

IP & Development; Turkey's National Experience

2-3 May Ankara

İsmail GÜMÜŞ
Turkish Patent Institute
International Affairs Department





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IP Policy (Industrial Property) in Turkey

- Policy Reports, Strategic reports
 - Governments's 9th Development Plan (2007-2013), by the State Planning Organisation (SPO)
 - Specialized Commission's report, 2007
 - 60th Government Program and Action Plan (2008)
 - Medium Term Program (2011-2013), by the SPO
 - Turkey's Industrial Strategy and Action Plan (2011-2014)



IP Policy (Industrial Property) in Turkey

- Towards Becoming a full member of the EU, Strategy Document (2010-2011)
- Industrial Design Strategy Document and Action Plan
- National Science, Technology and Innovation Strategy (2011-2016)



Conclusion 1

- There are some overlapping actions/plans
- Good thing is not only the IP office also other related institutions' involvement has been increasing
- Clear indication of increasing importance of IP(almost no mentioning of IP before 2000)
- Increasing the coordination in an effective way would be better



Policy/Decision Making Platforms

- IP Coordination Board
- Coordination Council for the Improvement of the Investment Environment
- Working Group on Intellectual Property Rights between the EU and the Republic of Turkey
- EU sponsored Twinning Project



IP Coordination Board

- **Circular Order of Prime Minister in 2008**
- Headed by TPI President and Undersecretary of Culture and Tourism
- Composed of relevant governmental and recently non-governmental organisations
- Aims, inter alia, securing effective coordination among governmental bodies to be able to reach the desired level of implementation and enforcement, in line with the 2008-2012 Government Action Plan, 2007-2012 National Program of Turkey in undertaking Acquis Communitarie.
- **The involvement of NGOs**, professional organisations and private sector representatives in Board's works is encouraged and with the decision of the Board in 2008, the umbrella organisation, The Union of Chambers and Commodity Exchanges of Turkey (TOBB) has secured a place in the Board.



Coordination Council for the Improvement of the Investment Environment

- **Established with the decision of the Board of Ministers in 2001**
- Supervised by the Ministry of Economics.
- Specific actions determined with deadlines and responsible institutions/organisations to be released during a press conference at the end of each year.
- **Related ministries and private sector representatives are involved**
- **The most influential umbrella organisations of private sector are involved in the steering committee and in the working committees (TOBB, YASED, TİM, TÜSİAD)**
- One of the 10 committees is Intellectual & Industrial Property Rights and R&D.
- Committee's decisions are forwarded to the steering committee to be forwarded to board of ministers.
- Appropriate actions are taken by the board of ministers (forwarded to parliament to be enacted as law, decisions of ministers etc.)



Working Group on Intellectual Property Rights between the EU and the Republic of Turkey

- Terms of reference was prepared in order to meet the closing benchmark of the chapter 7.
- All-encompassing issues, bilateral and multilateral, related to the protection and the enforcement of intellectual property can be discussed within the framework of common interests.
- While fully respecting the independence of the judiciary and shall by no means substitute the latter or create a parallel system.



Preparation of IPR Strategy Document

- The first meeting was held in April, 2010, where the working methodology and stakeholders determined
- The second meeting held with the participation of related governmental and non-governmental organisations.
- Broadly based on the “2007-2013 IPR Report” prepared by the Specialized Commission where the current situation is detailed regarding IPR in Turkey.
- Specialized Commission is chaired by an academician and composed of mostly academicians, well known trademark and patent attorneys.
- The new strategy document will cover all aspects of IP, including a roadmap and detailed actions with time tables and performance indicators.
- There will be a chapter wholly dedicated to solving the enforcement related problems and shaping the policies thereof.
- The coordination council has been briefed on the progress on the preparations of the strategy document during its last meeting on may, 28, 2010.



