
**Council for Trade-Related Aspects of
Intellectual Property Rights**

Original: English/
anglais/
inglés

**MAIN DEDICATED INTELLECTUAL PROPERTY
LAWS AND REGULATIONS NOTIFIED UNDER
ARTICLE 63.2 OF THE AGREEMENT**

TURKEY

The present document reproduces the text¹ of Decree-Law N° 544 for the Establishment and the Functions of the Turkish Patent Institute, as notified by Turkey under Article 63.2 of the Agreement (see document IP/N/1/TUR/2).

**Conseil des aspects des droits de propriété
intellectuelle qui touchent au commerce**

**PRINCIPALES LOIS ET RÉGLEMENTATIONS CONSACRÉES À LA
PROPRIÉTÉ INTELLECTUELLE NOTIFIÉES AU TITRE
DE L'ARTICLE 63:2 DE L'ACCORD**

TURQUIE

Le présent document contient le texte¹ du Décret-loi n° 544 portant création de l'Institut turc des brevets et définissant ses fonctions, notifié par la Turquie au titre de l'article 63:2 de l'Accord (voir le document IP/N/1/TUR/2).

**Consejo de los Aspectos de los Derechos de Propiedad
Intellectual relacionados con el Comercio**

**PRINCIPALES LEYES Y REGLAMENTOS DEDICADOS A LA
PROPIEDAD INTELECTUAL NOTIFICADOS EN VIRTUD
DEL PÁRRAFO 2 DEL ARTÍCULO 63 DEL ACUERDO**

TURQUÍA

En el presente documento se reproduce el texto¹ del Decreto Ley N° 544 de creación y organización del Instituto Turco de Patentes, que Turquía notificó de conformidad con lo dispuesto en el párrafo 2 del artículo 63 del Acuerdo (véase el documento IP/N/1/TUR/2).

¹ In English only. The text in the original language is available for consultation by interested Delegations at the WTO Secretariat./En anglais seulement. Les délégations intéressées peuvent consulter le texte dans sa langue d'origine, au Secrétariat de l'OMC./En inglés solamente. Las delegaciones interesadas podrán consultar en la Secretaría de la OMC el texto en su idioma original.

**DECREE-LAW NO. 544
FOR THE ESTABLISHMENT AND
THE FUNCTIONS OF
THE TURKISH PATENT INSTITUTE**

Decision No: KHK/ 544

The establishment of the Turkish Patent Institute has hereby been decided by the Council of Ministers on 19/6/1994 based on the power granted by the Law No:4004 dated 16/6/1994.

**PART ONE
General Provisions**

**SECTION ONE
Establishment and Objective**

Establishment and Objective

Article 1 - Turkish Patent Institute has hereby been established, as an independent legal entity with a special budget being attached to the Ministry of Industry and Trade to be liable under special judiciary provisions for matters not provisioned by this Decree-Law, with the objective of supporting the technological development in Turkey and of establishing and protecting of industrial property rights, as well as providing the public with the world-wide information on industrial property rights, thereby supporting the cultivation of a competitive environment and the development of research & development activities. The Turkish Patent Institute established as a public institution shall have "TPE" as its initials.

The headquarters of the TPE shall be in Ankara.

Definitions

Article 2 - For the purposes of this Decree-Law the following when cited in the text shall mean as:

- a) Institute: The Turkish Patent Institute
- b) Managing Board: Managing Board of the Turkish Patent Institute
- c) Advisory Board: Advisory Board of the Turkish Patent Institute
- d) Presidency: Presidency of the Turkish Patent Institute
- e) Ministry: Ministry of Industry and Trade.

