

CHAPTER XX

INTELLECTUAL PROPERTY

A- IMPACT OF THE COMMON MARKET ON INTELLECTUAL PROPERTY

Although article 222 of the EEC Treaty provides that the national systems of property law shall not be affected, intellectual property rights, rooted in the national systems, have suffered under the double impact of the free movement of goods and the competition policy. In brief, whilst the existence of such rights is guaranteed, their exercise is limited in so far as they cannot be used in order to defeat the objective of the Treaty enshrined in the rules governing trade between Member States and competition in the common market. Such conclusion has been reached by the ECJ in numerous cases despite the derogation in favour of intellectual property rights inscribed in Article 36 of the Treaty.

In order to compensate for the erosion of such rights under the impact of the fundamental rules and, indeed, to maintain the protection of property which is the fruit of intellect or human genius the Community had to legislate on this subject.

B- PATENTS

The Community Patent Law consists of the two interlocked conventions, i.e. the Munich Convention for the Grant of European Patents of 1973 (ECP) and the Luxembourg Convention for the European Patent for the Common Market (CMP) of 1975. The object of the former is to enable the European Patent Office in Munich to grant patents in accordance with a uniform procedure and a uniform substantive law in as many European countries as may join in. The object of the latter is to lay down a uniform legal regime applicable to patents in the whole of the Common Market as one patent territory. The result of the two Conventions is a single patent for the Member States of the European Community and a European "package patent" which may, but need not, embrace one or several or all the Member States. In other words the Common Market patent is a "non-national" patent, whilst the European patent is both a "European" and, subject to certain exceptions, a "national" patent.

The system does not exclude purely national patents governed by national legislation and granted for the national territory only but they have to conform to Community law.

European patents, unless otherwise provided in the ECP Convention, have in each of the contracting States for which they are granted, the status of "national patents" for that State. They may be granted for one or more of the contracting States.

Common Market patents, on the other hand, have a "unitary character". They have equal effect within the territories covered by the CMP Convention and may only be granted, transferred, revoked or allowed to lapse in respect of the whole of such territories.

Patentability covers inventions which are susceptible to industrial application, which are new and which involve an inventive step. An invention is considered new if it does not form part of the state of the art which comprises everything made available to the public by means of written or oral description, by use, or any other way before the filing of the application. It is considered as involving an inventive step if, having regard to the state of the art, it is not obvious to a person skilled in the art.

Excluded from the range of inventions are: discoveries; scientific theories and mathematical methods; aesthetic creations; schemes, rules and methods of performing mental acts; playing games or doing business and programmes for computers; and presentation of information. Similarly, methods for the treatment of the human or animal body by surgery or therapy and diagnostic methods practised on the human or animal body are excluded although products for use in any of these methods are patentable. Patents also cannot be granted in respect of plants and animal varieties or essentially biological processes for the production of plants or animals.

The European patent runs for 20 years from the date of filing of the application and the rights granted are the same in each contracting State as conferred by a national patent in that State. Any infringements of these rights are subject to the procedures and remedies available under national law.

In principle the Convention reflects the traditional approach as it enables the patent holder to prohibit certain activities affecting adversely his rights. However a distinction is made between the protection of a product and the protection of a process. Accordingly, the patent holder may, by injunction, prohibit "direct use" of his invention, i.e. the manufacture of the product without his consent, the offering of the product

for sale, lease or use and, finally, the marketing of the infringing product, subject to the exhaustion rule.

An infringement of the protection of a process will be committed if the patented process is offered for use in the territories of the contracting States and the offeree knows, or it is obvious in the circumstances, that the use of the process is prohibited without the consent of the patent holder. Whilst it is clear that the protection does not extend outside the patent territory, it is also clear that the patent holder should be able to enforce his rights in respect of products manufactured through the use of his process outside, but subsequently imported into, the patent territory. Thus he has the same protection as a patent holder in respect of a product because he can prohibit the offering, marketing or using of a product resulting directly from the use of the patented process as well as the importation or stocking for these purposes of such a product.

"Indirect use", which means supplying or offering to supply a person, other than a party entitled to exploit the patented invention, with the means capable of putting a patented invention into effect, is also prohibited.

