

Board of Advertising Considered Advertisements That Includes the Competitor's Trademark and Distinctive Feature, As Comparative Advertising

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On 8 June 2021, the Ministry of Commerce Board of Advertising (the "**Board**") considered whether YouTube videos posted by a manufacturer were comparative ads violative the Commercial Advertising and Unfair Commercial Practices Regulation, and the Consumer Protection Law.

In the videos, the manufacturer compares its mobile phones to those of a competitor anonymized as "Competitor A." The videos display the trademark "Exynos" to indicate the brand of processor used in Competitor A's phones.

The competitor manufactures processors under the trademark Exynos for use in its products exclusively, including mobile phones. Thus, the video reveals the unequivocally identity of the Competitor A which is against the rules of comparative ads.

The Board ruled that the videos are comparative ads violative of articles 7 and 8 of Commercial Advertising and Unfair Commercial Practices Regulation and article 61 of Consumer Protection Law numbered 6502, and ordered their removal.

The Board's decision numbered 2020/4767, published in official bulletin 310 dated 8 June 2021, is available at this [link](#). (Only available in Turkish)

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