

PHILIPPINES

Philippines litigation guide



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One great difficulty faced by foreign investors in Philippine court litigation has been the extremely long time it takes to resolve a dispute, with trials ordinarily taking several years to complete.

The reason for this included hearings for the presentation of evidence being scheduled several weeks apart, witness testimony often requiring several hearings, trial courts being lenient in granting postponements, and trial court decisions being frequently appealed (with appeals themselves lasting one or two years).

In recent years, there have been efforts to speed up the resolution of disputes.

Mediation

The Supreme Court has issued rules encouraging parties to undergo alternative dispute resolution processes prior to trial.

In 2001 the Supreme Court established the Philippine Mediation Center, with units in the trial courthouses manned by accredited mediators to render court-annexed mediation services to parties. In various specified court actions, the trial court would refer parties to the Center for mediation. Parties select a mutually acceptable mediator from a list of duly-accredited mediators. If no settlement is reached after the 30-day period allowed by the trial court, the case is returned to the trial court for further proceedings.

The draft arbitration rules are in its final stages of review and should be issued within a couple of months

Mediation proceedings and all incidents thereto are kept strictly confidential, and all admissions or statements made therein are declared inadmissible for any purpose in any proceeding. In 2002, a Center unit was also established in the Court of Appeals, which provided mediation services to parties on appeal but who still wished to explore the possibility of amicable settlement through mediation.

In 2006, the Supreme Court launched the Justice Reform Initiative Support (JURIS) Project, where several model trial courts are mandated to refer specified cases to judicial dispute resolution (JDR) after an unsuccessful court-annexed mediation by the Center. Under the JDR, parties are referred to further mediation by JDR judges. The JDR judge acts as mediator, conciliator, early neutral evaluator, or a combination.

Arbitration

In recent years, arbitration has also been promoted as an ADR process. In 2004, Republic Act No. 9285, or the *Alternative Dispute Resolution Act of 2004*, was passed declaring it the policy of the State to actively promote party autonomy in the resolution of disputes.

The Philippines finally adopted the 1985 UNCITRAL Model Law to govern international commercial arbitration in the Philippines, to be supplemented by the ADR Act. The Act provides that a party to an international arbitration may be represented by any person of his choice, who need not be a duly-licensed Philippine counsel. It also mandates that arbitration proceedings, including records, evidence, and the award, shall be considered confidential.

Under the ADR Act, domestic arbitration continues to be governed primarily by Republic Act No. 876, the original Philippine Arbitration Law enacted in 1953 and patterned from the 1925 US Federal Arbitration Law. However, the ADR Act has modernised the original Philippine Arbitration Law by applying to domestic arbitration various provisions of the ADR Act and the 1985 UNCITRAL Model Law.

The ADR Act provisions that were made applicable include: those on referral to arbitration by Philippine courts where the dispute is the subject of an arbitration agreement; the grant of interim measures of protection by Philippine courts; and, the confidentiality of proceedings. The ADR Act also expressly provides that a domestic arbitral award, when confirmed by Philippine court, shall be enforced in the same manner as final and executory decisions of a trial court.

The 1985 UNCITRAL Model Law provisions that were made applicable to domestic arbitration include: that parties shall be treated with equality and each party shall be given a full opportunity of presenting his case; and that parties are free to agree on the procedure to be followed by the arbitral tribunal, failing which the tribunal may conduct the arbitration in such manner as it considers appropriate.

The ADR Act expressly declared that the 1958 New York Convention (which the Philippines ratified as early as July 6 1967) shall govern the recognition and enforcement of foreign arbitral awards covered by the Convention. For those not so covered, the Act provides that the Supreme Court will promulgate procedural rules for their recognition and enforcement.

ADR promotion

To date, the Supreme Court has not promulgated the rules of procedure on arbitration referred to in the ADR Act. It appears however that the draft rules are in its final stages of review and, thus, should be issued within a couple of months.

