



National Intellectual Property Strategy

Philippines
2020-2025



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THE NATIONAL INTELLECTUAL PROPERTY STRATEGY (2020-2025)

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The National Intellectual Property Strategy (2020 – 2025)

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Intellectual Property Office of the Philippines

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INTELLECTUAL PROPERTY OFFICE OF THE PHILIPPINES
EXECUTIVE COMMITTEE MEMORANDUM CIRCULAR
NO. 2019 - 023

Whereas, in May 2017, the Intellectual Property Office of the Philippines (IPOP HL) in collaboration with the World Intellectual Property Organization (WIPO) embarked on a project to set the groundwork for a holistic approach in intellectual property policy-making, planning, and program implementation across the vertical and horizontal levels of government and in partnership with the private sector, following a whole-of-society approach;

Whereas, IPOP HL with the help of external consultants, prepared the Philippine Intellectual Property Landscape and the initial draft of a National Intellectual Property Strategy (NIPS);

Whereas, the Philippine Intellectual Property Landscape and the drafts provides the springboard from which a national strategy on intellectual property could be launched to the public;

Whereas, through the collective efforts of the IPOP HL Bureaus and Offices, the members of the Executive Committee IPOP HL have reviewed, revised, and crafted the "National Intellectual Property Strategy 2020-2025";

Whereas, the National Intellectual Property Strategy is an agenda to harness Intellectual Property (IP) for innovation, creativity, and knowledge generation; for entrepreneurship and competitiveness; and to achieve public policy goals such as universal access to health care, agricultural self-sufficiency and inclusive growth. It aims to support the goals and targets of the Philippine Development Plan (PDP) 2017-2022—particularly in the areas of science, technology and innovation, industry, education and culture—as well as the 0 + 10 Ten-Point Socio-Economic Agenda of the Philippine government;

Now, therefore, premises considered, the Executive Committee of the IPOP HL hereby resolves as follows:

RESOLVED, That the National Intellectual Property (NIPS) 2020-2025, be, as it is hereby adopted and approved;

RESOLVED FURTHER, That the NIPS be launched, and copies released and disseminated to the heads of the three branches of government, the National Innovation Council, government agencies, academic community public and private institutions, other appropriate entities, and the public;

RESOLVED FURTHER, That the Executive Committee commits to pursue the full implementation of the NIPS 2020-2025.

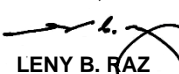
The Executive Committee further resolves to manifest their commitment to pursue the full implementation of the NIPS 2020-2025.


DONE this 9th day of December 2019, Taguig City, Philippines.

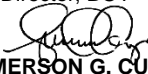

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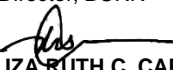

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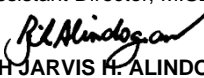

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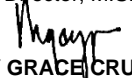

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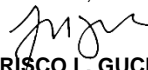

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Foreword

In surveying the local landscapes on innovation and creativity vis-a-vis their adoption of intellectual property policies and strategies, much has yet to be done to convince relevant players of the materiality of intellectual property protection in realizing the country's goals. However, we gain more confidence in recounting that societies had predominantly survived and prospered not through competition, but through collaboration.

This whole-of-society approach is what this historic National Intellectual Property Strategy intends to exercise towards a demystified, democratized, and inclusive intellectual property system!

Many agree that the world has entered an era of turbulence as the slowpoke global economy has shown strong signs of heading to its weakest growth while the rise of geopolitical tensions is only aggravating the gloom. From this shroud of uncertainties, no one, from advanced economies, more so, to the least developed ones, is exempt. The problem is shared on a global level, on a region-wide level, and on a national scale; we, Filipinos, have witnessed our vulnerability to this global economic darkness, as evidenced by the deceleration of the Philippine GDP growth rates over the years.

Scrambling to find a solution, country leaders, policymakers, business sectors, academe, and everyone else have turned to one strategy for survival: innovate now or perish. True to form, statistics have shown that there is a burning vigor to innovate and compete—this, in all likelihood, not in spite of the global uncertainties, but because of them.

In its annual World Intellectual Property Indicators report, the World Intellectual Property Organization (WIPO) found that patent filings across the globe stood at 3.3 million in 2018, a 5.2% growth that marked a ninth consecutive annual increase. Global trademark filing activity rose to 14.3 million, up 15.5% from 2017, that of industrial designs reached 1.3 million, up 5.5%; and that of utility models stood at 2.15 million, a 21.8% increase.

In the Philippines, filing activities are likewise burgeoning. The Intellectual Property Office of the Philippines' 2018 data show that filings of patents grew 28% year-on-year; trademarks, 12%; utility models, 54%; and designs, 9%. These national figures, signifying steady growth in innovation, are impressive and laudable. However, the global landscape pressures us to do more.

The global game everyone participates in is a race without a finish line as competition demands continuity in the development of highly innovative works. And every day, across the world, there are inventions or innovations either ready for market roll-out or just sitting, waiting to attract an angel investor or accelerator that will bring it closer to being the next disruptor in the world.

While achieving this requires having deep pockets for research and development, a flowing stream of workers that have high levels of technical expertise, and a whole spectrum of resources that may sound intimidating to developing economies, for the Philippines it has never been a question of whether we can, only “why haven't we?”

One may find himself musing over this in the pages of this landmark National Intellectual Property Strategy (NIPS) which is the first mid-term action plan made for nationwide implementation. Completed after a number of focused group discussions and consultations with stakeholders and government-partners, the NIPS extensively navigates the country's innovation and creativity landscapes while integrating fresh perspectives on how to address issues and gaps intellectual property (IP) stakeholders, government, industry, and academe, have wrestled with since time immemorial.

In crafting the NIPS, IPOPHL, together with WIPO, solidified its belief in the massive potential of the knowledge-based economy and the role of the IP system will play in the Philippine growth story.

A balanced, efficient, and effective IP system enhances our global competitiveness, adds value to innovation and promotes creativity. It provides many other positive impacts on other areas for national development which also merits emphasis: it promotes the preservation of cultures, empowers women and underrepresented minorities, and helps in advancing mankind in its basic goals of achieving zero hunger, climate change resilience, quality education for all, and good health and well-being—all this by keeping the wheels of innovation and creativity in motion. Overall, this whole-of-society approach is what this historic NIPS intends to exercise towards a demystified, democratized, and inclusive IP system!

**Intellectual Property Office
of the Philippines**
Taguig City, Philippines
December 2019

Executive Summary

Overall, it is vital for all members of society to be knowledgeable on IP, and start being aware of how IP affects their lives and the entire nation.

This way, one will be motivated to push for the cause of protecting IP rights, innovation, creativity, and the future of the Philippines!

This document lays down the different strategies and action plans which IPOPHL recommends the Philippine government, stakeholders, academe, businesses, and IP advocates to adopt and implement to fully public policy goals such as food self-sufficiency, universal access to health care, resilience against climate change, and inclusive and sustainable economic growth; goals and targets of the Philippine Development Plan (PDP) 2017-2022, particularly in the areas of science, technology, and innovation, industry, education, and culture; and the overall 10-Point Socio-Economic Agenda of the Philippine government.

To further enhance the innovation and creativity levels of the Philippines, the NIPS identified key issues and challenges faced in fulfilling the goals of IP as a tool for innovation, creativity, entrepreneurship, and competitiveness, and analyzed the strengths, challenges, opportunities, and threats within the IP landscape, which covers the innovation and creativity systems in the Philippines as well as in the international settings.

The formulation of the NIPS was a historic development in the Philippine innovation and creativity systems. IPOPHL, as the lead agency in the implementation of the state policy on the protection of intellectual property and development of an effective intellectual and industrial property system, focused on the overall inclusive vision for the intellectual property (IP) system for 2020 to 2025, which is to achieve “an effective Intellectual Property System widely appreciated and strategically utilized to benefit and uplift the lives of Filipinos.”

Specifically, the main objectives are to:

- (1) Ensure a robust, predictable, and efficient IP system and enforceable IP rights (IPRs);
- (2) Improve knowledge production, innovation performance by Innovation and Technology Support Office (ITSO) partners, universities, colleges, and research development institutions (RDIs), and its productive links with industries;
- (3) Develop a culture of innovation, creativity, and respect for IP through mainstreaming IP in the educational system and key sector;
- (4) Enhance the productivity of selected priority industries where IP plays a major role;
- (5) Consider improvements in certain areas of IPOPHL operation, and other government agencies to support challenges in the 4IR; and
- (6) Promote the effective use of the IP system as a tool for economic, cultural, and scientific development.

In achieving these objectives, the NIPS laid down the **S.P.E.E.D. Strategic Goals**:

- S**upport Sectoral Advancement Through the Use of the IP System
- P**romote Innovation and Utilization/Commercialization of IP Assets
- E**levate the Creative and Cultural Industries
- E**nhance the Legal System, Institutions and Structures Related to IP
- D**emystify, Mainstream and Professionalize Intellectual Property

Each of these strategic goals sets out a list of doable and well-devised strategies and action plans which, if enforced strongly, efficiently and consistently in the next few years, will effectuate success for the IP ecosystem and the whole of the Philippines.

With the dissemination of the NIPS, it is hoped that government agencies, universities, researchers, inventors, creators, the business sector, consumers, and IP advocates, will find the urgency to unite to achieve a high level of appreciation and utilization of the IP system.

Overall, it is vital for all members of society to be knowledgeable on IP, and start being aware of how IP affects their lives and the entire nation. This way, one will be motivated to push for the cause of protecting IPRs, innovation, creativity, and the future of the Philippines.

Introduction:

Intellectual Property as the Country's 'Invisible Hand'

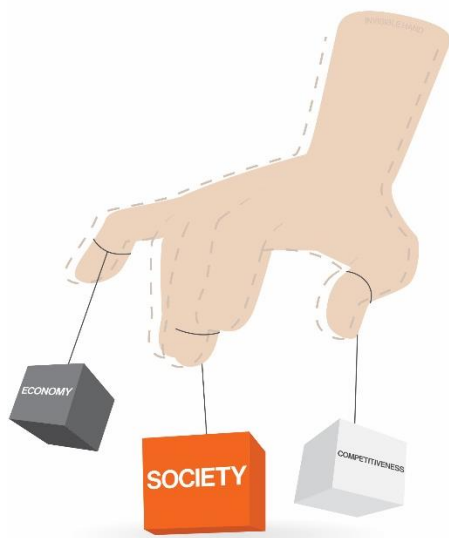
Overview of Intellectual Property and Intellectual Property-Related Areas

"Every individual... neither intends to promote the public interest, nor knows how much he is promoting it... he intends only his own security; and by directing that industry in such a manner as its produce may be of the greatest value, he intends only his own gain, and he is in this, as in many other cases, led by an invisible hand to promote an end which was no part of his intention." Adam Smith, The Theory of Moral Sentiments, Part IV, Chapter I, pp.184-5, para. 10.

The "invisible hand" notion, pioneered by the father of economics, had laid down the fundamental groundwork for several economic theories that succeeded it and likewise transformed the world. While it has been subjected to a myriad of interpretations and employed in various political and social concepts today, the invisible hand has been generally used to convey the economic order that is naturally brought about by the pursuit of individual interests in a free world.

Two centuries onward, the world is nearly an entirely new one altogether, operated by different rules, principles, and systems. Still, Smith's invisible hand remains relevant as it highlights the intangible forces that drive humans to strive for a better quality of life, thus, potentially producing social benefits.

Among these forces that are increasingly important in structuring national development is IP.



IPRs are recognized as a basic right by the Universal Declaration of Human Rights. Article 27 of the document said "(1) Everyone has the right freely to participate in the cultural life of the community, to enjoy the arts and to share in scientific advancements its benefits; (2) Everyone has the right to the

protection of the moral and material interests resulting from any scientific, literary or artistic production of which he is the author." Several international legally binding instruments have affirmed this as well.

Under the Republic Act (RA) 8293 or the IP Code of the Philippines, an effective intellectual and industrial property system is recognized as "vital to the development of domestic and creative activity, facilitates transfer of technology, attracts foreign investments, and ensures market access for our products." "It shall protect and secure the exclusive rights of scientists, inventors, artists, and other gifted citizens to their IP and creations, particularly when beneficial to the people, for such periods as provided in this Act," the law's State policy added.

Today, IP comes in various forms that we encounter in our everyday lives. But most of us tend to take for granted IP's role in helping these everyday products, creations, inventions be brought to us for our benefit.

Intellectual Property for Social Welfare and Development

It is universally accepted that IP bears a social function. Trademarks uphold quality and safety as they help consumers easily distinguish one product from one enterprise to that of another. Artistic works that bring entertainment and an abstract kind of nourishment into our lives are made because creators are motivated by moral and material benefits sourced from the IP system. Patents encourage research and development (R&D) of relevant technologies by providing exclusive rights in exchange for disclosures of inventions, thereby incentivizing researchers to recoup or, better yet, profit from their works for a limited period of time—after which the patents fall into the public domain for other researchers and businesses to use and improve upon.

Thus, although IPRs are private rights, it is imperative to find the delicate balance in which the broader public interest is safeguarded. IP offices, advocates, country managers, and policymakers should work closely on this to find that point of equilibrium.

