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REGULATION ON THE IMPLEMENTATION OF THE INDUSTRIAL PROPERTY CODE 6769

INITIAL PROVISIONS

Purpose, Scope, Basis and Definitions

Purpose and scope

ARTICLE 1 – (1) The purpose of this Regulation; It is to regulate the procedures and principles to be applied in the protection of the rights related to trademark, geographical indication, design, patent, utility model and traditional product names by issuing documents and in other transactions related to these rights.

(2) This Regulation; It covers the principles, rules and conditions regarding trademark, geographical indication, design, patent, utility model and traditional product name applications.

Rest

ARTICLE 2 – (1) This Regulation has been prepared on the basis of the Industrial Property Law dated 22/12/2016 and numbered 6769.

Definitions

ARTICLE 3 – (1) In the implementation of this Regulation;

a) Emblem: Formed by the Authority, indicating that geographical indications and traditional product names have been registered in accordance with the provisions of Law No. 6769; The sign that is used on the product or its packaging together with the registered name, or applied by the right holders in a way that can be easily seen in cases where the product cannot be used on itself or its packaging due to its nature, and which must be used in terms of geographical indications,

b) Biological material: Any substance that contains genetic information and can reproduce by itself or can be produced in a biological system,

c) Budapest Agreement: The Budapest Agreement on the International Acceptance of the Deposit of Microorganisms for the Purpose of Patent Procedures, which we decided to participate in with the Council of Ministers Decision dated 5/8/1997 and numbered 97/9731,

c) Bulletin: The relevant publication in which the issues specified in this Regulation are published, regardless of the type of publication medium,

d) Agreement Establishing the World Trade Organization: The Agreement Establishing the World Trade Organization, which was approved by the Law No. 4067 dated 26/1/1995 and entered into force with the Council of Ministers Decision dated 3/2/1995 and numbered 95/6525,

e) Contact information: Address information and, if any, information suitable for contact such as e-mail address, registered e-mail address and telephone number,

f) Law: Industrial Property Law No. 6769 dated 22/12/2016,

g) Identity information: Name and surname for real persons, TR identity number if they are Turkish citizens; If it is a legal person, its name or trade name and tax number, the name and tax number of public institutions and organizations and professional organizations in the nature of public institutions, if the identity information is related to a trademark attorney or patent attorney, also the attorney Registry number,

ğ) Institution: Turkish Patent and Trademark Office,

h) Board: The Board within the body of the Re-examination and Evaluation Department,

i) Locarno Agreement: Locarno Agreement on the International Classification of Industrial Designs, which we decided to join with the Council of Ministers Decision dated 5/8/1997 and numbered 97/9731,

i) Madrid Protocol: Protocol Relating to the Madrid Convention on the International Registration of Trademarks, which we decided to join with the Council of Ministers Decision dated 5/8/1997 and numbered 97/9731,

- j) Trademark attorney: Persons who represent the right holders before the Authority in matters related to trademark, design, geographical indication and traditional product names,
- k) Nice Agreement: Nice Agreement on the International Classification of Goods and Services for the Purpose of Registration of Trademarks and its amendments, which was put into effect with the decision of the Council of Ministers dated 12/7/1995 and numbered 95/7094,
- l) Patent Cooperation Agreement: The Agreement establishing the international application system of patents to which participation is made with the Law No. 4115 dated 7/7/1995,
- m) Paris Convention: With this Convention dated 20/3/1883 on the Establishment of an International Union for the Protection of Industrial Property, which was approved by the Council of Ministers Decision dated 8/8/1975 and numbered 7/10464, and this Convention duly put into force by the Republic of Türkiye . related changes,
- n) Patent attorney: Persons representing the right holders before the Office in matters related to patent, utility model and design rights,
- o) Industrial property right: Brand, geographical indication, design, patent and utility model,
- ö) Class: Each class of goods or services subject to registration for trademarks, for designs, the class of products to which the designs are applied based on the Locarno Agreement,
- p) Registry: A recording medium containing information on industrial property rights and traditional product names,
- r) Communiqué: Communiqué on the fee tariff to be applied by the Turkish Patent and Trademark Office in accordance with subparagraph (f) of the second paragraph of Article 6 and Article 25 of the Law No. 5000 dated 6/11/2003 on the Establishment and Duties of the Turkish Patent and Trademark Office,
- s) Fee: The fee, including taxes and fees, if any, determined by the Authority in accordance with the provisions of the relevant legislation regarding the services within the scope of this Regulation, means.

BOOK ONE

Brand

PART ONE

Trademark Application

FIRST PART

Place and Date of Application, Application Conditions

Place and date of application

ARTICLE 4 – (1) Real or legal persons within the scope of Article 3 of the Law may apply to the Institute for trademark registration.

(2) The application date is the date, hour and minute when the application form and the required information or documents are received by the Institute. An international application to which Türkiye is a designated contracting party under the Madrid Protocol is deemed to have been made in the first hour and minute of the international application date. In case of more than one international application with the same date, the one with the lower international registration number shall be deemed to have been filed first.

The application form and the information that the application form should contain

ARTICLE 5 – (1) The trademark application is submitted to the Institute by filling out the application form accepted as valid by the Institute in electronic environment. Otherwise, the application will be removed from the process and the fee will be refunded to the applicant upon request.

(2) The following information must be included in the application form:

- a) Identity and contact information of the applicant or owners.
- b) If the application is made through a proxy, the attorney's identity and contact information.
- c) Information on the priority right request, if any.

c) A sample of a trademark that meets the conditions set forth in Article 4 of the Law and Article 7 of this Regulation.

d) If letters or letters other than the Latin alphabet are used in the brand sample, their Latin alphabet equivalents.

e) Class numbers of the goods or services subject to the trademark application according to the Nice Agreement and the list arranged in accordance with these numbers.

f) Signature of the authorized person or persons.

g) Information showing that the application fee, if there is more than one class of goods or services within the scope of the application, the fee for these additional classes and, if any, the fee for the priority right claim has been paid.

ğ) Information on consent, if any.

h) Information on the joint representative, if any.

i) Number of additional pages, if any, and information on annexes.

Documents to be attached to the application form

ARTICLE 6 – (1) The following documents are attached to the application form:

a) If it is desired to benefit from the priority right, the original of the document showing the priority right obtained from the competent authorities and the Turkish translation of this document approved by a sworn translator.

b) Technical specification if the application is made for a common trademark or a guarantee mark.

c) If there is a consent letter, the original of the notarized consent letter or a notarized copy of the said consent.

Brand sample display

ARTICLE 7 – (1) In case the signs that can be perceived by the sense of sight, such as words, shapes, letters, numbers, the shape of the goods or their packaging, or a combination of these are the subject of the trademark application, the trademark sample is submitted to the Institute with the application form.

(2) In cases where the registration of the application as a sound trademark is requested, this must be clearly stated in the application form and the recording of the mark suitable for listening and storage in electronic environment must be submitted to the Institute. The applicant may submit this notation together with the application, where it is possible to show notation.

(3) In cases where the application is requested to be registered as a three-dimensional trademark, it must be clearly stated in the application form, and the representations of the sign containing the view of the sign from a single direction or from different angles must be submitted to the Institute in a way to ensure that the protection issue is understood clearly and precisely. These displays should include a view from a maximum of six different angles and should not impair the integrity of the brand.

(4) In cases where the application is requested to be registered as a color trademark, this must be clearly stated in the application form, the color image forming the mark must be submitted and the color code accepted by the Institute must be specified. In case the color or colors are used within elements such as an embodied shape, figure, picture or word, the sign is not considered as a color brand and the provision of the first paragraph is applied.

(5) In cases where the application is requested to be registered as a motion mark, this must be clearly stated in the application form and an image depicting the motion constituting the mark or a series of still or moving images must be submitted to the Institute. Impressions must be such that they do not violate the integrity of the brand.

(6) The provisions of this article are also applied to the display of a sign other than the ones listed above, to the extent that it conforms to its nature. In this case, the applicant submits to the Institute a visual representation, electronic record, written explanation or any other representation he deems appropriate, especially through images, figures, lines or characters.

(7) The applicant may also submit a written explanation regarding the display of the sign, in addition to the obligatory ones in this article.

(8) If the Institute considers that the presentation presented is not clear, precise and understandable enough, or when it deems necessary, it may request all kinds of information, documents and explanations regarding the sign subject to application.

(9) If the presentations submitted do not meet the conditions specified in this article or if it is determined that there is a mismatch between the information, presentations and explanations submitted to the Institute regarding the application, the applicant is given two months to correct the deficiencies. In this case, the application date becomes final as of the date, hour and minute when the information or documents that correct the deficiencies are received by the Institution. If the deficiencies are not corrected within this period, the application is removed from the process.

SECOND PART

Examining the Application

Examine the shape

ARTICLE 8 – (1) The Institute examines a trademark application in terms of Articles 4, 5 and 6.

(2) The application date is the signed application form containing the identity information specified in subparagraph (a) of the second paragraph of Article 5, the sample of the trademark meeting the conditions specified in Article 4 of the Law and Article 7 of this Regulation, the list of goods or services subject to the application and the information showing that the application fee has been paid. It is finalized as of the date, hour and minute when it is given to the institution.

(3) If it is determined that the identity information, signature, application form, trademark sample, application fee are missing from the elements specified in the second paragraph or that the goods or services that are the subject of the application are not specified, the applicant is given two months to correct the said deficiencies. If the deficiencies are corrected within this period, the application process continues. In this case, the application date becomes final as of the date, hour and minute when the information or documents that correct the deficiencies are received by the Institution. If the deficiencies are not corrected within the specified time, the application is removed from the process.

(4) In applications containing more than one class, if it is determined that the information regarding the payment of the fee corresponding to all the classes of goods or services within the scope of the application is not submitted, a two-month period is given to the applicant to remedy the deficiency regarding the additional class fee. If the deficiency is corrected within this period, the application date will not be affected. However, if the deficiency is not remedied within the specified period, the provision of the fifth paragraph of Article 9 shall apply.

(5) If the deficiencies within the scope of subparagraph (d) of the second paragraph of Article 5 are corrected and the technical specifications in subparagraph (b) of the first paragraph of Article 6 are not submitted, the applicant is given two months to remedy the said deficiencies. If the deficiencies are corrected within this period, the application date will not be affected. If the deficiencies are not corrected within the specified time, the application is removed from the process.

(6) If the fee for the priority right claim specified in subparagraph (g) of the second paragraph of Article 5 is not paid or the document specified in subparagraph (a) of the first paragraph of Article 6 is not submitted to the Institute within three months following the application date in accordance with Article 13 of the Law, the application will only be deducted from the priority right. cannot benefit.

(7) In cases where there is more than one applicant, if a joint representative is not specified, no deficiency notification is made and the first applicant mentioned in the application form is considered to be the joint representative.

(8) In case the technical specification specified in subparagraph (b) of the first paragraph of Article 6 relates to the warranty mark, the identity and contact information of the applicant or owners must be provided by a single correspondence address regarding the application, a sample of the trademark, the common features of the goods or services guaranteed by the trademark, the name of the trademark. It is obligatory to specify how the trademark will be used in goods or services, the methods of use of the trademark, how the right to use the trademark, especially the persons authorized to use the trademark, how and how often the inspections will be carried out after the

trademark is granted the right to use it, and the sanctions to be applied in case of use contrary to the technical specifications.

(9) If the technical specification specified in sub-paragraph (b) of the first paragraph of Article 6 is related to the common trademark, the identity and contact information of the applicant or owners, how and how often the inspections regarding the application will be made, and a single correspondence address regarding the application, a sample of the trademark, the trademark. In which goods or services it will be used and how it will be used, the terms of use of the trademark, the conditions of membership of the companies authorized to use the trademark, the membership conditions to the community formed by these enterprises, and the sanctions to be applied in case of use contrary to the technical specifications, if any, must be specified.

(10) In case the technical specification does not contain the issues specified in the eighth and ninth paragraphs or is contrary to public order or general morality, the applicant is given six months to correct the deficiencies. If the deficiencies are not corrected within the specified time, the application is removed from the process.

Classification

ARTICLE 9 – (1) The goods or services subject to the application are classified according to the principles in the Nice Agreement in accordance with Article 11 of the Law.

(2) The goods or services whose registration is requested must be presented in a classified manner in accordance with the Nice Agreement and by specifying the class numbers of the goods or services.

(3) If a general term or expressions required to be explained by the Institute are used in the list of goods or services, the applicant is given two months to explain them. If the deficiencies are corrected within this period, the application date will not be affected and the application process will continue. If the explanation is not submitted to the Institution within the specified period, the general terms and expressions requested to be explained are removed from the list.

(4) The Institute is authorized to make the necessary arrangements on the classes and class numbers of the goods or services included in the application form. If general terms including the general expressions used in the Nis Classification are used in the application, the expression or term used shall be interpreted to include the goods and services that are clearly covered by their literal meaning. In case the goods or services list is not prepared in accordance with the principles in the Nice Agreement, the Institute requests the applicant to pay the classification list preparation fee within two months for the arrangements to be made, when deemed necessary. If the information regarding the payment of the said fee is not submitted to the Institute within this period, the application is removed from the process.

(5) In applications containing more than one class, if the information regarding the payment of the additional class fee is not submitted to the Institute within the two-month period given by the Institute, the application is evaluated in terms of the classes corresponding to the paid fee, taking into account the order in which the classes of goods or services are written in the application form. However, the request of the applicant, if any, is taken into account in determining the classes of goods or services corresponding to the fee paid.

Consent

ARTICLE 10 – (1) The consent letter to be submitted within the scope of the third paragraph of Article 5 of the Law must be prepared in the form of a signed form accepted as valid by the Institution, including the following elements, and must be approved by the notary public:

a) Identity and contact information of the approved applicant or owners.

b) If the consent form is submitted at the application stage, the sample of the trademark subject to the consent; the application number subject to the consent, if it is submitted at the stage of appealing the decision.

c) Identity and contact information of the consenting applicant or trademark owner or owners, and the application or registration numbers of the previous application or trademarks subject to the consent.

c) Goods or services for which consent is given and their class numbers.

d) If the consent form is signed by the attorney on behalf of the applicant or the trademark owner, a notarized power of attorney containing the consent authority or a notarized copy of the said power of attorney.

(2) If the consent form does not contain the elements specified in the first paragraph, the applicant is given two months to correct the deficiencies. If the said deficiencies are not corrected in due time, the request shall be deemed not made.

(3) The consent form can be submitted to the Institute together with the application form or, in case of objection to the decision, until a decision is made about the objection. In case the consent form is not submitted to the Institution despite a request for consent, no deficiency notice is made and the request is deemed not made.

(4) If there are exclusive license holders registered in the registry, their written permission must also be submitted.

(5) Consent must be unconditional and unconditional. Once the consent letter is submitted to the Institution, the consent given cannot be withdrawn.

(6) A separate consent form must be submitted for each trademark application.

THIRD PART

Publication of the Application, Registration, Publication of the Registration and Priority

Publication of the application

ARTICLE 11 – (1) A trademark application that has been fully fulfilled and has not been rejected in accordance with the provisions of Articles 15 and 16 of the Law shall be published in the periodically published Bulletin, including the following information:

- a) Application number and date.
- b) The applicant's nationality, identity and contact information.
- c) Brand sample.
- c) List of goods or services and their class numbers.
- d) Goods or services rejected in case the application is partially rejected.
- e) Representative information, if any.

(2) The Institution may publish an additional Bulletin regardless of the periodically published Bulletin.

(3) If a decision is made to reject the application according to the provisions of Articles 15 and 16 of the Law, after the application is published, the rejection decision is published separately.

Registration

ARTICLE 12 – (1) A trademark application is registered upon completion of the stages specified in Article 22 of the Law and the submission of the information regarding the payment of the registration fee to the Institute within the two-month period given by the Institute. In case of incomplete payment of the registration fee, the applicant is given an additional one month period to correct the said deficiency. In the event that the information regarding the payment is not submitted within the specified periods or the lack of fee is not corrected, the application is removed from the process and the fee received is refunded upon request.

Publication of registration

ARTICLE 13 – (1) Trademarks registered in accordance with Article 22 of the Law are published in the Bulletin, including the information in the Registry. Trademarks within the scope of the second paragraph of Article 22 of the Law are not accepted as registered trademarks, the application procedures are continued from the incomplete stage and this situation is published in the Bulletin. However, if two years have passed since the registration date, the registration status of the trademark is not affected by the incomplete stage.

Information to be included in the registry

ARTICLE 14 – (1) The following information is included in the registry:

- a) Trademark registration number, application and registration date.
- b) Brand sample.
- c) Nationality, identity and contact information of the trademark owner.
- c) Goods or services subject to registration.

- d) Class numbers of the goods or services subject to registration.
- e) Representative information, if any.

Claiming the priority right

ARTICLE 15 – (1) In case the priority right requested pursuant to the provisions of Article 12 of the Law and Article 6 of this Regulation is deemed appropriate by the Institution, information regarding the priority right shall be included in the trademark registration certificate and the Registry.

(2) In the priority right claims based on display in national or international exhibitions opened in Türkiye, the official opening date of the exhibition and the date of the exhibition, which clearly and completely shows the brand in which the exhibited goods or services are used, including photographs or photographs of this brand, taken from the competent authorities. or an exhibition priority document stating the date on which the service was displayed and a certified copy of the trademark.

(3) In the requests for priority right based on the exhibition in international exhibitions opened in the states party to the Paris Convention or the Agreement Establishing the World Trade Organization, a certified copy of the brand shall be submitted with the document prepared by the authorized authorities regarding the brand in which the exhibited good or service is used, and containing the matters specified in the second paragraph.

(4) In the priority right request, the country, date and number of the application in which the priority right arises are indicated.

(5) If more than one priority right is requested, a separate fee is paid for each priority right request.

Issuance of priority right certificate

ARTICLE 16 – (1) The priority right certificate requested based on the trademark application duly filed in Türkiye is given upon the request of the trademark owner, provided that the information regarding the payment of the fee is submitted to the Institute.

CHAPTER FOUR

Division of Trademark Registration Application

Division

ARTICLE 17 – (1) A trademark application may be divided into two or more applications, upon the request of the applicant, until the application is registered by the Institute. Registered trademarks cannot be divided.

(2) The following information and documents must be submitted for division:

- a) Request form.
- b) Information showing that the fee has been paid.

(3) As a result of the division process, the goods or services within the scope of the first application may be distributed among the divided applications. Each divided application is given a separate application number. Split applications that receive a new application number are independent of the first application and other applications created by splitting the first application, and each divided application continues to be processed separately. Split applications protect the application date of the first application and the priority right, if any. Split applications cannot be combined again.

(4) The division that occurs after the publication of the application is also published.

(5) The request for division of the application is not accepted in the following cases:

- a) If the application requested to be divided is subject to an objection to publication, the goods or services subject to the objection are included in different applications due to the division.
- b) If the application requested to be divided is the subject of the Institution's rejection decision, the goods or services subject to objection are included in different applications due to the division.
- c) Existence of justified reasons necessitating the rejection of the division request.