Educational efforts to promote the advantages of ADR processes vis-à-vis court litigation have also substantially increased through the years. This is not only by law schools and mandatory continuing legal education providers, but also by various government and private legal organisations.

It is hoped that, soon, disputes will be resolved in the Philippines through ADR and court litigation as quickly as in any other jurisdiction.

Recommended firms at a glance

BANKING & FINANCE

Tier 1

Picazo Buyco Tan Fider & Santos

Romulo Mabanta Buenaventura Sayoc & De Los Angeles

SyCip Salazar Hernandez & Gatmaitan

Tier 2

Angara Abello Concepcion Regala & Cruz

Castillo Laman Tan Pantaleon & San Jose

Quisumbing Torres

Tier 3

Ponce Enrile Reyes & Manalastas

Puyat Jacinto & Santos

Quiason Makalintal Barot Torres & Ibarra

Siguion Reyna Montecillo & Ongsiako

DISPUTE RESOLUTION

Tier 1

Angara Abello Concepcion Regala & Cruz

Tier 2

Poblador Bautista & Reyes

Villaraza Cruz Marcelo & Angangco

Tier 3

Platon Martinez Flores San Pedro & Leano

Romulo Mabanta Buenaventura Sayoc & De Los Angeles

SyCip Salazar Hernandez & Gatmaitan

CORPORATE/M&A

Tier 1

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Angara Abello Concepcion Regala & Cruz

Castillo Laman Tan Pantaleon & San Jose

Picazo Buyco Tan Fider & Santos

Tier 3

Platon Martinez Flores San Pedro & Leano

Quisumbing Torres

Siguion Reyna Montecillo & Ongsiako

Villaraza Cruz Marcelo & Angangco

INTELLECTUAL PROPERTY

Tier 1

Angara Abello Concepcion Regala & Cruz

Carag Jamora Somera & Villareal

Quisumbing Torres

SyCip Salazar Hernandez & Gatmaitan

Tier 2

Castillo Laman Tan Pantaleon & San Jose

Poblador Bautista & Reyes

Romulo Mabanta Buenaventura Sayoc & De Los Angeles

Villaraza Cruz Marcelo & Angangco

Tier 3

Esguerra & Blanco

Quasha Ancheta Pena & Nolasco

Banking & Finance

RECOMMENDED FIRMS

Tier 1

Castillo Laman Tan Pantaleon & San Jose

Romulo Mabanta Buenaventura Sayoc & De Los Angeles

SyCip Salazar Hernandez & Gatmaitan

Tier 2

Picazo Buyco Tan Fider & Santos

PJS Law

Poblador Bautista & Reyes

Puno & Puno

Quisumbing Torres

Tier 3

Angara Abello Concepcion Regala & Cruz

Siguion Reyna Montecillo & Ongsiako

Villaraza Cruz Marcelo & Angangco

Romulo Mabanta Buenaventura Sayoc & De Los Angeles

Romulo Mabanta Buenaventura Sayoc & De Los Angeles has had an exceptionally successful year. As one of the largest firms in the country, it attracted roles on a number of headlining deals.

BPI Capital engaged the firm to advise it as lead arranger and underwriter on the P5 billion (US\$103.7 million) retail bond offering and P10 billion shelf registrations of debt securities by Globe Telecom. Other underwriter work included working for BDO Capital in a syndicated loan for the refinancing of the debt facility of First Gen Corporation, the power arm of the Lopez Group, totalling US\$5.3 billion.

More high-value deals saw the firm's advice on the US\$1.5 billion global bond offering by the Government of the Philippines in January 2009, representing underwriters including Credit Suisse, Deutsche Bank and HSBC. And it assisted HSBC and Deutsche Bank as lead managers on the issue of P7.6 million unsecured subordinated notes by the Development Bank of the Philippines.