Intellectual Property in Preserving Culture and Heritage

In 2009, developing country-members of the World Intellectual Property Organization (WIPO) succeeded in convincing other members to jointly craft an international legal instrument that would protect traditional knowledge, genetic resources, and traditional cultural expressions or folklore.

As traditional knowledge is passed on from generation to generation within a community, often forming part of its cultural or spiritual identity, it is not easily protected by the current intellectual property system, which typically grants protection for a limited period to inventions and works by named individuals or companies.

However, allowing indigenous and local communities, in coordination with government, to capture the economic value of their IPs and to control the uses of their cultural works is essential as it would also help generate capital which can be used in the development and implementation of future projects that protect and preserve cultural expressions.

Intellectual Property in Economic Development

At present, the Philippines is lacking a standardized mechanism to quantify the exact contribution of IP-based industries to gross domestic product (GDP). However, there had been several attempts to do this. A 2014 WIPO-commissioned study revealed that Philippine copyright-based industries contributed an estimated 7.34% of the Philippines' GDP in 2010. Copyright-based exports (3.06% of total exports) exceeded copyright-based imports (0.81%). The same study found that workers in copyright-based industries formed 14.14% of all people employed in 2010.

As for trademarks, the International Trademark Association (INTA) released in 2017 a study titled "The Economic Contributions of Trademark-Intensive Industries in Indonesia, Malaysia, the Philippines, Singapore, and Thailand" used various 2016 data for its findings.

The study suggested a strong correlation between trademarks and their economic impact on the Philippines' GDP, exports, and employment. From 2012 to 2015, trademark-intensive activities in the Philippines directly contributed 17% of the country's GDP while indirectly contributing 41%. Forty-seven percent of Philippine exports were generated by trademark-intensive industries. Workers from these industries comprised 15% of the total Philippine workforce.

Notwithstanding the meager reports aimed at estimating the value contribution of IP-protected businesses and works to the economy, there is a trove of empirical evidence that establishes the clear-cut connection between having an IP and its effect in the economy. We see this in various events such as in the influx of mergers and acquisitions that have transaction values exceeding the values of physical assets of entities being acquired; in the selling of a product at an amount far exceeding the total production cost put into it; and when IPs are leveraged to access loan products.

Intellectual Property for Inclusive Innovation

The IP system has the potential to help the country achieve inclusive innovation goals, having a wide array of tools that are tailor-fit to empower certain players in society.

For one, utility models (UMs), have been widely taken advantage of by local small and medium enterprises in the country. UMs have also helped the academe fulfill their goals of seeing their research work materialize and benefit their societies.

Meanwhile, the sought-out protection of genetic resources (GR), traditional knowledge (TK), and traditional cultural expressions (TCE) of indigenous and local communities also promotes inclusive innovation growth by making the contributions of the minority matter.

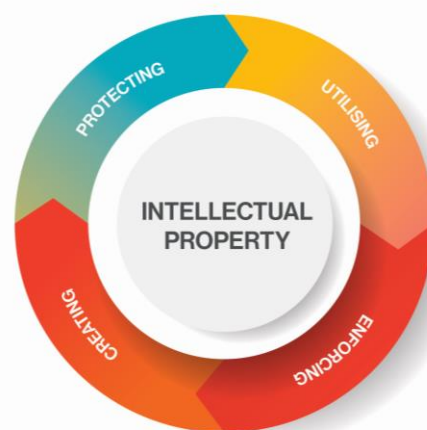
Intellectual Property on International Indices

A country's IP environment is one of the metrics international reports used to determine the degree of its development or sophistication in the social, economic, cultural, and technological aspects.

One of the most widely cited reports today in measuring the innovation level of an economy is the annual Global Innovation Index (GII). Co-developed by INSEAD and WIPO, the GI covers more than 120 economies that make up more than 90% of the world economy to look into the different facets of their innovation ecosystems. The components on which it benchmarks its findings include many that are related to the use of the IP system.

Another annual yardstick of development is the World Economic Forum's Global Competitiveness Index (GCI) which examines the long-term competitiveness of about 140 economies, as pegged on a number of determinants such as IP protection. In addition, IPRs in the regulatory environment are also a factor in the IMD Digital Competitiveness Index which assesses 63 economies annually.

The Intellectual Property Cycle: Creation - Protection – Utilization - Enforcement



IP has far-reaching impacts on socio-economic and human development. It encourages inventors and entrepreneurs to invest time and resources in R&D. It supports creativity and can help attain human development objectives and in fact, contribute to the fulfillment of human rights.

A virtual cycle consisting of knowledge creation, IPR acquisition and protection, and IPR commercialization helps attain these objectives, and is, in fact, IP created by inventors and innovators must be speedily and correctly examined so that they might be afforded adequate IPR protection. The acquisition of IPR, in turn, allows rights holders to negotiate with potential partners and bring their creations to the market with more flexibility and confidence.

Current Snapshot: International Intellectual Property Ecosystem

International Agreements

Treaties and Conventions

Philippines is a member of the WIPO, established by the WIPO Convention of 1967 (amended in 1979). WIPO is one of the specialized agencies of the United Nations and was created to encourage creative activity, to promote the protection of IP throughout the world.

Also, as a member of the World Trade Organization (WTO), the Philippines adheres to the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS). The TRIPS sets down the minimum standards for protection and regulation, including enforcement, judicial and administrative remedies provided by member states on IP under the principle of national treatment.

Significantly, the Philippines has long been a member or signatory to the following norm-setting treaties and conventions:

- Paris Convention for the Protection of Industrial Property
- Berne Convention for the Protection of Literary and Artistic Works
- International Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organizations (Rome Convention)

In more recent years, IPOPHL led the push for the Philippines' membership in these major treaties and international agreements:

- Patent Cooperation Treaty (PCT)
- WIPO Copyright Treaty (WCT)
- WIPO Performances and Phonograms Treaty (WPPT)
- Protocol Relating to the Madrid Agreement Concerning the International Registration of Marks
- Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired, or Otherwise Print Disabled

These treaties give opportunities for Filipino IP owners and rights holders to be competitive internationally. PCT and Madrid facilitate the filing of applications, via a single application and designation of any, several or all of the member countries at the option of the IP owner or right holder. Meanwhile, the WCT and WPPT allow Filipino authors, composers, performers, producers of phonograms or sound recordings, and/or the rights holders thereof, extra muscle to protect and enforce their copyright and related rights locally and in the member countries through the use of technological protection measures and rights management information.

Other treaties and international agreements to which the Philippines is a member include the Budapest Treaty on the International Recognition of the Deposit of Microorganisms for

the Purposes of Patent Procedure, and the Vienna Agreement Establishing an International Classification of the Figurative Elements of Marks. While the Philippines is not a member of the Nice Agreement Concerning the International Classification of Goods and Services for the Purposes of the Registration of Marks, the IPOPHL has been using the classification system under this treaty or international agreement. These ensure that the Philippines' practices as far as patent and trademark examinations are concerned are aligned with the international systems.

To provide a balance, the Philippines signed up with and ratified the Convention and Biological Diversity (CBD) and the Nagoya Protocol. The rights and obligations under these treaties or international agreements strengthen domestic laws such as RA 8367, known as the Indigenous Peoples' Rights Act, and allied regulations protecting the rights of indigenous people against misappropriation and misuse of their genetic resources, traditional knowledge, and traditional cultural expressions.

To cap it all, IPOPHL led the drive for the ratification of the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who are Blind, Visually Impaired or Otherwise Print Disabled. It cannot be overemphasized the benefits the implementation of this treaty would bring to blind and visually impaired Filipinos here and in the member countries.

Other international agreements that the IPOPHL is working on for possible accession or ratification are the Hague Agreement Concerning the International Registration of Industrial Designs, and the Beijing Treaty on Audiovisual Performances. The latter would further enhance the protection of Filipino performers.

Free Trade Agreements (FTAs)

Intellectual property has increasingly become an important part of FTAs. Expectedly, trading partners with a high level of development in intellectual property put on the table for negotiations obligations and commitments that are "TRIPS-plus", i.e. standards of protection, including enforcement, that are above the minimum set forth under the TRIPS and other international agreements to which the Philippines is a member.

As the lead agency for IP in FTA negotiations, IPOPHL has to push, support or join proposals that are in accord with the country's offensive interests, such as but not limited to: standards that are at par with domestic laws, rules and practices; the affirmation of the rights and obligations under TRIPS on public health issues; the development and promotion of collective management organizations; protection and/or recognition of GR, TK and TCE, and cooperation and capacity building.

Conversely, IPOPHL has to guard against hard commitments that are against the Constitution and State policies; politically sensitive; prejudicial to the State policy and government efforts to provide accessible and affordable medicines; undermine the traditional rights and welfare of small farmers; too prescriptive or restrictive that adversely affect the country's exercise of policy space; and those which implementation is beyond the capability of concerned government agencies or sectors.

The FTAs of the Philippines with an IP Chapter/provisions are:

- Philippines-Japan Economic Partnership Agreement
- Association of Southeast Asian Nations (ASEAN)-Australia-New Zealand Free Trade Agreement
- Philippines-European Free Trade Association Free Trade Agreement

The negotiations for the Regional Comprehensive Economic Partnership (RCEP) Agreement were recently concluded. The RCEP, which includes an extensive IP Chapter, counts the ASEAN, Australia, New Zealand, Japan, South Korea, and China, as members.

Regional Cooperation

The ASEAN Working Group on Intellectual Property Cooperation (AWGIPC) is the sectoral body responsible for improving IP systems and addressing IP issues within the ASEAN, and is composed of the IP offices of the 10 ASEAN Member States. In the case of the Philippines, the IPOPHL represents the Philippines in the AWGIPC.

In view of the efforts of the ASEAN on regional economic integration, the AWGIPC prepared the ASEAN IPRs Action Plan 2016-2025, which identifies the strategic goals, initiatives, and programs that will contribute to an innovative and creative ASEAN region through IP.

Within the framework of the AWGIPC, ASEAN established the ASEAN Network of IP Enforcement Experts (ANIEE), where the Philippines is the Chair. The ANIEE handles the implementation of the ASEAN IPR Enforcement Action Plan, which seeks to foster the exchange of information and best practices among the ASEAN Member States. The Action Plan also provides for activities for the effective protection and enforcement of IPRs, cooperation on cross border measures, and networking of judicial authorities and IP enforcement agencies.

Bilateral Cooperation

Cooperation in the area of IP covers capacity building, technical assistance, IP automation, IP administration, enforcement and adjudication, commercialization, benchmarking and sharing of best practices, IP awareness, and education, among others. The different bilateral cooperation agreements aim to enhance institutional capacity, promote an efficient IP ecosystem and provide opportunities to pursue areas of mutual interest between partners.

Over the years, IPOPHL has expanded its network of bilateral partners such as the Japan Patent Office (JPO), European Patent Office (EPO), European IP Office (EUIPO), US Patent and Trademark Office (USPTO), IP Australia, Korean IP Office (KIPO), Canada IP Office (CIPO), United Kingdom IPO (UKIPO), Mexican Institute of Industrial Property, IP Office of Singapore (IPOS), Russian Patent Office (Rospatent), China National Intellectual Property Administration (CNIPA), among others. In addition, IPOPHL is expanding its bilateral relations with ASEAN partners with several agreements under discussion.

Apart from the different IP Offices, IPOPHL has strong bilateral relations with international organizations such as WIPO, United Nations Conference on Trade and Development, INTA, among others.

IPOPHL is also an active partner in promoting work efficiency both at the regional and bilateral levels. IPOPHL is part of the ASEAN Patent Examination Co-operation Programme which is the regional work-sharing program for patent search and examination. On a bilateral basis, IPOPHL has existing work-sharing agreements under the Patent Prosecution Highway with four of the biggest IP Offices; namely, JPO, USPTO, EPO, and KIPO. These platforms seek to assist applicants in securing quality patents in an efficient manner.

At the international level, IPOPHL continues to maximize opportunities under existing multilateral agreements as well as regional and bilateral cooperation frameworks to fulfill its mandate of administering an efficient, effective and well-balanced IP system.

Current Snapshot: Philippine Innovation Ecosystem

Current Snapshot of Philippine Innovation Ecosystem

The PDP 2017-2022 views innovation in science and technology as a means to achieve inclusive growth and its other desired development outcomes for the Philippines. The mid-term plan likewise recognizes the role of IP in enhancing innovation in science and technology.

One of the most widely cited reports today in measuring the innovation level of an economy is the annual Global Innovation Index. Co-developed by INSEAD and the WIPO, the GII covers more than 120 economies that make up more than 90% of the world economy to look into the different facets of their innovation ecosystems.

In the 2019 GII report—findings of which are based mostly on 2017 data—the Philippines zoomed to 54th from 73rd a year ago. The massive jump placed the country to be part of the 42% leading innovative economies, marking a huge improvement from the past four years when it has annually been within the 60% top innovation drivers.

The report showed the Philippines improved in almost all the indicators related to innovation linkages and gains top ranks in high-tech imports and research talent. In Knowledge and technology outputs, the data for High-tech net exports became available and the country ranked 1st. The Philippines ranks within the top 10 in four other indicators namely Firms offering formal training; Productivity growth; ICT services exports; and Creative goods exports.

