



Republic of the Philippines
Office of the President
OPTICAL MEDIA BOARD

OFFICE OF THE CHAIRMAN AND CHIEF EXECUTIVE OFFICER

MEMORANDUM CIRCULAR NO. 2005-001

TO : Licensing, Registration and Classification Division

GUIDELINES FOR REGISTRATION AND LICENSING

A. REGISTRATION

1. Who shall register. –

- a. Producer or copyright owner of a creative work, such as, but not limited to film, documentary, musical recording, software code, etc., intended to be contained in an optical disc.
- b. Assignees of producers and copyright owners, including branch offices and/or local representatives of foreign companies;
- c. Importers or exporters of:
 - i. Optical media, regardless of content;
 - ii. Manufacturing equipment as defined in Title 1, Rule 2, Section 1 (k), spare parts and accessories used in the production of optical media;
 - iii. Manufacturing Materials such as, but not limited to, optical grade polycarbonate, adhesives, lacquers, chemicals, paints, inks, targets, substrates, blank optical discs, and such other materials needed for the mastering, manufacturing, replication, or duplication of optical media;
- d. Those engaged in:
 - i. the mastering and manufacture, replication or duplication of optical media;
 - ii. manufacture or fabrication, sale and acquisition of manufacturing equipment, spare parts and accessories used in the production of optical media;
 - iii. the production and manufacture, sale and acquisition of manufacturing materials such as optical grade polycarbonate, adhesives, lacquers, chemicals, paints, inks, targets, substrates, blank discs, and such other materials needed for the manufacture of optical media;
- e. Those who are in possession of or operating manufacturing equipment, spare parts and accessories used in the production of optical media;
- f. Those who are in possession of or engaged in the acquisition, sale or use of manufacturing materials for the mastering, manufacture or replication of optical media;



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- g. Those who offer to the public with intent to profit the use of optical disc writers and re-writers, such as, but not limited to “cd-burning” services.
2. *Registration Requirements.* –
- a. For all applicants:
- i. Notarized application form duly accomplished and signed by the President, if applicant is a corporation; Proprietor, if single proprietorship; and all partners, if partnership
 - ii. Latest ITR with stamp of receipt by BIR
 - iii. Certification of No Pending Administrative case from the BIR
 - iv. 2 pcs. Proof of billing
 - v. 2 proofs of official identification (Passport, Driver’s License, SSS/GSIS ID)
 - vi. 4 pcs. 2x2 photo (signed)
 - vii. TCT or Lease agreement, if land is not owned by applicant
 - viii. Photo of establishment
 - ix. Location sketch of establishment
 - x. Floor lay-out of establishment
 - xi. Latest financial statement
 - xii. TIN Number of establishment
- b. For single proprietorships:
- i. NBI clearance
 - ii. Bank statements (not more than 15 days)
 - iii. DTI registration
 - iv. Table of organization and list of officers with addresses
- c. For corporations and partnerships:
- i. Articles of Incorporation and By-Laws or Articles of Partnership
 - ii. Latest GIS with stamp of receipt of SEC
 - iii. Bank statements
 - iv. Board Resolution with Secretary’s certificate authorizing the President to represent the Corporation
 - v. List of officers and members of the Board and their addresses
- d. For foreign nationals:
- i. Passport (Xerox and original)
 - ii. Alien Certificate of registration
 - iii. Visa
3. *Additional Requirements.* – In addition to the registration requirements listed above, applicants for registration shall also comply with such additional requirements as may be prescribed by the Board for each type of business abovementioned.



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4. *Fees.* – A Registration Fee of FIVE HUNDRED PESOS (P500.00) shall be charged for each applicant for registration.

B. LICENSING

1. *Who may apply for a commercial license.* – All registered individuals and entities shall obtain a separate license for each activity which they intend to engage in or are actually engaged in and for each location at which such activity is being undertaken.
2. *When a license is required.* –
 - a. To engage in the business of:
 - i. Production or distribution as local licensee or exclusive distributor and/or representative;
 - ii. Importation, exportation or mastering, manufacture, replication or duplication of optical media, and magnetic media;
 - iii. Importation, exportation, manufacture, acquisition, or sale of manufacturing equipment, and manufacturing materials.
 - b. To copy, replicate, or duplicate any copyrighted material;
 - c. To import or export optical media, magnetic media, manufacturing equipment, parts and accessories, and manufacturing materials, as hereinabove defined;
 - d. To transport optical discs and magnetic media in commercial quantities;
 - e. To transfer the location of any business activity enumerated above;
 - f. To use an assigned SID Code; and
 - g. To be in possession of or to store manufacturing equipment, parts, accessories and manufacturing materials.
3. *Fees.* – The license fees to be charged shall be in accordance with the Schedule of Fees to be published from time-to-time by the Board.
4. *Effectivity.* – This Circular shall take effect immediately.

Quezon City, May 9, 2005.

HON. EDUARDO B. MANZANO (Sgd.)
Chairman and Chief Executive Officer