

## **ENFORCEMENT AND INVESTOR PROTECTION DEPARTMENT**

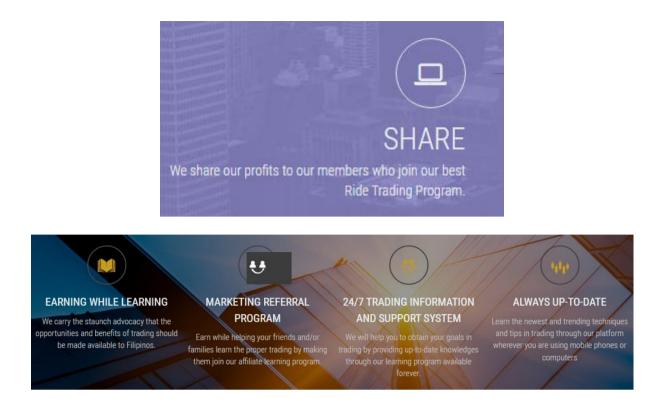
## **SEC ADVISORY**

Based on reports and information gathered by the Commission, FDMS BUSINESS AND MARKETING SOLUTIONS INC. by Frederick Bahalla Sabater, Marlon Salvador Adriano, Mylene Balayan Cureg, Daniel Dela Cruz Sta. Rita and Ronaldo Dizon Villena is soliciting investments WITHOUT THE NECESSARY LICENSE AND/OR AUTHORITY FROM THE COMMISSION.

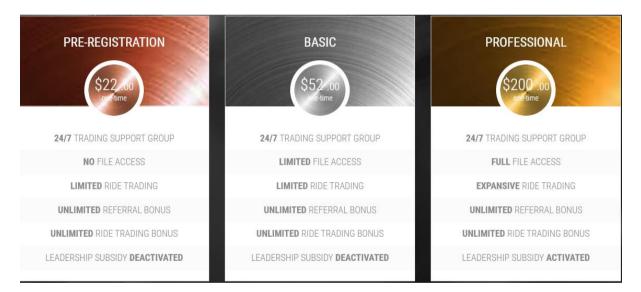


**FDMS BUSINESS AND MARKETING SOLUTIONS INC.** under its so-called Affiliate Learning Program, is offering investment plans through its Ride Trade Investment packages, namely: Pre-Subscription, Basic Subscription and Pro-Subscription, respectively, with a minimum investment of Php3,000.00 up to a maximum of Php1,000,000.00 with **promised earnings ranging from 30% up to 50% per month (Php900.00 up to Php500,000.00) or up to 150%-250% in 5 months (Php400,000.00 up to Php2,500,000.00).** 

				Ride	Traders		
	R	ide Trades	%	Income per Day	Income 15 Days	Income per Month	<b>ROI in 5 Months</b>
	Basic Subscription - 40%/Mo	60\$ - 999\$					
50%/Mo.		3,000.00 - 49,999.00	1.50%	45.00 - 749.99	495.00 - 8,249.84	900.00 - 14,999.70	4,500.00 74,998.50
		10,000.00	1.50%	150.00	1,650.00	3,000.00	15,000.00
		20,000.00	1.50%	300.00	3,300.00	6,000.00	30,000.00
		30,000.00	1.50%	450.00	4,950.00	9,000.00	45,000.00
		1,000\$ 5,999\$					
		50,000.00 299,999.00	2.00%	1,000.00 5,999.98	11,000.00 65,999.78	20,000.00 119,999.60	100,000.00 - 599,998.00
		60,000.00	2.00%	1,200.00	13,200.00	24,000.00	120,000.00
		70,000.00	2.00%	1,400.00	15,400.00	28,000.00	140,000.00
		80,000.00	2.00%	1,600.00	17,600.00	32,000.00	160,000.00
		90,000.00	2.00%	1,800.00	19,800.00	36,000.00	180,000.00
		100,000.00	2.00%	2,000.00	22,000.00	40,000.00	200,000.00
		150,000.00	2.00%	3,000.00	33,000.00	60,000.00	300,000.00
Pro Subscription -		6,000\$ - 1M\$ Up					
1 de		300,000.00 - 5,000,000.00	2.50%	7,500.00 125,000.00	82,500.00 1,375,000.00	150,000.00 - 2,500,000.00	750,000.00 12,500,000.00
sq		400,000.00	2.50%	10,000.00	110,000.00	200,000.00	1,000,000.00
0 St		500,000.00	2.50%	12,500.00	137,500.00	250,000.00	1,250,000.00
4		1,000,000.00	2.50%	25,000.00	275,000.00	500,000.00	2,500,000.00



Aside from the guaranteed returns **FDMS MARKETING AND BUSINESS SOLUTION INC.** is also offering additional incentives for recruiting members as follows:







4.2 Cryptocurrency Trading

The aforementioned investment scheme of **FDMS BUSINESS AND MARKETING SOLUTIONS INC.** clearly involves offering and sale of securities in the form of "investment contract" as defined under Section 3.1 of the Securities Regulation Code.

