

Regulations on the Amendments to the Regulations Regarding the Marking of Intellectual and Artistic Works

1. The article 5(i)1 of the Regulations on the Marking of Intellectual and Artistic Works published in the Official Gazette #23172 dated 16 November 1997 is amended to read as follows: §

“A sticker is a security tag containing a security strip with holographic properties which is applied for the prevention of the unlicensed reproduction or falsification of the intellectual and/or artistic works, on the non-periodical publications, sound and/or image carrying media, disks and diskettes on which such works are recorded, which is destroyed and/or destroy the materials on which it is applied when removed.”

2. The article 12 of the same Regulations is amended as follows together with its heading:

“Use of Security Tags with Holographic Properties

12. The manner in which the security holograms may be obtained for the non-periodical publications is shown below:

(a) The publisher will prove by material evidence in form of a contract or letter of authorisation pursuant to the provision requiring that “The notarised agreements and actions regarding the financial rights will be in writing to enumerate the rights constituting the subject thereof” as required by the article 52 of the Law #5846.

(b) Security holograms to be used on non-periodical publications will be given to the owners of the concerned rights or to the publishers that prove by notarised contracts of letters of authorisation that they hold the said rights.

(c) Stickers in the required quantities for the work stated in the contract or letter of authorisation will be purchased from the Department of Intellectual Rights and Movie Films Department in Istanbul and from the culture departments in other provinces.

(d) Stickers issued to the holders of rights may not be used on items other than the publication to be reproduced, received from the printing house.

(e) Following documents are required to issue security holograms:

1. A legally valid contract or letter of authorisation indicating the ownership of the right.

2. A copy of the letter ordering to the printing house the production of a certain number of the works by the owner or by the publisher holding the reproduction right or a copy of the relevant invoice or a written statement showing the tax registry number where the first two are not available.”

3. The following provisional article is added to the said Regulations:

“**Provisional Article 1.** Security holograms in the non-periodical publications will be used until 31 March 1999 upon request of the owner of the right, the right holder or the publishing house holding the reproduction right.”

4. These Regulations will enter into force upon their publication.

5. Provisions of the present Regulations will be enforced by the Minister of Culture.