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SENATE
P.S. Res. No. 620

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Introduced by Senator Grace Poe

RESOLUTION

URGING THE APPROPRIATE SENATE COMMITTEE TO LOOK INTO THE CURRENT DIGITAL PIRACY REGULATIONS IN THE PHILIPPINES AND THE POTENTIAL OF ADOPTING A "ROLLING SITE-BLOCKING" MECHANISM TO COMBAT DIGITAL PIRACY IN THE COUNTRY

1 WHEREAS, digital piracy is defined as the "unauthorized reproduction and
2 distribution of copyrighted material"¹;

3 WHEREAS, surveys show that the Philippines is the third highest consumer of
4 pirated content in Asia. Based on a YouGov survey commissioned by the Coalition
5 Against Piracy, Filipinos accessing pirated content have increased from 49% in 2020
6 to 61% in 2021²;

7 WHEREAS, the widespread digital piracy in the Philippines has caused
8 investment reluctance in the country's creative industry. According to Media Partners
9 Asia (MPA), the local creative industries have suffered at least P1 billion in potential
10 revenue loss in 2020 alone while the streaming industry lost at least P6.3 billion³;

11 WHEREAS, in 2021, with the pandemic forcing the local film industry to shift
12 to Video-on-Demand streaming, the Metro Manila Film Festival was marketed online
13 but was pestered with pirated streaming links of their movies⁴;

¹ Oxales, O. (24 May 2021). *Digital piracy must be stopped*. <https://manilastandard.net/opinion/columns/open-thoughts-by-orlando-oxales/355271/digital-piracy-must-be-stopped.html>

² Cahiles-Magkilat, B. (21 April 2022). *61% of PH consumers access piracy sites – study*. <https://mb.com.ph/2022/04/21/61-of-ph-consumers-access-piracy-sites-study/>

³ Pangalanan, P. (11 June 2022). *Why 'rolling site-blocking' should be a 19th Congress ICT priority*. <https://www.philstar.com/news-commentary/2022/06/11/2187694/why-rolling-site-blocking-should-be-19th-congress-ict-priority>

⁴ Oxales, O. (24 May 2021). *Digital piracy must be stopped*. <https://manilastandard.net/opinion/columns/open-thoughts-by-orlando-oxales/355271/digital-piracy-must-be-stopped.html>

1 WHEREAS, the Filipinos' massive consumption of pirated content has not only
2 killed the economic potential of the local creative industry, but also the genuine spirit
3 of creativity and innovation among our countrymen⁵;

4 WHEREAS, the Philippines remain lagging behind in protecting digital
5 intellectual property against digital piracy;

6 WHEREAS, according to the Intellectual Property Code of the Philippines, an
7 effective intellectual property system is "vital to the development of the domestic
8 and creative activity, facilitates the transfer of technology, attracts foreign
9 investments, and ensures market access for our products"⁶;

10 WHEREAS, currently, the mechanism being used by the Intellectual Property
11 Office of the Philippines (IPOPHIL) to combat digital piracy is "site blocking" wherein
12 once a piracy complaint is filed, the IPOPHIL will process the blocking of the website
13 so that Filipino users can no longer access the pirated content. However, said
14 process must first undergo a review by the National Telecommunications
15 Commission (NTC) which can take several days before taking effect⁷;

16 WHEREAS, the lengthy site-blocking process is further worsened by the fact
17 that pirated websites that are taken down can quickly pop up again under a new
18 URL or through other proxy and mirror sites⁸;

19 WHEREAS, neighboring Asian countries like South Korea, Malaysia, Indonesia,
20 and Thailand have been successful in their anti-digital piracy endeavors by
21 employing a mechanism called "rolling site-blocking". Under the rolling site-blocking
22 method, websites are taken down within hours, and regulators have the ability to
23 continuously monitor and block any future attempt by the same violator to continue
24 making the pirated content available online⁹;

⁵ Pinlac, B. (21 May 2022). *Consumer group urges gov't to crackdown on online piracy*.
<https://newsinfo.inquirer.net/1600553/consumer-group-urges-govt-to-crackdown-on-online-piracy>

⁶ Republic Act No. 8293. Intellectual Property Code of the Philippines.
<https://www.officialgazette.gov.ph/1997/06/06/republic-act-no-8293/>

⁷ Pangalanan, P. (11 June 2022). *Why 'rolling site-blocking' should be a 19th Congress ICT priority*.
<https://www.philstar.com/news-commentary/2022/06/11/2187694/why-rolling-site-blocking-should-be-19th-congress-ict-priority>

⁸ *Ibid.*

⁹ *Ibid.*

1 WHEREAS, according to Atty. Tim Abejo, co-convenor of CitizenWatch
2 Philippines, Philippines is the only country in Southeast Asia not enforcing the rolling
3 site-blocking mechanism¹⁰;

4 WHEREAS, there is a need to revisit the Intellectual Property Code of the
5 Philippines to give more administrative enforcement power to the IPOPHIL in order
6 to effectively implement the rolling site-blocking mechanism, and subsequently allow
7 the NTC to block illegal websites at a faster speed¹¹;

8 WHEREAS, by adopting a rolling site-blocking mechanism, we will be able to
9 provide intellectual property (IP) rights owners with the swift response they need in
10 preventing further harm to their IP rights and potential revenues,¹² and motivate
11 them to file complaints against online IP violators¹³;

12 WHEREAS, ultimately, this is necessary to purge online pirates who violate the
13 law and threaten the viability and growth potential of digital innovators and the
14 Philippine creative industry in general¹⁴;

15 NOW THEREFORE BE IT RESOLVED, as it is hereby resolved by the Senate of
16 the Philippines, to urge the appropriate Senate committee to look into the current
17 digital piracy regulations in the Philippines and the potential of adopting a "rolling
18 site-blocking" mechanism to combat digital piracy in the country.

Adopted,



GRACE POE

¹⁰ Pinlac, B. (10 June 2022). Congress urged to pass law allowing rolling site blocking vs piracy. <https://newsinfo.inquirer.net/1609074/congress-urged-to-pass-law-allowing-rolling-site-blocking-vs-piracy-2>

¹¹ Pinlac, B. (21 May 2022). Consumer group urges gov't to crackdown on online piracy. <https://newsinfo.inquirer.net/1600553/consumer-group-urges-govt-to-crackdown-on-online-piracy>

¹² Pinlac, B. (10 June 2022). Congress urged to pass law allowing rolling site blocking vs piracy. <https://newsinfo.inquirer.net/1609074/congress-urged-to-pass-law-allowing-rolling-site-blocking-vs-piracy-2>

¹³ *Ibid.*

¹⁴ *Ibid.*