The firm also enjoyed a strong performance on M&As. Philippine National Oil Company (PNOC) sought the firm's counsel on the sale of its 40% stake in Petron Corporation to SEA Refinery Corporation, valued at US\$540 million. The firm also worked on the P\$58 million sale of 60% of PNOC's shares in PNOC-Energy Development Corporation to Red Vulcan Corporation, representing the financial adviser DBP. One more example is in the brewery industry, where the firm advised Tiger-

Corporate/M&A

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Villaraza Cruz Marcelo & Angangco

Heineken on participation in the bidding of the sale of 43% of the capital stock by San Miguel Brewery.

Cynthia Roxas-del Castillo heads up the securities practice and Perry Pe has led a number of project finance deals. Corporate and banking team leaders include Jose Salvador Y. Mirasol and Agustin Montilla.

SyCip Salazar Hernandez & Gatmaitan

SyCip Salazar Hernandez & Gatmaitan has been frequently found on large and high profile transactions. Credit Suisse mandated the firm on the Philippine government's paired warrants programme.

The firm is also one of the most reputable M&A firms in the Philippines. It acted for Equity Partners International in the acquisition of shares in eTelecare Global Solutions from Providence Equity Partners and Ayala, worth US\$263 million. It was also engaged by Metro Pacific Investments on the US\$261 million acquisition of First Philippine Infrastructure.

An additional highlight saw it counsel Saudi Aramco on the US\$550 million sale of a 40% stake in Philippine-based Petro Corporation owned by its subsidiary Aramco Overseas Company.

Rafael Morales has very extensive experience on financial transactions. Other leading lawyers include Jose Perpetuo Lottilla and Jose Maria Hofileña.

Angara Abello Concepcion Regala & Cruz

Traditionally strong in litigation, Angara Abello Concepcion Regala & Cruz has been increasing its

exposure on commercial transactions. This year, the firm had an impressive performance in banking.

The firm received a number of mandates from foreign banks and financial institutions. For example, Credit Suisse engaged the firm on a senior secured financing for the Citra Metro Manila Tollways Corporation for the extension of the South Luzon Expressway. It also represented Citibank on the financing of Terra Firma's acquisition of the EMI Group.

Foreign banks such as DBS Bank, Standard Bank, Calyon Credit and Agricole CIB also turned to the firm for regulatory issues. The firm also assisted the Philippine Stock Exchange on a capital restructuring.

The team's growing presence on M&As could be found in its bank representation. It acted for Rizal Commercial Banking Corporation on its acquisition of the total outstanding capital stock of a local bank and also worked for Alorica Asia on the acquisition of 43% of the outstanding capital stock of Alorica Philippines.

In the telecommunications sector, the firm advised Singapore Technologies Telemedia on a proposed acquisition of shares in Bell Telecommunications Philippines, and worked on Alta Resources' acquisition of a Philippine IT company.

Eusebio Tan and Judy Hao have been active on a number of deals this year. Tadeo Hilado heads up the banking and capital markets team.

Castillo Laman Tan Pantaleon & San Jose

Castillo Laman Tan Pantaleon & San Jose has a broad practice in the banking and finance sector and caters to a panel of solid banking clients.

The firm has worked on a couple of important energy projects this year, such as the representation of a syndication of banks on the US\$375 million financing for Aboitiz Power-Benguet. This was for two hydroelectric power plants and the rehabilitation of dams and hydroelectric generation facilities. Also acting for bank lenders, the firm worked on a P16 billion (US\$333 million) financing for a circulation fluidised bed coal-fired power plant in Cebu province.

The Bank of the Philippine Islands offered the firm roles in transactions, including the US\$35 million financing to EGS Acquisition Corporation for the purchase of all the issued and outstanding shares in eTelecare Global Solutions. The bank retained the firm on a P2 billion term facility for the capital expenditure of the ABS-CBN Broadcasting Corporation.

A highlight of the capital markets practice saw the firm's counsel for Ayala over the offering of eight million preferred shares, totalling P6 billion. Leading partners include Yolanda Mendoza-Eleazar, Mel Macaraig and Alvin Geli.

Picazo Buyco Tan Fider & Santos

Picazo Buyco Tan Fider & Santos enjoys a well recognised practice in capital markets and project finance. This year saw its role on a number of high value bond issuances and energy projects.