However, the GII mentions areas where the Philippines needs further improvement: Ease of starting a business; Ease of getting credit; Expenditure on education; Global R&D companies; Scientific and technical articles; and New businesses.

These areas in need of enhancements are mostly concentrated on the innovation input side which covers resources such as infrastructure, funding, and human capital. Despite lacking in these, the country broke into the status of innovation achievers for producing creatives, inventions, and innovations, much more than we were expected given the relatively fewer resources we have.

With the scores of initiatives, the country has adopted and implemented to address innovation gaps, the Philippines is widely expected to move further to the ranks of innovation frontier-economies in the succeeding GIIs.

Research and Development

The increased government spending for the past years (as indicated in Table 1) have likewise made possible a hike in financial support on science and technology, R&D, and innovation. Although it has not reached the desired level of expenditures for R&D, (Table 2) to really drive innovation on a larger scale.

Table 1. Philippine Expenditure for R & D (in 000s)

	Philippine Expenditure for R & D (in 000s)			
	2014	2015	2016	2017
Total Government Budget	2,019,062	2,414,640	2,682,814	3,350,000
Yoy % change	-	19.6%	11.1%	24.9%
Gross Expenditure on R & D. (GERD)	11,004	10,977	10,511	12,255
Yoy % change	-	-0.2%	-4.2%	16.6%
GERD as a % of Total Budget	0.55	0.45	0.39	0.37
Yoy % change	-	-18.2%	-13.3%	-5.1%
GERD as a % of Gross Domestic Products	0.09	0.08	0.07	0.08
Yoy % change	-	-11.1%	-12.5%	14.3%

Source: Department of Budget Management (summarized in IFER)

Table 2. R&D Expenditures of Selected Countries As % Of GD

Country	R&D Expenditure as a % of GDP
China	2.1%
Indonesia	0.1%
Israel	2.2%
Japan	3.6%
Malaysia	1.3%
Philippines	0.1%
Republic of Korea	4.3%
Singapore	2.2%
Thailand	0.5%
Vietnam	0.2%

Source: IFER and WEF Readiness for the Future of Production Report 2018

In 2017, Government, through the Department of Science and Technology (DOST), adopted a Harmonized National R&D Agenda, which guides and identifies priorities in knowledge production. This, together with continued government support for R&D—as well as the existence of R&D networks representing government agencies, RDIs, and universities in priority sectors such as agriculture and health—are strengths that can be leveraged to generate more knowledge, creative and innovative work.

A Platform for Global Patent Protection

The designation of the Philippines as the 23rd international searching and preliminary examining authority of the Patent Cooperation Treaty last October 5, 2017 complements government innovation efforts and programs. This is envisaged to enhance global competitiveness and facilitate the entry of Philippine inventions into the global patent system benefitting Filipino inventors, researchers, scientists, and businesses.

Academe-Industry Linkage

Technology transfer or the bringing of research works into the hands of the private sector for commercial exploitation remains a weak link in the local innovation ecosystem. This persisting challenge is owed to the lack of financial support on research;

minimal guidance provided for researchers in the commercialization journey; the prevailing publish-or-perish mindset in the academic world; and, the limited professional technology management training programs, courses, funding and scholarships to develop careers in IP and IP-related fields.

Several agencies in government have different efforts to strengthen the connections between academe and business. The DOST, through its Collaborative Research and Development to Leverage Philippine Economy Program, provides funding to HEI/RDI for a project for which it should have at least one partner company; FASTRAC is a funding program established to bridge the gap between R&D and commercialization of PCIEERD funded technologies; The IMPACT is established to capacitate and help universities to set up technology transfer processes and help commercialize university-owned technologies.

The Department of Trade and Industry (DTI) also implements its flagship program for innovation, the Inclusive Innovation Industrial Strategy, which addresses gaps and linkages in industry supply and value chains both locally and globally.

IPOPHL also has its own initiative to address academe-business gaps, through its Mind2Market Program, officially launched in 2019. The program aims to provide a solution that would allow for smooth coordination among relevant agencies that would fulfill inventors' goal to launch their works into the market. Although at a relatively nascent phase compared to DOST and DTI's, the Mind2Market Program has already managed to put three government agencies on board.

On the back of these government efforts, academe-industry linkage remains a weak link in the Philippines, as identified by the GII, among other reports and expert-analyses.

Human Capital, Education, and Training

The PDP reports that young Filipinos form the base of the country's population age structure, with 33.4% of the population being below 15 years old. In 2016, the PDP reported that 22.1% of the youth were neither in school nor employed. This translates to 4.4 million Filipinos whose skills are being underutilized. With planning and strategic investment in the Philippine youth, the Government, with the help of the private sector, can turn the challenges of a young and growing population into an opportunity to develop more and better innovators.

To this end, science, technology, engineering and mathematics (STEM) is highly being promoted in early education. The K12 program, implemented in 2013, has allowed senior high school students with an option to take on STEM-related fields.

On skills enhancement, the Technical Education and Skills Development Authority is pushing for the aggressive establishment of innovation centers across all regions in the country. The Innovations Centers are envisioned to have e-learning systems that will be comprised of a computer laboratory, contextual learning, assessment, and quality control.

New Laws on Innovation and Other Related Laws

In April 2019, President Rodrigo R. Duterte signed into law of the Philippine Innovation Act (RA11293) and Innovative Startup Act (RA11337).

These laws are expected to accelerate the progress of the country's innovation-gear efforts as it will concert all government agencies' programs and projects to link academe with the industry; provide startups with easy access to funding and other services; capacitate our MSMEs to penetrate and operate competitively in large international markets; build a strong base for our internet infrastructure; bring STEM education to the fore in the curricula of our educational institutions, and raise awareness on the IP tools our Filipinos can use to maximize the economic returns of their inventions and innovations.

Other recently passed or enacted laws that are envisioned to make the legal environment conducive to innovation include the Personal Property Security Act (RA 11057), whereby IP is now recognized as an intangible property that is registrable as collateral for credits/loans.

The much-heralded Ease of Doing Business Act (RA 11032), which mandates government agencies and instrumentalities to streamline their respective processes, aims to foster a more business-friendly environment and improve the country's global competitiveness through the reduction of processing time and simplification of procedures in government agencies. This is particularly made for those issuing licenses and permits required to start and operate a business. In addition, it seeks to promote accountability and address corruption.

Furthermore, the Philippine Competition Law RA (10667) promotes and protects the competitive market by preventing economic concentration which will control production distribution, trade or industry that will unduly stifle competition, lessen, manipulate or constricts free markets; and penalizes anti-competitive acts or schemes. The Revised Corporation Code of the Philippines (RA 11232), meanwhile, is aimed at promoting business and commercial activities by making it easier for businesses and investors to register new businesses and introducing changes to standards and processes.

Other measures in the legislative pipeline that are seen to improve the country's use of its intangible capital include the Public Service Act, which has restricted foreign investments and technology transfer in the country. A bill amending this law will lift barriers to foreign investments in land, sea and air transportation and telecommunications. It will also redefine "public utilities" and limit the definition to only three sectors, namely, distribution and transmission of electricity, and water distribution.

Tax Incentives and Amnesties

In other countries, tax incentives are granted to those with businesses leveraging IP tools. In the Philippines, there is no tax incentive directly related to IP. A noteworthy development in this context, however, is the of R&D projects or "innovation drivers" in the 2017 Investment Priorities Plan (IPP) of the Board of Investments, the country's biggest investment promotion agency. Eligible businesses of the IPP incentive package enjoy fiscal incentives such as tax exemptions, as well as non-fiscal perks such as a simplification of customs procedures for imported products, among others.

Current Snapshot: Philippine Creativity Ecosystem

Current Snapshot of Philippine Creativity Ecosystem

There is no one definition of the creative industry or economy by the standards of an international treaty, agreement, or convention. While the term “creativity” is tied to “innovation” for creativity to come to fruition, the creative economy has generally been taken to encapsulate the very broad spheres of arts and culture and is also often linked to works that attract copyright protection. The lack of a national definition of the industry, as well as the massive generation of freelancers bound by non-disclosure agreements, has posed a challenge on how to measure its true size and map its growth in relation to the economy. These limitations have hindered a proper survey of the industry, in turn, obstructing the adoption and implementation of suitable policies that could unlock the untapped but significant potential of the creative industry in developing cultural distinctiveness and playing an important role in the Philippine economic growth story.

One of the most recent attempts to quantify the share of the creative industry to the Philippine economy was made by WIPO through its 2015 Revised Edition of its Guide on Surveying the Economic of the Copyright Industries Contribution. As mentioned earlier, the study showed that in 2006, the creative economy contributed 4.82% to the country’s GDP while it accounted for 11.10% of employment.

With the multitude of developments since 2016, the Philippine creative economy has developed widely that in 2015, the country was the 10th largest exporter of creative goods and services.

The Potential of the Creative Economy

Filipinos had many times bagged global prestigious awards for its excellence in various creative fields such as the performing arts, painting, film production, and advertising, among others.

And the creativity of individuals is reflected in the management of cities. This is demonstrated in 2017 when Baguio City became the first Philippine city to be part of the UNESCO Creative Cities Network, which has 180 cities. It was followed by Cebu City in November 2019.

In 2018, the Intramuros Board and the Department of Tourism approved the redevelopment of the Maestranza Wall of Intramuros into the country’s first Creative Hub for Design. This concept proposal was a collaboration of the Intramuros Administration, the Design Center of the Philippines, and the Creative Economy Council of the Philippines (CECP).

The economy used to work in silos but in 2016, CECP was formed. Of the private-sector, the CECP is the umbrella group of IT-enabled creative industries including animation, game

development, interactive media, audiovisual sectors, among others.

Human Capital and Education

While Filipino creativity has made headlines around the globe, only a small percentage of the population currently pursuing a career in the arts. Nonetheless, there is much room for improvement in encouraging citizens to engage in the arts with the newly adopted K-12 program which offers students an Arts and Design track. The course provides a range of skills to help students succeed in the arts.

Copyright Literacy

Throughout the sectors, there remains a lack of awareness of the benefits of copyright and related rights. The capacity of individual copyright creators to use available laws and remedies in order to better adjudicate disputes is also inadequate.

In addition, copyright and related rights are being made more complex in the digital world where very few observe the courtesies of requesting permission to use and of attribution within the local online community. Ironically, the digital world is also putting heavy pressure on the need to have familiarity with these laws as the Internet, which provides the public a platform for easy access to and distribution of artistic works, has been posing a challenging in copyright law enforcement.

Goals and Development Efforts

The CECP, in coordination with DTI, has drafted a long-term roadmap in which the Philippines is envisioned to be the #1 creative economy in ASEAN in terms of size and value.

To achieve this, it was recommended that the government declare the creative economy as a national priority by creating, among others, a department focused on promoting the industry’s growth. Laws and regulations that are restrictive of development in the creative sectors should also be reviewed and amended. Incentives should also be provided to creative projects, likening those given to projects registered with investment promotion authorities.

Current Snapshot: the Philippine Intellectual Property Ecosystem

Key Strengths:

Capacity to Provide Quality Patent Services at Par with International Standards

IPOPHL's designation as an international searching and preliminary examining authority (ISA/IPEA) under the Patent Cooperation Treaty, is a confirmation of its capacity to provide quality patent services compliant with PCT international standard. With about 70 years of patent search and examination experience, this designation is a milestone affirming IPOPHL: 1) has at least 100 examiners with sufficient technical qualifications to carry out searches and examination; 2) possesses or has access to, at least minimum documentation properly arranged for search and examination purposes; 3) has staff capable of searching and examining the required technical fields and has language facilities; and, 4) has a quality management system and internal review arrangement.

IPOHL's institutional capacity and ability to provide quality patent services at par with other established international authorities is recognized by the Japan Patent Office and IP Australia which favorably endorsed IPOPHL's designation as an international authority during the PCT Union Assembly at the WIPO General Assembly on October 5, 2017.

IPOPHL commenced operations as an international authority last May 20, 2019. PH inventors, researchers, and scientists can now use IPOPHL quality patent search and examination services for their PCT applications.

Trademark Filings

For the past five years, applications for trademarks filed by residents comprised 56% of the total filings. This increased to 60% of the total in 2018. Resident-filed applications increased by an average of 8% for the past 5 years partly due to the implementation of the Juana Make a Mark Program.

The said program is a trademark incentive package that caters to Micro, Small, and Medium Enterprises (MSMEs) by waiving the payment of basic filing fees, fees for the claim of color and publication fee for the opposition of trademark applications but subject to certain conditions and requirements. Currently, almost 2,000 MSMEs have benefited from the program.

Another contributing factor is the aggressive expansion of the IPSO network. IPSOs, established in the countryside to provide IPOPHL services which had been handled solely at the Office's Taguig headquarters over a decade ago, have also mushroomed to 16 in 2019, scattered in Luzon, Visayas and Mindanao Island Groups. Out of the 21,626 resident applications in 2018, 15% (3,206) were filed through IPSOs.

