

3. 総合所見

本調査ではフィリピン側関係者との協議及び関連施設の視察等を通じ、本プロジェクトの同国における位置づけ等を把握するとともに、実施可能性についても確認することができた。

本調査における調査・協議結果及び所見は下記のとおりである。

(1) 背景

プロジェクトの位置づけ、実施可能性等を確認するにあたって考慮すべき主要な事項を列記すると、

- 1) 先発明主義から先願主義を採用した「知的所有権法」が1997年6月に採択され、1998年1月に施行される。新法は特許、実用新案、意匠、商標を包括的に規定している。
- 2) 貿易工業省(DTI)、特許商標技術移転局(BPTTT)の組織が1998年1月より変更される。「知的所有権法」の施行に伴い、その第1条から第19条に規定されている「知的所有権庁(IPO)」として再編され、知的所有権全般を所管する組織として拡充される予定である。
- 3) 1998年5月に大統領選挙が実施され、1992年に誕生したラモス政権は6年の任期を終える。

(2) 主要協議結果

フィリピン側との協議は、BPTTTのフランススコ局長を中心とする関係者との間で行われた。その結果を協議議事録(M/D)に取りまとめ、DTIマグラヤ次官補及びBPTTTフランススコ局長の両名と署名・交換した。

今回の協議では、本調査団が用意した「プロジェクトの全体イメージと技術移転内容」、「システム構築」等、本プロジェクトのコンセプト及びスコープ等について説明を行うとともに、「日本側の協力可能範囲」並びに「フィリピン側の実施機関及び実施体制」等プロジェクトの実施可能性について協議を行った。特に、実施機関となるBPTTTの組織が変更になるため、新組織における機能、人員配置並びにプロジェクト開始に向けてのスケジュール等について重点的に協議した。

なお、日本の技術協力の現状に対する認識を促すために、「我が国のODAの現状と予算状況」及び「JICAで実施しているプロジェクト方式技術協力の概要及び評価システム(PCM手法)」についてもあわせて説明した。

以上の協議の結果、基本計画(上位目標、プロジェクト目標、予想される成果等)を始め、技術移転内容、日本側協力可能範囲等について、対処方針どおりで、フィリピン側の理解

を得ることができた。主要な協議結果を列記すると、

1) プロジェクト責任者は、新組織における下記の該当者となる予定である。

・総括責任者(Project Director) : IPO長官

・実施責任者(Project Manager) : The Management Information System
and EDP Bureau局長

2) 技術移転分野(項目)は、主に特許出願処理に必要な書誌事項データベース(DB)及び文献DBの作成、それら2種類のDBを活用した事務処理システムの構築である。

3) 協力期間については、フィリピン側より、5年から3~4年に変更になった理由を問われたが、一つのDBの構築に約2年を要すると判断されるため、合計3~4年であれば目的を達成できる旨、説明した。

なお、適正な期間を更に長期調査において検討することとした。

4) 機材供与については、技術移転に必要な最低限の関連機材を日本側から供与することを検討していることを説明した。

また同時に環境整備も含めた最大限の応分負担をフィリピン側に求め、フィリピン側の理解を得た。

なお、必要機材の詳細については、フィリピン側の維持管理能力等を考慮し、長期調査において検討することとした。

5) 今後のスケジュールは新組織におけるカウンターパート(C/P)の配置、プロジェクト実施のための予算措置を確認した上で、とり進めることとした。

6) 本プロジェクトの実施可能性については4.総括に別途記載。

(3) 本プロジェクトの実施可能性

我が国のBPTTTに対するこれまでの協力実績(JICAベース)は、1992年から1996年までに9名の専門家が派遣されており、現在も2名の長期専門家が商標管理、商標事務処理システムの分野で協力を行っている。また日本への研修員受入れについても、1991年から1996年までに8名、さらに単独機材供与についても約2,000万円の実績がある。

したがって、JICAを通じた我が国の技術協力のあり方については、BPTTTとしても相応の認識を持っており、今回のプロジェクト方式技術協力に関しても、十分な対応が可能と考えられる。

1) 組織面について

1998年1月よりBPTTTの組織はIPOへと再編されるが、組織の機能としては、法律部、OA部、滞貨処理の検討、コンサルタント機能などが追加され、組織強化が図られる。現在予定されているIPOの新組織と活動内容は下記のとおりである。

- ① 特許局(The Bureau of Patents)
- ② 商標局(The Bureau of Trademarks)
- ③ 法律局(The Bureau of Legal Affairs)
- ④ ドキュメント情報-技術移転局(The Documentation Information and Technology Transfer Bureau)
- ⑤ 情報管理システム-EDP局 (The Management Information System and EDP Bureau)
- ⑥ 総務局(The Administrative , Financial and Personnel Services Bureau)

以上のように、現在BPTTTの8「部」が新組織では6「局」となり、組織のトップ(Director General)はDTIの次官級となる。

その他新組織に関し予想される状況を列記すると、

- ・ 現行のBPTTTの各課にほぼ対応する形でIPOの各局ができることになる。
- ・ 新しくできる局に対応する組織再編の中心的コンセプトは「分散化」であり、現BPTTT局長が一括して持っている権限を分散し、上記新体制での各局長に決裁権限を与えるものである。
- ・ 法律上の新組織成立は立法(1997年6月)から12か月以内となっているが、1998年1月には実質的に成立すると思われる。
- ・ IPOの幹部は、長官(Director General)をトップに副長官(Dputy-Director General)2名と6名の局長、6名の次長から構成される。

職員数は現在BPTTTの約155名から2倍もしくは2.5倍程度に増加される予定である。

- ・ 新組織における大統領指名ポストは、長官、副長官(2名)、局長(6名)、次長(6名)の15名であるが、この15名は新大統領による指名がなされるまでは、暫定的に人員が配置されることとなる。現行職員についても、それぞれの肩書きを変えて新組織に移行することになっている。
- ・ 各職員の給料はこれまでに比べて増加する(ただし、民間企業には及ばないとのこと)。
- ・ 新組織における本プロジェクトのC/Pの中核は現在派遣中の個別専門家のC/Pとなることが確認されている。その他については、現行では新組織への定員が現在、議会で審議中であることもあり、未確定であった。

当方からはIPOへの組織変更が実施され、人員の配置が確定次第、本プロジェクト実施のためのC/P配置について我が方へ連絡をするように依頼をし、M/Dにその旨、

記載をした。

2) 予算面について

① 現BPTTTの総予算額は、1997年35,267,000ペソであり、1996年30,760,000ペソに比較すると4,507,000ペソ、1995年22,101,000ペソに比較すると13,166,000ペソの増となっている。1997年予算の内訳をみると、人件費19,168,000ペソ、維持・運営管理費15,383,000ペソ、設備投資費716,000ペソであり、中でも維持・運営管理費の増額が顕著である。

② 新組織IPOの1998年予算は現在議会で審議中であって未確定であるが、下記のように申請中である。これはIPO予算の基礎となるもので、さらに特別会計予算が加えられたものが、全体の予算となる。

総額：46,739,000ペソ（このうち、人件費25,239,060ペソ、事業費18,466,579ペソ、その他3,033,360ペソ）

<参考> IPO予算関連の状況は下記のとおりである（詳細は新法第14条）。

- ・ 国庫からの一般予算（BPTTTと同額の予算は最低限確保される模様）
- ・ 来年1月から実施される特別会計予算（特許料金の収入）

以上の予算から本プロジェクトの実施に必要な予算が充当される。加えて、予算管理省に対して、海外からの技術協力実施のための特別予算を申請する予定であることが確認された。

なお、プロジェクト実施にフィリピン側が充当する予算についてはIPO予算が確定次第、我が方に連絡をする様に依頼をし、M/Dにその旨、記載した。

3) 事務処理及び審査業務面について

過去5年間の出願件数をみると、特に特許と商標件数の増加が顕著であり、

（1996年の特許件数2,797件、このうち国内件数163件、また商標件数8,818件、このうち国内件数2,696件）、今後、フィリピン共和国がPCT（特許協力条約）に加盟すると、より一層海外からの出願数が急増すると予想される。

しかし、BPTTTの事務処理・審査業務は人力による処理のため、審査期間の長期化等、業務の質的低下が深刻である。このため、コンピュータシステムの導入による自動化が実現すれば、現行業務は効率化し、早期権利付与が可能となる。このような面からみても、本プロジェクトの意義は大きい。

なお、BPTTTにおいては、これまで3名の長期専門家が、商標検索システム、商標事務システムの構築の分野での協力を通して人材を育成してきた。したがって、本プロジェクトの人的インフラはほぼ確立されている。

このように、BPTTTの実状から判断しても、本プロジェクトによる技術協力は時宜を得たものであり、また技術面からみたプロジェクトの実現可能性にも問題はないものと思料される。

4) 施設・設備面について

現在、個別専門家2名の配属されているDTIの建物（6階建て）が、本プロジェクトの実施場所となる予定である。この建物は現在下記のように使用されている。

1階；登録課、EDP(Electric Data Processing)課、出願課

2階；技術移転課

3階；特許課、検索課

4階；DTI

5階；人事課、審判課、局長室、副局長室

6階；次官補室、業務企画課等

現在2名の長期専門家とC/Pは1階に執務室等を確保している。

なお、現在のDTIの建物は老朽化が進んでおり、スペースにも余裕がないため、将来的には庁舎を移転する可能性も高い。現在、いくつかの移転先候補もあげられており、予算の枠組みも策定されている模様（それがあ程度ははっきりするのは、1997年12月末とのことである）。

ただし、現在の建物に留まるにしても、施設・設備面についてはプロジェクト実施上とくに支障はないと思われる。庁舎移転がある場合、その時期によってはネットワークの構築に係る費用が二重に投資されることも考えられることから、方針が決定次第、我が方に連絡するようにM/Dにて確認した。

(4) 総括

今回の一連の協議及び関連施設の視察等を通じ、同国における工業所有権の重要性を再認識させられた。

我が国として協力する本プロジェクトの実施意義は高いものと思われる。

事務処理、審査のルーチン・ワークが実施されている現場での技術協力だけに難しい面も予想されるが、これまで商標分野での協力も行われてきているので、この成果を十分活用することにより、より効率的な技術移転が期待される。

BPTTTのフランシスコ局長は、本プロジェクトに対して大きな期待と強い意欲を持っており、「BPTTTからIPOへの発展的組織再編時に、本事前調査団が来たことは、組織の検討に本プロジェクトの内容を考慮できることから大変意義のあることである。」という局長の発言からも窺い知ることができる。

新組織、人事また予算面において未確定な要素は多いが、いずれも発展的なものであり、本プロジェクトの実行にマイナス面での影響を及ぼすことはないと思われる。

今後、本プロジェクトを早期に開始することが、同国との友好関係上からも、また日本・フィリピン両国の国益からも望ましいと判断される。

以下、今後留意すべき点などを列記する。

- ① 協力期間については3～4年とし、詳細を長期調査で詰めることにしたが、技術移転内容を考慮すれば、3年半から4年程度が妥当ではないかと思われる。
- ② 機材供与については、フィリピン側の維持管理能力を考慮した上で必要最小限の機材を供与することで合意し、詳細を長期調査で検討することとした。財政状況の厳しい折、フィリピン側にも応分の費用負担を伝えた。可能な限り体系的に供与し、中途半端な供与となり、かえってプロジェクトの進行を阻害することがないように留意すべきであろう。

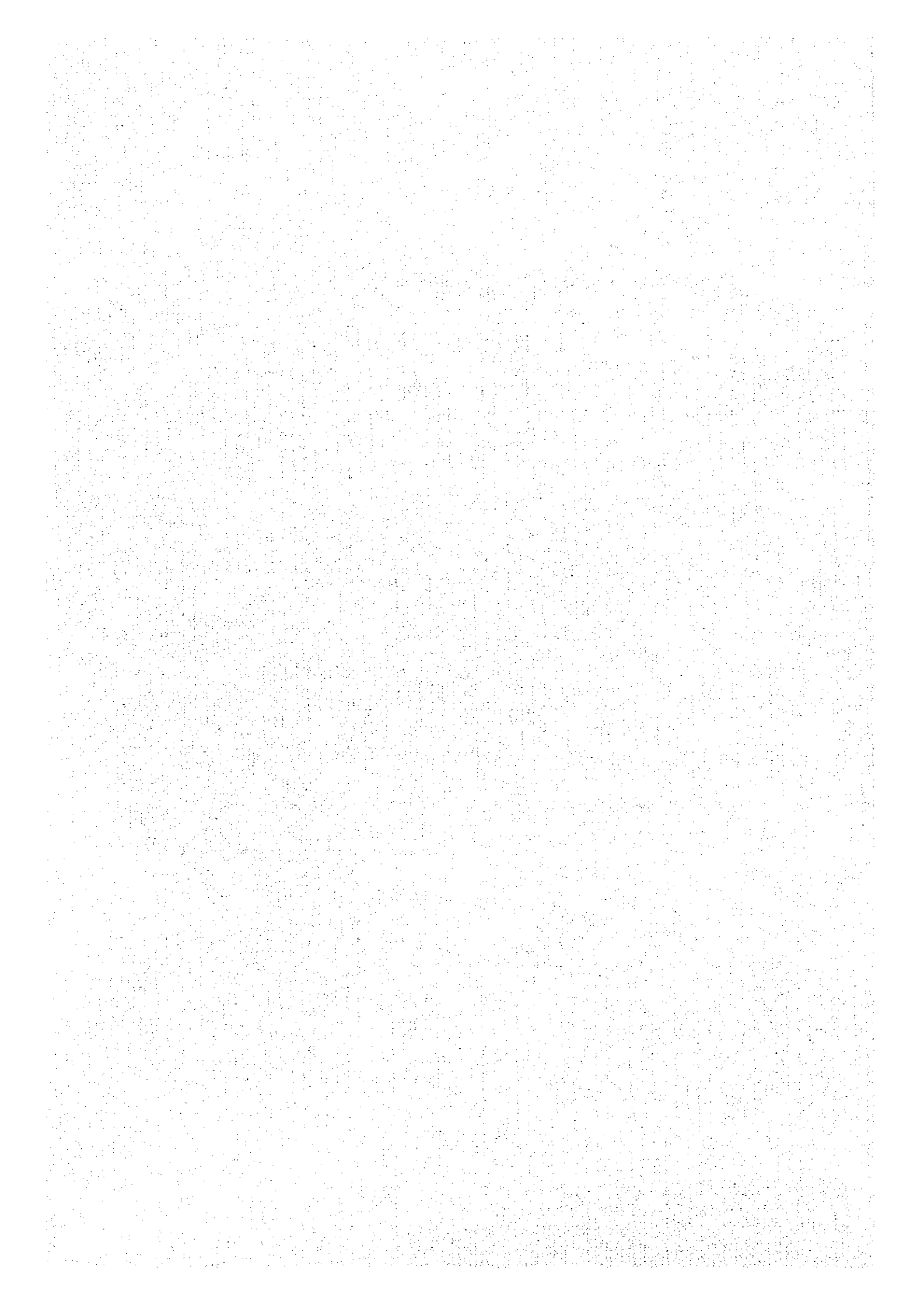
フィリピン側からもフィリピン側の維持管理能力を考慮した上で最終的に機材供与リストを決定して欲しい旨言及があったが、これまでの商標システムを通じた協力から、機材の維持管理にメンテナンスの必要性及びそれに必要な経費等を理解した上で発言と考えられる。

