

Comparative Advertisements Postponed in Turkey Until January 2018

30 Jan 2017

For the second time, comparative advertising has been postponed in Turkey, now becoming possible from 1 January 2018 onwards. From that date, advertisements will be allowed to include competitors' titles, trademarks, logos or other distinguishing marks or phrases, as well as commercial names and company names ([more](#)). Clarifying provisions have also been specifically introduced for advertising of food products and electronic communication services.

The Regulation To Amend The Regulation On Commercial Advertisement and Unfair Commercial Practices ("**Amendment Regulation**") was published in Official Gazette number 29938 on 4 January 2017.

The Amendment Regulation introduces provisions for comparative advertisement about food products. Accordingly, advertising cannot include comparison of health claims but can include comparison of nutrition claims.

Moreover, specific provisions for the advertisement of electronic communication services has been set forth in the Amendment Regulation. For advertisement of electronic communication services, the following requirements apply:

- If internet speed and network coverage is stated, information must include the fact that that promised speed and network coverage may differ depending on infrastructure, geographical circumstances, network density, device used, building location. The information must be given in a manner and duration which consumers can easily perceive.
- Advertising must not give the impression that internet speeds available in test or laboratory circumstances will be provided to the consumer.
- If any fair use quota, speed quota or similar restriction exists, it must be clearly indicated.

Until 1 January 2018, the Regulation on Implementation Fundamentals of Commercial Advertisement and Announcements will continue to apply (Temporary Article 1(3) of the Law), including the prohibition on use of "*names of compared goods, services or trademarks*" in comparative advertisements (Article 11).

Please see this [link](#) for full text of the Amendment Regulation (only available in Turkish).

Related Practices

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- [Trademarks](#)

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