

DISPOSAL OF PIRATED AND COUNTERFEIT GOODS

# THE PHILIPPINE EXPERIENCE

## Regional Workshop on the Environmentally Safe Disposal of IP-Infringing Goods

**ATTY. RICARDO R. BLANCAFLOR**

Director General  
Intellectual Property Office of the Philippines

*22 November 2013  
Bangkok, Thailand*



Intellectual Property Office of the Philippines  
Republic of the Philippines

# ASEAN Economic Community 2015



## AEC Vision by 2015:

*“ASEAN as a single market and production base that is highly competitive with equitable economic development and is fully integrated in the global community.”*



# Philippines as Country Champion

## Development of a Regional Action Plan on IPR Enforcement

National internal guidelines for enforcement, consistent with the civil, criminal, and administrative structures of ASEAN Member States (AMSs), are drawn up based on best practices identified through information sharing among national agencies in AMSs that are tasked with IP enforcement.



# Recent Events: Typhoon Yolanda

As of 18 November  
2013:

- 3,976 lives lost
- 18,175 injured
- 1,590 missing
- 239.5M USD  
worth of damage



# Donations: A Form of Disposal



# Legal Framework: INTERNATIONAL AGREEMENTS

## TRIPS AGREEMENT

In order to create an effective deterrent to infringement, judicial authorities may order that goods found to be infringing be, without compensation of any sort, disposed of outside the channels of commerce in such a manner as to avoid any harm caused to the right holder, or, unless this would be contrary to existing constitutional requirements, destroyed.

# Legal Framework:

## **DOMESTIC LEGISLATION**

### **I. CRIMINAL AND CIVIL ACTIONS**

- Intellectual Property Code of the Philippines (Republic Act No. 8293)
- Supreme Court Rules of Court on Civil and Criminal Procedure (Special IP Rules)  
[Effective 8 Nov 2012]

### **II. ADMINISTRATIVE REMEDIES**

- Intellectual Property Code
- Tariff and Customs Code (R.A. No. 1937)
- Optical Media Act of 2003 (R.A. 9239)

# Legal Framework: **DOMESTIC LEGISLATION**

## **I. CRIMINAL AND CIVIL ACTIONS**

- If the Court finds that there has been a violation of intellectual property rights, it may order that goods found to be infringing be, without compensation, disposed of outside the channels of commerce in such a

预览已结束，完整报告链接和二维码如下：

[https://www.yunbaogao.cn/report/index/report?reportId=5\\_6180](https://www.yunbaogao.cn/report/index/report?reportId=5_6180)

