



**Asia-Pacific
Economic Cooperation**

2021/CTI/WKSP2/012

Day 2 Session 1

Domestic Approaches of Marks Protection in Digital Trade

Submitted by: Philippines



**Workshop on Protection of Intellectual
Property Rights in Digital Content Trade
20-21 April 2021**

Domestic Approaches of Marks Protection in Digital Trade

by Rowel S. Barba
Director General - IPOPHL



1-30 April

National Intellectual Property Month

Intellectual Property and MSMEs
Our Road to Recovery



INTELLECTUAL PROPERTY
OFFICE OF THE PHILIPPINES

Rising.
Shining.
Beckoning.

IP rights protection

whole-of-government approach

Government

Private Sector



INTELLECTUAL PROPERTY
OFFICE OF THE PHILIPPINES

Rising.
Shining.
Beckoning.

Photo by CardMapr.nl on Unsplash

Photo by krakenimages on Unsplash

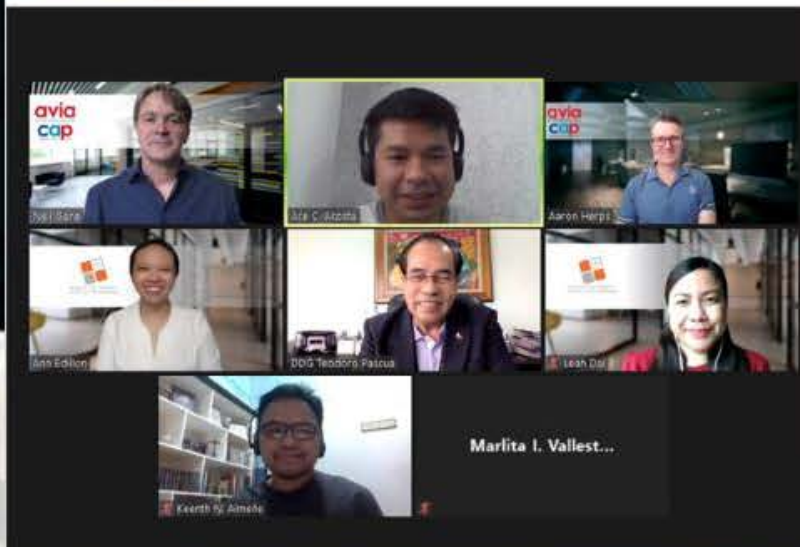


the Philippines maintains good standing in the international community



Happening right now:
IPOP/IEO and Asia Video Industry Association's Coalition Against Piracy (AVIA-CAP) meeting on strengthening the fight against piracy through take-down and site-blocking

#IPREnforcement
#AntiPiracyMonth



recognized as
an inspirational model
for the ASEAN region

Surge in
IP rights violation
complaints and
reports

95%



2020





January - December 2020

4 years data
2015-2019

VS

1 year data
2020

129
reports
total

190
reports
total

190
reports
total

counterfeiting **35.3%**
Piracy **28.4%**



Rising.
Shining.
Beckoning.

Revised Rules of Procedure on Administrative Enforcement of Intellectual Property Rights (IPR)



explicitly including online counterfeiting and piracy in its enforcement work;



enhanced coordination with the Telecommunications Commission, the primary regulator for internet service providers, to take down posts that violate IP-rights;



proactive marketplace monitoring and elevating issues we find to IP rights owners.



2018

Engage e-Commerce Platforms in creating a culture of respect for IP



Webinars to spot counterfeit goods and pirated items as consumers



Bureau of Customs
Food and Drug Administration
IPOP HL Employees

NIPM2021



Rising.
Shining.
Beckoning.

Whole-of-Government approach and buy-in from rights holders and online platforms



INTELLECTUAL PROPERTY
OFFICE OF THE PHILIPPINES

Rising.
Shining.
Beckoning.

MOU between e-commerce platforms and rights holders

Agreed Notice and Takedown Procedures (NTD)4

Proactive and Preventive Measures by Rights Owners and Platforms

Sharing of information by Platforms

Repeat infringer policies

Assessment period of 12 months after signing

Signatories to meet biannually under the auspices of the IPOPHL

Signatories:

Unilever, GSK, Castrol, Globe, Solar Pictures, Philippine Retailers Association, American Chamber of Commerce, British Chamber of Commerce

Lazada, Shopee

Strengthening the legal framework against counterfeiting and piracy.



INTELLECTUAL PROPERTY
OFFICE OF THE PHILIPPINES

Rising.
Shining.
Beckoning.

Amendment of the IP Code

To make the IP law more robust, effective, modern, and forward-looking to further the Philippines' position as an attractive investment destination.

Salient **enforcement-related** provisions

A faster blocking system for IP infringing websites and webpages.

The ability to conduct store visits and preventively place in custody IP infringing goods.

Institutionalization of IPOPHL's IP Rights Enforcement Office (IEO) which is the lead unit for enforcement.

Solidary liability for landlords and platforms found to be dealing in trademark infringing goods.

Removal of the minimum amount for a damage claim, which will allow our micro, small and medium entrepreneurs to seek administrative remedies.

