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Significant amendments to the Regulation on the Implementation of the Industrial Property Code

Turkey - [Gün + Partners](#)

- **Amendments to the Turkish Property Code were published in the *Official Gazette* on 8 July 2019**
- **Notarised signature declarations/notarised signature circulars are no longer required for a number of procedures**
- **It is hoped that this will eliminate paperwork and speed up processes at the Patent and Trademark Office**

The Turkish Regulation on the Implementation of the Industrial Property Code, which is the main regulation for industrial property rights, has been amended by a regulation published in the *Official Gazette* on 8 July 2019 (No 30825).

Before the amendment, natural persons had to submit a notarised signature declaration and legal persons had to submit a notarised signature circular to the Patent and Trademark Office for a number of procedures (particularly for withdrawals), in order to prove that they were authorised to sign. This is now no longer the case.

According to Articles 19 and 67 of the regulation, trademark and multiple design registrations may be partially renewed upon the expiry of the protection period. However, within the amending regulation, the provisions of Articles 19 and 67 requiring the submission of notarised signature documents have been removed. Now, a notarised signature statement or notarised signature circular is no longer needed when a renewal request is submitted.

Further, the former clauses of Articles 22 and 23 stipulated that natural and legal persons were obliged to submit the abovementioned documents if they wanted to withdraw a trademark application prior to registration or to waive a trademark right after registration. However, this requirement has now been removed.

As per Article 70, the same principle applied to procedures related to designs. Under the amendment, design owners can now waive all or part of their rights arising from their application or registration without the need to submit signature documents. This possibility also applies to geographical indications, traditional product names and patent applications/rights, with the deletion of the relevant paragraphs of Articles 46 and 110/2 of the regulation.

Finally, under Turkish IP law, oppositions can be withdrawn before the Patent and Trademark Office renders a decision on it without incurring further fees. This also applies to appeals against the office's decisions. Similarly, in case of the withdrawal of oppositions to a mark or design or appeals against decisions on marks or designs, natural and legal persons are no longer required to submit the abovementioned signature documents in order to complete the withdrawal process.

As a result of the amendments, rights holders and the Patent and Trademark Office now have significantly less paperwork to fill out in most procedures, which should accelerate procedures under the Industrial Property Code.

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