

United States Issues 2018 Report Regarding Intellectual Property Protection and Enforcement by its Trading Partners

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The Office of the United States Trade Representative has published its 2018 Special 301 Report ("**Report**") regarding intellectual property protection and enforcement by U.S. trading partners around the world. The Report identifies countries where intellectual property protection and enforcement have deteriorated, or remained at inadequate levels, as well as the countries where U.S. persons who rely on IP protection face difficulty with fair and equitable market access.

The Report states that Turkey remains on the watchlist and claims the following problems should be addressed:

- The Report claims a lack of efficiency, transparency, and fairness exist in Turkey's pharmaceutical manufacturing inspection process, especially national pricing and reimbursement policies. It states that government authorities tend to delist pharmaceutical products from reimbursement which are not domestically produced, as a way to promote domestic pharmaceutical manufacturing.
- The Report encourages early resolution of patent disputes prior to the marketing of follow-on pharmaceuticals.
- Turkey is a major producer of counterfeit leather goods, foodstuffs, and cosmetics, as determined in the "Mapping the Real Routes of Trade in Fake Goods" published by the OECD and EU Intellectual Property Office.
- Given Turkey's strategic position as a transit hub, the Report recommends the national police should be given ex-officio authority and other tools to help enhance enforcement, particularly in obvious infringement cases.
- The Report acknowledges a 35% increase in 2016 of customs seizures for counterfeit goods in Turkey. However, it criticizes Turkish customs officials' lack of authority to take ex-officio action to seize and destroy counterfeit goods at the border, or to act against goods in-transit. The Report also criticizes countries like Canada, Egypt, Indonesia, Mexico, Turkmenistan, UAE, and Uzbekistan in this way.
- The Report states that sanctions for copyright infringement do not deter violations. It encourages Turkey to provide an effective mechanism to address online piracy, including full implementation of the WIPO Internet Treaties, as well as to require that collective right management organizations adhere to fair and transparent procedures.

Please see this [link](#) for the full text of the Report.

Related Practices

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