	690.00
125	13.2 Motion for Reconsideration of the decision of the Director of DITTB	2,000.00	
126	13.3 Motion for Reconsideration of the decision of other Bureau Directors	2,000.00	1,000.00
127	13.4 Appeal to the Director General from DITTB	2,000.00	
128	13.5 Appeal to the Director General from the other Bureaus	2,000.00	1,000.00
129	13.6 Any other Motion not specified in other parts of this Section	500.00	

SECTION 2.0. *Schedule of Invention Patent-related fees.* — The fees provided in this Section shall apply to invention patents.

Ref. Code	INVENTION	Php	
	TYPE OF FEE	Big	Small
	1. PRE-EXAMINATION		
201	1.1 Filing Fee	2,760.00	1,380.00
202	1.2 For each sheet in excess of thirty (30)	20.00	10.00
203	1.3 For each claim in excess of five (5)	250.00	125.00
204	1.4 Request for right of priority	1,380.00	690.00
205	1.5 Request for Extension of Time to File Priority Documents	1,000.00	500.00
206	1.6 Divisional Application (for each division)	2,760.00	1,380.00
207	1.7 Conversion From Utility Model to Invention	900.00	450.00
	2. EXAMINATION		
	2.1 Request for :		
	2.1.1 Extension of time to file Response		
208	2.1.1.1 First	450.00	225.00
209	2.1.1.2 Second	500.00	250.00
210	2.1.2 Substantive Examination	2,500.00	1,250.00
211	2.1.3 Revival	690.00	345.00
212	2.2 Preparation of amended page(s) of the master copy of the specification and/or claims	50.00	
		per page	
	3. POST-EXAMINATION		
	3.1 Issuance of Certificate		
213	3.1.1 Letters Patent	690.00	345.00
		plus publication fee	
214	3.1.2 Amendment or correction in the Letters Patent	280.00	140.00
		plus publication fee	
	3.2 Petition for:		
215	3.2.1 Voluntary surrender or cancellation	415.00	207.50
		plus publication fee	
216	3.2.2 Any amendment or any correction of mistake in a Letters Patent of formal and clerical nature without fault of Office	415.00	207.50
217	3.2.3 Any amendment or any correction in a Letters Patent of substantive nature	1,105.00	552.50

	4. ANNUAL FEES:	Due and payable at the beginning of the stated year reckoned from the date of first publication prior to substantive examination under Sec. 44 of RA 8293	
218	5 th year	2,070.00	1,035.00
219	6 th year	2,760.00	1,380.00
220	7 th year	3,450.00	1,725.00
221	8 th year	4,140.00	2,070.00
222	9 th year	5,520.00	2,760.00
223	10th year	6,900.00	3,450.00
224	11th year	8,910.00	4,455.00
225	12th year	11,040.00	5,520.00
226	13th year	13,110.00	6,555.00
227	14th year	15,870.00	7,935.00
228	15th year	18,630.00	9,315.00
229	16th year	21,390.00	10,695.00
230	17th year	24,150.00	12,075.00
231	18th year	28,980.00	14,490.00
232	19th year	34,780.00	17,390.00
233	20th year	41,730.00	20,865.00
234	5. Annual fee for each claim in excess of five (5) [5 th to 20 th year]	250.00	125.00
235	6. Notice and publication of non-payment of annual fee	280.00	
		minimum; approximately 1/8 page	

SECTION 3.0 *Schedule of Fees on Utility Model and Industrial Design Patents.* — The fees provided in this Section shall apply to utility model and industrial design patents.

