



OFFICE COPY

INTELLECTUAL PROPERTY OFFICE OF THE PHILIPPINES

8 May 2005

Mr. Antonio V. Selda
President
Philippine Cable Television Association
Unit 504, Taipan Place Condominium
Emerald Avenue, Ortigas Center
Pasig City, Philippines

Dear Mr. Selda:

Thank you for your support and participation in the **IP PROTECT Training Seminar** held in Dusit Hotel Nikko, Makati, last 26 April 2006.

With this letter is your copy of the duly notarized Memorandum of Understanding (MOU) between our two organizations. With the increasing recognition of the importance of intellectual property among private and public sectors, we can truly foster a creative and competitive Philippines that values, nurtures and uses intellectual property for national development.

We look forward to discussing these issues further on how to effectively implement our cooperation agreement.

Best regards.

Sincerely yours,


ATTY. ADRIAN S. CRISTOBAL, JR.
Director General

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BY: 

MEMORANDUM OF UNDERSTANDING

KNOW ALL MEN BY THESE PRESENTS:

This Memorandum of Understanding (the "MOU") is entered into this 26th day of April 2006 between:

The **INTELLECTUAL PROPERTY OFFICE OF THE PHILIPPINES**, hereinafter referred to as **IP PHILIPPINES**, a government agency mandated to implement the provisions of Republic Act No. 8293 or the Intellectual Property Code of the Philippines, with principal office address at IPO Building, 351 Sen. Gil Puyat Avenue, Makati City, represented herein by the Director General, Adrian S. Cristobal Jr.;

-- and --

The **PHILIPPINE CABLE TELEVISION ASSOCIATION**, hereinafter referred to as **PCTA**, is the umbrella organization of cable television operators in the country, with principal office address at Unit 504 Taipan Place Condominium, Emerald Avenue, Ortigas Center, Pasig City, Philippines, represented herein by its President, Antonio V. Selda;

WITNESSETH That -

WHEREAS, Article XIV, section 13 of the 1987 Constitution of the Republic of the Philippines provides that "the State shall protect and secure the exclusive rights of scientists, inventors, artists, and other gifted citizens to their intellectual property and creations, particularly when beneficial to the people, for such period as may be provided by law."

WHEREAS, Section 2 of Republic Act No. 8293 otherwise known as the Intellectual Property Code of the Philippines (IP Code) states that "the State recognizes that an effective intellectual and industrial property system is vital to the development of domestic and creative activity, facilitates transfer of technology, attracts foreign investments and ensures market access for our products." This section further provides that "the use of intellectual property bears a social function. To this end, the State shall promote the diffusion of knowledge and information for the promotion of national development and progress and the common good."

WHEREAS, Section 5 (g) of the IP Code mandates IP Philippines to "coordinate with other government agencies and the private sector efforts to formulate and implement plans and policies to strengthen the protection of intellectual property rights in the country."

WHEREAS, IP Philippines aims to foster a creative and innovative Philippines that values, nurtures and uses intellectual property for national development;

WHEREAS, PCTA is composed of the biggest cable operators as well as medium and small cable operators of the Philippines;

WHEREAS, PCTA member-cable operators, who serve 90% of the total cable subscribers in the Philippines, are united by their vision to create a Pay-TV industry that is run by professionals providing the highest standards of cable TV service to the Philippine public;



WHEREAS, PCTA vocally denounces piracy and actively advocates the promotion and protection of intellectual property rights in the PAY-TV industry;

WHEREAS, IP Philippines and PCTA recognize the need for intensive and sustained educational efforts by concerned government agencies and private organizations to generate awareness about the importance of the PAY-TV industry on social and economic development;

For and in consideration of the foregoing, IP Philippines and PCTA have agreed to set forth their respective undertaking in this Memorandum of Understanding defining the terms and conditions of their cooperation as follow:

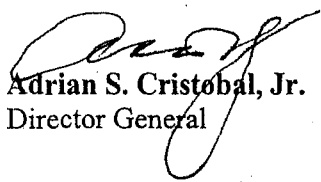
1. IP Philippines shall organize training sessions on IPR in the cable industry for members of the IP Community, and the PCTA shall actively participate and promote among its members and provide speaker/resource persons, technical assistance and other form of support as may be agreed upon by both parties;
2. PCTA shall support the information and educational campaigns and training programs of the IP Philippines and/or the IP Academy by providing airtime for the airing of the agency's infomercials on its member cable-operators' systems. This program will be in coordination with the Philippine Information Agency (PIA) and the Department of Finance (DOF) following the procedures set by Presidential Decree 1362 and its implementing rules and regulations;
3. IP Philippines and PCTA shall embark on a joint educational campaign to promote greater awareness on IPR particularly in relation to cable piracy;
4. IP Philippines or the IP Academy shall prepare or cause the preparation of a study on the extent and impact of piracy, including cable piracy, on the Philippine economy, which PCTA shall support through professional and technical assistance or advice or other means agreed upon by both parties;
5. IP Philippines and PCTA expressly warrant and acknowledge that they have duly considered all existing laws, rules and regulations and ethical codes in entering into this MOU; and

This Memorandum of Understanding shall take effect upon signing hereof:

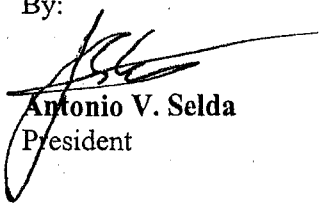
**INTELLECTUAL PROPERTY
PHILIPPINES**

**PHILIPPINE CABLE TELEVISION
ASSOCIATION**

By:


Adrian S. Cristobal, Jr.
Director General

By:


Antonio V. Selda
President

ACKNOWLEDGEMENT

REPUBLIC OF THE PHILIPPINES }
_____ } S.S.
MAKATI CITY

BEFORE ME, this day appeared:

ADRIAN S. CRITOBAL, JR. CTC No. Place / Date of Issue
24816128 Makati City / Jan 16, 2006

ANTONIO V. SELDA 18247142 Roxas City / Jan. 4, 2006

Known to me to be the same persons who executed and signed the foregoing instrument, consisting of three (3) pages including this page on which acknowledgement is written, and they acknowledged to me that the same is their free act and deed.

WITNESS MY HAND AND SEAL, this ___ day of MAY 04 2006 2006.

Marimel D. Porciuncula
MARIMEL D. PORCIUNCULA
NOTARY PUBLIC
UNTIL DECEMBER 31 2007
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