- ③ プロジェクト開始へ向けての今後のスケジュールは、新組織への移行あるいは大統領選挙の影響でかなり不透明な面もあるが、1998年末までのプロジェクト開始を目標に、今後の的確な情報に基づいて、的確な時期に長期調査、実施協議調査を行うことが重要である。そのためにはフィリピン側の実施体制が早急に整備されることが望まれる。

付 属 資 料

1. 協議議事録 (M/D)

2. BPTTT 1996年年報



付属資料 1. 協議議事録 (M/D)

MINUTES OF DISCUSSIONS
ON
THE JAPANESE PROJECT-TYPE TECHNICAL COOPERATION
FOR
MODERNIZATION OF INDUSTRIAL PROPERTY ADMINISTRATION
IN
THE REPUBLIC OF THE PHILIPPINES

The Japanese Preliminary Study Team (hereinafter referred to as "the Team") organized by the Japan International Cooperation Agency (hereinafter referred to as "JICA") and headed by Mr. Takeshi Usami, Special Technical Advisor, JICA, visited the Republic of the Philippines from December 4 to December 13, for the purpose of clarifying the background, concept, and scope of the project proposal made by the authorities concerned of the Government of the Philippines (hereinafter referred to as "the Philippine side") and studying the feasibility of the Japanese Project-Type Technical Cooperation for Modernization of Industrial Property Administration in the Republic of the Philippines (hereinafter referred to as "the Project").


During its stay in the Philippines, the Team exchanged views and had a series of discussions with the authorities concerned of the Government of the Philippines.

As a result of the discussions, both sides reached a common understanding concerning the matters referred to in the document attached hereto.

Manila, December 12, 1997

宇佐美 毅

Takeshi Usami
Leader
Japanese Preliminary Study Team
Japan International Cooperation Agency
Japan



Zenaida Cuison-Maglaya
Assistant Secretary
Department of Trade & Industry
The Republic of the Philippines



Emma C. Francisco
Director
Bureau of Patents, Trademarks and
Technology Transfer
The Republic of the Philippines

ATTACHED DOCUMENT

1. Name of the Project

The Japanese Project-Type Technical Cooperation for Modernization of Industrial Property Administration in the Republic of the Philippines

2. Implementing Agency of the Project

Department of Trade & Industry (hereinafter referred to as "DTI") will be an overall responsible agency for the Project.

The Project will be implemented by the Intellectual Property Office (hereinafter referred to as "IPO") which will be organized to replace the Bureau of Patents, Trademarks and Technology Transfer (hereinafter referred to as "BPTTT") of DTI in January 1998 to comply with the Intellectual Property Code (Republic Act No. 8293) approved on June 6, 1997.

The present organization chart of DTI is as shown in ANNEX 1-1.

The present organization chart of BPTTT is as shown in ANNEX 1-2.

The organization chart of IPO is as shown in ANNEX 1-3.

Relevant provisions of Republic Act No. 8293 is as shown in ANNEX 2.

3. Administration of the Project

Director General of IPO, who will be appointed by the President of the Republic of the Philippines, will bear overall responsibility for the administration and management of the Project as the Project Director.

Director of the Management Information System and EDP Bureau of IPO, who will be appointed by the President of the Republic of the Philippines, will be responsible for the implementation and technical matters of the Project as the Project Manager.

Before the reorganization of BPTTT is implemented, both sides agreed that Assistant Secretary of DTI and Director of BPTTT would act as the Project Director and Project Manager, respectively.

The provisional organization chart for the administration of the Project

is as shown in ANNEX 3.

4. Duration of Japanese Technical Cooperation for the Project

The duration of the technical cooperation for the Project by the Government of Japan will be three (3) to four (4) years.

The date of the commencement will be agreed by both sides in the Record of Discussions (R/D) which is to be concluded between JICA and the implementing agency.

Both sides agreed that the duration would be finally decided by carefully examining the minimum period necessary for constructing administration & document databases and administrative system for patent application procedure.

5. Site for the Project

The Project will be implemented at IPO as mentioned in Article 2.

Address: 361, Sen. Gil J. Puyat Avenue
Makati, Metro Manila

Phone : 63-2-890-4955

Fax : 63-2-890-4936

6. Provisional Master Plan of the Project

(1) Objectives of the Project

1) Overall Goal

Ability of granting intellectual property rights in the Republic of the Philippines will be enhanced.

2) Project Purpose

Administration and examination procedure will be facilitated in IPO.

(2) Outputs and Activities of the Project

1) Outputs

0. The management and operation system of IPO will be consolidated.
1. The IPO staff will be developed and enhanced in their the ability to conduct industrial property administration.
2. The necessary machinery and equipment for the administration & document databases and administrative system for patent application procedure will be set up and maintained properly.
3. The administration & document databases and administrative system for patent application procedure will be constructed and maintained properly.
4. The administration & document databases and administrative system for patent application procedure will be utilized properly for formality and substantive examination.

2) Activities

The Team explained that this Project-Type-Technical Cooperation would focus on the technology transfer regarding industrial property administration procedures, particularly employing the construction of patent application databases as a vehicle of the transfer.

From a viewpoint of utilizing the existing systems and resources, both sides agreed that the Project would be applied as much as possible with the trademark search and administration system being constructed in BPTIT under the Japanese technical cooperation since 1995 and other resources available.

The Team explained that the activities of the Project would be discussed further in detail when the Japanese Supplementary Team is dispatched.

(3) Project Cycle Management (PCM)

The Team explained and the Philippine side understood the concept and outline of the PCM.

Furthermore, both sides agreed that a tentative Project Design Matrix



(PDM) would be drafted when the Japanese Supplementary Study Team is dispatched.

7. Provisional Field of Technology Transfer

(1) Field of Technology Transfer

The technology transfer to the counterpart personnel of IPO will be made in the following fields. The Team stated that these fields need to be carefully examined among Japanese authorities in the light of the availability of experts and the scope of the technology transfer, thus are subject to change.

- 1) Construction of Administration Database
 - 2) Construction of Document Database
 - 3) Development of Administrative System for Patent Application Procedure
- The outline of technology transfer is shown in ANNEX 4.

The outputs of the Project could be utilized by the Philippine side for further dissemination of industrial property information as its self-help effort.

(2) Methodology of Technology Transfer

Both sides agreed that the technology transfer would be conducted through the daily on-the-job training, and be complemented by the lectures provided by the Japanese experts.

(3) Items of Technology Transfer

The Team explained and the Philippine side agreed the tentative items of technology transfer in the above fields as shown in ANNEX 4.

In addition, the Team explained that the detailed items would be scrutinized and drafted at the time of dispatching the Japanese Supplementary Study Team.

8. Measures to be Taken by the Japanese Side

The Project will be carried out under the framework of Project-type Technical Cooperation which is the combination of three (3) following

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components:

(1) Dispatch of Japanese Experts

The Team explained and the Philippine side agreed that the following Japanese experts would be dispatched according to the plan as shown in the ANNEX 5 in compliance with the fields as stipulated in Article 7:

(Long-term Experts)

- 1) Chief Advisor
- 2) Coordinator
- 3) Experts on the following fields
 - Administration Database
 - Document Database
 - Computer System

(Short-term Experts)

Both sides agreed that minimum number of short-term experts would be dispatched to supplement the technology transfer by long-term experts,

The subject, number, duration etc. of the short-term experts would be scrutinized and discussed further at the time of dispatching the Supplementary Study Team.

(2) Training of the Philippine Counterpart Personnel in Japan

The Team stated and the Philippine side agreed that minimum number of the Philippine counterpart personnel would be accepted for training in Japan during the cooperation period for the purpose of complementing the technology transfer conducted by the Japanese experts on site.

The detailed content would be discussed when the Supplementary Study Team is dispatched.

(3) Provision of Machinery and Equipment

The Team explained and the Philippine side understood that the Japanese side would provide minimum and necessary machinery and equipment, as tentatively shown in ANNEX 6, to conduct the Project effectively.

The Team stated that the Japanese side would decide the list of the machinery and equipment to be provided to the Philippine side by examining the result of the Supplementary Study and the Philippine side's maintenance ability.

Furthermore, the Team stated that the Japanese side would examine carefully the budgetary constraints to decide the above.

The Team explained and the Philippine side agreed that the costs and responsibility necessary for domestic transport, installation and maintenance of the machinery and equipment should be borne by the Philippine side.

The Philippine side stated that the budgetary constraints on its part would be considered in deciding the list of the machinery and equipment.

The Team, in addition, stated that the Japanese side would consider dispatch of experts for the supervision on the installation of the machinery and equipment, if necessary.

Arrangements in detail will be discussed for setting the machinery and equipments at the time of dispatching the Supplementary Study Team.

9. Measures to be Taken by the Philippine Side

(1) Building and Facilities for the Project

The Philippine side will make available the buildings and facilities of IPO for the implementation of the Project.

Offices for Japanese experts will be prepared before the commencement of the Project and be equipped properly with office equipment necessary to conduct the Project such as phones and desks.

The detail of the above will be discussed further when the Supplementary Study Team is dispatched.

The present location of BPTIT (IPO) is shown in ANNEX 7.

Any changes in location and layout which may be caused by the reorganization of BPTIT will be presented to the Japanese side as it is confirmed.

(2) Machinery, Equipment and Materials

The Philippine side will make its best effort to supply or replace at its own expense, machinery, equipment, instruments, vehicles, tools, spare parts and any other materials necessary for the implementation of the Project other than those provided by the Government of Japan through JICA.

The list of existing machinery and equipment of BPTIT is shown in ANNEX 8-1.

Current computer distribution of BPTIT is shown in ANNEX 8-2.

The Team requested and the Philippine side agreed that the Philippine side would set up the environment to implement the Project effectively, as tentatively shown in ANNEX 9.

(3) Assignment of Counterpart Personnel

For the successful implementation of the Project, the Philippine side will provide the services of the Philippine counterpart personnel as necessary.

Should the allocation of counterpart personnel be changed for either the personal or administrative reasons, the Philippine side will immediately take necessary measures to supplementary assign appropriate number of personnel as counterpart for the Project.

The Team explained that the number and qualification of the Philippine counterpart personnel would be scrutinized at the time of dispatch of the Supplementary Study Team.

(4) Local Costs

The Team explained and the Philippine side agreed that the Philippine side would make its best effort to bear necessary local cost for the implementation of the Project.

The Philippine side presented the proposed budget of BPTIT which would become the budget of IPO for 1998 as shown in ANNEX 10.

The Philippine side explained that this budget was being discussed by the congress for final approval.

The recent figures of the annual budget of BPTIT including fees collected for 1996 and 1997 are shown in ANNEX 11.

(5) Privileges, Exemptions and Benefits to the Japanese Experts

The Philippine side will grant in the Republic of the Philippines privileges, exemptions and benefits to the Japanese experts and their families no less favorable than those accorded to experts of third countries working in the Republic of the Philippines under the Colombo Plan Technical Cooperation Scheme.

(6) Sustainability of the Project

The Philippine side will take necessary measures to ensure that the self-reliant operation of the Project will be sustained during and after the period of the Japanese technical cooperation, through the full and active involvement in the Project by all related authorities, beneficiary group and institutions so that the technologies transferred through the Project could be utilized further for economic and social development of the Philippines.

10. Joint Coordinating Committee for the Project

The Joint Coordinating Committee, composed of members appointed by both sides, will be established and held at least once a year.

Its functions and compositions are described in ANNEX 12.

In addition, the Team explained and the Philippine side agreed that the Committee must be held timely, even without the dispatch of Japanese Study Team.

II. Joint Evaluation

The final evaluation of the Project will be conducted jointly by both sides through JICA approximately six month before the termination of the cooperation period in order to examine the level of achievement of the objective of the Project.

Other evaluation may be conducted as and when necessary during and after

the cooperation period to better monitor the progress and sustainment of the objective of the Project.

In this regard, the Team explained the methodology of evaluation, especially five (5) basic evaluation components as shown in ANNEX 13.

12. Schedule of the Project

The Team explained that the following procedures would be taken for the implementation of the Project:

January 1998	Start of IPO organization
February 1998	IPO profile to be confirmed
April-September 1998	Dispatch of Supplementary Study Team
July-December 1998	Dispatch of Implementation Study Team
by December 1998	Implementation of the Project

However, the Team explained and the Philippine side understood that the Japanese side would take necessary procedures to commence the Project only after confirming the allocation of the counterpart personnel in IPO and the budget being secured for the Project.

In this connection, the Philippine side promised to provide the necessary information as it was confirmed.

13. Others

- (1) Both sides agreed that common language used in any activities of the Project should be in English.
- (2) The Japanese side explained and the Philippine side understood the nature and scheme of the Project-Type Technical Cooperation by the Government of Japan.

In this connection, both sides further agreed that the items mentioned above 1-12 were still provisional, would be discussed further with other necessary matters and finalized when the Implementation Study Team is dispatched.

- (3) List of attendants at the discussion is shown in ANNEX 14.

