

**THE REGULATIONS FOR AMENDING  
THE IMPLEMENTING REGULATIONS  
UNDER THE DECREE-LAW NO 554 PERTAINING TO  
THE PROTECTION OF INDUSTRIAL DESIGNS**

**Article 1** - Subparagraphs ( a ), ( e ) and ( f ) of Article 8 of the Implementing Regulations Under the Decree-Law No 554 Pertaining to the Protection of Industrial Designs which had been published in the Official Gazette no 22454 dated 5/11/1995 has hereby been revised as follows.

“ a) 10 copies of the representation (8x8 cm) of the design. The representation may be prepared in drawing, painting, graphic, photographic or similar form which depicts all of the specific features of the design.

If the representation of the design include features which are characteristic of a trademark, these features shall be accepted only upon proof that the mark is registered in the name of the applicant. Otherwise the features which are characteristic of a mark has to be deleted from the representation of the design. However, where the representation of a design is composed wholly of features which are characteristic of a trademark, it shall not be acceptable as a representation.

With respect to three dimensional designs, at least front, rear and top views must be submitted to enable better understanding of the design.”

“ e) 4 copies of written description of the design with the representation of the design having been affixed on each copy. The description must describe the representation of the design in detail, state the differences from the designs known to the public and indicate clearly the features requested for protection, and declare the date the design was made public by advertising, publication, use, displaying, putting on the market for sale or similar other activities.

If the space allocated for the description containing the representation is not sufficient additional sheet may be used. In the description use of “as shown in the drawing” denotation is absolutely not acceptable.

The descriptions must be dated and signed.”

“ f) In the case of multiple applications separate descriptions and representations for each of the designs. The representation and the description shall be prepared for each design as prescribed in subparagraph (e).”

**Article 2** - The third paragraph of Article 12 of the same Regulations has been revised as follows:

“Institute shall allow three months for remedying deficiencies which fall outside the scope of the second paragraph above and for the payment of the fees prescribed in the Circular. If the deficiencies are not remedied within this period an additional one month extension shall be allowed conditional to the payment of the fee prescribed in the fee circular. If these deficiencies are remedied within the prescribed periods, the application shall be accorded the date of filing the date on which the deficient application was originally filed.”

**Article 3** - The first paragraph of Article 13 of the same Regulations have been revised as follows:

“An application which has complied with all the conditions of application and is in compliance with the provisions of Articles 32 and 33 of the Decree-Law shall be recorded in the Design Register and where no opposition is received within the 6 month opposition period starting from the date of the publication of the design, a Design Certificate of Registration is issued.

Where an opposition is received, the opposition shall be examined by the Re-examination and Re-evaluation Board in accordance with Article 38 of the Decree Law. After the examination a decision is reached whether to reject the application partially or totally or to register the design. Design certificate is issued in accordance with the decision of the Re-examination and Re-evaluation Board.”

**Article 4** - The second and third paragraphs of Article 15 of the same Regulations have been revised as follows:

“The deferment period may be terminated at the request of the holder of the registration right at any time during the period of deferment. The publication shall be effected in accordance with Article 14 of this Regulation, where within three months prior to the ending of the deferment period a document is filed evidencing that the publication fee and in the case of a multiple application the additional application fees as prescribed in the Circular of Fees valid on the filing date have been paid, and a representation of the design is filed suitable for reproduction if at the original filing only a sample of the product in which the design is incorporated or applied has been deposited,.

Where these provisions are not complied with within the three month period, the rights arising from the registration of the design shall be deemed to have not existed from the date of the filing of the application.”

**Article 5** - Subparagraph (a) of the first paragraph of Article 17 of the same Regulations have been revised as follows:

“a) a petition explaining the justification of the opposition prepared within the format of the form attached to the regulations as Annex: 4.”

**Article 6** - Article 18 of the same Regulations has been revised as follows:

" Article 18 - During the examination of the opposition, the Institute shall communicate to the parties involved the oppositions and defenses of the relevant parties and request their written observations within the time limits and as frequently as it deems fit.

The design facing an opposition shall be reexamined by the Reexamination and Reevaluation Board, within the framework of the written opposition and written observations received, at the termination of the 6 month opposition period which starts on the date of the publication of the design.

Where an opposition, filed within the provisions of sub-paragraphs (a) and (b) of the first paragraph of Article 43 of The Decree-Law has been accepted, the records in the registry shall be canceled and the provisions of Article 45 of the Decree-Law shall be implemented.

The decision with respect to the cancellation of the registration and the registry records shall be published in the Official Industrial Design Bulletin.”

**Article 7** - Following item has been added as item (3) and as item (4) to the subparagraphs (a) and (b) respectively of the second paragraph of Article 19 of the same Regulations:

“The original receipt of payment of fees.”

**Article 8** - The annexes of the same Regulations have been revoked and Annex:1, Annex:2, Annex:3 and Annex:4 have been amended to the Regulations.

