



Republic of the Philippines  
Office of the President  
**OPTICAL MEDIA BOARD**

---

**OFFICE OF THE CHAIRMAN & CHIEF EXECUTIVE OFFICER**

**MEMORANDUM CIRCULAR NO. 2005-003**

**TO : ALL CONCERNED**

Pursuant to Sec. 13 c and 19 c 1 & 2 of R.A. 9239, in connection with Section 1 (h) of Rane 1, Title IV of its Implementing Rules and Regulations, and in view of the compelling need for the public to be informed of the outlets where they can purchase legitimate products, the following are hereby promulgated:

**ACCREDITATION OF RETAIL OUTLETS**

1. *Accreditation of Retail Outlets.* – Within thirty (30) days from the effectivity hereof, or within thirty (30) days from approval of their license to engage in such business, or within thirty (30) days from entering into a sales or other agreement with a retail outlet, and on or before April 30<sup>th</sup> of each year, or at any time upon the request of retail outlet or the Board, registered producers, local licensees, distributors and importers of optical disc containing films, music, software, games and other copyrighted content shall submit a list of their accredited retail outlets, setting forth the business name, address and President and/or Proprietor/s thereof.
2. *Accreditation Certificate and Poster.* – Accredited retail outlets may then individually request the issuance by the Board of the Certificate of Accreditation and shall prominently display such Certificate and an accreditation poster to be issued by the Board. A registered producer, local licensee, distributor or importer of optical discs may opt to request the issuance of such certificate and poster on behalf of its retail outlets, provided further that such certificate and poster are not provided to such retailer at a fee higher than what is charged by the Board for said issuance.
3. *Accreditation by Industry Organizations* – Registered producers, local licensees, distributors, or importers of optical discs who are *bonafide* members of any industry organization recognized by the Optical Media Board may have common retail outlets accredited by the organization instead of by its individual members; provided that such retail outlet sells the products of all or a majority of the members of the Organization.
4. *Organizations which may be recognized.* – Any trade organization representing copyright owners and/or industry stakeholders, duly registered with the Securities and Exchange Commission, and representing a substantial portion of the interests of the industry, may request in writing to be recognized by the Board, subject to such other requirements as the Board may impose.
5. *Voluntary accreditation.* – A retail establishment may, on its own, before being accredited by a producer or importer of optical discs, request accreditation by producing the relevant agreements and other documents showing the authenticity of the products carried by it. Such documents shall be subject to the verification of the Board.

6. *Fees.* – A Processing Fee of FIVE HUNDRED PESOS (P500.00) shall be imposed on each request for a Certificate of Accreditation and Accreditation Poster. A verification fee of TWO THOUSAND FIVE HUNDRED PESOS (P2,500.00) shall, in addition, be imposed on each request under Section 5 hereof, whether or not the Certificate is granted
7. *Cancellation of Accreditation.* – The Certificate of Accreditation of a retail establishment may be cancelled at any time, after due notice and hearing, upon a finding that the optical discs sold or used by the outlet in furtherance of its business are in violation of Republic Act No. 9239, or upon complaint of any copyright holder or assignee, or recognized industry or trade organization.
8. *Effectivity.* – This circular shall take effect within fifteen (15) days from publication hereof.

*Quezon City, May 9, 2005.*

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