UTILITY MODEL AND INDUSTRIAL DESIGN		Php	
Ref. Code	TYPE OF FEE	Big	Small
	1. PRE-EXAMINATION		
301	1.1 Filing Fee	2,350.00	1,175.00
302	1.2 For each sheet in excess of thirty (30)	20.00	10.00
303	1.3 For each claim in excess of five (5) in utility model	150.00	75.00
304	1.4 For each embodiment in excess of one (1) in industrial design	1,105.00	552.50
305	1.5 Request for right of priority	1,105.00	552.50
306	1.6 Divisional Application (for each division)	2,350.00	1,175.00
307	1.7 Conversion From Invention to Utility Model	415.00	207.50
	2. EXAMINATION		
	2.1 Request for:		
	2.1.1 Extension of Time to file Response		
308	2.1.1.1 First	450.00	225.00
309	2.1.1.2 Second	500.00	250.00
310	2.1.2 Registrability Report	800.00	400.00
311	2.1.3 Revival	690.00	345.00
312	2.2 Preparation of amended page(s) of the master copy of the specification and/or claims	50.00	
		per page	
	3. POST-EXAMINATION		
	3.1 Issuance of Certificate:		
313	3.1.1 Registration [Applies only to applications filed before effectivity of these rules]	500.00	250.00
		plus publication fee	
314	3.1.2 Amendment or correction to the Registration	280.00	140.00
		plus publication fee	
	3.2 Petition for:		
315	3.2.1 Voluntary surrender or cancellation	280.00	140.00
		plus publication fee	
316	3.2.2 Any amendment or any correction of mistakes in a Registration of formal and clerical nature without fault of Office	280.00	140.00
317	3.2.3 Any amendment or any correction of mistakes in a Registration of substantive nature	555.00	277.50

	4. EXTENSION OF TERM (Industrial Design Registration per embodiment)		
	4.1 Petition for Extension of Term		
318	4.1.1 First	1,380.00	690.00
		plus publication fee	
319	4.1.2 Second	2,760.00	1,380.00
		plus publication fee	

SECTION 4.0. *Schedule of Patent-related Fees under Republic Act No. 165.* The rates provided in this Section shall apply to applications filed and granted under Republic Act No. 165 (the former law on patents). The rate of other applicable fees which are not found in this Section shall be based on rates provided in Part III, Sections 1, 2 and 3 of these Rules. In determining the due date of the Annual Fees (Reference Code Nos. 420 through 433), the date of issuance of the patent is the same as the date when the Director of Patents approved and signed the allowance.

	FOR APPLICATIONS PROSECUTED UNDER R.A. 165	Php	
Ref. Code	TYPE OF FEE	Big	Small
	1. PRE-EXAMINATION		
401	1.1 For each claim in excess of five (5) in invention	115.00	57.50
402	1.2 For each embodiment in excess of one (1) in design	920.00	460.00
	1.3 Claim of convention priority		
403	1.3.1 Invention	1,150.00	575.00
404	1.3.2 Utility Model and Design	920.00	460.00
405	1.4 Re-issue application of an invention patent	1,105.00	552.50
	1.5 Divisional application (for each division)		
406	1.5.1 Invention	2,300.00	1,150.00
407	1.5.2 Utility Model and Design	1,380.00	690.00
408	1.6 For conversion: Invention to Utility Model	345.00	172.50

	2. EXAMINATION		
	2.1 Request for suspension of action		
409	2.1.1 Invention	555.00	277.50
410	2.1.2 Utility Model and Design	415.00	207.50
	2.2 Interference	415.00	207.50
	2.2.1 Motion to:	280.00	140.00
	2.2.1.1 Dissolve interference		
	2.2.1.2 Add party to an interference proceeding		
	2.2.1.3 Shift burden of proof in an interference proceeding		
411	2.2.1.3.1 Invention	690.00	345.00
412	2.2.1.3.2 Utility Model and Design	485.00	242.50
	2.2.2. Extension to file appeal briefs in ex-parte cases		
413	2.2.2.1 Invention	415.00	207.50
		plus publication fee	
414	2.2.2.2 Utility Model and Design	280.00	140.00
		plus publication fee	
	3. POST-EXAMINATION		
	3.1 Issuance of Certificate of Letters Patent		
415	3.1.1 Invention	690.00	345.00
		plus publication fee	
416	3.1.2 Utility Model and Industrial Design	500.00	250.00
		plus publication fee	
417	3.2 Reinstatement of lapsed invention patent	2,760.00	1,380.00
		plus publication fee	
	4. EXTENSION OF TERM (Utility Model and Industrial Design)		
	4.1 Petition for -		
418	4.1.1 1st Extension	1,380.00	690.00
		plus publication fee	
419	4.1.2 2nd Extension	2,760.00	1,380.00
		plus publication fee	
	5. ANNUAL FEES	Due and payable at the beginning of the stated year reckoned from the date of issuance patent	
420	5 th year	2,070.00	1,035.00
421	6 th year	2,760.00	1,380.00
422	7 th year	3,450.00	1,725.00
423	8 th year	4,140.00	2,070.00
424	9 th year	5,520.00	2,760.00
425	10 th year	6,900.00	3,450.00

