ADVISORY

The Securities and Exchange Commission (the "Commission"), pursuant to its mandate to regulate the issuance, offering, and sale of securities to the public, and in the exercise of its enforcement authority under Republic Act No. 8799, otherwise known as the **Securities Regulation Code (SRC)**, **hereby issues this Advisory to warn the public against investing in the unauthorized investment solicitation activities** being perpetrated by **GAINEXPRESS**, and by individuals or groups of persons under the direction and control of one **GERONIMO**

SERVANDE.

Information and reports received by the Commission reveal that said individuals or groups are actively soliciting investments from the public through various online platforms and social media channels, promising exorbitant returns on minimal capital outlay. The investment scheme is publicly offered under the name **GAINEXPRESS**, and features the following plans:

1. **Lite Plan** – 8% daily profit for 20 days (Minimum investment: ₱500.00)
2. **Pro Plan** – 140% return in 7 days (Minimum investment: ₱1,000.00)
3. **Max Plan** – 185% return in 13 days (Minimum investment: ₱2,000.00)
4. **Ultra Plan** – 270% return in 24 days (Minimum investment: ₱2,000.00)

These schemes clearly fall within the definition of an **investment contract**, which is a form of **security** under Section 3.1 of the SRC. An **investment contract** exists when a ***person invests money in a common enterprise with the expectation of profits primarily derived from the efforts of others***. As such, the offer or sale of investment contracts to the public must be duly registered with the Commission pursuant to **Section 8** of the **SRC**, and any person or entity engaging in such activity must likewise be registered and licensed in accordance with **Section 28** of the same law.

However, based on the records of the Commission, **GAINEXPRESS is not registered** as a corporation or partnership and **has not been issued any secondary license or authority** to solicit investments from the public. The unauthorized and unregistered offer and sale of securities by GAINEXPRESS therefore constitutes a **serious violation of the SRC**, and exposes the investing public to potential financial harm.

Moreover, the investment scheme of GAINEXPRESS bears the characteristics of a **Ponzi scheme**, wherein funds collected from new investors are used to pay supposed "profits" to earlier investors. Such schemes are inherently fraudulent and unsustainable, and are designed to benefit only the top recruiters and early participants at the expense of later investors. **The Commission does not and will not register or license any entity or individual engaged in Ponzi-type operations**, as such schemes are detrimental to the investing public and violate the fundamental principles of fair and lawful securities transactions.

Additionally, the activities of GAINEXPRESS may constitute **investment fraud** under **Republic Act No. 11765**, otherwise known as the *Financial Products and Services Consumer Protection Act* (FCPA). The FCPA prohibits any form of deceptive solicitation of investments from the public, including but not limited to Ponzi schemes and other similar arrangements that promise unreasonably high returns sourced solely from the capital of subsequent investors and are conducted without proper regulatory authority.

In light of the foregoing, the Commission hereby strongly cautions the public **not to invest** or to **immediately cease investing** in any investment scheme offered by **GAINEXPRESS**, **Geronimo Servande**, or any person or group acting on their behalf. The public is further advised to exercise extreme prudence in dealing with any individual or entity offering investment opportunities without the requisite license or authority from the Commission.

Individuals who act as **salesmen, brokers, dealers, agents, representatives, promoters, uplines, influencers, endorsers, abetters, or enablers** of GAINEXPRESS—by directly or indirectly promoting, marketing, or soliciting investments from the public—may be held **criminally liable** under **Section 28 of the SRC** and **Section 11 of the FCPA**, in addition to other applicable laws. These offenses are punishable by **a fine not exceeding Five Million Pesos (₱5,000,000.00)**, **imprisonment of up to Twenty-One (21) years**, or **both**, pursuant to **Section 73** of the **SRC**, as upheld by the Supreme Court in *SEC v. Oudine Santos*, G.R. No. 195542, 19 March 2014.

Furthermore, the Commission shall report the names of all individuals and entities found to be involved in the above-mentioned illegal investment activities to the **Bureau of Internal Revenue (BIR)** for the appropriate assessment of taxes, surcharges, and penalties.

The public is encouraged to report any information regarding the operations of **GAINEXPRESS** and its agents, or any similar unauthorized investment activities, to the **Enforcement and Investor Protection Department (EIPD)** through email at **epd@sec.gov.ph.**

For the protection of the investing public, the Commission reiterates its commitment to pursue violators of the securities laws and to enforce the provisions of the SRC, the FCPA, and other applicable laws and regulations.

For the information and guidance of the public.

Issued on 8 August 2025 in Makati City, Philippines.