In this regard, the public is made aware that an "*investment contract,*" which is a form of a security, exists when there is an investment or placement of money in a common enterprise with a reasonable expectation of profits to be derived from the efforts of others which is prominent in the scheme of **FDMS BUSINESS AND MARKETING SOLUTIONS INC.** 

As such, the Securities Regulation Code (SRC) requires that said offer and sale of securities must be duly registered with the Commission and that the concerned entity and/or its agents should have the appropriate registration and/or license to sell such securities to the public.

Records of the Commission show that **FDMS BUSINESS AND MARKETING SOLUTIONS INC.** was registered with the Commission on March 15, 2021. However, such registration merely grants juridical personality to the corporation but DOES NOT authorize it to issue, sell or offer for sale securities to the public nor undertake business activities requiring a secondary license.

Further, per records of the Commission, **FDMS BUSINESS AND MARKETING SOLUTIONS INC.** <u>is not authorized to solicit investments from the public</u> as this entity did not secure prior registration and/or license to solicit investment from the Commission as prescribed under Sections 8 and 12 of the Securities Regulation Code.

In fact, **FDMS BUSINESS AND MARKETING SOLUTIONS INC.'s** primary purpose per its Article of Incorporation is, as follows:

First: That the name of said corporation shall be

FDMS Business and Marketing Solutions Inc.

Second: That the purpose or purposes for which such corporation is incorporated are:

Primary:

To provide marketing services on customer traffic online thru social media marketing platform,, website marketing platform and Same kind that used internet to function and services on customer traffic offline upon scope of prospected clients by using old school type of marketing approach performed by commissioned agents,;

Secondary:

Our business is to provide our client with volume of prospects or potential clients in regards of their goods and services selling activities. A marketing arm of E-Commerce Operators to assist them on advertising their products and services to a specified market Either online or offline method which gives them a higher probability rate of closed sales to increase their revenue.;

Provided that the corporation shall not solicit, accept or take investments/placements from the public neither shall it issue investment contracts.

In addition, the scheme employed by **FDMS BUSINESS AND MARKETING SOLUTIONS INC.** has the characteristics of a **"Ponzi Scheme"** where monies from new investors are used in paying "fake profits" to prior investors and is designed mainly to favor its top recruiters and prior risk takers and is detrimental to subsequent members in case of scarcity of new investors.

The offering and selling of securities in the form of investment contracts using the **"Ponzi Scheme"** which is fraudulent and unsustainable, is **NOT** a registrable security. The Commission will not issue a License to Sell Securities to the Public to persons or entities that are engaged in this business or scheme.

Moreover, be informed that the Commission does not allow the registration of Foreign Exchange (FOREX) in the nature of Commodity/Financial Futures Contract, Contracts for Difference (CFDs) and other similar highly-volatile and risky derivatives nor their merchants/brokers, as the public trading thereof and pertinent rules governing these securities, remain suspended pursuant to Rule 11 of the 2015 Implementing Rules and Regulation (IRR) of the SRC. In other words, since the Commission has not yet registered a commodity futures exchange, it follows that no commodity futures merchant shall likewise be registered and allowed to solicit investments in commodity futures contracts, otherwise known as leveraged foreign currency contracts or margin trading.

It is to be noted that the Commission also previously issued on 27 July 2018, an Advisory regarding FREE TRAINING SEMINARS PROMOTING FOREIGN-REGISTERED ELECTRONIC TRADING PLATFORMS wittingly used as fronts of illegal offering and/or selling of unregistered securities with the prospect of learning successful strategies in investing and profiting from the above-stated securities using various electronic investment platforms. These electronic platforms are allegedly foreign-registered and are accessible anywhere in the Philippines through the internet.

In view thereof, the public is hereby advised to **STOP INVESTING** in the investment scheme being offered by **FDMS BUSINESS AND MARKETING SOLUTIONS INC.**, and its **representatives**.

Those who act as salesmen, brokers, dealers or agents, representatives, promoters, uplines, influencers, endorsers, abetters and enablers of **FDMS BUSINESS AND MARKETING SOLUTIONS INC.**, in soliciting or convincing people to invest in the investment scheme being offered by the said entity including soliciting investments or recruiting investors through the internet may be held criminally liable under Section 28 of the SRC and penalized with a maximum fine of Five Million Pesos (Php5,000,000.00) or imprisonment of Twenty One (21) years or both pursuant to Section 73 of the SRC (*SEC vs. Oudine Santos, G.R. No. 195542, 19 March 2014*).

Furthermore, the names of all those involved will be reported to the Bureau of Internal Revenue (BIR) so that the appropriate penalties and/or taxes be correspondingly assessed.

Should you have any information regarding the operation of **FDMS BUSINESS AND MARKETING SOLUTIONS INC.,** and its representatives, please send your report through email at <u>epd@sec.gov.ph</u>.

For the information and guidance of the public.

Makati City, 10 January 2023