Certain acts, such as acts done privately and for non-commercial purposes; experiments in the service of science; the preparation of medicines according to a medical prescription for immediate use by individual patients but not for sale or keeping; the use of the invention on board ships, land vehicles and aircraft which enter the territory of the contracting States accidentally, do not constitute infringements and, therefore, afford no corresponding protection of the patent holder.

As soon as products are put on the market in one of the contracting States by the patent holder or another person with his consent, the patent holder's rights are exhausted. This means that he is prohibited from opposing the marketing of such products within the Common Market. This rule, known as the exhaustion of patent rights, is derived from the case law of the Community Court and it applies to national patents as well.

The Community patent is susceptible to be dealt with according to its nature as an object of property. It has to be registered and, as a piece of property, it can be assigned subject to the formalities prescribed by the Convention. However, from a business point of view, licensing is perhaps the most important transaction. The

Convention distinguishes between contractual licensing, licensing as of right and compulsory licensing.

A Community patent may be licensed by contract in whole or in part of the patent territory. A licence may be exclusive or non-exclusive and the rights conferred by the Community patent may be invoked against a licensee who contravenes any lawful restriction imposed by his licence. However, whilst contractual rights are primarily governed by the relevant national law, they must not be in conflict with Community law because, in such a case, Community law will prevail.

Licensing as of right occurs by the fact that, in consideration of a reduced renewal fee, a patent holder may file a statement with the Patent Office to the effect that he is prepared to allow any person to use his invention as a licensee in return for appropriate compensation. As a result any person may be entitled to use the invention as of right in analogy to contractual licence.

Compulsory licences are governed by national laws of the Contracting States. Such licences are applicable to Community patents but their effects are restricted to the territory of the State concerned.

The Convention reflects a unified system for granting and contesting patents by providing rules and machinery to create and oppose the creation of patents. The grounds for annulment and revocation are the same as the grounds for opposition and these are considered in uniform proceedings by the relevant departments of the European Patent Office.

However the enforcement of patent rights and the infringement proceedings are by no means uniform because they fall into the domain of national jurisdictions. Thus the national courts have the power to adjudicate upon patent disputes and grant remedies for infringements.

Actions for infringements may be heard before the courts of the contracting State in which the defendant has his residence or, if not so resident, his place of business. If he has neither residence nor place of business in one of the contracting States the action may, by derogation from the Convention on Jurisdiction and Enforcement of Judgments, be heard before the courts of the contracting State in which the plaintiff has his residence or, if he is not so resident, his place of business. Failing these qualifications, ultimately, the action can be taken in the Federal Republic of Germany.

However, wherever the action occurs, the court will have jurisdiction in respect of infringements committed anywhere within the whole patent territory.

The European Court of Justice has jurisdiction in the matter of interpretation of the Convention when asked by a national court for a preliminary ruling under article 177 of the EEC Treaty. By virtue of the Agreement on Community Patents the Court of Justice will also act as the Community Patent Appeal Court.

C- TRADE MARKS

The Trade Marks Directive¹ to be implemented by the end of 1992 enjoins the member states to bring into force their laws, regulations and administrative provisions necessary to comply with its contents. However it only attempts to harmonize those national rules which directly affect the free movement of goods and the provision of services which is the subject of registration or if an application for registration as an individual trade mark, a collective trade mark or a guarantee mark, or which is subject of an international registration having effect in a Member State.

Registration must be refused if the proposed trade mark consists of signs which, under the law of the Member State concerned, cannot constitute a trade mark or if such signs are devoid of distinctive character in that Member State such as being merely descriptive of the kind or quality or value of the goods or services in question; or if they are solely signs or indications which are customarily used to designate goods or services. Registration shall also be refused or invalidated if the mark consists of a shape determined by the nature of the goods or which is liable to mislead the public or is repugnant to public policy or to accepted principles of morality or which has been refused registration pursuant to the Paris Convention of the Protection of Industrial Property.

Moreover a trade mark may be refused registration if it is identical to an earlier mark or with an earlier right, if the goods or services are similar and there is a likelihood of confusion. "Earlier rights" mean Community trade marks, trade marks registered in the Member States and trade marks registered under international agreements having effect in the Member State or if they are "well known" in the Member State in the sense of Article 6(d) of the Paris Convention. "Earlier rights" also mean any signs used in the business world before the application for registration which under the law of the Member State governing them confer upon the proprietor the right to prohibit the use of subsequent trade marks; any signs containing the name of the third per-

son where the use of this name in relation to goods or services is liable to cause serious detriment to the honour, reputation or credit of the person; a portrait of a third person; a work of a third person protected by copyright or by an industrial model or design.

