



Republic of the Philippines  
**Department of Education**



AUG 13 2008


DepED MEMORANDUM  
No. **378**, s. 2008

**DISSEMINATION OF EXECUTIVE ORDER NO. 737**

(Establishing Intellectual Property Research and Training Institute as the  
Research and Training Arm of the Intellectual Property Office)

To: Undersecretaries  
Assistant Secretaries  
Bureau Directors  
Regional Directors  
Schools Division/City Superintendents  
All Others Concerned

1. For the information and guidance of all concerned, enclosed is a copy of Executive Order No. 737 dated July 11, 2008 entitled "Establishing Intellectual Property Research and Training Institute as the Research and Training Arm of the Intellectual Property Office", which is self explanatory.
2. Immediate dissemination of this Memorandum is desired.

  
**FRANKLIN C. SUNGA**  
Undersecretary  
Officer-in-Charge

Encl.: As stated  
Reference: None  
Allotment: 1—(D.O. 50-97)  
To be indicated in the Perpetual Index  
under the following subjects:

LEGISLATIONS  
OFFICIALS  
RESEARCH

Sally: dissemination of executive order no. 373  
August 5, 2008

MALACAÑANG  
MANILA

**EXECUTIVE ORDER NO. 737**

**ESTABLISHING INTELLECTUAL PROPERTY RESEARCH AND TRAINING  
INSTITUTE AS THE RESEARCH AND TRAINING ARM OF THE  
INTELLECTUAL PROPERTY OFFICE**

**WHEREAS**, Section 10, Article XIV of the Constitution of the Republic of the Philippines recognizes the importance of science and technology for national development and progress and the need to prioritize research and development, invention, and innovation, and their utilization by Filipinos;

**WHEREAS**, Section 13, Article XIV of the Constitution 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;

**WHEREAS**, Section 2 of Republic Act No. 8293, otherwise known as the Intellectual Property Code of the Philippines, has declared 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;

**WHEREAS**, the same section further states that the use of intellectual property bears a social function and that the State shall promote the diffusion of knowledge and information for the promotion of national development and progress and the common good;

**WHEREAS**, the Intellectual Property Office of the Philippines (IPO) is the government institution by law to administer and implement policies relating to intellectual property;

**WHEREAS**, one of the IPO's major functions is to educate Filipinos and build public awareness on intellectual property;

**WHEREAS**, education is key to the development of a nation and is vital to the full utilization of intellectual property (IP) as a tool for national development;

**NOW, THEREFORE, I, GLORIA MACAPAGAL ARROYO**, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:



**Section 1.** There is hereby established the Intellectual Property Research and Training Institute of the Philippines (Institute), which shall serve as the training and research arm of the IPO, and shall be under its direct control and supervision.

**Section 2.** The Institute shall be the country's center of education, training, and research on intellectual property. It shall foster IP creation and utilization by raising the level of IP awareness among academic and research and development institutions, small and medium enterprises (SMEs), business, rights holders, and IP professionals. It shall also handle the training of examiners and other employees of the IPO.

**Section 3.** The Institute shall serve as the official training institute on intellectual property of the Executive Branch. For this purpose, offices under the executive branch, shall allocate a portion of their annual budget for the intellectual property rights training of their official and staff in the Institute.

**Section 4.** The Institute shall be governed by a Board of Trustees (Board), with the chair and vice-chair appointed by the President of the Philippines; and the following as members: the Director of the Institute, a representative of the Secretary of the Department of Trade and Industry (DTI), a representative of the Secretary of the Department of Education (DepEd), a representative of the Chair of the Commission on Higher Education (CHED), a representative from the IPO, and three (3) representatives from the industry, the academic community, and the scientific community.

The members of the Board shall be appointed by the President. They shall serve for a period of two (2) years and shall be eligible for reappointment for another term, except for the Institute Director, who shall be an *ex-officio* member.

The members of the Board shall not receive compensation, but they shall be entitled to receive reasonable allowances for the performance of their duties.

**Section 5.** The Executive Officials of the Institute shall be composed of the Director and Deputy Director, who shall be nominated by the Board of Trustees and appointed by the President in accordance with Civil Service Commission and Regulations. The Director and Deputy Director shall have a fixed term of three (3) years, subject to subsequent reappointments. The Director and Deputy Director shall have the rank of Director IV and III, respectively, and shall have the same compensation, benefits, and privileges as IPO officials holding equivalent positions.



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**Section 6.** The staffing of the Institute shall be determined by the Board of Trustees. The faculty members (part-time or full-time), researchers, and advisors of the Institute shall be invited from among local and international IP experts, and shall be appointed by the Board for such period as may be necessary. The compensation and other privileges of faculty members and researchers shall be determined by the Board in accordance with existing laws, rules and regulations.

**Section 7.** The Institute shall be empowered to enter into agreements with and receive grants and donations from local and international agencies for the development and implementation of its programs, subject to approval of the Board.

**Section 8.** The income of the Institute and all gifts, donations, grants, and other legacies given to the Institute shall constitute a special fund to be disbursed by the Board exclusively for the purposes of the Institute.

**Section 9.** Funding for the first five (5) years of operations of the Institute shall come from the IPO or until such time that the Board has determined that the Institute has sufficient funds to finance its operations.

**Section 10.** All executive orders, rules, regulations, and other issuances or parts thereof, which are inconsistent with the provisions of the Executive Order, are hereby revoked or modified accordingly.

**Section 11.** This Executive Order shall take effect upon its publication in a national newspaper of general circulation.

Done in the City of Manila, this 11<sup>th</sup> day of July, in the year of Our Lord, Two Thousand and Eight.

*Gloria M. Arroyo*



By the President:

*Eduardo R. Ermita*  
**EDUARDO R. ERMITA**  
Executive Secretary

