



Republic of the Philippines
Department of the Interior and Local Government
NATIONAL POLICE COMMISSION

NATIONAL HEADQUARTERS PHILIPPINE NATIONAL POLICE
OFFICE OF THE CHIEF, PNP
Camp Crame, Quezon City

SUBJECT : Letter of Instructions: Integration of IPR in PNP Functions
TO : See Distribution

I. REFERENCES:

- a. Letter for the C, PNP from the Malacañang Records Office Director IV, Mr. Marianito M Dimaandal, dated June 25, 2008; and,
- b. Executive Order No. 736 entitled "*Institutionalizing permanent units to promote, protect and enforce Intellectual Property Rights (IPR) in different law enforcement and other agencies under the coordination of the National Committee on Intellectual Property Rights (NCIPR).*"

II. SITUATION:

The Philippine National Police (PNP), through the Directorate for Investigation and Detective Management (DIDM), is mandated by law to investigate all violations of laws of the land, including intellectual property laws. Hence, the PNP recognizes the importance of protecting and securing the exclusive rights of scientists, investors, artists, and other gifted citizens to their intellectual property and creations, particularly when beneficial to the people.

III. PURPOSE AND SCOPE:

This LOI prescribes the procedures and guidelines in integrating and incorporating IPR in PNP functions at all levels purposely to consolidate all investigative data and efforts in support to Executive Order No. 736.

IV. MISSION:

The PNP, concurrent with its missions and functions, shall institutionalize an approach and system to strengthen its capability to effectively investigate and monitor intellectual property rights cases.

V. OBJECTIVES:

- a. To formulate guidelines to effectively strengthen the enforcement of intellectual property rights law in the country;
- b. To provide decentralized implementation of intellectual property laws which is envisioned to enhance PNP's overall delivery of services to be undertaken by subordinate police offices/units;
- c. To enhance the handling of intellectual property rights cases thru an investigation and monitoring system in the different PNP units/levels; and,
- d. To establish a more effective and efficient implementation of the laws and handling of cases related to intellectual property rights within the identified offices/units in the different PNP units/levels, in collaboration/coordination with other law enforcement agencies.

VI. CONCEPT OF OPERATION:

DIDM shall ensure the proper implementation of IPR laws. Intellectual Property functions shall be integrated at the National, Regional, Provincial and City/Municipal levels. DIDM shall also coordinate within PNP offices to facilitate smooth implementation of this LOI as well as other GOs/NGOs, private/government and local/foreign agencies.

PHASE 1: Policy and guidelines formulation:

DIDM shall be the lead office to establish a cohesive, holistic and systematic approach (e.g. formulation of policies, guidelines or manual of operations) in investigating intellectual property rights cases, monitoring and surveillance, and other similar activities in coordination with the National Committee on Intellectual Property Rights.

PHASE 2: Integration of IP functions and/or activation of IP division/office:

The Anti-Fraud and Commercial Crimes Division (AFCCD) of the Criminal Investigation and Detection Group (CIDG) thru the Intellectual Property Section shall be primarily responsible to handle IPR cases and other related IPR activities. Further, the CIDG shall integrate the IPR functions to its Regional, Provincial and City/Municipal levels. Moreover, the Fraud, Economic and Cyber Crimes Desk, Investigation Section of RIDMDs shall be responsible in the submission of IPR cases and other IPR related activities to higher headquarters. Furthermore, all PNP units from the Region down to the station level will also handle IPR cases in their respective areas, when referred.

PHASE 3: Implementation, Monitoring and Evaluation:

This LOI shall be implemented immediately upon approval of the C, PNP. The TDIDM, as overall supervisor, shall call for a coordinating conference. The concerned offices shall submit names of designated investigators/technical personnel who will handle IPR cases and other IPR related activities.

Monitoring and evaluation shall be conducted regularly. Such evaluation results shall be used to strengthen and enhance the investigation of IPR cases. Every IPR-related incident/operation shall be reported to DIDM (ATTN: Case Monitoring Division) for consolidation after subsequent report to NCIPR.

VII. TASKS

a. TDIDM:

1. Represents the C, PNP as official member of the National Committee on Intellectual Property Rights (NCIPR);
2. Designated as Overall Supervisor of this LOI;
3. Handles periodic review of policies; and,
4. Performs other tasks as directed.

b. TDC:

1. Provides funds for operational expenses; and,
2. Performs other tasks as directed.

c. TDPL:

1. Updates staffing pattern; and,
2. Performs other tasks as directed.

d. TDO:

1. Provides support and monitoring on the implementation of this LOI;
2. Maintains close coordination with other concerned agencies on inter-operability requirements; and,
3. Performs other tasks as directed.

e. TDHRDD:

1. Coordinates IPR training to be conducted by SIDDC and CLG in relation to IPR cases;
2. Maintains and updates training modules in coordination with SIDDC and CLG;
3. Provides training on detection, investigation and prosecution of infringements on Intellectual Property Right cases; and,
4. Performs other tasks as directed.

f. D, CIDG:

1. Designated as Assistant Supervisor for the effective implementation of this LOI;
2. Office primary Responsible for the enforcement of IPR laws;
3. Maintains coordination with the supervisor of the investigation team;
4. Consolidates and maintain records of all incidents related to intellectual property cases;
5. Submits report to the Overall Supervisor regarding the result of investigation conducted; and,
6. Performs other tasks as directed.

g. D, LS:

1. Assists on legal matters in handling IP related cases; and,
2. Performs other tasks as directed.

h. D, CL:

1. Establishes technical capabilities related to IP;
2. Provides scientific investigation services and other technical support on the following fields:
 - Chemistry Examination: Examination of suspected fake products in case of unfair trade competition.
 - Firearm Examination: Determine the authenticity of a firearm.
 - Questioned Document Examination:
 - a. Examinations of falsification and alterations-including removal (erasures, alteration), changes, insertion and substitution.
 - b. Examinations and identifications of imitated labels, medicine/materials of evidence of unfair trade competition.

i. RIDMDs, RCIDUs, RCLOs, RLs including NCRPO:

1. Designate investigators to compose the investigation team; and,
2. Perform other tasks as directed.

VIII. COORDINATING INSTRUCTIONS:

a. All applicable provisions of existing LOI's, Memos, Directives which are not in conflict or inconsistent with this plan are still in effect. In case of conflict, this plan takes precedence.

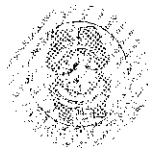
b. Police Operational Procedures and other applicable SOPs in the conduct of operations must be strictly observed at all times.

c. Continuous coordinating conferences shall be undertaken for the smooth conduct of the activity; and,

d. All COPs, DDs, PDs, and RDs are directed to submit to **DIDM (Attn: CMD)** their respective implementation reports on all intellectual property cases.

VIII. EFFECTIVITY:

This shall take effect immediately upon approval.



JESUS A VERZOSA
Police Director General
Chief, PNP

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