NEW TURKISH IP CODE in a NUTSHELL
WHAT HAS CHANGED for TRADEMARKS with THE NEW TURKISH IP CODE?

VALIDITY TERM

National and international trademark and design applications as well as geographical indication applications made to the Turkish Patent and Trademark Office (hereinafter referred as the Office) before the date of publication of the new IP Code No. 6769 (January 10, 2017) will be subject to legislation in force at the date of application. Therefore, there will be two different rules and practices for the applications made before, on or after January 10, 2017.

POA REQUIREMENT

If the application is made with an attorney, the identity and communication information of the attorney is sufficient, power of attorney is no longer required.

LETTER OF CONSENT

Submission of letter of consent (LoC) is acceptable. The LoC can be submitted either at the time of application or until the final decision is given for opposition/appeal against decision.

The LoC must be notarized and apostilled and should be submitted with its sworn Turkish translation. The below points should clearly be indicated in the LoC:

- Identity and contact information of the consentee along with the application number of the trademark subject to the LoC.

- Identity and contact information of the consentor along with his/her application and/or registration numbers of earlier trademarks subject to LoC.

- List of goods and/or services with their class numbers which are allowed to be applied by the consentee.

A two-month period is granted for correction of deficiencies related to the LoC.

The LoC cannot be withdrawn after it is submitted to the Office.

Separate LoCs should be submitted for each new trademark application.

PUBLICATION TERM

The three-month opposition period has been reduced to 2 months.

RENEWAL

Trademarks may be renewed for some of the goods and services covered by the registration. If this request is made by a representative/attorney, a notarized and apostilled PoA including partial renewal authorization is required with its sworn Turkish translation.
If a trademark is opposed by a third party, the owner of the opposed trademark has the right to ask the opponent to prove the use of his/her trademarks which are claimed to be the legal grounds of the opposition. The applicant must clearly notify the Office for this request in written form within the one-month time period for submission of his/her counterview. Upon request from the applicant, the Office shall give a period of one month, which can be extended for one further month, to the opponent to submit evidence that shows serious use in Turkey or justifiable reasons for not using the trademark within 5 years from the date of application or priority date of the opposed application.

In case the opponent does not submit any evidences of use in due time or the submitted evidence is not relevant, the Office will reject the opposition provided that the grounds for opposition is not valid.

If the opponent provides evidence of use, the Office shall send this evidence to the applicant. Thereinafter, the applicant has the right to submit opinion on this evidence within a one-month period from the date of receipt. After the applicant files the opinion, a one-month period will be given to the opponent to submit his/her counterviews. In case the applicant does not submit any opinions in due time, the Office will evaluate the opposition within the scope of the existing evidences.

On the other hand, if the opponent submits evidences of use before the applicant requests, the Office will take this directly into consideration in its evaluation of the opposition.

However, if the applicant withdraws his/her request for the evidence of use, the request will be considered null.

Additionally, during the examination, if the examiner decides that there is no possibility of confusion between the trademarks, the decision can be given without the evaluation of proof of use.

After the deadline granted by the Office, no further evidences can be submitted. In the event that the evidence is not in Turkish, the Office may give a two-month period for the submission of sworn Turkish translations. If the translations are not submitted within the deadline, the evidences requiring translation shall not be taken into consideration.

**ARBITRATION**

The Office, if necessary, may invite the parties for arbitration during the examination of oppositions against a trademark publication or appeal against the decisions. In such cases, parties shall submit their declarations on arbitration in written format within one month from the date of the notification received from the Office. If one of the parties does not respond positively to the arbitration proposal, the invitation for arbitration shall be deemed rejected and the Office shall resume the examination of the appeal/opposition.

In case the parties want to negotiate and notify the Office together with their requests for arbitration, the examination of the appeal/opposition shall be postponed for not more than 3 months and this period may be extended up to a maximum of 3 months further.