Twinning Project

- Supporting Turkey for Enhancing Implementation and Enforcement of Industrial Property Rights
- After selection process Germany has been taken as the Twinning Partner
- Responsible Institution from Germany is “German Foundation for International Legal Cooperation” (IRZ)
- Project mainly aims to enhance the administrative procedures in the Institute in order to increase the efficiency in courts
- Budget 1.2 Mil. EUR, duration 13 months



Conclusion 2

- IP issues are not the responsibility of solely patent Offices anymore, very diverse institutions feedback required/needed
- In order to facilitate/evaluate/implement plans/actions high level platforms are required
- Efficient cooperation among related institutions/organisations is important



International Developments

- WIPO Development Agenda
- WTO Doha Rounds
- Free Trade Agreements (FTAs)



WIPO Development Agenda

- A Pilot Project for the Establishment of “Start-Up” National IP Academies
- Technical assistance on preparing national IP Strategy



WTO Doha Development Agenda

- The November 2001 declaration of the Fourth Ministerial Conference in Doha, Qatar, provides the mandate for negotiations on a range of subjects and other work.
- 3 items are directly related to IP in the declaration.
- In Doha, Ministers also approved a linked decision on implementation — problems developing countries face in implementing the current WTO agreements.
- Separate Ministerial Declaration in 2001, TRIPS Agreement and Public Health



WTO recent developments

- GI extension
- Global GI registration
- TRIPS/CBD relation
- Turkey's position, all 3 subjects are equally important and should be given the same treatment



FTAs

- FTAs are the relatively new tools into which IP issues have been integrated.
- Turkey has been negotiating with Canada, Chile, Colombia, S.Korea, Equator lately.
- Always include an IP Chapter, countries priorities may differ substantially.
- Determining the upper limits and knowing the baseline (TRIPS if you are a member) is critically important



Conclusion 3

- Multinational policy making is quite difficult now
- FTAs are more preferred international instruments through which countries wish to attaining their objectives
- Having a sound strategy is important, nothing is free



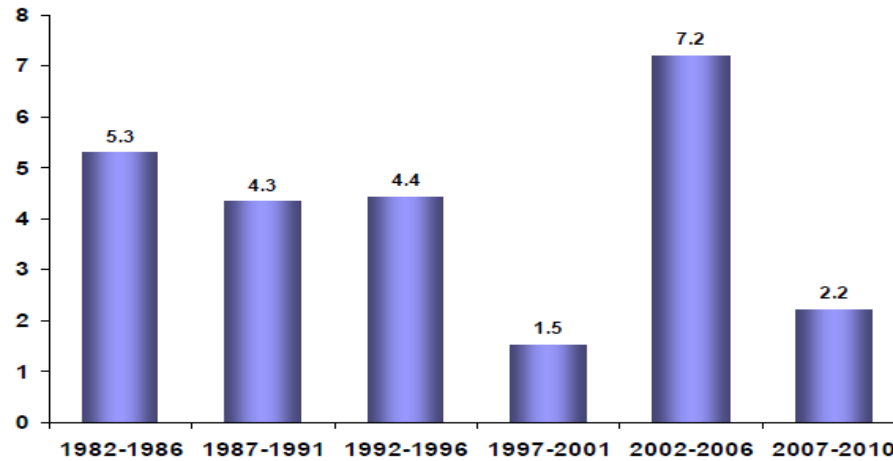
Some indicators

- Turkish economy
- R&D figures
- Patent application numbers



Turkey's GDP

GDP Growth Rate (Annual Average, %)