426	11th year	8,910.00	4,455.00
427	12th year	11,040.00	5,520.00
428	13th year	13,110.00	6,555.00
429	14th year	15,870.00	7,935.00
430	15th year	18,630.00	9,315.00
431	16th year	21,390.00	10,695.00
432	17th year	24,150.00	12,075.00
433	6. Annual fee for each claim in excess of five (5) [5 th to 17 th year]	250.00	125.00
434	7. Notice and Publication of non-payment of annual fee	280.00	
		minimum; approximately 1/8 page	

SECTION 5.0. *Schedule of Trademark-related Fees.* — The fees provided in this Section shall apply to trademarks, service marks, tradenames and marked or stamped containers.

Ref. Code	TRADEMARK TYPE OF FEE	Php	
		Big	Small
	1. PRE-EXAMINATION		
501	1.1 Filing Fee (Per Class)	1,660.00	830.00
502	1.2 Claim for Convention Priority	690.00	345.00
503	1.3 Claim of color, Claim of distinctiveness	280.00	140.00
504	1.4 Request for Priority Examination	4,000.00	2,000.00
	2. EXAMINATION		
	2.1 Requests for -		
505	2.1.1 Extension of time to file any response (1-60 days)	450.00	225.00
506	2.1.2 Use of an old drawing	280.00	140.00
	2.1.3 Divisional Application		
507	2.1.3.1 Basic	280.00	140.00
508	2.1.3.2 1st extension	280.00	140.00
509	2.1.3.3 2nd extension	280.00	140.00
510	2.1.4 Revival of Abandoned Application	690.00	345.00
	2.1.5 Suspension of action		
511	2.1.5.1 By Examiner	555.00	277.50
	2.1.5.2 By Director		
512	2.1.5.2.1 First	690.00	345.00
513	2.1.5.2.2 Second	2,400.00	1,200.00
514	2.1.6 Conversion of application from Home Registration to “intent to use”	1,200.00	600.00
515	2.1.7 Amendment fee (to correct formalities, etc.)	485.00	242.50
516	2.2. To question correctness of Examiner’s action	280.00	140.00

	3. REGISTRATION		
	3.1 Issuance of		
517	3.1.1 Original/New/Replacement/ Renewal of Certificate of Registration	280.00	140.00
		plus publication fee	
518	3.1.2 Transfer Certificate of Registration	280.00	140.00
		per certificate	
	3.2 Petition/Request for -		
519	3.2.1 Amendment	485.00	242.50
		plus publication fee	
520	3.2.2 Correction (Without fault of Office)	485.00	242.50
		plus publication fee	
521	3.2.3 Voluntary Surrender/Abandonment	280.00	140.00
		plus publication fee	
522	3.2.4 Voluntary Cancellation	280.00	140.00
		plus publication fee	
523	3.2.5 Voluntary Disclaimer	280.00	140.00
		plus publication fee	
524	3.2.6 Division of Registration	280.00	140.00
525	4. RENEWAL OF REGISTRATION	4,140.00	2,070.00
		Per Class	

