

Protecting Copyright in the Age of Digital Technology in the Philippines

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The digital era has brought about significant changes in intellectual property, particularly in copyright. Digital platforms have entirely transformed the creation, publication, and distribution of literary and artistic works, making information more readily accessible. However, this has also led to an increase in the risk of online piracy and copyright infringement. The ease of copying and sharing digital works has heightened the challenge of protecting intellectual property rights. This paper examines the current state of copyright in the Philippines, specifically focusing on the impact of digital technology on literary and artistic works. Its objective is to evaluate existing laws, identify gaps in protection, and propose strategies to safeguard intellectual property in the digital age in the Philippines. Ultimately, it will make recommendations to address the protection of digital works better.

Keywords: Digital technology, Copyright infringement, Online Piracy, Digital Transformation, Protecting Digital Works.

Introduction:

The digital age has brought about significant changes in intellectual property, presenting challenges and opportunities for growth. Within the global value chain, it has been noted that international flows of goods and services are now more dependent on intellectual property than ever before (Chen & Kimura, 2022, p.8).¹ In today's era of digital transformation, artistic and literary works have found new life on various digital platforms. Information can now be easily shared with a mere click and distributed globally. While this has improved information accessibility, it has also led to the proliferation of online piracy, unauthorized copying, sharing of online materials, and infringement.

The literature is replete with issues and challenges concerning protecting copyrighted materials in the digital realm. According to Atanasova (2019), digital technologies make it easy to reproduce and distribute copyrighted materials without permission. For Ginsburgh and Kernochan (1988), the concept of fair use as a defense has become blurred in the digital realm. For Gorman (2009), technological solutions like digital rights management (DRMs) can be used to restrict access to copyrighted material, but it also raises concerns about user privacy and legitimate access. In a similar paper by Abad (2015), the specific challenges faced by the Philippines include a lack of resources for enforcement, low awareness about intellectual property, and the “grey” market for infringing products. This view is shared by De Vega (2020) when he stated that digital technology has facilitated the infringement of copyright in the Philippines, specifically in music, film, and software, which undermines the interest of copyright owners. For this reason, using traditional methods to catch infringers is not so effective in the digital realm (Garcia, 2018).

Indeed, the creation, publication, and distribution of literary and artistic works, whether for profit or not, have been significantly altered due to digitalization. While digital technology has provided artists with additional means to express their ideas and reach a wider audience, it

¹ Chen, Lurong and Kimura Fukunari, 2022. IPR protection and global value chains in the digital era. Routledge, Taylor and Francis Group, New York, p. 8.

has also introduced challenges to copyright protection. As Pichay (2010, p.11) points out, "the Internet and advances in digital technology have significantly altered the information sharing paradigm, making it easier for data to be shared by an increasing number of people."²

The challenges to protecting intellectual property rights, particularly copyright, have become a pressing issue for authors and creative artists. The push for digitalization has transformed the traditional expressions of ideas in physical books and materials into digital media and online platforms, making protecting this intellectual property more challenging. While digitalization has made copyrighted works more accessible, it has also increased the risk of copyright infringement with the relative ease of copying and pasting works. Hence, it is a must to think of new ways to protect copyright in the age of digitalization. This concern about the effect of digitalization on copyright is not new, dating back to the last century. As aptly put by Shahid Alikhan way back in 2000 in the book "*Socio-Economic Benefits of Intellectual Property Protection in Developing Countries*":

The speedy creation, through the use of digital technology, of digital versions of works originally produced in the analogue domain, for example sound recordings, motion pictures, and the capacity to produce an enormous number of low-cost distortion-free copies, raise questions regarding the recognition of new rights relating to the creation of digital copies of existing works xxx" (Alikhan, 2000, p. 95).

xxx

Between the two main branches of intellectual property rights, copyright, and related rights seem perhaps more affected and concerned by electronic commerce than industrial property rights since most of the works protected by copyright and related rights may be transformed into digital signals and transmitted over the internet xxx." (pp. 101-102).

Digital technology has significantly enhanced our engagement with traditional literary and artistic works. However, digital platforms have also emerged as prominent copyright piracy and infringement channels.

