



IPOP HL MEMORANDUM CIRCULAR NO. 17-014

**Subject: AMENDING FURTHER THE IPOP HL REVISED FEE STRUCTURE OF 2017 (MEMORANDUM CIRCULAR NO. 16-012, S. 2016, AS AMENDED BY MEMORANDUM CIRCULAR NO. 17-02, S. OF 2017)**

**WHEREAS**, IPOP HL promulgated the IPOP HL Revised Fee Structure of 2017 through IPOP HL Memorandum Circular No. 16-012, s. 2016;

**WHEREAS**, the IPOP HL Revised Fee Structure of 2017 was amended by Memorandum Circular No. 17-02, s. 2017 to implement corrections, clarifications, and additional fees;

**WHEREAS**, there is a need to further amend the IPOP HL Revised Fee Structure of 2017 to address concerns regarding payment for on-line transactions and the erroneous or excess payments;

**NOW THEREFORE**, pursuant to the authority of the Director General under Sec. 7 of Rep. Act No. 8293, also known as the Intellectual Property Code of the Philippines ("IP Code"), the IPOP HL Revised Fee Structure of 2017, as amended, is further amended, as follows:

**SECTION 1.** Part I, Section 5 is hereby amended to read, as follows:

"Section 5. Payment of fees. - 5.1 Fees shall be paid in cash, money order, bank drafts, cheques in Philippine currency, and other modes of payment as may be provided or prescribed by the IPOP HL. Payment of fees for all transactions may be done online, offline, or through facilities approved by the Director General."

**SECTION 2.** Part I, Section 10 is hereby amended to read, as follows:

"Section 10. *Legal Research Fund (LRF)*. — All fees and charges, except charges for domestic photocopy and sequence listings for invention patent, utility model, and industrial design applications in excess of 4,000 pages, shall be subject to the payment of the LRF required by Republic Act 3870 as amended by Presidential Decrees Nos. 200 and 1856, at the rate of one percent (1%) of the fee paid but not less than Ten Pesos (Php10.00). In this regard, the IPOP HL shall furnish the University of the Philippines Law Center reports on its collection and remittance of the LRF."

**SECTION 3.** Part I, Section 11 is hereby amended to read, as follows:

"Section 11. Error or Mistake in Payment. - All fees or excess amounts paid without fault on the part of the IPOP HL shall be deemed as donation to the Office. If fees or excess amounts are paid due to error

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on the part of the IPOPHL, the applicant or party may file with the Financial Management and Administrative Services Bureau the request for refund within 30 days from the date of payment of the fees or excess amounts. If no request is filed within the aforementioned period or if the request is found to be not meritorious, the fees and excess amounts shall inure to the benefit of, and shall be deemed as donation to, the Office.

"For online transactions, the request for refund of fees or excess amounts paid online or through the facilities approved by the Director General shall be filed also with the Financial Management and Administrative Services Bureau within 60 days from the date of payment of the said fees or excess amounts. If no request is filed within the aforementioned period or if the request is found to be not meritorious, the fees and excess amounts shall also be deemed as donation to, the Office."

**SECTION 4. Effectivity.** - These amendments shall take effect on 01 August 2017.

**SECTION 5. Repealing Clause.**- All other office issuances inconsistent with this Memorandum Circular is hereby repealed or modified accordingly.

**SECTION 6. Separability Clause.** - If any action or provision of these Circular shall be declared unconstitutional or void by any court of competent jurisdiction, or the applicability thereof to any person or circumstances shall be held invalid, the constitutionality and validity of the remainder of these Circular and the applicability thereof to other persons and circumstances shall not be affected thereby, and to this end the sections and provisions of these Circular are declared to be severable.

**SECTION 7. Publication and Filing of Certified Copies.** - The Financial Management and Administrative Services Bureau is hereby directed to immediately publish this Circular in a newspaper of general circulation and to file three (3) certified copies thereof with the UP Law Center, and one (1) certified copy each with the Department of Trade and Industry, the Senate of the Philippines, the House of Representatives, the Supreme Court of the Philippines, and the National Library.

Done this 10<sup>th</sup> day of July 2017; Taguig City, Philippines.

  
**JOSEPHINE R. SANTIAGO, LL.M.**  
Director General

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