	5. FILING OF DECLARATION OF ACTUAL USE		
	5.1 Filed and registered under RA 8293		
526	5.1.1 Within 3 years from filing date	1,200.00	600.00
527	5.1.2 Within 1 year from 5th year anniversary	1,380.00	690.00
	5.2 Filed under RA 166		
528	5.2.1 Within 3 years from December 2, 1998	1,200.00	600.00
		Due and payable until Dec. 1, 2001	
	5.3 Registered under RA 166 and expiring after June 3, 2004		
529	5.3.1 Within 1 year from 5 th year anniversary	1,380.00	690.00
530	5.3.2 Within 1 year from 10th year anniversary	2,760.00	1,380.00
531	5.3.3 Within 1 year from 15th anniversary	4,140.00	2,070.00
532	5.4 Use of mark by a related company	1,200.00	600.00
533	5.5 Single extension of time to file Declaration of Use	2,400.00	1,200.00
534	6. ANY OTHER PETITION/ MOTION / REQUEST not required by the Office or not specified under this section	500.00	250.00

SECTION 6.0. *Schedule of Fees in Inter Partes Cases and Administrative Complaints for violation of laws on intellectual property rights.* — The fees provided in this Section shall apply to Inter Partes Cases (Petition for Cancellation of a Mark, Patent, Utility Model, or Industrial Design; Opposition to Registration of a Mark; and Compulsory Licensing) and Administrative Complaints for violation of laws on intellectual property rights. The reduction in rate for small entities shall not apply to Administrative Complaints.

	INTER PARTES CASES	Php	
Ref. Code	TYPE OF FEE	Big	Small
	1. TRADEMARKS		
601	1.1 Filing of Opposition (verified or unverified)	5,520.00	2,760.00
602	1.2 Request for copy of unverified opposition	reproduction cost at prevailing rate	
603	1.3 Petition for Cancellation	5,520.00	2,760.00
		plus publication fee	
604	1.4 Motion fee and Surcharge for extension of time to file verified opposition	1,100.00	550.00
		For every month of extension	

	2. PATENTS	
	2.1 Petition for Compulsory Licensing	
605	2.1.1 Invention	8,280.00 4,140.00
		plus publication fee
606	2.1.2 Utility Model / Industrial Design	4,140.00 2,070.00
		plus publication fee
	2.2 Petition for Cancellation	
607	2.2.1 Invention	8,280.00 4,140.00
608	2.2.2 Utility Model / Industrial Design	5,520.00 2,760.00
		plus publication fee
	3. Motion for -	
609	3.1 Extension of time to file any pleading	500.00
610	3.2 Extension of time to file appeal brief	500.00
611	3.3 Each postponement in excess of three (3) whether granted or not	1,000.00
612	3.4 Holding proceedings outside IPO premises	1,000.00
613	3.4.1 Cost of holding of proceedings outside IPO	Per diem and other expenses authorized for government employees/officials plus actual cost of hotel accommodation and transportation
614	4. Any other Motion/Manifestation with prayers/Petition and the like not specified in this section	500.00
615	5. Transcript of Stenographic Notes	20.00
		per page