If the arbitration process ends due to one of the causes as indicated in the Code on Mediation in Legal Disputes No. 6325, the written arbitration report which details the arbitration conditions and explains the arbitration process between the parties shall be delivered to the Office within 1 month from the end of the arbitration activity. In case the written arbitration report is not given, the Office shall resume the examination of the appeal/opposition.

The application proceedings shall be continued in accordance with the arbitration result after the written arbitration report is finalized and obtains verdict qualification in accordance with the Code No. 6325 and is delivered to the Office. Providing that the written arbitration report is not given or parties fail to reach an agreement, the Office shall resume the examination of the appeal/opposition.

The lapse of time would cease during the arbitration process.
TRADEMARK APPLICATION PROCESS in line with NEW TURKISH IP CODE

The following processes are valid for applications made on or after January 10th, 2017 when the new IP Code No. 6769 was officially adopted. For applications made before this date, the former Decrees will remain in force.

A logo in JPEG format, a list of goods & services, information on the owner, priority information (date, number, country of origin), a priority document with its sworn translation in Turkish (can be filed later), information and document of letter of consent (LoC) if any (which should be notarized and apostilled with its sworn translation in Turkish) are required to be submitted during the application.

If a priority will be claimed, the details of the priority should be stated in the application form in due course of filing. The original priority document can be submitted to the Turkish Patent Institute with its sworn translation within 3 months from the application date.

EX-OFFICIO EXAMINATION (1-6 MONTHS)

Examination may take several months. The application can be refused due to the existence of prior similar trademark(s) as well as other absolute grounds of refusal as cited in Article 5 of the IP Code No. 6769.

When the Turkish Patent and Trademark Office (the Office) ex-officio examines and then partially or totally refuses the trademark application based on absolute grounds, the applicant has a right to appeal this refusal decision within 2 months from the notification date. The appeal is examined by the Re-Examination and Evaluation Board (REEB), and its decision is final before the Office.

If the trademark is refused due to the existence of a prior similar trademark(s), the applicant has the right to obtain a notarized and apostilled LoC from the owner(s) of the prior trademark(s). In case the LoC is obtained and filed until the decision on the appeal is given, then the reason for the refusal will be deemed to be invalid, and the trademark will proceed to publication.

If the decision is against the applicant, then 2 months will be given as of the notification date to initiate a court action for the cancellation of this decision before the Civil Court of Intellectual and Industrial Rights.
Possible Court Action:

The main focus of court action would be the legal evaluation of the Office’s decision. Therefore, regardless of the registration status of the contested trademark, the proceedings carry on.

Also, the court evaluates the case by considering the evidence/information/documentation submitted during the appeal process. Evidence which is not presented during the appeal phase is very unlikely to affect the court’s judgement.

**PUBLICATION / OPPOSITION (2 MONTHS)**

After the ex-officio examination of the application by the Office, opposition can be filed within 2 months following the date of publication of the application in the Official Trademark Bulletin. The applicant has a right to file a counterstatement within one month following the date of opposition notification.

During this one-month-period, the applicant may request the opponent to prove use of the trademark(s) for the goods and services used as a grounds to opposition on the condition that those trademarks were registered for more than five years starting from the application/priority date. If the opponent can prove the use, then the opposition will be accepted. If the opponent cannot prove the use, then the opposition will be rejected for those goods/services. However, for **7 years starting from January 10, 2017**, the Office will not have the authority to cancel the Trademark(s) due to non-use. For the non-use cancellation action, the claimant is required to start a court action. Starting from January 10, 2024, the Office will be authorized to oversee cancellation claims due to non-use.

After the opponent files the proofs of use, the Office sends these documents to the applicant. Upon receipt, the applicant has a right to file comments regarding these proofs within **1 month**.

The opponent may submit the proof of use before the applicant demands it. In that case, the Office examines these proofs ex-officio.

The Office may encourage parties to reconcile within the framework of Arbitration Law on Legal Disputes.

If the opposition is refused by the Office, the adverse party has a right to file an appeal against the decision within **2 months** following the notification of this decision.

