Republic of the Philippines
Supreme Court
Office of the Court Administrator
Manila

OCA CIRCULAR NO. 65-2021

TO : ALL JUDGES AND BRANCH CLERKS OF COURT OF THE REGIONAL TRIAL COURTS DESIGNATED AS ADDITIONAL SPECIAL COMMERCIAL COURTS, CYBERCRIME COURTS, AND COMPETITION COURTS

SUBJECT: APPROVED MEMORANDUM DATED 18 MAY 2021 *(RE: DESIGNATION OF ADDITIONAL SPECIAL COMMERCIAL COURTS)*

For the information, guidance and strict compliance of all concerned second level courts, appended herewith as Annex "A" is the approved Memorandum dated 18 May 2021 *(Re: Designation of Additional Special Commercial Courts)*, designating the additional Regional Trial Courts as Special Commercial Courts, Cybercrime Courts and Competition Courts.

This Circular takes effect immediately.

Any prior circular from the Office of the Court Administrator on this matter which is contrary to the foregoing is hereby superseded.

27 May 2021

JOSE MIDAS P. MARQUEZ
Court Administrator

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Annex "A"

Republic of the Philippines
Supreme Court
Office of the Court Administrator
Manila

MEMORANDUM FOR:

HON. ALEXANDER G. GESMUNDO
Chief Justice of the Philippines

Re: **Designation of Additional Special Commercial Courts**

The jurisdiction of the Securities and Exchange Commission (SEC) over all cases enumerated under Sec. 5, Presidential Decree No. 902-A, pursuant to Sec. 5.2, Republic Act No. 8799 (R.A. No. 8799), otherwise known as "The Securities Regulation Code", was transferred to the courts of general jurisdiction or the appropriate Regional Trial Courts (RTCs). Under the said law, the Supreme Court, in the exercise of its authority, may designate the RTCs that shall exercise jurisdiction over the said transferred cases.

To implement the above provision, the Court, on 22 August 2000 in A.M. No. 00-8-10-SC, directed the Court Administrator and the SEC to cause the actual transfer of the records of all cases affected by R.A. No. 8799 to the appropriate RTCs. Subsequently, the Court, in the (a) Resolutions dated 21 November 2000, 4 July 2001, 12 November 2002, and 9 July 2002, all issued in A.M. No. 00-11-03-SC; (b) Resolution dated 27 August 2001 in A.M. No. 01-5-298-RTC; and (c) Resolution dated 8 July 2002 in A.M. No. 01-12-656-RTC, designated sixty-five (65) branches of the RTCs distributed in all regions (NCJR and Judicial Regions I-XII) as SEC Courts to try and decide cases formerly cognizable by the SEC as enumerated in Sec. 5, P.D. 902-A (Reorganization of the Securities and Exchange Commission) arising within their respective territorial jurisdictions.

In its Resolution dated 17 June 2003 in A.M. No. 03-03-03-SC *(Re: Consolidation of Intellectual Property Court with Commercial Courts),* the Court designated the SEC Courts as Special Commercial Courts (SCCs) to try and decide cases involving violations of intellectual property rights which fall within their jurisdiction in addition to those cases formerly cognizable by the SEC. The designation of Intellectual Property Courts under Administrative Order No. 104-96, as amended by Administrative Order No. 104-96 dated 21 October 1996 and Resolution dated 19 February 2002 in A.M. No. 02-1-11-SC, was then revoked.

In the Resolution of 21 June 2016,[1] the Court again expanded the coverage of the cases cognizable by the SCCs, as follows:

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[1] Amendment of A.M. No. 03-03-03-SC dated June 17, 2003 for the Expansion of the Coverage of Cases Cognizable by Special Commercial Courts to Include All Cases Governed by the FRIA, Liquidation Cases Emanating from Administrative Proceedings, and Dissolution and Liquidation of Partnerships under the Civil Code.