The registered trade mark confers upon its proprietor exclusive rights in the mark. Thus he is entitled to prohibit any third party from using in the course of trade, except with his consent, any sign which is identical with the trade mark he registered; any sign which is similar where, because of the similarity of the goods or services, there is likely to be confusion on the part of the public. In particular the following types of use are prohibited;

- (1) affixing the sign to the goods or to their packing;
- (2) putting the goods on the market under that sign or supplying services thereunder;
- (3) using the sign on business correspondence or invoices.

The trade mark shall not entitle the proprietor to prohibit a third party from using, in the course of trade:

- (1) his own name and address;
- (2) indications of the kind, quality, quantity, value, origin of the goods or of rendering of the service;
- (3) the trade mark where it is necessary to indicate the intended purpose of a product or service;

provided he used them in accordance with honest industrial or commercial practice. Moreover the proprietor of a trade mark is not entitled to prohibit its use in relation to goods which have been put on the market in the Community under the trade mark by himself or with his consent.

The trade mark protection will be ineffective if the proprietor of a registered mark or an "earlier right" as outlined above has knowingly acquiesced in the use of the mark or earlier right for a period of three successive years.

A trade mark shall be invalidated if within an uninterrupted period of five years it has not been put to genuine use, unless there are legitimate grounds for non-use. However it shall not be invalidated where after the expiry of that period and before its validity is contested, the use has been started or resumed in good faith. A mark shall

also be invalidated if after its registration it has, in consequence of inactivity of the proprietor, become the common name in trade for a product or service for which it is registered.

All the procedural aspects of trade marks, such as registration, objections, invalidation and disputes are subject to national law of the Member State concerned.

D- COPYRIGHTS AND RELATED RIGHTS

There is as yet no Community instrument harmonizing copyright law but only a consultative Green Paper on copyright and technological challenge forecasting legislation in that field. There is, however, directive 87/54² on the legal protection of topographies of semi-conductor products and directive 91/250³ on the legal protection of computer programmes.

A common position has been taken in June 1992 on a proposal for a directive on rental rights and lending rights and on certain rights related to copyright in the field of intellectual property. Work also continues on proposals on data-banks and the protection of individuals in relation to the processing of personal data.

E- IMPLICATIONS FOR TURKEY⁴

When joining the Community the new Member State must accept the existing Community legislation including international conventions made by the Community. Whilst, therefore, the above instruments would become part of Turkish law more needs to be done to modernize the national system.

Turkey is a party to the two major international agreements on intellectual property, i.e. the Paris and the Berne Conventions of 1883 and 1886 respectively. Thus, Turkey has already adopted most of the concepts, the institutions and the legal framework required by these commitments. However, there are still other international agreements Turkey is yet to join and it can hardly be said that the country has reached the level of legal protection or completed the approximation in her domestic intellectual property protection laws to those of the European Community and other industrialized countries. Therefore, the first task of law reform is to bring the Turkish system up to date and the second one is to implement the EC provisions.

PATENTS:

The legal basis of the present Turkish Patent law consists of: The Turkish Patent Law of 1879, adopted from the 1844 French Patent Law; related Regulations; the Paris Convention; the 1947 Agreement Setting Up the International Patent Institute of The Hague; the 1954 International Patent Classification Agreement and the European Convention Relating to the Formalities Required for Patent Applications. However, when joining the European Community, Turkey should become a party to the 1971 Strasbourg Agreement on International Patent Classification, the 1973 European Patent Convention, the 1963 Strasbourg Convention of the Unification of Certain Points of Substantive Law on Patents for Invention, and the 1978 Patent Cooperation Treaty. Turkey joined the World Intellectual Property Organization (WIPO) in 1975.

According to the Turkish Patent Law, if an invention is novel and industrially applicable, then a patent may be granted. The condition of involving "inventive step" is not required under the present law. The patent applications filed by the Turkish nationals are examined as to novelty and applicability to industry in the Universities; whereas, the applications filed by the foreigners are examined at the European Patent Office in Munich. Due to the lack of patent information and qualified examiners at the universities, it is not possible to provide a safe and powerful protection for the Turkish applicants.

