Turkish Patent Institute

Turkey’s Experience in Protecting GIs

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International Legal Framework

- Turkey is
  - a member of WIPO since 1976
  - a signatory of the Paris Convention for the Protection of IP since 1925
  - a signatory of the Madrid Agreement for the Repression of False or Deceptive Indications of Source on Goods since 1930
  - a member of WTO since 1995
National Legal Framework

• Relevant Regulatory Framework
  – Decree Law No. 555 on the Protection of Geographical Signs
    adopted and entered into force on June 1995
  – Implementing Regulations under the Decree-Law No. 555 on the Protection of Geographical Signs
    adopted and entered into force on November 1995
Types of Geographical Signs According to Turkish Law

• **Designations of origin:**
  - Characteristics of the product essentially or exclusively due to the inherent natural and human factors of the region
  - The production, processing and preparation of the product take place within the defined boundaries of the region

• **Geographical indications:**
  - The product possesses a specific quality, reputation or other characteristics attributable to the region
  - At least one of the activities of production, processing or preparation of the product takes place within the defined boundaries of the region
National Legal Framework Cont.

- Type of Protection
  - Sui generis protection of geographical indications.
  - No ex officio protection
  - Protection is provided only at the request of a third party
  - Protection is based on registration system
  - Turkish Patent Institute is the administration responsible for the registration
National Legal Framework Cont.

• Scope of Legislation
  – The legislation provides a protection for all goods but not services:
    • Natural products
    • Agricultural products
    • Mining products
    • Industrial products
    • Handicrafts
Comparison Between EU and Turkey

• Legislation is almost the same
• Application of the legislation is not exactly parallel with EU practice
• Especially inspection and control issues must be handled quickly
• Turkey is open for cooperation with EU and other countries
Hellim Cheese Akçaabat Meatball

Malatya Apricot Ayvalık Olive Oil
• 137 registration
• 128 pending application
• 1 registration and 3 pending applications for table olive designations of origin
• 3 registrations and 3 pending applications for olive oil designations of origin
Gemlik Table Olive

Applicant: Gemlik Mercantile Exchange

Geographical Area: İznilk – Gemlik – Orhangazi (Districts of Bursa)

Type of Protection: Designation of Origin

Date of Registration: September 23, 2003
Why Designation of Origin

- The Gemlik table olive is only produced in a well defined geographical area.
- It has distinctive characteristics of quality and flavour and enjoys a wide spread national reputation.
- The quality, characteristics and reputation are essentially attributable to its geographical origin.
Gemlik Table Olive

- Origin of the raw material: Local (Gemlik)
- Physical, chemical and organoleptic characteristics are given in the specification
- Specific production, irrigation, storage and packaging methods
- Controls are carried out by Gemlik Mercantile Exchange
Thank you for your attention!

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