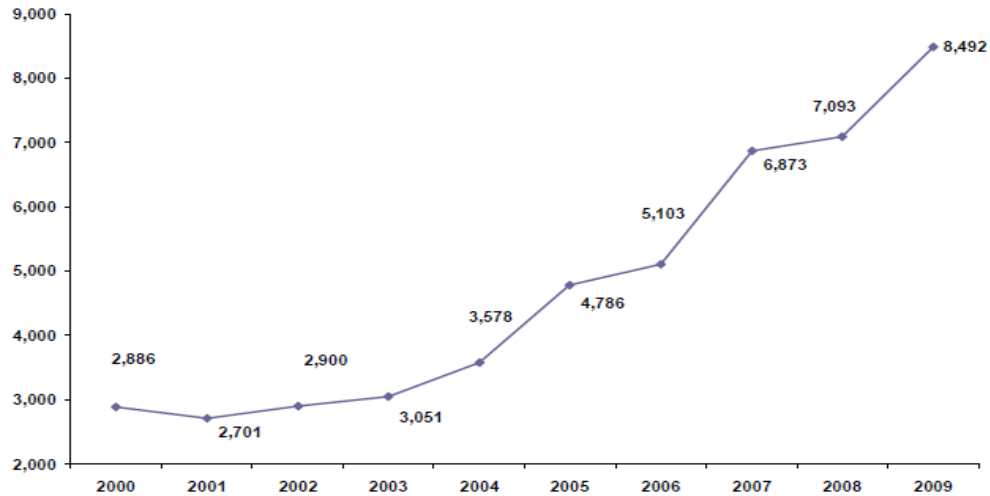


Source: TURKSTAT, Undersecretariat of Treasury



R&D

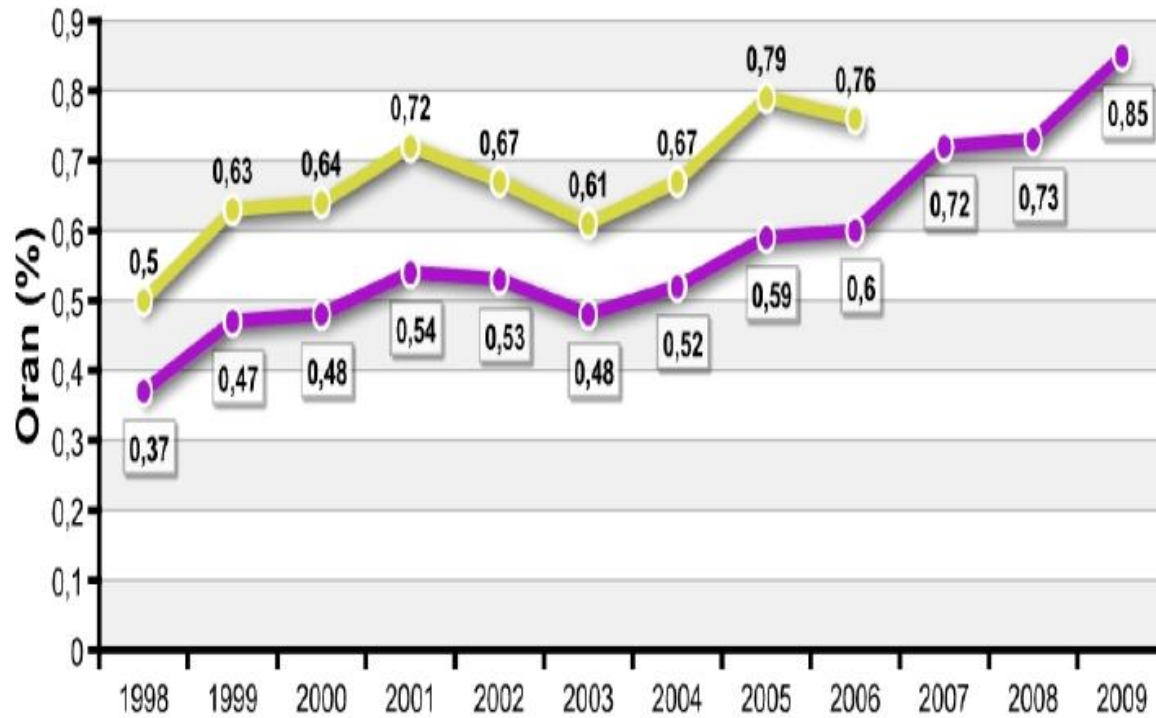
R&D Expenditure* (Million TL)



