

About Alternative Dispute Resolution (ADR) in IPOPHL

Introduction

Development of Alternative Dispute Resolution in IPOPHL

The Intellectual Property Office of the Philippines, through the Dispute Settlement Division of the Documentation, Information, and Technology Transfer Bureau (DITTB), began offering mediation services in May 2001 pursuant to the Revised Rules on Dispute Settlement Division issued on April 24, 2001.

In 2003, a Mediation Program was conducted where IP Philippines personnel trained under the Core Group of Ms. Annabelle Abaya and mediated pending cases of the Bureau of Legal Affairs. In 2004, the Bureau of Legal Affairs (BLA) issued its “Rules on Mediation of BLA Cases” where mediation was made voluntary and was conducted during the pre-trial stage.

By 2010, as IP Philippines moves toward a new vision of “An Intellectual Property Philippines in a demystified, development-oriented, and democratized IP system by 2020”, whereby one of its strategic goals is to provide speedy, quality, and effective legal remedies and be the forum of choice for IP dispute settlement. So that on January 29, 2010, the IP Philippines Mediation Office was created.

In support to the newly created Mediation Office, a Mediation Steering Committee was convened to provide the necessary legal and technical assistance in the crafting of the Rules of Procedure on the Mediation Proceedings; the Rules of Procedure, which is now mandatory, underwent Public Consultation on July 29, 2010 and eventually approved by the Director General on October 10, 2010.

In April 2011, IPOPHL launched its specialized arbitration as another form of dispute resolution in a ceremony held at the Supreme Court of the Philippines. The partner of IPOPHL in the arbitration services is the Philippine Dispute Resolution Center, Inc. (PDRCI), the leading institutionalized arbitration center in the Philippines. With both arbitration and mediation at its helm, IPOPHL takes pride in being the first intellectual property office in Asia Pacific region to establish a multi-door justice system comprising of a quasi-judicial function for adjudicating IP conflicts and two (2) alternatives – mediation and arbitration mechanisms.

To further strengthen the administration of the ADR system of IPOPHL, Director General Ricardo R. Blancaflor issued Office Order No. 208 last in December 9, 2011, consolidating all ADR functions of the Office into a single unit to be known as the Alternative Dispute Resolution (ADR) Services. The unit shall administer the mediation and arbitration services of IPOPHL and shall be the focal office in the development of ADR as a viable mechanism in IP dispute resolution.

About Alternative Dispute Resolution (ADR) Services

The Alternative Dispute Resolution (ADR) Services is the unit of the Intellectual Property Office of the Philippines (IPOP HL) tasked to administer alternative dispute resolution mechanisms of the Office. The main function of the ADR Services includes the administration of the ADR Services of the IPOP HL in accordance with the policies, rules and regulation promulgated by the Office; craft policies, rules and regulations on ADR; plan and implement capacity/capability program for IPOP HL's accredited neutrals; and conduct activities or functions on and related to the operations and development of ADR in IP cases.

The ADR Services is an adjunct unit of the Bureau of Legal Affairs (BLA) of the IPOP HL, under the direct management/supervision of the Director of BLA. The ADR Services' operations and administrative staff is headed by an Operations Management Officer who is assisted by two (2) Technical Support Staff and three (3) Clerical Support Staff.

The ADR Services is created under Office Order No. 85, Series of 2011 issued by Atty. Ricardo Blancaflor, Director General of IPOP HL on May 25, 2011. It is formerly known as the IPOP HL Arbitration and Mediation Center (IPOP HL-AMC) until it was further restructured by Office Order No. 208, Series of 2011 to expand its functions to include both mediation and arbitration desks into a single administering body.