CHAPTER FIVE

Renovation

Renovation

ARTICLE 18 – (1) A trademark whose protection period has expired is renewed provided that the renewal fee is paid and the trademark owner requests it, and this situation is published in the Bulletin.

(2) The following information and documents must be submitted for renewal:

- a) Request form.
 - b) Information showing that the fee has been paid.
- (3) With a renewal request, only one brand can be requested to be renewed.

partial renewal

ARTICLE 19 – (1) A trademark can be renewed for some of the goods or services within the scope of registration.

(2) For partial renewal, the following information and documents must be submitted:

- a) Request form including the class numbers of the goods or services requested to be renewed.
- b) Information showing that the fee has been paid.
- c) If the request is made by the attorney, the power of attorney expressly stating the partial renewal authority.

c) **(Repeated:OG-8/7/2019-30825)**

d) **(Repeated:OG-8/7/2019-30825)**

e) Declaration confirming partial renewal by registered right holders.

(3) It is obligatory for all the companies in the group to act together for the partial renewal of the joint brand.

(4) The partial renewal request duly made is recorded in the Registry and published in the Bulletin.

(5) If a deficiency is detected in the elements specified in the second and third paragraphs, the applicant is not notified of the deficiency and the request is evaluated within the scope of the provision of Article 18.

CHAPTER SIX

Other Transactions to be Recorded in the Registry

Licence

ARTICLE 20 – (1) The trademark owner may grant a license to be used in all or part of the goods or services belonging to the trademark.

(2) For the registration and publication of the license in the Registry, the following information and documents must be submitted:

a) Request form containing the registration number of the trademark subject to the license and the brand name.

b) The license agreement stating the signatures and statements of the licensee and the issuer, the goods or services subject to the license, the trademark registration number, the brand name, if any, the license fee and the license period, the Turkish translation additionally approved by a sworn translator if the license agreement is in a foreign language.

c) Information showing that the fee has been paid.

Fixing bugs

ARTICLE 21 – (1) In order to evaluate the request for the correction of errors in the name or address of the applicant, spelling errors or material errors in the Registry, an application is made to the Institute with a request form containing the trademark application or registration number, the error and the correction to be made.

(2) Correction requests that include changes in the content of the trademark application, the trademark sample or the goods or services within the scope of the trademark application or registration are not accepted.

Withdrawal of application

ARTICLE 22 – (1) The applicant may withdraw the application partially or completely before the trademark is registered.

(2) The following documents must be submitted for withdrawal of the application:

a) A request form containing the number of the application to be withdrawn and the list of the goods or services subject to the withdrawal request, including their class numbers.

b) If the request is made by the attorney, the power of attorney that clearly includes the withdrawal authority.

c) Declaration confirming the withdrawal by the registered right holders.

ç) **(Repeated:OG-8/7/2019-30825)**

d) **(Repeated:OG-8/7/2019-30825)**

(3) A duly made withdrawal request results in the removal of the application from the process and this situation is published in the Bulletin.

(4) In case of more than one applicant, the request for withdrawal of the trademark application is signed by all the owners. Pursuant to the first paragraph of Article 147 of the Law, the person who is the joint representative is not authorized to sign the request for withdrawal of the application on behalf of other right holders.

Waiver of trademark

ARTICLE 23 – (1) The trademark owner may waive all or some of the goods or services within the scope of the registration of the trademark.

(2) In order to waive the trademark right, the following documents must be submitted:

a) The request form containing the registration number of the trademark to be waived and if some of the goods or services within the scope of the registration of the trademark are to be waived, these goods or services are listed with their class numbers.

b) If the request is made by the attorney, the power of attorney that clearly includes the waiver powers.

c) A declaration confirming the waiver of the trademark right by the registered right holders.

ç) **(Repeated:OG-8/7/2019-30825)**

d) **(Repeated:OG-8/7/2019-30825)**

(3) Termination of trademark right due to duly waived is published in the Bulletin.

(4) In case of more than one trademark owner, the request to waive the trademark right is signed by all the owners. Pursuant to the first paragraph of Article 147 of the Law, the person who is the joint representative is not authorized to sign the request for waiver of the trademark right on behalf of the other right holders.

PART TWO

Concerning the Madrid Convention on the International Registration of Trademarks Trademark Applications Made within the Framework of the Protocol

International trademark applications made under the Madrid Protocol

ARTICLE 24 – (1) In the framework of the provisions of the Protocol Relating to the Madrid Convention on the International Registration of Trademarks, in the examination of the international trademark applications sent to the Institute by the World Intellectual Property Organization and in the evaluation of all kinds of requests regarding international applications or registrations, with the Madrid Protocol dated 12/3/1999. and Madrid Agreement on the International Registration of Trademarks published in the Official Gazette No. 23637 and the Regulation on the Implementation of the Protocol Relating to this Agreement.

Origin office applications and requests

ARTICLE 25 – (1) In case it is requested to forward the international applications to be made within the framework of the Madrid Protocol provisions or the requests regarding international applications based on a trademark that is in the application or registered in the Institute, to the World Intellectual Property Organization; The Authority takes the necessary actions within the framework of the provisions of the Madrid Agreement on the International Registration of Trademarks and the Regulation on the Implementation of the Protocol Relating to this Agreement as specified in Article 24. In order for these requests to be evaluated, the following information and documents must be submitted:

a) Request form.

b) Official form provided by the World Intellectual Property Organization, duly filled in English, regarding the relevant request.

c) Information showing that the fee for notifying the origin office requests to the World Intellectual Property Organization has been paid.

Replacing a national registration with an international registration

ARTICLE 26 – (1) Pursuant to the second paragraph of Article 4 bis of Madrid Protocol, upon a request made by the trademark owner directly to the Institute, the replacement of the national registration with an international registration is recorded in the Registry and the situation is notified to the World Intellectual Property Organization.

(2) In order for the relocation to be carried out, the following conditions must be met together:

a) National and international applications must be in the name of the same owner.

b) The international application must also cover the contracting party whose protection area is determined.

c) All goods and services included in the national application must also be available for the contracting party designated within the scope of the international application.

(3) The following information and documents must be submitted for the relocation process:

a) Request form.

b) Information showing that the fee has been paid.

Conversion of an international registration to a national registration

ARTICLE 27 – (1) In the event that the international application or registration at the office of origin becomes invalid for any reason within the scope of the fourth paragraph of Article 6 of the Madrid Protocol, the trademark owner may request that the international registration be converted into a national registration in accordance with the 5th article 9 of the Madrid Protocol. This request must be submitted to the Institute within three months from the cancellation of the international registration.

(2) The following information and documents must be submitted for the conversion process:

a) Request form.

b) Turkish translation of the goods and services subject to the conversion process approved by a sworn translator.

c) Information showing that the fee has been paid.

PART THREE

Objection, Proof of Use and Settlement

Objection to publication

ARTICLE 28 – (1) Objections regarding that a trademark application published in the Bulletin should not be registered in accordance with the provisions of Articles 5 and 6 of the Law are made by the relevant persons within two months from the publication of the trademark application.

(2) Objection to publication is made to the Institute with a signed objection to publication form, in which the reasons for the objection are written in detail by specifying the provisions of the article and paragraph in the relevant legislation.

(3) Objection grounds and fee can be completed within the objection period. If the objection grounds and information showing that the objection fee has been paid are not submitted within this period, the objection shall be deemed not made and the fee shall be refunded upon request.

(4) The Institute gives the applicant one month to submit its views on the objections. The Institution, if it deems necessary, may give the parties a period of one month to make explanations regarding additional information, documents and justifications. If the requested additional information, documents, explanations and opinions are not submitted within these periods, the objection is evaluated within the scope of the existing information and documents.

(5) The parties may submit additional information and documents to support their opinions, claims and justifications until a decision is made on the objection.

Proof of use

ARTICLE 29 – (1) In order for the second paragraph of Article 19 of the Law to be implemented, the applicant must clearly and in writing notify the Institute of his request for proof of use, within the period required to present his opinion on the objection to publication. Requests for proof of use that do not meet the specified conditions and are not made within the specified period are deemed not made.

(2) The request for proof of use is made clearly, unconditionally and unconditionally. In this request, it is obligatory to clearly state the registration numbers of the trademarks for which the proof of use is requested. Otherwise, the request is deemed not made.

(3) In case the applicant makes a request, the Institute is required to submit evidence that the objectionable application has been using the trademark of the objection ground seriously in Türkiye in terms of the goods or services on which the objection is based, or has justified reasons for not using it, within the five-year period before the application or priority date. gives one month to the objector. If evidence is not submitted by the objector in due time or if the evidence presented is not related to the objection, and if there is no other reason for objection or another trademark for which the objection is cited, the Institute rejects the objection.

(4) The Institute, if it deems necessary, gives the applicant one month to express its opinion on the evidence presented by the objector. If the applicant submits his/her opinion within this period, the objector shall be given a one-month period to present his/her views on this matter. If the applicant does not submit an opinion in due time, the Institute evaluates the objection within the scope of the available evidence.

(5) The applicant may withdraw the request for proof of use. In this case, the request is deemed not made.

(6) The objector may present the evidence, together with the objection form, that he/she is using the trademark that he/she is objecting to, seriously in terms of the goods and services subject to the objection in Türkiye, or that he/she has justified grounds for not using the trademark. If the applicant makes a request for proof of use in due time, if the evidence presented at the time of objection to the publication is sufficient to prove the use, the objection examination is initiated without giving the objection owner the one-month period stipulated in the third paragraph. In case the submitted evidence is not deemed sufficient by the Institute, the time stipulated in the third paragraph is given to the objector to submit additional evidence.

Evidence to be presented in cases of proof of use

ARTICLE 30 – (1) Evidence presented within the scope of Article 29 must be clear, understandable and reliable in a way that allows the parties to make an assessment and form an opinion without the need for any other information. Evidence presented by the objector must contain sufficient information about the nature, place, time, scope of the use and the way the trademark is used in terms of the goods or services for which the object of the objection is registered.

(2) Evidence; It may contain all kinds of supporting documents such as packaging, labels, price lists, catalogues, invoices, photographs and newspaper advertisements. In this case, the parts of the documents that prove the use of the trademark subject to objection must be clearly indicated by marking.

(3) Evidence is presented in written form, together with a detailed list of evidence that clearly shows which evidence has been proven for each case. If the product samples are requested to be examined as evidence, detailed photographs of the products with sufficient resolution, including the color characteristics, are submitted instead of the samples.

(4) Except for those requested by the Institute, no evidence can be presented after the deadlines given under Article 29, and the evidence submitted is not taken into account by the Institute. In case the evidence is in a foreign language, the Institution may give two months for the submission of a Turkish translation of all or part of the said evidence approved by a sworn translator. If the translations are not submitted in due time, the said evidences are not taken into account in the objection review.

(5) It is the parties' responsibility to present the evidence on time, sequentially and regularly. A one-month period is given by the Institute to correct the said deficiencies about the evidences whose quality, content and connection with the object of objection are not clearly understood, legible, not classified regularly, not presented in a list and not associated with the claims. If the deficiencies are not corrected within this period, the said evidence will not be taken into account in the objection examination.

(6) The provisions of this article shall apply to the evidence to be submitted in objections to the publication and the decision to the extent that it conforms to its nature.

Objection to the decision

ARTICLE 31 – (1) Parties damaged by the decisions of the Institution may appeal within two months from the notification date of these decisions.

(2) Objection to the decision is made to the Institute with a signed objection form, in which the reasons for the objection are written in detail by stating the provisions of the articles and paragraphs in the relevant legislation. Objections that do not contain formal deficiencies are examined by the Board.

(3) Objection grounds and fee can be completed within the objection period. If the objection grounds and information showing that the objection fee has been paid are not submitted to the Institute within this period, the objection is deemed not made and the fee collected is refunded upon request. If the documents are given in full, the examination can be started without waiting for the completion of the objection period.

(4) The Board gives the parties a period of one month to express their opinions on the objections. The Board, if it deems necessary, may give the parties a period of one month for explanations regarding additional information, documents and justifications. If the additional information, documents and opinions requested are not submitted within this period, the objection is evaluated within the scope of the existing information and documents.

(5) Until a decision is made on the objection, the parties may submit additional information and documents to support their opinions, claims and justifications.

(6) After the objection period expires, the grounds for objection cannot be changed and new grounds cannot be added.

Compromise

ARTICLE 32 – (1) The Institute, if it deems necessary, may invite the parties to reconciliation during the examination of objections to publication and the objections made against the decisions made pursuant to the third paragraph of Article 19 of the Law. In this case, the parties submit their declarations regarding reconciliation to the Institution in writing within one month following the notification made to them by the Institution. If one of the parties does not respond positively to the reconciliation proposal in due time, the invitation to reconciliation is deemed to be rejected and the Institute continues its examination of the objection from where it left off.

(2) In cases where the parties are represented by a proxy before the Institution, the attorney is obliged to immediately notify the principal of the invitation to reconciliation and that the dispute is suitable for resolution through mediation.

(3) In case the parties want to compromise and jointly notify the Institute that they will apply to a mediator, the objection review is postponed for three months. However, if the parties make a joint request within this period, the period may be extended up to three months.

(4) In case the reconciliation process is terminated due to one of the reasons set forth in the Law on Mediation in Civil Disputes dated 7/6/2012 and numbered 6325, the original or notarized copy of the report regarding the agreement or disagreement of the parties or how the mediation activity was concluded is one month after the end of the mediation activity. given to the Institution. In case of agreement of the parties, the proceedings regarding the application are continued in accordance with the result of the reconciliation, upon the submission of the minutes drawn up by the parties and qualified as a verdict according to the Law No. 6325 to the Institute. In case the report is not delivered within this period or the parties cannot reach an agreement, the Institution continues the objection review from where it left off.

(5) The time from the beginning of the mediation process to its end is not taken into account in the calculation of the period of disqualification.

Withdrawal of objection

ARTICLE 33 – (1) Objections to publication and decision may be withdrawn before the Institute decides on the objection.

(2) In order for the objection to be withdrawn, the following documents must be submitted to the Institute:

a) The form containing the request for withdrawal of the objection.

b) If the request is made by the attorney, the power of attorney that clearly includes the withdrawal authority.

c) **(Repealed: OG-8/7/2019-30825)**

ç) **(Repealed:OG-8/7/2019-30825)**

Fee for appealing the decision

ARTICLE 34 – (1) The fee to object to the decision taken by the Institute in unilateral proceedings regarding trademark applications is returned to the applicant upon request, if the objection is accepted. Refunds are not made in the decisions of the institution for partial acceptance of the objection taken for these objections. In addition, a refusal decision made within the scope of subparagraph (ç) of the first paragraph of Article 5 of the Law is annulled as the reason for the refusal of the trademark on the date of examination of the objection, or the refusal subject or reason is annulled due to transfer, address, type, title change, consent letter related to the trademark or the application, or the Law In cases where the discrimination claim based on usage is accepted and removed within the scope of the second paragraph of Article 5, no refund is made.

BOOK TWO

Geographical Indication and Traditional Product Name

PART ONE

Application

Application right and conditions

ARTICLE 35 – (1) Those specified in Article 36 of the Law have the right to apply for geographical indication and traditional product name registration.

(2) The geographical indication or traditional product name application is made by filling the form accepted as valid by the Authority and submitting it to the Authority. The application submitted to the Institute in different ways is removed from the process and the fee collected is returned to the applicant upon request.

(3) The following information and documents must be included in the geographical indication application:

- a) Identity and contact information of the applicant.
- b) Information on which of the applicants with the right to apply stated in the first paragraph, and documents showing this situation.
- c) In case the real or legal person applying is the sole producer of the product, information and documents proving this matter.
- ç) Information regarding the name of the geographical indication whose registration is requested, whether it is a name of origin or a geographical indication, information on the product group in the fifth paragraph, and information and documents proving its conformity with the definition of the name of origin or indication of origin.
- d) Description of the product, technical information and documents explaining the physical, chemical, microbiological and sensory properties of the product and, where necessary, its raw material.
- e) Information and documents that clearly define and determine the boundaries of the geographical area and, where necessary, a map showing the geographical boundaries.
- f) Geographical indication applications; Information and documents explaining the production, processing of the product and the processes related to the product to be carried out within the boundaries of the geographical area determined.
- g) Information and documents regarding the production method and, if any, local production techniques that give the product its characteristics, procedures and customs.
- ğ) Information and documents proving the connection of the quality, reputation or other features of the product subject to geographical indication registration within the scope of geographical indication definition, with the geographical area in question.
- h) Information and documents regarding the historical background of the product in the geographical area in question.

i) Information and documents explaining the audit method in detail in accordance with the provision of Article 45 and including the sample audit report.

i) Information explaining the usage of the geographical indication, special procedures regarding labeling and packaging, if any.

j) In applications originating from a foreign country, if the phrase subject to the geographical indication includes letters other than the Latin alphabet, their Latin alphabet equivalent and, if any, their Turkish translation.

k) If the application is made through a proxy, the attorney's identity and contact information.

l) Information regarding the payment of the application fee.

(4) It is obligatory to include the following information and documents within the scope of the traditional product name application:

a) Identity and contact information of the applicant.

b) Information on which of the applicants with the right to apply stated in the first paragraph, and documents showing this situation.

c) The traditional product name whose registration is requested, the information regarding the product group in the fifth paragraph, and the information and documents proving that the traditional product name is suitable for the definition.

ç) Description of the product, technical information and documents explaining the physical, chemical, microbiological and sensory properties of the product and, if necessary, its raw material.

d) The production method, in which the properties of the raw materials and other components in the product content, as well as the product preparation techniques that point to the product characteristics, are explained.

e) Information and documents explaining the audit method in detail in accordance with the provision of Article 45 and including the sample audit report.

f) Information explaining the usage of the traditional product name and, if any, special procedures regarding labeling and packaging.

g) In case of applications originating from a foreign country, if the phrase in the name of the traditional product contains letters other than the Latin alphabet, their Latin alphabet equivalent and, if any, their Turkish translation.

ğ) If the application is made through a proxy, the attorney's identity and contact information.

h) Information regarding the payment of the application fee.

(5) Product groups that cannot be used to expand the scope of the right arising from the registration specified in Article 37 of the Law and determined by Articles 44 and 45 of the Law are specified in the application in accordance with the following categories:

a) Cheeses.

b) Dairy products other than cheeses and butter.

c) Fats and oils, including butter.

ç) Ice creams and edible ices.

d) Soft drinks.

e) Chocolate, confectionery and derivative products.

f) Bakery and pastry products, pastries, desserts.

g) Condiments/flavors, sauces and salt for food.

ğ) Processed and unprocessed meat products.

h) Honey.

i) Processed and unprocessed fruits and vegetables and mushrooms.

i) Meals and soups.

j) Beers and other alcoholic beverages.

k) Tobacco.

l) Carpets and rugs.

m) Textiles.

n) Handicraft products other than carpets, rugs and weavings.

o) Other products.