The firm acted as counsel to a group of seven lenders on the refinancing of the term loan facilities of the First Gas Power Corporation. The US\$544 million financing was provided for the operation of a gas-fired power plant in the Philippines. A consortium of local banks also sought the firm's counsel on a P3.6 billion financing for borrower Hedcor Sibulan in the hydroelectric sector. Bank lenders included Metropolitan Bank and Trust Company, Philippine National Bank and Rizal Commercial Banking Corporation.

Notable capital markets deals saw the issue of P3.9 billion (US\$81.6 million) retail notes by Aboitiz Power, which also issued P3 billion of bonds in April 2009. The firm acted for the joint managers including BPI Capital, BDO Capital, ING Bank and First Metro Investment on the two offerings.

Antonio Picazo is well respected at the firm. Other leading individuals include Gabriel Dee, Estrelita Gacutan, Gemma Santos and Silverio Benny Tan.

PJS Law

Young firm PJS Law has been showing a growing momentum on commercial transactions. It has attracted roles on high value deals in project finance, banking, corporate and securities.

Notable representation saw it working for Aboitiz Power and subsidiary Therma Power Aboitiz Power, as well as Taiwan Cogeneration Corporation on the US\$548 million first-phase development of a coal-fired power generation plant in the Subic Bay Freeport Zone.

Aboitiz Power and its renewable arm Aboitiz Power Renewables (APRI) also sought the firm's counsel on the purchase of the Tiwi-Makban geothermal complex from National Power Corporation, totalling US\$446.8 million. And the firm assisted GE Energy Financial Services on a US\$90 million loan investment and stake acquisition in a project company that owns and builds a coal fired power facilities in the Philippines.

In a P40 billion (US\$830 million) deal, PJS Law acted for First Metro Investment on the issuance of securities and bonds for the capitalisation of Bangko Sentral ng Pilipinas (Central Bank). Aboitiz Power also retained the firm's advice on its issuance of bonds and retail notes, valued at P3 billion and P3.9 billion respectively.

Monalisa Dimalanta and David Emmanuel Puyat have been active on project financing deals. Virginia Viray and Maria Raquel Chavez co-led the corporate team. The

banking and capital markets practice is led by Regina Jacinto-Barrientos.

Poblador Bautista & Reyes

Picazo Buyco Tan Fider & Santos has accumulated a long-established client base. It has been building up a reputation in capital markets and banking and also plays an active role in corporate M&As.

This year's deals saw it counsel Camp John Hay Development on a convertible bond floatation and the issuance of promissory notes, which were convertible to equity, for the funding of the multi-billion peso Camp John Hay development in Baguio city.

The firm was also involved on a number of government-related deals, such as its advice to Metro Rail Transit (MRT) on the purchase of MRT bonds issued by the government. It also assisted Manila Water Company on the formation of a joint venture with the Philippine Tourism Authority for the development of a water and sewerage system on Boracay Island.

Notable corporate transactions saw its representation of Q-Tec Alliance Holdings on the purchase of P39 billion shares in San Miguel held by Japanese company Kirin Holdings. It also helped United Overseas Bank Philippines on the sale of non-performing loans, totalling over P1 billion (US\$20.7 million).

Alexander Poblador is a well recognised partner at the firm. Gilbert Reyes and Raymund Rodriguez have been active on financing deals. Mario Bautista heads up the banking and capital markets practice. Other leading lawyers include Marie Cecile Roque-Quintos.

Puno & Puno

Puno & Puno has had an exceptionally successful year, gaining great exposure on a number of high-value power, energy and infrastructure deals.

For example, it worked for First Gas Power and First Gas Holdings on the term loans and retention of a credit facility for a gas-fired power plant, totalling US\$544 million. The financing was provided by a syndication of banks including Standard Chartered Bank, The Bank of Tokyo-Mitsubishi, Calyon, ING and Société Générale Asia.