* 2010 prices
Source: TURKSTAT

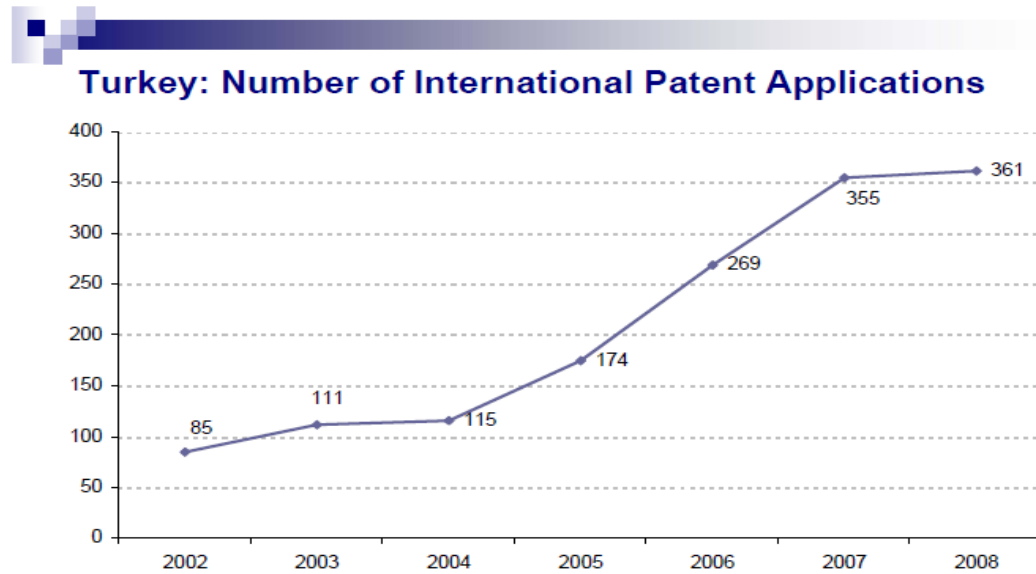


R&D expenditure/GDP





PCT applications

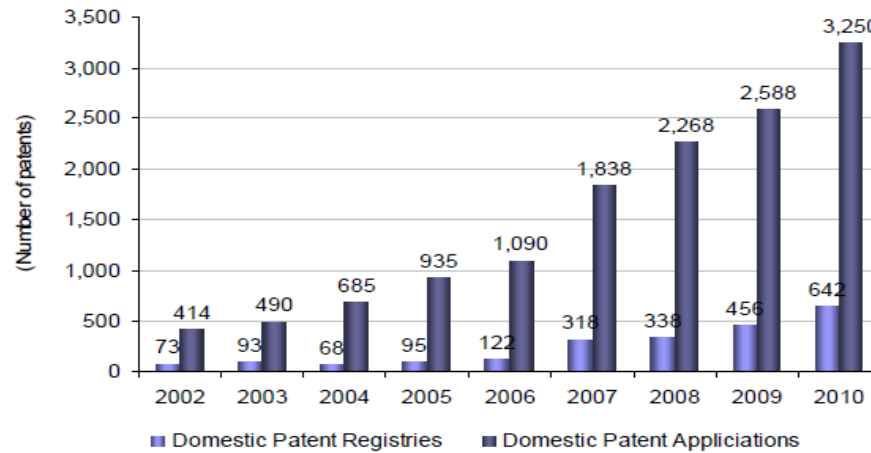


Source: WIPO



National applications

Patent Applications and Registries



Source: TPI



Observations

- Economic development brings with it increase in patent applications
- Awareness enhancing activities particularly for the potential applicants (SMEs, universities, TTOs) is important
- Cooperating with international organisations, receiving technical assistance can accelerate the process



CONCLUSION

- Flexible, inclusive and as holistic as possible **strategy** would greatly lead to better results
- Providing the **platforms** between relevant institution/organisations/NGOs is of great importance
- **IP is not an end in itself rather a tool**, economic development spurs IP related developments



Thanks.....

Questions???????????

ismail.gumus@tpe.gov.tr