LIST OF ANNEXES

- ANNEX 1-1 Organization Chart of DTI
- 1-2 Organization Chart of BPTTT
- 1-3 Organization Chart of IPO

- ANNEX 2 Relevant Provisions of Republic Act No. 8293

- ANNEX 3 Provisional Organization Chart for the Administration of the Project

- ANNEX 4 Outline of the Project and Technology Transfer (Tentative)

- ANNEX 5 Expert Dispatch Plan (Tentative)

- ANNEX 6 List of Necessary Machinery and Equipment for the Project (Tentative)

- ANNEX 7 Present Location Map of BPTTT

- ANNEX 8-1 List of Existing Machinery and Equipment of BPTTT
- 8-2 Current Computer Distribution of BPTTT

- ANNEX 9 List of Equipment and Necessary Cost to be Borne by the Philippine Side (Tentative)

- ANNEX 10 Proposed Budget of BPTTT (IPO) for 1998

- ANNEX 11 Annual Budget of BPTTT for 1996 and 1997

- ANNEX 12 Functions and Composition of Joint Coordinating Committee

- ANNEX 13 Five (5) Basic Evaluation Components

- ANNEX 14 List of Attendants at the Discussion

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ANNEX 1-1 DTI Organizational Chart

Office of the Secretary

Policy Planning Group (PPG)

- Management Information Services (MIS)
- Office of the Operational Planning (OOP)
- Office of Policy Research (OPR)
- Office of Special Concerns (OSC)

Proprietary Entitles

- National Development company and Subsidiaries

Management and Special Services Group (MSSG)

- Financial Management Service (FMS)
- General Administrative Service (GAS)
- Human Resource Development Service (HRDS)
- Office of the Legal Affairs (OLA)
- Press Relations Office (PRO)
- Trade and Industry Information Center (TIIC)

Industry and Investment Group (IIG)

- Board of Investment (BOI)
- Bonded Export Marketing Board (BEMB)
- Bureau of Small and Medium Business Development (BSMBD)
- Center for Labor Relations Assistance (CLARA)
- Philippine Economic Zone Authority (PEZA)
- Small Business Guarantee and Finance Corporation (SBGFC)

Consumer Welfare Group (CWG)

- Bureau of Patents, Trademarks and Technology Transfer (BPTTT)
- Bureau of Product Standards (BPS)
- Bureau of Trade Regulations and Consumer Protection (BTRCP)

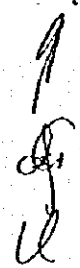
Regional Operations Group (ROG)

- Regional and Provincial Offices



Trade Group (TG)

- Bureau of Domestic Trade Promotion (BDTP)
- Bureau of Export Trade Promotion (BETP)
- Foreign Trade Services Corps (FTSC)
- Bureau of Import Services
- Bureau of International Trade Relations (BITR)
- Center for International Trade Expositions and Missions (CITEM)
- Construction Industry Authority of the Philippines (CIAP)
- Construction Manpower and Development Corporation (CMDF)
- Cottage Industry Technology Center (CITC)
- Garments and Textile Export Board (GTEB)
- International Coffee Organization – Center Agency (ICO-CA)
- National Industrial Manpower Training Council (NMITC)
- Product Development and Design Center of the Philippines (PDCCP)
- Philippine International Trading Corporation (PITC)
- Philippine Shippers Bureau
- Philippine Trade Training Center (PTTC)



ANNEX 1-2 Organizational Chart of BPTTT

Office of the Director (10)

- Supervises and controls the operation of the Bureau in administering the industrial property system in the Philippines in accordance with the country's patent and trademark laws
- Directs and supervises the formulation of policies, rules and regulations on industrial property and on technology transfer arrangements
- Cooperates with international organizations and cooperating countries in regional and international developmental plans and programs for industrial property administration, development and protection
- Implements the country's compliance with treaty commitments and reciprocity agreements with other countries on IP matters
- Studies and formulates government policies on intellectual property

Application, Issuance and Publication Division (22)

- Receives patent and trademark applications
- Prepares letters patent and certificates of registration of trademarks
- Undertakes "formality checks" on applications
- Publishes and distributes publications pertaining basically to patents and trademarks

Technology Transfer Registry Division (10)

- Evaluates, registers and monitors technology transfer arrangements

Information, Documentation and Research Division (20)

- Classifies patented documents in accordance with the international patent classification system
- Maintains patent and trademark documentation
- Acts as custodian of all scientific and legal books and reference materials
- Disseminates information pertaining to patents and trademarks
- Conducts patent search with or without fee for the public

Trademark Examining Division (23)

- Classifies and conducts technical research works in trade marks, trade names, service marks names and other marks of ownership
- Examines local and foreign applications for trade marks, trade names, service marks names and other marks of ownership in accordance with RA 166 as amended, rules of practice and international relations

Legend: () Number of personnel as of September 1997

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Hearing Division (14)

- Conducts ex-parte and inter-partes hearing on contested trademarks and patent cases
- Issues subpoenas, orders, summons and notices
- Receives evidences and submits findings and recommendations and drafts decisions of the Director
- Conducts administrative investigations, special studies and legal researches

Chemical Examining Division (25)

- Take charge of the examination of patent applications in the field of chemistry, chemical engineering, metallurgy, petroleum products, antibiotics and steroids, medicine and pharmaceutical compositions and other related sciences.

Patent/Trademark Registry and EDP Division (15)

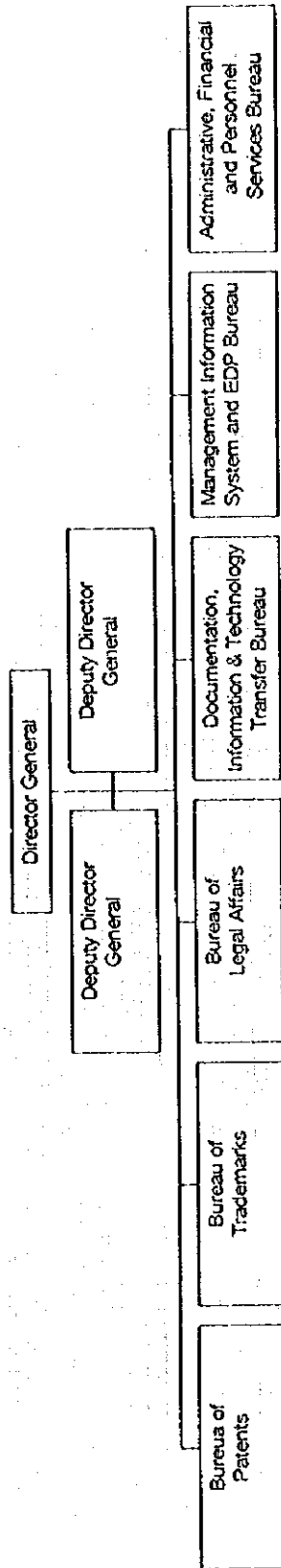
- Take charge of the administration and maintenance of the different trademark registers and for all letters patent granted
- Supervises and causes the recording of all transactions affecting ownership of patents and trademarks
- Maintains the electronic data files on grants and issuance's
- Manages the electronic data systems of the Bureau

Mechanical & Electrical Examining Division (20)

- Takes charge of the examination of the patent applications (inventions, utility models and designs) in the field of Mechanical, Electrical and Electronics Engineering and other related sciences.

Legend: () Number of personnel as of September 1997

ANNEX 1.3 Organizational Chart of IPO



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IPO structure based on Sec. 6 of R.A. 8293 (The New IPO Code). The present manpower set-up of BPTTT will be the initial IPO manpower starting January 1998. Detailed compositions of the six (6) bureaus will be submitted by the end of January 1998.

ANNEX 2 Relevant Provisions of RA 8293 (The New IPO Code)

SEC. 14. Use of Intellectual Property Right Fees by the IPO. – 14.1. For a more effective and expeditious implementation of this Act, the Director General shall be authorized to retain, without need of a separate approval from any government agency, and subject only to the existing accounting and auditing rules and regulations, all the fees, fines, royalties and other charges, collected by the Office under this Act and other laws that the Office will be mandated to administer, for use in its operations, like upgrading of its facilities, equipment outlay, human resource development, and the acquisition of the appropriate office space, among others, to improve the delivery of its services to the public. This amount, which shall be in addition to the Office's annual budget, shall be deposited and maintained in a separate account or fund, which may be used or disbursed by the Director General.

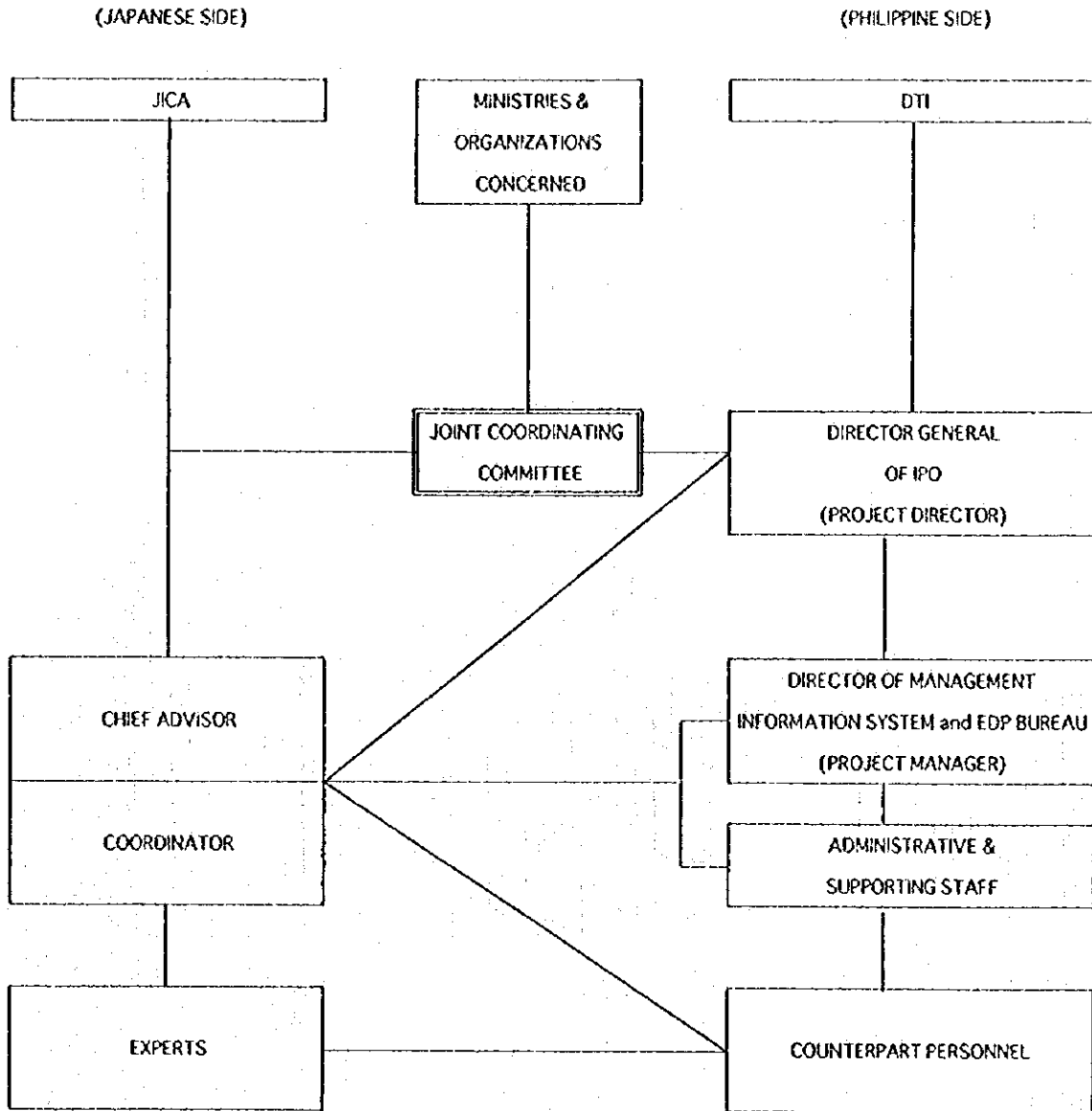
14.2. After five (5) years from the coming into force of this Act, the Director General, subject to the approval of the Secretary of Trade and Industry, shall determine if the fees and charges mentioned in Subsection 14.1 hereof that the Office shall collect are sufficient to meet its budgetary requirements. If so, it shall retain all the fees and charges it shall collect under the same conditions indicated in said Subsection 14.1 but shall forthwith, cease to receive any funds from the annual budget of the National Government; if not, the provisions of said Subsection 14.1 shall continue to apply until such time when the Director General subject to the approval of the Secretary of Trade and Industry, certifies that the above-stated fees and charges the Office shall collect are enough to fund its operations.

SEC. 233. Organization of the Office; Exemption from the Salary Standardization Law and the Attrition Law. – 233.1 The Office shall be organized within one (1) year after the approval of this Act. It shall not be subject to the provisions of Republic Act No. 7430.

233.2. The Office shall institute its own compensation structure: *Provided*, That the Office shall make its own system conform as closely as possible with the principles provided for under Republic Act No. 6758.

SEC. 234. Abolition of the Bureau of Patents, Trademarks and Technology Transfer. – The Bureau of Patents, Trademarks and Technology Transfer under the Department of Trade and Industry is hereby abolished. All unexpended funds and fees, fines, royalties and other charges collected for the calendar year, properties, equipment and records of the Bureau of Patents, Trademarks and Technology Transfer, and such personnel as may be necessary are hereby transferred to the Office. Personnel not absorbed or transferred to the Office shall enjoy the retirement benefits granted under the existing laws, otherwise, they shall be paid the equivalent of one month basic salary for every year of service, or the equivalent nearest fractions thereof favorable to them on the basis of the highest salary received.

ANNEX 3 PROVISIONAL ORGANIZATION CHART FOR THE ADMINISTRATION OF THE PROJECT



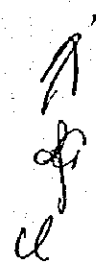
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ANNEX 4 OUTLINE OF PROJECT AND TECHNOLOGY TRANSFER (TENTATIVE)

1. Patent applications go through two different procedures:
 - Administration procedure identifying application, docketing
 - Substantial examination examination and its support
2. Two databases should be properly situated to support the industrial property administration at IPO (BPTTT):
 - Administrative database to support administrative procedure
 - Document database to support substantial examination
3. Technology to be transferred to IPO (BPTTT) during the Project
 - To be able to build the two databases
 - To be able to maintain the two databases and improve its quality
 - To be able to administer the databases and its supporting systems
 - To be able to manage industrial property administration properly
4. Two steps are to be set up to construct the two databases:
 - STEP I to construct the administration database
 - STEP II to construct the document database
5. Two experts are to be dispatched to support STEP I and II respectively, in addition to a system expert who will give technical advice through the Project.
6. Modernization of industrial property administration at IPO (BPTTT) will be attained by the firm cooperation between the Philippines and Japan:

The Philippines is:

- To receive technical advice from Japan
- To gain the technology to maintain and improve the databases and system
- To facilitate necessary infrastructure to accommodate the Project
- To modify the present patent procedures to get along with the computer-assisted environment.