On the US\$375 million financings for two hydroelectric power plants, the firm advised borrowers SN Aboitiz Power-Benguet and Aboitiz Equity Ventures and the sponsor SN Power Holding. Also acting for the borrowers and sponsors, it provided advice to Cebu Energy Development, Global Formosa Power Holdings and Abovant Holdings on a P16 billion (US\$330 million) credit facility that financed a coal-fired power plant in Cebu.

Infrastructure projects saw the firm's role acting as

counsel to the Manila North Tollways Corporation on a P2 billion term loan facility for the development of the North Luzon Expressway. Corporate highlights include its advice to First Philippine Holdings on the P12.2 billion joint sale, with Benpres Holdings, of their common shares in First Philippines Infrastructure (FPII) to Metro Pacific Investments Corporation. This totaled 98.9% of the outstanding capital stock of FPII.

Roderico Puno and Jonathan Serrano are two key partners at the firm.

Quisumbing Torres

Quisumbing Torres/Baker & McKenzie enjoys a strong global network that allows it to handle large scale and cross-border transactions.

One of its most notable mandates was advice on a US\$3.95 billion 25-year concession for the State Grid Corporation of China (SGCC) to operate and expand a nationwide transmission system and electricity grid in the Philippines. The complex deal involved the formation of a joint venture with National Grid Corporation of the Philippines (NGCP) and NGCP's takeover of the operation of the electricity grid.

The firm often acts for foreign clients on inbound investments in the Philippines. It provided advice to a foreign investment bank as security agent on the US\$40 million financing requirements for a nickel and platinum mine company Platinum Group Metals Corporation.

Highlights of large projects include the firm's representation of an investment company on the US\$100 million equity investment and financing transactions for the development of a 167-hectare aviation, logistics and business park in one of the country's economic zones. A French investment bank turned to the firm for the US\$86 million project financing of a gold mine on Masbate Island.

The firm also boasts a strong M&A profile and has been working on a number of confidential deals in the semiconductor, natural resource and chemicals, manufacturing and consumer goods industries. Pearl Liu and Felix Sy have led a number of complex and large transactions this year.

Other active firms

Ortega

Ortega has strong US roots and many of its clients are major firms in the US, Europe and Asia with subsidiaries in the Philippines. These include General Motors, Kraft Foods Corporation and IBM, to name a few. Recent work includes advising local company Fil-Star Maritime Corp, which was engaged in the purchase of the five-storey K-Line Building owned by the Philippine representative office of Kawasaki Kisen Kaisha Ltd.

Dispute Resolution

RECOMMENDED FIRMS

Tier 1

Angara Abello Concepcion Regala & Cruz

Tier 2

Poblador Bautista & Reyes

Villaraza Cruz Marcelo & Angangco

Tier 3

Platon Martinez Flores San Pedro & Leano

Romulo Mabanta Buenaventura Sayoc & De Los Angeles

SyCip Salazar Hernandez & Gatmaitan

Angara Abello Concepcion Regala & Cruz Law Office

Accra Law is the preeminent dispute resolution firm in the Philippines. It offers expertise across a wide-range of areas including corporate law, banking and finance matters and real estate matters. The firm has been kept busy defending its client's interests against Del Monte Fresh Produce, which launched a multi-million peso damage suit against its growers who included Accra's client, FS Dizon and Comval Tropical Fruits. Accra Law managed to get the injunction lifted against its client and deny Del Monte's attempt to refer the matter to international arbitration. This saved its client possible detrimental financial damages.

Aster Power Phils mandated the firm to represent it in another multi-million peso damage suit filed. The suit was for serious injuries caused as a result of a vehicle still registered with Astec Power Phil. Accra Law negotiated an amicable settlement with the plaintiff and a favourable judgment against the actual owner of the vehicle. When the East Asia Banana Services Corp faced an unlawful detainer action, Accra Law was used to argue its defence. The firm had the case dismissed after negotiating a compromise with the plaintiff. Glenn Aquino is the firm's head in this practice area. Other standout names include Enrique Diola and Myra Quilatan.

