

## Turkish Patent and Trademark Office Publishes Guideline for Design Examination

*25 Feb 2020*

Turkish Patent and Trademark Office ("**TPTO**") has published Guideline for Design Examination ("**Guideline**") to give information regarding the practice of the provisions on design application within Industrial Property Law numbered 6769 ("**IPL**") and the Regulation on the Application of the IPL. The Guideline also aims to ensure consistency among decisions.

The Guideline explains and elaborates design practices in detail, including the definition and essential features of design, application filing procedure, and qualifications for applicants. Furthermore, the Guideline includes information regarding the application processes for both national and international institutions.

The Guideline also explains "Issues to be Considered Sectoral in Design Applications", and lists the following sectors that are most commonly subject to the design:

- Food
- Textile and Accessories
- Furniture and Houseware
- Packaging
- Construction and Architecture
- Pattern and Decoration

For each sector TPTO unveils the most notable subjects mentioned in the applications, such as:

- The inner structure of foods such as cakes and chocolate, which are not seen during normal use but can only be seen during consumption, cannot benefit from the design protection,
- Real models should not be featured in visual representations about clothes,
- Non-design elements such as labels should not be included in visual representations,
- The package will be presented alone without any product in its design,
- Photographs should be in high quality and high resolution, and design should be clearly seen in the visual representations on carpet patterns.

The Guideline is effective for the national and international applications which are made on and after the date 1 August 2019.

As TPTO does not take any action regarding non-registered designs, the Guideline does not involve any provision regarding non-registered designs.

Please see this [link](#) for the Guideline (only available in Turkish).

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