SECTION TWO

Functions and Organisation

Functions

Article 3 - Institute, with the objective of giving support to the technological and industrial development of the country, shall:

- a) implement services for the registration of industrial property rights provisioned by the Patent and the Trademark Laws and other related Acts and undertake related activities for the protection of such rights thereof,
- b) act as the mediator in the cases of compulsory licensing and act as technical advisors at the courts,
- c) enter into the related registers the transfer and licensing agreements,
- d) keep watch on the usage of inventions, and store and disseminate information on new technologies and technology transfers,
- e) establish co-operation with international organisations and other foreign organisations which are active in the same area of interest,
- f) represent Turkey at the international organisations as approved by the Ministry,
- g) contribute to the preparation of the international agreements on industrial property rights within the perspective of the country's needs and interests, and implement these agreements in Turkey,
- h) undertake co-operation with international organisations which are pursuing technology and research & development activities, and create documentation centres and supply information to the public,
- i) publish material on industrial property rights and a periodical with the name of Turkish Industrial Property Gazette,
- j) undertake necessary studies and action to inform the public on the developments in industrial property matters,
- k) undertake other functions as delegated by the laws.

Organs and Administrative Units

Article 4 - Institute shall be composed of the following organs and administrative units:

- a) Managing Board
- b) Advisory Board
- c) Presidency
- d) Re-examination and Evaluation Board
- e) Main Administrative Units
- f) Auxiliary Service Units
- g) Consultancy Units

Managing Board

Article 5 - Managing Board is the highest management and decision making organ of the Institute.

The Managing Board shall have seven members, as composed of one member each from the Ministry of Justice and Ministry of Finance, two members from the Ministry of Industry and Trade or attached institutions, the President and the two vice-presidents of the Institute'.

President of the Institute shall act as the Chairman of the Managing Board.

Board members shall be appointed by a joint-decree upon the request of their respective Ministries. President and vice-presidents shall be appointed by a joint-decree upon the request of the Ministry of Industry and Trade.

The term of office of the members of the Managing Board shall be five years, and may be renewable at expiry.

Replacement of vacancies in the Board shall be appointed by the same rules and the new appointee shall serve the remaining term of the replaced member.

Managing Board shall elect one of the vice-presidents to replace the President in the event of the President's absence at the Board meetings.

The procedures and rules of work of the Managing Board shall be determined by an Implementing Regulation to be issued by the Ministry.

The Functions and Powers of the Managing Board

Article 6 - The Managing Board shall be responsible for ensuring that the Institute performs the duties conferred on it by this Decree-Law and other statutory obligations. For these purposes the Board:

a) shall take all the necessary administrative, financial and technical measures to enable the Institute to perform its duties efficiently and productively. Shall prepare the implementing regulations and put to implementation, upon the approval of the Ministry as required for the effective performance of the Institute.

b) shall execute the statutes related with the Institute,

c) shall approve the Institute's budget,

d) shall deliberate and decide upon the activity and financial reports,

e) shall prepare and execute short and long term work programmes and determine topics of research on industrial property rights within the perspectives of the development plans and the yearly programmes,

f) shall prepare, and submit for approval to the Ministry, the schedule of fees to be implemented for the services of the Institute,

g) shall decide upon the appointments requested by the President,

h) shall, where necessary call the meetings of the Advisory Board,

i) shall deliberate and decide upon the advisory decisions of the Advisory Board,

j) shall decide on organising symposiums, seminars, conferences or similar activities to inform the public on the topics within the Institute's area of responsibility,

k) shall create, where it is found to be necessary, permanent or ad hoc committees to obtain the observations of experts in the industrial property area,

l) shall decide on the purchase, sale or rental of fixed and liquid assets of the Institute and on the construction of an administration building.

The Managing Board shall have a minimum of two meetings a month, at the request of the Chairman of the Board.

The Managing Board shall convene with a minimum of four members, and decisions shall be taken by a simple majority of those attending. In case of equal casting of votes, the Chairman's vote shall count as double.

One or more members of the Managing Board may assign powers of attorney to the Chairman in writing and defining clearly the scope of the assigned power. However, such assignment of power shall not remove the liabilities of the assigning member.