Table 3: Trademark Filings in the Philippines

TRADEMARK								
YEAR	FILINGS							
	Res	YOY %	Non-Res	YOY %	Madrid	YOY %	Total	YOY %
2014	14,445	17.9%	7,331	2.5%	3,914	20.0%	25,690	13.4%
2015	14,774	2.3%	7,081	-3.4%	5,258	34.3%	27,113	5.5%
2016	15,267	3.3%	7,175	1.3%	4,745	-9.6%	27,187	0.3%
2017	18,565	21.0%	7,268	1.3%	6,140	29.4%	31,971	17.6%
2018	21,626	16.5%	7,626	5.0%	6,414	4.5%	35,666	11.0%
5-year Ave.	16,935		7,296		5,294		29,525	
GR 5yrs	8%		1%		10%		7%	

Utility Model Filings

For the past five years, utility model applications have grown 27.43% compounded annually. What is remarkable is that 96.07% of the total filings for the period came from residents which is a good indicator of robust R&D and innovation activities.

The significant increase in UM filings can be explained by sustained and continuous capacity building programs on the patent search and patent drafting for ITSO member institutions as well as government agencies and institutions.

For 2018, the Philippines registered the second-highest UM filings next to Thailand.

Table 4: Utility Model Filings in the Philippines

UTILITY MODEL						
YEAR	FILINGS					
	Res	YOY %	Non-Res	YOY %	Total	YOY %
2014	787	17.5%	19	-42.4%	786	14.6%
2015	765	-0.3%	48	142.1%	811	3.2%
2016	1,096	43.3%	46	0.0%	1,142	40.8%
2017	1,323	20.7%	62	34.8%	1,385	21.3%
2018	2,065	56.1%	66	6.5%	2,131	53.9%
5-year Ave.	1,203		48		1,251	
GR 5yrs	22%		28%		22%	

Inter-agency Coordination and Collaboration

The IPOPHL engages with various government agencies and partners from the industry and the academe to achieve its goal of building an IP-appreciative Philippines.

The biggest interagency network which IPOPHL is part of, and even leads, as vice-chair, is the 12-member National Committee on Intellectual Property Rights which was created by virtue of Executive Order No. 736 of 2008. Sitting as its chair is the DTI, while members include the Department of Justice; Bureau of Customs; Food and Drug Authority; National Bureau of Investigation; Philippine National Police; Optical Media Board; National Book Development Board; Office of the Special Envoy on Transnational Crime; Department of the Interior and Local Government; National Telecommunications Commission.

IPOPHL is also in close coordination with the DOST in promoting the utilization of IP tools among researchers.

IPOPHL has also tied up with the Commission on Higher Education (CHED) to incorporate an optional IP course into the curriculum of tertiary levels. IPOPHL intends to ingrain IP learning further into the educational system by targeting its inclusion in the elementary educational framework, a move that

can be achieved in partnership with the Department of Education (DepEd).

For the industry, IPOPHL is working closely with the Board of Investments to link business project proponents with researchers whose works that may be relevant to industries. Incentives for the commercialization of patent is being worked out between the BOI and IPOPHL.

IPOPHL is also a member of the all-of-cabinet Innovation Council which was formed to implement the Innovation Law signed by President Rodrigo Duterte in April 2019.

IP Enforcement

Since 2014, the Philippines has been off the Office of the United States Trade Representative (USTR)'s Special 301 Watchlist, an annual report in which the US reviews the IP environment of its trade partners.

The NCIPR has helped coordinate government efforts in this regard. In 2018, seizures of counterfeit goods reached a record-high of P23.6 billion up nearly three-fold from the 2017 level.

However, financial resources to undertake enforcement are often unavailable at the agency level, in spite of Executive Order No. 736's mandate that each NCIPR agency should institute a permanent IP Unit with adequate personnel and budget allocation. Moreover, officers, particularly from the law enforcement agencies like the Philippine National Police (PNP) and the BOC are constantly being rotated, resulting in IP expertise being lost to mobility.

Administrative Remedies

Total disposals combining IPC and IPV cases increased in 2018 by 6% from the previous year. While there was a decrease in disposed IPV cases in 2018 by 28%, disposed IPC increased by 7%. As of 30 November 2019, the projected number of disposals is on the right track with a total of 579 disposals with IPCs accounting for 96% (556). IPV disposals, in fact, have already exceeded 2018 figures by 53% (23 disposed of for 2019 as against 15 the previous year).

For the past five years, IPC has an average growth of 10%, IPV has an average growth of 11% and total disposals have an average growth of 10%.

Much of the progress in disposals in IPCs can be attributed to IPOPHL's move in 2016 to designate Bureau of Legal Affairs' (BLA) lawyers as Adjudication Officers with the authority to decide IPCs and to grant the Assistant BLA Director the authority to issue final orders also for IPCs, subject to appeal to the BLA Director. Also, the Alternative Dispute Resolution (ADR) Program under the BLA particularly mediation effectively speeds up the resolution of cases,

Further improvements are expected with the implementation in 2017 of the expedited trial procedures for IPV, that is, limiting the presentation and submission of evidence by the parties to two years. IPOPHL also embarked on mandatory mediation of cases. As a long-term strategy, IPOPHL has also shifted its sights from resolving cases to resolving disputes on this, it recently opened the mediation outside litigation services. IPOPHL revitalizes the

other existing component of its ADR Program, particularly arbitration, to provide more windows or options for stakeholders.

Innovation and Technology Support Offices (ITSOs)

In 2018, IP filings from ITSOS jumped to 1,425, marking nearly a ten-fold surge from only 154 in 2014. Also, in 2018, filings from ITSOS accounted for a huge share in resident applications across patent inventions (41%) and utility models (45%).

Through the ITSO network, IPOPHL was able to set up a cadre of IP service providers and trainers, a good strategy for building and propagating the skills and competence needed to protect IP and provide IP-related services. ITSOS are a big contributor to patent and UM filings

Inclusive Innovation

Utility models (UMs), trademarks, collective marks, geographical indications (GIs), and industrial designs (IDs) have the potential to address inclusive innovation goals. At present, there are coordinated strategies to promote the use of these types of IP to MSMEs, traditional producers, and technical and vocational schools.

Among IPOPHL's major programs is the Juana-Make-A-Mark Program through which the Office waives certain fees to MSMEs handled by or comprising of a woman entrepreneur or innovator. The IPOPHL expanded the *Juana* program to cover women filers for patents, UMs, and designs under the Juana Invent and Juana Design.

Information Technology-Enabled Services

Online services have facilitated access to IP information and services. E-filing systems for patent, trademark, UM, and ID applications have been fully implemented to facilitate filing, expanding services outside the physical confines of the IPOPHL office. Various online and over-the-counter payment channels are also offered to local as well as international-based clients.

The recently previewed Phase 1 completion of the Business Intelligence 2.0/Data Analytics project is expected to provide IPOPHL users with an intuitive and user-friendly toolkit for self-service data analysis, reporting and data visualization through their desktop computers, as well as, mobile devices. It also kicks off IPOPHL's entry into the 4IR arena through the introduction of solutions requiring Big Data, Analytics, and Cloud technologies.

Meanwhile, an annual IT Infrastructure Upgrading Program scouts for appropriate equipment and technologies that are acquired to boost office productivity and strengthen network systems security.

Key Challenges:

Patent Filings

Of all IPs, patents are arguably the most closely aligned with new technologies. Hence, the patent is often taken as an indicator of a country's innovativeness.

While patent filing activities in the Philippines are on an upward trend, gains are incremental. Applications for patents filed for the past 5 years showed a growth rate of 4%. Year on year growth rate recorded a 28% increase from the consecutive declines from the previous years.

However, it is remarkable that in 2018, applications filed by residents increased by a remarkable 65% while those of non-residents filed through both the direct and PCT routes increased by 25%.

Table 5: Patent Filings in the Philippines

PATENT							
FILINGS							
YEAR	Res	YOY %	Non-Res	YOY %	PCT	YOY %	Total
2014	263	26.4%	148	-31.5%	2,880	7.0%	3,291
2015	293	11.4%	190	28.4%	2,856	-0.8%	3,339
2016	248	-15.4%	243	27.0%	2,607	-8.7%	3,098
2017	284	14.5%	242	-0.4%	2,561	-1.8%	3,087
2018	469	65.1%	550	127.3%	2,943	14.0%	3,962
5-year Ave.	311		275		2,769		3,355
GR Sys	12%		30%		0.43%		4%

Another significant development is the increase in the applications filed by Innovation and Technology Support Offices (ITSOs) which comprised 41% of the resident filings while 6% of the total resident applications were filed in the regions.

The significant share of ISOs in resident filings accounted by ISOs reflects the huge potential for the innovative capacity of the academe and research development institutions (RDIs).

Table 6. Patent Applications in Selected Asian Countries (applications/million population)

Country	Number of Applications (application s/million population)
China	14.1
Indonesia	0.7
Israel	45.8
Japan	15.1
Malaysia	12.3
Philippines	1.6
Republic of Korea	29.2
Singapore	26.1
Thailand	6.5
Vietnam	5.6

Source: WEF Readiness for the Future of Production Report 2018

Although the number of patents filed in the Philippines is low, especially when compared to the number of patents filed in other countries, Table 4, there are a number of success stories that show how patenting and commercializing research outputs can translate into economic benefits for Philippine creators and

innovators. Sad to note, however, the number of these success stories is far from declaring the country as an innovation hub.

IP Commercialization

The Philippine Development Plan has identified the weak link between IP creation and commercialization as one of the factors leading to poor innovation performance. Stakeholders have suggested this is due to a combination of the following factors: (1) a lack of awareness of IP commercialization and technology transfer strategies and processes; (2) inadequate institutional support for commercialization; (3) the weak link between academia and industry; and (4) a procurement law that does not support R&D.

IP Registration Processes, Procedures and Inter-agency Coordination on Registration

IPOPHL's average processing times have significantly improved throughout the years. However, some stakeholders reported that the processing of utility model (UM) applications, which takes 10 months on average, has, in certain cases, taken 24 months, effectively reducing UM protection to five, instead of seven years. Similarly, the processing of patent applications, which takes 51 months (4.25 years) on average, has reportedly taken seven years in some cases. IPOPHL also has a patent processing backlog due to human resource and business processes issues.

In general, IPOPHL's registration processes and procedures are transparent, adequate, and reliable, and the legal quality of IPRs, acceptable. There are only a few cases involving the cancellation of registered IPRs. An issue of concern, however, is the existence of competing marks in the market that seem identical or confusingly similar. This appears to be due to the absence, or weak coordination between IPOPHL and other government agencies that grant clearances for the registration of brand names and corporate names—the Food and Drug Administration (e.g. brand names for pharmaceuticals); the Securities and Exchange Commission or SEC (for corporate names) and the DTI (for business names).

Implementation of the Technology Transfer Act

The enactment of the Philippine Technology Transfer Act in 2009 was meant to make commercialization and technology transfer of IP from government-funded R&D a strategic mission of universities and RDIs. However, seven years into the Act, and in spite of the evidence that the Government has poured more resources into R&D over the years, there is not much evidence that commercialization and technology transfer has taken place.

For instance, knowledge production and innovation performance of universities, although improving, remain low, due to the lack of management support and incentives to do research, to patent, and to commercialize, and the publish-or-perish mindset prevalent among many faculty and researchers.

Agency Structure and Capacity

Although Philippine IP laws are generally sufficient and compliant with international treaty obligations, the IP Landscape Report identified gaps in (1) the implementation of the law relating to geographical indications (GI), collective marks (CM) and trade

secrets; and (2) the interpretation and application of provisions of the IP Code, particularly with respect to copyright (e.g., fair use).

The IPOPHL has submitted to Congress a proposal to amend the IP law. Major changes include substantially hiking fines and penalties against IP violators; enforcing a second-level liability in the sale, manufacture, and distribution of counterfeit goods.

Judicial Remedies

NCIPR data suggests that recourse to the judicial system for IP violations is low. The level of court resolution is also low, despite a high “hit rate” of law enforcement agencies. Most criminal and civil cases filed in court are pending (44% of criminal cases and 42% of civil cases). Close to 20% of the criminal cases filed are ultimately dismissed, and only three% result in a conviction. As for civil cases, 23% are settled by a compromise agreement, and 18% are dismissed.

In 2019, IPOPHL sought the Supreme Court to revise the Rules of Procedure for Intellectual Property Rights Cases in a bid to update the rules and to see faster litigation proceedings. Innovative and creative ways of accomplishing the task of administering justice have to be explored. There is also merit in looking at how other jurisdictions are coping up with the challenges of IP development. Best practices could be considered, adopted, or tailored fit to suit the country’s need for a faster and efficient resolution of IP cases. The Technical Working Group, where IPOPHL is a member, has commenced its work of reviewing and revising the Special Rules set to be completed next year.

Intellectual Property Awareness and Culture of IP

Although IPOPHL has several capacity building and IP awareness-raising programs, more needs to be done to help the Philippines become an IP-savvy nation with a strong creative and innovative culture. Schools play an important part in creating this culture. In this regard, the roles of the DepEd, which supervises formal and non-formal basic education, the CHED, which oversees higher education, and the Technical Education and Skills Development Authority (TESDA), which offers school, center, community, and enterprise-based Technical Vocational and Education Training (TVET), cannot be overemphasized.

Key Opportunities and Threats:

Digital Environment and the 4IR

The 4IR is bringing about a fundamental change in the way we live. Although economies have gone through a number of industrial revolutions, it is said that there is nothing comparable to the current one when it comes to the pace at which its disruptive innovations emerge and are embraced.