If the opposition is totally or partially accepted by the Office, then the applicant and/or the adverse party [depending on the situation] may file an appeal within **2 months** from the date of notification against the Office’s decision. The applicant and/or the adverse party has the right to file a counterstatement against this appeal within **1 month** from the date of notification. Possible appeals and/or counterstatements of both parties are examined by the REEB, and its decision is final before the Office. In light of this decision, the applicant or the adverse party has the right to initiate a court action for the cancellation of this decision within two months from the notification date before the Civil Court of Intellectual and Industrial Rights.
Possible Court Action:

Similar to the cases against the Office’s ex-officio decisions, the main focus of the court actions against the REEB decisions would be the legal evaluation of the Office’s decision. Therefore, regardless of the registration status of the contested trademark, the proceedings carry on. Different from the cases against ex-officio decisions, the opposing party must direct the case against the applicant (and vice versa).

As stated, the court evaluates the case by considering the evidence/information/documentation submitted during the opposition process. Evidence which is not presented during the opposition phase is very unlikely to affect the court’s judgement.

POST-REGISTRATION PROCESSES and GENERAL SUGGESTIONS

Article 25(7) of the new legislation brings the non-use defense which can be directed against the plaintiff by the defendant. According to this article, if a trademark owner (the plaintiff) files an invalidation action against another trademark owner (the defendant), the defendant may claim that the plaintiff’s trademark(s) which constitute legal ground for the action is/are not being used if plaintiff’s trademark(s) is/are registered for more than five years starting from the application/priority date. In case of the plaintiff’s failure to prove the trademarks’ use for the classes, the court may reject the plaintiff’s claims for the goods/services in which the use was failed to be proven.

In order to avoid any problems concerning the use (or lack of use) of their trademarks, we suggest that our clients file new trademark applications and limit their applications to the goods & services which are actually used.

REGISTRATION
(2-6 MONTHS)

The registration fee should be paid within 2 months from the date of the Office’s notification. Thereinafter, the registration certificate should be received within a two-week or two-month period.

The registration can be renewed every 10 years starting from the application date. There is also the option for late renewal with a penalty fee 6 months later the expiration date.
WHAT HAS CHANGED for DESIGNS with THE NEW TURKISH IP CODE?

### VALIDITY TERM

National and international trademark and design applications as well as geographical indication applications made to the Turkish Patent and Trademark Office (hereinafter referred as the Office) before the date of publication of the new IP Code No. 6769 (January 10, 2017) will be subject to legislation in force at the date of application. Therefore, there will be two different rules and practices for applications made before, on or after January 10, 2017.

### NOVELTY

The Office _ex-officio_ rejects design applications which lack novelty.

### DESCRIPTION

It is no longer obligatory to submit the description with an application, yet it can still be submitted at will.

### POA REQUIREMENT

If the application is made with an attorney, the identity and communication information of the attorney is sufficient, power of attorney is no longer required.

### RELATION WITH DESIGNER

Information on how the right to request registration is obtained from the designer(s) should be given at the application stage.

The designer(s) has a right to request to be listed as the designer if his/her name is not indicated in the application. On the other hand, the designer may also request his/her name to be kept confidential.

### REGISTERED & UNREGISTERED DESIGN

If the design is registered in accordance with the provisions of this Law, it will be protected as a registered design.

If the design is made available to the public for the first time in Turkey, it is protected as an unregistered design. The protection period for unregistered designs is _3 years_ from the date on which the design is first made available to the public.

### TRADEMARK INDICATED IN DESIGN

Visual expression which includes the trademark element does not provide the right of trademark to the design owner.
MUTIPLE DESIGN

In order for designs or products to be subject to a multiple design application, they must be applied to the same classes, except for decorative and pattern designs.

APPEAL AGAINST OFFICE DECISION

If a design application is refused during ex-officio examination as per Article 64, the applicant has the right to appeal this decision within 2 months from the date of notice of the Office.