The present patent law also excludes financial and banking schemes and operations; and products and processes of pharmaceuticals for humans or animals from patent protection.

After a patent is granted, which may have a protection period of 5, 10 or 15 years at the request of the applicant, the bibliographical data related to the invention is published in the Official Industrial Property Bulletin issued by the Patent Section within the Industrial Property Department of the Ministry of Industry and Trade.

In the present Turkish system there is no provision for compulsory licence which is present in most of the countries and also in the Paris Convention. The patented invention must be worked within two years as of the grant. Failing to do so may cause annulment of the patent by the decision of the court. If the applicant or a third party

discloses the invention prior to the filing of the application for a patent, this constitutes a bar to patentability.

When the rights of the patentee are infringed, the patentee may initiate legal action against the infringer before the Court of First Instance or Commercial Court. However, the technical and legal aspects of the subject requires specialist courts.

A new patent law which has been drafted by an ad hoc committee set up by the State Planning Organization in 1988, is at the moment before the Turkish Government for a final decision. According to the draft patent law, for the protection of inventions, the applicants may apply for Utility Model Certificates as well as patents. While the novelty requirement is worldwide for patents, it is only applicable in Turkey for Utility Model Certificates. While inventive step is required for patents it is not required for Utility Model Certificates. While protection period is 20 years for patents, it is only 10 years for Utility Model Certificates. While a search report is required for patents, it is not required for Utility model Certificates.

There are two systems provided for patent protection: granting patents with examination and granting patents without examination. The reason for granting patents without examination is to provide comparatively cheap but short protection for the inventors who have a limited budget. The protection period for the patents granted without examination is seven years as of the application date, however the seven years protection period of the patent granted without examination may be extended to 20 years if within that seven years period examination request is filed. With the examination system, inventions are examined and patents are granted for 20 years for inventions which are novel, which involve inventive step and which are industrially applicable. During the examination, objections of the third parties are taken into consideration. The patent applications, with the specification of the invention, abstract, claims and drawings, shall be published for the objection of third parties in order to reduce court actions due to disputes after the grant of the patent.

The proposed law provides protection for the real author of the invention. Juridical persons cannot be inventors. Although the right to request a patent belongs to the inventor, this right is transferable. The proposed patent law also covers employee inventions which may be classified as inventions made in execution of employment, and independent inventions.

The owner of the patent or a person authorized by him/her shall be obliged to work the patented invention within three years from the date on which grant of the patent was published in the Official Bulletin of Industrial Property. The obligation to work constitutes the basis for the compulsory licences. One of the ways to work the patented invention is to offer contractual licences. If the patented invention is not worked by a contractual licence and the owner of the patent does not offer for such licence within three years as of the grant date of the patent, a compulsory licence may be granted by court decision.

The infringement actions and penalties, placed in three groups, are also mentioned in the draft patent law. Committing the infringement actions on purpose persons shall be sentenced to either a fine or to imprisonment, in addition to closing down of their enterprises, if any, and exclusion from commerce.

Specialized courts shall deal with the court actions in accordance with the provisions of the proposed law. In accordance with Article 12 of the Paris Convention, a specialized Office for the protection of industrial property shall be established. This independent Turkish Patent Institute shall be responsible for receiving and examining the patent, trade mark, industrial model applications and other industrial property right applications, carrying out information and documentation services, carrying out international and public relations.

The draft patent law contains provisions that shall place patent law of Turkey in harmony with the European Patent Law. It allows for no restrictions on patent protection in areas such as pharmaceuticals, foodstuffs, agricultural or educational devices and products, nor banking and finance. However, the new patent law is expected to be enacted with a five-years transitory phase for patent protection on pharmaceuticals only. The co-existence of European and national patent protection and the protection of the European Patents and Community Patents, requires the absence of diversity in provisions, and interconnection and harmonization of the system's parts, (national patent laws) between the patent laws of Europe and other nations. Even the European Patent System together with side systems (National Patent Laws of Europe, The Patent Law of Europe created through Munich and Community Patent Conventions) is not a self-sufficient system, but it is closely connected with a worldwide international patent protection. Therefore, in order to take her place in the European system, Turkey should also establish or arrange her relations with the worldwide international conventions.