**Article 9** - These Regulations shall enter into force on the day of publication.

**Article 10** - These Regulations shall be executed by the President of the Turkish Patent Institute.

TO THE PRESIDENCY OF THE TURKISH PATENT INSTITUTE  
APPLICATION FORM FOR THE REGISTRATION OF INDUSTRIAL DESIGNS

The Name or Title of the Applicant  
Claiming the Design Right :

Nationality :

Address :

Telephone : Fax :

The Name or the Title of the Agent :

The Address of the Agent :

Telephone : Fax :

The Name of the Designer ( or the Designer Group) :

Address :

Type of the Design Application :  Single  Multiple The Number of  
Designs:

Design and the goods on which the design shall be applied :

International Class :

The Date on Which the Design or the Goods  
on Which the Design has been Applied is to be  
Made Public (In the World or in Turkey) :

Whether deferment of publication is requested :  No  Yes Duration.....

If There is a Priority Claim the Name of the  
Country, Date and Number of the Application or  
the Registration on Which the Application is Based :

The Name of the Country/City in Which the  
Exhibition has been Held Giving Rise to Priority  
Claim Arising From Exhibition Priority Right :

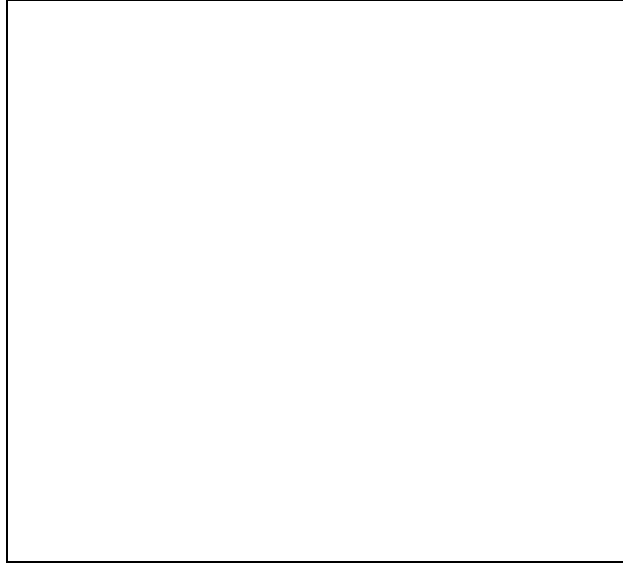
The Date of Display and the Official Opening :

Date - Signature

ANNEX : 2

\* REPRESENTATION OF THE DESIGN SUITABLE FOR PUBLICATION

( 8 cm X 8 cm )



\*\* DESCRIPTION OF THE DESIGN :

We request the registration of the design as described above in detail.

Date - Signature

(\* ) If the object of the application is a two-dimensional design and a deferment of publication is being requested and the representation of the design cannot be supplied, a sample of the product in which the design is incorporated or to which it is applied may be deposited.

(\*\* ) Where the space for the description is not sufficient additional pages may be used.

I. Declaration With Respect to the Right of Claim to the Design Right

1) Indicate how the right of claim to the design right has been acquired. ( The relationship between the applicant claiming the design right and the designer as they are named in the 1<sup>st</sup> page of the Form shall be declared)

- Employee relationship
- Contractual relationship
- Assignment / inheritance
- Other (Specify)

2) Declaration by the applicant:

I declare that the person/persons named above are the designers of the this application.

Signature

Date (day, month, year)

II. Declaration with respect to a change in the ownership of the priority right:

1) If the applicant of the first application in the foreign country is different from the applicant in Turkey, indicate how the change in the ownership has occurred, the date and the names of the parties involved.

2) I declare that the change in the ownership of the priority right has occurred as described above.

Signature

Date (day, month, year)

PRESIDENCY OF THE TURKISH PATENT INSTITUTE

FORM FOR OPPOSING THE PUBLISHED  
INDUSTRIAL DESIGNS

Date and Number of the Bulletin in Which the  
Design Subject to Opposition has been published :

The Application and Registration numbers of  
the Design Subject to Opposition :

If the Design Subject to Opposition is a Multiple  
Design, the Design Numbers in Consecutive Order  
as Published in the Bulletin :

The Name or the Title of the Opposing Party :

The Address of the Opposing Party :

The Telephone Number of the Opposing Party :

The Name or Title of the Agent (If applicable) :

The Address and Telephone of the Agent :

If any, the Registration Date and Number of the  
Design Belonging to the Opposing Party With  
Respect to the Same Product :

The Justifications for the Opposition :

Note: 1) The opposition form, evidential information and documents shall be prepared  
in 2 copies.

2) The documents and the information which are submitted shall be indicated clearly.

We are in opposition to the above mentioned Industrial Design Registration as explained in  
detail with the attachments.

Name / Date / Signature