Xxx Computers, including those found in "smart phones" and the advent of digital technology have had tremendous impact on the creation, dissemination and use of works. The medium of the printed word has been supplemented progressively by media for communicating audio and visual recordings in numerous forms, most of which involve digital files.

Xxx The results of these advances in the means of communicating intellectual works are undeniably socially beneficial, and have enriched the nature of the relationship that an author may create with the public. One by-product of these advances, however, is the increase in scope for pirates to interfere in the control that authors exercise over the dissemination and use of their works by the public. (Kluwer, 2017).³ (Emphasis supplied).

² Pichay, Nicolas B. (2010). "A guide to the Intellectual Property Code of the Philippines: Understanding the Law, Empowering the Artist" Anvil Publishing, Inc. Manila.

³ Kluwer, Walters, 2017. Introduction to Intellectual Property, Theory and Practice, 2nd Edition. World Intellectual Property Organization, Geneva, Switzerland, p. 144.

This paper aims to examine the existing copyright framework in the Philippines, specifically focusing on the influence of digital technology on the protection of literary and artistic works. It will analyze the current copyright legislation in the Philippines, identify the deficiencies in digitally safeguarding artistic and literary works, and propose strategies to uphold the intellectual property rights of artists. The paper will specifically investigate the impact of digitalization on copyright protection and its growing significance. Ultimately, it will offer recommendations on how the current copyright laws can more effectively tackle the challenges posed by the digital transformation of artistic and literary works.

Copyright Laws in the Philippines Affecting Digital Works

Copyright protection in the Philippines is governed by the Intellectual Property Code of the Philippines (R.A. 8293) and its amendments (R.A. 10372). It is an “exclusive property right granted by statute to an author of an intellectual production” (Funa, 2012, p.531). It is a bundle of rights available to the owner of the works. Sections 172 and 173 of the Intellectual Property Code of the Philippines provide the basis for protecting original and derivative copyright works. Original works include:

- “(a) Books, pamphlets, articles and other writings;*
- (b) Periodicals and newspapers;*
- (c) Lectures, sermons, addresses, dissertations prepared for oral delivery, whether or not reduced in writing or other material form;*
- (d) Letters;*
- (e) Dramatic or dramatico-musical compositions; choreographic works or entertainment in dumb shows;*
- (f) Musical compositions, with or without words;*
- (g) Works of drawing, painting, architecture, sculpture, engraving, lithography or other works of art; models or designs for works of art;*
- (h) Original ornamental designs or models for articles of manufacture, whether or not registrable as an industrial design, and other works of applied art;*
- (i) Illustrations, maps, plans, sketches, charts and three-dimensional works relative to geography, topography, architecture or science;*
- (j) Drawings or plastic works of a scientific or technical character;*
- (k) Photographic works including works produced by a process analogous to photography; lantern slides;*
- (l) Audiovisual works and cinematographic works and works produced by a process analogous to cinematography or any process for making audio-visual recordings;*
- (m) Pictorial illustrations and advertisements;*
- (n) Computer programs; and*
- (o) Other literary, scholarly, scientific and artistic works.”*

On the other hand, derivative works include:

- “(a) Dramatizations, translations, adaptations, abridgments, arrangements, and other alterations of literary or artistic works; and*
- (b) Collections of literary, scholarly or artistic works, and compilations of data and other materials which are original by reason of the selection or coordination or arrangement of their contents.”*

It should be noted that most, if not all, of these works listed in the law as protected by copyright may be converted or transformed into digital format. For example, books, articles, and other writings are now in digital format as e-books or e-journals. Drawings, paintings, and photographic works are scanned and stored in digital databases and servers. Movies and musical compositions are now mainly in digital format and streamed online. This means that the protection provided in physical formats or hard copies should also be applied to their digital counterparts if these works are to be protected. Fortunately, Philippine law affords equal protection to digital works and physical works. The legal bases are found through the E-Commerce Law (R.A. 8792) and the Rules on Electronic Evidence (AM. 01-7-01).