Japan is:

- To dispatch experts and transfer technology to modernize the patent procedure at IPO (BPTTT)
- To train IPO (BPTTT) counterparts
- To modernize the patent administration at IPO (BPTTT)
- To construct systems to carry out the patent administration being assisted with the databases.
- To provide minimum and necessary machines and equipment to IPO (BPTTT)

7. Technology to be transferred varies from each step and procedure:

STEP I

Application

- Data entry for administrative information
- Management of application data
- Management of fee collection
- Etc.

Formality Examination

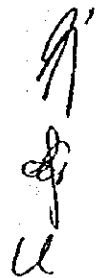
- Formality examination method (handling of notice drafting, notification and term)
- Data entry for application procedure records
- Etc

Publication of Unexamined Application

- Data entry for publication (selecting items, numbering, formatting publication)
- Data entry for application procedure records
- Etc.

Examination

- Data entry for examination administration (handling of notice drafting, notification and term)
- Data entry for application procedure records
- Etc.



Registration

- Data entry for registration of patent
- Issuing patent certificates
- Management of fee collection
- Etc

Patent Publication

- Data entry for registered patents
- Publication number arrangement
- Formatting publication
- Etc.

Opposition

- Data entry for appeals and trials (managing of notice drafting, notification and objection decisions)
- Data entry for application procedure records
- Etc.

STEP II

Application

- Data entry for images for drawings, specifications
- Etc.

Publication of Unexamined Application

- Data entry of foreign/domestic application of unexamined applications
- Etc.

Examination / Search (Reference)

- Data selection
- Data entry for examination materials
- Data entry of prior art
- Reference materials
- Etc.

Registration

- Data entry of foreign/domestic patent publication
- Etc.

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ANNEX 5 EXPERT DISPATCH PLAN (TENTATIVE)

1. Long-term experts

The activity of experts will mainly be to grasp the actual situation of IPO (BPITT) in corporation with the Philippine counterparts and to transfer the necessary technology for designing the appropriate systems and for operating, managing and maintaining the constructed system.

The timing of the expert dispatch would be as in the table below supposing that cooperation period is four years:

	1st year	2nd year	3rd year	4th year
Chief Advisor	-----	-----	-----	-----
Coordinator	-----	-----	-----	-----
Administration Database	-----	-----	-----	-----
Document Database	-----	-----	-----	-----
Computer System	-----	-----	-----	-----

The concept of the above table is as follows:

- (1) It is expected to take about 2 years to construct administration and document databases respectively.
- (2) Considering the work flow of the industrial property administration procedure, the construction of document database should be started after the framework of administrative database is almost built.
- (3) To secure the smooth cooperation ending and sustainability of the Project (soft landing of the Project in other words), only chief advisor and coordinator (and one core long-term expert, if necessary) will be remained in the Project with monitoring and supplementary follow-up by short-term experts for a certain period at the final stage of the Project.

2. Short-term experts

The minimum number of short-term experts will be dispatched to supplement the technology transfer by long-term experts.

ANNEX 6

LIST OF NECESSARY MACHINERY AND EQUIPMENT FOR THE PROJECT (TENTATIVE)

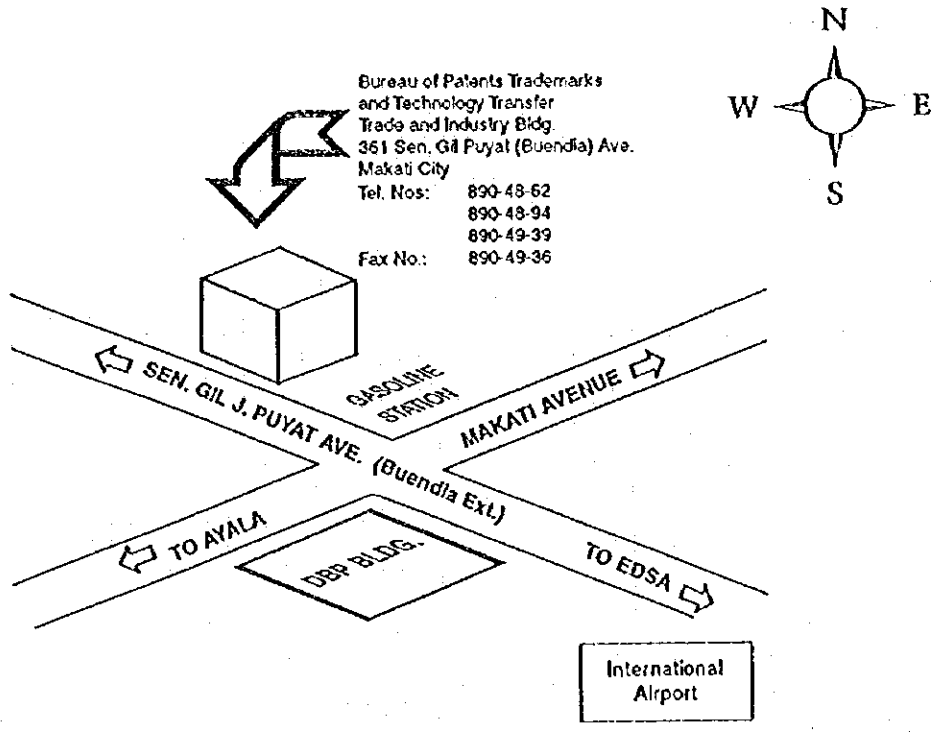
STEP 1 (Administration Database)

Material Name	Note
Server for Administration Database	Administration Database, Support for Office Work
Software for Administration Database	
Server for Communication	For Communication Control
Software for Communication	
Server for Development	For Development
Software for Development	
Hub	Build up for Local Area Network
Cable	Build up for Local Area Network
Uninterruptible Power Supply(UPS)	For Power Failure
Personal Computer(PC)	Each Division , Input for Bibliographic Data For Development
Software for PC	
Printer	Each Division , Input for Bibliographic Data For Development
Support Software for Office Work	

STEP 2 (Documents Database)

Material Name	Note
Server for Documents data	Examination Database, Support for Search and Reference
Software for Documents Data	
Server for Internet	Acquisition for Documents Information
Software for Internet	
Server for Fire Wall	For Security
Software for Fire Wall	
CD-Changer	Accumulation for Document Information
Router	Build up for Local Area Network
Hub	Build up for Local Area Network
Cable	Build up for Local Area Network
Uninterruptible Power Supply(UPS)	For Power Failure
Personal Computer(PC)	For Examiner , For Search Input for Document , Input for Specification Library
Software for PC	
Image Scanner	Input for Document , Input for Specification
Printer	For Examiner , For Search Input for Document , Input for Specification Library
Support Software for Retrieval	

ANNEX 7 Present Location Map of BPTTT



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**Annex 8.1 List of Existing Machinery and Equipment of BPTTT
(Computer hardware and software)**

Equipment/Software	AIPD	EDP	IDRD	TM	CED	M.EED	HR	OD	TOTALS
Hardware:									
Personal Computer									
XT/286									
Thompson	1		2						4
386									
Hyundai			2						2
486									
Dalamini					1	1			2
Acer		1		1	1	1	1	1	6
Fujitsu ICL	2	1	1		8		1	2	15
Pentium									
IBM	2	1				1		1	6
Fujitsu ICL		2							2
Philips	2	2	2	2	1	4	4	2	20
Notebook									
Compaq Armada 1520		1	1	1				1	4
Printers									
Dot Matrix	2	1		2	1	1	1	1	9
Laserjet	1	2	1		2	1		1	9
Deskjet		1		1		1	1	1	5
Others									
Scanner (HP Scanjet 5p)		1							1
Modem		1	1						2
Software:									
MS Office Professional Version 4.2									
MS Office Professional Version 4.3									
MS Foxpro For Windows									
MS Windows 95									
MS Office Professional Version 97									
MS Visual Basic Version 4.0									
MS SQL Server Version 6.0									
MS Windows NT Server Version 4.0									

Legend:

- AIPD - Application, Issuance and Publication Division
- EDP - Registry and EDP Division
- IDRD - Information, Documentation and Research Division
- TM - Trademark Examining Division
- CED - Chemical Examining Division
- M.EED - Mechanical Electrical Examining Division
- HR - Hearing Division
- OD - Office of the Director

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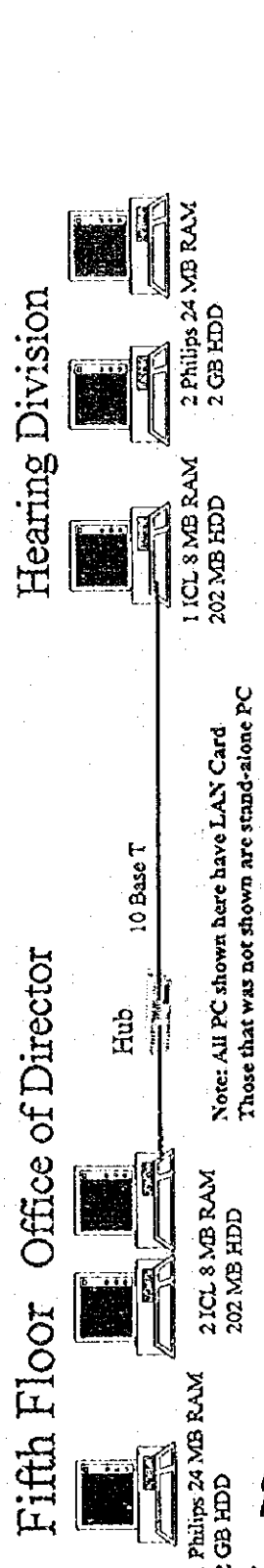
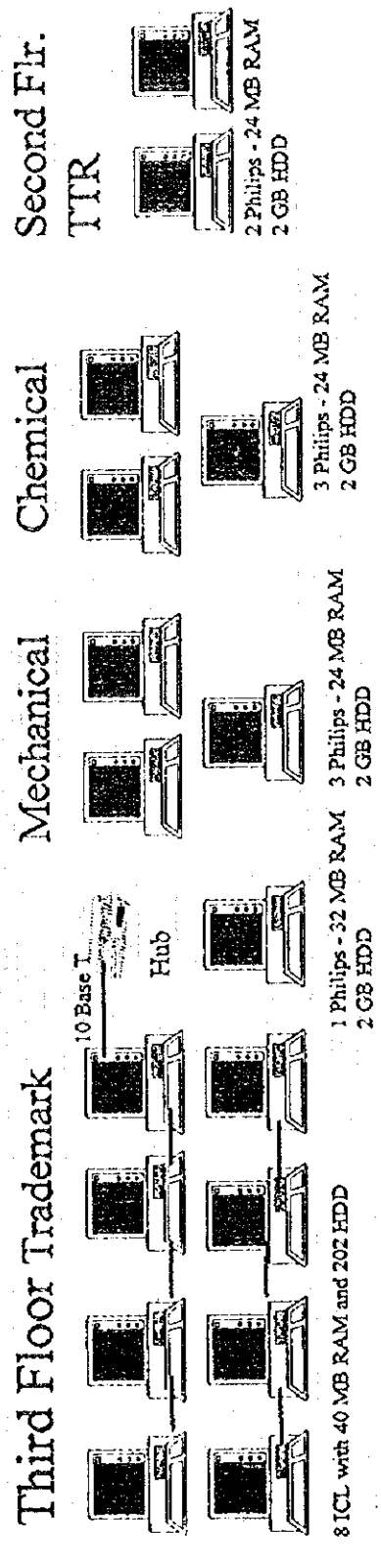
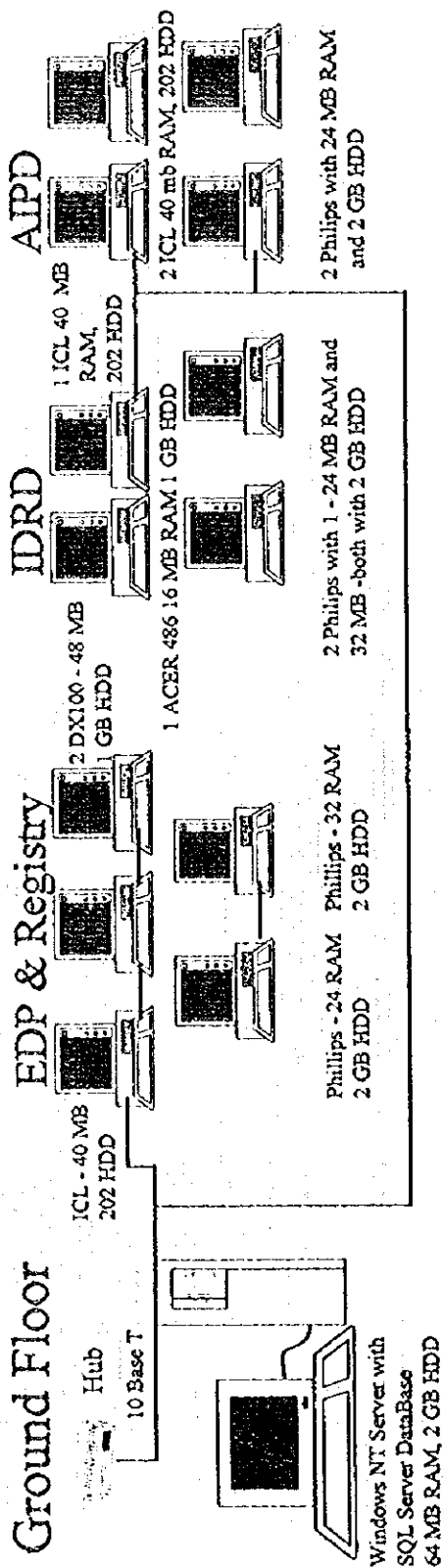
**Annex 8.1 List of Existing Machinery and Equipment of BPTTT
(Computer hardware and software)**

