

Office of Sen. Manny Villar

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NEWS RELEASE
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Villar files report on bill providing greater protection of intellectual property rights

Sen. Manny Villar, chairman of the Committee on Trade and Commerce, announced that the bill strengthening the protection of intellectual property rights has passed committee level and that the committee report is ready for sponsorship.

Senate Bill No. 2842 under Committee Report No. 38 was submitted in substitution of the bills separately filed by Sens. Villar, Jinggoy Estrada, Antonio Trillanes IV, Lito Lapid, Miriam Defensor Santiago, Edgardo Angara and Loren Legarda.

The bill amends certain provisions of Republic Act 8293 or the Intellectual Property Code of the Philippines.

The Trade and Commerce committee worked jointly with the Committees on Constitutional Amendments, Revision of Codes and Laws; Justice and Human Rights; Finance; and Science and Technology in studying the proposed legislations.

“In view of the leap in the electronic age and information technology, we see the need to amend the law and offer better protection of the intellectual property rights,” he said.

Among the new provisions included in the bill is the proposal to give special copyright considerations for the blind, visually- and reading-impaired persons when reproduction is made in a specialized format and distributed for free.

The bill also addresses the perennial concern that copyright matters are handled in an ad hoc basis rendering issues on the same inefficient and difficult by establishing the Bureau of Copyright under the Intellectual Property Office of the Philippines (IPOP HL) organizational structure.

“This addresses the need for one group to handle copyright matters. The public needs a government agency it can rely on to respond to its copyright concerns,” Villar said.

The Bureau of Copyright’s main function is to resolve disputes relating to the terms of a license involving the author’s right to public performance or other communication of his/her work.

Villar said an amended IP Code will strengthen government’s campaign on the protection of intellectual property rights, particularly the fight against illegal downloading of music via the internet.

The features of the bill also include:

- To comply with World Intellectual Property Organization Internet Treaties, the concepts of "technological measure" and "rights management information" are introduced to prevent the public from circumventing ways of gaining access to an otherwise restricted copyright.
- The power of the Customs Commissioner as regards infringing materials is now expanded not only to cover those imported protected materials but also those that are exported.
- The rights of producers of sound recordings are also expanded to include the authority to permit and/or restrict public access of the same.
- "Double the damage" under certain circumstances is introduced to increase the penalty imposed against infringers and thereby dissuade future infringers from committing the acts prohibited under the law.
- A provision of disclosure of information is likewise inserted to provide notice to the owners of such copyright of any discovered copyright infringement, providing the owners the option to take appropriate actions to enforce his/her own rights.
- A new section has been inserted mandating the formulation of IP Policies in schools, universities and other IP-creating institutions.
- Loose restrictions on non-profit libraries by allowing them to make limited copies rather than just one copy of a published work.