

## **Opening Statement of the Republic of Turkey**

Honorable Chair, distinguished delegates,

It is a pleasure for me to address the General Assembly on behalf of the Turkish Delegation. I would like to congratulate Mr. Chair on his election as the Chairperson of the Assemblies. I also welcome the vice-chairs and I am confident that under their leadership, the Assemblies will produce fruitful results.

I would like to highlight our strong belief that intellectual property rights could better serve the very purposes of improving the lives of people under the democratically elected governments and only when the rule of law is determinedly applied without any setbacks. As you all know, The Government of Republic of Turkey was subjected to a coup attempt on July 15th by the Fethullah Gülen Terrorist Organisation. The very essence of the democracy was attempted to be broken in a horrific way causing the loss of 241 lives of Turkish citizens and leaving more than 2000 wounded behind. The brave citizens of Turkey have courageously been able to thwart this attempt in less than 12 hours and the democracy and rule of law have been restored. In this regard, the Government of Republic of Turkey would like to thank all the Member States and their National Offices that have conveyed their solidarity against this attack and my delegation would like to re-iterate the Turkish Republic's resolve in respecting democracy as the pillar of its civilization.

In this context, I am also very glad to share with you that, in addition to witnessing the wholehearted loyalty of the Turkish citizens to their democracy; we have fully witnessed the strength of Turkish economy, which sustained its balance despite the possible consequences of such a major impact. As the president of the Turkish IP Office, I would like to take our share and express my feeling that, our efforts for establishing a modern IP structure in Turkey, which especially intensified for the last ten years has an important contribution to the health of the Turkish economy.

In this regard, I would like to inform the distinguished delegations of the General Assembly on some important IP initiatives we have introduced in Turkey.

Having left behind 20 years of establishment of Turkish Patent Institute and contemporary IP structure, especially during the last couple of years, we have increasingly received feedbacks from our domestic and foreign stakeholders referring to the need of updating our national industrial property legislation. The current IP structure depends mainly on decree laws for protection of different IP subject matters, most of which were adopted in line with the establishment of Customs Union with the EU and simultaneously with the start-up of the TRIPs. However, during the course of time, there occurred a number of changes in the source EU legislation, and, additionally, developments in the Turkish economy compel Turkish IP policy makers to enact new rules to overcome newly emerged challenges. Accordingly, the first half of the year 2016 has witnessed a great effort for legislation in TPI. After an intensive process of preparation, consultation and negotiation, a new and compact IP legislation, namely the Draft Industrial Property Law has been submitted to the General Council of the Turkish Grand National Assembly for its final approval. The new IP Act is expected to be adopted in 2016 and both the Turkish society and domestic and foreign IP owners will start to enjoy one of the most contemporary legislations in the very near future.

Taking this opportunity, I would like to briefly share some information about our Draft Law. The Draft Law mainly aims to consolidate all existing Decree Laws (Patents, Trademarks, Industrial Designs and Geographical Indications) into a single compact Industrial Property Law and it consists of Chapters dedicated to specific industrial property rights, namely Patents, Trademarks, Industrial Designs and Geographical Indications and Traditional Specialties Guaranteed. There are also a limited number of amendments in order to further harmonize the industrial property legislation with the EU acquis and meet the needs of the developing Turkish Economy. Basic changes of the Draft Law can be summarized as follows:

- Enhancing administrative capacity of the TPI and introducing an IP Academy
- Enabling effective protection of IPRs – i.e. Facilitated destruction and storage of infringing goods
- Adopting international exhaustion regime
- Facilitated registration process for patents, trademarks, geographical and designs
- Raising quality of registrations and examination processes
- Restoration of some of the revoked Articles by the Turkish Constitutional Court decisions

Firstly, I am very pleased to share with you that Turkey and WIPO Academy has managed to launch a new Master's Program on IP this year at the University of Ankara. Thankfully, we have received a remarkable attention of candidates from many different countries, especially from our neighboring countries, and over 40 International applications were accepted. This Master's program also attracted a great number of domestic applications, for which we have to give credit to WIPO, who provides this program a prestigious and appealing appearance, in addition to its financial and technical support. For launching this program, which is already one of the major goals of our National IP Strategy, I would like to repeat my thankfulness to WIPO and its Academy for their encouraging support. Furthermore, for ensuring the success of the Program and distribution of its benefits to a wider geographical scope, for the coming years, I would like to invite honorable delegates of the IP Offices, to encourage their staff to apply for this program, so, we can build up a new path for developing mutual cooperation between our Offices, and all we may contribute more efficiently in dissemination of the IP information internationally.

With regards to meeting the need of qualified education and training on IP, my Office is also willing to finalize its efforts for establishment of the IP Academy with the help of WIPO. I have no hesitation to say that the complementary effect of the Master's program and the Academy will help pave the way in addressing the need for specialized IP professionals not only in our country but also in our region.

While mentioning the National IP Strategy, I also want to share some information on our stance in achieving priorities and goals covered by our two National Strategies. TPI is conducting its activities under three Strategies, namely National Intellectual Property Strategy, National Geographical Indication Strategy and National Design Strategy, first two of which were adopted in 2015. Regarding the National IP Strategy, in 2016, we have already achieved 10 of 28 goals and we are still working on the rest 18 goals. Under the National Geographical Strategy, 3 of 6 goals have already been achieved in 2016. Our efforts for the remaining goals reached to a mature stage and we hope to finish the year in line with the schedule. After having one year of experience in following Strategy Papers, I would like to share with the honorable delegates that, Strategies have proven to be very useful tools for IP Offices, which facilitate management activities with providing reachable goals and foreseeable results. In this regard, it would be our pleasure to share our experience with the interested IP Offices.