(a) Intra-corporate cases and other cases enumerated under Section 5 of Presidential Decree No. 902-A, as amended, that were formerly cognizable by the SEC (A.M. No. 01-2-04-SC, 13 March 2001);

(b) Intellectual Property Cases (A.M. No. 03-03-03-SC, 17 June 2003) which include: (a) all civil actions for violations of intellectual property rights provided for in R.A. No. 8293, or the "Intellectual Property (IP) Code of the Philippines, as amended [Section 1, Rule 2 of A.M. No. 10-3-10-SC, 18 October 2011]; (b) all criminal actions for violations of intellectual property rights provided for in the IP Code as amended [Section1, Rule 10 of A.M. No. 10-3-10-SC, 18 October 2011];

(c) Applications for *ex parte* issuance of a writ of search and seizure in civil actions for infringement of intellectual property rights [A.M. No. 02-1-06-SC, 15 February 2002 and Sec. 2, Rule 2 of A.M. No. 10-3-10-SC, 18 October 2011]; and (d) applications for the issuance of search warrants involving violations of the IP Code [Sec. 2, Rule 10 of A.M. No. 10-3-10-SC, 18 October 2011];

(d) Cases involving admiralty and maritime laws [A.M. No. 05-4-05-SC, 12 April 2005[2]];

(e) Petitions for dissolution involving partnerships under Articles 1830 and 1831 of the Civil Code, including liquidation emanating therefrom;

(f) Financial Rehabilitation cases such as petitions for rehabilitation of corporations, partnerships, and sole proprietorship, filed pursuant to the Financial Rehabilitation and Insolvency Act (FRIA) of 2010 [A.M. No. 12-12-11-SC, 27 August 2013] and liquidation of insolvent juridical and individual debtors and suspension of payments of insolvent debtors pursuant to the FRIA [A.M. No. 15-04-06-SC, 21 April 2015]; and

(g) Liquidation cases emanating from administrative proceedings and from expiration of corporate terms [Sections 118, 119 and 120 of the Corporation Code] and court-assisted liquidation under Special Laws.

In the said resolution, the Court directed that when there is no designated SCC to hear and decide the aforementioned cases within a specific territory in accordance with the existing rules on venue, the case shall be filed in the nearest designated SCC within the judicial region of said territory.

On 15 November 2016, the Court further designated the SCCs as "Cybercrime Courts" to try and decide cybercrime cases covered under R.A. No. 10175, otherwise known as the "Cybercrime Prevention Act of 2012," as the further special designation of another set of RTC branches for cybercrime cases will concomitantly reduce the current number of regular RTC branches that handle regular cases country-wide, thereby creating

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[2] Admiralty and maritime cases are now under the jurisdiction of the designated Admiralty Courts pursuant to A.M. No. 19-08-14-SC (Rules of Procedure for Admiralty Cases).

distortions in case distribution, and raise issues in the over-all competence of handling judges who are expected to be generalists.[3]

In addition, the Court, on 10 December 2019 in A.M. No. 19-08-06-SC, designated the SCCs as "Competition Courts" to hear, try, and decide cases involving violations of R.A. No. 10667, otherwise known as the "Philippine Competition Act," and other competition-related laws considering the commercial nature of the competition cases, and that the authority to issue the administrative search and inspection orders for violations under the said Act, its rules and regulations, and other competition-related laws already lie with the SCCs. The designated Competition Courts in the National Capital Judicial Region (NCJR) shall have jurisdiction over competition cases arising within their respective territorial jurisdictions, while those outside the NCJR shall have jurisdiction within their respective provinces.[4]

At present, there are only seventy (70) SCCs spread geographically all over the country[5].

Region	Number of Commercial Courts	Region	Number of Commercial Courts
NCJR	19	7	3
1	5	8	3
2	4	9	2
3	6	10	5
4	6	11	4
5	5	12	3
6	5		

Not all provinces and key cities in each judicial region have designated SCCs. Thus, litigants have to file their cases in the nearest designated SCC within the judicial region, thereby incurring additional travelling expenses in attending the hearings of their cases.

Consequently, in order to address the gaps in venue caused by the limited number of designated SCCs per region, and the influx of cases that may be filed in view of the expanded jurisdiction of the SCCs and also their designations as Cybercrime Courts and Competition Courts, additional branches of the RTCs may be designated as SCCs to promote expediency and efficiency in handling all cases under the jurisdiction of SCCs.

