
WIPO LIST OF NEUTRALS

BIOGRAPHICAL DATA

Zeynep YASAMAN
Yasaman Trademark and Patent Consultancy A.Ş.
Istanbul
Turkey



Nationality: Turkish

EDUCATIONAL AND PROFESSIONAL QUALIFICATIONS

Ph.D., European Law, Marmara University, European Studies Institute, (Thesis: "*Infringement of Trademark Rights on the Internet in the European Union and Turkish Law.*"), Istanbul, Türkiye, 2019;
LL.B., Université de Paris, Panthéon-Sorbonne, Paris, France, 2010;
MSc, Master of Science, International Management, University of London King's College, London, United Kingdom, 2006;
Business Administration, Université de Paris II, Panthéon-Assas, Paris, France, 2004.

Chartered Trademark Agent since 2013;
Legal Expert in IP law before the Turkish IP Courts.

LANGUAGES

Turkish, English, French

PRESENT POSITION

Partner, Yasaman Trademark and Patent Consultancy A.Ş.

PROFESSIONAL EXPERIENCE BEFORE PRESENT POSITION

Head, Trademark Department, Yasaman Law Firm

MEMBERSHIP IN PROFESSIONAL BODIES

Member,
MARQUES;
September 9, 2024

AIPPI Türkiye;
(Turkish) Patent and Trademark Attorneys Association (PEM).

AREAS OF SPECIALIZATION

Trademark law, copyright, domain names, Internet-related IP disputes, unfair competition.

EXPERIENCE IN INTELLECTUAL PROPERTY

Practicing IP law since 2010. As legal counsel, has advised several companies for trademarks, patents, copyright, and Internet-related matters; and drafted contracts and petitions in these fields.

As trademark and patent attorney, has provided services for application and opposition processes before the Turkish Patent and Trademark Office.

Has acted also as an expert for IP litigations before the Turkish First Instance IP Courts.

EXPERIENCE WITH RESPECT TO DOMAIN NAMES

Domain Name Arbitrator, Istanbul Arbitration Center (ISTAC);
Has advised clients on their domain name-related litigations;
Has written a PhD thesis on the infringement of trademark rights on the Internet including domain names and has given speeches at conferences on domain names.

MAJOR PUBLICATIONS

Books:

Commentary of Industrial Property Law Vol. I-II-III, (YASAMAN / AYOĞLU / YUSUFOĞLU BİLGİN / MEMİŞ KARTAL / YÜKSEL / YASAMAN), *Seçkin Publications, Istanbul 2021*;
Infringement of Trademark Rights on the Internet in the European Union and Turkish Law, *ON İKİ LEVHA PUBLICATIONS, ISTANBUL 2020*.

Articles:

“The Effect of Whether the Website Used on the Internet has a Generic-Top Level Domain Name (like .com) or a Country-Code Top Level Domain Name (like .tr) in Determining the "Commercial Impact" (peer-reviewed) *Intellectual Property Law Yearbook 2023, forthcoming*;

“Domain Names under Turkish Industrial Property Law”
Paper presented at the Conference on “Beyond Digital Borders: Internet Domain Names and Rights” organized by ICANN and TOBBUYUM dated May 27, 2024;

“Similarity of Signs and Right Ownership Issues in WIPO and Turkish Dispute Resolution Practices”
Paper presented at the Conference on “Arbitration and Alternative Dispute Resolution in Intellectual Property Disputes” organized by Istanbul Bar Association, Galatasaray University Law Faculty, and Istanbul Arbitration Center ISTAC dated December 6, 2023. (The article will be published in 2024);

“Infringement of Trademark Rights: Uses on the Internet”, *Paper presented at the Conference on “Trademark Law Symposium on the 100th Anniversary of the Republic” organized by Galatasaray University Law Faculty Commercial Law Department, dated April 28, 2023. (The article will be published in 2024)*;

“Use of the Infringing Trademark by Online Marketplaces – Louboutin v. Amazon Decision” (peer-reviewed)
Intellectual Property Law Yearbook 2022, Vol.12, Ed. Prof. Dr. Tekin Memiş, Ankara 2023, Yetkin Publications, p.645-672;

“Trademark Registration Process and Problematic Situations Faced by Applicants During the Turkish Patent and Trademark Office’s Ex-Officio Examination of Identity and Similarity of Signs” (*peer-reviewed*) *In Memory of Prof. Dr. Ercüment Erdem, Istanbul 2023, On İki Levha Publications, p.1409-1445;*

“Right Ownership Disputes Over the Sign Constituting the Trademark and the Domain Name” (*peer-reviewed*), *Intellectual Property Law Yearbook 2020, Vol.10, Ed. Prof. Dr. Tekin Memiş, Ankara 2021, Yetkin Publishing, p.539-589;*

“Domain Name Disputes and Alternative Dispute Resolution Mechanisms” (*co-authored with Prof. Hamdi Yasaman*) *In Memory of Prof. Dr. Haluk Burcuoğlu, Istanbul 2020, Filiz Publications, p.1851-1907;*

“Difference in the Liability Regime of the Internet Service Providers for Copyright and Trademark Infringement after the Directive on Copyright and Related Rights in the Digital Single Market & the Situation in Turkey” (*peer-reviewed*) *Intellectual Property Law Yearbook 2019, Ed. Prof. Tekin Memiş, Ankara 2020, Yetkin Publishing, p.271-314;*

“Liability of Internet Hosting Service Providers with Regard to Trademark Infringements under the European Union and Turkish Law” (*peer-reviewed*) *Marmara Journal of European Studies, Vol.27, No.2, 2019, p.263-291;*

“‘Use in the Course of Trade’ and ‘Use with Commercial Effect’ Criteria for Trademark Infringement on the Internet under the European Union and Turkish Trademark Law” (*peer-reviewed*) *Banking and Finance Law Journal, Vol.8, No.32, 2019, Legal Publishing, p.1903-1931;*

“Does the Use of a Sign Identical with or Similar to a Trademark as a Keyword in AdWords Constitute an Infringement?” (*peer-reviewed*) *In Memory of Prof. Dr. Hamdi Yasaman, Istanbul 2017, On İki Levha Publications, p.791-830;*

“The Scope of Protection for Trademarks Which Acquired and Lost Distinctiveness Through Use” (*co-authored with Prof. Hamdi Yasaman*) *Intellectual Property Law Yearbook 2014, Ed. Prof. Tekin Memiş, Istanbul 2016, Yetkin Publishing, p.393-412;*

“Cession of Trademarks” (*co-authored with Prof. Hamdi Yasaman*), *In Memory of Prof. Ersin Çamoğlu, 2013 Istanbul, Vedat Publishing, p.231-246.*

EXPERIENCE IN COURT LITIGATION

Has advised clients for their court cases with regard to IP rights, including trademark, industrial design application processes, invalidation, infringement and compensation claims.

Has acted as expert for IP litigations before the Turkish IP Courts.

EXPERIENCE IN ARBITRATION

Arbitrator – Istanbul Arbitration Center (ISTAC) for IP related matters.

PROFESSIONAL TRAINING IN MEDIATION

WIPO Workshop for Mediators in Intellectual Property Disputes, Geneva, May 27 and 28, 2013.