The E-Commerce Law provides for the legal recognition of electronic data messages and electronic documents:

SECTION 6(6). Legal Recognition of Electronic Data Message. — Information shall not be denied validity or enforceability solely on the ground that it is in the form of an electronic data message purporting to give rise to such legal effect, or that it is merely incorporated by reference in that electronic data message.

SECTION 7(7). Legal Recognition of Electronic Documents. — Electronic documents shall have the legal effect, validity or enforceability as any other document or legal writing, xxx (Emphasis supplied).

Moreover, the Rules of Electronic Evidence promulgated by the Supreme Court provide the same efficacy of electronic or digital documents as their physical counterparts. Rule 3, Secs. 1 provides that electronic documents are functionally equivalent to paper-based documents:

“Section 1. Electronic documents as functional equivalent of paper-based documents. – Whenever a rule of evidence refers to the term of writing, document, record, instrument, memorandum or any other form of writing, such term shall be deemed to include an electronic document as defined in these Rules.”

Considering that (1) literary and artistic works enumerated in Secs. 171 and 172 of the Intellectual Property Code are protected by copyright, and (2) literary and artistic works in digital format are treated the same way as physical works; then (3) Digital works are afforded the same protection as physical works under the intellectual property code, although it is not expressly stated as such. It should be noted, however, that when the Intellectual Property Code was enacted in 1998, digital works were less mainstream than they are today when they are now front and center. In fact, most literary and artistic works are now mainly sold and distributed in digital format. Music stores and bookstores have now closed shop. With this development, are the Philippine IP laws still able to protect copyrightable digital works in the age of digitalization? To answer this question, there is a need to know the different kinds of copyrighted works in the digital realm. These works include but are not limited to (1) Digital or online literary works; (2) Online audiovisual works; (3) Digital Music; (4) Software and Computer programs; (5) Online Websites; (6) Digital databases; and (7) Online performances and broadcasts.

While copyright issues still abound, the amendments to the IP Code in 2013 through R.A. 10372 helped make IP laws more attuned to copyright protection and infringement concerns in the digital world. These provisions include the following:

- 1) The Creation of the Bureau of Copyright: Section 6.2 of R.A. 8293 was amended now to include the Bureau of Copyright and Related Rights. This change reflects the growing need to protect copyright as literary and artistic works are now converted to digital format. In addition, Sec. 9A of the law has defined the functions of the Bureau of Copyright to include resolving disputes relating to terms of a license involving the author's right to public performance or other communications of this work."
- 2) Introduction of the term "technological measure" and Penalizing its Circumvention as Infringement: Sec. 6 of R.A. 10372 added the term "technological measure" to mean "any technology, device, or component that, in the normal course of its operation, restricts acts in respect of a work, performance or sound recording, which are not authorized by the authors, performers or producers of sound recordings or permitted by law." This provision recognizes that there are measures to restrict copyright infringement on digital platforms and that anyone who circumvents effective technological measures shall be liable for infringement.⁴

Copyright Issues in the Digital Age

Copyright issues mainly involve the unauthorized use of protected works. These issues have been amplified with the evolution of technology and the digitalization of work. The creation and distribution of digital works have made copyright infringement more rampant and more challenging to detect. For Alikhan (2000, p.96), *"the questions surrounding the electronic use of copyright materials are not so much "How shall we prevent access and use?" as How shall we monitor access and use?"* The following are some examples of copyright issues in the digital age:

1) Digital Piracy and Unauthorized Distribution of Works: Digital piracy refers to *"the illegal act of duplicating, copying or sharing a digital work without the permission of the copyright holder, a violation of copyright laws."*⁵ It includes unauthorized copying and distribution of any works in any digital medium, although it is mainly committed in music, video or software. The convenience of copying and sharing digital content has made it difficult to control its distribution. Moreover, the rise of illegal websites that allow users to download copyrighted materials has been a significant blow to protecting copyrighted works. It has cost the industry billions of dollars in lost revenue and continues to threaten these industries. While these acts are considered crimes in various jurisdictions, including the Philippines, some do not view them as such and continue to commit digital piracy. The ease of doing it and the low risk of being caught further emboldens people to continue their infringing activity. To show that it is serious about protecting works online, the Intellectual Property Office of the Philippines (IPOPHIL) *"has issued its first site-blocking request against 11 domains and subdomains under the YTS brand, one of the top piracy websites in the world."*⁶ The request was made to the National Telecommunications Commission to block the said sites in the Philippines. The IPOPHIL found that the 11 sites have committed piracy and copyright infringement, violating the Intellectual Property Code of the Philippines.

