

Non-exhaustive list of issues and questions to facilitate preparations for bilateral meetings

I. Designations of origin and geographical indications

1. In your country, is there a system for protecting designations of origin or geographical indications comparable to the system introduced by Regulation (EEC) 2081/92?

Yes.

(in case of positive answer:)

2. Is this system based on case law? Does an individual have the right to obtain a judgement forbidding other individuals to use a certain geographical name? Does any trademark include a geographical designation?

This system is a civil law system, based on a registration procedure. With this system any individual may have the right to obtain a judgement forbidding others to use a certain geographical name. Trademarks with geographical names which are not related to specified goods or services might be registered.

3. Is this system based on State-granted protection of designations of origin and/or geographical indications? Which is (are) the competent authority(ies) responsible for registration and protection? Is there a register? In this case, what is the procedure of registration? Does the product have to comply with specifications? Please describe succinctly the requirements for specifications. Please describe the scope of the register (which products are covered?)

As mentioned above, this system is a registration system and the competent authority is Turkish Patent Institute (TPI) in accordance with the related Decree Law No 555 on the Protection of Geographical Indications. In this registration system, after the registration of the related designation of origin or geographical indication, a State-granted protection is provided for the related registration. All registrations are kept in the registry of the TPI.

The procedure of the registration is as follows:

- 1- Applicant files the application with the TPI.**
- 2- TPI examines the application and after required corrections the application is published in the Official Gazette, two widely circulated national newspapers and one local newspaper.**
- 3- After a 6-months objection period, if there is no objection the application is registered, but in case of objections, in accordance with the related**

impartial organizations' opinions TPI decides on the objection and if required, corrections are published again as mentioned above.

After the registration, every individual using the protected name must comply with the specifications of the registration.

The following is the required details asked in the application:

- a) a petition for registration including information identifying the applicant, and information concerning the applicant's group as specified in the law,**
- b) the name of the product and the designation of origin or the geographical indication to be registered,**
- c) the description of the product; technical information and documents explaining the physical, chemical, micro biological and similar characteristics of the product and if necessary of the raw material,**
- d) the definition of the geographical area, information and the documents clearly indicating the geographical boundaries,**
- e) production techniques of the product and if relevant the authentic and specific local techniques and conditions,**
- f) evidence that the product is in compliance with the provisions of the law, in respect of the sign requested for registration,**
- g) information detailing the inspection structure provided for in the law,**
- h) information detailing the labeling, marking and means of using the registered designation of origin or geographical indication,**
- i) evidence that the application fee has been paid.**

In accordance with the related Turkish law, all food and agricultural products, mine products, handicrafts, and other industrial products may be protected in this registry.

4. Who is entitled to apply for protection (e.g. group of producers / individual producer)? Once a name is registered, is any producer located in the delimited geographical area and producing products complying with the specifications entitled to use the name?

The followings are entitled to apply for protection:

- a) natural or legal persons who are producers of the product,**
- b) consumers associations,**
- c) public institutions related with the product or the geographical region.**

After the registration of the name, all producers located in the delimited geographical area are entitled to use the name if they produce in accordance with the specifications.

5. Is there an inspection system in force? Is this system based on public inspection services or on private inspection bodies?

There exists an inspection system in force, but this system is based on public bodies in general. Soon, it is expected that private organizations also shall be interested with these services.

5. Which is the extent of the protection?

Persons entitled to file an application for a geographical indication or designations of origin and those entitled to use a protected geographical sign have the right to prevent third parties from the following:

- a) any direct and indirect commercial use of a registered name in respect of products which are similar or comparable to the products registered or any use of the name which would exploit the reputation of the registered name,
- b) any usage of the name through indicating a real geographical place as a word but which conveys a false impression as to its origin; or of the translated name; or usage of the name accompanied by expressions such as 'style', 'type', 'method', 'as produced in' or other similar descriptions,
- c) any use of false or misleading indication as to the origin, nature or essential qualities of the product on the packaging, on advertising material or on documents related to the product,
- d) any packaging of the product in a container liable to convey false impression as to its origin or any other practice liable to mislead the public.

6. Please provide a list of names already protected (or in the process of being protected) at national level. Can they be in conflict with one/some of the names already registered under Council Regulation (EEC) n° 2081/92? Are there any homonyms?