TRADE MARKS:

In Turkey, trade marks are subject to Trade Mark Law 551 of 1965 which has replaced the Law of 1871. The 1934 London revision of the Paris Convention is the basis for the current law. The Turkish Commercial Code 6762, Articles, 56-59 is also applicable since, according to Clause 3 of the Trade Mark Law, unregistered trade marks are protected from unlawful competition and acts contrary to honest commercial practices.

A major omission in Turkish Trade Mark Law concerns Service Marks. Clause 46 excludes service marks from protection; thus, this law protects only marks that represent the producer of a commercial or industrial good. This law needs to be adjusted so that it covers also service marks.

In the member states of the European Community, trade mark registration procedure is carried on according to 34 classifications of goods and 8 services so that different persons cannot register the same trade mark for similar goods and services. However, the Turkish Trade Mark Law has adopted the "single good" principle which causes legal problems. This needs to be amended in line with the European classification system.

The 1957 Nice Agreement Concerning the International Classification of Goods and Services for the Purposes of the Registration of Marks prevents the registration of the same trade mark for goods in the same group or in similar groups. Turkey will eliminate the current problems of trade mark registration if she joins the Nice Union and make the necessary adjustments to the Turkish Trade Mark Law.

Another problem arises in trade marks due to the conflicting clauses of the Trade Mark Law and the Commercial Code. Clause 3 of the Trade Mark Law states that registration of marks is not compulsory. Compulsion to register can only be ordered by the Council of Ministers. Unregistered marks are protected under the general clauses of the Commercial Code. The Trade Mark Law has provisions which exclude certain types of marks as ineligible for registration. However, under the Commercial Code no exclusion is made and all marks of marketed goods are protected as under the clauses of unlawful competition.

Another problem has been created by 5 B clause of the Trade Mark Law. This clause states that marks cannot be registered if they would mislead the public to believe that certain goods produced in Turkey are produced abroad, and vice versa. Also stating that marks cannot include foreign words, this clause leads to confusion since marks containing a foreign word are often refused registration and cause problems to exporting firms. In order to overcome this obstacle, a Turkish firm registers its trade mark in the name of a foreign firm and later obtains the right to use that name under licence according to Clause 34 of the Trade Mark Law. Such restrictions do not exist in the member states of the European Community, in Japan, China, or the Arab countries.

Problems over recurrent or similar trade mark registrations can be overcome in Turkey if trade mark applications are published before the final registration as is done in all the member states of the European Community. The Paris Convention provides for the recognition and protection of renowned trade marks. However, the Turkish Trade Mark Law has not established any criteria by which to determine a renowned trade mark. The Law needs to lay down criteria for this purpose.

Another Clause in the Turkish Trade Mark Law prohibits from registering their trade marks the legal persons of countries which are not party to bilateral or multilateral intellectual property protection agreements and do not accept the reciprocity principle. This provision has to be repealed if Turkey joins the European Community. It is also likely to harm Turkey's worldwide diplomatic and trade relations.

Clause 15 of the Trade Mark Law, dealing with a trade mark's real owner, may also lead to unjust application. Upon registration, the right to be the real owner is born. However, a previous user of the unregistered trade mark, upon proving in a Commercial Court that he has made the trade mark renowned, is entitled to be the real owner. It would be less onerous for the real owner if, instead of having to prove that he made the trade mark renowned, he were able to prove the marketing of the product and keeping it on the market without interruption.

INDUSTRIAL DESIGNS AND MODELS:

In Turkey, there is no legal protection of Industrial Designs/Models. Whereas, being a party to the Paris Convention, Turkey has an obligation to create a special law in this area. The 1958 Lisbon revision of the Paris Convention, in Article 5 B provides that In-

dustrial Designs/Models shall be protected in all the countries of the Union. The Berne Convention provides likewise in Article 2 (7), and WIPO has prepared a model law for the developing countries.

As regards Utility Models in Turkey, there exists no special law or any other protection. The Paris Convention has accepted that, depending on priority rights following a patent application made in one country of the Union, a Utility Model application can be made in another country of the Union. Following the Paris Convention, many member states accept Utility Models as patents and Turkey should do likewise.

Appellations of Origin and Geographical Indications are not protected in Turkey. Turkey became a party to the Madrid Agreement for the Repression of False or Deceptive Indications of Sources on Goods (Geographical Indications) but not to the Lisbon Agreement for the Protection of Appellations of Origin and Their International Registration. Since Turkey produces many goods that are distinguished by regional culture, methods and handicrafts the need to devise a legal registration mechanism in appellations of Origin is acute. The WIPO Model Law on this issue suggests a registration mechanism.