⁴ Sec. 22 of R.A. 10372.

⁵ Jason Ingram. "Digital Piracy" located in <https://onlinelibrary.wiley.com/doi/pdf/10.1002/9781118517383.wbecj116>

⁶ <https://www.ipophil.gov.ph/news/ipophil-issues-first-site-blocking-request-on-one-of-the-worlds-biggest-piracy-sites/>

2) Fair Use in the Digital Realm: Fair use or fair dealing is a legal principle that allows the use of copyrighted material without permission within the parameters set by the law. In the Philippines, fair use is defined under Section 185 of the IP Code as follows:

“SECTION 185. Fair Use of a Copyrighted Work. - 185.1. The fair use of a copyrighted work for criticism, comment, news reporting, and teaching, including multiple copies for classroom use, scholarship, research, and similar purposes, is not an infringement of copyright. Decompilation, which is understood here to be the reproduction of the code and translation of the forms of the computer program to achieve the inter-operability of an independently created computer program with other programs may also constitute fair use. In determining whether the use made of a work in any particular case is fair use, the factors to be considered shall include:

- (a) The purpose and character of the use, including whether such use is of a commercial nature or is for non-profit educational purposes;
- (b) The nature of the copyrighted work;
- (c) The amount and substantiality of the portion used in relation to the copyrighted work as a whole; and
- (d) The effect of the use upon the potential market for or value of the copyrighted work.”

Fair use is one possible defense that someone charged with copyright infringement can raise. It seeks to balance the rights of the author and the public. However, the digital age has spawned new challenges in applying fair use. New technology has enabled creators to make new content that may use copyrighted material, such as mashups, memes, parodies, and user-generated content. Authors and creators of these works face risks of takedowns and even infringement charges if these works are not considered fair use. To illustrate, one can apply fair use to the case of DJ Earworm and his “United States of Pop.” DJ Earworm is a well-known mashup artist who combines the year's top pop songs into one track or song. He selects the top songs of the year and mixes them into a mashup to highlight the best songs for the year. It requires skill to mesh the songs together into one cohesive whole. Can this be considered fair use in the light of using digital technology but using copyrighted materials? Should he first ask permission before mashing up the songs? This has posed new challenges to creative artists like DJ Earworm. A sample of his works is found on his website.⁷

3) Cross-Border Enforcement: The global nature of the internet has made it increasingly difficult to enforce digital works across borders. Challenges stem from geographical distance, location, and differences in various countries' legal frameworks. What constitutes infringement in one country may not align with the laws of another. Additionally, varying rules regarding copyrightable works and the concept of fair use further complicate matters. Enforcing mechanisms face hurdles due to resource constraints and communication gaps, making pursuing infringers across different countries challenging. For instance, a streaming service shut down in one country may continue operations in another with less stringent enforcement

⁷ <https://x.com/djearworm?lang=en>.

and weaker laws. For Atanasova (2019), the internet's borderless nature has made it difficult to prosecute copyright infringers.

4) Copyright Issues in Generative Artificial Intelligence: The rise of generative artificial intelligence has presented significant challenges to copyright protection, particularly in the realms of authorship and intellectual property ownership, the use of copyrighted material as training data, and the assignment of moral rights. Firstly, determining authorship for AI-generated works is ambiguous because most copyright laws only recognize human authorship. This raises the question of who should be considered the author: the AI itself, the AI developer, or the individual who inputs data into the AI. Given that AI is non-human and lacks creativity, it is uncertain whether it can be deemed an author under current laws. Secondly, generative AI systems rely on being trained with competent and reliable data to be effective. However, issues arise when AI utilizes copyrighted material without the consent of the copyright holders. This raises the question of whether such usage constitutes copyright infringement or falls under fair use. The transformative nature of using copyrighted material to train AI remains to be clarified. Lastly, it is essential to establish whether generative AI possesses moral rights akin to those of humans. If so, the question of who should be credited with moral rights arises. These are just a few of the many complex issues that challenge copyright protection in the context of this new technology. Lander (2018) raised these issues in his work “Artificial Intelligence and Intellectual Property Law,” where he analyzed issues regarding the potential infringement of artificial intelligence.