Advisory Board

Article 7 - Advisory Board as the consultative unit of the Institute shall be composed of:

one member each from the Ministries of Justice, Defence, Foreign Affairs, Transportation, Environment, Industry and Trade, and Culture; one member each from the Undersecretariats of the State Planning Organisation, Treasury, Foreign Trade, and Customs, one member from the Turkish Scientific and Technical Research Institute, five members from the Universities to be appointed by the High Education Council, one member each from the Turkish Atomic Energy Institute, the National Productivity Centre, the Union of Chambers of Architects, one member each from the Confederations of the Labour Unions and the Employers Unions selected from confederations with the highest number of members.

The Managing Board may call experts to attend the meetings where required.

The duration of the terms of the members of the Advisory Board shall be two years. Members may be re-elected upon termination of their term.

The procedures of work of the Advisory Board shall be defined by a Implementing Regulation to be issued by the Ministry.

The Advisory Board shall convene at least once a year. The meeting shall be chaired by the Ministry of Industry and Trade or by the person appointed by him.

The Functions of the Advisory Board

Article 8 - The Advisory Board, to assist the Institute in performing its activities, shall:

a) provide advice and observations on the effective means of protecting industrial property rights, creating a competitive environment and promoting technological development of Turkey within the perspectives of the development plans and the annual programmes,

b) provide advice and observations on the Institute's principles of operation,

c) provide advice and observations on the Institute's activity reports and financial reports.

Presidency

Article 9 - President is the highest executive officer and represents the Institute. Presidency is made up of the President and the two Vice-presidents.

President of the Institute and the Vice-presidents shall be appointed by a joint-decree for a term of five years. Upon termination of the term re-appointment shall be available. The Vacancy of office, for any reason, shall be filled by appointment through the same procedure within one month and the new appointee shall complete the remaining term of his predecessor.

The President, Vice-presidents and Department Heads who have not been re-appointed to the same position upon the termination of their terms, shall be appointed to other offices suitable with their salary scale earned as of right.

The President shall be responsible for ensuring that the services of the Institute are executed in conformity with the national statutes, the international agreements in respect of industrial property rights to which Turkey has become party, the national security policies, the development plans and the annual programmes, and with the decisions of the Managing Board. President shall prepare the Institute's activity report and the financial report and submit for approval to the Managing Board. The President shall be liable for the actions of the Institute, and shall have the responsibility and be powered for the inspection of Institute's activities and accounts.

Re-examination and Evaluation Board

Article 10 - The appeals of an applicant or of the third parties against the decisions of the Institute, in respect of the registration procedures of the industrial property rights, shall be examined and evaluated by the Re-examination and Evaluation Board.

The decisions on the appealed matters to be re-examined and evaluated shall be taken by this board to be chaired by the President of the Institute or by one of the Vice-presidents of his choosing, and composed of minimum two members appointed by the President from the Institute among those who are experienced on the appealed subject matter and have not been party to the decision which has been appealed.

The decisions of the Re-examination and Evaluation Board shall be considered as the final decision of the Institute. Actions can be brought against these decisions at the related courts.

The principles of operation and procedures of the Re-examination and Evaluation Board shall be determined by an Implementing Regulation to be approved by the Ministry.

PART TWO **Administrative Units**

SECTION ONE **Main Administrative Units**

Main Administrative Units

Article 11 - The main administrative units of the Institute are:

- a) Patents Department,
- b) Trademarks Department,
- c) International Relations Department.

Patents Department

Article 12 - The functions of the Patents Department shall be:

- a) to receive, examine, search, register, and keep the records and files of patent applications in conformity with the provisions of the related statutes,
- b) to execute the procedures concerning transfer, licensing and other amendments with respect to patents and patent applications within the provisions of the related statutes,
- c) to execute actions with respect to publication, classification and keep the Patent Register,
- d) to undertake other functions as may be delegated by the Presidency.