In terms of numbers, I proudly note that the Turkey is preserving its position of being one of the most important service providers for IP applicants. Like 2014, our Office remains to be the highest trademark application receiving office in Europe in 2015. By the end of the year, we had received around 110,000 trademark and 40200 design applications. More importantly, in 2015, our total and domestic patent applications raised very remarkably –by 13 (%) percent- and the total number of applications reached to 14000. For the first half of 2016, we have continued to witness this positive trend, and number of domestic patent applications increased by 22(%) percent, comparing to the same period of the previous year. This development is drawing a healthy and promising view of the Turkish economy and it raises our expectations for the coming years, while pushing my Office to work harder in its efforts for creating an innovative environment within the country.

In line with the increasing numbers of patent applications, my Office paid a special attention in enhancement of its patent system. Initially, our efforts for being appointed as ISA and IPEA under the PCT Agreement has reached to its final phase, and during this General Assembly, we hope to achieve approval from the PCT Union for this appointment. In preparation of this appointment process, the TPI paid a lot of effort and enhanced its infrastructure, especially on patent examination system. During the process, we recruited new patent examiners, upgraded documentation of examinations and established a quality management system. Guidance and assistance of Patent Offices of Spain and Republic of Korea facilitated our work in preparation and taking this opportunity, I would like to express my special thanks to these Offices.

Meanwhile, our cooperation with other national offices and international organizations keep growing and after the last General Assembly, we have signed cooperation protocols with the intellectual property offices of Azerbaijan, Georgia, Republic of Korea, and Serbia and we continued to deepen our cooperation with Pakistan and Kyrgyzstan Patent Offices under the signed Action Plans covering detailed schemes of Actions.

This year, in addition to a number of activities including fairs, exhibitions, conferences and workshops, we have organized two major events in Turkey, both of which were honored with the participation of very high level attendants. Firstly, on April 13, TPI organized an

International Conference on Intellectual Property, Genetic Resources and Traditional Knowledge in Ankara, in collaboration with WIPO, and Director General Gurry also honored this event with his kind participation.

A week after, the 5<sup>th</sup> Patents Awards Ceremony, was organized and, participation of His Excellency, President Recep Tayyip ERDOĞAN of Turkey attracted a huge attention of the mass-media and the public at large, which we consider a key event for ensuring public awareness on IP within Turkey. For this Ceremony, we also pleased with the remarkable attention and participation of foreign delegates from national and international IP Offices.

Our cooperation with WIPO on the seconded national expert program is still continuing to produce very good results for my Office regarding Madrid System and we look forward to launching a similar project under the PCT System. We are also glad for receiving WIPO's support in participating in a number of global events, where Turkey had the opportunity to share its experience with fellow offices of other member countries.

Likewise, concerning our cooperation with EUIPO, the seconded national expert program between our organizations have produced very beneficial results in aligning the Turkish registration system with the EU practices. Furthermore, Turkey also takes part in the Convergence Projects of OHIM as Observer State and in line with ongoing studies, the trademark and design examination guidelines are constantly being updated. In this context, we are aiming to update the Cooperation Protocol with this Office and to continue deepening cooperation under a newly drafted and enhanced scheme.

Now I would like to touch upon certain topics of the normative agenda. As regards the Design Law Treaty, Turkey appreciates the arduous work accomplished by the SCT and would like to give its full support for convening a diplomatic conference for its adoption in near future with giving attention to the concerns of all member states. Regarding the Intellectual Property, Genetic Resources, Traditional Knowledge and Folklore, we maintain our trust that the Member States will manage finding common grounds in concluding the negotiations towards a diplomatic conference. Our delegation also attaches great importance to the achievement of development agenda objectives and we urge all Member States to enter into result-oriented discussions during the CDIP agenda.

As regards the Program and Budget, my delegation aligns itself with the Group B's statement and congratulates the administration for maintaining a sound financial management. Finally, I also would like to thank the Independent Advisory Oversight Committee, Internal Oversight Division and the External Auditors for their valuable works, which we believe are important instruments that should be interpreted in the direction of increasing the efficiency of the Organization and not the vice versa.

Once more, we reiterate Turkey's willingness to host an external Office, which would create synergy with the prospective Technology Bank for Least Developed Countries. Technology Bank in Turkey is another project being run under auspices of UN Office of the High Representative for LDCs, Landlocked Developing Countries and SIDS. This project was devised in 2011 during the 4<sup>th</sup> United Nations Conference on Least Developed Countries. The project aims at establishing a UN Office in Turkey, which will provide technical assistance and expertise to innovators and researchers in LDCs in identifying most appropriate technologies relevant to their research subjects and act as mediator in concluding licensing agreements through negotiations. The project also foresees facilitating contact among fellow researchers in LDCs and developed countries who are working on the same research subjects. Turkey believes that integrating WIPO into this study would ensure the sustainability of the project and create a synergy for the success of both efforts.

Finally, I would like to invite the delegates of the Member States to visit the exhibition on Turkish Culture and Geographical Indications that will be opened on October 4<sup>th</sup> at 1 pm.

Distinguished Delegates,

In conclusion of my statement, I am confident that this Assembly will be a success in all manners and we thank the Secretariat for all their hard work, which greatly facilitates our discussions.

Thank you very much.