Equipment/Description	AIPT	FEDE	IDRO	IMB	IMB	IGRD	MEED	HR	OD	TOTAL
Hardware:										
Personal Computer										
XT/286										
Thompson	1		2		1					4
386										
Hyundai			2							2
486										
Datamini						1	1			2
Acer		1		1		1	1	1		5
Fujitsu ICL	2	1	1		3			1	2	10
Peelum										
IBM	2	1				1	1		1	6
Fujitsu ICL		2								2
P80 ps	2	2	2	2	1	4	4	2	1	20
Notebook										
Compaq Armada 1520		1	1	1					1	4
Printers										
Dot Matrix	2	1		2	1	1		1	1	9
Laserjet	1	2	1		2	1	1		1	9
Deskjet		1		1		1			1	5
Others										
Scanner (HP Scanjet 5p)		1								1
Modem		1	1							2
Software:										
MS Office Professional Version 4.2										
MS Office Professional Version 4.3										
MS Foxpro For Windows										
MS Windows 95										
MS Office Professional Version 97										
MS Visual Basic Version 4.0										
MS SQL Server Version 6.0										
MS Windows NT Server Version 4.0										

Legend

- AIPT - Application Assessment and IT Planning Division
- FEDE - Registry and ERP Division
- IDRO - Information, Documentation and Research Division
- IMB - Intranet/Extranet Division
- CEE - Chemical Examining Division
- MEED - Mechanical/Electrical Examining Division
- HR - Hearing Division
- OD - Office of the Director

ANNEX 8-2 CURRENT COMPUTER DISTRIBUTION OF THE BPTT



Note: All PC shown here have LAN Card. Those that was not shown are stand-alone PC

ANNEX 9 LIST OF EQUIPMENT AND NECESSARY COST
TO BE BORNE BY THE PHILIPPINE SIDE
(TENTATIVE)

1. Networking

- LAN cable and its surroundings
- Circuit connection
- Labor cost for networking
- Contract fee with provider

2. Electronic Equipment

- Circuit breakers (main & sub)
- Electronic cable
- Labor cost
- Outlets

3. Other Equipment

- Room/space for machinery and equipment
- Office equipment
- Air conditioner for computers
- Labor cost
- Cost for equipment installation

4. Running Cost

- Electric fee
- Consumption articles, expendable
- System maintenance fee
- other miscellaneous expenses

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**ANNEX 10 Proposed BPTT (IPO) Budget for 1998
(in Thousand Pesos)**

Particulars	1998
PERSONAL SERVICES	25,381
Salaries	20,359
RATA	435
Casual	37
Contractual	0
Step Increment	204
Bonus and Cash Gift	1,845
PERA	888
Additional Compensation	870
Uniform Allowance	444
PAG-IBIG Contributions	178
Medicare Premiums	67
ECIP	54
MAINTENANCE & OTHER OPERATING EXPENSES	18,466
Traveling	1,000
Communication	1,000
Maint. Of Motor Vehicles	400
Transportation	100
Supplies and Materials	2,000
Training and seminar	1,063
Extraordinary/Misc. Expenses	68
Gas and oil	300
Fidelity Bonds and Ins. Premium	35
Other Services	12,500
CAPITAL OUTLAY	957
SUB-TOTAL	44,804
ADD: FIXED EXPENDITURES	1,935
TOTAL	46,739

ANNEX 11 Annual Budget of BPTTT and Fees Collected for CY 1995, 1996 and 1997
(In Thousand Pesos)

Particulars	1995	1996	1997
Personal Services			
Salaries	12,020	14,271	13,518
PS Others			
RATA	379	379	435
Casual	37	37	37
Contractual	312	312	312
Step Increment	120	143	135
Bonus and Cash Gift	1,192	1,379	1,268
PERA	1,074	1,074	786
Additional Compensation	1,122	1,122	828
Terminal Leave Benefits	390	194	
Uniform Allowance	247	285	282
PAG-IBIG Contributions		228	169
Medicare Premiums		86	63
ECIP		68	51
Fixed Expenditures	1,142	1,356	1,284
Sub-total, PS Others	6,015	6,663	5,650
Total Personal Services	18,035	20,934	19,168
Maintenance & Other Operating Expenses (MOE)			
Traveling	250	375	450
Communication	400	500	500
Maint. Of Motor Vehicles	250	375	350
Transportation	50	100	100
Supplies and Materials	1,020	1,620	1,620
Retirement Gratuity	801	717	0
Training and seminar	500	500	500
Extraordinary/Misc. Expenses	40	40	65
Gas and oil	180	200	200
Fidelity Bonds and Ins. Premium	20	20	20
Other Services	1,697	2,417	10,078
Total, MOE	5,208	6,864	13,883
Equipment Outlay	0	4,318	616
Total Appropriations	23,243	32,116	33,667
Fees Collected	50,162,188	57,557,971	67,910,105

¹ Fees collected as of November 30

ANNEX 12 FUNCTIONS AND COMPOSITIONS OF JOINT COORDINATING COMMITTEE

1. Functions

The joint coordinating committee will be held at least once a year and whenever necessity arises.

Its functions are as follows:

- (1) To settle on the Annual Plan of Operations (APO) of the Project in line with the Tentative Schedule of Implementation (ISI) and Technical Cooperation Program (TCP) formulated under the framework of the Record of Discussions,
- (2) To coordinate necessary actions to be taken by both sides,
- (3) To review the overall progress of the TCP as well as the achievement of the AWP,
- (4) To exchange views on major issues arising from or in connection with the TCP.

2. Composition

(1) Chairperson

Director General of IPO

(2) Committee Members

(Philippine Side)

- a. Representative(s) of NEDA
- b. Representative(s) of DTI
- c. Representative(s) of IPO
- d. Other personnel concerned with the Project decided by the Philippine Side

(Japanese Side)

- a. Chief Advisor
- b. Coordinator
- c. Japanese Experts designated by the Chief Advisor
- d. Representative(s) of the JICA Office in the Republic of the Philippines
- e. Other personnel concerned to be decided and dispatched by JICA, if necessary

Note : Official(s) of the Embassy of Japan in the Republic of the Philippines may attend the Committee as observer(s).

ANNEX 13 FIVE (5) BASIC EVALUATION COMPONENTS

1 Five Basic Evaluation Components

The five basic components defined by JICA as mentioned below are in line with those used for the evaluation works by DAC and other international assistance organization. Introduction of these components has enabled a consistent, well-balanced evaluation, which minimizes evaluator bias. Further, it allows us to share the results, knowledge and lessons with other aid organizations, since we are using common components and can discuss with them from the same viewpoints.

(1) Efficiency

Evaluate the method, procedure, term and cost of the project with a view to productivity.

(2) Effectiveness

Evaluate the results in comparison with the goals (or revised ones) defined at the initial or intermediate stage, and evaluate the attributes (factors and conditions) of the results.

(3) Impact

Evaluate the positive and negative effects of the project, extent of the effect and beneficiaries.

(4) Relevance

Preliminary evaluate whether the needs in the country have been correctly identified, and whether the design is consistent with the national and/or master plan.

(5) Sustainability

Evaluate the autonomy and sustainability of the project after the termination of cooperation, from the perspectives of operation, management, economy, finance and technology.

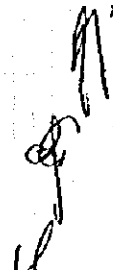
2 Relation between Five Basic Components and PDM

The five components are used for the evaluation and a selection of a project.

These components are directly connected to the elements of PDM as shown in the Figure in the following page.

(1) Efficiency

The component "Efficiency" is a measure to qualitatively and quantitatively compare all resource (input) to the results (output) of the project in order to evaluate the economic efficiency or conversion from input to output.



(2) Effectiveness

The component "Effectiveness" is a measure to evaluate whether the project purpose has been achieved or not, or to evaluate how much the outputs contributed to the achievement of the project purpose, or to evaluate whether or not the characteristics of the outputs were as expected.

(3) Impact

The component "Impact" is a foreseeable or unforeseeable, and a favorable or adverse effect of the project upon society. To evaluate impact, both the overall goal and project purpose should be referred to in the beginning of the evaluation. Evaluation with this component could lead to more than the confirmation as whether or not the overall goal have been obtained. Evaluation with this component requires comprehensive surveys in many cases.

(4) Relevance

The component "Relevance" is to comprehensively evaluate whether or not the project meets the overall goal, politics of both the donor and recipient, local needs and given priority levels, in order to decide whether the project should be continued, reformulated or terminated.

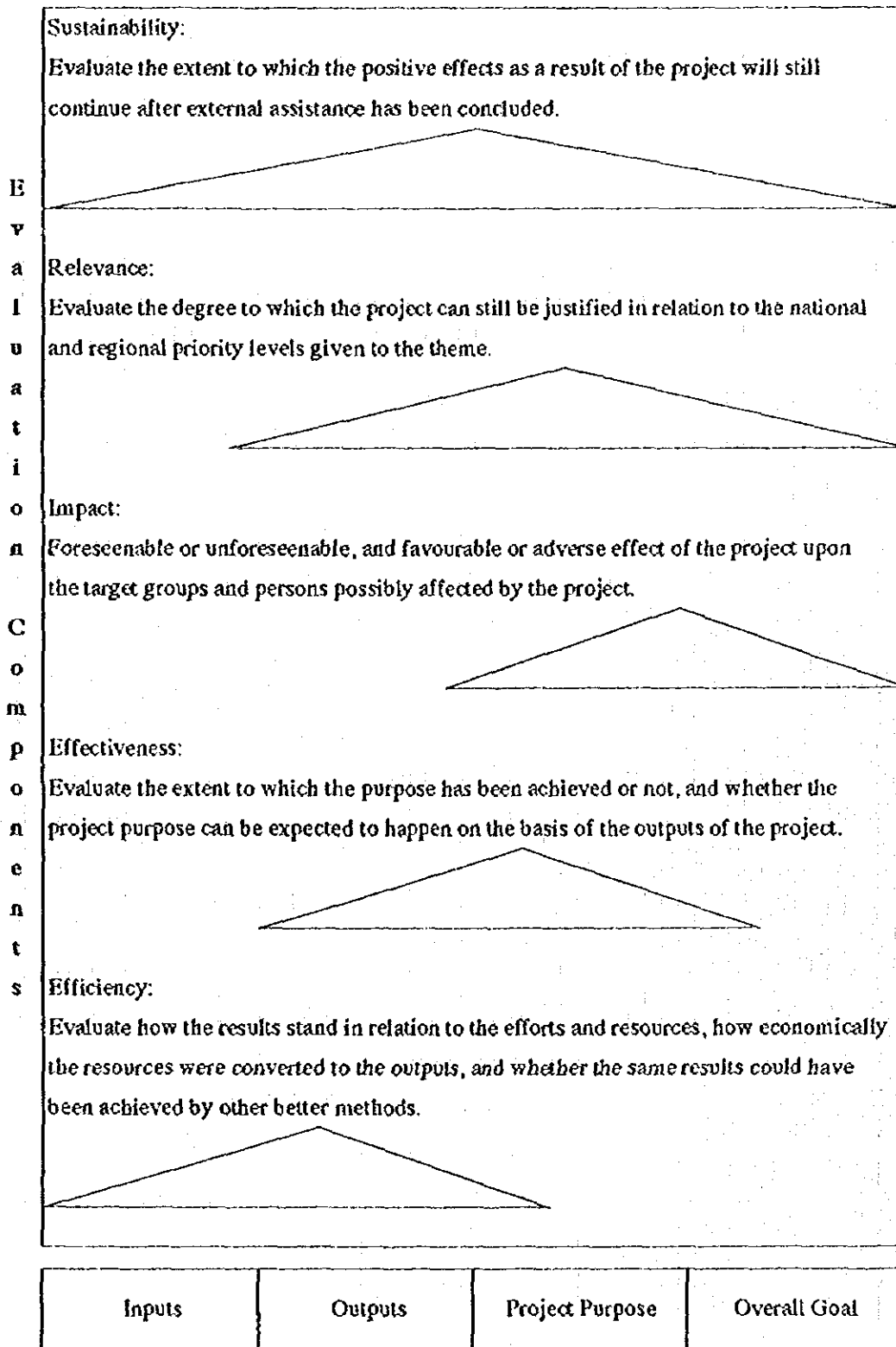
(5) Sustainability

The component "Sustainability" is to comprehensively evaluate how long the favorable effect as a result of the project can continue after the project has been terminated. Evaluation with this component is required to decide how much the local resources should continue to be used for the project, and to evaluate how much the country receiving the assistance has been considering important. According to OECD (1989), "Sustainability" is a component to be used for the final test of the success of a development project.

All five components are essential for any of the projects or programs. The five components give necessary information to the decision maker so that he/she can decide how to approach the next step. Since each of the five components build on the intervention strategy, they also lay the foundation for standardization in monitoring and information handling within and among organizations and agencies.

In practice, each of the five components should also contain project-specific information.

Five Components vs Goal Hierarchy



Goal Hierarchy



ANNEX 14 LIST OF THE ATTENDANTS AT THE DISCUSSION

1. The Japanese Side

(1) Preliminary Study Team

Takeshi Usami	Leader
Toshio Suzuki	Technical Cooperation Programme
Toru Yamazaki	Information System
Kazuo Hoshino	Equipment/Training Planning
Akio Nakamoto	Cooperation Planning

(2) JICA Office in the Republic of the Philippines

Hiroshi Goto	Resident Representative
Toshiyuki Kuroyanagi	Deputy Resident Representative
Hajime Nakazawa	Assistant Resident Representative

2. The Philippine Side

(1) DTI

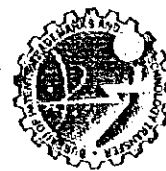
Jose O. Juliano	Undersecretary
Zenaida Cuison-Maglaya	Assistant Secretary

(2) BPTTT

Emma C. Francisco	Director
Ronol K. Dela Cruz	Assistant Director
Jose Cesar M. Sandiego	Assistant Director
Honorie B. De Vera	Division Chief
Corazon Marqueses	Patent & Trademark Registry and EDP Division Supervising Patent/Trademark Executive Examiner Application, Issuance and Publication Division
Virginia Aumentado	Senior Patent Principal Executive Examiner Information, Documentation and Research Division
Restituto E. Maligaya Jr.	Information System Analyst II Patent & Trademark Registry and EDP Division
Leonides T. Gavin	Computer Operator II Patent & Trademark Registry and EDP Division

(3) NEDA (National Economic and Development Authority)

Marlene L. Tablante	Trade, Industry & Utilities Staff
Puj Pujalte	Project Monitoring Staff
Lawrence Nelson C. Guevara	Public Investment Staff
Cristina M. Santiago	Public Investment Staff



ANNUAL
REPORT
1996

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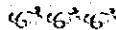
THE DIVISION

We are committed to bring the Philippines
to its rightful place in the family of nations,
proud and free.

