

## The Applicability of *Upjohn Company v. United States* in the Philippine Setting and Establishing the Parameters of the Attorney-Client Privilege

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The attorney-client relationship is strictly personal and fiduciary in nature. One of the key aspects of this fiduciary relationship is the attorney-client privilege, which is also strictly personal. Operating within this paradigm, this Comment explores the treatment of the doctrine on the attorney-client privilege in the case of *Upjohn Company v. United States* and determines whether the *Upjohn* doctrine has found express or implicit recognition in Philippine jurisdiction by virtue of statutes, judicial decisions, and the various provisions of the Rules of Court. Thereafter, the Comment analyzes the seeming incongruence between the doctrine of *Upjohn* and the well-entrenched principle in Philippine jurisprudence that the attorney-client privilege is strictly personal in nature. In the conclusion, the Authors harmonize the two conflicting doctrines by proposing that an ideal balance between preserving the essential role of corporate officers, as personifications of the corporation for the acts and contracts of the latter, and the need for a doctrine that recognizes the current realities and complexities of advising a corporate client, must be struck.