We support

The Internet Transactions Act

...will drastically change how e-commerce platforms, merchants, and websites will operate.

...pushes for the solidary liability of e-commerce platforms with erring online merchants.



INTELLECTUAL PROPERTY
OFFICE OF THE PHILIPPINES

Rising.
Shining.
Beckoning.



11 partners
government agencies

Chair
Department of Trade
and Industry

Vice-Chair
Intellectual Property
Office of the Philippines

Our partners

Department of **Justice**

Department of the **Interior and Local Government**

Bureau of **Customs**

Food and Drug Authority

Bureau of **Investigation**

Philippine Police

Optical Media Board

Book Development Board

Office of the Special Envoy on **Transnational Crime**

Telecommunications Commission



Rising.
Shining.
Beckoning.



2008 — 10-year data — 2018

Enforcement Efforts



jumped 69% from **1,565** to **2,644** inspection activities

Our seizures



grows at an average of **55% annually**



climbed from **P3.52 billion** to **P23.55 billion** worth

growth in counterfeit trade
intensified enforcement efforts
heightened awareness



Rising.
Shining.
Beckoning.

Strengthening borders



Rising.
Shining.
Beckoning.

Photo by Markus Spiske on Unsplash

intercepting counterfeit products at the borders

2019

42% were hauled by Customs
at various points of entry



Regional cross border enforcement

Philippines continues to be chair of the ASEAN Network of IP Enforcement Experts or ANIEE.

Collaboration with the ASEAN Customs Enforcement Compliance Working Group or CECWG

ASEAN's 2016-2025 IP Rights Action Plan



INTELLECTUAL PROPERTY
OFFICE OF THE PHILIPPINES

Rising.
Shining.
Beckoning.

**ANIEE Long-term
enforcement work**

**ANIEE
ACTS
Beyond
2020**



INTELLECTUAL PROPERTY
OFFICE OF THE PHILIPPINES

Rising.
Shining.
Beckoning.

ANIEE ACTS Beyond 2020

Awareness, by bolstering efforts to raise IP enforcement awareness, optimizing physical and digital space displays of IP awareness

Capacity, specifically by building the capacity and skills not only of IP offices but of all IP enforcement stakeholders and players.

Technology, by utilizing technologies to further improve IP enforcement in the region especially as technology may allow almost instantaneous coordination and information sharing.

Synergy, by building new partnerships and strengthening existing ones.





Embracing Digital Economy IPOP HL Style



OFFICE OF THE PRESIDENT
IPOP HL

Rising.
Shining.
Beckoning.

Photo by Samantha Borges on Unsplash

eServices

IPR Enforcement



Filing of Formal
Complaint on IP Violations
(IP Verified Complaint)
operations@ipophil.gov.ph



INTELLECTUAL PROPERTY
OFFICE OF THE PHILIPPINES

 IPOPHL | www.ipophil.gov.ph

Photo by Samer Wahajeh on Unsplash



e-Services
Transact with us online
**Anytime.
Anywhere.**

      IPOPHL | www.ipophil.gov.ph

Invention

Secure exclusive rights
to your invention.
**Apply for grant
of a patent.**

eInventionFile
bit.ly/IPOPHL-eInvention



      IPOPHL | www.ipophil.gov.ph

Industrial Design

Protect the
visual appearance
of your product.
**Register your
industrial design.**

eIDFile
bit.ly/IPOPHL-eID



      IPOPHL | www.ipophil.gov.ph

IP Legal Services

Filing of Pleadings for Inter Partes
Cases (IPC) (mandatory via email)
 blareceiving@ipophil.gov.ph

Request for online hearing and
conferences for Inter Partes Cases
(IPC) and IP Rights Violation (IPV)
 blonlinehearing@ipophil.gov.ph

      IPOPHL | www.ipophil.gov.ph

Utility Model

Secure exclusive rights
to your innovation.
**Register your
utility model.**

eUMfile
bit.ly/IPOPHL-eUMfile



      IPOPHL | www.ipophil.gov.ph

Trademark

Protect your brand.
**Register your
trademark.**

eTMfile
bit.ly/IPOPHL-eTM



      IPOPHL | www.ipophil.gov.ph

Copyright

Certify ownership
of your creation.
**Deposit your
copyrighted work.**

Registration and Deposit
copyright_registration@ipophil.gov.ph



      IPOPHL | www.ipophil.gov.ph

**Commercial
Patent Search**

Patent Search Request
ip_search@ipophil.gov.ph



      IPOPHL | www.ipophil.gov.ph



Rising.
Shining.
Beckoning.

Photo by Samantha Borges on Unsplash

eServices

IPOPHL Mobiliz

A new mobile application
delivering IPOPHL services



DOWNLOAD THE APP NOW!



eServices

digitalize IPOPHL
from front-end to
back-end



Rising.
Shining.
Beckoning.

Moving forward

...build synergies,
strategize enforcement through
multi-sectoral cooperation,
widen appreciation of IP rights.

2021 Intellectual Property Month in PHL
**Intellectual Property
and MSMEs**
Our Road to Recovery
1-30 APRIL