Examination of the application

ARTICLE 36 – (1) Applications for geographical indication and traditional product name are examined by the Authority in terms of compliance with Articles 33 to 37 and 39 of the Law.

(2) If the information regarding the identity of the applicant is not found in the application form, the application is deemed not to have been made. If it is determined that the information regarding the identity of the applicant is incomplete or inaccurate, the Institute requests that these deficiencies be corrected within one month. If the deficiencies are not corrected in due time, the application is deemed not made. The decision regarding the dismissal of the application is the final decision of the Institution and cannot be the subject of objection within the scope of Article 40 of the Law.

(3) Except for the information regarding the identity of the applicant, if it is determined in the application that the conditions in Articles 37 and 39 of the Law and Articles 35 and 37 of this Regulation are not fulfilled, the Institute requests that these deficiencies be corrected within three months. If requested by the applicant within this period, an additional period of three months, not exceeding two times, is given to correct the deficiencies. If the deficiencies are not corrected in due time or the submitted documents and information are not found sufficient by the Institute, the application is rejected.

(4) The Institute may request technical opinions to be sent within one month from the relevant institutions and organizations for the purpose of evaluating the technical information submitted within the scope of the application. In case a fee is requested by the relevant institutions and organizations for the opinion, this fee is paid by the Institution.

(5) Applications that are examined and found appropriate within the scope of this article are published in the Bulletin.

Applications originating from foreign countries

ARTICLE 37 – (1) Without prejudice to the provisions of international agreements, in addition to the issues specified in Article 35 for applications originating from a foreign country, the name and sign subject to the application are protected in the country of origin or the international community, the inspection conditions specified in Article 45 are met in the country of origin or the international community, and The original or a certified copy of the official document stating that the country of origin or the international community provides equal protection to applications originating from Türkiye and their Turkish translation approved by a sworn translator are submitted to the Authority.

(2) If the application originating from a foreign country is the same as the geographical indication or traditional product name protected in Türkiye, the examination is made by considering the risk of confusion between regional and traditional usage and similar names by the consumer. In this context, the Institution may request the applicant to take measures to eliminate the risk of confusion and to send the relevant information and documents within three months. The use of geographical indications and traditional product names in this situation is only permitted if the country of origin is clearly and visibly indicated. If the application is published in the Bulletin, this matter is stated separately in the announcement, and if it is registered, in the registration certificate.

(3) Geographical indications belonging to foreign countries that are foreseen to be protected within the scope of bilateral or multilateral agreements to which our country is a party or negotiated on a later date than the effective date of the Law, unless otherwise stipulated in the relevant agreement, the summary of the name of the geographical indication and the registry information in the country of origin shall be submitted after the entry into force of the agreement. provided that no objection has been made against this publication within the scope of the second paragraph of Article 40 of the Law, or that the objections made have been ultimately rejected by the Institution; As of the entry into force of the agreement, it benefits from the protection provided by the Law to the registered geographical indications by being recorded in the Registry and published in the bulletin in accordance with Article 41, within the period to be determined by the Authority as of the entry into force of the agreement. In addition, the information regarding the registry of these geographical indications in the country of origin is made available to the public by the Authority in Turkish or English.

Publication of the application

ARTICLE 38 – (1) The following information is included in the publication of the geographical indication application in the Bulletin:

- a) Application number and date.
- b) Identity and contact information of the applicant.
- c) Name and type of geographical indication application.
- d) Product and product group.
- d) The boundaries of the geographical area.
- e) Description of the product and its connection with the geographical area.
- f) Production method.
- g) Geographical indication applications; the production, processing of the product and which of the operations related to the product are carried out within the boundaries of the specified geographical area.
- ğ) Detailed description of the audit format.
- h) The usage of the geographical indication, special procedures regarding labeling and packaging, if any.
- i) For applications originating from a foreign country, if the phrase subject to registration includes letters other than the Latin alphabet, their Latin alphabet equivalent and their Turkish translation, if any.

(2) The following information is included in the publication of the traditional product name application in the Bulletin:

- a) Application number and date.
- b) Identity and contact information of the applicant.
- c) Traditional product name.
- d) Product and product group.
- d) Information showing that the product meets at least one of the conditions specified in the third paragraph of Article 34 of the Law.
- e) Description of the product.
- f) Production method indicating product characteristic.
- g) Detailed description of the audit format.
- ğ) The use of the traditional product name, special procedures regarding labeling and packaging, if any.
- h) In case of applications originating from a foreign country, if the phrase subject to registration includes letters other than the Latin alphabet, their equivalent in the Latin alphabet and their Turkish translation, if any.
- i) Representative information, if any.

PART TWO

Objection

Objection and examination of objection

ARTICLE 39 – (1) Applicant may object to the Institute, regarding the rejected application within the framework of Article 38 of the Law, within two months from the date of notification of the decision, by filling out the signed objection form in electronic media, in which the grounds for the objection are stated.

(2) Third parties or any right holder with a previous date within the scope of Article 48, claiming that the registration request is not in compliance with Articles 33, 37 and 39 of the Law, within three months from the date of publication of the application in the Bulletin, submit the signed objection form stating the grounds for the objection in electronic form . can file an objection to the Authority.

(3) If the reasons for the objection made within the scope of the first and second paragraphs or the information regarding the payment of the objection fee are not submitted to the Institute in due time, the objection is deemed not made.

(4) The applicant is informed about the objection made pursuant to the second paragraph. If the applicant does not notify the Institute of his opinion on the objection within one month from the date of notification, the objection is examined within the scope of the available information and documents.

(5) Objections made in accordance with the first and second paragraphs are examined by the Board. The Board requests additional information and documents from the parties if it deems necessary during the examination. If additional information and documents are not submitted within one month from the date of notification, the objection is examined within the scope of existing information and documents.

(6) The Board may request opinions to be sent within one month from the relevant institutions or organizations for the evaluation of the issues raised in the objection. If a fee is requested by the relevant institutions and organizations for the opinion, the said fee is paid by the objector to the relevant institution or organization within one month. Information regarding the payment is submitted to the Institute within the same period. If the requested fee is not paid in due time and the information regarding the payment is not submitted to the Institute, the objection is examined within the scope of the available information and documents.

(7) In case of a change in the application as a result of the examination of the objection, the final version of the application is published in the Bulletin, by specifying the part that has undergone the change. This publication cannot be objected to.

(8) If the application is rejected upon objection, the decision is published in the Bulletin.

Compromise

ARTICLE 40 – (1) During the examination of the objections made by third parties or any previous right holder within the scope of Article 48, with the allegation that the registration request is not in compliance with Articles 33, 37 and 39 of the Law, the Institution may invite the parties to reconciliation. In this case, the parties submit their declarations regarding reconciliation to the Institution in writing within one month following the notification made to them by the Institution. If one of the parties does not respond positively to the reconciliation proposal in due time, the invitation to reconciliation is deemed to be rejected and the Institute continues its examination of the objection from where it left off.

(2) In cases where the parties are represented by a proxy before the Institution, the attorney is obliged to immediately notify the principal of the invitation to reconciliation and that the dispute is suitable for resolution through mediation.

(3) In case the parties want to compromise and jointly notify the Institute that they will apply to a mediator, the objection review is postponed for three months. However, if the parties make a joint request within this period, the period may be extended up to three months.

(4) In case the reconciliation process is terminated due to one of the reasons set forth in the Law No. 6325, the original or notarized copy of the report regarding the agreement or disagreement of the parties or how the mediation activity was concluded shall be submitted to the Institution within one month following the end of the reconciliation activity. In case of agreement of the parties, the proceedings regarding the application are continued in accordance with the result of the reconciliation, upon the submission of the minutes drawn up by the parties and qualified as a verdict according to the Law No. 6325 to the Institute. In case the report is not delivered within this period or the parties cannot reach an agreement, the Institution continues the objection review from where it left off.

(5) The time from the beginning of the mediation process to its end is not taken into account in the calculation of the period of disqualification.

PART THREE

Registration and Change Requests

Registration

ARTICLE 41 – (1) No objections were made within three months from the date of publication in the Bulletin, the objections were finally rejected or the application modified as a result of the evaluation of the objections, the payment of the registration fee within two months from the notification date and the submission of the information regarding the payment to the Institute within the same period. provided that it is registered and recorded in the Registry. The registered

geographical indication and traditional product names are published in the Bulletin, including the information contained in the registration certificate.

(2) The following information is included in the geographical indication registration document:

- a) Registration number and date.
- b) Application number and date.
- c) Identity and contact information of the registrant.
- ç) Name and type of geographical indication.
- d) Product and product group.
- e) The boundaries of the geographical area.
- f) Description of the product and its connection with the geographical area.
- g) Production method.
- ğ) Geographical indication applications; the production, processing of the product and which of the operations related to the product are carried out within the boundaries of the specified geographical area.

h) Detailed description of the audit format.

i) The usage of the geographical indication, special procedures regarding labeling and packaging, if any.

i) For applications originating from a foreign country, if the phrase subject to registration includes letters other than the Latin alphabet, their Latin alphabet equivalent and their Turkish translation, if any.

(3) The following information is included in the traditional product name registration document:

- a) Registration number and date.
- b) Application number and date.
- c) Identity and contact information of the registrant.
- ç) Traditional product name.
- d) Product and product group.
- e) Information showing that the product meets at least one of the conditions specified in the third paragraph of Article 34 of the Law.

f) Description of the product.

g) Production method indicating product characteristic.

ğ) Detailed description of the audit format.

h) The use of the traditional product name, special procedures regarding labeling and packaging, if any.

i) In applications originating from a foreign country, if the phrase subject to registration includes letters other than the Latin alphabet, their Latin alphabet equivalent and their Turkish translation, if any.

(4) The information in the registration document is included in the registry.

Change requests

ARTICLE 42 – (1) In case of a change in the registered geographical indication or traditional product name due to reasons such as climate change, technological developments and the development of new methods in production, or if there is an error in the information in the registration certificate, the request for change can be made to the Institution by those who have interests.

(2) Change requests are submitted to the Authority by completing the signed change request form electronically. The following information and documents must be included in the change request:

a) Information and documents explaining the requester's identity and contact information, as well as his interest in the change in the registered geographical indication or traditional product name.

b) The matters subject to the request for change from the features specified in the registration document, their justifications and evidence regarding them, and the parts requested to be changed in the Registry.

c) Representative information, if any.

ç) Information regarding the payment of the change request fee.

(3) In case of deficiencies in the points specified in subparagraphs (a), (b) and (ç) of the second paragraph, the Institute requests that the said deficiencies be corrected within three months. If the deficiencies are not corrected in due time, the request is deemed not made.

(4) The change request that meets the conditions specified in the second and third paragraphs is examined within the scope of Article 38 of the Law and the appropriate changes are published in the Bulletin. Within three months from the date of publication, the said change can be objected to in writing with justification. Objections made within the scope of Article 40 of the Law are examined according to the same article. If there is no objection or the objection is rejected as a result of the examination, the changes are published in the Bulletin and become final as of this date. Changes that are finalized and recorded in the Registry are implemented by the relevant parties within one year at the latest from the date of publication.

(5) In case the person requesting the change is not the registrant, the Institute informs the registrant before publishing the change in the Bulletin and, if any, asks him to give his opinion within one month following the notification made to him. In case the amendment is published in the Bulletin, the registrant may object to the procedure duly. In the event that the amendment becomes final, the Authority requests the registrant to take the necessary measures for the implementation of the amendment by the relevant parties.

Change in applicants or registrants

ARTICLE 43 – (1) It is decided by the court that the applicants or registrants for geographical indication or traditional product name do not meet the conditions specified in Articles 36 and 49 of the Law, or if this situation is determined ex officio by the Institute, or the change statement is made by the persons who applied or registered. In case the institution is notified in writing, this decision, determination or statement is published in the Bulletin. It is obligatory to submit the amendment declaration to the Institute with a signed amendment form by the applicants or registering persons.

(2) If those who meet the conditions specified in Article 36 of the Law wish to be registered as applicants or registrants within the three-month period following the publication, the applicants make a written application to the Institute with a signed change request form accepted by the Institute and filled in electronically. Within the scope of the change request, the following information and documents must be included:

a) Identity and contact information of the requester, and information and documents showing that they meet the conditions specified in Articles 36 and 49 of the Law.

b) Representative information, if any.

(3) In case of deficiencies in the matters specified in subparagraph (a) of the second paragraph, the Institute requests that the said deficiencies be corrected within two months. If the deficiencies are not corrected in due time, the request is deemed not made.

(4) In case more than one request is made within the scope of the second paragraph, the Authority accepts the request it deems most appropriate, taking into account the issues such as the ability to effectively perform the audit activity and to represent the producers of the product. If the request is accepted, the change is published in the Bulletin.

(5) In the event that there is no demand or the requests made are not found appropriate, the right of geographical indication or traditional product name expires and this situation is published in the Bulletin.

(6) In case of agreement between the applicant or the registrant and the person meeting the conditions specified in Articles 36 and 49 of the Law, the change request is submitted to the Institute, including the following:

a) Identity and contact information of the requester and information and documents showing that he meets the conditions specified in Articles 36 and 49 of the Law.

b) Representative information, if any.

c) Amendment agreement.

ç) Information regarding the payment of the change fee.

(7) If the request is accepted, the change is published in the Bulletin. In cases where it deems necessary regarding the amendment agreement, the Institution may request the submission of all kinds of evidence, including notarization.

(8) If the agreement in the sixth paragraph is not approved by the Authority, the change request is rejected.

PART FOUR

Use, Control, and Withdrawal

Use of registered geographical indication and traditional product name

ARTICLE 44 – (1) Registered geographical indications and traditional product names are used by those operating in the production or marketing of products that comply with the conditions specified in the Registry. Manufacturers and those engaged in marketing activities, who are not manufacturers, but take part in the supply chain and affect the registered characteristics of the products, notify the registrant that they operate on the name of geographical indication and traditional product. This notification, within six months after the publication of the geographical indication and traditional product name registration in the Bulletin; for those who will start the production and marketing activities of the product subject to the name of the registered geographical indication and traditional product, within six months from the date of starting the production and marketing activities. Those who only engage in sales activities do not have to notify the registrant. The registrant keeps the notifications made to him constantly updated by adding them to the list specified in Article 45. This list, which constitutes the basis for the audits carried out within the scope of the same article, is submitted to the Authority upon request.

(2) Persons who have the right to use the registered geographical indication or traditional product name use the said geographical indication or traditional product name together with the emblem on the product or its packaging. It is obligatory to use the emblem in terms of geographical indications.

(3) In cases where, due to the nature of the product, the geographical indication or traditional product name cannot be used together with the emblem on the product itself or on its packaging, the emblem and the registered mark or name shall be kept in the establishment in such a way that it can be easily seen by those who have the right to use it.

(4) The use of the traditional product name without an emblem is not subject to the provisions of the Law and Regulation.

Control of usage

ARTICLE 45 - (1) Supervision of the use of geographical indications and traditional product names; It covers all kinds of activities related to the control of the conformity of the use of the products bearing the registered geographical indications and traditional product names with the characteristics specified in the registration, during the production, placing on the market or distribution, or while the product is on the market.

(2) The audit is carried out by the audit authority registered in the Registry, whose competence has been approved by the Authority. The inspection authority must be objective, have competent and sufficient personnel, the necessary resources and equipment to carry out inspections. The Authority may request the submission of necessary information and documents to prove the adequacy of the supervisory authority. Changes in the supervisory authority in the registry can be made with the approval of the Authority.

(3) The inspection authority also inspects the use of the emblem specified in Article 44 while inspecting the conformity of the products bearing the registered geographical indication or traditional product name with the characteristics specified in the registration.

(4) The registrant keeps a list of the producers of the products bearing the registered geographical indication or traditional product name as a basis for the audit and those operating in the marketing. The registrant sends this list to the Authority and other relevant institutions and organizations when requested.

(5) An inspection plan is prepared by the inspection authority, taking into account the inspection frequency specified in the registration. A separate report is prepared for each auditee. The minutes,

the content of which can be differentiated according to the nature of the inspected product and the scope of registration, especially cover the following issues:

a) Identity and contact information of the auditee, and if production or marketing is carried out at more than one address, the addresses of the relevant places.

b) Identity information and signatures of those in the inspection authority and the person in charge of the place inspected.

c) Inspection date and quantity, lot number and similar information regarding the product inspected.

ç) Additional information and documents, if any, that the inspected must have ready for the audit to be carried out effectively.

d) The features inspected on the basis of registration certificate information and whether these features are found appropriate.

e) Measures to be taken for unsuitable uses and, if a new audit is envisaged in this context, details about it.

f) The appropriateness of using the emblem.

(6) One copy of the inspection minutes signed in two copies is kept by the inspection authority and the other copy is kept by the inspected.

(7) The minutes prepared as a result of the inspections are notified to the registrant by the inspection authority. The registrant examines the minutes notified to him and takes necessary legal actions in case of any issues contrary to the registration.

(8) The registrant reports the audit minutes notified to him. The audit reports, the form of which are announced by the Authority, especially include the following:

a) Identity and contact information of the inspected and the addresses of the inspection places.

b) Separately for each inspected person, the date of the inspection, the amount of the product inspected, the measures applied for the products that do not comply with the specifications specified in the registration, and the legal remedies, if any, applied due to the violation of the registration.

c) Appropriateness of the use of the emblem.

(9) Audit reports are submitted to the Institution once a year. However, in case of a complaint, the Institution may request that the audit reports be submitted before the deadline. The period for submission of audit reports begins on the date of publication of the registration in the Bulletin.

(10) If a deficiency is detected as a result of the inspection of the inspection reports by the Authority, the registrant is notified and the defect is requested to be corrected within six months. In case the deficiency is not remedied in due time or it is determined that the audit activity has not been duly performed, the provisions of Article 43 of the Law shall apply.

(11) The Authority may request additional information and documents regarding the audit activity when it deems necessary.

(12) The registrant may request the costs of the audit from the audited.

(13) The inspection specified in this Book covers the inspections made by the inspection authority specified in the registration, and the provisions regarding the inspection of geographical indications and traditional product names in the Veterinary Services, Plant Health, Food and Feed Law No. 5996 dated 11/6/2010 and other laws reserved.

Waiver of the rights and responsibilities provided by the registration

ARTICLE 46 – (1) The person who registers the geographical indication or traditional product name may waive the rights provided by the registration and the responsibilities related to the control of use. The waiver request is made in writing to the Institution with a signed form. The following information and documents must be submitted for the waiver request:

a) If the request is made by the attorney, a notarized power of attorney containing the power of renunciation or a notarized copy of the said power of attorney.

b) A statement showing that the registrant has waived his rights and responsibilities.

c) **(Repealed: OG-8/7/2019-30825)**

(2) In case of deficiencies in the matters stipulated in the first paragraph, they are requested to be corrected within two months. Otherwise, the waiver request is deemed not made.