Trademarks Department

Article 13 - The functions of the Trademarks Department shall be:

- a) to receive, examine, search, register, and keep the records and files of trademark applications in conformity with the provisions of the related statutes,
- b) to execute the procedures concerning transfer, licensing and other amendments with respect to trademarks and trademark applications within the provisions of the related statutes,
- c) to execute actions with respect to publication, classification and keep the Trademark Register,
- d) to undertake other functions as may be delegated by the Presidency.

International Relations Department

Article 14 - The functions of the International Relations Department shall be:

- a) to follow up and examine the international agreements which are related with the functions of the Institute, and to undertake necessary work to fulfil the requirements prescribed by this agreements,
- b) to undertake the necessary action to participate at the international agreements in conformity within the provisions of Law no: 1173,
- c) to bring forward proposals to the Presidency when amendments are required in the statutes,
- d) to follow up on and to acquire foreign statutes,

e) to undertake other functions as may be delegated by the Presidency.

SECTION TWO

Auxiliary Service Units

Auxiliary Service Unit

Article 15 - The Auxiliary Service Units of the Institute are:

- a) Personnel Department,
- b) Administration and Finance Department,
- c) Information and Documentation Department,
- d) Data Processing Department.

Personnel Department

Article 16 - The functions of the Personnel Department shall be:

- a) to undertake services related with keeping personnel files, service contracts, promotions, health, leaves, travel pay and other services related with the personnel,
- b) to organise in-services training programmes and social services,
- c) to undertake other functions as may be delegated by the Presidency.

Administration and Finance Department

Article 17 - The functions of the Administration and Finance Department shall be:

- a) to execute the procedures with respect to procurement, payments, collection of revenues as required by the Institute in conformity with the provisions of the related laws and statutes,
- b) to submit proposals to the Managing Board with respect to maintenance, repair and cleaning services, and the procurement, sale or rental of the Institute's assets and implement these as approved by the Managing Board,
- c) to arrange for an efficient in flow and out flow of files as well as for the storage of files,
- d) to keep the records of the office equipment and supplies,
- e) to undertake other functions as may be delegated by the Presidency.

Information and Documentation Department

Article 18 - The functions of the Information and Documentation Department shall be:

- a) to publish educational and informative books, brochures, and periodicals with respect to the functions of the Institute,
- b) to publish documents on industrial property rights,
- c) to collect and store information and documents on patents and trademarks registered locally and abroad, and to provide them to the service of the public,
- d) to publish the Official Industrial Property Gazette,
- e) to undertake other functions as may be required by the Presidency.

Data Processing Department

Article 19 - The functions of the Data Processing Department shall be:

- a) to create a data processing system in the Institute and to operate and develop the related hardware and the software,
- b) to store the information and documents related with the industrial property rights into the media of the computer system,
- c) to undertake the necessary arrangements to enable the related units of the Institute to gain easy access to the information stored in the computer system,
- d) to undertake other tasks as may be delegated by the Presidency.

Consultative Units

Article 20 - Consultative Units of the Institute are:

- a) Research, Planning and Co-ordination Department,
- b) Legal Department.

Research, Planning and Co-ordination Department

Article 21 - The functions of the Research, Planning and Co-ordination Department shall be:

- a) to assist in the preparation of the main policies and plans of the Institute,
- b) to develop plans and project for the productive utilisation of the manpower, funds, equipment and other such resources available for the execution of services in most effective and economic means,
- c) to prepare the Institute's annual operation programmes,
- d) to follow up the technological developments,
- e) to undertake work to evaluate technological requirements for economic development of the country,
- f) to undertake other tasks as may be delegated by the Presidency.

Legal Department

Article 22 - The functions of the Legal Department shall be:

- a) to undertake work for updating the provisions of the statutes related with industrial property rights,
- b) to act as advisors to the Managing Board and the Presidency in respect of legal matters,
- c) to keep ready for service, national and international laws, treaties, regulations, other statutes, reports and related works dealing with industrial property rights,
- d) to represent the Institute at the courts,
- e) to execute other tasks as may be delegated by the Presidency.