The additional SCCs shall likewise be designated as Cybercrime Courts and Competition Courts as provided under A.M. No. 03-03-03-SC, as amended, and A.M. No. 19-08-06-SC due to the commercial nature of the cybercrime and competition-related cases. To ensure a just and equitable

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[3] A.M. No. 03-03-03-SC (Designating Certain Branches of the Regional Trial Courts to Try and Decide Cybercrime Cases Under Republic Act No. 10175).

[4] A.M. No. 19-08-06-SC (Re: Proposed Rule on Administrative Search and Inspection under the Philippine Competition Act).

[5] A.M. No. 00-11-03-SC; A.M. No. 01-12-656-RTC; A.M. No. 01-5-298-RTC; and A.M. No. 03-3-163-RTC.

distribution of cases among the said SCCs and the regular courts, the designated SCCs shall continue to be included in the raffle of other regular court cases provided that the inflow of commercial, cybercrime and competition cases is minimal and is lower than the average caseload of the other courts in those stations as determined by the Office of the Court Administrator. Along this line, the Office of the Court Administrator shall closely monitor the caseload of all SCCs and undertake the necessary measures to ensure the efficient distribution and disposition of cases.

PREMISES CONSIDERED, it is respectfully recommended for the consideration of the Honorable Court that additional courts be designated as Special Commercial Courts, Cybercrime Courts and Competition Courts, as follows:

Judicial Region	Province	Branch No.	Presiding Judge
I	Batac City, Ilocos Norte	17	Felix G. Salvador
	Vigan City, Ilocos Sur	21	Cecilia Corazon D. Archog
	Candon City, Ilocos Sur	71	Gina V. Juan-Chua
	Bontoc, Mountain Province	36	Sergio T. Angnganay, Jr.
	La Trinidad, Benguet	63	Jennifer Palaguirang Humiding
	Agoo, La Union	32	Ethelwolda Asuncion Jaravata
	Dagupan City, Pangasinan	41	Emma Manuel Torio
	Lingayen, Pangasinan	69	Loreto S. Alog, Jr.
	Alaminos City, Pangasinan	54	Agrinald, Julius Capili Esguera
	San Carlos City, Pangasinan	56	Magnolia C. Velez-Cayetano
II	Aparri, Cagayan	6	Neljoe A. Cortes
	Cauayan City, Isabela	20	Reymundo L. Aumentado
	Santiago City, Isabela	35	Efren M. Cacatian
III	Baler, Aurora	91	Enrico Voltaire S. Rivera
	Gapan City, Nueva Ecija	34	John Voltaire C. Venturina (APJ)
	San Jose City, Nueva Ecija	39	Cynthia Martinez Florendo
	Angeles City, Pampanga	60	Eda P. Dizon-Era
	Guagua, Pampanga	52	Jonel S. Mercado
IV	Tanauan City, Batangas	83	Nevic C. Adolfo
	Lipa City, Batangas	85	Dorcas P. Ferriols-Perez (APJ)
	Tagaytay City, Cavite	133	Gian Enrico C. Navarro
	Bacoor City, Cavite	110	Arnel G. Espiritu
	Trece Martires City, Cavite	130	Gaysol C. Luna
	Dasmariñas City, Cavite	128	Helen B. Constantino-Balbuena
	Biñan City, Laguna	153	Vernard V. Quijano
	San Pablo City, Laguna	32	Ronaldo G. Tugonon
	San Pedro City, Laguna	31	Sonia Casano-Yu
	Sta. Rosa City, Laguna	101	Rosauro Angelito S. David
	Boac, Marinduque	94	Antonina C. Magturo
	San Jose, Occidental Mindoro	46	Ulysses D. Delgado (APJ)
	Puerto Princesa City, Palawan	52	Angelo R. Arizala
	Antipolo City, Rizal	99	Miguel S. Asuncion
	San Mateo, Rizal	76	Josephine Zarate Fernandez
	Odiongan, Romblon	82	Edwin B. Buffe