- (3) The waiver request, which is found appropriate, is published in the Bulletin.
- (4) If a change request regarding the registrant is made by those who meet the conditions specified in Article 36 of the Law within the three-month period following the publication in the Bulletin, this request shall be examined within the framework of the provisions of Article 43 of the Law.
- (5) If no change request is made regarding the registrant within the three-month period, the geographical indication or traditional product name is canceled by the Institute from the Registry at the end of this period and the information regarding the cancellation is published in the Bulletin. The waiver becomes effective as of the date of registration in the Registry.

BOOK THREE

Design

PART ONE

Design Application

FIRST PART

Place and Date of Application

Place and date of application

ARTICLE 47 – (1) Real or legal persons within the scope of Article 3 of the Law may apply to the Institute for design registration.

(2) The application date is the date when the application form and the information or documents required for the application are received by the Institute.

SECOND PART

Application conditions

The application and the elements to be included in the application

ARTICLE 48 – (1) The design application is submitted to the Institute by completing the application form accepted as valid by the Institute in electronic environment. Otherwise, the application will be removed from the process and the fees paid will be refunded upon request.

(2) The following elements are included in the design application:

a) Identity and contact information of the applicant or owners.

A visual expression prepared in the form of a picture, drawing, graphic, photograph or similar form that meets the conditions specified in Article 50, reflects the appearance of the design and is suitable for reproduction by publication.

c) Optional specification.

c) The name of the product where the design is used or applied.

d) Identity and contact information of the designer or the designers in the designer group.

e) Request to keep the designer's name confidential, if any.

f) Information on how the right to request registration is obtained from the designer or designers.

g) Information on the priority right request, if any.

ğ) Delayed publication request, if any.

h) If the application is made through a proxy, the attorney's identity and contact information.

i) Information showing that the application fee, publication fee, if there are additional designs within the scope of the application, the fee for these additional designs, and if any, the fee for the priority right and the request for postponement of publication.

i) Signature of the authorized person or persons.

j) If there is a publication delay request, the sample meeting the conditions specified in Article

54.

Right to be designated as a designer

ARTICLE 49 – (1) The designer is the person who designs the design subject to protection.

(2) Identity and contact information of the designer or designers are included in the Registry, priority documents and Bulletin publication.

(3) In case the design or designs in the design application are created by more than one person, it is stated in the application form which designs were made and by whom.

(4) The designer has the right to request that his name be specified as a designer if his name is not mentioned in the application. However, the designer may also request anonymity. In the case of more than one designer, the names of the designers who request anonymity are kept confidential and their names are not included in the publication.

(5) In case the applicant is not a designer or is only one or more of the designers, how the applicant obtained the right to make a design application from the designer or designers is explained in the application.

visual representation

ARTICLE 50 – (1) Visual expression is the appearance of the design or the product to which the design is applied, which is prepared in the form of a picture, drawing, graphic, photograph or similar form that reflects the visual characteristics of the design and is suitable for reproduction through publication.

(2) Visual representations are presented in a minimum size of 8x8 cm and a maximum of 16x16 cm.

(3) The visual representations presented must be suitable for reproduction by publication and must be of a quality that will allow the visual features of the design to be clearly and clearly distinguished. In case the registered design is three-dimensional, views are presented that clearly and clearly reflect the design in all its aspects, so that the design can be better understood.

(4) In the visual representations given in the form of photographs, the design or the product on which the design is applied must be placed on a plain and plain background. Visual representations presented as drawings are drawn with drawing instruments or electronic means, and shading or parallel lines are used to provide a three-dimensional appearance of the product.

(5) If a part of the design is requested to be protected, the elements for which protection is not requested are expressed with dotted or dashed lines in the visual representations presented as drawings, while the parts for which protection is requested are clearly marked and limited in the visual representations presented as photographs. In cases where the marking cannot be done with lines due to technical reasons in the visual representations presented as photographs, the parts for which protection is not requested can be shown by shading or blurring.

(6) Supplementary visual representation is the view of the same design obtained from different directions, provided that the design subject to registration can be better understood, provided that the integrity of the design is not disturbed, and different views reflecting the cross-section and usage characteristics of the design are also considered as additional visual representations.

(7) Apart from the design subject to registration, views containing another object, accessory, size or explanatory text and showing the products with their axes and dimensions are not considered as visual representations. More than one view cannot be included in the same visual representation.

(8) If the subject of registration is typographic characters, a text consisting of typographic characters is given as additional visual expression in visual expression.

(9) The fact that the visual representation contains a brand element does not provide a trademark right to the owner of the design.

(10) If the design or the product on which the design is applied consists of written phrases or bears these phrases, the written phrases in question do not give the owner of the design an exclusive right over the concept expressed by the phrases.

specification

ARTICLE 51 – (1) The description is the written text in which the visual characteristics of the design or the product on which the design is applied are expressed.

(2) The description is optionally given at the application stage.

(3) The visual features of the additional visual representations presented are expressed in the description prepared for them.

(4) Except for the visual features of the design or the product to which the design is applied, the inclusion of expressions such as technical and functional features of the product and production methods in the description does not affect the scope of protection.

Name of the product

ARTICLE 52 - (1) Designs are defined by using the class, subclass and names corresponding to the product or products specified in the Locarno Agreement. Product names that are stated in the application and that are not included in the Locarno Classification are defined by the Authority.

Fees for application procedures

ARTICLE 53 – (1) Fees related to the application consist of the design application and publication fee, and the priority and publication postponement request fees, if any.

(2) The fee charged for each design application is the design application fee. Applications containing one design are considered as a single application, and applications containing more than one design are considered as multiple applications. For each additional design included in multiple applications, the additional design application fee determined in the Announcement is paid.

(3) Publication fee is paid for each 8x8 cm area requested to be published. If the dimensions of a visual representation exceed 8x8 cm, an additional publication fee is charged. If there is a request for postponement of publication, the fee valid for the year in which the payment is made is paid as the publication fee.

(4) In case the priority right is requested, the priority fee is paid. If more than one priority right is requested, a separate fee is paid for each priority right request. In case the priority right fee is not paid, the request to benefit from the priority right is deemed not made.

(5) In case a publication postponement is requested, a publication postponement fee is paid for each design for which a publication postponement is requested.

(6) If the fees regarding the design application and publication are not paid and the information regarding the payment is not submitted to the Institute within the prescribed period, the application shall be deemed not made.

(7) In case the design application is withdrawn, the paid design application fee is not refunded, but other fees related to the application are refunded upon request. In case the design application is rejected or removed from the process, the priority fee, if any, is not refunded in addition to the design application fee, the publication fee for the application and the publication delay fee, if any, are refunded upon request.

(8) In case the designs included in multiple applications are divided due to the Locarno Classification being different or exceeding one hundred, the design application fee for the designs excluded from the scope of the application is refunded upon request.

Sample

ARTICLE 54 – (1) In case the subject of the application is a two-dimensional design and a publication delay request is made, a maximum 20x30 cm copy of the product designed or on which the design is applied can be submitted with the application instead of the visual representation required in Article 50.

Multiple references

ARTICLE 55 – (1) Registration of more than one design can be made as a single application under the name of multiple application.

(2) Visual explanations and descriptions regarding multiple applications are arranged in accordance with Articles 50 and 51. Separate numbering is made for each visual representation.

(3) Except for ornaments and pattern designs, in order for the designs or the products to which the design is applied to be subject to multiple applications, these products must be included in the same class.

(4) A multiple design application can contain a maximum of one hundred designs.

(5) The Institute makes arrangements in accordance with the principles specified in the International Classification of Designs in the classification of the designs specified in the application form or the products to which the design is applied. In case of division due to the fact that the designs in multiple applications are not in the same class or the number of designs exceeds one hundred, the

Institute requests the applicant or his/her representative to notify within two months about which designs will be processed. In addition, if the divided designs are subject to a new application within this period, the application date of the divided file is taken as the application date. If the priority right is requested in the first application, this right is granted for each divided application.

(6) Designs constituting multiple applications or multiple registrations are evaluated separately.

THIRD PART

Priority Right

Claiming the priority right

ARTICLE 56 – (1) The applicant or his representative shall indicate the priority right he wishes to benefit from in the application form.

(2) If it is desired to benefit from the priority right in the application, the original of the priority document approved by the authorized administration of the country where the first application was made and the Turkish translation of this document approved by a sworn translator shall be submitted to the Institute within three months from the application date. In case the priority right request fee is not paid or paid incompletely or if there is no approved Turkish translation of the priority document, the Institution gives two months for these deficiencies to be corrected. If the deficiencies are not corrected within this period, the request to benefit from the priority right is deemed not made.

(3) In case the priority right is based on the display in the exhibitions opened in Türkiye, a document containing the photograph or photographs taken from the competent authorities, showing the exhibited product clearly and completely, showing the type of product and the date this product was visibly displayed in the exhibition and the official opening date of the exhibition shall be submitted.

(4) For the products exhibited in exhibitions in foreign countries or countries, a document prepared by the competent authorities where the exhibition was opened and containing the issues specified in the third paragraph is submitted.

(5) The period of using the priority right is six months. This period starts from the date of the first application giving rise to the priority right. The application day is not included in this period.

(6) In case more than one priority right is requested for a design, the priority right starts as of the first valid priority date.

(7) In the priority right request, the country, date and number of the application in which the priority right arises are indicated.

(8) If the priority right request is found appropriate, this situation is recorded in the Registry and recorded in the design registration document.

(9) The priority certificate submitted for multiple applications is stated in the application to which or which of the designs the registration is requested for.

Change of priority right ownership

ARTICLE 57 – (1) If the applicant in the first application made in a foreign country is different from the applicant in Türkiye, how this change took place and the date of the change and the names of the parties to this change are declared in the application.

Issuing a priority right document

ARTICLE 58 – (1) The priority right certificate requested based on the design application or registration duly made in Türkiye is given upon the request of the design owner, provided that the information regarding the payment of the fee is submitted to the Institute.

CHAPTER FOUR

Examining the Application, Correcting the Deficiencies and Finalization of the Application Date

Examining the application and finalizing the application date

ARTICLE 59 – (1) The application date becomes final as of the date the signed application form containing the identity information of the applicant and the visual representation of the design are submitted to the Institute. The protection start date is the date on which the application is finalized.

(2) The design application is examined within the scope of Article 64 of the Law.

(3) A design registration request whose subject and scope is contrary to the provisions of the sixth paragraph of Article 64 of the Law is rejected by the Institute.

Elimination of deficiencies and finalization of the application date

ARTICLE 60 – (1) If an application is found to be deficient in the information and documents in subparagraphs (a) and (b) of the first paragraph of Article 61 of the Law, a period of one month is given by the Institute to correct the said deficiencies. The design application becomes final as soon as these deficiencies are eliminated.

(2) The Institute gives two months for the deficiencies that are outside the scope of subparagraphs (a) and (b) of the first paragraph of Article 61 of the Law to be corrected. These deficiencies do not affect the finalization of the application date.

(3) If the deficiencies are not remedied within the periods specified in the first and second paragraphs, the design application is deemed not made.

(4) In case the deficiencies regarding the priority right are not eliminated, the designs subject to the application cannot benefit from the priority right.

CHAPTER FIVE

Registration, Registration, Publication and Postponement

Registration and Registry

ARTICLE 61 – (1) A design application that complies with the provisions of Article 64 of the Law and whose application conditions are fulfilled in full shall be recorded in the Registry.

(2) The following information is included in the registry:

a) Application number and date.

b) Design registration number, date and Bulletin date and number where the design was published.

c) Type of application, number of designs included in the application.

c) Priority information, if any.

d) The nationality, identity and contact information of the design owner.

e) Identity and contact information of the designer or designers.

f) Visual representation of the design.

g) The name and class of the design or the product to which the design will be applied.

g) Records related to design registration such as transfer, license, renewal.

h) Representative information, if any.

Publishing

ARTICLE 62 – (1) The design registered in the Registry is published in the Bulletin, covering the following elements:

a) Application number and date.

b) Registration number and date of the design.

c) Number of designs.

c) Priority information, if any.

d) The nationality, identity and contact information of the design owner.

e) Identity and contact information of the designer or designers.

f) Visual representation of the design.

g) The name and class of the design or the product to which the design will be applied.

g) Representative information, if any.

(2) Changes and renewal procedures regarding registered designs are also published in the Bulletin.

(3) The Bulletin is published periodically. The Institution may publish additional Bulletins when necessary.

Release delay

ARTICLE 63 – (1) The applicant may request a postponement of publication with the application for a period of thirty months, starting from the date of application or priority, if any.

(2) An application that has a publication postponement request and is not rejected in accordance with the provisions of Article 64 of the Law is registered and recorded in the Registry. However, the

visual representation of the design and the information and documents related to the application file are kept closed to the inspection of third parties.

(3) The identity of the applicant, the date of application, the class of the design or the product to which the design will be applied, and the publication postponement request are published in the Bulletin.

(4) The Institute opens all records and documents related to the application to third parties for review and publishes on the date when the publication postponement period expires or at an earlier date upon the request of the right holder. However, if the information regarding the payment of the publication fee and the sample of the product on which the design is used or applied are given during the application, the visual representation of the design suitable for publication must also be submitted to the Institute before publication.

(5) In cases where the visual representations of the designs whose publication is postponed due to sample submission are not submitted and the publication fees are not paid, the applicant or his/her representative is given two months from the notification date to pay the fee and submit the missing visuals.

(6) Design applications whose publication postponement period has expired and which are completed within the deficiency period are published according to the content specified in Article 62. If the deficiencies are not remedied within the given time, the rights granted to the design shall be deemed to have never arisen from the date of application.

(7) The publication date of the design with publication delay is the date of publication of its visual representations.

(8) In multiple applications, a postponing request may be made for only a part of the designs included in the application.

(9) The publication fee to be paid for the deferred designs is the fee determined for the year in which the payment is made.

PART TWO

Objection

Objection to decision and registration

ARTICLE 64 – (1) Applicants who have been harmed by the decisions of the Institution may appeal against the refusal or partial refusal decisions made pursuant to Article 64 of the Law, within two months from the notification date of the decision.

(2) Objection to the decision is made to the Institute with the signed objection form, in which the reasons for the objection are written in detail. Objections that do not contain formal deficiencies are examined by the Board.

(3) Third parties, by paying the fee within three months from the publication date, stated that the design does not comply with the definitions in the first and second paragraphs of Article 55 of the Law, does not meet the conditions specified in Articles 56 and 57, fourth paragraph of article 58 and sixth paragraph of article 64. It may object to the issuance of the registration certificate in writing, on the grounds that it is within the scope of subparagraph (c), the application is malicious and contains the unauthorized use of an intellectual property right.

(4) In order for the objection to the registration decision to be valid, the following information and documents must be submitted to the Institute:

a) Objection application form prepared in accordance with the Design Publication Objection Form, explaining the grounds for objection, and proving information and documents.

b) Information showing that the objection fee against the registration decision has been paid.

(5) In the Objection to Publication Form, it is stated which information and documents regarding the design subject to objection are submitted, and the design subject to the objection is clearly indicated in the submitted documents.

(6) Turkish translations of the information and documents submitted to the Institution in a foreign language, certified by a sworn translator, are given.

(7) Instead of all the magazines, catalogues, books, brochures and similar documents on which the objection is based, only the cover and the designs that are the basis for the objection, or the pages

containing the products on which the designs are applied, and the colored and clear photocopies of the parts containing the date are submitted. It is stated that the cover and pages in question belong to the same issue.

(8) Objection grounds and fee can be completed within the objection period. If the objection grounds and information showing that the objection fee has been paid are not submitted within this period, the objection shall be deemed not made and the fee shall be refunded upon request.

Examination of the objection

ARTICLE 65 – (1) The objections to the decision of the Institute and the registration decision within the scope of Article 67 of the Law are examined by the Board. The Board may request additional information, documents or product samples from the parties during the review process of the objections, as often as necessary.

(2) Pursuant to the first paragraph of Article 67 of the Law, the applicant's opinion is taken during the examination of the objections made against the Institution's decisions and when deemed necessary, and the applicant is requested to notify the Board of his opinion within one month from the date of notification. If the opinion is not submitted within this period, the objection is evaluated within the scope of the available information and documents.

(3) Pursuant to the second paragraph of Article 67 of the Law, the objections made by third parties regarding the publication of the design registration are notified to the applicant so that he/she can express his/her views, and he/she is requested to notify the Board within one month from the date of notification. Additional information and documents may be requested from the objector to be submitted within one month from the date of notification. If the additional information and documents requested and the objection against the objection are not submitted within this period, the objection shall be evaluated within the scope of the existing information and documents.

(4) If there is any deficiency other than the objection fee in the information and documents specified in the fourth paragraph of Article 64, the Institute grants a one-month period for the related deficiency to be corrected. If the deficiency is not remedied within this period, the registration decision shall be deemed not to have been appealed. If the same objection is made by more than one person, the correspondence is made with the person who is in the first place in the objection application form.

(5) If it is determined that there is a deficiency in the application within the scope of Article 64 of the Law and the provisions of this Regulation during the objection period or during the examination of the objection, the proceedings are continued from the incomplete stage and the decisions taken when deemed necessary are published in the Bulletin.

(6) If the objection made pursuant to the second paragraph of Article 67 of the Law is accepted, the registration of the design shall be null and void. If the objection made to a part of the design is accepted due to subparagraphs (b) and (ç) of the sixth paragraph of Article 64 of the Law and on the grounds of unauthorized use of intellectual property right, the registration of only that part will be invalidated. For the continuation of the registration as a result of partial invalidation, the remaining part must meet the protection conditions and preserve the design identity. During the examination of the objection made to a multiple application, the design registrations which are not subject to the objection but which are understood to be invalidated from the documents attached to the objection are ex officio in accordance with the procedure specified in the fourth paragraph.

(7) In case the registration is partially or completely invalid, the invalidation decision is published in the Bulletin.

(8) If the Board decision is for the continuation of the registration in whole or in part, a design registration certificate is issued.

(9) The objection examination fee paid for the design registrations invalidated by the Board is returned to the objector upon request.

Withdrawal of objection

ARTICLE 66 – (1) Objections to publication and decision may be withdrawn before the Authority decides on the objection.

(2) In order for the objection to be withdrawn, the following documents must be submitted to the Institute:

- a) The form containing the request for withdrawal of the objection.
- b) If the request is made by the attorney, the power of attorney that clearly includes the withdrawal authority.
- c) **(Repealed: OG-8/7/2019-30825)**
- c) **(Repealed:OG-8/7/2019-30825)**

PART THREE

Other Transactions to be Recorded in the Registry

FIRST PART

Renovation

Renovation

ARTICLE 67 – (1) A design whose protection period has expired is renewed upon the request of the owner and payment of the renewal fee, and this situation is published in the Bulletin.