Turkey also needs to devise new laws or improve the existing ones on unlawful competition and acts contrary to honest commercial practices and the protection of know-how.

NEW TECHNOLOGY:

Turkey has no special arrangements to include the new varieties of plants or animal species within the protection of intellectual and industrial property rights system. The same applies to microorganisms. On computer software protection, especially considering the increasing application of the new inventions in mass media such as television, radio and other audio-visual devices, there is the need to create special laws. WIPO has a model law suggesting the ways to protect computer software. Since computer software cannot be protected by patents it can be included under copyright protection. This creates some difficulties as the Turkish Copyright Law 5846 states that a literary or artistic creation, in order to be eligible for protection by copyright, needs to carry the special qualities of its creator. Accordingly, a special legal arrangement should be made in order to bring effective protection of computer software.

Since today's technology makes it possible and quite easy for everyone to copy computer programmes as well as almost all products of culture by means of aural and visual recordings, special laws are needed to protect the rights of creators, producers and performers, interpreters. The international agreements in this respect are the 1961 Rome Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organizations, the 1971 Geneva Convention for the Protection of Producers of Phonograms Against Unauthorized Duplication of their Phonograms, and model law prepared by WIPO, BIT and UNESCO in 1974. These agreements show the way how national laws can be designed to bring the desired protection in these areas.

In Turkey, there is Law 3257 of 1986, providing for special protection to cinema, video and other musical works. However, there is a special provision in Clause 43 of the Copyright Law 5846 of 1951 that gives special privileges to the Government-sponsored Radio and Television organization (TRT) to freely broadcast, alter, shorten or adapt aural and visual creations other than theatrical productions in its daily programmes. TRT is also given the right to determine the fees to be paid to creators of such works. Even under these conditions, remuneration can be obtained only under difficult procedures, taking time and effort.

COPYRIGHTS AND RELATED RIGHTS:

The Turkish Copyright Law 5846 of 1951, which on the whole needs many modifications, is ineffective foremost in the area of rights societies that it tries to establish in Clause 42. These societies, meant to look after the rights of owners of all literary and artistic works, are set up under Government-sponsorship and the law excludes all the other freely set up associations to perform similar tasks. This enforced system, claimed to be undemocratic by great many authors, performers, musicians and film makers, cannot function properly and needs to be amended.

Copyright has been included in Article 27 of the United Nations' Universal Declaration of Human Rights. Turkey, as a party to the United Nations Organization and the Berne Convention, has an obligation to accord the right a place in its laws. It will be to Turkey's advantage to become a party also to the Universal Copyright Convention of 1952 (UCC) since some countries in the world are members to UCC and not to the Berne Union. In this way, Turkey will achieve reciprocal protection of copyrights with a greater number of countries.

There are also the Neighbouring or Related Rights, similar to copyrights, that need to be arranged under a special legal framework in Turkey. Advertising is a prime example since an advertising idea/image created around a certain product contributes to the market quality of that product.

Conclusion:

As the process of European unification continues, particularly with the completion of the EC single market, all issues of intellectual property protection assume an increasingly important economic role. An advanced system for protecting intellectual property rights is also a basic prerequisite for the transfer of technology between states. When joining the European Community, the implications of this project for Turkey will be to bring forward the importance of the cooperation between the national intellectual property rights offices and the international organisations dealing with intellectual and industrial property matters. The exchange of experiences in all fields will be decisive for the success in spreading technical information and for the technical development and the economic growth of all countries. Especially for a country like Turkey where small and medium sized enterprises are the main form of industry it is an absolute necessity to guarantee an unbureaucratic access to all kinds of information sources. The solution of the problem of providing "technical information" easily is of crucial importance for the national economy because a lot of money and work is wasted when the essential information is not accessible at the right moment.

All areas of intellectual property rights are protected in Clause 27 of the Constitution of the Turkish Republic. Therefore, apart from adaptation to the membership of the European Community, there is an urgent need to update and modernize the Turkish Intellectual Property Laws.

NOTES :

1 OJ. 1989, L40/1

2 OJ. 1987, L.24

3 OJ. 1991, L.122.

4 Part E was written by Deniz Ilgaz