Registered names and pending applications are presented below. Among registered names there are not conflicting ones.

REGISTERED GEOGRAPHICAL INDICATIONS AND DESIGNATIONS OF ORIGIN

1	HEREKE HAND-MADE CARPET (SILK) (100X100)
2	HEREKE HAND-MADE CARPET (WOOL+SILK) (80X80)
3	HEREKE HAND-MADE CARPET (WOOL)
4	SİMAV HAND-MADE CARPET
5	BÜNYAN HAND-MADE CARPET
6	SİVAS HAND-MADE CARPET (50X50)
7	TAŞPINAR HAND-MADE CARPET
8	KARS HAND-MADE CARPET
9	TÜRKMEN HAND-MADE CARPET
10	PAZIRIK HAND-MADE CARPET
11	YUNTDAGI HAND-MADE CARPET
12	SÜMER KARS HAND-MADE CARPET
13	KULA HAND-MADE CARPET
14	BERGAMA HAND-MADE CARPET
15	MİLAS HAND-MADE CARPET
16	DÖŞEMEALTI HAND-MADE CARPET
17	YAĞCIBEDİR HAND-MADE CARPET
18	YAHYALI HAND-MADE CARPET

19	ÇANAKKALE HAND-MADE CARPET
20	GÖRDES HAND-MADE CARPET
21	İNCE ISPARTA (HASGÜL) HAND-MADE CARPET
22	JIRKAN RUG
23	EŞME-YÖRÜK RUG
24	TURKISH SUPER FINE RUG
25	TURKISH RAKI (ALCHOLIC SPIRIT)
26	ESKİŞEHİR LÜLE TAŞI (A TYPE OF MINE)
27	ANTEP PISTACHIO
28	BOZDAĞ CHESTNUT DESERT
29	BAYAT TÜRKMEN RUG
30	ERZİNCAN TULUM CHEESE (CHEESE ENCASED IN A SKIN)
31	GİRESUN TOMBUL HAZELNUT
32	MALATYA APRICOT
33	ŞANLIURFA PEPPER
34	İZMİT PİŞMANİYESİ (SPECIAL TYPE OF DESERT)
35	KAYSERİ GARLIC-FLAVORED SAUSAGE
36	KAYSERİ PASTRAMI (BEEF THAT HAS BEEN SMOKED OR DRIED IN THE SUN AFTER BEING TREATED WITH SPICES).
37	ÇİMİN GRAPE
38	ERZİNCAN COPPER
39	GEMLİK TURKISH HORSE
40	KARS TURKISH SHEPHERD DOG
41	TÜRK HOUND
42	ÇORUM ROASTED CHICKPEAS
43	MARAŞ PEPPER
44	MERSİN CEZERYESİ (A CONFECTION MADE WITH NUT AND CARROTS)
45	ÖDEMİŞ POTATOS
46	KANGAL MINERAL WATER AND SPRING
47	KANGAL SHEEP
48	DAMAL DOLL
49	MUSTAFAKEMALPAŞA DESERT
50	MUSTAFAKEMALPAŞA CHEESE DESERT
51	KEMALPAŞA DESERT
52	KANGAL TURKISH SHEPHERD DOG
53	AKBAŞ TURKISH SHEPHERD DOG
54	OSMANİYE PEANUT
55	KANGAL SHEPHERD DOG
56	ANAMUR BANANA
57	SİİRT BLANKET
58	SİİRT PERDE COOKED RICE
59	PERVARİ HONEY
60	ROASTED CHICKPEAS
61	EGE SULTANİ GRAPE
62	GÜMÜŞHANE KÖMESİ (THIN SHEET OF SUN-DRIED FRUIT PULP)
63	GÜMÜŞHANE MULBERRY PESTİLİ (THIN SHEET OF SUN-DRIED FRUIT PULP)
64	SOĞANLI DOLL