With business,
we are an active and leading partner
in propelling the Philippines
toward a dynamic and thriving economy.
Our success is anchored
on global competitiveness,
with social responsibility and consumer welfare
as our guiding principles.

We are committed to bring
a showcase of excellence in public service.
Our employees are our most valuable resource. We foster an
environment where their creativity, innovation, professional
and personal growth find full expression
in an organization that is united
in purpose and action.

In all these, we adhere strictly to the
tenets of professionalism, integrity
and transparency.



THE BPIT MISSION

Our covenant is to assist
the Department of Trade and Industry
pole-vault the Philippines
to prosperity
through global competitiveness.

Through the grant of quality patents
and the efficient promotion
of patent information,
we aim to stimulate inventive activities
and promote technology development.

We commit to efficiently manage
the entry of imported technology
and facilitate the registration of trademarks
to help develop local industries.

To preserve these commitments,
we shall provide timely and world-class services
that answer our clients' needs.

We shall promote a working environment
that foster professional growth by adhering
to the highest work standards that will provide,
facilitate and enhance our services.

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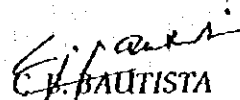
MESSAGE



The Philippines' phenomenal economic performance in 1996 put the country well into the path of becoming a newly industrialized country. This is the result of the concerted efforts among the country's various economic sectors, i.e. industry, agriculture, government, and NGOs, among others, towards a common goal: that of uplifting the economic well-being of the Filipino people.

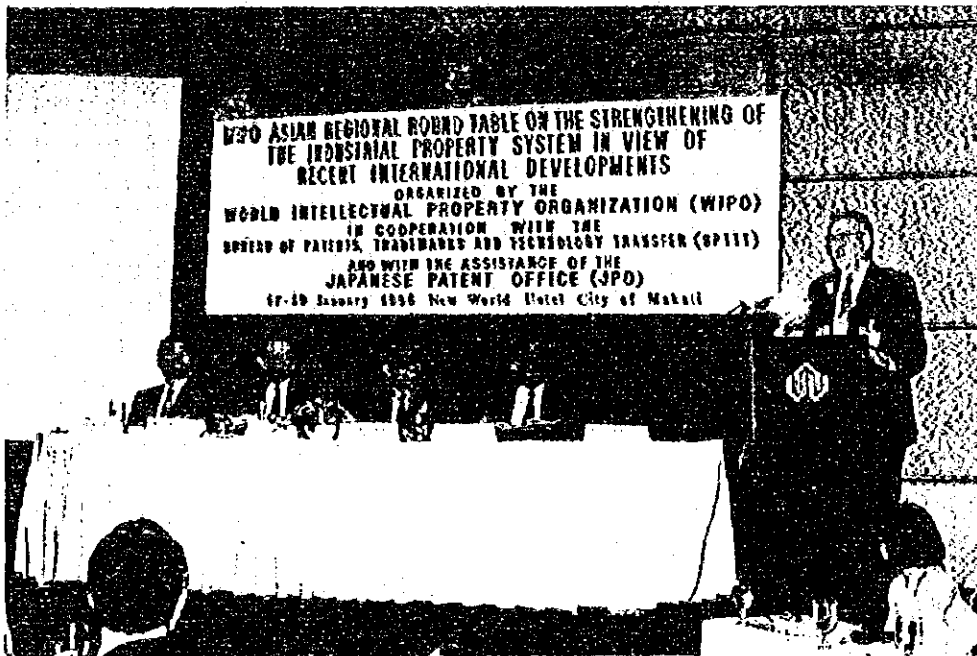
The Bureau of Patents, Trademarks and Technology Transfer which is tasked to implement the Philippine industrial property laws contributed to the achievement of this objective. By ensuring that an effective and efficient intellectual property system is in place, foreign investors and owners of more advanced technologies have become more confident in establishing trade relations with the Philippines knowing that their intellectual property will be amply protected. The Bureau rendered full support to the proposed amendments to Republic Acts 165 and 166, known as the Patent Law and Trademark Law, respectively, to harmonize these with international commitments under the World Trade Organization. The education of the public on the importance of intellectual property rights remained to be a major activity of BPTTT in 1996. Through increased information dissemination campaigns, thereby creating a high level of awareness on IPR among the populace, effective enforcement of the laws can be easily achieved. The year also saw the BPTTT vigorously pursuing its modernization program to provide our inventors, scientists and investors with computerized patent search system facilities that will make access to patented and technological information easier.

One of the pillars of Philippines 2000 is making our country globally competitive through the application of appropriate and more advanced technology. I am happy to note that the Bureau of Patents, Trademarks and Technology Transfer is one of the key players towards the attainment of this goal.


E. BAUTISTA
Secretary

1996 IN RETROSPECT

The year started with the Bureau of Patents, Trademarks and Technology Transfer co-sponsoring the Asian Regional Round Table on the Strengthening of Industrial Property System in view of Recent International Developments from January 17-19 at the New World Hotel. The Symposium, co-organized with the World Intellectual Property Organization (WIPO) and the Japanese Patent Office (JPO), was attended by delegates from Asian countries such as Bangladesh, Brunei Darussalam, Cambodia, China, Fiji, India, Indonesia, Iran, Laos, Malaysia, Mongolia, Pakistan, Republic of Korea, Singapore, Sri Lanka, Thailand and Vietnam. Then DTI Sec. Rizalino S. Navarro delivered the keynote address where he emphasized that an effective intellectual and industrial property system not only serves as a catalyst to the development of domestic inventive and creative activities but also facilitates the transfer of technology. He also stressed that an effective system also serves to attract foreign investments and facilitates access of Philippine products in the international



WIPO in cooperation with the BPTTT and with the assistance of the Government of Japan hosted the WIPO Asian Regional Roundtable on the Strengthening of the Industrial Property System in View of Recent International Developments last January 17-19, 1996 at the New World Hotel, Makati City.

Photo shows some of the speakers to the seminar (from left to right): Commissioner Yuji Kiyokawa, Japanese Patent Office (JPO), Mr. Alec Sugden, Assistant Comptroller, Intellectual Property Policy Directorate (IPP), The Patent Office, London, UK, Deputy Commissioner Ma Lianyuan, Chinese Patent Office (CPO), Beijing, China, Director Narendra Sabharwal, Development Cooperation and External Relations, Bureau for Asia and the Pacific, WIPO, Exec. Director Michael Kirk, American Intellectual Property Law Association (AIPLA), Virginia, USA.



Participants to the said Roundtable are senior officials of the national intellectual property offices and senior representatives of the private sector from different Asian countries and the Philippines.

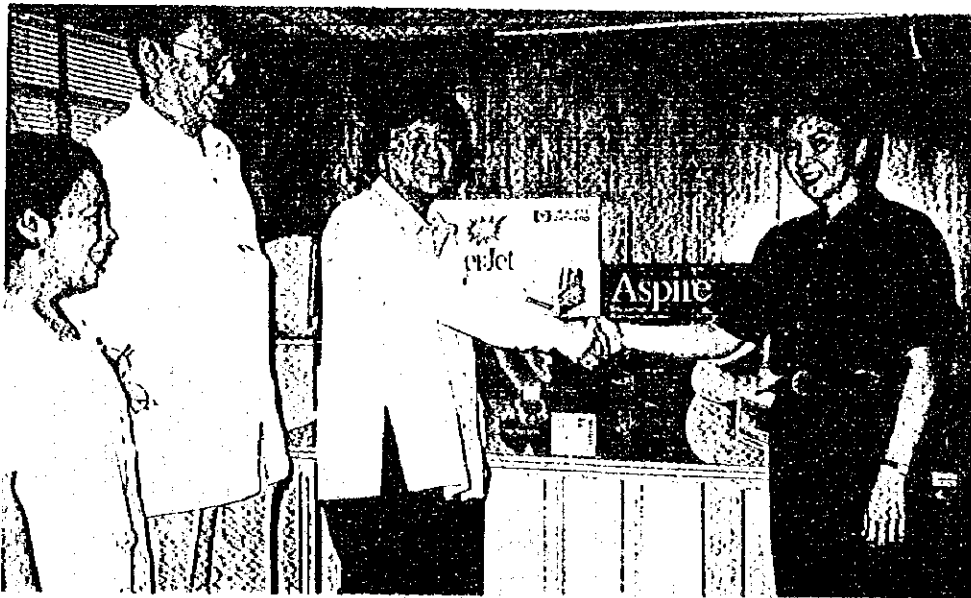
market. Among the speakers at the Symposium were high ranking officials of other patent offices, viz: Adilah Mohd. Din, Deputy Director of the Science and Technology Division, Malaysian Ministry of Science, Technology and Environment; Hans Goldrian, Former Executive Director of Siemens Intellectual Property Policies; Rick Gould, Deputy Director General of Corporate Strategy, Australian Industrial Property Organization; Ki-Ryung Kim, Director for Planning, International Intellectual Property Training Institute, Korean Industrial Property Office; Michael K. Kirk, Executive Director of the American Intellectual Property Law Association; Yuji Kiyokawa, Commissioner of the Japanese Patent Office; Ma Lianyuan, Deputy Commissioner of the Chinese Patent Office; Adrian Otten, Director of the Intellectual Property and Investment Division, World Trade Organization; Alec Sugden, Assistant Comptroller of the Intellectual Property Policy Directorate, The Patent Office, London; and Shingo Tsuji, Director General of the Industrial Property-Related International Cooperation and Training Center, Japan Institute of Invention and Innovation. The WIPO delegation was headed by Narendra K. Sabharwal, the Director for Development Cooperation and External Relations Bureau for Asia and the Pacific.

The Phil-Pat CD-ROM Project relating to the conversion of the full text copies of Philippine issued patents in 1993 gained a headway. By 1996, 610 invention patents, 263 utility model patents and 342 design patents were already stored in CD-ROM. Related to this undertaking is the preparation of the ASEAN-PAT CD-ROM where BPTIT contributed the first pages or the bibliographic data and abstracts of 2,078 invention

patents, 1,597 utility model patents and 3,523 design patents. The ASEAN-PAT CD-ROM is a project under the EC-ASEAN Patents and Trademarks Programme (ECAP) which aims to develop a database of the first pages of the patents issued in the six ASEAN countries.

The number of patent, trademark and technology transfer applications increased notably in 1996. Patent applications filed and technology transfer agreements officially accepted both increased by 12% while trademark applications filed with BPTTT increased by 20%. This may be indicative of the dynamism of the Philippine economy.

Two of the high technology content agreements registered in 1996 were the Technology License Agreement between Sumiden Circuits, Inc. and Sumitomo Electric Industries, Ltd. concerning the manufacture of single and double-sided flexible printed circuit boards (PCB) using the etching process and the License Agreement between Bataan Polyethylene Corp. and BP Chemicals Ltd. for the manufacture of linear low and high density polyethylene by the use of a gas phase fluid bed process. The latter is a flagship project of the government. The PCB venture is 100% for export and is expected to generate \$161,358,000 from exports to Japan, ASEAN, China and other



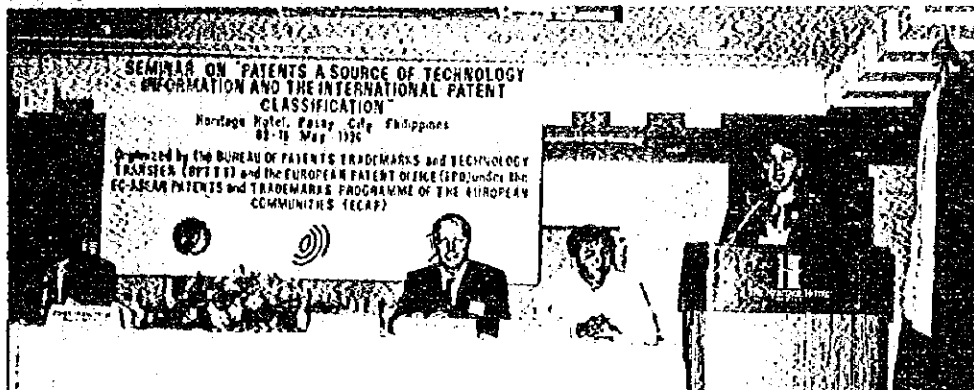
BPTTT Director Emma C. Francisco in a handshake with Atty. Manuel C. Cases, Jr., President of the Intellectual Property Association of the Philippines (IPAP) after receiving a donation of CD-ROM Workstation from the latter.

Looking on are Atty. Jose Abierro, former IPAP President and Atty. Aleli Quirino, IPAP Treasurer.



BPTTT and the European Patent Office (EPO) under the EC-ASEAN Patents and Trademarks Programme (ECAP), in cooperation with the Philippine Association of Certified Patent Agents (PACPA) conducted the Workshop on Drafting of Patent Applications on March 18-22, 1996 at Taal Vista Hotel, Tagaytay City. Participants are from the government and private sectors.

From left to right: Mr. Sembitski, EPO Patent Examiner; Mr. Samson Himmelsjerna, EPO Patent Attorney, who handled the Mechanics subject for the Workshop; BPTTT Director Emma C. Francisco; Mr. Christiaan Tack, ECAP Project Manager; Mr. David Harrison, EPO Patent Attorney, who handled the Chemical subject for the Workshop; Atty. Ignacio Sapolo, former BPTTT Director and the present Executive Director of the Intellectual Property Foundation; and Mr. Bernard Czech, EPO Patent Examiner.