Ref. Code	ADMINISTRATIVE COMPLAINTS TYPE OF FEE	Php	
		Big	Small
621	1. Filing of complaint	8,000.00	
622	1.1 Additional filing fee	1/10 of 1% of the damages claimed in excess of Five Hundred Thousand Pesos	
623	2. Permissive Counterclaim / Cross claim contained in an Answer filed in connection with IPR violation	1,000.00	
624	2.1 Additional filing fee	1/10 of 1% of the damages claimed in excess of Five Hundred Thousand Pesos	
	3. Motion for -		
625	3.1 Attachment	2,000.00	
626	3.2 Injunction	2,000.00	
627	3.3 Issuance of Cease and Desist Order	2,000.00	
628	3.4 Issuance of Order of Destruction of Infringing Goods/Services	2,000.00	
629	3.5 Amendment of pleading that would increase the amount of damages claimed	1,000.00	
630	3.5.1 Additional filing fee	1/10 of 1% of the damages claimed in excess of Five Hundred Thousand Pesos which shall in no case be less than One Thousand Pesos	
	4. Motion for -		
631	4.1 Extension of time to file any pleading	500.00	
632	4.2 Extension of time to file appeal brief	500.00	
633	4.3 Each postponement in excess of three (3) whether granted or not	1,000.00	
634	4.4 Holding proceedings outside IPO premises	1,000.00	
635	4.4.1 Cost of holding of proceedings outside IPO	Per diem and other expenses authorized for government employees/officials plus actual cost of hotel accommodation and transportation	
636	5. Any Motion/Manifestation with prayers/Petition and the like not specified in this section	500.00	
637	6. Transcript of Stenographic Notes	20.00	
		per page	

SECTION 7.0. *Schedule of Fees on Voluntary Licensing, Intellectual Property information and Search Services and Dispute Settlement involving Technology Transfer Arrangements.* — The fees provided in this Section shall apply to voluntary licensing, intellectual property information and search services, and, dispute settlement. Reduction in rate shall not apply to these fees.

IP INFORMATION SERVICES		Php	
Ref. Code	TYPE OF FEE	Big	Small
	1. State-of-the Art Search and other related search		
701	1.1 Equivalent search & compound per se	700.00	
702	1.2 All other types of patent search	3,600.00	
	2. Trademark Search, per mark		
703	1.1 Word Mark	500.00	
704	1.2 Complex Mark	1,000.00-2,500.00	
705	3. Consultation Fee (technical matter)	50.00	
		per hour	
	4. Guided Public Search Fee (using search tools)		
706	4.1 For the first two (2) hours	50.00	
707	4.2 Per hour in excess of two (2) hours	30.00	
708	5. Request for statistical information other than those regularly published by the IPO	500.00	
		minimum; plus cost of print-out	

VOLUNTARY LICENSING		Php	
Ref. Code	TYPE OF FEE	Big	Small
	1. Request for Exemption		
721	1.1 Filing Fee	1,500.00	
722	1.2 Per exemption claimed	500.00	
723	1.3 Extension Fee of time to file requirements	450.00	
724	1.4 Registration Fee	1,500.00	
	2. Review of Trademark Agreements as a Pre-requisite to Recordal	1,500.00	
	2.1 Certificate of Compliance		
725	2.1.1 Filing Fee	1,500.00	
726	2.1.2 Registration Fee	1,500.00	
727	2.2 Preliminary Review	1,500.00	

728	2.3 Amendment of Certificate of Registration of Technology Transfer Agreement	485.00
729	3. Recordal/Annotation of Technology Transfer Agreements	415.00
730	4. Any other request not specified in this particular table	500.00

	DISPUTE SETTLEMENT Involving Technology Transfer Arrangements	Php	
Ref. Code	TYPE OF FEE	Big	Small
741	1. Filing of Complaint/Request for Mediation	8,000.00	
	2. Request for:		
742	2.1. Drafting of Compromise/Mediation Agreement	2,000.00	
743	2.2 Postponement	1,000.00	
744	2.3. Suspension of proceedings	1,000.00	
745	2.4. Holding proceedings outside IPO premises	1,000.00	
746	2.4.1 Cost of holding of proceedings outside IPO	Per diem and other expenses authorized for government employees/officials plus actual cost of hotel accommodation and transportation	

	DISPUTE SETTLEMENT Involving Author's Rights	Php	
Ref. Code	TYPE OF FEE	Big	Small
751	1. Filing of Complaint/Request for Mediation	4,000.00	
	2. Request for:		
752	2.1. Drafting of Compromise/Mediation Agreement	1,000.00	
753	2.2. Postponement	500.00	
754	2.3. Suspension of proceedings	500.00	
755	2.4. Holding proceedings outside IPO premises	500.00	
756	2.4.1 Cost of holding of proceedings outside IPO	Per diem and other expenses authorized for government employees/officials plus actual cost of hotel accommodation and transportation	