Attorneys at law, Legal Advisers and other personnel working in the Legal Department are also entitled, within the provisions of the Law no: 1389 on the Counselling Fees to be awarded to the Attorneys at Law Representing the State at Courts, to the counselling fee as determined by the courts and execution offices.

PART THREE
Appointment Conditions, Budget and Personnel

SECTION ONE
Conditions of Appointment

Conditions of Appointment

Article 23 - The members of the Managing Board shall be appointed among those who have completed minimum four years of higher education in law, engineering, economics, business administration or finance, and have gained sufficient experience in profession, and have worked a minimum total of 10 years in Institutions prescribed by Article 87 of the Law no: 657. These members must also comply with the conditions provisioned in paragraph A, except subparagraph 3, of Article 48 of the State Personnel Law no: 657.

The members of the Managing Board, the President and the vice-presidents cannot be removed from office before the termination of their tenure. Notwithstanding, where they no longer comply with the conditions of appointment, or where they committed offences for which judgement has been declared by the Courts in respect of the duties conferred on them by Laws, their duties shall terminate thereof.

For appointments as department heads and for managerial positions, the length of service in the Institute and experience gained locally and abroad with respect to the subject matter related with the position of appointment shall also be evaluated and taken into consideration, in addition to the requirements provisioned by the State Personnel Law.

For appointments as heads of department and for managerial positions at the Departments of Patent, International Relations, Information and Documentation, the knowledge of at least one of the foreign languages of English, French or German shall be evaluated with priority.

The Institute personnel, except for those to be appointed by a joint-decree, shall be appointed by the Managing Board at the request of the President.

To be appointed at the Institute:

a) as a junior expert; in addition to the requirements of the State Personnel Law, it shall be required:

1. to have graduated from a university of four years,
2. to have passed the proficiency examination to be administered,
3. not to have become 30 years of age on the first of January of the year in which the proficiency examination is taken.

b) as an expert; it shall be required to have worked in the Institute minimum of three years as a junior expert, to have obtained positive job reference, and to have passed the proficiency examination.

Those who have failed in two consecutive exams shall be transferred to other appropriate positions.

Those to be appointed at the expert's position under Technical Services Class are required to have a good knowledge of at least one of the foreign languages of English, French or German.

The principles and procedures in respect of the junior experts and their training arrangements shall be determined by an Implementing Regulation to be issued by the Ministry.

SECTION TWO

Inspection, Revenues, Expenditures and Budget

Inspection

Article 24 - For the purposes of inspection, Institute shall be under the Jurisdiction of the High Inspection Board.

Revenues, Expenditures and Budget

Article 25 - Revenues of the Institute shall be:

- a) the fees collected for the services of the Institute,
- b) other revenues.

The dues for patent and trademark applications provisioned by the Schedule no: 8 of the Law on Duties no: 492 shall be collected by the Institute along with the fees for the services of the Institute. The duties collected as such shall be transferred to the Ministry of Finance latest by 21st day of the following month.

The expenditures of the Institute shall be executed in accordance with the budget approved by the Managing Board.

SECTION THREE

Personnel

Personnel

Article 26 - With exception to and without being bound by the provisions concerning the personnel under service contract of the State Personnel Law no: 657 and the related provisions of the other Laws, it shall be possible to appoint under special service contract personnel at the positions of the President, Vice-president, Department Head, Legal Advisor, Advisor, Section Chief, Patent Expert, Trademark Expert, Expert, Junior Patent Expert, Junior Trademark Expert, Translator, Inscriptor, Programmer, Computer Operator. Foreign

experts may also employed under a service contract. The employment of foreign experts shall be executed under the provisions of an Implementing Regulation to be prepared by the Institute and approved by the Ministry.