The technologies defining the 4IR period are groundbreaking and are abruptly and enormously adopted: artificial intelligence; 3D printing, quantum computing, entirely autonomous vehicles, and the internet of things, among others.

That 4IR is compelling businesses to step out of their comfort zones and compete is a win for consumers who demand high-quality products at a low price. 4IR also sets a level-playing field that gives small businesses a fighting chance to oust incumbents. Studies have shown that the top beneficiaries of the opportunities of the 4IR are those who place heavy capital on intellectual assets.

As much as the opportunities it brings to the table, the 4IR is making IP enforcement more complex and challenging.

The rise of e-commerce, for one, is encouraging the proliferation of counterfeit goods. Industry and authorities enforcing piracy laws have also shifted their focus from camcording in theaters to websites where pirated content is streamed for viewing and downloading.

The Internet, which provides a platform for easy access to and distribution of artistic works, is a major challenge to artists, particularly those whose work can easily be replicated digitally. There is still the widely held user assumption that anything available on the internet is freely available and can be used in any way. The local online community has also demonstrated weak capacity in knowing how to use online resources to find relevant reliable educational resources, or to verify the information. The relatively slow internet speed in the country and the way Filipinos access the internet (through smartphones or net cafes, both with limited connectivity and data access) or purchase data (an overwhelming majority of mobile users are on pre-paid accounts) limits the ability of the local online community to maximize the internet as a source of information.

For IPOPHL, responding to the 4IR means undertaking paradigm shifts in various aspects of operations and even in the legislative framework. To this end, the agency is pushing to update the 1998 IP Code to cope with the technological advancements that have risen thereafter.

Entry into Global Patent System

The designation of the Philippines as the 23rd ISPEA serves as the platform for PH inventions to enter other markets gave IPOPHL a bigger role in the global patent system. Existing collaboration between IPOPHL and over 95 ITSO-member institutions covering capacity building on patent search, patent drafting, and patent prosecution will boost innovative know-how and ensure sustainable momentum innovative capacity. This significant milestone coupled with DOST funding support for patent filings through TAPI presents a tremendous opportunity for increased local and PCT filings.

In addition, being the 2nd ISA/IPEA in Southeast Asia carries a significant opportunity to assume a bigger role in the global patent system having commenced operations as an ISA/IPEA in May 2019. Recognizing Asia is now the innovation and creation hub of the world, this ushers promising prospects for IPOPHL to provide international patent services not only to its residents but to foreign applicants as well.

“IPOPHL’s application for ISA/IPEA designation is a cornerstone of policies aimed at the development of innovation and prosperity in the Philippines. This, in turn, will lead to an increased usage of the international patent system in the ASEAN region and potentially add value to the network of existing Authorities.” -- IP Australia’s Statement endorsing IPOPHL’s designation as an

Industrial Design

The growing awareness of the importance of industrial design presents opportunities for Filipino designers both here and abroad. However, for the past 5 years, industrial design applications have decreased by 2.49%. Of total filings, about 60% are filed by resident applicants.

With the enactment of RA 10557 or the “Philippine Design Competitiveness Act, on May 15, 2013, the country is set on developing and promoting a distinct brand of Philippine design. The law aims to boost the Filipino design industry by: 1) creating forward-thinking and long-range direction and strategy for the design industry; 2) promoting national awareness on the use of design as a tool for economic competitiveness and social innovation; 3) integrating design into other industries and aspects of society; 4) incorporating design as a priority component in national planning and development; and, 5) encouraging innovation and creativity in the use of raw materials and natural resources.

With government and private sector collaboration behind the Design Advisory Council created under the law, it is envisaged that strategic direction on industrial design will present huge opportunities for the industrial design sector.

Table 7: Industrial Design Filings in the Philippines

INDUSTRIAL DESIGN						
YEAR	FILINGS					
	Res	YOY %	Non-Res	YOY %	Total	YOY %
2014	814	-7.3%	519	7.2%	1,333	-2.1%
2015	530	-34.9%	555	6.9%	1,085	-18.6%
2016	972	83.4%	516	-7.0%	1,488	37.1%
2017	727	-25.2%	666	29.1%	1,393	-6.4%
2018	877	20.6%	645	-3.2%	1,522	9.3%
5-year Ave.	784		580		1,364	
GR 5yrs	2%		4%		3%	

For 2018, in Southeast Asia, the Philippines ranked 5th in ID applications filed. This is another area that presents an opportunity for improvement as special assistance to micro, small and medium enterprises on ID applications will be implemented.

Copyright Laws and Other Relevant IP Laws -- GRs, TK, and TCEs

Although Philippine IP laws are generally sufficient and compliant with international treaty obligations, the IP Landscape Report identified gaps in (1) the implementation of the law relating to geographical indications (GI), collective marks (CM) and trade secrets; and (2) the interpretation and application of provisions of the IP Code, particularly with respect to copyright (e.g., fair use).

While the Philippines has adopted some *sui generis* legislation to protect traditional knowledge and genetic resources (e.g. the Indigenous People’s Rights Act (IPRA), and the Traditional and Alternative Medicines Act (TAMA), and regulations were issued to require the disclosure of GRs, TK, and TCEs and their origin, in applications for IP protection including evidence of prior informed consent and benefit-sharing scheme, additional efforts need to be in place to enhance the protection of GRs, TK, and

TCEs, taking into account the cultural and community sensitivities, and other issues involved regarding their use and protection. The protection of GRs, TK, and TCEs is complicated by the fact that many of the guardians of this knowledge do not have a voice and lack the capacity to advocate for themselves, leading to exploitation and abuse.

The IPOPHL has submitted to Congress a proposal to amend the IP law. Major changes include substantially hiking fines and penalties against IP violators; enforcing a second-level liability in the sale, manufacture, and distribution of counterfeit goods.

Foreign Restrictions

Antiquated laws such as the Commonwealth Act No. 146 or the Public Service Law has restricted foreign investments and technology transfer in the country. A bill amending the law will not only lift barriers to foreign investments in land, sea and air transportation and telecommunications, but will also redefine “public utilities” and limit the definition to only three sectors, namely, distribution and transmission of electricity, and water distribution.

Laws imposing restrictions on foreign ownership of media and advertising also deter foreign investment into the country’s creative industries.

Access to Finance for Innovation

A vibrant IP culture also presumes access to finance for innovative activities. IP has the potential to support such access if IPRs can be securitized to serve as collaterals. The creation of IP-based banking instruments for collateralization and securitization of IP assets can contribute to a vibrant IP culture. The same is true for infrastructures for IP transactions such as technology exchanges.

Collective Management Organizations

Many artists cannot afford or do not have access to counsel. Collective Management Organizations are helpful in this regard. They help address artists’ lack of awareness about their rights, and aid in the negotiation of more favorable contracts, as well as the commercialization of IP.

While CMOs can play a key role in securing reforms in the copyright sector, they are, at present only a few CMOs accredited by IPOPHL’s Bureau of Copyright and Related Rights. CMOs that lack resources at the outset may find it difficult to sustain the operation.

Copyright Commercialization and Copyright Databases

Creative industries contribute significantly to the Philippine economy and have a strong potential for employment generation. They also enable people to generate income from their art. However, there is a lack of a comprehensive whole-of-government mind-to-market program that provides creators with support for the commercialization of their creative products.

In addition, although there are laws mandating the creation of databases for cultural properties, these databases are often

incomplete; and there is no showing of widespread compliance for various reasons.

Database on Research among Government Funding Agencies (GFAs)

Government Funding Agencies (GFAs) receiving, evaluating and approving research proposals have no common database platform to check on approved/ongoing or completed research projects. This results in the duplication of research. Furthermore, while there are protocols and guidelines for submission and approval of research proposals, prior art search does not seem to be an essential part of the process of preparing such proposals.

Inclusive Industrial Development Goals

MSMEs are the focus of several government agencies' initiatives, including initiatives that aim to spur innovation and protect IP. A coordinated, seamless, and complete package of enterprise assistance, especially for MSMEs, can help the development of a vibrant IP culture that supports inclusive growth.

International Systems and Cooperation

In addition to being a party to several major international treaties on IP, the Philippines actively participates in the global IP system. There are, however, a number of international treaties and agreements that the Philippines could consider.

- The Hague Agreement
- Singapore Treaty on the Law on Trademarks
- Classification Treaties

Ease of Doing Business Act

The enactment of the Ease of Doing Business Act presents an opportune time for government agencies including IPOPHL to continuously review and streamline their processes and upgrade their systems to further enhance the efficient delivery of quality services.

Review of Rules of Procedure for Intellectual Property Rights Cases

The Supreme Court issued A.M. No.10-3-10-SC or the Rules of Procedure for Intellectual Property Rights Cases which became effective in 2011. These rules were promulgated for the adjudication of IP cases by Regional Trial Courts designated as Special Commercial Courts by the Supreme Court.

Currently, these rules are under review to ensure that judicial reliefs and remedies are responsive to the changes in the use of technologies and methodologies involved in IP infringement cases. Adopting best practices in other jurisdictions with some modifications to suit the country's needs, is also a viable option to ensure the speedy disposition of IP cases filed with the courts.

This review and consequently the adoption of revised Rules, which ideally should include creative and innovative approaches and measures, will further enhance the legal systems and infrastructures to protect and enforce IPRs in the country.

The National Intellectual Property Strategy Framework

The increasing globalization of the world economy, as well as other external factors such as climate change and geopolitical events, pose significant challenges and threats to the Philippines. These, together with the so-called Fourth Industrial Revolution – artificial intelligence, autonomous vehicles, big data, Internet of things, and Internet of everything interfacing human and things – require the government as well as key stakeholders to respond strategically and quickly.

The strategies and action plans set in the NIPS shall address all the challenges and threats brought about by the changing global environment as well as enhancing the key strengths and capabilities of the Philippine IP system. These initiatives shall encourage and facilitate the efficient creation, development, management, and protection of IP in the Philippine setting.

Overall, the NIPS is seen to become the ultimate instrument that sets the groundwork for the holistic approach in IP policymaking, planning, and program implementation across different government agencies and various sectors of society. A whole-of-society approach was deemed an essential component of the implementation plan in order to smoothly navigate through the strengths and challenges, bumps and holes that are strewn along the path of a creative and innovative Philippines.

Vision

“An effective Intellectual Property System widely recognized and strategically utilized to benefit and uplift the lives of Filipinos”

Mission

“A collaborative and a whole-of-society approach using effective and efficient advanced tools, and best practices for the creation, utilization, protection, and respect of Intellectual Property.”

Objectives and Guiding Principles:

- Ensure a robust, predictable, and efficient IP system and enforceable IPRs.
- Improve knowledge production, innovation performance by ITSOs, universities and RDIs, and its productive links with industries.
- Develop a culture of innovation, creativity, and respect for IP through mainstreaming IP in the educational system and key sector.
- Enhance the productivity of priority industries where Intellectual Property plays a major role.
- Consider improvements in certain areas of IPOPHL operation, and other government agencies to support challenges in the 4IR environment.
- Promote the effective use of the IP system as a tool for economic growth.

List of Stakeholders and Key Industries that are Vital to the Intellectual Property System

Government:

Executive Departments, Offices, and Agencies

Department of Agriculture

The agency empowers farmers and fisherfolk and the private sector to increase agricultural productivity and profitability, considering sustainability and resilience.

Department of Budget and Management

The agency leads public expenditure management to ensure the equitable, prudent, transparent and accountable allocation and use of public funds to improve the quality of life of each and every Filipino.

Department of Education

The agency is mandated to protect and promote the right of every Filipino to quality, equitable, culture-based, and complete basic education.

Department of Environment and Natural Resources

One of the main objectives of the agency is to enhance the contribution of natural resources for achieving national economic and social development. In addition, it promotes equitable access to natural resources by the different sectors of the population.

Department of Finance

The agency that takes the lead in providing a solid foundation for the achievement of this objective, by building a strong fiscal position.

▪ Bureau of Customs

The Bureau implements an effective revenue collection by preventing and suppressing smuggling and the entry of prohibited imported goods. It supervises and controls the entrance and clearance of vessels and aircrafts engaged in foreign commerce.

▪ Bureau of Internal Revenue

The bureau comprehends the assessment and collection of all national internal revenue taxes, fees, and charges, and the enforcement of all forfeitures, penalties, and fines connected therewith, including the execution of judgments in all cases decided in its favor by the Court of Tax Appeals and the ordinary courts. The bureau is the lead agency in enforcement of tax laws for infringers and counterfeiters who do not pay appropriate taxes.

Department of Foreign Affairs

The agency is tasked to contribute to the enhancement of national security and the protection of the territorial integrity and national sovereignty, to participate in the national endeavor of sustaining development and enhancing the Philippines' competitive edge, to protect the rights and promote the welfare of Filipinos overseas and to mobilize them as partners in national development, to project a positive image of the Philippines, and to increase international understanding of Philippine culture for mutually-beneficial relations with other countries.

Department of Health

The agency leads the country in the development of a productive, resilient, equitable and people-centered health system.

- **Food and Drug Administration**

The agency is responsible for protecting the public health by ensuring the safety, efficacy, and security of human and veterinary drugs, biological products, and medical devices; and by ensuring the safety of our nation's food supply, cosmetics, and products that emit radiation.