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Recommended Strategies for Addressing Copyright Issues in the Digital Age

In today's digital age, traditional copyright protection methods face new challenges. The ease of digital content distribution has led to a rise in infringement and piracy. Effectively addressing these challenges requires measures that balance the interests of content creators and the broader society. Here are some recommended strategies for addressing copyright concerns in the digital age:

1) Education and Awareness: Lack of education and awareness is one of the primary reasons for copyright infringement. Both content creators and users often need to fully understand the importance of respecting intellectual property. Educating users about the legal ramifications of piracy and infringement in the digital sphere can help foster a culture of respect for intellectual property. By enhancing their understanding of intellectual property basics, individuals will be more conscientious when using online digital resources. The Intellectual Property Office of the Philippines (IPOPHIL) has various initiatives to educate, train, and raise awareness about the significance of respecting intellectual property, particularly copyright. These efforts include the iLEAP Plus program, which is detailed on their website.⁸ Additionally, universities and academic institutions, such as De La Salle University, offer education and training in intellectual property protection, management, and commercialization.

2) Improved Legislation and Enforcement: The Philippines' copyright laws, as outlined in the IP Code, require updates to address the challenges posed by digital technologies effectively. Despite the passage of the Cybercrime Prevention Act of 2012 (R.A. 10175), which imposes penalties for online copyright infringement and provides mechanisms for government agencies to combat digital piracy, there remains room for improvement. For instance, the

⁸ <https://www.ipophil.gov.ph/intellectual-property-training-and-assistance-programs/>

Philippines could consider implementing legislation similar to the Digital Millennium Copyright Act (DMCA) of the United States. The DMCA aims to bridge gaps in copyright law related to the Internet. The key legal revisions can be found on the US Copyright Office website.

*“(1) establishing protections for online service providers in certain situations if their users engage in copyright infringement, including by creating the notice-and-takedown system, which allows copyright owners to inform online service providers about infringing material so it can be taken down;
(2) encouraging copyright owners to give greater access to their works in digital formats by providing them with legal protections against unauthorized access to their works (for example, hacking passwords or circumventing encryption); and
(3) making it unlawful to provide false copyright management information (for example, names of authors and copyright owners, titles of works) or to remove or alter that type of information in certain circumstances.”⁹*

In 2020, the US Congress enacted the “Copyright Alternative in Small-Claims Enforcement (CASE) Act of 2020,” establishing the [Copyright Claims Board](#) (CCB) within the U.S. Copyright Office. *“The CCB is a voluntary, alternative forum to federal court designed for all types of creators and users of copyrighted materials. Eligible claims include those for misrepresentations in notices or counter-notices under section 512 of the DMCA, as well as for copyright infringement and declarations of noninfringement.”¹⁰* The Philippines can get inspiration from these laws to update itself with the current legislation in copyright protection in the digital age.

In addition to updating our laws, enhancing enforcement measures in the digital realm is crucial. The prevalence of counterfeit products on e-commerce platforms such as Lazada and Shopee underscores the widespread infringement of copyrights and online piracy. To tackle this issue, the IPOPHIL has established the Intellectual Property Rights Enforcement Office to address online infringement concerns. It has collaborated with other government agencies, including the Philippine National Police (PNP) and the National Bureau of Investigation (NBI), to combat cybercrimes and digital piracy. IPOPHIL has also engaged academic institutions and industry partners in the fight against this problem. Recently, IPOPHIL has sought the support of the National Telecommunications Commission (NTC) to remove websites with copyright violations. However, more efforts are needed to effectively address copyright infringement in the digital domain.