For tasks which require specific qualifications special case contracts may be implemented by the decision of the Managing Board.

Local or foreign personnel may be employed for medical and training related activities upon the approval of the Managing Board.

The principles and the procedures of the contract, salaries and other payments, with respect to those employed as referred above, shall be determined by the Council of Ministers.

Personnel under the special service contracts shall be covered by the State Pension Fund if they request as such.

Institute may utilise the services of other local or foreign establishments in carrying out services with respect to patents and trademarks.

The fees due to these organisations for such services utilised shall be collected by the Institute along with the fees for its own services and the respective fees due to the related establishments shall be reimbursed by the Institute.

Staffing of the Institute

Article 27 - Creation, utilisation and repealing of staff positions and other related matters with respect to staff positions shall be determined in accordance with the provisions of the Decree-Law for General Staffing Procedures No: 190.

PART FOUR Other Provisions

Provisions not to be Implemented

Article 28 - The provisions of the General Accounting Law No: 1050 shall not apply with respect to the acts and implementations to be undertaken by the Institute established by this Decree-Law. Furthermore; Institute is not bound by the State Tendering Law no: 2886 for its procurements, rentals and other actions.

An Implementing Regulation defining the Institute's procurement, rental and other related procedures shall be drafted by the Institute and shall become effective after obtaining the Ministry of Finance's positive observation upon the approval of the Ministry.

Implementing Regulations

Article 29 - The Implementing Regulations provisioned by this Decree-Law and required as to the arrangements for the organisational structure of the Institute shall be prepared within three months of the first meeting of the Managing Board.

Those Authorised to be Representatives Before the Institute

Article 30 - Representation on behalf of the application right holders before the Institute may only be undertaken by natural or legal persons with the following qualifications.

Real persons shall have the following qualifications to be an agent:

- a) to be Turkish citizen,
- b) to possess legal maturity,
- c) to be domiciled in Turkey,
- d) to have not been convicted of criminal offence,
- e) to have completed minimum four years of higher education,
- f) to have passed the Proficiency Examination for Agents administered by the Institute as prescribed by the Implementing Regulation,
- g) to have obtained Professional Liability Insurance at a value determined by the Managing Board of the Institute.

Legal persons acting as representatives, must be represented by a natural person who has the qualifications of an agent.

Proficiency Examination for Agents shall be administered once a year for patent agents and trademark agents separately. Achievement in both examination shall be required to act both as a patent and trademark agent.

Patent agents and trademark agents shall be entered into the respective registers kept by the Institute.

Agents shall be liable to represent the related persons, before the Institute, in the establishment, protection of industrial property rights and in all procedures for the establishment and execution of the relations with the administration. The related provisions of the Code of Obligations shall prevail with respect to agents.

Those who have worked at the Institute minimum of three years as the President, Vice-president, Department Head, Section Chief, Expert or as Junior Expert upon leaving the Institute shall be entitled to act as agents without entering the proficiency examination.

Provisions Repealed

Article 31 - The expression "Department of Industrial Property" printed at the 9th line of Annex-1 titled Main Service Units of the Ministry Central Organisation, the subparagraph (i) of Article 8, subparagraph (f) of Article 2, and Article 15 of Law no: 3143 on the Organisation and the functions of the Ministry of Industry and Trade as well as the Decree-Law no: 518 have hereby been repealed.

Provisional Article 1- All books, documents, periodicals, publications, files, computers and all other such movable assets belonging to the Department of Industrial Property of the Ministry of Industry and Trade have hereby been transferred to the Institute.

Provisional Article 2- The staff and auxiliary personnel working at the Department of Industrial Property of Ministry of Industry and Trade on the date this Decree-Law comes into effect shall have the right to become the personnel of the Institute. Those transferring to the Turkish Patent Institute from the Department of Industrial Property whose titles and positions have been altered shall be considered to have been appointed to their new positions.