Poblador Bautista & Reyes

Poblador Bautista & Reyes is another standout firm in the Philippine dispute resolution market. The firm offers its dispute resolution services across many practice areas such as corporate law, banking and finance and real estate. One high profile case saw the firm represent the EEI Corporation in clearing its name from allegations that it was among contractors that connived to tender irregular and fraudulent bids for the World Bank's National Road Improvement Project in the Philippines.

Fort Bonifacio Development Corporation is building a mixed use development beside the business district in Makati city. Poblador Bautista & Reyes is defending the firm against litigation arising from a dispute over telecommunications in the development. The Malayan Insurance company is using the firm in arbitration over the construction and takeover of development by ASB Realty. And Philippine accountancy SyCip Gorres Velayo & Co regularly employs the firm for litigation involving the company. Alexander Poblador is head of this practice area.

Villaraza Cruz Marcelo & Angangco

Villaraza Cruz Marcelo & Angangco is well known for its litigation capabilities and houses a number of star litigators. The practice is headed by Augusto San Pedro and can count on clients from the banking, construction and real estate, insurance, pharmaceutical and power industries.

Platon Martinez Flores San Pedro & Leano

Platon Martinez Flores San Pedro & Leano is a respected name in the Philippine dispute resolution market. Chevron Philippines continues to employ the firm against several surety companies that are alleged to owe Chevron unpaid obligations. Saklolo Leano is head of dispute resolution at the firm. Peter Bantilan and Arturo Selim are two respected names.

Romulo Mabanta Buenaventura Sayoc & De Los Angeles

RMBSA's practice is particularly strong on the ADR side and is spearheading developments in the Philippines in this relatively new field, both for local and international arbitration. The firm has been involved in several significant international arbitrations and has accredited mediators and arbitrators in domestic and international arbitration in various fields of law.

Jacinto D Jimenez heads the practice, which acted as counsel for UK and Spanish value added service provider Monsternob in a dispute concerning a share purchase agreement. Key clients of the practice include Transfield Australia, Digitel and the Philippine International Air Terminals Corporation.

SyCip Salazar Hernandez & Gatmaitan

The dispute resolution practice at SyCip Salazar Hernandez & Gatmaitan houses a large team of practitioners that offer clients the full remit of services. The practice achieved a degree of notoriety recently with its work on the *Newsweek* libel case.

SyCip Salazar has been responsible for driving

international arbitration in the Philippines, with practice head Roberto San Juan and colleague Florentino P Feliciano receiving plaudits.

Other active firms

Del Rosario & Del Rosario

Top maritime firm Del Rosario & Del Rosario has wide exposure in handling civil, corporate and criminal disputes and controversies before the different trial and appellate courts in the Philippines. This involves the advocacy and application of civil law, corporate law, criminal law, commercial law, taxation, insurance law, customs, immigration and administrative law, among others.

The firm likewise represents various clients before administrative/quasi-judicial bodies. These include the NLRC and POEA on labour claims, Board of Marine Inquiry, MARINA, Bureau of Customs and Philippine Coast Guard on maritime related investigations, the Prosecutor's Office and Department of Justice on criminal prosecution, and a host of other specialised government agencies.

Intellectual Property

RECOMMENDED FIRMS

Tier 1

Angara Abello Concepcion Regala & Cruz

Carag Jamora Somera & Villareal

Quisumbing Torres

SyCip Salazar Hernandez & Gatmaitan

Tier 2

Castillo Laman Tan Pantaleon & San Jose

Poblador Bautista & Reyes

Romulo Mabanta Buenaventura Sayoc & De Los Angeles

Villaraza Cruz Marcelo & Angangco

Tier 3

Esguerra & Blanco

Quasha Ancheta Pena & Nolasco

Angara Abello Concepcion Regala & Cruz Law Office

Accra Law offers a comprehensive IP practice, including registering patents, trade marks and copyrights, litigation, enforcement and registration. Pilipinas Petroleum Corporation used the firm to pursue the enforcement of action for trade mark infringement of the client's 'Shellane' cylinders.

