

Impact of Turkey's State of Emergency on Intellectual Property Rights

20 Sep 2016

After a nationwide three-month state of emergency introduced under article 120 of the Constitution, neither State of Emergency Law No. 2935 ("**Law 2935**"), nor decree laws contain any provisions regarding trademark, patent or industrial design matters. Procedures remain the same for IP rights in Turkey. In other words, intellectual property rights and processes have so far been unaffected.

However, following the announcement of State of Emergency, sanctions have been introduced for judicial and public officials who are deemed to have acted against Turkey's national security. Specified judicial and public officials have been dismissed by the relevant authorities. Dismissed individuals include members of the Court of Cassation, the Constitutional Court of Turkey, and the Turkish Council of State, as well as members of the armed forces, police officers, and university academics.

Changes to individuals in the judiciary and government bodies may mean delays for ongoing matters. Therefore, rights owners might have problems when planning IP-related raid actions in the immediate future. Despite this, procedures currently remain unchanged for civil actions.

Given recent developments, no progress has been made with the draft IP law, which was sent to the Turkish parliament for approval in May 2016. However, it is likely that the draft IP law will be back on the Parliament's agenda soon.

Related Practices

- [Copyrights](#)
- [Trademarks](#)

Related Attorneys

- [İ?İK ÖZDO?AN, LL.M.](#)
- [EZG? BAKLACI GÜLKOKAR, LL.M.](#)