3) Technological Remedies: One of the strategies to address infringement and piracy online is to use technology itself. One way of controlling the use and distribution of digital content is the use of Digital Rights Management (DRM). Specifically, DRM enables the copyright owner to do the following:

1. *Prevent or restrict users from editing or saving, sharing or forwarding, printing, or taking screenshots or screengrabs of their content or products.*
2. *Set expiry dates on media, which prevents access to users beyond that date or limits the number of times they can access it*

⁹ <https://www.copyright.gov/dmca/>

¹⁰ <https://www.copyright.gov/dmca/>

3. *Limit media access to specific devices, Internet Protocol (IP) addresses, or locations, such as limiting content to people in the U.S. only.*
4. *Watermark documents and images to assert ownership and identity of content.*¹¹

DRMs have been utilized by major companies such as Apple and Spotify to safeguard the rights of content creators and subscribers. Additionally, many organizations rely on DRM to secure digital documents and data. These protective measures encompass content identification recognition and the incorporation of digital watermarks to deter unauthorized duplication. Essentially, DRMs safeguard content access, distribution, modification, and privacy.

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Reforms for Protecting Digital Works

It is important to update the existing copyright laws in the Philippines to provide more vital protection for digital literary and artistic works. Here are some suggested reforms:

I. Amendments to the IP Code:

1. Explicitly include provisions for digital works in the IP Code by amending the definition of "works" under Section 171 to encompass digital music, videos, software, e-books, and other digital creations.
2. Expand the "rights of authors" under Section 177 to encompass exclusive rights over digital works, such as the right to copy, distribute, perform, and publish works in digital formats, both physically and online.
3. Expand moral rights under Section 193 to include moral rights over digital works, ensuring that authors have paternity rights over their digital creations.
4. Update Section 211 to include related rights to digital transmissions and streaming of online performances and broadcasts, providing performers with rights over digital copies of their work when distributed online.
5. Revise Section 185 on Fair Use to include digital works, addressing the unique context of fair use in relation to digital works.

II. Enacting Digital Rights Management Law: DRMs are crucial in mitigating piracy and unauthorized use of digital content. Introducing a new provision in the IP Code to govern and promote DRMs will not only attract users but also act as a deterrent against the unauthorized manipulation of DRM technologies. Furthermore, another proposal is to introduce a new provision addressing the accountability of online service providers. These providers are responsible for hosting and transmitting data from various users, and it is conceivable that they may knowingly host or transmit infringing digital content. Implementing a provision that holds them accountable for such actions and mandates removing infringing digital material will significantly contribute to the ongoing battle against online piracy and infringement. In the

¹¹ [https://www.fortinet.com/resources/cyberglossary/digital-rights-management-drm#:~:text=What%20is%20DRM%3F-.Digital%20rights%20management%20\(DRM\)%20is%20the%20use%20of%20technology%20to,whether%20they%20can%20share%20it.](https://www.fortinet.com/resources/cyberglossary/digital-rights-management-drm#:~:text=What%20is%20DRM%3F-.Digital%20rights%20management%20(DRM)%20is%20the%20use%20of%20technology%20to,whether%20they%20can%20share%20it.) (Fortinet.com website).

international sphere, DRMs are widely used to prevent copyright infringement in the digital space for added protection for digital content (Patel, 2018).

III. Enhance Notice and Take-Down Procedures: If potentially infringing materials are found online, a notice and takedown procedure could be incorporated into Section 216.1 of the IP Code to remove infringing digital works. Simplifying the process for copyright owners to request a takedown is a positive advancement. In April 2021, the IPOPHIL, the National Telecommunications Commission, and major internet providers in the Philippines, including Globe and Smart, entered into a Memorandum of Understanding outlining the procedures for removing infringing online content.¹² However, the IPOPHIL currently lacks the authority to block piracy sites. Amending the IP Code to grant the IPOPHIL this authority would be a significant step in promptly blocking these sites.