OPPOSITION AGAINST PUBLICATION of REGISTRATION DECISION

Third parties may oppose the issuance of registration certificate of a design in 3 months from the publication date of registration decision of the design.

If the information and documents supporting the opposition are not in Turkish, sworn translated versions must be submitted to the Office.

The Office, if deemed necessary, may request a counterview from the applicant during the examination stage of the appeal. The applicant has a right to submit a counterview within 1 month from the notification date.

DESIGN APPLICATION PROCESS in line with NEW TURKISH IP CODE

The following processes are valid for applications made on or after January 10th, 2017 when the new IP Code No. 6769 was officially adopted. For applications made before this date, the former Decrees will remain in force.

Reproductions in JPEG format (min. 8x8, max. 16x16), information on the owner, priority information (date, number, country of origin), a priority document with its sworn translation in Turkish (can be filed later), a description (optional), name(s) of designer(s), confidentiality demand for the designer(s) name(s) (optional) and deferment demand (optional / up to 30 months) will be required when submitting the design application.

If a priority will be claimed, the details of the priority should be stated in the application form in due course of filing. Then the original priority document can be submitted to Turkish Patent Institute with its sworn translation within 3 months from the application date.
EX-OFFICIO EXAMINATION & APPEAL (2 MONTHS)

Examination may take several months from the date of application. The application can be refused due to lack of novelty along with the related articles of the Code.

When the Turkish Patent and Trademark Office (the Office) ex-officio examines and then partially or totally refuses the design application, the applicant has a right to appeal this refusal decision in 2 months from the notification date of this decision. The appeal is examined by the Re-Examination and Evaluation Board (REEB), and its decision is final before the Office. If the decision is against the applicant, then 2 months are given from the notification date to initiate court action for the cancellation of this decision before the Civil Court of Intellectual and Industrial Rights.

PUBLICATION of THE REGISTRATION DECISION (3 MONTHS)

After the ex-officio examination of the application by the Office, the registration decision is published in the Bulletin and opposition may be filed within 3 months following the date of publication of the registration in the Bulletin. If deemed necessary by the REEB, the applicant may have a right to file a counterstatement within one month following the date of opposition notification.

If the opposition is totally or partially accepted by the REEB, the applicant or the adverse party has the right to initiate a court action for the cancellation of this decision within 2 months as of the notification date before the Civil Court of Intellectual and Industrial Rights.

Court Action: Similar to the cases against the Office’s ex-officio decisions, the main focus of court actions against the REEB decisions would be the legal evaluation of the Office’s decision. Therefore, regardless of the registration status of the contested design, the proceedings carry on. Different from the cases against ex-officio decisions, the opposing party must direct the case against the applicant (and vice versa).

Also, the court evaluates the case by considering the evidence/information/documentation submitted during the appeal process. Evidence which is not presented during the appeal phase is very unlikely to affect the court’s judgement.
The registration can be renewed every 5 years (up to 25 years in total) starting from the application date. There is also an option for late renewal with a penalty fee 6 months after the expiration date.

WHAT HAS CHANGED for PATENTS and UTILITY MODELS with THE NEW TURKISH IP CODE?

VALIDITY TERM

National and international patent and utility model applications made to the Turkish Patent and Trademark Office (hereinafter referred as the Office) before the date of publication of the new IP Code No. 6769 (January 10, 2017) will be subject to legislation in force at the date of application. Therefore, there will be two different rules and practices for the applications made before and on or after January 10, 2017.

