

59th Assembly of the Member States of WIPO
General Statement of the Republic of the Philippines

Mr. President, Director General Francis Gurry, Excellencies, Distinguished Delegates, on behalf of the Philippine government, we are pleased to participate in this 59th General Assemblies of the WIPO Member States.

The Philippine delegation joins other delegations in expressing our confidence on your able leadership to successfully guide and steer the proceedings of the Assemblies this year.

Sustaining Momentum

Mr. President, inspired by past gains, the Philippines sustained its efforts in advancing innovation and promoting intellectual property in the whole spectrum from creativity to enforcement through various strategies and programs. The Philippine economy is performing remarkably well with a 6.2% growth rate in 2018. We are bullish in our financial outlook considering that based on the *Global Competitiveness Report 2018-2019*, in the pillars of labor market, financial system, market size and business dynamism, the Philippines ranks in the top 40 globally. More importantly, as we face the challenges and maximize the opportunities that the 4th Industrial Revolution ushers in, it is significant to note that the Philippines ranks 12th worldwide for number of disruptive businesses and 15th for growth of innovative companies.

Establishing A Conducive Policy Environment

In the area of policy-making and legislation, we are proud to inform this august body that President Rodrigo Duterte signed two significant laws to advance national innovation efforts.

First, Republic Act No. 11293 or the Philippine Innovation Act signed last April 17, seeks to harness innovation efforts to help the poor and the marginalized and enable micro, small and medium enterprises (MSMEs) to be part of the domestic and global supply chain. The law establishes the National Innovation Council (NIC) tasked to develop the country's National Innovation Agenda and Strategy Document (NIASD) which serves as the road map articulating the vision and setting the long-term goals as well as strategies for improving innovation governance.

Second, Republic Act No. 11337 or the Philippine Innovation Start-Up Act signed in April 16, created the Philippine Start-Up Development Program aims to “support the development and growth of enterprises whose innovative product, service, or business model is integral to creating a competitive start-up community” in the country. In addition, it provides benefits and incentives such as access to capacity building, exchange programs, link to potential investors, mentors, collaborators, and customers both locally and abroad, for start-ups and start-up enablers.

Mr. President, in our effort to make the national IP system relevant and attuned to the constantly evolving landscape and the needs of our stakeholders both local and foreign, we have completed our comprehensive review of our Intellectual Property Code of the Philippines and have submitted to Congress the proposed New Intellectual Property Act. We envisage that this measure will address

the impacts of technological developments on IP administration and enforcement; strengthen the Intellectual Property Office to support and drive inclusive innovation, enable small and medium enterprises to maximize the benefits of IP; expand IPOPHL presence in regional centers; strengthen respect for IP; increase penalties for violation of IP rights; and, institutionalize the IP Academy, among others. We hope that this will be a significant measure that the present Congress will be able to pass. We believe that our mandate on administering an efficient, effective and well-balanced IP system -largely depends on a sound legal framework both at the national and international spheres.

Bigger Role in the International IP System

Since the last Assembly, the Philippines has taken a bigger role in the international IP system. We are extremely pleased to report that we have started operating as an International Authority under the Patent Cooperation Treaty last May 20, 2019 receiving the first request for International Search Report from the University of the Philippines Manila, a member of our Innovation Technology Support Office (ITSO) network.

Moreover, we have deposited our instrument of accession to the Marrakesh Treaty last December 2018 demonstrating our commitment recognizing and protecting the rights of the blind and visually-impaired to have access to copyrighted works.

Supporting Innovation

Our ISA/IPEA operation is a platform to facilitate the entry of Filipino inventors and scientists to the global patent system complementing our programs to develop a national culture of innovation through our growing network of 94 ITSOs or TISCs of higher educational and research development institutions all over the country. Our efforts have yielded fruits as ITSO invention filings steadily grew from a mere 13

in 2012 to 192 in 2018 translating to a remarkable 41% of total resident filings over a period of 6 years.

While we realize that we have achieved modest accomplishments, we intend to push the envelope further by enhancing the ITSO program implementation and by delivering customized capacity building from patent drafting to IP management and commercialization.

Enhancing Delivery of IP Services

Mr. President, we remain steadfast in our commitment to provide efficient, quality, reliable and client-friendly IP services from registration to enforcement. To this end, we have implemented the following initiatives and programs:

First, the Joint Examination Track (JET), a straightforward process on trademarks (without opposition) streamlined the search and approval procedure thereby reducing the turn-around time from 3.96 months to 2.86 months. The JET addresses the rising volume in local filings as well as inbound Madrid applications which grows at an average annual increase of 16% for the last five (5) years.