(2) The following documents must be submitted for renewal:

- a) Request form.
- b) Information showing that the fee has been paid.

(3) In multiple applications, partial renewal can be made. The following documents are required for partial renewal:

- a) Request form containing the numbers of the designs to be renewed.
- b) Information showing that the fee has been paid.

c) If the request is made by the attorney, the power of attorney expressly stating the partial renewal authority.

c) **(Repealed:OG-8/7/2019-30825)**

d) **(Repealed:OG-8/7/2019-30825)**

SECOND PART

Fixing Errors

Fixing bugs

ARTICLE 68 – (1) The request for correction of errors in the name or address of the applicant, spelling errors or material errors in the Registry is made to the Institute with a request form. The design application or registration number and the errors that are requested to be corrected are indicated in the request form.

THIRD PART

Licence

Licence

ARTICLE 69 – (1) The authorization to use the design right arising from the design application or registration may be the subject of a license agreement valid within the whole or part of the national borders.

(2) In order for the license request to be recorded in the Registry, the following information and documents must be submitted:

- a) Request form.
- b) The license agreement stating the signatures and statements of the licensee and the grantor, the name of the design subject to the license, the registration number, the sequence numbers in case of multiple applications, the license fee and license period, if any.
- c) Information showing that the fee has been paid.

CHAPTER FOUR

Waiver of Registration Right

Do not give up

ARTICLE 70 – (1) The design owner may partially or completely waive the design right arising from the application or registration. Design sequence numbers are specified in partial waivers. In the event that there is more than one right owner of a design registered in the registry, the consent of all the right holders is required in order to cancel the registration, while the right holders may waive their own rights.

- (2) In order to waive the design right, the following documents must be submitted:
- a) Request form.
 - b) If the request is made by the attorney, the power of attorney that clearly includes the waiver powers.
 - c) A declaration confirming the waiver of the design right by the registered right holders.
 - c) **(Repeated:OG-8/7/2019-30825)**
 - d) **(Repeated:OG-8/7/2019-30825)**
 - (3) Termination of design right due to duly waived is published in the Bulletin.
 - (4) In case there is more than one design owner, the request to waive the design right is signed by all the owners. Pursuant to the first paragraph of Article 147 of the Law, the person who is the joint representative is not authorized to sign the request for waiver of the design right on behalf of the other right holders.

BOOK FOUR
Patent and Utility Model

PART ONE
Application, Granting of Patent and Objection

CHAPTER ONE
Application and Priority Right

Required documents for patent application and finalization of application date

ARTICLE 71 – (1) Patent application;

- a) Application form,
- b) The description explaining the subject of the invention,
- c) Requests,
- c) Pictures referred to in the description or claims,
- d) Summary,
- e) Information showing that the application fee has been paid, covers.

(2) In order for the application to be processed, the elements specified in the third paragraph of Article 90 of the Law are submitted to the Institute as follows:

- a) Written request to grant a patent.
- b) Information regarding the identity of the applicant and contact information enabling the applicant to be contacted.
- c) A description written in Turkish or one of the foreign languages specified in the second paragraph of Article 90 of the Law, or a reference to a previous application.

(3) The description to be submitted pursuant to subparagraph (c) of the second paragraph can be prepared in accordance with Article 75, or it can also be given as a written text in which the invention is explained clearly, in detail and completely so as to enable it to be practiced. In case of reference to a previous application, the application date of the previous application, the application number and the country in which it was made are indicated. The referenced parts of the previous application's description and pictures, if any, are also declared.

(4) In order for the application date to be finalized, all of the elements specified in the second paragraph must be submitted to the Institute. If any of these elements are missing on the date it is submitted to the Institute, the application is not processed in accordance with the first paragraph of Article 95 of the Law and this situation is notified to the applicant. If all of the elements specified in the second paragraph are not submitted to the Institution, the missing elements cannot be completed later.

Completion of application elements

ARTICLE 72 – (1) In the application made and processed with the elements specified in the second paragraph of Article 71, if at least one of the following elements is missing, these deficiencies are corrected within two months from the date of application without the need for any notification:

a) Information specified in the first paragraph of Article 74 and not provided during the application.

b) Claims.

c) Pictures referred to in the description or claims, if any.

d) Summary.

d) Information regarding the payment of the application fee.

(2) If the description submitted in accordance with the second paragraph of Article 71 or the other element or elements specified in the first paragraph together with the description are submitted in one of the official languages of the states that are parties to the Paris Convention or the Agreement Establishing the World Trade Organization or that implement the principle of reciprocity, the Turkish translations of these elements and the foreign language translation of this translation The declaration that it is the same as the text given in the language is submitted to the Institute within two months from the date of application without the need for any notification.

(3) In case a reference is made to the previous application during the application, a certified copy of the previous application referred to, including the description, claims, summary and pictures, if any, and if the certified copy is in a foreign language, together with the Turkish translation, a statement that this translation is the same as the text in the foreign language shall be given to any notification. It is submitted to the Institute within two months from the date of application without any necessity. In the event that the previous application is cited and some pictures or parts of the previous application are not referred to during the application, the later completed description is arranged by removing the references and explanations from the referenced application's description about the pictures or parts that are not referenced.

(4) If the elements specified in the first, second and third paragraphs are not completed within the specified time, the application is deemed to be withdrawn and this situation is notified to the applicant. Elements completed later cannot exceed the initial scope of the application.

Applications to enter the national stage within the scope of the Patent Cooperation Treaty

ARTICLE 73 – (1) The application that will enter the national stage in accordance with Articles 22 and 39 of the Patent Cooperation Treaty, within thirty months from the priority date of the international application, if there is no priority, from the date of the international application, the elements in the first paragraph of Article 71 and regarding the payment of the fee specified in the Communiqué. It is submitted to the Authority along with the information. If the application is not submitted to the Institute within thirty months, a period of three months is given in addition to this period. For applications made within this additional period, the additional fee specified in the Announcement is paid together with the application fee. If the application is not submitted to the Institute within the three-month period given in addition to the thirty-month period, in accordance with the sixth paragraph of the 49th article of the Regulation on the Patent Cooperation Agreement;

a) Submitting the application to the Institute within the period specified below, whichever ends first,

1) A period of twelve months from the end of the thirty-month period from the application or priority date, or

2) Two-month period from the date of elimination of the reason for non-compliance with the thirty-month period,

b) Indication of the reasons for not complying with the thirty-month period to be complied with despite the due diligence required by the conditions, and providing information and evidence to support the aforementioned reasons,

c) The application fee and the related additional fee specified in the notification have been paid, must.

(2) The annual fees of the previous years of applications entering the national stage through the Patent Cooperation Treaty are paid additionally free of charge, together with the application, on the date of entry into the national stage. Annual fees of previous years, which are not paid on the date of entry to the national stage, are paid within six months from the date of entry to the national stage,

together with the additional fees specified in the Communiqué. Annual fees are paid based on the amounts in the Announcement valid at the date of payment.

(3) The application date of patent or utility model applications that enter the national stage in accordance with the first paragraph through the Patent Cooperation Treaty is the international application date. In case the elements specified in the first paragraph are given in a foreign language, their Turkish translations are submitted to the Institution within two months from the date of entry to the national stage, without the need for any notification. The provisions of the legislation in force on the date the first application to be divided enters the national stage are applied to the divided applications made from the applications that entered the national stage through the Patent Cooperation Treaty.

(4) If the international application made within the scope of the Patent Cooperation Treaty does not enter the national stage in accordance with the provisions of the first paragraph or the information and evidence given in accordance with the first paragraph (b) is not accepted by the Institute, the application is deemed to have been withdrawn in accordance with the provisions of the first paragraph of the article 24 of the said Treaty. .

Application form

ARTICLE 74 – (1) The application form contains the following information:

- a) Invention title.
- b) Identity and contact information of the applicant or owners.
- c) If the application is made through a representative, the identity and contact information of the attorney.
- ç) Information on the priority right request, if any.
- d) Identity and contact information of the inventor or those who make it, and a statement regarding the request in case the name of the inventor is requested to be kept confidential.
- e) If the applicant is not an inventor or is only one or more of the inventors, a statement on how the applicant obtained the right to file a patent application from the inventor or inventors.
- f) If the application is a divided application, the number of the previous application.
- g) If the application is an additional patent application, the number of the original patent application.
- ğ) If the application is made pursuant to subparagraph (b) of the third paragraph of Article 110 of the Law, the number of the first application.
- h) If the invention is based on a genetic source, a statement regarding the geographical origin of this source, and if the geographical origin is unknown, a statement regarding where the genetic source was obtained. If the invention is based on traditional knowledge related to the genetic source, a statement regarding the geographical origin of the source of this information, or where the information was obtained if the geographical origin is unknown.
- ı) In case the application relates to the inventions made in projects supported by public institutions or organizations within the scope of Article 122 of the Law, the name of the public institution or organization providing support.
- ii) The signature of the applicant or the representative, if any, and the date. If there is more than one applicant in the application, the request for granting a patent signed by the joint representative appointed by the applicants, or by the first applicant specified in the application form in case a joint representative is not appointed, or by the patent attorney if the application is made through a proxy.
- j) Statement regarding the early release request.
- k) Information on the language in which the description is presented.
- l) Information on whether the application fee has been paid or not.
- m) If a research request is made together with the application, the statement regarding this and the information regarding the payment of the fee.
- n) International or regional application number, publication number and, if a patent has been granted, the Bulletin date regarding the granting of the patent for applications that enter the national stage through international or regional agreements.

(2) The genetic resource specified in subparagraph (h) of the first paragraph, subparagraph (i) of the third paragraph of the article 101, subparagraph (k) of the second paragraph of the article 104 and subparagraph (ö) of the first paragraph of the article 111, has value for today or the future, means any genetic material of plant, animal, microbe or other origin that contains functional units of heredity.

specification

ARTICLE 75 - (1) The description is written clearly and in detail, in a way that will enable the invention to be practiced by a person who is an expert in the technical field related to the subject of the invention. All features of the subject invention are explained in full, without hiding anything. The specification covers the following sections, respectively:

a) Invention title: At the beginning of the description, the invention title specified in the application form takes place. The title of the invention briefly describes the technical development that is the subject of the invention and does not cover the terms that are trademarks.

b) Technical field: The technical field to which the invention is related is specified.

c) State of the art: In order to understand, research and examine the invention, as far as the applicant knows, the analogies of the subject of the invention both in the country and abroad are given in detail. By making reference to similar subjects of the invention, the differences of the invention, which is requested to be protected by patent, are explained in detail in a way to enable comparison.

ç) Technical problems that the invention aims to solve: It is explained which technical problem or problems the invention aims to solve. Even if the technical problem is not clearly stated in the application, the invention is presented so that the technical problem and its solution can be understood, and the advantages of the invention, if any, are indicated by referring to the known state of the art.

d) Explanation of the pictures: If any, a brief description of each of the pictures is made, the numbers and descriptions of the parts in the pictures are explained.

e) Explanation of the invention: The invention that is requested to be protected by patent is explained in detail by giving examples and by referring to pictures, if any, in a way that leaves no room for doubt and misunderstanding. While the description describes the parts in the pictures and their functions, the part number is indicated in parentheses at the end of each part.

f) Application of the invention to industry: It is stated how the invention can be used in industry and how the invention can be applied or used.

(2) It is obligatory to present the description in the form and order specified in the first paragraph. However, due to the nature of the invention, this requirement is not sought if a different form of expression provides a better understanding of the invention.

Prompts

ARTICLE 76 – (1) The application contains one or more claims in which the invention is expressed in sufficient detail and clearly stated. The claims define the technical features of the subject of the invention to be protected.

(2) Each claim is written in a single sentence. If it is appropriate to write the claims in two parts, it is necessary to define the issues that constitute the subject to be protected, but when they come together, it is a part of the state of the art, and when combined with this part, it should be a characterizing part that succinctly indicates the technical features that are desired to be protected. It is written in two parts. In this case, in order to distinguish the sections from each other, the expressions "containing, characterized, content, consisting of, consisting of, having a characteristic, distinguishing feature" or any other expression that has the same meaning is used. In the claims, the invention cannot be defined solely by a desired result.

(3) In an independent claim, the essential features of the invention must be stated. An independent request may be followed by one or more dependent requests. Dependent claims must contain all the properties of the request to which they depend. At the beginning of the dependent claims, reference should be made to the independent claim, and then additional technical features that are desired to be preserved should be specified. A dependent claim may also refer to another dependent claim. All dependent claims that refer to a previous claim or claims are grouped in the most appropriate manner possible.

(4) In a dependent claim, more than one claim may be referred to separately by using the phrase "or".

(5) Without prejudice to the provisions of the first and second paragraphs of Article 91 of the Law, a patent application may contain more than one independent claim belonging to the same category in the product, method, apparatus or usage categories, in case one of the following situations occurs:

a) Presence of more than one related product.
b) Different uses of a product or apparatus.
c) When producing alternative solutions to a particular problem, it is inappropriate to preserve these alternatives in a single request.

(6) Claims are written in a reasonable number, taking into account the essence of the invention, and in a number to indicate the invention features in detail. If there is more than one prompt, these prompts are numbered sequentially.

(7) Unless it is necessary, the technical features of the invention are not expressed by referring to the description or drawings in the claims. In particular, the claims do not contain "as described in the description", "as shown in the pictures" and similar statements.

(8) The basis of the claims is the description, the claims should define the subject for which the protection is requested, be clear and concise and should not exceed the scope of the application. In case the description and claims are given together during the application, the technical features in the claims that are not included in the description should be added to the description. In the event that only a description is given during the application, the technical features that are included in the claims given later but not in the description cannot be added to the description.

pictures

ARTICLE 77 – (1) Pictures; permanent, black, sufficiently dense and dark, with thick and well-defined lines. Coloring is not done on the pictures. All lines in pictures are generally drawn with the help of drawing tools or drawing programs.

(2) Photographs are not considered images, but photographs may be used in some situations that require microscopic viewing at the micron level, where it is not possible to demonstrate the invention otherwise. Flowcharts and diagrams are considered images.

(3) Sections; It is indicated by scanning in a way that does not prevent the reference marks and main lines from being seen clearly.

(4) the scale of the pictures and their graphic applications; In photographic or electronic reproduction made by reducing it by two thirds, it will be in such a way that all details can be easily distinguished.

(5) All numbers, letters and reference marks in pictures should be simple and clear. Square brackets, circles, or quotation marks are not used with numbers and letters.

(6) Elements of the same figure are proportional to each other, unless a difference in proportion is necessary for the figure to be clear.

(7) The height of numbers and letters cannot be less than 0.32 cm or 9 points. If letters are added to the pictures, the Latin alphabet and, if necessary, the Greek alphabet are used.

(8) The same image page can contain several figures. If the shapes on two or more pages actually make up a whole shape, these shapes are arranged so that the entire shape can be put together without any part of any of the shapes appearing on the various pages. Different figures are arranged on the page or pages, preferably in a vertical position, clearly separated from each other, without leaving any empty space on the page. If the shapes are not arranged vertically, they are arranged horizontally with the top of the figures on the left side of the page. Different figures are numbered sequentially, unlike page numbers.

(9) Reference signs that are not specified in the description and claims are not shown in the pictures. Likewise, reference marks not shown in the illustrations are not found in the description and claims. When reference marks are used, the same features throughout the application are indicated with the same reference marks.

(10) Pictures do not include written expression. A single word or words such as “water”, “steam”, “open”, “closed” or “section AB” may be used where necessary for the images to be understandable.

Summary

ARTICLE 78 – (1) At the beginning of the abstract, the invention title specified in the application form is included.

(2) Summary; It includes the basic features found in the description, claims and drawings, if any, and provides an opportunity to clearly understand the technical problem, the solution of this problem and the main use or uses of the invention by specifying the technical field to which the invention is related.

(3) The abstract is written in such a way as to form an effective tool that can be used in research in the technical field to which the invention is related.

(4) Where appropriate, the chemical formula that best characterizes the invention among all the formulas included in the application is included in the abstract. The summary does not contain statements regarding the claimed value of the invention or the speculative application of the invention. The abstract preferably consists of no more than 150 words.

(5) If the application contains a drawing, preferably after the technical specifications stated in the abstract, the reference signs related to these features are written in parentheses. The number of the figure requested to be published is indicated at the end of the abstract. The institution may also publish other figures or figures that it deems to better characterize the invention.

Statements that should not be included in the patent application

ARTICLE 79 – (1) A patent application cannot include the following in particular:

- a) Statements or other elements that are contrary to public order or general morality.
- b) Information or disparaging statements about the products or methods of third parties, or the value or validity of their patent applications or patents, excluding comparisons made regarding the state of the art.
- c) Statements or other elements that are clearly irrelevant or unnecessary.

(2) If a patent application contains the statements or elements specified in subparagraphs (a) and (b) of the first paragraph, the Office may remove these statements or elements.

Description of the invention containing the gene sequence and presenting the sequence lists

ARTICLE 80 – (1) The industrial applicability and function of a gene sequence or partial gene sequence are explained in the description or claims.

(2) If the nucleotide or amino acid sequences are disclosed in the patent application; The specification also includes a nucleotide or amino acid sequence list prepared in accordance with the standards in force of the World Intellectual Property Organization. The sequence list is presented together with the application as an annex to the application on a separate page with the title "sequence list" to come after the description. The sequence list is given electronically.

(3) In addition to the application elements, the Institute may request that the series list prepared in accordance with the second paragraph be submitted on a data carrier that complies with the standards in force of the World Intellectual Property Organization. In this case, a declaration is made that the information stored on the data carrier is the same as the written sequence list.

(4) In case the sequence list is corrected upon the notification made pursuant to the second paragraph of Article 96, the sequence list is submitted with a statement stating that it does not exceed the scope of the application.

(5) The sequence list given after the application date is not accepted as a part of the specification.

Disclosure of invention containing biological material and deposit of biological material

ARTICLE 81 – (1) If an invention relates to or involves the use of a biological material that cannot be accessed by the public and cannot be explained in the patent application sufficient for the application of the invention by an expert in the relevant technical field, if the following conditions are met, the invention is declared in accordance with Article 92 of the Law. acceptable:

a) Submitting a sample of the biological material to an authorized depository established in accordance with the Budapest Agreement or recognized by the Agency, on or before the date of application.

b) Containing the information available to the applicant regarding the characteristics of the biological material deposited at the date of application.

c) Indication of the name of the depository institution and the accession number given to the biological material deposited by this institution in the patent application.

(2) If the biological material deposited in accordance with the first paragraph ceases to be accessible at the depository; If it is re-delivered in accordance with the Budapest Agreement and a copy of the document given by the depository institution regarding the receipt of the material is sent to the Institute within four months from the date of deposit, indicating the number of the patent application or document, this access is deemed to have not been interrupted.

