

Turkey Introduces Intellectual Property Rules for Scientific and Technological Research Council

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Turkey has introduced principles and procedures for management of intellectual property rights owned or shared by the Scientific and Technological Research Council ("**TÜBİTAK**"). The Regulation introduces provisions for protecting intellectual property developed by TÜBİTAK staff, or within related grant programs, as well as transfer, payments and use of these rights.

The Regulation on Procedures and Principles Regarding Management of Intellectual Property Rights and Technology Transfers ("**Regulation**") was published in Official Gazette number 29818 on 1 September 2016, entering into effect on the same date.

Notable provisions introduced by the Regulation include:

- Intellectual products developed by TÜBİTAK's staff as a part of their jobs, or based on TÜBİTAK's experience, work or facilities, are deemed to belong to TÜBİTAK (unless another provision applies).
- TÜBİTAK staff must inform the relevant department about intellectual products within one month.
- TÜBİTAK staff must keep the intellectual product or other intellectual property rights confidential until the registration application has been made.
- Technology transfers can be made in four different ways: assignment; partnership capital; basic license; exclusive license.
- The Directorate of Technology Transfer Office will designate the distributable income after the intellectual product's development cost is deducted. Maximum 30% of the distributable income will be passed to the people who developed the product and the remainder will be transferred to the Directorate.
- TÜBİTAK can establish a company or join an existing company as a partner in order to carry out activities regarding its intellectual property rights. For example, convert them into a product or serial production.
- TÜBİTAK can make technology transfers to companies which were founded by TÜBİTAK, or whose shares belong to TÜBİTAK, in accordance with their establishment purposes.

Commercialization processes for intellectual products subject to a decision from the Science Council before 1 September 2016 will continue to be executed by the departments noted in the decision. Commercialization agreements executed regarding Science Council decisions before 1 September 2016 will remain effective.

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

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