Second, we continued to issue Early Search Reports (ESR) within 6 months from filing date to patent applicants. Since we started in 2016 until end of August 2019, we have so far issued 809 ESRs without additional costs to applicants. The ESRs enable the applicants to weigh their chances before filing PCT applications as well as expedite the patent prosecution process. We would like to inform the body that in 2018, patent filings registered the highest invention filings in 6 years reflecting a 28% increase compared to 2017.

Third, we have deployed the complete suite of online filing system for all trademark, invention, utility model and industrial design applications including the electronic correspondence providing convenient and accessible IP to our applicants and agents. By October, our online payment services will include a new payment gateway for credit cards enabling our foreign stakeholders to file applications themselves subject to subsequent designation of a local agent.

Fourth, we continue to enhance our administrative and judicial systems to adequately protect and enforce IP rights. In 2018, we were able to seize PhP23.554 billion or almost US\$453M worth of IP infringing goods which is significantly higher than the PhP8.357 billion US\$ 160M in 2017. Our alternative dispute resolution (ADR) remains an effective tool in resolving IP cases with settlement rate of 34.5% for the periods January – September 2018. To further maximize the benefits of mediation, we shifted to mandatory mediation in October 2018. We anticipated a dip in the settlement rate as a result of the shift. As of October 2018 until August 2019, the settlement rate is at 30.5%. We are, however, looking at the long-term benefits, particularly, in providing fast and efficient resolution of IP disputes. As a follow through, we have started September this year with another innovation on ADR. We issued the Rules on Mediation Outside Litigation Service in July 2019, a flexible approach which allows parties to submit their dispute to mediation even before or without filing a case. This gives parties the opportunity to reach an agreement at the earliest possible instance.

Mr. President, we are pleased to inform the Assembly that we have started our work in amending the Supreme Court Rules of Procedure for Intellectual Property Rights Cases promulgated in 2011 to make it more relevant and responsive to the challenges and developments on IP rights enforcement and litigation.

IP Awareness and Education

Increasing IP awareness, capacity building and IP education for the relevant sectors continue to be a cornerstone in administering an efficient and development-oriented IP system. We are proud to point

out that IPOPHL has now advanced and shifted the focus of IP awareness from informing to involving. To this end, IPOPHL has partnered with the Technical Education and Skills Development Authority (TESDA), Commission on Higher Education (CHED) and Department of Education (DepEd) for a holistic and comprehensive whole-of-government approach in mainstreaming IP into the basic, higher and technical education curricula crucial in building a national culture of innovation and developing consciousness in respecting IP rights.

We started setting up our national IP Academy to sustain our efforts on IP education and capacity building and we are proud to report that we have successfully concluded our first ever collaboration with WIPO for the IP Summer School a few weeks ago.

We are also confident in our plans to professionalize intellectual property by offering certification and accreditation courses and IP programs at the national, regional and international levels in the years ahead. Ultimately, involvement of key stakeholders and partners is vital in implementing a well-balanced, efficient & effective IP education & learning to promote innovation & creativity.

Mr. President, guided by your leadership and with spirit of constructive engagement of member-states in WIPO, the Philippines:

1. Supports initiatives to increase the membership of the Program and Budget Committee (PBC) and Coordination Committee;
2. Values the importance of the Intergovernmental Committee and its important work in discussing protection of traditional

knowledge, traditional cultural expressions and genetic resources;

To stress the importance of preserving national culture and promoting traditional knowledge, our delegation invites the Assembly to the Weaving Exhibit and Demonstration of pineapple fiber, showcasing traditional skills and art of Filipino weavers and designers.

3. Looks forward to progress on the fundamental issues on the draft of the Broadcasting Treaty and draft Design Law Treaty; and remains positive about the prospect of a Diplomatic Conference once a suitable level of readiness is reached;
4. Trusts that concerned parties will find amicable resolution to the issue of External Offices; and,
5. Thanks the WIPO for the continued support to the Global Innovation Index.

Finally, we express our gratitude to WIPO as well as our bilateral partners for the collaboration and productive partnership with the Philippines. In addition, we appreciate WIPO for recognizing the competency of IPOPHL in conducting Attachment trainings on the Madrid Protocol and Patent Cooperation Treaty (PCT). In August of this year, WIPO supported the training of examiners from Samoa and Pakistan in the Philippines. IPOPHL has also conducted Attachment Trainings for Cambodia, Laos and Brunei Darussalam.

We take this opportunity to express that the Philippines remains a partner in promoting a robust and well-balanced IP system directly contributing to economic progress and inclusive national development.

Thank you. Mr. President.