Accra Law managed to secure the trade mark 'Stormdrain' for its client Jhaymarts Industries. Glenn Aquino is the firm's head of IP and is a respected patent practitioner in the Philippines.

Carag Jamora Somera & Villareal

Carag Jamora Somera & Villareal houses a very large trade marks and patent portfolio capability for major marks and patents. It famously handled an Inter Partes opposition case for Donald Trump recently against an application for registration by a Philippine real estate company for the mark 'THE TRUMPS'. The Director General of the Intellectual Property Office of the Philippines granted the opposition and declared the mark 'TRUMP' as being owned by Mr Trump and internationally well known. The practice is co-led by Carlo A Carag and Maria Trinidad P Villareal.

Quisumbing Torres

The dedicated IP/IT and communications practice group at Baker & McKenzie member firm Quisumbing Torres specialises in prosecution, licensing and franchising, technology transfer, infringement litigation and administrative enforcement. Key clients include such prestigious names as Microsoft, which looks to the firm for complicated licensing and enforcement issues.

SyCip Salazar Hernandez & Gatmaitan

Vicente B Amador heads the 20 lawyer IP practice at SyCip Salazar Hernandez & Gatmaitan, which was boosted in 2009 by the arrival of senior associate Jonas Emmanuel Santos.

In coordination with Singapore firm Allen & Gledhill, the firm rendered legal advice on copyright issues under Philippine law relating to the Animax Regional Survey. This survey was intended to ensure that Animax will not be subject to any copyright infringement claim for User Graphic Content that the user may post on the website. In rendering its advice, SyCip examined and relied upon laws including the Philippine Intellectual Property Code and the Electronic Commerce Act.

Key clients include F.Hoffman-La Roche, Pfizer, Colgate Palmolive, 3M Company and Wyeth.

Castillo Laman Tan Pantaleon & San Jose

The intellectual property practice at Castillo Laman Tan Pantaleon & San Jose comes highly recommended and advises local and international clients on all relevant areas of IP law and IT law. This includes licensing and advertising concepts, as well as representing them in enforcing or defending rights under the unfair competition law.

A particular strength of the practice is its representation

of major pharmaceutical manufacturers on medical advertisement law and compliance with requirements of health regulatory agencies.

A very broad client base consists of local companies, multinational corporations (including leading multinational pharmaceutical and information technology companies), foreign law firms and professional groups.

Poblador Bautista & Reyes

Poblador Bautista & Reyes is a quality player in the IP space. With blue-chip clients like Microsoft, Levi Strauss & Co and GlaxoSmithKline, the standard of work coming from the firm is undoubted. GlaxoSmithKline, for example, retains the firm regularly for work in the Philippines. The pharmaceutical company employs the firm to help enforce IP rights on brands previously protected by patents and recording marks with the Bureau of Customs.

Computer parts manufacturer Intel also employs Poblador Bautista & Reyes to stop companies and individuals attempting to appropriate company or business names that include the Intel name. ABS-CBN Broadcasting Corporation is using the firm's services in a litigation involving the enforcement of its statutory broadcasting and copyrights against the retransmission of programmes without consent. Gilbert Reyes is the firm's leader in this practice area.

Romulo Mabanta Buenaventura Sayoc & De Los Angeles

Romulo is engaged in the full spectrum of IP services, including protecting patents, trade marks and copyrights and in negotiating and registering licensing and technology transfer agreements.

Rogelio Nicandro heads the practice at Romulo, which has had considerable experience in prosecuting applications and maintaining registrations before the Intellectual Property Office, as well as in pursuing civil and criminal cases involving infringement and unfair competition. The firm also coordinates with appropriate government agencies in obtaining and implementing search warrants for the seizure of infringing articles.

Villaraza Cruz Marcelo & Angangco

The IP practice at Villaraza Cruz Marcelo & Angangco is particularly strong on enforcement and protection, registrations and development. Headed by the distinctive Bienvenido Somera Jr, the team has significant experience in dispute resolution in the IP field.