SECTION 8.0. *Optional Registration as Resident Agents or Representatives.* — Except employees of the IPO or any bureau, office or attached agency of the Department of Trade and Industry and their relatives to the fourth

degree of consanguinity or affinity, Filipino citizens domiciled in the Philippines representing applicants, owners or parties before the IPO may be included in the IPO Registry of Resident Agents and Representatives after completion of the IPO seminar for resident agents/representatives and upon payment of a registration fee applicable to the calendar year in which the payment was made. After the initial registration, renewal of registration for each calendar year may be made by paying the registration fee for each year.

SECTION 8.1. *Existing List.* — Attorneys and agents registered as of effectivity of these Rules and Regulations shall remain in the registry until December 31, 2001 without need of paying the registration fee. Lawyers appearing before the IPO shall comply with requirements of the Supreme Court of the Philippines governing admission to the bar and practice of law.

SECTION 8.2. *Re-enlistment.* — Registered resident agents and representatives who fail to renew their registration on or before January 15 of each year may be re-enlisted upon payment of the re-enlistment fee on or before April 15 without need of attending the seminar for resident agents/representatives. Thereafter, Section 8.1 shall be observed.

Ref. Code	TYPE OF FEE	Php
801	1. Registration Fee (Resident Agent or Representative)	1,000.00
802	2. Re-Enlistment Fee	1,500.00
803	3. Seminars/Convention/Workshop/etc. Fee	To be announced from time to time

PART IV

Final Provisions

SECTION 1. *Periodic Review of fees.* — The IPO Fee Structure shall be reviewed whenever necessary provided that the rates of the fees herein provided may be increased only once every two years by a maximum of 15% unless a higher rate is required by law, executive order, regulation or other issuance.

SECTION 2. *Payments of fees prescribed by the Bureau of Patents, Trademarks and Technology Transfer.* — Any type of fee paid prior to the effectivity of these Rules based on the rates prescribed by the former Bureau of Patents, Trademarks and Technology Transfer shall be deemed fully paid provided the payment was made in full on or before the due date.

Any non-payment and/or insufficiency in payment shall be governed by Part II, Section 6 of these Rules (Non-payment or Insufficiency of the amount paid) and shall be assessed and paid based on rates determined in these Rules.

SECTION 3. *Extension of time to pay fees due and payable on effectivity of these Rules.*

- (a) The payment of any type of fee that is due and payable, on the effectivity of these Rules, pursuant to the IP Code, the IRRs or these Rules, with respect to an application, case or other pending matter or an existing registration, is hereby extended until 30 September 2000 without any surcharge.
- (b) Payment with surcharge may be made after 30 September 2000 provided that the same shall be made in full and not later than 30 November 2000, without any further extension.
- (c) Part II Section 6 on non-payment or insufficiency of amount paid shall not apply to the payments in this Section.

SECTION 4. *Repeals.* — All rules and regulations, memoranda, circulars, and memorandum circulars and parts thereof inconsistent with these Rules, particularly the fees and charges prescribed by the former Bureau of Patents, Trademarks and Technology Transfer are hereby repealed.

SECTION 5. *Separability.* — If any provision in these Rules or application of any provision to any circumstance is held invalid, the remainder of these Rules shall not be affected thereby.

SECTION 6. *Furnishing of Certified Copies.* — Mr. Eduardo Joson, Records Officer II, is hereby directed to immediately file three (3) certified copies of these Rules with the University of the Philippines Law Center, and, one (1) certified copy each to the Office of the President, the Senate of the Philippines, the House of Representatives, the Supreme Court of the Philippines, and the National Library.

SECTION 7. *Effectivity.* — These rules and regulations shall take effect immediately.

Done this 8th of June 2000, Makati City.

(Sgd.) EMMA C. FRANCISCO

Director General