(3) The information in subparagraph (c) of the first paragraph is given within the period specified below, whichever ends first:

a) Within sixteen months from the date of submission of the application or the priority date, if any, and if it cannot be submitted within this period, before the completion of the necessary technical preparations for the publication of the application.

b) Until the date of the publication of the application according to the first paragraph of Article 97 of the Law.

c) Within one month following the notification of the Institute to the applicant that a right to examine the application file has been established pursuant to the second paragraph of Article 102 of the Law.

(4) By submitting the information in subparagraph (c) of the first paragraph to the Institute, it is deemed that the applicant gives unconditional and irrevocable consent for the submitted biological material to be made available to the public.

(5) The deposited biological material is open to the access of everyone upon request from the date of publication of the patent application, and before this date, to the persons authorized to examine the application file according to the second paragraph of Article 102 of the Law. This access is achieved by providing the requester with a sample of this biological material.

(6) A copy of the biological material, unless the applicant or patent owner clearly indicates to the applicant or patent owner that he has waived it, until the date on which the patent right expires or the patent application is rejected, withdrawn, considered withdrawn, or It is given on the condition that it undertakes not to give any biological material derived from it to third parties and to use this material for experimental purposes only. This commitment is not sought if the requester uses the biological material under the compulsory license.

(7) The request in the fifth paragraph is made to the Institution with an announced form. In this form, the Institute certifies that a patent application has been made regarding the deposited biological material and that the requestor is authorized to receive a copy of this material. This request is made to the Institute even after the patent is granted. The Institute sends a copy of the approved request to the depositor and the patent applicant or patent owner.

Specifying the inventor in the application

ARTICLE 82 - (1) The inventor is indicated in the application in accordance with the fifth paragraph of Article 90 of the Law. If the applicant is not the inventor or is only one or more of the inventors, how the applicant obtained the patent application right from the inventor or inventors is declared in the application.

(2) The inventor may request that his name be kept confidential. In the event that there is more than one inventor, the names of the inventors who request anonymity are kept confidential and their names are not included in the publication.

(3) In order for a person who is not specified as the inventor in the application to be added to the Registry as the inventor, the written approvals of the inventors together with the applicant or patent owner are required.

(4) Upon a request made to the Institute by a person whose inventor is finalized by a court decision, the said person is recorded in the Registry as the inventor.

(5) A correction is made in the Registry upon the request of the application or patent owner, together with the permission of the person who is mistakenly identified as the inventor in the patent application or patent.

split application

ARTICLE 83 - (1) A divided application can be made from an application whose proceedings are still in progress, in a way that does not exceed the scope of the application subject and until the decision to issue the document regarding the application is published in the Bulletin.

(2) The divided application to be made from a patent application that is decided by the Institute that it does not have an invention integrity is made in accordance with the provisions of the first paragraph regarding the invention subjects specified in the notification.

(3) Regardless of the integrity of the invention, the applicant can make a divided application of his own accord in accordance with the provisions of the first paragraph.

(4) Provided that it remains within the scope of the first application, the application date for each divided application is the date of the first application. If the priority right is requested in the first application, this right is also granted to each divided application.

(5) The annual fees for the split application for the previous years are paid free of charge on the split application request date or within the two-month period specified in the second paragraph of Article 95 of the Law, without the need for any notification from the date of the split application request. If the annual fees of the previous years are not paid within this period, the divided application is deemed to be withdrawn.

(6) The search request for a divided patent application is made with the application or without the need for any notification, within twelve months from the date the divided application request is submitted to the Institute, by paying the search fee specified in the Communiqué.

(7) The search request for the divided utility model application is made with the application or without any notification, within two months from the date of notification that the application does not have any deficiencies in terms of conformity with the formal conditions or that the deficiencies are corrected within the time limit, by paying the search fee specified in the Announcement.

(8) In case of a divided application from a divided application, the status of the application in which it was divided is taken into account.

Claiming the priority right

ARTICLE 84 – (1) The priority right request is made together with the application or within two months from the application date by paying the fee specified in the Announcement, and the priority right document is submitted to the Institute within three months from the application date. Otherwise, the priority right request is deemed not made. In the priority right request, the country, date and number of the application in which the priority right arises are indicated.

(2) If the priority right document is accessible for international applications that have entered the national stage, it is considered that the priority right document has been submitted to the Institute.

(3) In case more than one priority right is requested, a separate fee is paid for each priority right request.

(4) The priority right document includes the Registry page of the application in which the priority right arises, as well as the description, claims and pictures, if any. If the application in which the priority right arises has been submitted to the Institute before, it is deemed that the priority right document has been submitted. In addition, if the priority right document submitted to the Institution is in a foreign language, the Turkish translation of the Registry page is given together with the priority right document.

(5) If the application in which the priority right arises is not in Turkish and the validity of the priority right is necessary for the determination of the patentability of the invention in question, the Turkish translation of the application in which the priority right arises within two months from the date of the notification to be made by the Institute on this matter, or the application regarding the fact that the application is exactly the same as the application in which the priority right arises. a statement is

submitted. Otherwise, the priority right request is deemed not made in accordance with Article 146 of the Law.

(6) In national or international exhibitions held in Türkiye and in official or officially recognized international exhibitions held in countries party to the Paris Convention, natural or legal persons displaying the product covering the subject of a patent or utility model may obtain a patent in Türkiye within twelve months from the date of exhibition. or in order to take advantage of the priority right arising from the exhibition in making a utility model application, at least one photograph clearly and completely showing the product covering the patent or utility model subject, and the technical features of the product, the date when this product was placed visibly in the exhibition and the official opening date, issues a document approved by the issuing body. The photograph in question should show the features of the product presented in the exhibition, sufficient to ensure that the invention, which is the subject of the patent or utility model, can be understood clearly and unambiguously by the person who is an expert in the relevant field.

Issuing a priority right certificate

ARTICLE 85 – (1) The priority right document related to the priority right arising from the application made to the Institute is issued by the Institute, upon the request of the applicant and on the condition that the fee specified in the Notification is paid. The priority right document contains the Registry page of the application in which the priority right arises and a certified copy.

Additional patent

ARTICLE 86 – (1) In the novelty evaluation made according to the first and third paragraphs of Article 83 of the Law for the supplementary patent application, the original patent application itself is considered as the state of the art. In the evaluation of the inventive step specified in the fourth paragraph of Article 83 of the Law, the original patent application is not considered as the state of the art.

(2) The protection period of the supplemental patent starts from the application date of the supplemental patent and is until the expiry of the original patent. No annual fee is paid for additional patents and additional patent applications.

(3) If it is determined by the Institute that the additional patent application does not have the necessary connection with the original patent application, the additional patent application is converted into an independent patent application and in case there are annual fees to be paid as of the date of the additional patent application, these fees are requested to be paid within three months as of the notification date, free of charge. If necessary, the provisions of the fourth paragraph of Article 101 of the Law are applied. The protection period of the application, which is converted from an additional patent application to an independent patent by the Institute, starts from the application date of the application, which is determined not to have the necessary connection with the original patent application, and is twenty years from this date.

(4) In case the original patent is invalidated, this decision does not necessarily result in the invalidation of additional patents. However, if a request is not made within three months following the notification of the invalidity decision to the patent owner or his attorney, together with the information showing that the unpaid annual fees of the original patent, if any, are paid free of charge, for the conversion of additional patents to independent patents, the invalidity of the patent will result in the invalidation of the additional patents. If necessary, the provisions of the fourth paragraph of Article 101 of the Law are applied.

(5) In case the original patent owner renounces his patent right or the original patent application is withdrawn or deemed withdrawn or rejected or deemed invalid due to non-payment of the annual fee, the additional patent application is transformed into an independent patent. In order for the conversion process to be carried out, the situation that caused the conversion of the additional patent to an independent patent must be finalized. Even if it turns into an independent patent, the protection period of the additional patent is until the expiration of the original patent that it is transformed into. The Institute informs the patent owner that the unpaid annual fees of the original patent, if any, must be paid collectively within three months from the notification date, free of charge, in order for the

additional patent to continue its operations as an independent patent after conversion. If necessary, the provisions of the fourth paragraph of Article 101 of the Law are applied.

(6) In case the additional patent application or additional patent is transformed into an independent application or patent, the annual fees after the conversion are paid with the due date of the additional patent application or the application date of the additional patent.

(7) The proceedings of the additional patent application or the application or the patent, which has been converted from an additional patent to an independent one, are continued as of the date on which the annual fees are paid.

SECOND PART

Physical Properties of Patent Application Elements

Suitability for duplication

ARTICLE 87 – (1) All elements of the application; presented in such a way that electronic or direct reproduction is possible.

(2) If the application is made with physical documents, there will be no holes, wrinkles or folds in the pages.

(3) If the application is made with physical documents, only one side of each page is used.

(4) Each element of the application starts from a new page.

(5) If the application is made with physical documents, all pages of the application can be combined in such a way that they can be easily translated and easily separated and reassembled when they are separated for duplication.

Size of pages

ARTICLE 88 – (1) The pages of all the elements that make up the application must be in A4 paper size. If the application is made with physical documents, the pages will be foldable, solid, white, smooth, matte and durable.

(2) Without prejudice to the provisions of the ninth paragraph of the article 77 and the third paragraph of the article 93, the pages are used in vertical position in all the elements that make up the application.

margins

ARTICLE 89 – (1) The margins of the pages containing the description, claims and summary are at least; 2 cm from the top, 2 cm from the bottom, 2.5 cm from the left and 2 cm from the right, maximum; 4 cm from the top, 3 cm from the bottom, 4 cm from the left and 3 cm from the right.

Numbering of pages

ARTICLE 90 – (1) All pages of the application elements; are numbered consecutively as the description, claims, and abstract, respectively.

(2) Page numbers; centered at the top or bottom of the page.

Numbering of rows

ARTICLE 91 - (1) Preferably, the lines of each page of the specification and claims are numbered every five lines, as multiples of five. Line numbers; located on the right side of the left margin.

Spelling of the text

ARTICLE 92 – (1) Application form, description, requests and summary are prepared in electronic environment.

(2) When necessary, only graphic symbols and characters, chemical or mathematical formulas may be written or drawn by hand.

(3) The text is written with 1.5 line spacing. All content of the text is written in bold and solid color with capital letters not less than 0.32 cm in height or 9 points.

Formulas and tables in the text

ARTICLE 93 – (1) The application form does not contain a description, claims and summary pictures. The description, claims, and summary may include chemical or mathematical formulas.

(2) It may contain a description and a summary table. Claims may contain tables only if the subject of the claims requires the use of the table.

(3) If tables and chemical or mathematical formulas cannot be presented on the page in a vertical position, they may be presented in a horizontal position. Tables, chemical or mathematical formulas given in horizontal position are placed with their tops on the left side of the page.

Terminology and signs

ARTICLE 94 – (1) Values and all data are expressed in metric systems using the international units system, where appropriate, using units in accordance with international standards. In these expressions, generally accepted technical terms, formulas, signs and symbols are used. Terminology and signs are consistent across all reference elements.

Subsequent documents

ARTICLE 95 – (1) The documents given later regarding the patent application elements are also in compliance with the provisions of Articles 75 to 79 and 87 to 94. Any request form submitted after the application date, with the exception of its annexes, shall be signed.

THIRD PART

Patent Grant Procedures

Examination for conformity to formal requirements

ARTICLE 96 – (1) The Office shall consider the application in which the elements specified in the first paragraph of Article 71 are complete or the elements are completed pursuant to Article 72, or the application that enters the national stage within the scope of the Patent Cooperation Treaty pursuant to Article 73;

a) Whether the information required to be submitted in the application form specified in Article 74 is given in full or not,

b) Whether the elements presented pursuant to Articles 74 to 78 and 80 comply with the formal conditions set forth in the provisions of Articles 87 to 94, examines it.

(2) If deficiencies are detected in the application as a result of the formal examination, the applicant is requested to correct the deficiencies within two months from the date of notification. If the deficiencies are not corrected within the given time, the application is rejected and the applicant is notified.

(3) If it is understood that the application does not have any deficiencies in terms of conformity with the formal conditions or if the deficiencies are corrected in due time, the procedures of the application are continued in accordance with Article 97 and this situation is notified to the applicant.

(4) In applications that enter the national stage within the scope of the Patent Cooperation Treaty, if it is understood that there is no deficiency in terms of conformity with the formal conditions in accordance with the third paragraph or the deficiencies are corrected within the time limit, the application and search report is published within the framework of Article 101 and the provisions regarding the patent applications are applied as of the second paragraph of Article 102.

Research request and preparation of research report

ARTICLE 97 – (1) In accordance with Article 96 of the Law, the search request is made with the application or without the need for notification, provided that the fee specified in the Announcement is paid within twelve months from the date of application. Otherwise, the application is considered withdrawn.

(2) In order for the search report to be issued, the applicant must make a search request in accordance with the first paragraph, and the application must not have any deficiencies in terms of conformity with the formal conditions in accordance with the Article 96 or the deficiencies must be corrected in due time.

(3) The research report is prepared according to the claims, taking into account the entire description. In the search report, the documents that can be taken into account in the decision whether the invention subject to the patent application is new and whether it contains an inventive step and that can be accessed at the date of the report are specified. While the research report is being prepared, the opinions of third parties regarding the patentability of the invention, if any, are taken into consideration.

(4) It is stated that each document specified in the search report is related to which requests of the application and, where appropriate, which part of the specified document is related to the application.

(5) Documents published before the priority date, between the priority date and the application date, on or after the application date are indicated distinctively in the search report.

(6) The document regarding the verbal explanation, usage or other explanation made before the application date, together with the publication date and the date of the non-written explanation, if any, are indicated in the search report.

(7) The search report includes the classification of the invention, which is the subject of the application, according to the international classification.

(8) If it is determined that the abstract or the invention title does not serve the purpose of providing technical information about the invention that is the subject of the application, the abstract or the invention title is rearranged and finalized by the Institute and added to the research report and notified to the applicant.

(9) The prepared search report is notified to the applicant together with a copy of the documents specified in the report and the search report is published in the Bulletin. Unwritten documents referred to in the research report are not sent to the applicant.

(10) In case the search report is ready before the publication of the application, the search report is published together with the application. If the research report is prepared after the publication of the application, it is published separately from the application.

(11) If the application has been published before, the summary or the invention title changed in accordance with the eighth paragraph is republished.

State of the art

ARTICLE 98 – (1) The state of the art includes everything accessible to the public, which has been put forward by written or oral promotion or explained in use or in any other way, anywhere in the world before the application date.

(2) The initial contents of the national patent and utility model applications published on or after the application date and dated before the application date are considered as the state of the art.

(3) Among the international patent applications made in accordance with the Patent Cooperation Treaty, the patent and utility model applications that enter the national stage in accordance with the first paragraph of the 73rd article according to the 22nd and 39th articles of the Patent Cooperation Treaty are considered as the state of the art.

(4) State of the art, European patent applications that meet the requirements of the fifth paragraph of Article 153 of the European Patent Convention on Granting European Patents, and European patent applications based on an international application, where Türkiye is determined in accordance with the second paragraph of Article 79 of the European Patent Convention and the relevant determination fee is paid. are taken into account.

In case the application contains a subject or invention that cannot be patented, or the description or claims are not clear, the search report

ARTICLE 99 – (1) If all of the requests of the application fall within the scope of the second and third paragraphs of Article 82 of the Law or if the description or all requests are not clear enough, the applicant is informed that a search report cannot be prepared. If the search report cannot be prepared, the applicant is given three months from the notification date to submit their objections to the said decision or the changes in the application. If no objection is made or changes are not submitted within this period, or the submitted objection or changes are not accepted, the application is rejected. If the submitted objection or changes are accepted, the search report is drawn up for all claims or researchable claims.

(2) If there are requests or requests that do not fall within the scope of the second and third paragraphs of Article 82 of the Law or are sufficiently clear in the application, the search report is drawn up according to these requests.

Research report in case of lack of invention integrity

ARTICLE 100 – (1) Pursuant to Article 91 of the Law, if it is determined that there is no integrity of invention in the patent application, a search report regarding the first invention mentioned in the claims is drawn up. The applicant can make a divided application for other claims that are outside the integrity of the invention and that have not been investigated, in a way that does not exceed the scope of this application.

Publication of the application and research report

ARTICLE 101 - (1) Pursuant to Articles 96 and 119, a patent or utility model application that does not have any deficiencies in terms of conformity with the formal requirements or whose deficiencies are remedied within the time limit expires after the application or, if any, priority date expires, or before the expiry of this period, the applicant's early publication It is published in the Bulletin upon request.

(2) The publication of the application includes the cover page of the publication, the description, the claims, and pictures, if any, containing the ones specified in the third paragraph. In case the publication is ready before the technical preparations are completed, the research report is published together with the application. If the research report is prepared after the technical preparations for the publication are completed, it is published separately from the application.

(3) Publication of the application includes the following elements:

- a) Application date and number.
- b) Identity and contact information of the applicant.
- c) Identity and contact information of the inventor if it is not requested to be kept confidential.
- ç) Identity and contact information of the patent attorney, if any.
- d) Invention title.
- e) The country, date and number of the application subject to the priority right.
- f) International patent classification of the invention.
- g) The publication date and number of the application.
- ğ) Summary.
- h) The figure or figures characterizing the invention.

i) International or regional application number, publication number and Bulletin date of granting the patent for applications entering the national stage through international or regional agreements.

i) If the invention is based on a genetic source or traditional information related to a genetic source, information on the geographical origin of this source or information if its geographical origin is known, and where it was obtained if not.

(4) If the application has been published before, the amended summary or invention title in accordance with the eighth paragraph of Article 97 is republished.

(5) If any changes are made to the information on the Registry page, the description, the claims and the drawings, if any, during the patent granting process, the changed pages are also published.

(6) Applications that are rejected, withdrawn or deemed withdrawn before the technical preparations for publication are completed are not published.

(7) In accordance with the second paragraph of Article 97 of the Law, the opinions to be submitted by third parties to the patent application are submitted to the Institute in writing, together with their justifications.

Review request

ARTICLE 102 – (1) The applicant requests the Institute to examine his application by paying the fee within three months from the notification date of the search report. The applicant can present his views on the research report and make changes, if any, to the description, claims or drawings within this period. The review request cannot be withdrawn.

(2) For applications that enter the national stage within the scope of the Patent Cooperation Treaty, the applicant requests the examination of the application within three months as of the date of notification of the international search report by the Institute and pays the fee related to the examination together with the request. During this period, the applicant can present his views on the international search report and make changes, if any, to the description, claims or drawings.

(3) In case the examination request is not made within the time limit or the fee is not paid in due time, the application is deemed to be withdrawn and the applicant is notified. If the application is published, it is published in the Bulletin.

Examining the patent application

ARTICLE 103 – (1) The Institute examines the compliance of the application and the related invention with the provisions of the Law upon the applicant's request for examination.