EXCEPTIONS TO PATENTABILITY

Whereas computer software is removed from subject matters considered as not being an invention by nature, computer programs are among the subject matters that are considered as not being an invention.
THE NON-PATENTABLE INVENTIONS

- All methods of therapy including diagnosis and surgery for the treatment of humans or animals,
- Discovery of elements of the human body, at various stages of formation and development, including the sequence or partial sequence of a gene,
- Processes for cloning human beings, processes for modifying the germ-line genetic identity of human beings, use of human embryos for industrial or commercial purposes, processes for modifying the genetic identity of animals which are likely to cause them suffering, without any substantial medical benefit to human or animal, as well as animals resulting from such processes are considered to be unprotected inventions,
- Whereas biological processes regarding plant varieties or animal races or production thereof are considered non-patentable, an exception applies to microbiological processes, or products obtained by means of such processes and patent protection is provided for developments in these subjects.

DOCUMENTS REQUIRED for APPLICATION and FINALIZING THE DATE of APPLICATION

- Patent application request,
- Identity and contact information of the applicant,
- Description or reference to an earlier application prepared in Turkish or in one of the official languages of the States that implement the principle of reciprocity or a Party to the Paris Convention or the Agreement Establishing the World Trade Organization.

The patent application date will be finalized as of the date on which the elements are delivered to the Office.

The obligation to deliver the claims, drawings and abstract at the time of application has been abolished.

The application form, claims, drawings referred to in the description or in the claims, abstract, evidence indicating that the application fee has been paid and the Turkish translation of the description written in one of the official languages of the States that implement the principle of reciprocity are required to be submitted within 2 months from the application date, without the need for any notification.

- The inventor may wish to keep his/her name confidential. This information has to be given during application.
- In case the invention is based on genetic resources or traditional knowledge associated with genetic resources, a statement on where this resource was obtained should be included in the patent application.

DIVISIONAL APPLICATION

- Annual fees for a divisional application of the past years are paid on the divisional application request date or within a period of 2 months from the date of this request, without any additional fee or requirement of notification.
- A search request fee for divisional applications has to be paid at the time of application or within 2 months from the date on which it is stated that there is no deficiency in conformity with the conditions or the notice date indicating that the deficiencies have been remedied in time, without need for any notification.
A request for search of patent applications is filed at the time of application or within **12 months** of the application date without the need for any notification, provided that the fee stated in the Notification is paid.

Third parties may submit their objections to the aforementioned patent within **6 months** of the publication of the patent grant decision in the bulletin by asserting at least one of the following justifications;

- Does not bear patentability requirements,
- The invention is not adequately disclosed,
- The first application exceeds its scope.

The applicant, patent owner or related third parties may object to the decisions of the Office within **2 months** of the decision notification date.

The annual fees shall be paid at the end of the second year (3rd year) and each subsequent year at maturity during the full term of the protection period.

Where the annual fees have not been paid within the required period, they may be paid within the following six month period of maturity together with the additional fee.

Where the annual fees have not been paid within the six month period, the patent right shall expire as of the due date for the payment of this fee and a notification will be made and upon the payment of the outstanding fee within **2 months** from the date of notification, the patent right shall regain validity as of the payment date.
The patent applicant may request the conversion of his ongoing patent application into an application for utility model following the examination of his application until the publication of the patent grant or from the notification date of the refusal decision within the 2 months period for filing objections. Where the request for such conversion is filed, a request for search shall be filed by submitting the required documents if any, together with the search fee within one month from the notification date of the Office.

The utility model applicant may request the conversion of his ongoing utility model application into a patent application at the latest from the notification date of the search report until the expiry of the 3 month period. Where the request for such conversion is filed, a request for search shall be filed by submitting the required documents if any, together with the search fee within one month from the notification date of the Office.

In case of failure to comply with the period for processing of a patent application, the applicant may request to continue with the processing by paying the fee within 2 months from the notification date of the consequence of noncompliance to the time period.

A request for reinstatement may be presented within 2 months from the removal of the cause of the failure to observe the time limit, not exceeding one year from the date of expiration of the applicable time limit, by paying the fee.

- Failure to put to use/work the patented invention, or
- There are no serious and real initiatives for use, or
- The use does not meet the national market requirement.