Esguerra & Blanco

Esguerra & Blanco offers full IP service to clients in the advertising, food and drugs, information and communication technology industries. Recent work saw the firm represent pharmaceuticals company Pfizer in a trial that had a number of important consequences for the pricing of drugs in the country. Ramon Esguerra led the team on this case and is a respected figure in the IP community.

Quasha Ancheta Peña & Nolasco

The IP department at Quasha Ancheta Peña & Nolasco is led by Alonzo Ancheta, who is both a lawyer and a patent attorney. Recent work includes acting as counsel on trade mark oppositions for Nike and AstraZeneca, and on a case between Valeant Pharmaceuticals and Nestlé.

Other active firms

Hechanova

The IP practice at Hechanova covers the full remit of IP services. Leading lawyers include name partner Editha R Hechanova, who has initiated and completed numerous successful enforcement actions against counterfeiters and infringers. The firm also houses Gladys C Vilchez, who is a former senior Hearing Officer of the Bureau of Legal Affairs under the Intellectual Property Office of The Philippines (IPOPhil).

Kapunan Lotilla

Kapunan Lotilla's IP practice is highly respected by peers and client for its capability across trade marks, copyrights and patents. Senior partner Lorna Patajo-Kapunan is an acknowledged expert and served as President and then Chairman of the Intellectual Property Association of the Philippines, and was founding President of the Intellectual Property Alumni Association of the Philippines.

VERALAW Del Rosario Bagamasbad & Raboca

The IP practice at VERALAW Del Rosario Bagamasbad & Raboca specialises in registering IP rights and managing IP portfolios for Philippine companies, as well as acting for foreign clients such as PepsiCo and Mastercard. Jennifer Fajelagutan and Bernadette Marie Tocjayao co-head the IP practice.

Other notable areas of law – recommended firms

Further information available online at www.asialawprofiles.com

CONSTRUCTION & REAL ESTATE

Tier 1

Angara Abello Concepcion Regala & Cruz
 Picazo Buyco Tan Fider & Santos
 Romulo Mabanta Buenaventura Sayoc & De Los Angeles
 SyCip Salazar Hernandez & Gatmaitan

Tier 2

Castillo Laman Tan Pantaleaon & San Jose
 Poblador Bautista & Reyes
 Puno & Puno
 Quisumbing Torres

ENERGY & NATURAL RESOURCES

Tier 1

Quisumbing Torres
 Romulo Mabanta Buenaventura Sayoc & De Los Angeles
 SyCip Salazar Hernandez & Gatmaitan

Tier 2

Puno & Puno
 Puyat Jacinto & Santos
 Villaraza Cruz Marcelo & Angangco

Tier 3

Carag Jamora Somera & Villareal
 Fortun Narvasa & Salazar

LABOUR & EMPLOYMENT

Tier 1

Angara Abello Concepcion Regala & Cruz
 Platon Martinez Flores San Pedro & Leano
 Quisumbing Torres
 Siguion Reyna Montecillo & Ongsiako

Tier 2

Poblador Bautista & Reyes
 SyCip Salazar Hernandez & Gatmaitan

Tier 3

Castillo Laman Tan Pantaleaon & San Jose
 Romulo Mabanta Buenaventura Sayoc & De Los Angeles

SHIPPING MARITIME & AVIATION

Tier 1

Angara Abello Concepcion Regala & Cruz
 Del Rosario & Del Rosario
 Ortega Del Castillo Bacorro Odulio Calma & Carbonell
 Platon Martinez Flores San Pedro & Leano
 SyCip Salazar Hernandez & Gatmaitan

Tier 2

Belo Gozon Elma Parel Asuncion & Lucila
 Ocampo & Manalo
 Quisumbing Torres
 Romulo Mabanta Buenaventura Sayoc & De Los Angeles

TAX

Tier 1

Romulo Mabanta Buenaventura Sayoc & De Los Angeles
 SyCip Salazar Hernandez & Gatmaitan

Tier 2

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