

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: İznik – 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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