- **Philippine Council for Health Research and Development**

As the national coordinating body for health research, the agency provides central direction, leadership, and coordination of health science & technology.

Department of Information and Communication Technology

The agency provides access to vital ICT infrastructure and services and ensures sustainable growth of Philippine ICT-enabled industries resulting in the creation of more jobs.

- **National Telecommunication Commission**

The agency is responsible for the supervision, adjudication and control over all telecommunications services throughout the country.

Department of Interior and Local Government

The agency promotes peace and order, ensure public safety, strengthen the capability of local government units through active people participation and a professionalized corps of civil servants.

- **Philippine National Police**

The agency enforces the law, prevent and control crimes, maintain peace and order, and ensure public safety and internal security with the active support of the community.

Department of Justice

The agency serves as the government's prosecution arm and administers the government's criminal justice system by investigating crimes, prosecuting offenders and overseeing the correctional system.

- **National Bureau of Investigation**

The Bureau undertakes the investigation of crimes and other offenses against the laws of the Philippines, upon its own initiative and as public interest may require. It also renders assistance, whenever properly requested in the investigation or detection of crimes and other offenses.

- **Bureau of Immigration**

The bureau is in-charge of implementing and enforcing laws, rules, and regulations in the entry of aliens to the country. It has been observed that alien involvement in violations of intellectual property rights has increased and that entry regulations and laws have apparently been violated.

Department of National Defense

The agency is tasked to maximize its effectiveness for guarding against external and internal threats to national peace and security, promote the welfare of soldiers and veterans, and provide support for social and economic development.

Department of Science and Technology

This agency provides central direction, leadership, and coordination of scientific and technological efforts and ensures that the results therefrom are geared and utilized in areas of maximum economic and social benefits for the people.

- **Philippine Council for Agriculture, Aquatic and Natural Resources Research and Development**

Provide strategic leadership in promoting science & technology as a platform for agriculture, aquatic and natural resources (AANR) products innovation and environmental resiliency.

- **Philippine Council for Industry, Energy and Emerging Technology Research and Development**

The agency is mandated to serve as the central agency in the formulation of policies, plans, and programs as well as in the implementation of strategies in the industry, energy, and emerging technology sectors.

- **Technology Application and Promotion Institute**

The agency shall promote an effective and efficient innovation system towards the adoption and utilization of inventions, innovations, and services.

Department of Tourism

The agency shall be the primary government agency charged with the responsibility to encourage, promote, and develop tourism as a major socio-economic activity to generate foreign currency and employment and to spread the benefits of tourism to both the private and public sectors.

Department of Trade and Industry

This agency is the government's main economic catalyst in enabling innovative, competitive, job-generating, inclusive business and empowering consumers.

- **Board of Investments**

The agency commits to develop globally competitive industries and generate local and foreign investments, thus, increasing employment through the responsible use of the country's resources, guided by the principles of private initiative and government cooperation.

- **Bureau of International Trade Relations**

Engages and represents the country in bilateral and multilateral trade and investment negotiations such as the World Trade Organization (WTO), the Association of Southeast Asian Nations (ASEAN), and the Asia Pacific Economic Cooperation (APEC), among others.

- **Export Marketing Bureau**

The EMB is mandated to oversee the development, promotion, and monitoring of Philippine exports. The EMB provides the exporters the enabling environment to make them globally competitive.

National Economic Development Authority

The agency's mandate is to formulate continuing, coordinated and fully integrated socio-economic policies, plans, and programs.

National Commission on Indigenous Peoples

The agency is the primary government agency that formulates and implements policies, plans and programs for the recognition, promotion and protection of the rights and well-being of ICCs/IPs with due regard to their ancestral domains and lands, self-

governance and empowerment, social justice and human rights and cultural integrity.

Office of the President

The Office of the President shall be fully responsive to the specific needs and requirements of the President as Head of State and Government, Chief Executive and Commander in Chief.

- **Commission on Higher Education**

The agency covers both public and private higher education institutions as well as degree-granting programs in all post-secondary educational institutions in the country.

- **National Commission for Culture and the Arts**

The commission was created to encourage artistic creation within a climate of artistic freedom, to develop and promote the Filipino national culture and arts; and, to preserve Filipino cultural heritage.

- **National Library of the Philippines**

The agency is the repository of the printed and recorded cultural heritage of the country and other intellectual, literary and information sources. Its mission is to Acquire, organize, conserve, and preserve *Filipiniana* materials and provide equitable access to library resources through a system of public libraries throughout the country.

- **National Museum of the Philippines**

The agency's function is to acquire, document, preserve, exhibit, and foster scholarly study and appreciation of works of art, specimens, and cultural and historical artifacts.

- **Optical Media Board**

The agency regulates the mastering, manufacturing, importation, and exportation of optical media products and manufacturing materials as part of curbing violations on IPRs.

- **Philippine Competition Commission**

The commission prohibits anti-competitive agreements, abuses of dominant position, and anti-competitive mergers and acquisitions. Sound market regulation will help foster business innovation, increase global competitiveness, and expand consumer choices to improve public welfare.

Securities and Exchange Commission

The Commission develops and regulates the capital market and company registration; promotes good corporate governance; empowers investors, corporators, and entrepreneurs; and facilitates access to financial products and resources.

Technical Education and Skills Development Authority

The agency sets direction, promulgates relevant standards, and implements programs geared towards a quality-assured and inclusive technical education and skills development and certification system.

Legislature:

The Senate of the Philippines and the House of Representatives

This is the branch of the government that could pass new laws and amend or modify existing ones, as well as ratify treaties and international agreements, that enhance the IP system and create the legal and administrative framework and structures to implement State policies conducive to creativity and innovation, and the preservation and protection of indigenous resources, knowledge, and culture. The legislative branch has also the vital responsibility to provide adequate funds to the relevant government agencies and offices, including the judiciary.

Supreme Court/Judiciary:

Through decisions or determination, the judiciary is crucial in administering justice to the parties through swift and effective judicial processes and procedures, and to bringing stability to and in ensuring that the State policies embodied in IP and allied laws are implemented and observed. Rules of court or procedures must keep up with the developments brought by technology and the realities of the global economy. The Philippine Judicial Academy also plays an important role in enabling the members of the judiciary to be well equipped to meet the growing challenges in the field of IP.

Industry Sectors:

- Agriculture and Aquatic Industry
- Biotechnology Industry
- Pharmaceutical Industry
- Medical Science Industry
- Creative and Entertainment Industry
- Food Industry
- ICT Sector
- Legal Industry
- MSMEs
- Electronics Industry
- Software Industry
- Tourism Industry
- Manufacturing Industry
- Education/Academic Sector
- Other industries capitalizing on IP

The Interplay Between IPOPHL and the Stakeholders of the Philippine IP System



The National Intellectual Property Strategy (NIPS)

NIPS' S.P.E.E.D. Strategy Map

For the Philippines to be able to compete globally, a purposive and effective national policy is needed to transform the Philippines into a knowledge-driven and innovative society. If we aspire our local creators and innovators to be internationally recognized, the Philippine IP System should push them further. If we envision these local creators and innovators to be a catalyst of change for economic and socio-cultural development, the Philippine IP System should then be compatible, consistent, and integrated with the broader development plans of the country.

The NIPS' S.P.E.E.D. strategies cover the period of 2020 – 2025. These strategies harness IP for innovation, creativity, and knowledge creation; for entrepreneurship and competitiveness; to achieve public policy goals such as universal access to health care, agricultural self-sufficiency, and inclusive growth; and in view of international developments in the field of IP, to consider IP policy options to effectively re-engineer IPOPHL and other relevant government agencies and key stakeholders' processes to respond to new requirements that would buttress the full onset of the 4IR in the Philippines.

Within the period 2020 – 2025, NIPS' S.P.E.E.D. strategies will chart the roles of IPOPHL and other relevant government agencies, educational institutions and the private sector in making the IP system a major contributor to the inclusive growth program of the current Administration.

“The NIPS will ensure that we add more value to the various development plans and roadmaps, including creativity and innovation, of the Philippines through the effective use of the IP system.”

The NIPS' S.P.E.E.D. strategies support the goals and targets of 1.) the PDP 2017 – 2022 – particularly in the areas of science, technology and innovation, industry, education, and culture; 2.) the Inclusive Filipinovation and Entrepreneurship Roadmap (IFER); 3.) the National Harmonized R&D Agenda, and 4.) the 0 + 10 Ten-Point Socio-Economic Agenda of the Philippine Government.

Strategic Goal #1

Support Sectoral Advancement Through the Use of the IP System

Innovation in sectors such as agriculture, healthcare, MSMEs and others promotes development and inclusive growth. The development of new resources, techniques, systems and the adoption of new technologies will result in enhanced productivity in any of these sectors. More than any other public investment, investments in sectoral innovations plays a major role in addressing issues in the society such as poverty and public health.

Strategic Goal #2

Promote Innovation and Utilization/Commercialization of IP Assets

IP Utilization/Commercialization is one of the most important stages of the IP cycle since it is in this stage where IP can be monetized by the creator towards economic and social prosperity. The commercialization is also vital to the economic development of the country. With this, strategies should be set forth by the participants in the IP system in order to fully maximize the benefits obtained from IP creations.

Strategic Goal #3

Elevate the Creative and Cultural Industries

The creative and cultural industries contribute significantly to the Philippine economy and its socio-cultural well-being. They create new businesses and jobs; turn communities into centers for entertainment; lead the revitalization of distressed communities; and provide new income sources and revenue streams. Given these, effective and positive strategies should be implemented to cultivate the culture of creativity among Filipino creators and artists.

Strategic Goal #4

Enhance the Legal System, Institutions and Structures Related to Intellectual Property

IPOPHL submits the need to substantially amend the IP Code. It has consulted the stakeholders and the general public, and crafted a proposed legislation. The legislative measure seeks to strengthen the IP system, bolstering its organizational structures to maintain and implement effective, efficient, economical, responsive, technology-driven and sustainable services and programs; protection, enforcement and adjudication; promote and steer creativity, innovation, development, utilization and commercialization that would benefit MSMEs; enhance learning, advocacy; and support for the enhancement of digital infrastructure and interconnectivity.

Strategic Goal #5

Demystify, Mainstream and Professionalize Intellectual Property

Low IP awareness is a cross-cutting issue throughout all sectors, including the education sector. Although the IPOPHL has a number of capacity building and IP awareness-raising programs, more needs to be done to help the Philippines become an IP-savvy nation with a strong creative and innovative culture.

The Rationale of the NIPS' S.P.E.E.D. Strategy

Speed is the name of the game. The fast, reliable, effective and efficient IP system is vital for the creators and users of IP. Thus, NIPS is expected to further improve the Philippine innovation and creativity levels through the strategic use of IP tools like patents, trademarks, industrial designs, utility models, copyright and other related rights. In addition, services such as patent information searches being offered by IPOPHL, assist innovators, inventors and researchers in the generation of new and novel ideas and solutions that may be protected by IP towards having new products and services in the market.

The NIPS Framework starts with the understanding of the current well-being of the intellectual, innovation and creativity systems in the Philippines. This covers the relevant laws, regulations, procedures, programs, as well as the key players and stakeholders of innovation and creativity systems in the Philippines. This is important to consider in order to determine what currently empowers and drives the innovation and creativity ecosystems in the country. It also looks at the opportunities, gaps, and challenges, that the NIPS should address in order to attain its objectives and goals.