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IV. Enhance Digital Copyright Registration: In accordance with Section 191 of the IP Code, only physical copyrighted works are explicitly listed as eligible for registration and deposition through "personal delivery" or "registered mail." This can be amended to include digital works. Also, Section 219 of the IP Code could be revised to include the presumption of ownership of registered digital works, such as e-books, digital movies, and music. Furthermore, it could be expanded to establish the legal implications of registering digital works in the same manner as physical works. Introducing a new provision in the IP Code to enable public access to information about digital works through an online platform could facilitate the establishment of a database of digital copyright registrations.

V. Enhanced Enforcement: It is crucial to streamline digital rights enforcement. Authors are often discouraged from filing complaints for copyright infringement due to the slow and cumbersome process of enforcing civil remedies under Section 216 of the IP Code. Simplifying the process can act as a deterrent to infringers. Furthermore, there is a need to consider increasing the penalties for infringement. It is recommended that the penalties for copyright infringement under Section 216 of the IP Code be explicitly expanded to cover digital piracy and infringement of digital works. The DMCA Act of the United States of America can be a good model for providing enforcement procedures that the Philippines can use to enhance its enforcement initiatives in the digital space (Samuelson, 2019).

VI. Increased Awareness and Education: Awareness and training programs currently emphasize the importance of respecting all forms of intellectual property. However, there needs to be more explicit initiatives to raise awareness and provide education on safeguarding digital works. It is recommended that Section 5 of the IP Code be revised to explicitly mention that one of the mandates of the IP Office is to promote and educate on digital works. This could involve implementing a program focused explicitly on digital copyright and fostering collaboration between IPOPHIL and educational institutions to integrate digital copyright training into the school curriculum. This initiative could be incorporated as part of the projects under the Innovation and Technology Support Office (ITSO) program, which includes educational institutions as members. Collective management organizations (CMOs) also play a crucial role in increasing awareness of copyright by facilitating licensing and royalty collection in the digital realm. According to Bautista (2018), CMOs contribute to enforcing

¹² <https://www.ipophil.gov.ph/news/ipophil-ntc-and-internet-providers-to-partner-in-blocking-piracy-sites/>

the copyrights of composers, publishers, and authors through copyright licensing of their works.

Conclusion

The emergence of digital technology has presented a fresh set of challenges and opportunities for protecting copyright in the Philippines. Traditional copyright protection methods have been surpassed by the ease of infringement using digital technology. As noted in the introduction, copying and distributing digital material without obtaining permission from the copyright owner has become effortless. While digital transformation has revolutionized the creation, distribution, and modification of creative works, it has also led to a rise in digital copyright infringement. Although current copyright laws in the Philippines establish a foundational framework for protecting traditional intellectual property such as books, drawings, photographs, and other literary and artistic works, they still need to adapt to the unique complexities of digital works. The proliferation of digital content has given rise to new forms of copyright issues, including unauthorized reproduction, digital piracy, and the circumvention of digital rights management technologies.

It is crucial to adopt a focused and diverse strategy to tackle the challenges arising from the shift from analog to digital forms of copyright. This involves amending existing laws to explicitly encompass digital works, streamlining digital copyright registration processes, establishing digital copyright databases, and strengthening enforcement measures against digital piracy. Equally important is the need to raise public awareness and provide education on digital copyright to promote a culture of respect for intellectual property rights, particularly in the digital realm. Engaging stakeholders from government, academia, and industry, utilizing digital technology for rights management, and encouraging international collaboration are all essential elements of a comprehensive approach to safeguarding digital works.

Looking ahead, it is imperative for all stakeholders, including policymakers, creators, and the general public, to join forces in constructing a robust copyright protection system that can adapt to the ever-changing digital landscape. Revising our legal framework marks just the initial step. For example, using blockchain technology for copyright management can improve the tracking of copyright-protected digital content (Atkinson D, 2020). Fostering an environment where people comprehend digital copyright issues and engage in constructive dialogue is crucial to safeguarding creators' digital rights. Let us take on this challenge with determination and aspire to create a more robust intellectual property ecosystem in the Philippines, where digital technology and copyright work hand in hand for enhanced digital copyright protection.

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