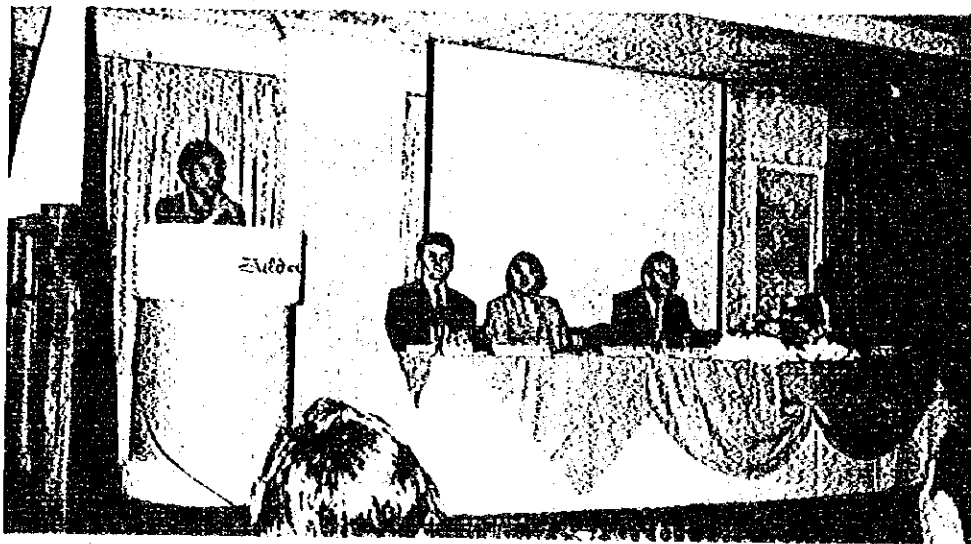
BPTTT Director Emma C. Francisco delivering her welcome message during the "Seminar on Patents: A Source of Technology Information and the International Patent Classification" held at the Heritage Hotel on May 9-10, 1996. The seminar was organized by the BPTTT and the European Patent Office (EPO) under the EC-ASEAN Patents and Trademarks Programme of the European Communities (ECAP).

Seated at the presidential table from left to right: Mr. Eddy Debundel, seminar speaker from the European Patent Office, Mr. Philippe Berwitz, ECAP Project Consultant and Mr. Jorge Cesar Sandiego, BPTTT Assistant Director.

companies located in the export processing zone such as Fujitsu, NEC, Read-rite and Hitachi. It also projects to generate 507 employment in 1997 and reaching a high of 735 in the year 2000.

Another feather added to the Bureau's cap was the Senate approval of the amendments to the patent and trademark law under the sponsorship of Sen. Raul S. Roco. The amendments embody our commitments under the GATT Agreement on the Trade Related Aspects of Intellectual Property Rights (TRIPs); improvements in administrative procedures in the grant of patents and registration of trademarks and copyright; amendments on the rules and regulations on technology transfer arrangements; and innovative procedures on the enforcement of intellectual property rights in the country.

Human resource development remained to be the centerpiece of developmental activities at the BPTTT. It has become essential for BPTTT personnel to keep abreast of new and fast-moving technologies through trainings. In 1996, 23 BPTTT personnel underwent training abroad under 32 training



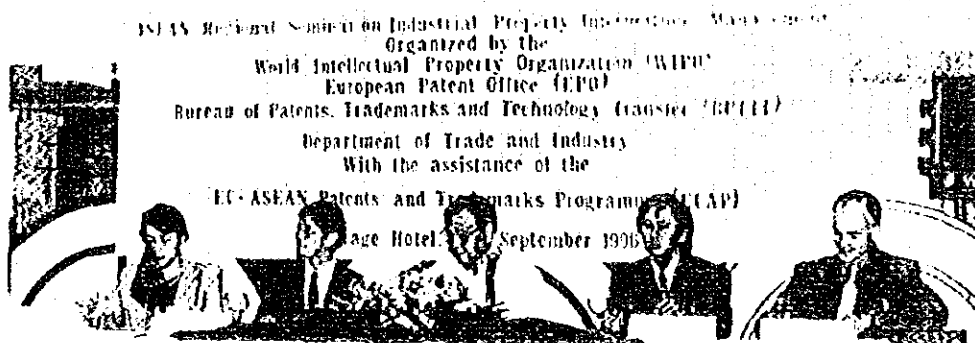
Shown in the photo is BPTTT Director Emma C. Francisco delivering her welcome message to the ASEAN and local participants to the ASEAN Common Course on Search and Examination of Patent Application in the Field of Telecommunications held on September 9-20, 1996 at the Sulo Hotel. The Course was organized by the BPTTT in cooperation with the European Patent Office (EPO) under the EC-ASEAN Patents and Trademarks Programme (ECAP). Patent examiners from Indonesia, Malaysia, Singapore, Thailand, Vietnam and the Philippines attended the course.

Seated at the presidential table are: (from left to right) Mr. Jose Santacrose, course speaker on 1 patent examiner from EPO, Dr. Aurora C. Matias, Deputy Executive Director, National Engineering Center, University of the Philippines; Mr. Philippe Berwitz, Project Consultant, ECAP and Mr. Johannes Van den Berg, another course speaker and a patent examiner from EPO.

programs offered by international organizations such as the WIPO, the United Nations Development Programme, the European Patent Office (EPO), the Japanese Patent Office (JPO), and the Japanese International Cooperation Agency (JICA), among others. Under the ECAP, the EPO sponsored the training of 20 BPTTT officials on Project Management which was held on February 28-29, 1996 at Caylabne Bay Resort, Ternate, Cavite. An advanced course on biotechnology was conducted for nine patent examiners of the Chemical Examining Division at the UP-Los Baños last December 4-6, 1996.

The pursuit of an intensive information dissemination campaign continued in 1996 among users and potential users of industrial property rights. The BPTTT, upon request of other government agencies undertook 25 seminars on the basics of patenting, trademark registration and licensing in various provinces. It also co-organized with the EPO under the ECAP a series of seminars as follows:

1. **Workshop on Drafting of Patent Applications**
March 18-22, 1996
Taal Vista Lodge, Tagaytay City



In cooperation with the World Intellectual Property Organization (WIPO) and the European Patent Office under the EC-ASEAN Patents and Trademarks Programme (ECAP), BPTTT hosted the EC-ASEAN Regional Seminar on Industrial Property Information last September 2-4, 1996 at the Heritage Hotel, Roxas Boulevard, Manila. The seminar was formally opened on September 2, 1996 with Secretary Cesar B. Bautista as the guest speaker.

Shown in the photo which was taken during the Opening Ceremony are (from left to right): Atty. Emma C. Francisco, Director, BPTTT, Mr. Jose del Rosario, Public Affairs Officer, Delegation of the European Communities in the Philippines, Secretary of Trade and Industry Cesar B. Bautista, Mr. Jaime Sevilla, Senior Counsellor, Asia/Pacific Bureau, WIPO, Mr. Pierre Avedikian, CD-ROM Project Leader, Publications Department, European Patent Office.

2. Patents: A Unique Source of Technical Information and International Patent Classification
May 9-10, 1996
Heritage Hotel, Manila
3. ASEAN Course on Search and Examination in the Field of Telecommunication
September 9-20, 1996
National Engineering Center
UP and Sulo Hotel, Quezon City

Another seminar co-organized with WIPO during the year was the ASEAN Regional Seminar on Industrial Property Information Management. Held from September 2-4 at the Heritage Hotel, the Seminar was attended by senior officials from patent offices of the seven ASEAN countries.

In its effort to uplift the patent agents profession in the country, four seminars for new patent attorneys were conducted. Attendance to these seminars is a pre-requisite before anyone can practice with the Bureau as a patent agent.

Although BPTIT has done much in 1996 to further the development of intellectual property rights in the Philippines, such accomplishments are viewed merely as a momentum in making its ultimate objective a reality: that of being an active partner in building a globally competitive Philippines.


EMMA C. FRANCISCO
Director

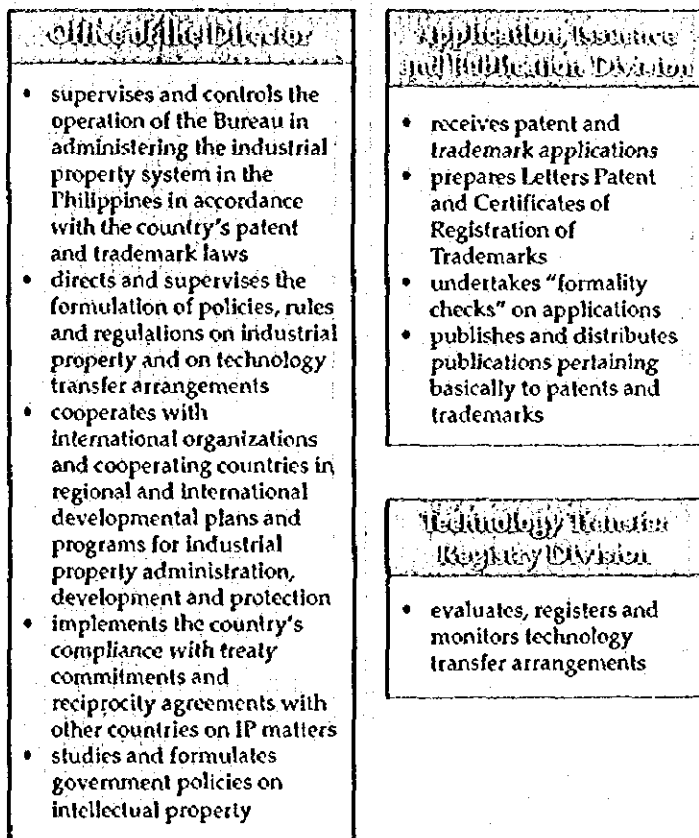
ALL ABOUT BPTTT

ORGANIZATION

The Director of Patents, Trademarks and Technology Transfer heads the BPTTT. Two Assistant Directors assist the Director in the daily operation of the Bureau. There are eight divisions under the organizational structure, namely: 1) Application, Issuance & Publication Division; 2) Trademark Examining Division; 3) Chemical Examining Division; 4) Mechanical & Electrical Examining Division; 5) Information, Documentation & Research Division; 6) Patent/ Trademark Registry & EDP Division; 7) Hearing Division; and 8) Technology Transfer Registry.

The functions of each division are presented in the functional chart.

FUNCTIONAL CHART



**International
Classification, Bibliography
Research Division**

- classifies patented documents in accordance with the international patent classification system
- maintains patent and trademark documentation
- acts as custodian of all scientific and legal books and reference materials
- disseminates information pertaining to patents and trademarks
- conducts patent search with or without fee for the public

**Trademark & Bibliography
Division**

- classifies and conducts technical research work in Trade Marks, Trade Names, Service Marks Names and other marks of ownership
- examines local and foreign applications for Trade Marks, Trade Names, Service Marks, Names and other marks of ownership in accordance with RA 166, as amended, rules of practice and international relations

Hearing Division

- conducts ex-parte and inter-partes hearing on contested trademarks and patents cases
- issues subpoenas, orders, summons and notices
- receives evidences and submits findings and recommendations and drafts decisions of the Director
- conducts administrative investigations, special studies and legal researches

**Chemical Examining
Division**

- takes charge of the examination of patent applications in the field of chemistry, chemical engineering, metallurgy, petroleum products, antibiotics and steroids, medicine and pharmaceutical compositions and other related sciences

**Patent, Trademark
Registry & P&P
Division**

- takes charge of the administration and maintenance of the different trademark registers and for all Letters Patent granted
- supervises and causes the recording of all transactions affecting ownership of patents and trademarks
- maintains the electronic data files on grants and issuances
- manages the electronic data system of the Bureau

**Mechanical & Electrical
Examining Division**

- takes charge of the examination of patent applications (inventions, utility models and designs) in the field of Mechanical, Electrical and Electronics Engineering and other related sciences

LAWS ADMINISTERED BY THE BPTTT

- **Republic Act No. 165** - An Act creating the Patent Office, Prescribing its Powers and Duties, Regulating the Issuance of Patents, and Appropriating Funds therefor (Approved: June 20, 1947)
- **Republic Act No. 166** -An Act to Provide for the Registration and Protection of Trademarks, Trade Names and Service Marks, Defining Unfair Competition and False Marking, and Providing Remedies Against the same, and For Other Purposes (Approved: June 20, 1947)
- **Republic Act No. 623** - An Act to Regulate the Use of Duly Stamped or Marked Bottles, Boxes, Corks, Kegs, Barrels and Other Similar Containers (Approved: June 5, 1951)
- **Executive Order No. 133** - Rules of Procedure of the Technology Transfer Registry of the Bureau of Patents, Trademarks and Technology Transfer dated June 15, 1988 and its Revisions under DTI Administrative Order No. 6 dated November 9, 1992 and DTI Administrative Order No. 1 dated February 22, 1996.

INTERNATIONAL TREATIES

The Philippines is a signatory in several international treaties on intellectual property rights. It is the function of BPTTT to maintain linkages and monitor developments arising from these treaties:

- **Convention Establishing the World Intellectual Property Organization** (since 1980)
- **Paris Convention for the Protection of Industrial Property** (since 1965)
- **Budapest Treaty on the International Recognition of the Deposit of Microorganisms for Purposes of Patent Procedure** (since 1981)
- **Berne Convention for the Protection of Literary and Artistic Works** (since 1951)
- **International Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organizations** (since 1984)
- **Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS Agreement)**

PERSONNEL COMPLEMENT

Table 1 below reflects the composition of the Bureau's personnel for the years 1995 and 1996. Technical manpower on the average comprises 67% of the Bureau's total personnel in 1996. These technical staff members are trained in various fields of engineering and science, law and other relevant courses.

Table 1. Personnel Complement

	<u>1995</u>	<u>1996</u>
Managerial	3	3
Patent Examiners	54	59
Trademark Examiners	28	27
Trade and Industry Development Specialists	8	8
Hearing Staff	5	3
Support Staff and Others	46	55
Total Number of Staff	144	155

BUDGET

Budget allocation for 1996 was P30,760,000 compared to the 1995 budget of P22,101,000. The increase of P8,659,000 is broken down as follows: P2,685,000 for Personal Services, P1,656,000 for Maintenance and Operating Expenses, and P4,318,000 for Capital Equipment Outlay. The bulk of the budget for capital outlay is earmarked for the automation and information dissemination programs of BPTTT. The amount of P3,555,000 was allocated for the purchase of 50 work stations and its subsequent networking.

Total fees collected by the BPTTT for 1996 amounted to P57,557,871.25. This posted a 15% increase over the 1995 collection or an increase of P7,395,682.92 in terms of real value. The increase can be attributed to the increase in the number of applications received for the year and the increase in fees implemented effective October 8, 1996.

The P57 Million collections were reverted to the Philippine National Treasury. BPITT fees are set on a cost-recovery basis. In order to ensure that small entities have access to industrial property protection, the fee structure provides for lower rates for small entities.