Inventions and biotechnological inventions pertaining to pharmaceutical substances or methods relating to pharmaceuticals or products obtained therefrom have been added among inventions non-protectable by the utility model.
DOCUMENTS REQUIRED for APPLICATION AND FINALIZING THE DATE of APPLICATION

- Utility model grant request,
- Identity and contact information of the applicant,
- Description or reference to an earlier application prepared in Turkish or in one of the official languages of the States that implement the principle of reciprocity or are a Party to the Paris Convention or the Agreement Establishing the World Trade Organization.

The utility model date will be finalized as of the date that the above elements are delivered to the Office.

The obligation to deliver the claims, drawings and abstract at the time of application has been abolished.

The application form, claims, drawings referred to in the description or in the claims, abstract, evidence indicating that the application fee has been paid and the Turkish translation of the description written in one of the official languages of the States that implement the principle of reciprocity are required to be submitted within 2 months as of the application date without the need for any notification.

- The inventor may wish to keep his/her name confidential. This information has to be given during application.

SEARCH REQUEST

A requirement for examination report has been imposed as an obligation for utility models. A search request fee for utility models shall be paid at the time of application or within 2 months from the date on which it is stated that there is no deficiency in conformity with the conditions or the notice date indicating that the deficiencies have been remedied in time, without the need for any notification.

OBJECTION PROCESS AND ISSUING UTILITY MODEL CERTIFICATE

The applicant may object to the contents of the search report by adding relevant documents within 3 months from the publication of the search report, and third parties may submit their opinions.

If, as the result of the evaluation of the Office, it is found necessary to make amendments in order to grant the utility model, it is required to make amendments within 2 months from the date of notification.

- In case no amendments are made or not accepted by the Office, the application is considered to be withdrawn.

As a result of the evaluation, if the Office decides that the application and the pertaining invention does not comply with the provisions of the Law; the application is rejected. The decisions taken by the Office may be objected to within 2 months from the date of notification.
NEW TURKISH IP CODE in a NUTSHELL | 2017

PATENT APPLICATION PROCESS in line with NEW TURKISH IP CODE

The patent registration period is decreased from 17-42 months to 7-27 months by simplifying and shortening the patent granting processes. The following processes are valid for applications made on or after January 10th, 2017 when the new IP Code No. 6769 was officially adopted.

For applications made before this date, the former Decrees will remain in force.

Documents or information required for the filing of a patent application are as follows: a description defining the subject matter of the invention; the claims; the abstract; a completed application form, in Turkish or in one of the official languages of the States that implement the principle of reciprocity or are a Party to the Paris Convention or the Agreement Establishing the World Trade Organization; any drawings/illustrations referred to in the description or the claims; documentation of application fee payment.

SEARCH REPORT

A Search Report is issued after the request for search is filed. However, it may not be possible to issue a report due to the fact that some claims of the application fall within the scope of the non-patentable subjects or the description or all the claims are not sufficiently clear. In this case, any objections or amendments in this matter must be submitted within 3 months from the date of notification. The application is rejected if the arrangements are not made within this time or if the objections or amendments are not approved by the Turkish Patent and Trademark Office.

In addition, the search report is published for 6 months after its notification.

PROCEDURAL EXAMINATION

A procedural conformity or procedural deficiency notification for the description set that has been examined regarding conformity with procedural conditions is made after the application.

- In the event of a notification of procedural deficiency; the procedural deficiencies should be corrected within 2 months from the date of notification. Otherwise, the application will be rejected.

- If a notification of procedural conformity is made, a request for search must be filed by paying the fee at application or within 12 months of the application date, without any necessity for notification.

REQUEST for EXAMINATION and EXAMINATION REPORT

A request for examination is filed by paying the fee within 3 months of the date on which the search report is notified.

If it is determined that the invention does not comply with the provisions of the Law; a notification is made to the applicant to submit his/her opinions and make an amendment. The number of these notifications cannot exceed three. The applicant has 3 months to submit his/her opinion and make amendments.