(2) If it is determined that the application or the related invention does not comply with the provisions of the Law, the applicant is notified in accordance with the provisions of the third paragraph of Article 98 of the Law. In this notification, the reasons for not granting the patent are explained with their justifications, taking into account the documents specified in the search report, if any, the documents determined during the examination phase, if any, the views of the applicant and the changes made in the application, and their grounds are stated. The applicant is requested to submit his/her opinions against these notifications within three months from the date of each notification or to make changes to the description, requests or drawings provided that they do not exceed the scope of the application. The number of such notifications cannot exceed three.

(3) If it is decided to grant the patent as a result of the examination, taking into account the documents specified in the search report, if any, the documents determined during the examination phase, if any, the views of the applicant and the changes made in the application, an examination report is prepared explaining the reasons for granting the patent with its justifications, and this report is accompanied by the decision to grant the patent. reported to the owner. This decision and the patent are published in the Bulletin.

(4) In cases where changes are deemed necessary by the Institute in order to grant the patent according to the prepared examination report, changes are requested within two months as of the notification date. If the changes made are accepted, it is accepted that the text to be patented is approved by the applicant with the changed version, and the patent is decided to be granted, this situation is notified to the applicant, this decision and the patent are published in the Bulletin. In case the changes are not made or the changes made are not accepted by the Institute, the application is deemed to be withdrawn, this decision is notified to the applicant and published in the Bulletin.

(5) If, as a result of the examination, it is determined that the application and the related invention do not comply with the provisions of this Law, an examination report explaining the reasons for not granting a patent with its justifications is drawn up and the application is rejected, this decision is notified to the applicant and published in the Bulletin.

(6) If the patent is requested by the patent owner after the publication regarding granting of the patent and the fee specified in the Communiqué is paid, the patent document is issued and sent to the patent owner.

Publication of the patent

ARTICLE 104 - (1) Publication of the patent fascicle; The cover page of the publication, which includes what is stated in the second paragraph, includes the description, claims and pictures, if any.

(2) The publication of the patent fascicle includes the following elements:

- a) Patent number.
- b) The date of the Bulletin in which the patent is declared to have been granted.
- c) Application date and number.
- c) Identity and contact information of the patent owner.
- d) Identity and contact information of the inventor if it is not requested to be kept confidential.
- e) Identity and contact information of the patent attorney, if any.
- f) Invention title.
- g) The country, date and number of the application subject to the priority right.
- ğ) International patent classification of the invention.
- h) Publication date and number of the application.
- i) Summary.
- i) The figure or figures characterizing the invention.

j) International or regional application number, publication number and Bulletin date regarding the granting of the patent for applications entering the national stage through international or regional agreements.

k) If the invention is based on a genetic source or traditional information related to a genetic source, information on the geographical origin of this source or information if its geographical origin is known, and where it was obtained if not.

(3) If any correction has been made to the information on the Patent Registry page, this correction is also published.

CHAPTER FOUR

Objection Procedures

Form and content of the objection

ARTICLE 105 – (1) In accordance with Article 99 of the Law, third parties may object to the patent in question by paying the objection fee specified in the Communiqué, within six months following the publication of the decision to grant the patent in the Bulletin.

(2) The objection is made in writing, including:

a) Identity and contact information of the complainant.

b) If the protester has appointed a representative, the identity and contact information of the attorney.

c) The number of the contested patent, the invention title and the identity information of the patent owner.

c) The reasons for the objection and the information or documents proving these reasons.

d) Information regarding the payment of the objection fee.

(3) If the objection is not made within the time limit or in accordance with the second paragraph, the objection is deemed not made. Objections that are not processed are notified to the objector together with the decision not to be processed.

(4) If no objection is made or it is deemed not made, the decision on granting the patent becomes final and the final decision is published in the Bulletin.

(5) At the end of the period specified in the first paragraph, the objections made in accordance with the second paragraph are notified to the patent owner, and a period of three months is given from the date of notification so that he can express his opinions and make changes to the description, claim or drawings when necessary. In case the patent owner makes changes to the patent, the changed text and the pages where these changes are made in the text clearly and comprehensibly are also submitted to the Institute. Changes should be clear and understandable in content. The objection is examined by the Board, taking into account the views of the patent owner and the requests for amendments to the patent, if any. The Board decides in accordance with the fifth paragraph of Article 99 of the Law.

(6) If the Board is of the opinion that the patent or its modified version is partially in accordance with the Law, it decides to continue the patent as of this part and clearly indicates the parts to be changed. The patent owner submits the revised description, request and drawings, if any, to the Institute, within two months following the notification date of this decision, taking into account the opinions stated in the decision and the issues requested to be changed. In case the said change is not made or the change made is not accepted, the invalidity of the patent is decided. If the requirements in this paragraph are duly fulfilled, the Institute decides to continue the patent with the modified form. The modified version of the patent is published in the Bulletin.

(7) If the Board decides to continue the patent in its current form as a result of its examination regarding the objections, the final decision is notified to the patent owner and the objector and the decision is published in the Bulletin.

(8) While the objection proceedings are in progress, the expiration of the patent right in accordance with the provisions of subparagraphs (b) and (c) of the first paragraph of Article 140 of the Law shall not prevent the continuation of the objection proceedings.

(9) The objection can be withdrawn before the Board decides on the objection.

(10) The decisions of the Board in accordance with Article 99 of the Law cannot be appealed within the scope of Article 100 of the Law.

CHAPTER FIVE

Annual Fees

annual fees

ARTICLE 106 – (1) The annual fees required for the patent application or the protection of the patent and specified in the Communiqué are paid in advance every year throughout the patent protection period, starting from the third year from the application date, without the need for notification of the Institute. The due date is the month and day corresponding to the application date.

(2) If the annual fees are not paid within the period specified in the first paragraph, they may be paid together with the additional fee specified in the Communiqué, within six months following the due date.

(3) In case the annual fees are not paid within the period specified in the second paragraph, the patent right expires as of the due date of this fee, a notification is made regarding the expiry of the patent right and this situation is published in the Bulletin.

(4) If the compensation fee specified in the Communiqué is paid within two months from the date of notification regarding the expiration of the patent right, the patent right becomes valid again as of the payment date and is published in the Bulletin. In order for the patent right to become valid again, the information showing that the compensation fee has been paid, together with the request form, must be submitted to the Institute within two months from the notification date. The notification regarding the expiration of the patent right is made until the end of the one-year period starting from the due date of the patent right at the latest.

PART TWO

Transactions Regarding Patent Process

Patent application and examination of the patent by third parties

ARTICLE 107 – (1) Patent application or patent files can be examined by third parties over these files or through other technical tools where they are recorded, provided that the relevant fee is paid, within the scope of the provision of Article 102 of the Law. The following are outside the scope of this review:

- a) Draft decisions and notifications that have not yet been notified, and documents forming the basis for them.
- b) Identity and contact information of the inventor who has waived his right to be mentioned in the patent application and patent.
- c) Correspondence between the units of the institution.
- c) Other documents that the Institution decides not to serve the purpose of informing the public.

Changes that can be made to the patent application and the patent

ARTICLE 108 - (1) The applicant can make changes in the patent application provided that it does not exceed the scope of the first version of the application.

After the completion of the formal deficiency examination, the applicant may make any changes he deems necessary, provided that they do not exceed the initial scope of the application and meet the formal requirements. After the completion of the formal deficiency examination, the change requests that do not meet the formal requirements are not taken into consideration and this situation is notified to the applicant.

(3) After receiving the search report, the applicant can make changes to the description, claims and drawings on his own initiative.

(4) The applicant can make changes in the description, claim and drawings on his own initiative, together with his reply to the first notification made by the Institute during the examination of the patent application.

(5) In order for the changes within the scope of the first to fourth paragraphs to be taken into account while issuing the research or examination report, these changes must reach the Institute before starting the process of issuing the search or examination report.

(6) In case of changes in the application, the pages where these changes are made in the text clearly and comprehensibly are also submitted to the Institute.

(7) In cases permitted by the law, the scope of the protection provided by the patent cannot be exceeded with the changes to be made in the patent.

Fixing bugs

ARTICLE 109 – (1) Translation errors, typos, copying errors and inaccuracies in the documents submitted to the Institution can be corrected upon request. However, if the correction request is related to the description, claims or drawings, it should be clear that the correction does not have a purpose other than the ones listed in this article.

Withdrawal of the patent application or waiver of the patent right

ARTICLE 110 – (1) In case the request for withdrawal of the patent application or waiver of the patent right is made by the attorney, the original or approved copy of the power of attorney stating these powers clearly must be submitted to the Institute together with the request. In the event that such a power of attorney has been submitted to the Institute before, the power of attorney need not be resubmitted if information regarding the previous power of attorney is given, without prejudice to the cases deemed necessary by the Institute pursuant to the sixth paragraph of Article 124.

(2) (Repealed:RG-8/7/2019-30825)

(3) In case of more than one application or patent owner, the request for withdrawal of the patent application or waiver of the patent right shall be signed by all the owners. Pursuant to the first paragraph of Article 147 of the Law, the person who is the joint representative does not have the authority to sign the request for withdrawal of the patent application or waiver of the patent right on behalf of the other right holders.

Registry registration and its provisions

ARTICLE 111 – (1) The procedures during and after the granting of the patent or utility model, patent or utility model applications, patents or utility models are recorded in the Registry, including the elements listed below:

- a) Application number and application date.
- b) The document number and the Bulletin date on which the document was issued.
- c) Type of protection: Patent or utility model.
- ç) Application form: original, divided, additional patent, confidential.
- d) Invention title.
- e) Turkish abstract.
- f) The number of requests, the number of pages of the description and pictures.
- g) International patent classification of the invention.
- ğ) Identity and contact information of the applicant or document holder.
- h) Identity and contact information of the inventor if it is not requested to be kept confidential.
- ı) Identity and contact information of the patent attorney, if any.
- i) The country, date and number of the application subject to the priority right.
- j) The start date of the protection and the duration of the protection.
- k) In case of division of the application, the number of all applications divided from the first application.
- l) In case a divided application is made or a new application is made pursuant to subparagraph (b) of the third paragraph of Article 110 of the Law, the number, application date and priority information of the previous application.
- m) The lawsuit filed pursuant to Article 111 of the Law and the final judgment rendered as a result of this lawsuit.
- n) In case of an additional patent application, the number of the original patent application, and the numbers of the additional patent applications in the original patent application.
- o) The publication date of the application and, if published separately from the application, the publication date of the research report.

ö) If the invention is based on a genetic source or traditional information related to a genetic source, information on the geographical origin of this source or information if its geographical origin is known, and where it was obtained if not.

p) Information on the validity of the Application or Document.

r) Legal proceedings regarding the application or patent and utility model right.

s) Annual fees.

ş) International or regional application number, publication number and Bulletin date regarding the granting of the patent for applications entering the national stage through international or regional agreements.

(2) The Institution may decide to record any information other than those listed in the first paragraph in the Registry.

(3) Unless the patent application or the rights arising from the patent are duly recorded in the Registry, they cannot be claimed against third parties in good faith.

Converting a patent application to a utility model application

ARTICLE 112 – (1) The patent applicant may request that the patent application be converted into a utility model application until the end of the three-month period, which is the response period to the last notification made in accordance with the second paragraph of Article 103, for the patent application whose processes are still in progress.

(2) In case a conversion request is made pursuant to the first paragraph, the Institute notifies the applicant that it must submit the necessary documents and request a search within one month from the date of notification. If the necessary conditions are not fulfilled within this period, the conversion request is deemed not made and the application continues to be processed as a patent application. In case the necessary conditions are fulfilled within this period, the provisions of the Law regarding the granting of utility models shall apply to the application.

(3) For the application for which a conversion request is made;

a) If a research report has not been prepared before, the research fee specified in the Announcement,

b) If a search report has been prepared before, the relevant search fee specified in the Announcement for the converted applications,

It must be paid together with the research request specified in the second paragraph. The research fee to be paid under this paragraph can also be paid together with the conversion request made pursuant to the first paragraph.

(4) Reconversion requests made for applications that have been converted from a patent application to a utility model application are not processed.

Conversion of utility model application to patent application

ARTICLE 113 – (1) The utility model applicant may request the conversion of the application into a patent application for the utility model application whose processes are in progress, until the end of the three-month period from the date of notification of the search report, at the latest.

(2) In case such a conversion request is made, the Institute notifies the applicant that it has to make a research request by paying the research fee along with the necessary documents, if any, within one month from the date of notification. If the requirements are fulfilled within the said period, the conversion request is accepted and the provisions regarding granting a patent for the application are applied as of the date of acceptance of the conversion.

(3) For the application for which a conversion request is made;

a) If a research report has not been prepared before, the research fee specified in the Announcement,

b) If a research report has been prepared before, the additional research fee specified in the Announcement for conversion applications,

It must be paid together with the research request specified in the second paragraph. The research fee to be paid under this paragraph can also be paid together with the conversion request made pursuant to the first paragraph.

(4) Reconversion requests made for applications that have been converted from a utility model application to a patent application are not processed.

Continuing the transactions

ARTICLE 114 – (1) In case of non-compliance with the deadlines regarding the procedures related to the patent application, the applicant may demand the continuation of the proceedings by paying the fee specified in the Communiqué and by doing the necessary due to non-compliance with the time period, within two months from the date of notification of the result of the non-compliance.

(2) In case of non-compliance with the periods given in the articles in this paragraph, it cannot be requested to continue the proceedings:

- a) First paragraph of Article 93 of the Law.
- b) The fourth paragraph of Article 101 of the Law.
- c) The third paragraph of Article 110 of the Law.
- c) Article 72.
- d) Article 81.
- e) First paragraph of Article 84.
- f) Second paragraphs of Articles 96 and 119.
- g) First paragraph of Article 99 and fourteenth paragraph of Article 120.

(3) The Institute notifies the applicant or patent owner of the result of the evaluation made regarding the request. If the request is accepted, if the application is published, this situation is published in the Bulletin.

(4) The request to continue the proceedings by fulfilling the requirements of the action that could not be carried out due to the failure to comply with the three-month period given in the notifications made pursuant to the second paragraph of Article 103 can be made only once for one of the three notifications and pursuant to this article.

(5) In cases where the continuation of the transactions is not appropriate according to the provisions of the legislation, which is not specified in this article, but due to the nature of the request, the request for the continuation of the transactions shall not be processed by the Authority.

(6) The provisions of this article shall not be applied in terms of the periods related to the continuation of the transactions or the re-establishment of the rights.

Restoration of rights

ARTICLE 115 – (1) The patent application is rejected, the patent application is deemed withdrawn, the patent is invalidated pursuant to Article 99 of the Law, or any other failure to comply with a deadline, despite the care required by the conditions in the patent application or patent-related transactions, by the patent applicant or the patent owner. In case of loss of the right, re-establishment of the rights can be requested.

(2) The request for the re-establishment of rights is made within two months from the disappearance of the reason for non-compliance, provided that it does not exceed one year from the expiry of the non-compliance period, by paying the fee specified in the Communiqué. However, in case the twelve-month priority period specified in the first paragraph of Article 93 of the Law is not complied with, a request for re-establishment of rights can be made within two months from the end of this period.

(3) The grounds on which the request for re-establishment of rights and the information and documents proving these are submitted together with the request.

(4) The Institute notifies the applicant or patent owner of the result of the evaluation made regarding the request. If the request for re-establishment of rights is accepted, if the application is published, this situation is published in the Bulletin.

(5) The request for the continuation of the transactions by fulfilling the requirements of the transaction that could not be carried out due to the failure to comply with the three-month period given in the notifications made pursuant to the second paragraph of Article 103 cannot be made pursuant to this article.

(6) The provisions of this article shall not be applied in terms of the periods related to the continuation of the transactions or the re-establishment of the rights.

PART THREE

License Transactions

Contractual license

ARTICLE 116 – (1) The right to use a patent application or patent may be subject to a license agreement.

(2) In order for the license to be registered and published in the Registry, one of the parties must apply to the Authority with the following:

a) Request Form.

b) The license agreement, which specifies the signatures and statements of the licensee and the grantor, the number of the patent application or patent subject to the license agreement, the license period and if any, and the type of license, the Turkish translation additionally approved by a sworn translator if the license agreement is in a foreign language.

c) Information showing that the fee has been paid.

Licensing offer and obligation to use

ARTICLE 117 – (1) The patent applicant or the patent owner submits the request form to the Institute, which includes the declaration that he will grant a license to anyone who wants to use the invention subject to the patent, and the information showing that the fee specified in the Announcement has been paid.

(2) If there has been a change in the application or patent ownership according to Articles 110 and 111 of the Law, the previous license grant proposal is deemed to have been withdrawn automatically upon the registration of the new application or patent owner in the Registry.

(3) The Authority records the licensing offers in the Registry and publishes them in the Bulletin.

(4) The patent applicant or patent owner may withdraw the license grant offer at any time. Withdrawal of the offer is published in the Bulletin.

(5) In case there is a record in the registry that an exclusive license has been granted, the applicant or patent owner cannot make an offer to grant licenses to others, and in case such a request is made, this request is not processed by the Institute.

(6) After the licensing offer has been made, the request for registration of the exclusive license in the Registry is not permitted unless the licensing offer is withdrawn or accepted as withdrawn.

(7) The patent owner or the person authorized by it has to use the invention protected by the patent. Use is made within this period of three years from the publication of the decision to grant the patent in the Bulletin or four years from the date of the patent application, whichever ends later. Market conditions and conditions beyond the control and will of the patent owner are taken into account in the evaluation of the use. Technical or economic or legal reasons such as objective licensing, compliance with standards, the need for new applications in different fields are accepted as justifiable reasons for not using the patent. These reasons, which may prevent the use of the invention subject to the patent, are considered as reasons beyond the control and will of the patent owner.

(8) The declaration regarding the use or non-use of the patent is submitted to the Institute within the period specified in the seventh paragraph, recorded in the Registry and published in the Bulletin. Patents that are not notified of their use within this period are published in the Bulletin.

PART FOUR

Farmer Exception

farmer exception

ARTICLE 118 - (1) Pursuant to the fifth paragraph of Article 85 of the Law, the farmer has the right to use the patented breeding or other animal breeding material sold by the patent owner or with his permission or provided by another commercial means for agricultural purposes. This right covers the use of animals or other animal reproduction material for the purpose of maintaining the farmer's own agricultural activity.

(2) The right of use granted to the farmer in accordance with the first paragraph covers the reproduction of the animals subject to the patent in order to continue his own agricultural activity, by using the breeding or animal reproduction material that is the subject of the patent. However, this

right does not cover the reproduction of the animal reproduction material subject to the patent for commercial sale.

(3) Selling the reproductive cells, semen or embryos of a patented animal by acting as a breeding business in a way to enter into direct commercial competition with the patent owner is within the scope of commercial reproduction .

(4) The reproduction of a patented farm animal by breeding, the use of the reproduced animal in farming activities or the sale of the reproduced animal itself or its offspring are within the scope of the right to use specified in the first paragraph, provided that it is for the purpose of continuing agricultural activities such as milk production or slaughter.