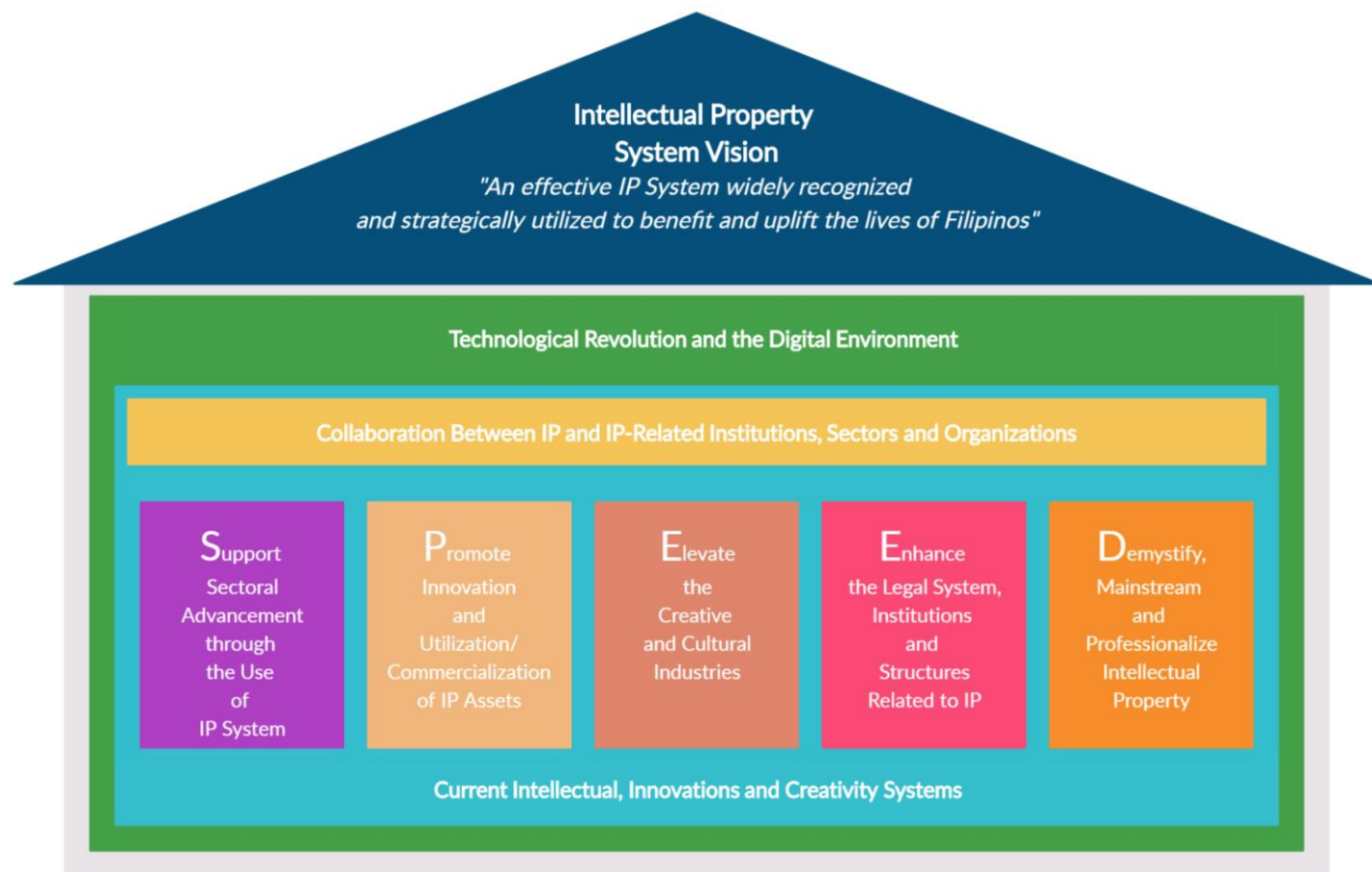
An important section of the NIPS framework is understanding the overall impact of the technological revolution and the digital environment, which is collectively termed as the 4IR.

The Philippines is now in the middle of 4IR that will fundamentally alter the way the local and international IP systems work. This reality will transform government agencies, academic and research institutions, industry sectors and individuals. The 4IR is crosscutting across different sectors, thus, it is vital to address this issue in order to attain an effective national IP system.

To support its overall vision, the NIPS lists out five (5) strategic goals which are (1) Support Sectoral Advancement Through the Use of the IP System; (2) Promote Innovation and Utilization/Commercialization of IP Assets; (3) Elevate the Creative and Cultural Industries; (4) Enhance the Legal System, Institutions and Structures Related to IP; and (5) Demystify, Mainstream and Professionalize IP. Each of the strategic goals has its respective strategies supported by various action plans to further achieve the vision and goals for the Philippine IP system.

Overall, the NIPS can guide the relevant players of the IP system in keeping the wheels of innovation and creativity in motion. It shall provide the Philippines the much-needed backbone to sustain the growth of science and technology and the development of the creative and cultural sectors. The NIPS shall be a vital instrument to make all our industrial and creative sectors, not just mere observers, but global players in international markets.

National Intellectual Property Strategy (NIPS) Framework



The National Intellectual Property Strategy (2020 - 2025)



Strategic Goal #1:

Support Sectoral Advancement Through the Use of IP System

Support Sectoral Advancement Through the Use of the IP System

Strategies	Action Plans					
Enhance the Legal and the Developmental Aspects of the Healthcare and Pharmaceutical Industry	Conduct a study on the impact of QUAMA Law on access to cheaper and quality medicines	Establish standards and guidelines for the manufacture, quality control and marketing of traditional and alternative healthcare materials and products through a collaboration between the IPOPHL, DOST, FDA, PITAH, and others.	Establish standards and guidelines for the development and promotion of herbal industry through a collaboration between the IPOPHL, FDA, PITAH, and others.			
Encourage Productivity and Technological Systems of Agricultural, Animal Husbandry, and Fisheries Sectors	Develop and implement an IP strategy for these sectors to make full use of the IP system, including patents, UM, GI, Collective Mark	Make appropriate technologies and smart farming systems available to the agricultural sector	Conduct Patent Landscape Reports (PLRs) on agricultural, animal husbandry, and fisheries technology fairs	Create platforms to make available relevant technologies from local and international sources	Assist DA, PCAARD, DOST, PVPO, and other relevant agencies to conduct an inventory of available agricultural, animal husbandry, and fisheries technologies developed by government RDIs	
Increase Use of IP System by MSMEs as a Tool for Productivity, Creativity and Innovativeness	Design and implement an MSME IP Promotion Program comprising of incentives, facilities and projects to promote increased use of the IP system by MSMEs	Design and implement awareness and capacity building programs for MSMEs particularly patents, patent drafting, utility models, GI, industrial designs, trademarks, collective marks and certification marks	Provide access to non-proprietary patent, trademark and copyright information and databases	Enable patent search services of IPOPHL and access to services offered by ITSOs especially in the regions	Pursue developmental programs toward enabling local producers to establish effective GI enterprises	Create platforms to match industry technological needs with ITSO/TTO IP rights (invention, UM and ID)
Institutionalize the Different Industries' Use of Patent Documents and Capture the Protection of 4IR technologies in Selected Sectors	Institutionalize the use of patent documents to gain competitive technological information	Identify the areas where IPOPHL assistance will be relevant to help develop 4IR technologies	Establish a priority list of areas of emerging technologies where the Philippines has the capability, competitive advantage and resources to develop 4IR technologies	Develop an incentive scheme for companies which would be willing to invest in the identified industry sectors in the Priority List	Establish a multidisciplinary group of technical experts to examine patent documents that will be relevant to the 4IR technologies and other advanced and emerging technologies	Amend current laws and/or policies to protect 4IR technologies based on current discussions on the mode of protection

Rationale

IP plays an important role in promoting key sectors such as public health. IP creation and protection provide impetus to the continuing search and development of new drugs and medicines to find cures and solutions to illness and diseases. However, while the patent system provides incentives to these kinds of endeavor, it may sometimes affect the accessibility and affordability of drugs and medicines by the general public. Nonetheless, the IP system itself provides for certain measures and flexibilities as provided for under TRIPS to promote wider access, especially in times of national emergencies or when public interest requires it.

On the other hand, innovation in the agricultural sector promotes food security and inclusive growth. The development of new plant varieties, aquatic and marine resources, breeding techniques, smart farming systems, and adoption of new technologies will enhance productivity in the agricultural and

agri-business sectors. More than any other public investments, investment in agriculture plays a major role in addressing malnutrition and poverty reduction of any society.

Lastly, MSMEs are important sectors in the Philippine economy comprising 99.5% of the total number of establishments of which 89.9% are micro-enterprises, 9.2% are small and 0.4% are medium (2015 figures). The promotion of MSME is very much the key to achieving the exclusive development goals of the country. As such, the PDP aims to increase access to MSMEs to economic opportunities and improve their participation in global value chains. For this to happen, there is a need to improve productivity, efficiency, and innovativeness of these sectors.

Strategic Goal #2:

Promote Innovation and Utilization/Commercialization of IP Assets

Promote Innovation and Utilization/Commercialization of IP Assets						
Strategies	Action Plans					
Improve the R&D / Innovation Performance	Implement relevant provisions of Sec 21 of Art IX of the Philippine Technology Transfer Act, Republic Act No. 10055 of 2009	Implement relevant provisions of Sec. 230 of the Intellectual Property Code (Republic Act No. 8293) as amended by Republic Act No. 10372 of 2013	Coordinate with CHED and TESDA on IP policy to improve knowledge production and promote an innovation culture among faculty and students	Review existing tax and other incentives enjoyed by investors, MSMEs, RDIs, SUCs, with respect to IP research and development	Conduct capacity building activities on patent search and patent drafting for DA and DOST research institutions	Promote collaboration between Academe and ITSOs/TTOs from Research to Commercialization (promote market-driven research)
Enhance the Funding Rationalization and Operations Related to Government Funded Agencies (GFAs)	Rationalize and conduct transparent funding processes and requirements by GFAs	Establish an IP fast track lane and help desk for HEIs/RDIs to encourage protection of university/RDI research outputs	Set up a common database platform or a data exchange mechanism among the different GFAs	Conduct Patent Landscape Reports for GFA to rationalize funding for R & D		
Attract Smart and High Technology Investors to Set-up Business in the Philippines	Revisit the Procurement Law and related guidelines with a view to simplifying requirements for the acquisition of R&D related equipment, supplies, and services	Design and formulate practical and feasible mechanisms for academe-industry collaborations	Implement the revolving fund mechanism under the Technology Transfer Act	Implement the relevant provisions of the Philippine Innovation Act	Implement the relevant provisions of the Innovation Start-up Act	

Rationale

IPOPHL is the lead agency of the Philippine government that has a significant role throughout the IP cycle, from the point of creation towards protection and eventually to utilization or commercialization so that creations, innovations, and inventions may develop in order to impact the economy.

With this, it is important to identify the players of the innovation ecosystem in the Philippines and assist them in utilizing and commercializing their technologies and creations. IPOPHL has been working on establishing ties and partnerships with government agencies, academic and research institutions as well as the private sector, whose services and operations will be useful to the innovative programs in the Philippines.

IPOPHL envisioned that these agencies and institutions can contribute to the country's economic and technological development by enabling them: 1) to deliver better quality research outputs through patent search; 2) to strategically protect their IPs, and 3) to utilize and commercialize their IPs so that they contribute to the economic development of their communities.

Given the recent passage of relevant laws on innovation such as the Philippine Innovation Act, Technology Transfer Act, and the Innovation Start-up Act, the key stakeholders of the IP system are in a perfect place to be instrumental in achieving economic and technological development in the Philippines.

Strategic Goal #3:

Elevating the Creative and Cultural Industries

Elevate the Creative and Cultural Industries					
Strategies	Action Plans				
Develop and Nurture the Growth and Development of Creative and Cultural Industries	Promote "Cultural and Creative Tourism" in partnership with DOT, NCCA, National Museum and LGUs of creative and cultural cities	Strengthen support for copyright sector and creative industries through evidence-based policies and incentives implemented as a result of studies	Increase the availability and accessibility of credit and financing products for creative industries	Implement the Personal Property Security Law where intellectual properties are used as collaterals or securities for loans	
	Implement incentive programs for the promotion and development of creative and cultural industries	Conduct market development and promotion of Filipino films, works of art, literature, and other CBIs in the local and international settings	Encourage to create new CMOs for the unrepresented sectors	Provide support to CMOs to enable them to become more efficient and self-sustaining	
Strengthen the Protection of Traditional Knowledge, Traditional Cultural Expressions, and Genetic Resources	Design, formulate, and implement practical and feasible collaborative mechanisms for the recognition, preservation, and protection of GR, TK and TCE	Adopt IRRs for patents involving GR and TK and IRRs for trademarks and copyright that involve TCE	Develop institutional collaboration between IPOPHL, DOST, FDA, and other agencies to ensure protection of indigenous peoples and local communities vis-à-vis technology development	Adopt a national communication, information, education, and public awareness program for GR, TK and TCE	
Enable Access to Information and Knowledge on Copyright and other Related Rights	Develop a system of documentation for GR, TK, and TCE in collaboration with National Museum, NCCA, NCIP, DENR, DA, and other agencies	Develop a national database on GR, TK and TCE in partnership between IPOPHL and other related government agencies	Strengthen DENR as the clearing house and repository for Access and Benefit Sharing Agreements, prior informed Consents, and Materials Transfer Agreement	Coordinate with the National Library and other relevant government offices in the enhancement of the deposit and recordation of copyrighted works	Strengthen the access to information on copyrighted work for niche sectors such as persons with disabilities (PWD), youth, etc. in coordination with relevant government offices and agencies

Rationale

The limited awareness of copyright and related rights is an issue that cuts across the sector. There is a need to increase public understanding of the concept of fair use, ownership of works for hire, open access licenses, and other copyright issues. The other challenges include coordination among copyright-related agencies; weak capacity of copyright owners to negotiate contracts involving the use of their copyrights; low awareness of the available remedies and institutions to enforce their rights; and less emphasis and support for the commercialization of creative products.

Concerns have also been raised by indigenous and cultural communities that activities of cultural institutions undermine their rights and interests. While there are laws mandating the creation of databases for cultural properties, these are, however, incomplete. Recording, digitizing, and disseminating a traditional song or design make them vulnerable to misappropriations and misuse, especially in the digital world. The Internet is also a major challenge to artists, particularly those whose work can easily be replicated digitally.

On the other hand, the Philippines has sui generis legislation on traditional knowledge and genetic resources (e.g. the Plant Variety Protection Act, the Indigenous People's Rights Act [IPRA], and the Traditional and Alternative Medicines Act). However, additional efforts need to be in place to protect GR, TK, and TCE taking into account the cultural and community sensitivities and other issues involved in their use and protection.

