



Republic of the Philippines
Office of the President
OPTICAL MEDIA BOARD

OFFICE OF THE CHAIRMAN & CHIEF EXECUTIVE OFFICER

MEMORANDUM CIRCULAR NO. 2005-002

TO : ALL CONCERNED

Pursuant to Sections 3 (f) and 13 of Republic Act No. 9239 in relation to Title 1, Rule 2, Section 1 (k), and Title II, Rule 1, Section 1 (f), of the Implementing Rules and Regulations thereof, the public is hereby advised of the following guidelines for engaging in the business of CD-Burning:

GUIDELINES FOR ESTABLISHMENTS OFFERING CD-BURNING SERVICES

1. *Registration and Licensing of Establishments Offering CD-Burning services.* – All establishments engaged in the business of offering to the public the use of optical disc writers and re-writers, i.e., “CD-burning” services, compilation services, and similar services for a fee or for other commercial purposes, or use such writers in furtherance of its business, shall register with and obtain the necessary licenses from the Board.
2. *Registration of CD/DVD writers and related equipment.* – All establishments licensed under Sec. 1 hereof shall have all CD burners, personal computers, and other related equipment registered with the Board.
3. *Requirements for Registration.* – In addition to the minimum requirements for registration under Memorandum Circular No. 2005-001, the following are the additional requirements for businesses covered by this Circular:
 - a. Certified Inventory of all duplication equipment and related equipment such as, but not limited to, personal computers, etc.
 - b. Undertaking to comply with the obligations set forth hereunder, and such other obligations as the Board may impose;
4. *Registration Stickers.* – A registration sticker shall be issued for each personal computer, CD/DVD writer, other optical disc writer, or recorder of magnetic media registered with the Board, which shall be affixed on such equipment.
5. *Prohibited Activities.* – An establishment licensed hereunder shall not record, copy, burn, or compile films, music, software, games, books and other copyrighted or pornographic materials.
6. *Obligations of Establishment.* – Establishments licensed hereunder shall:
 - a. Not engage in any activities prohibited in the preceding section, or under any other laws

- b. Keep complete and accurate records of all transactions, such as, but not limited to job orders or requests, setting forth the complete details of all customers, the time and date of recording, material recorded, etc. for a minimum period of five (5) years
 - c. Display prominently its OMB license and Notice to the Public/ Information Poster; and
 - d. Such other obligations as may be imposed by the Board or as may be existing under the laws of the Republic
7. *Large-Scale Writing/Burning.* – establishments with more than **three (3) units** of CD/DVD writer or recorder of magnetic media, and primarily engaged in the duplication of optical discs, shall be covered by the rules and be subject to the same obligations as replicating plants.
8. *Fees.* – A Registration Fee of FIVE HUNDRED PESOS (P500.00) shall be imposed on each application for registration and License Fee of ONE THOUSAND PESOS (P1,000.00) shall be imposed on each unit of CD/DVD writer or recorder of magnetic media
9. *Cancellation of Accreditation.* – Failure to comply with this Memorandum Circular, or the submission of any false information or misrepresentation in the documents submitted hereunder shall be considered a violation of the terms of the license and ground for administrative and criminal action.
10. *Effectivity.* – This Circular shall take effect immediately.

Quezon City, May 9, 2005.

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