

IPOPHL's ADR Procedure

The IPOPHL's ADR System gives the parties in disputes two mechanisms namely: mediation and arbitration, to consider as a procedure in resolving their dispute. All IP cases filed before the Documentation, Information and Technology Transfer Bureau concerning royalty payments and terms of license on author's rights; inter-partes cases (IPC) and IP violation (IPV) cases with verified answer filed with the Bureau of Legal Affairs; and all appeal cases filed with the Office of the Director General are required to undergo the ADR exhaustive mechanism prior to adjudication. The DITTB, BLA and the ODG are referred to as the Originating Offices. Once referred to mediation, the parties are required to appear for a Briefing on a date and time ordered by the Originating Office. If the parties settled their case, the settlement agreement, legally referred to as the Compromise Agreement, shall be submitted to the Originating for approval. In case of failure of mediation, the parties shall be brief on arbitration, particularly its advantages and procedures. In case the parties choose not to submit their case to arbitration, the ADR Services shall inform the Originating Office of the termination of ADR proceedings and return the case to said office for litigation/adjudication.