FIFTH

Useful model

Examining the utility model application in terms of conformity with the formal conditions

ARTICLE 119 – (1) The Office shall apply to the utility model application in which the elements specified in the first paragraph of Article 71 are complete or in which the elements are completed in accordance with Article 72, or the utility model application that enters the national stage within the scope of the Patent Cooperation Treaty pursuant to Article 73;

a) Excluding subparagraphs (g) and (h) of the first paragraph of Article 74, whether the information required to be submitted in the application form is given in full,

b) Whether the elements presented pursuant to Articles 74 to 78 comply with the formal conditions set forth in the provisions of Articles 87 to 94, examines it.

(2) If deficiencies are detected in the application as a result of the formal examination, the applicant is requested to correct the deficiencies within two months from the date of notification. If the deficiencies are not corrected within the given time, the application is rejected and the applicant is notified.

(3) If it is understood that the application does not have any deficiencies in terms of conformity with the formal conditions or if the deficiencies are corrected in due time, this situation is notified to the applicant and the procedures of the application are continued in accordance with Article 120.

Making a research request for the utility model and arranging the research report

ARTICLE 120 – (1) The search request for utility model application is made with the application or without the need for notification, within two months following the notification made in accordance with the third paragraph of Article 119, by paying the fee specified in the Announcement. Otherwise, the application is considered withdrawn.

(2) In order for the search report to be prepared, the applicant must make a search request in accordance with the first paragraph and, pursuant to Article 119, the application must not have any deficiencies in terms of conformity with the formal conditions or the deficiencies must be corrected in due time.

(3) The research report is prepared according to the demands, taking into account the entire description. In the research report, documents that can be taken into account in deciding whether the invention subject to the utility model is new and accessible at the time of the report are specified. In the innovation evaluation of the utility model, technical features that do not contribute to the invention are not taken into account and these elements are specified in the report. While the research report is being prepared, the opinions of third parties, if any, regarding the utility model availability for the invention that is the subject of the utility model application are also taken into consideration.

(4) If it is determined that the application or the related invention does not comply with the provisions of the Law, the reasons for not granting the utility model are explained in the search report and their grounds are stated.

(5) Each document specified in the search report is related to which requests of the application and, where appropriate, which part of the specified document is related to the application.

(6) Documents published before the priority date, between the priority date and the application date, on or after the application date are indicated distinctively in the search report.

(7) The document regarding the verbal explanation, usage or other explanation made before the application date, together with the publication date and the date of the non-written explanation, if any, are indicated in the search report.

(8) The search report includes the classification of the invention, which is the subject of the application, according to the international classification.

(9) If it is determined that the summary and the invention title do not serve the purpose of providing technical information about the invention, which is the subject of the application, while the search report is being prepared, the summary and the invention title are rearranged and finalized by the Institute and added to the search report and notified to the applicant.

(10) The prepared search report is notified to the applicant together with a copy of the documents specified in the report and published in the Bulletin.

(11) In case the search report is ready before the publication of the application, the search report is published together with the application. If the research report is prepared after the publication of the application, it is published separately from the application. In the event that the abstract or the title of the invention is changed in accordance with the ninth paragraph, the publication of the research report also includes the changed abstract or invention title.

(12) In case the search report and the summary amended pursuant to this article are published separately from the application, the publication in the Bulletin includes the information specified in Article 101.

(13) In case some of the requests of the application do not fall within the scope of the seventh paragraph of Article 143 of the Law or the description or some of the requests are clear enough, the search report is prepared according to these requests.

(14) In case all of the requests of the application fall within the scope of the third paragraph of Article 142 of the Law or the description or all requests are not clear enough, the applicant is informed that a search report cannot be prepared. In case the search report cannot be prepared, the applicant is given three months from the notification date to submit their objections to the said decision and any changes in the application. If no objection is made or changes are not submitted within this period, or if the submitted objection or changes are not accepted, the application will be rejected. If the submitted objection or changes are accepted, the search report is drawn up for all claims or researchable claims.

Objection to the research report and submission of opinions

ARTICLE 121 – (1) The applicant may object to the content of the search report, and third parties may express an opinion by attaching the relevant documents within three months from the publication of the search report. Objections and opinions not submitted in due time will not be taken into consideration.

Issuance of utility model certificate

ARTICLE 122 – (1) In case the utility model is requested after the publication and the document issuance fee specified in the Announcement is paid, a utility model certificate is issued and given to the applicant.

Applicability of the provisions on patents

ARTICLE 123 - (1) Unless there is a clear provision regarding the utility model and it does not contradict the characteristic of the utility model, the provisions stipulated for patents in this Regulation are also applied to the utility model.

BOOK FIVE

Common Terms

Power of attorney

ARTICLE 124 – (1) In cases where it is necessary to present a power of attorney pursuant to the Law or this Regulation, it is obligatory for the attorney to have the authority to act as a proxy before the Institution, the original written power of attorney containing the representation authority and date information, or a copy of which the originality has been approved by the attorney and includes the approval date, must be submitted to the Institution.

(2) In applications made by persons who are not authorized to act as attorneys before the Office, notifications regarding the application or other procedures to be carried out after registration are made directly to the applicant, if the applicant has a place of residence in Türkiye. If the applicant does not have a place of residence in Türkiye, the application or request is deemed not made.

(3) In applications or requests made through a proxy who has the authority to act as a proxy before the Institution and where the power of attorney must be submitted to the Institution, if the power of attorney is not submitted to the Institution or if the submitted power of attorney does not meet the conditions specified in the first paragraph, two months is given to the attorney to remedy the deficiency. If the deficiency is not remedied within this period, notifications are made directly to the applicant or the requester, if the applicant or the requester has a place of residence in Türkiye. If the applicant or requester does not have a place of residence in Türkiye, the application or request is deemed not made.

(4) In order to waive the right arising from the application or registration before the Office, to withdraw the objection, and to carry out the actions that will lead to these results partially or completely, the original of the power of attorney stating these powers clearly or a certified copy of the said power of attorney must be submitted to the Institute.

(5) In cases where more than one attorney is appointed for the purpose of representing a person before the Institution, it is sufficient to notify any of the authorized representatives, and this notification is deemed to have been made to the principal .

(6) In transactions made through a proxy, if a power of attorney meeting the conditions specified in the first and fourth paragraphs has been submitted to the Institute before and covers the requested transaction, the power of attorney does not need to be submitted again if information is given regarding the previous power of attorney, without prejudice to the circumstances deemed necessary by the Agency.

(7) In cases where it deems necessary, the Institute may request the submission of all kinds of evidence, including the original or notarized copy of the power of attorney showing the authority of the attorney.

(8) In the power of attorney issued for transactions carried out by legal person proxies, only the legal person is authorized to represent. For real person and legal person proxies, the power of attorney is drawn up in accordance with the format of the power of attorney samples available on the Institution's website. The power of attorney includes the date of issue, the identity information of the power of attorney and the area.

Transfer and other changes in rights ownership

ARTICLE 125 – (1) The change in right ownership through the transfer of a trademark, design and patent is recorded in the Registry and published in the Bulletin, provided the following information and documents are submitted:

- a) Request form.
- b) Information showing that the fee has been paid.
- c) The transfer agreement including the design and patent number, the trademark registration number and the brand name, which are the subject of the transfer.
- ç) If the transfer agreement is in a foreign language, its Turkish translation approved by a sworn translator.

(2) The patent transfer fee must be specified in the transfer agreement or declared in the request form.

(3) It is possible to transfer all or part of the goods and services for which the trademark is registered. In case of partial transfer of the trademark, the transferred goods or services and their class numbers must be specified in the transfer agreement. Full or partial transfer of multiple designs is possible. In case of partial transfer of the design, the design sequence numbers of the transferred designs are specified one by one in the transfer agreement. In case of partial transfer of the trademark, for the partially transferred goods or services; In case of partial transfer of designs, a new file is created with a new registration number on behalf of the transferee for the transferred designs. A new registration document is issued with a new registration number that will indicate the goods or services

or designs within the scope of the transfer. The brand or design is registered in the Registry by specifying the new registration number and the first registration date and published in the Bulletin. The newly created registration certificate is sent to the right holder. For partially transferred rights, the date the protection starts and the protection period do not change.

(4) In order to register the structural change transactions such as mergers and divisions in commercial companies, as well as the capital in kind or the change in the right holder as a result of the acquisition of commercial enterprises, an application must be made to the Authority with the documents listed below:

a) Request form.

b) Information or document in the Turkish Trade Registry Gazette, in which the transaction subject to the request is published, or a document approved by the competent authorities, and, if this document is in a foreign language, its Turkish translation approved by a sworn translator.

c) Information showing that the fee has been paid.

Attachment

ARTICLE 126 – (1) Trademark, design and patent can be seized independently of the business. The lien is recorded in the Registry and published in the Bulletin.

(2) Seizure of the trademark, design and patent shall not prevent the termination of the right due to the failure to pay the required fees for the continuation of the right or the failure to send the requested documents in due time. The seizure of a trademark, design or patent does not prevent the transfer of these rights.

Pledge

ARTICLE 127 – (1) The pledge of the trademark, design and patent is registered in the Registry and published in the Bulletin, provided the following information and documents are submitted:

a) Request form.

b) Information showing that the fee has been paid.

c) Pledge agreement including the design and patent number subject to the pledge, the trademark registration number and the brand name.

ç) If the pledge agreement is in a foreign language, its Turkish translation approved by a sworn translator.

(2) Pledges registered in accordance with the provisions of the first paragraph are notified to the Pledged Movable Registry established in accordance with the Law on Pledge of Movables in Commercial Transactions numbered 6750, dated 20/10/2016.

(3) The pledge on the trademark, design and patent expires in the following cases:

a) Termination of your receivable for any reason.

b) If the pledge is tied to a condition or a period, the realization, non-realization or the expiration of the period when the possibility of its realization disappears.

c) Selling the trademark, design and patent through forced execution.

(4) In case of expiration of the pledge, its cancellation from the Registry is possible if the creditors make a request with the request form for the cancellation. If the owner of the pledge right refrains from making a request for cancellation, the owner of the trademark, design or patent may request the cancellation of the pledge by filing a lawsuit regarding the cancellation and submitting a copy of the justified decision given in this lawsuit containing the finalization annotation to the Institute. In case the trademark, design and patent are sold through forced execution, the pledge is canceled by submitting the original or certified copy of the sales document to the Institute.

(5) Pledge of the trademark, design and patent does not prevent the expiry of the right due to failure to pay the required fees for the continuation of the right or not sending the requested documents within the time limit. The pledge of the trademark, design or patent does not prevent the transfer of these rights.

(6) The provisions of the Law No. 6750 and the legislation enacted pursuant to this Law are reserved.

Title, type and address changes

ARTICLE 128 – (1) In case of a change in the title or type of an industrial property right holder, an application must be made to the Institute with the documents listed below in order for this change to be recorded in the relevant Registry:

a) Request form.

b) Turkish Trade Registry Gazette information or document showing the title or type change, or the document approved by the competent authorities, and its Turkish translation approved by a sworn translator if the document showing the title or type change is in a foreign language.

(2) The Registry of the title or type change is applied to all industrial property rights and applications registered in the name of the right owner.

(3) In case the address of an industrial property right holder changes, it is necessary to apply to the Institution with a request form in order to record this change in the relevant Registry. However, address change can also be made by other methods to be determined by the Institution.

(4) The Registry of the address change is applied to all industrial property rights and applications registered in the name of the right owner.

(5) If the address in a new application, objection or other request made by the industrial property right owner or their representative, if any, is different from the address in the Institution records, the address declared in the new application or request is recorded in the relevant Registry.

(6) This provision also applies to traditional product names.

inherited

ARTICLE 129 – (1) In case an industrial property right is inherited, an application must be made to the Institute with the documents listed below in order to record this change in the relevant Registry:

a) Request form.

b) Inheritance certificate or its notarized copy, if the inheritance certificate is in a foreign language, its Turkish translation additionally approved by a sworn translator.

c) Information showing that the fee has been paid.

(2) This provision does not apply to geographical indications.

Application of legal proceedings to applications

ARTICLE 130 – (1) The provisions of Articles 125 to 129 and the provisions regarding license are also applied to industrial property right applications, and if the application is published, the procedures related to these provisions are also published in the Bulletin, except for the cases in Article 128.

(2) The seizure or pledge of the industrial property right application shall not prevent the industrial property right application from being processed due to the failure to send the documents required for the execution of the application procedures in due time.

(3) This provision does not apply to geographical indications.

Terms, notices, fees and transaction forms

ARTICLE 131 – (1) Without prejudice to the sixth, seventh and eighth paragraphs of Article 160 of the Law, notifications made by the Institution are made in written form and the date of notification is taken as the basis.

(2) The form or request in this Regulation is the transaction form accepted by the Authority and made available in the electronic environment. In applications or requests to be submitted to the Institution, it is essential to use these transaction forms accepted by the Institution.

(3) In case the application or other requests are made online with electronic signature, mobile signature or other methods provided by the Institution, the documents submitted in the annex of the forms are in accordance with the original; It is accepted by taking the declaration of the applicant or requester in this direction and signing all the documents online. The applicant or requester, who makes the online transaction, assumes all kinds of legal and penal liability if he makes false statements or submits documents.

(4) **(Annex: OG-27/10/2017-30223)** ⁽¹⁾ Applications or other requests made online can also be made through the e-Government Gateway by performing identity verification within the scope of the Regulation on the Procedures and Principles Regarding the Execution of E-Government Services published in the Official Gazette dated 3/9/2016 and numbered 29820. In applications or requests

made in this way, the applicant or requester who makes the transaction assumes all kinds of legal and penal responsibility if he makes false statements or submits documents.

(5) In case of doubt as to the authenticity of the documents, the Institute may request the originals of the documents from the applicant or requester. In case of dispute, Institution records shall be taken as basis.

(6) Duplicate or erroneous payments and the excess portion of the overpayments shall be returned upon request.

submission of evidence

ARTICLE 132 – (1) In case of reasonable doubt, the Institute may request the submission of all kinds of evidence, including notary approval, regarding the request or transaction.

Documents submitted in a foreign language

ARTICLE 133 – (1) In case the documents to be submitted to the Institution are in a foreign language, a Turkish translation approved by a sworn translator of all or part of the said documents may be requested. If the translations are not submitted in due time, the documents in question are not taken into account. The cases where the certified translation of the documents must be submitted are reserved.

Copy of registration certificate or certified copy of patent

ARTICLE 134 – (1) Upon the request of the trademark, design and patent owner and the geographical indication and traditional product name registrant, a copy of the relevant document is given.

(2) In order to issue a certified copy of the registration certificate and the patent, the following documents must be submitted:

- a) Request form.
- b) Information showing that the fee has been paid.

copy of the register

ARTICLE 135 – (1) The Registry of registered or granted industrial property rights and the traditional product name Registry are public.

(2) Trademark, geographical indication, traditional product name and design Registry copies are provided upon request and payment of the required fee.

may be given to third parties for a fee and only in a way to cover the information published after the application is published in the Bulletin .

(4) For published patent applications or patents, a copy of the Registry is given on the condition that it is requested and the required fee is paid. Upon request, in addition to the elements registered in the Registry, a description, request, summary, pictures, if any, and research and examination reports are also provided.

Missing notifications

ARTICLE 136 - (1) Regarding the payment of the fees stipulated in the 16th, 17th, 20th, 25th, 26th, 27th, 67th, 69th, 125th, 127th, 129th, 134th and 135th articles If the information is not submitted to the Institute with the request or the fees are paid incompletely, the requester is given one month to correct the deficiency.

(2) 16th, 17th, 18th, 20th, 22nd, 23rd, 25th, 26th, 27th, 33rd, 67th, 69th, 125th, 127th, 128th, 129th If a deficiency is detected in the transactions to be made pursuant to Articles 134 and 135, other than the wage information, the applicant is given a one-month period to correct the said deficiency.

(3) If the deficiencies within the scope of the first and second paragraphs are not corrected within the specified time, the request is deemed not made. Fees within the scope of the first and second paragraphs are refunded upon request, excluding the fee for objection to the publication within the scope of Articles 33 and 66.

Repealed regulations

ARTICLE 137 – (1) Regulation on the Implementation of the Decree Law No. 556 on the Protection of Trademarks published in the Official Gazette dated 9/4/2005 and numbered 25781, On the Protection of Patent Rights published in the Official Gazette dated 5/11/1995 and numbered 22454 The Regulation Indicating the Implementation of the Decree-Law, the Regulation Indicating the

Implementation of the Decree-Law on the Protection of Industrial Designs published in the Official Gazette dated 7/2/2006 and numbered 26073, and the Regulation No. 555 published in the Official Gazette dated 5/11/1995 and numbered 22454. The Regulation Indicating the Implementation of the Decree-Law on the Protection of Geographical Indications has been repealed.

Citations

ARTICLE 138 – (1) The Regulation on the Implementation of the Decree Law No. 556 on the Protection of Trademarks published in the Official Gazette dated 9/4/2005 and numbered 25781, on the Protection of Patent Rights published in the Official Gazette dated 5/11/1995 and numbered 22454 The Regulation Indicating the Implementation of the Decree-Law on the Protection of Industrial Designs published in the Official Gazette dated 7/2/2006 and numbered 26073, and the Regulation No. 555 published in the Official Gazette dated 5/11/1995 and numbered 22454. References made to the Regulation Indicating the Implementation of the Decree-Law on the Protection of Geographical Indications shall be deemed to have been made to this Regulation.

Activity statement on geographical indications

PROVISIONAL ARTICLE 1 – (1) Notifications of geographically indicated products registered before the effective date of the Law within the scope of the first paragraph of Article 44 of this Regulation are made until 10/7/2017.

Submission of audit reports

PROVISIONAL ARTICLE 2 – (1) Inspection reports of geographical indications registered before the effective date of the Law are submitted to the Authority until 10/1/2018. The submission date of these reports shall be taken as a basis at the beginning of the period stipulated in Article 49 of the Law for subsequent audit reports.

Payment of annual fees for patents and utility models

PROVISIONAL ARTICLE 3 – (1) The provision of the fourth paragraph of Article 106 shall be applied in the payment of annual fees for patents and utility models or applications whose annual fee payment has not expired in six months following the due date for annual fee payment.

Force

ARTICLE 139 – (1) This Regulation enters into force on the date of its publication.

Executive

ARTICLE 140 – (1) The provisions of this Regulation are executed by the President of the Turkish Patent and Trademark Office.

(one) With the amendment published in the Official Gazette dated 27/10/2017 and numbered 30223, a paragraph was added to the article 131 of this regulation to come after the third paragraph, and the other paragraphs were continued accordingly.

The Official Gazette in which the Regulation was Published		
	Date	Number
	24/4/2017	30047
Official Gazettes in which the Regulations Amending the Regulations Are Published		
	Date	Number
one	27/10/2017	30223
2	8/7/2019	30825 Duplicate
3		