If it is determined that the invention complies with the provisions of the Law; it is decided to grant a patent. In cases where an amendment is required in order to grant a patent, the amendment is to be made within 2 months from the date of notification.
Upon the issuance of the Law the registration is finalized by the payment of the related fee within 2 months.

The patent application is published in the Bulletin and third parties are accorded the right to submit an opinion on the patentability of the invention. However, third parties cannot be a party to the operations in the presence of the Office at this stage.

The decision to grant a patent is published in the Bulletin and the third party is entitled to object. Third parties may object by paying the fee within 6 months from the publication of the patent grant decision;

- The invention does not bear patentability requirements;
- The invention is not sufficiently clear;
- The subject matter of the patent is beyond the scope of its original case at the application.

In case the objection is not filed or is deemed not filed, the decision regarding granting the patent becomes final and the final decision is published in the Bulletin.

In case of an objection; the applicant is required to submit an opinion and to make an amendment within 3 months of the notification date. The appeal is examined by the Board, taking into account the views and requests of the patent owner for amendments to the patent.

If the Board considers the patent or its amended version as partly eligible, the patent owner is required to make the necessary changes within 2 months.

The following processes are valid for applications made on or after January 10th, 2017, when the new IP Code No. 6769 was officially adopted. For applications made before this date, the former Decrees will remain in force.

Documents or information required for the filing of a utility model application are as follows: a full description of the subject matter of the invention; the claims; the abstract; a completed application form in Turkish, or in one of the official languages of the States that implement the principle of reciprocity or are a Party to the Paris Convention or the Agreement Establishing the World Trade Organization; any drawings/illustrations, referred to in the description or the claims; and documentation of application fee payment. Also, optionally, a request for search as well as documentation of the request for search fee payment may be given during the application.

A procedural conformity or procedural deficiency notification for the description set that has been examined regarding conformity with procedural conditions is made after the application.

- In the event of a notification of procedural deficiency, procedural deficiencies should be remedied within 2 months from the date of notification. Otherwise, the application will be rejected. A request for search must be filed by paying the required fee within 2 months of the notification date on which the procedural deficiencies are remedied.
A request for search must be filed by paying the required fee within 2 months of the date of notification that the application had no deficiencies with regard to conformity to the procedural conditions.

If the request for search is filed with the application, there is no need for a search report request after procedural conformity notification.

SEARCH REPORT

A Search Report is issued after the request for search is filed. However, it may not be possible to issue a report due to the fact that some claims of the application fall within the scope of non-patentable subjects or the description or all the claims are not sufficiently clear. In this case, any objections or amendments in this matter must be submitted within 3 months from the date of notification. The application is rejected if the arrangements are not made within this time or if the objections or amendments are not approved by the Turkish Patent and Trademark Office.

In addition, the search report is issued 3 months after its notification.

PRESENTATION of OBJECTION and OPINIONS TO THE SEARCH REPORT

The applicant may object to the contents of the search report by adding relevant documents within 3 months from the publication of the search report, and third persons may submit their opinions.

In case the applicant does not object or no opinion is presented by a third party, and only the search report is subjected to an objection or a presentation of an opinion, the search report, objections or opinions are evaluated. If, as the result of the evaluation of the Office, it is found necessary to make amendments in order to be able to grant the utility model, it is required to make amendments within 2 months from the date of notification.

GRANT DECISION

Upon the issuance of the Law, registration is finalized by the payment of the related document regulation fee within 2 months.
WHO IS GRUPOFİS?
Following our foundation in 1984, we have continued adding new works to our portfolio in each year. We are proud to say, as of today, that we have more than 20,000 clients. We, as Grup Ofis, protect our clients’ IP rights with our expert attorneys and provide consultancy services. With our up-to-date equipment and modern IP software, we can file applications specifically to Turkey and Northern Cyprus. Our dedication to fight against infringements, piracy and unfair competition and our rational and reasonable pricing system allows us to be a primary choice for the leading IP rights holders around the world. For more information please contact us via info@grupofis.com.