**Table 2. Comparative Budget and Fees Collected
(in P '000)**

BUDGET ITEM	1995	1996
Personal Services	16,893	19,578
Maintenance & Operating Expenses	5,208	6,864
Capital Equipment Outlay		4,318
Total Budget	22,101	30,760
FEES COLLECTED	50,162	57,558

STATISTICAL REPORTS

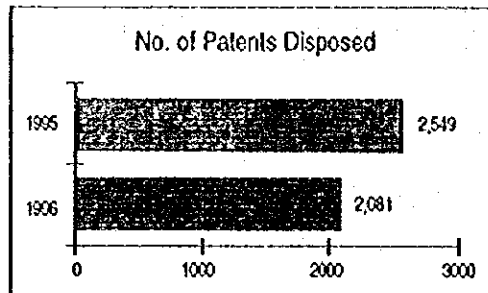
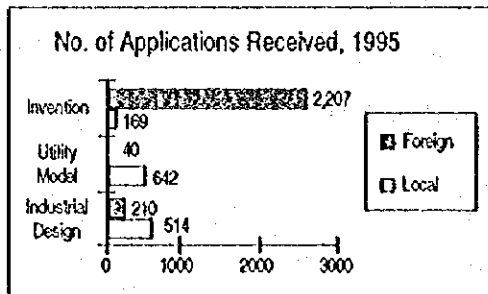
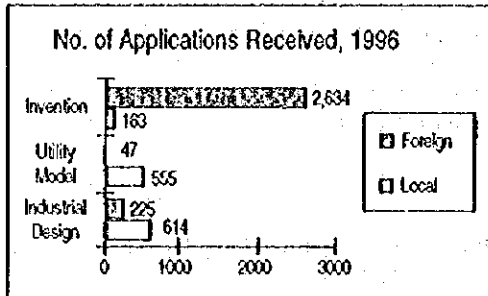
PATENTS

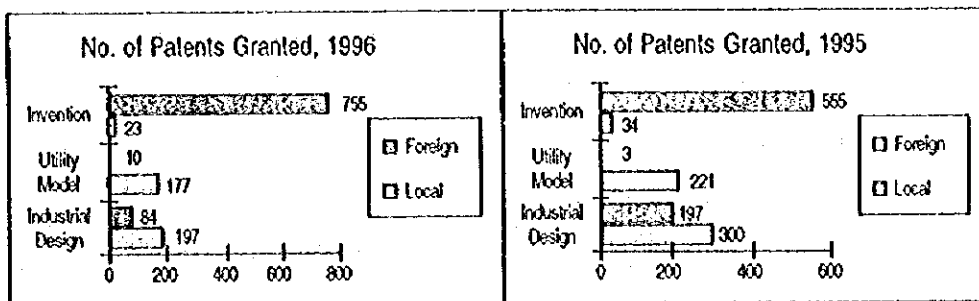
Applications Received

Foreign applications continue to dominate the number of patent applications filed. Out of the 4,238 applications received in 1996, 2,906 are foreign applications representing 69% of total filings and the remaining 1,332 are local applications. The Bureau received 12% more applications in 1996 than in 1995. Invention patent applications totaling 2,797 account for this increase. Applications for Industrial Design totaled 839 and those covering Utility Model, 602.

Applications Disposed

An 18% decrease in the number of patent applications disposed in 1996 compared with that of 1995 was experienced. This is mainly attributable to the reduction of personnel at the Chemical Examining Division where the bulk of patent applications are lodged. Six seasoned examiners of the Division were either promoted to another division, resigned, retired or went on study and sick leave. In view of the highly technical skill required to examine patent applications, it takes approximately six months of training to make new examiners achieve desirable examination skill and eventually contribute to the output of the patent examining divisions.





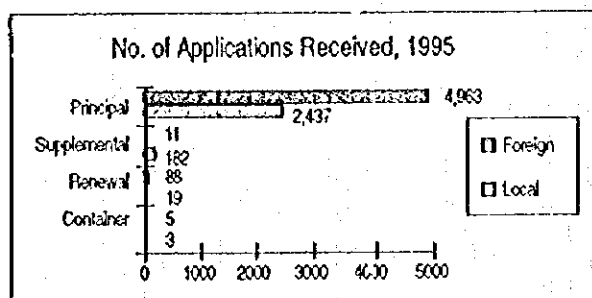
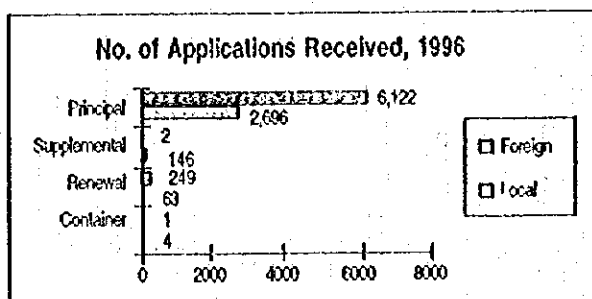
Patents Granted

There is an increase in the number of inventions granted, from 689 in 1995 to 778 in 1996. Overall, however, the total of 1,246 foreign and local patents granted during the year is 5% less than the number of patents awarded in 1995. The decline is accounted for a 43% decrease in the number of Industrial Design granted and 17% for Utility Models, from 224 in 1995 to 187 in 1996. Patents granted to local applicants totaled 397 while patents granted to foreign applicants numbered 849.

TRADEMARKS

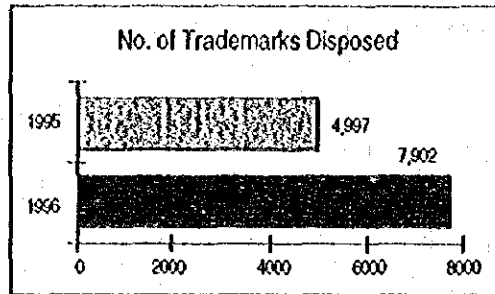
Applications Received

The year 1996 reflected an increase of 20% in the number of applications filed compared with 1995. A total of 6,122 foreign applications were filed under the principal register and 2,696 by Filipino nationals or a ratio of 2:1 in favor of foreign applications. Applications filed in the DTI regional offices totaled thirty-six (36). Most of these applications came from Cebu, Davao, Iloilo and Zamboanga which are considered growth centers. The increase in trademark filings is indicative of the robust commercial activity taking place in the country.



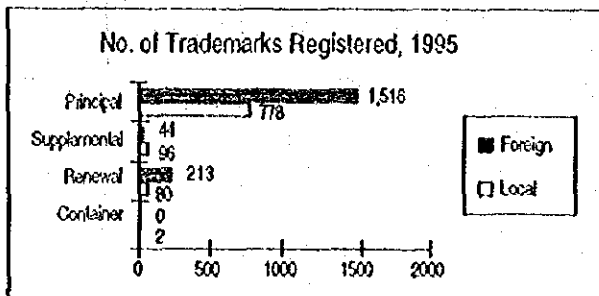
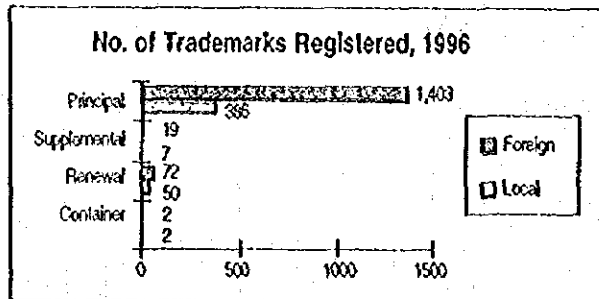
Applications Disposed

Despite temporary reduction in the number of trademark examiners, there was a big increase in the number of trademark applications disposed in 1996 by 58% compared to 1995 disposals. With the expected completion of the Trademark Search Section in 1997, the Division is looking forward to a dramatic increase in the number of disposals due to a more speedy search for trademarks, tradenames and servicemarks.



Trademarks Registered

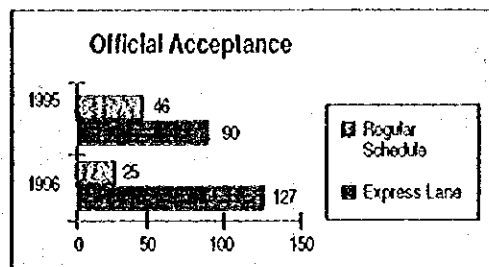
While applications disposed increased by 58%, total foreign and local trademarks registered under the principal, supplemental, renewal and container registrations decreased by 29%. Local trademarks registered for the year totaled 445 which is 53% lower than the 1995 figures of 956. Likewise, there is a decrease of 16% in foreign trademarks registered, from 1,773 in 1995 to 1,403 in 1996. The decrease is attributable to the delay in the printing of the BPTIT Official Gazette.



TECHNOLOGY TRANSFER

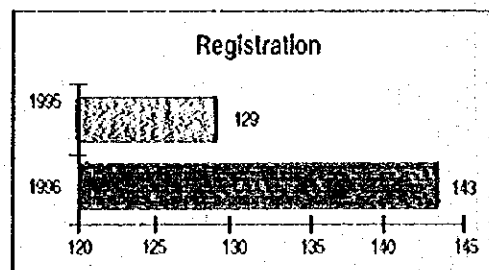
Official Acceptance

One hundred fifty two (152) agreements were officially accepted by the Registry in 1996 which is equivalent to a 12% increase over the 1995 figures. Eighty-four percent (84%) of the officially accepted agreements falls under the Express Lane category or were processed within a period of 2 working days. Majority of these are technology transfer agreements involving the licensing of patents and/or knowhow and trade secrets with a royalty fee not exceeding 5% of net sales. The increase in the official acceptance may again be attributed to the improved economic activity in the country.



Registration

The Registry experienced an upswing in the number of registered agreements from 129 in 1995 to 143 in 1996. Registered agreements in 1996 classified by industry sector show that the top five industries are: automotive industry (ranked first); pharmaceutical, and electrical apparatus and supplies (second), hotel industry and real estate industry (third), restaurant/fastfood industry (fourth) and food products (fifth).



The two major countries supplying technologies to the Philippines remain to be the United States and Japan. Licensing agreements between local companies and Japanese firms are mostly in the automotive industry and the electrical appliances and electronics industries. US technologies are mainly focused in the manufacture of food, pharmaceutical, textile and wearing apparels.

Two of the significant agreements registered in 1996 were the Technology License Agreement between Sumiden Circuits, Inc. and Sumitomo Electric Industries, Ltd. and the License Agreement between Bataan Polyethylene Corporation and BP Chemicals Limited. The first agreement concerns the manufacture of single and double-sided flexible printed circuit boards (PCB) using the etching process while the second agreement deals with the manufacture of linear low and high density polyethylene by the use of gas phase fluid bed process.

Polylethylene industry is considered a pioneer area in the Philippines. The PCB venture exports 100% of its production. By the year 2000, it is expected to generate about \$161 million from exports to Japan, ASEAN, China and other companies located in the export processing zone such as Fujitsu, NEC, Read-rite and Hitachi. It is also projected to generate 507 employment in 1997 and reaching a high of 735 in the year 2000.

Monitoring Activity

Based on the 1996 Monitoring Report of the Technology Transfer Registry, a total of \$541,056,885 (P14,067,479,337) was generated in 1995 on export of products covered by TTR-registered agreements. Under the licensed activities, employment generation increased by 9,045. Foreign exchange outflow on technology payments amounted to \$689,166,115.00 (P 17,918,319,054.00).

PATENT AND TRADEMARK CASES

A total of 61 inter partes cases involving conflicts in patent and trademark rights were received by the Hearing Division in 1996. 89% of the pending cases are trademark-related while 11% concerns patents. A 39% decrease in inter partes cases received was experienced in 1996 as compared with 1995. Out of 587 pending cases, 51 were already decided.

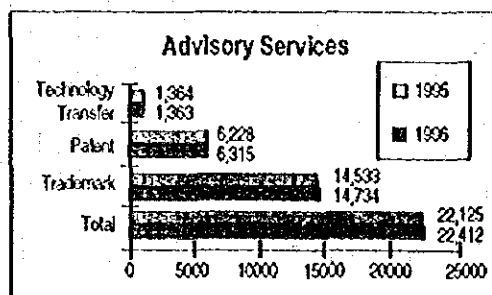
ADVISORY SERVICES

Advisory Services rendered by the Bureau in 1996 totaled 22,412. A 1.3% increase was experienced due to the intensive information campaign activities for the year.

Out of the total, 21,049 are patent and trademark-related queries, i.e. 70% are related to patents and 30% concerns trademarks. The queries touched on a wide range of subjects such as the interpretation of trademark and patent laws,

procedures for filing trademark and patent applications, and classification of patents and trademarks.

Queries relating to technology transfer arrangement totaled 1,363. These concern the interpretation of rules, specifically on restrictive business practices and requisite provisions.



DIRECTORY OF OFFICIALS

BUREAU OF PATENTS, TRADEMARKS AND TECHNOLOGY TRANSFER

Trade and Industry Bldg.
361 Sen. Gil J. Puyat Avenue
Makati City, Metro Manila
Fax: 890 49 36

EMMA C. FRANCISCO

Director
☎890 48 62

RONOL M. DELA CRUZ

Assistant Director
☎890 49 18

JORGE CESAR M. SANDIEGO

Assistant Director
☎896 53 10

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☎890 49 42

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DIRECTORY

BPTTT INFORMATION & RECEIVING OFFICES AT DTI REGIONAL OFFICES

Region I

Florante O. Leal
Regional Director
Unison Bldg., Quezon Avenue
San Fernando, La Union
☎ (072) 41-2375/41-2058
Fax No. (072) 41-3066/41-2883

Peter O. Mangabat
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Fax No. (072) 41-2455

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Jalme P. Lucas
Provincial Director
2f Pua Kong Bldg., Rizal St.
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Fax No. (075) 523-5031

Region V

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Caretaker
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JP Rizal St., Legaspi City
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Fax No. (033) 335-0083

Region VII

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Fax No. (062) 991-3232/993-0594

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Regional Director
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Regional Director
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Davao City
☎ (082) 224-0511 to 16/227-2664
Fax No. (082) 6-38-61

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3f Elisa Tan Bldg.
Don Rufino Alonzo St.
Cotabato City
☎ (064) 212-093/213-352/213-351
Fax No. (064) 213-693



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