The protection of GR, TK, and TCE is further complicated since many of the guardians of this knowledge do not have a voice and the capacity to advocate for themselves leading to exploitation and abuse. While there are initiatives for the documentation, preservation, and promotion of traditional knowledge, these efforts do not include a strong IP component that emphasizes that GR, TK, and TCE should be protected and that the originators thereof should benefit from it.

Strategic Goal #4:

Enhance the Legal System, Institutions and Structures Related to IP

Enhance the Legal System, Institutions and Structures related to IP								
Strategies	Action Plans							
Amend the Current IP Laws, Regulations and Issuances on IP	Draft bill to develop, promote and strengthen protection of geographical Indications, Certification Marks and Collective Marks	Collaborate with the Judiciary in respect of effective and expedient legal judicial procedures	Propose amendments or revisions to the IP Code to enhance existing substantive IP law, strengthen institutions, promote innovations and technology, build up capacities for enforcement and legal remedies	Propose legal framework for Genetic Resources, Traditional Knowledge, and Traditional and Cultural Expressions (GRTKTCE)	Revise of the Supreme Court Special Rules on IP	Revise of Implementing Rules and Regulations on Patent, Trademarks, Copyrights and other IP-related matters	Propose amendments to IP Code to allow simultaneous filing of Utility Model and Patent	Propose amendments to IP Code to institutionalize enforcement and incorporate online enforcement mechanisms
Strengthen the Organizational Structures to Support the IP System	Review and Propose Re-organizational Structure for IPOPHL	Propose the reorganization of judicial and legislative bodies and relevant government agencies to strengthen the IP system	Strengthen and reinvigorize ITSOs and like offices	Prepare position papers among CHED, DOST and IPOPHL on HR related issues of ITSOs and like offices	Coordinate with DOST to discuss with U.P. on possible approaches to HR-related issues with the goal of strengthening U.P. ITSOs and like offices	Strengthen Adjudication System (Quasi-Judicial) by implementing innovative and efficient systems, processes and modes of resolving disputes	Maintain an adequate complement of legal and support personnel, including mediators	
Initiate Inter-Agency Collaborations on IP and IP-Related Matters	Conduct a Baseline Assessment of the level of public and stakeholder awareness	Formalize coordination mechanism with PCC, FDA, SEC and other relevant agencies, and the improvement of existing coordination mechanism with DTI	Provide a service to assist agencies in protecting and commercializing their IP by seconding IP specialists to identified agencies	Institutionalize a service to deal with domestic and international partnerships and collaborations, including sectoral programs	Mainstream intellectual property in the programs of agencies mandated to promote trade and investments, culture and arts	Develop programs to promote and protect geographical indications through inter-agency collaboration	Develop collaborative and idea spaces, like technology parks, where artistic communities and artistic start-up business enterprises can be encouraged to grow and flourish	
Enhance the Enforcement of IPR Systems and Procedures	Implement the EO 726, establishing an institutionalized IP unit in each NCIPR / law enforcement agencies with dedicated IP personnel and budgetary resources	Implement the DILG MC 2003-229 on the protection of IP rights through increased involvement of LGUs in IP enforcement	Conduct sustained capacity building programs of law enforcement personnel, judges and prosecutors	Ensure government-wide observance of IP laws, particularly on copyright and related rights through issuance of EO	Adopt the Revised IRR for Enforcement			
Capture International Cooperation Related to IP and Increase Roles on International IP Systems	Propose and Implement IP-related Programs under the APEC Framework and Regional Economic Integration Initiatives in ASEAN	Leverage Intellectual Property in Free Trade Agreements	Accede to normative and relevant international agreements on IP to strengthen the IP System					

Rationale

One major strategy to achieve an effective IP system is to strengthen the enforcement of IPRs of creators and innovators. Thus, amendments and revisions to the laws on IP and other IP-related matters should be pushed. These include the laws on patent, trademark, and copyright as well as relevant laws on IP enforcement. New laws and procedures should also be created to address the growing needs to protect other IP-related matters such as genetic resources, traditional knowledge, traditional cultural expression, trade secrets, among others.

In addition, organizational structures of IPOPHL as well as the IP-related government agencies, academic and research institutions, and other like offices should also be enhanced. This is to address the challenges and changes that are evident in the IP environment both locally and globally. The opportunities of the 4IR, which includes the technological changes and digital environment, can be maximized if the players and stakeholders of the IP system have enough capacity with relevant core competencies, knowledge, and expertise on growing these trends.

Furthermore, the key players and stakeholders of the IP system should also proactively collaborate with each other in order to better serve the creators and innovators of society. These collaborative strategies between the players of the IP system should strengthen the ultimate vision that is, to have an innovative and creative society. Relevant government agencies, private sectors, industry players, academic and research institutions should build synergy to help grow and enhance the innovativeness and creativity of the country.

The pace of the IP environment continues to accelerate thus, strong collaboration between key players in the IP system is more important than ever.

Strategic Goal #5:

Demystify, Mainstream and Professionalize Intellectual Property

Demystify, Mainstream and Professionalize Intellectual Property					
Strategies	Action Plans				
Develop a Culture of Innovation and Creativity, and Respect for IP Through the IP Academy	Establish and operationalize the IP Academy as the new bureau of the IPOP HL	Conduct targeted and sectoral trainings and seminar on IP and IP-related matters	Collaborate with international IP organizations such as WIPO, EUIPO, KIPA, USPTO and like offices in enhancing IP learning programs	Collaborate with DepEd and CHED in enhancing character-building subjects to incorporate the respect for IP	Partner with relevant industry organizations and government agencies in raising awareness on the economic and socio-cultural impact of IP
Integrate of the IP Knowledge to the Educational System	Coordinate with CHED, DepEd, TESDA and LEB in integrating IP in the educational system	Collaborate with government institutes such as PTTC, PNPA, DAP, CSI and like offices in incorporating IP in their respective curriculum	Professionalize IP through the conduct of accreditation and certification seminars	Collaborate with HEIs in offering graduate and post-graduate degrees in IP and other IP-related areas	Establish the on-line / e-classroom platforms for IP learning and training programs
Increase New Knowledge on IP Through Academic, Scientific and Advanced Research and Studies	Publish the Journal of Intellectual Property and Innovation to attract academic, scientific and advanced research and studies in IP and other IP-related matters	Enhance the databases that covers IP and other IP-related matters that can be used in research and studies	Coordinate efforts between IPOP HL, PIDS, DAP, NEDA and other like offices in order to create research on the overall impact of IP and other IP-related matters	Conduct and implement research activities such as IP research colloquium, IP research competitions and other research conferences	Collaborate with international organizations and research institutes in creating new knowledge and discoveries in relation to Intellectual Property

Rationale

The IPOP HL had been exerting full efforts to push for the diffusion of IP knowledge to its key stakeholders. Capacity-building activities have been carried out across a wide range of stakeholders in different parts of the Philippines. Through these efforts, the number of participants in the basic and advanced IP seminars that IPOP HL conducts is steadily increasing during the last few years. More and more individuals, organizations, industry sectors, and government agencies are now seeking seminars, training and knowledge programs in IP. All of these can signify the importance of IP education in promoting innovation and creativity of society.

It may well be argued that a country's quality of IP education is correlated to its competitiveness, economic soundness, and capacity to produce innovations as well as embrace disruptions.

The increasing number of patent applications, trademark filings, and deposits of copyrighted works may be attributable to different factors such as the annually increasing number of IP training and seminars which IPOP HL holds on a regular basis.

Given the need to address economic growth, socio-cultural and technological change, specially brought about by the 4IR, the government, through the IPOP HL, shall support concrete initiatives and actions in relation to strengthening IP knowledge and research

If IP is to become part of the strategy to equip the workforce with skills and competencies for innovation, then efforts need to continue to strengthen IP education and awareness among stakeholders.

Conclusion:

An Effective Philippine IP System for Innovation and Creativity

In the face of changing economic, technological and socio-cultural developments in society, especially now amid the 4IR, one of the most vital tasks of any country is to find new and sustainable resources for inclusive and sustainable growth. IP, as a resource that spurs innovative and creative knowledge, can be utilized and maximized to sustain and boost any economy. This, as innovation and creative activities are indispensable factors that drive and push the competitive edge of any economy further. Hence, among the primary tasks of any government should be to promote, protect and maximize IP.

To address this reality, IPOPHL, with the support of WIPO, along with key IP stakeholders, have developed this first-ever national strategic plan for IP to solidify the mission of all players of the Philippine IP system. This document covers the current well-being of local and international innovation, creativity, and the totality of the IP system.

IPOPHL is at the forefront of this national strategy on IP. Through the S.P.E.E.D. strategic goals, its commitment has now to a higher gear to assure that an IP-inclusive environment benefiting the Filipinos is possible

The Road to Intellectual Property System Transformation

The IPOPHL, in support of all the key stakeholders and players of the IP system, should not stop with the gains that have been achieved to make the current IP landscape in the Philippines what it is today.

While earlier efforts to upscale the country's innovation and creativity environments are bearing fruit—as evidenced by the increased local IP filings, Philippines' impressive advancements in the Global Innovation Index report, among others—much still needs to be done for local societies to understand the value-adding role of IP, and how this can be used as a competitive strategic tool by innovators and creators.

The envisioned IP system, under the NIPS, is demanded to be more systematic, comprehensive, and effective to deliver reliable service for Philippine creators and innovators. For this to be realized, the NIPS sets out a realistic and positive strategic direction for the Philippine IP system.

Call to Action

Achieving the vision of an effective IP System that is widely recognized and strategically utilized to benefit and uplift the lives of Filipinos requires the effective and efficient execution of the NIPS, which, in turn, is enabled by a large pool of IP advocates committed to and united in protecting the IP environment and interests of the nation.

To this end, active participation from the highest level of all branches of government, including government agencies, academe, industry sectors, creators, and innovators, is of utmost importance to the realization of the NIPS ambition.

ANNEX

ABBREVIATIONS

4IR – Fourth Industrial Revolution
ANIEE – ASEAN Network of IP Enforcement Experts
AWGIPC - ASEAN Working Group on Intellectual Property Cooperation
BI – Bureau of Immigration
BIR – Bureau of Internal Revenue
BOC – Bureau of Customs
BOI – Board of Investments
BITR – Bureau of International Trade Relations
CHED – Commission on Higher Education
CIPO - Canada IP Office
CM – collective mark
CMO – collective management organization
CNIPA - China National Intellectual Property Administration
DA – Department of Agriculture
DBM – Department of Budget and Management
DENR – Department of Environment and Natural Resources
DepEd – Department of Education
DFA – Department of Foreign Affairs
DILG – Department of Interior and Local Government
DND – Department of National Defense
DOE – Department of Energy
DOF – Department of Finance
DOH – Department of Health
DOST – Department of Science and Technology
DOT – Department of Tourism
DTI – Department of Trade and Industry
EIPE – Enabling IP Environment
EMB - Export Marketing Bureau
EPO - European Patent Office
EUIPO - European IP Office
FDA – Food and Drug Administration
FDCP – Film Development Council of the Philippines
GFA – government funding agency
GI – geographical indication
GII – Global Innovation Index
GR – genetic resources
HEI – higher education institution
ID – industrial design
ICT – Information and Communication Technology
IP – intellectual property
IPOP HL – Intellectual Property Office of the Philippines
IPOS - IP Office of Singapore
IPP – Investment Priorities Plan
IPR – intellectual property rights
IPRA – Indigenous People's Rights Act (Rep. Act No. 8371)
IPSO – IP satellite office
IRR – implementing rules and regulations
ITSO – innovation and technology support office
JPO - Japan Patent Office
KIPO - IP Australia, Korean IP Office
LGU – local government unit
MIIP - Mexican Institute of Industrial Property
MSME – micro, small and medium enterprise
NBI – National Bureau of Investigation
NCCA – National Commission for Culture and the Arts
NCIP – National Commission on Indigenous Peoples
NCIPR – National Committee on Intellectual Property Rights
NIPS – National Intellectual Property Strategy
NTC – National Telecommunications Commission
OMB – Optical Media Board

PCAARD – Philippine Council for Agriculture, Aquatic and Natural Resources Research and Development
PCHRD – Philippine Council for Health Research and Development
PCIEETRD - Philippine Council for Industry, Energy and Emerging Technology Research and Development
PDP – Philippine Development Plan
PHILJA – Philippine Judicial Academy
PITACH – Philippine Institute of Traditional and Alternative Health Care
PLR – patent landscape report
PNP – Philippine National Police
PVPO – Plant Variety Protection Office
QUAMA – Quality and Affordable Medicines Act (Rep. Act No. 8293)
RDI – research and development institution
ROSPATENT - Russian Patent Office
SUC – state universities and colleges
TAMA – Traditional and Alternative Medicines Act (Rep. Act No. 8423)
TAPI – Technology Application and Promotion Institute
TBDO – technology business development office
TCE – traditional cultural expressions
TESDA – Technical Education and Skills Development Authority
TK – traditional knowledge
TLO – technology licensing office
TTA – Technology Transfer Act (Rep. Act No. 10055)
TTO – technology transfer office
TVET – Technical Vocational and Education Training
UKIPO - United Kingdom IPO
UM – utility model
UNESCO – United Nations Educational, Scientific and Cultural Organization
USPTO - US Patent and Trademark Office
WIPO – World Intellectual Property Organization