V	Ligao City, Albay	13	Ignacio C. Barcillano, Jr.
	Tabaco City, Albay	17	Alexander Al N. Lomibao
	Iriga City, Camarines Sur	36	Maria Clarissa Lianko Pacis-Trinidad
	Virac, Catanduanes	42	Genie G. Agbada
	Libmanan, Camarines Sur	29	Cecilia B. Soler
VI	Barotac Viejo, Iloilo	71	Jose Mauricio E. Gomez
	Guimbal, Iloilo	72	Nelita Jesus Arboleda-Bacaling
	Jordan, Guimaras	65	Rosario Abigail M. Dris-Villanueva
	San Carlos City, Negros Occidental	59	Reginald M. Fuentebella (APJ)
	Silay City, Negros Occidental	40	Dyna Doll Chiongson-Trocio
VII	Talibon, Bohol	101	Azucena Macalolot-Credo
	Danao City, Cebu	90	Ma. Josefa C. Pinza-Ramos
	Lapu-Lapu City, Cebu	27	Nelson G. Leyco
	Mandaue City, Cebu	83	Allan Francisco S. Garciano
	Bogo City, Cebu	78	Samson Troy K. Layese
	Talisay City, Cebu	65	Glenda Ching Go
	Toledo City, Cebu	29	Ruben Fernin Altubar
	Bais City, Negros Oriental	45	Candelario V. Gonzales
	Larena, Siquijor	46	Alejandro S. Bahonsua, Jr.
VIII	Borongan City, Eastern Samar	2	Nathaniel E. Baldono
	Ormoc City, Leyte	47	Maria Corazon Vergara-Naraja
	Maasin City, Sourthern Leyte	25	Daisy P. Gonzalez
	Calbayog City, Samar	31	Reynaldo B. Clemens
	Catbalogan City, Samar	28	Janet M. Cabalona (APJ)
	Naval, Biliran	16	Luz P. Navarrete
IX	Isabela City, Basilan	1	Leo Jay T. Principe
	Pagadian City, Zamboanga del Sur	20	Dennis P. Vicoy
	Siasi, Sulu	25	Alsad H. Alfad, Jr.
	Bongao, Tawi-Tawi	5	Abdulmoin M. Pakam
	Ipil, Zamboanga Sibugay	24	Anthony dela Torre Isaw
X	Gingoog City, Misamis Oriental	27	Giovanni Alfred H. Navarro
	Bayugan City, Agusan del Sur	7	Fernando R. Fudalan, Jr.
	Ozamiz City, Misamis Occidental	35	Mary Faith R. Potoy-Montederamos
	Mambajao, Camiguin	28	Nanette Michote Escalera-Lao
	San Jose, Dinagat Island	32	Catalina Shineta M. Tare-Palacio (APJ)
XI	Tagum City, Davao del Norte	30	Sharon T. Saracin
	Mati City, Davao Oriental	6	Angelita A. Alfonso-Tumanda
	Digos City, Davao del Sur	61	Carfelita B. Cadiente-Flores
	Compostela, Davao de Oro	56	Carmel Gil Grado
	Koronadal City, South Cotabato	24	Vicente T. Peña
	Alabel, Saranggani	38	Precious Aurea L. Pojas
XII	Cotabato City, Maguindanao	13	Anabelle P. Piang (APJ)
	Tacurong City, Sultan Kudarat	20	Milanio Mortera Guerrero

To ensure a just and equitable distribution of cases among the said SCCs and regular courts, the designated SCCs shall continue to be included in the raffle of other regular court cases provided that the inflow of commercial, cybercrime and competition cases is minimal and is lower than the average caseload of the other courts in those stations as determined by the Office of the Court Administrator. Along this line, the Office of the Court Administrator shall closely monitor the caseloads of all SCCs and undertake the necessary measures to ensure the efficient distribution and disposition of cases.

The guidelines set forth in the Resolutions in A.M. No. 00-8-01-SC dated 1 August 2000 and A.M. No. 00-11-03-SC dated 21 November 2000, as amended by the Resolutions in A.M. No. 03-03-03-SC dated 21 June 2016, and A.M. No. 19-08-06-SC dated 10 December 2019, shall be observed whenever applicable.

18 May 2021

JOSE MIDAS P. MARQUEZ
Court Administrator

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APPROVED:

ALEXANDER G. GESMUNDO
Chief Justice
Date: MAY 19 2021

ESTELA M. PERLAS-BERNABE
Associate Justice
Date:

MARVIC M.V.F. LEONEN
Associate Justice
Date: MAY 21 2021