65	ADANA SHISH KEBAB (BROILED MEAT)
66	ÇELİKHAN TOBACCO
67	EGE COTTON
68	ŞİİRT BÜRYAN KEBABI (ROASTED MEAT)
69	TARSUS WHITE GRAPE (TOPACIK)
70	GÖRECE BLUE BEAD
71	DEVREK WALKING STICK
72	ZARA HONEY
73	AFYON PASTRAMI (BEEF THAT HAS BEEN SMOKED OR DRIED IN THE SUN AFTER BEING TREATED WITH SPICES)
74	AFYON GARLIC-FLAVOURED SAUSAGE
75	AKŞEHİR CHERRY
76	GEMLİK OLIVE

PENDING APPLICATIONS

1	İnegöl Meatball
2	Yatağan Sword
3	Maraş Ice Cream
4	Siirt Peanut
5	Edremit Olive Oil
6	Güney Ege Olive Oil
7	Tarsus Çatalburun Hount
8	Aydın Fig
9	Afyon Lokumu (Delight)
10	Afyon Cream
11	Afyon Cream Sweet
12	Afyon White Marble
13	Samsun Lokumu (Delight)
14	Ayvalık Olive Oil
15	Bursa Candied Chestnut
16	Kütahya Tile
17	Kandıra Yogurt
18	Traditional Çarşıbaşı Keşanı (kind of cloth)
19	Solingen
20	Develi Cıvıklısı (kind of meal)
21	Ezine Cheese
22	Kastamonu Garlic
23	Yozgat Testi Kebabı (cooked in a earthenware jug)
24	İsabey Grape
25	Tarsus Yayla Bandırması (a confection of nuts strung and dipped in boiled grape juice)
26	Tarsus Hummus (food made from a mixture of ground chick peas tahini and spices)
27	Tarsus Turnip
28	Tarsus Cezeryesi (a confection made with carrots and nuts)
29	Bartın Tel Kırma (handcraft)
30	Ayvalık Lor Desert (Lor means goat's milk curd)
31	Ayvalık Toasted Sandwich
32	Ayvalık Chickpeas

- 33 Pınarbaşı Folkloric Doll
- 34 Kemah Salt
- 35 İznik Tiles
- 36 Çal Karası Grape
- 37 Şile Cloth
- 38 Belevi Black Grape
- 39 İskilip Dolması (stuffed food)
- 40 İskilip Pickle
- 41 Antep Baklavası (finely layered pastry filled with nuts and steeped in syrup)
- 42 Rize Cloth (Feretiko) (Handmade Textiles)
- 43 Kargı Tulum Cheese (matured in animal skin)
- 44 Trabzon Telkariye ve Hasırı (handcraft – kind of jewellery)
- 45 Kanyak (Alcoholic Spirit)
- 46 Turkish Sourcherry Liqueur
- 47 Turkish Apricot Liqueur
- 48 Turkish Strawberry Liqueur
- 49 Turkish Raspberry Liqueur
- 50 Ereğli White Cherry
- 51 Tekirdağ Meat Balls
- 51 Bafra Pitta Bread (slightly leavened flat bread)
- 53 Kalecik Karası Grape
- 54 Mut Apricot
- 55 Dalama Tomato
- 56 Karnavas Mulberry Molasses
- 57 Taşköprü Garlic
- 58 Tekirdağ Cheese Halvah (a sweet prepared with sesame oil, various cereals, and syrup or honey).
- 59 Tekirdağ Rakısı (Raki – Alcoholic Spirit)
- 60 Çay Sourcherry

Among the pending applications, the application with the name “Kanyak” is homonymous with the registered designation of origin, namely, the “Cognac”.

7. Do you have bilateral/multilateral agreements with other States on this issue? Please provide a list.

No.

II. Traditional specialities guaranteed

1. In your country, is there a system to protect traditional specialities, comparable to the system introduced by Reg. 2082/92?

Not at the moment but, currently, technical studies for a new legislation are being performed for traditional specialities guaranteed products.

3. If the reply to question 1 is no, are there products for which you would consider protection under this regulation as useful?

There are certainly quite a lot of products which might be protected by this regulation.

III. National quality schemes

1. In your country, are there national quality labels (granted by a public authority) concerning agricultural products and foodstuffs? Please provide a list.

No, there is not.

2. Which are the criteria for their grant?

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3. Are they open to any producer who engages to fulfil the requirements?

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4. Is there an inspection system in force? Is this system based on public inspection services or on private inspection bodies?

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