Those whose titles or positions have been altered or repealed shall be delegated appropriate responsibilities until appointed to their new positions, and shall receive salaries and other remuneration as accorded by their previous positions until such time such payments have been resolved by the salaries and all other remuneration accorded by their new positions.

Provisional Article 3- Ministry of Industry and Trade shall continue to process all actions with regard to industrial property rights until the Institute is organised.

Provisional Article 4- The President, vice-presidents and members of the Managing Board shall be appointed latest within 15 days after this Decree-Law becomes effective. Members of the Advisory Board shall be appointed within two months after the first meeting of the Managing Board.

Provisional Article 5- Of those personnel of the Ministry of Industry and Trade Department of Industrial Property with an higher education degree who have been working at least two years on industrial property matters on the date of coming into force of this Decree-Law, shall be eligible for entry, of not more than two tries, to take the junior expert proficiency examination irrespective of their age and without having to comply with the terms specified in the Implementing Regulation. The successful candidates shall be appointed at the expert and junior expert positions according to their achievement rankings in the examination.

Provisional Article 6- The positions created as shown in the Schedule given in Annex-1 have hereby been appended on to the schedules annexed to the Decree-Law no: 190 as a section of Turkish Patent Institute.

The positions transferred from the Department of Industrial Property to the Turkish Patent Institute under the Decree-Law no: 518 and positions created by the same Decree have hereby been repealed and deleted from the schedules of the Ministry of Industry and Trade annexed to the Decree-Law no: 190.

Provisional Article 7- Those who do not comply with the provision of subparagraph (e) of Article 3 shall have the right to enter the Proficiency Examination for Agents for a maximum of three tries provided that they have acted as an agent for 20 applications per year, for every year without interruption during the four years preceding the date coming into force of this Decree-Law. These persons shall have the right to enter the examination only on the matter which they have uninterruptedly acted as agents. Those requesting entry to both the patent and trademark examinations, to be eligible must have acted as agents for minimum of 20 applications on each subject matter respectively for every year.

Provisional Article 8- The first Proficiency Examination for Agents shall be administered within three months after the coming into force of the related Implementing Regulation. The results of the examination shall be announced within 15 days. After the announcement of the results of the examination, only those who have passed the examination shall have the right of representation before the Institute. Agents who have acted on applications prior to the date of announcement may continue to act only in relation to these applications. For other applications of the same applicant to be filed after this date only the authorised agents registered at the Institute shall have the right to act as agents.

Provisional Article 9- The expression of "Ministry of Industry and Trade" contained in the Patent Law dated 23 March 1879 and in the Trademarks Law no: 551 have hereby been amended as "Turkish Patent Institute".

As from the date of creation of the Turkish Patent Institute, Patent and Trademark applications shall be filed at the Turkish Patent Institute.

Provisional Article 10- The Turkish Patent Institute's expenditures for the 1995 financial year shall be met from the budget of the Ministry of Industry and Trade.

Provisional Article 11- The expression of "President of the Turkish Patent Institute" to come after the expression of "President of the Insurance Audit Board" in part (d), and expression of "patent expert", "trademark expert" to come at the end of part (h) have hereby been inserted at the Section "I- General Administrative Services Class" of the Schedule No.I, and the expression "Vice-president of the Turkish Patent Institute" have been inserted to come after the expression "Vice-president of the State Personnel Directorate" at the Section "I-Judicial Institutions, Attached Institutions and Higher Education Institutions" of the Schedule No.II of the State Personnel Law no: 657.

Provisional Article 12- Following amendments hereby have been made of the State Personnel Law no: 657;

a) the insertions of the expressions of "Assistant Trademark Expert", "Assistant Patent Expert", to come after the expression "Consumer and Competition Assistant Expert", and insertion of the expressions of "Trademark Expert" and "Patent Expert" to come after the

expression of "Consumer and Competition Expert", at the paragraph (11) of the Section "Common Provisions" of Article 36,

b) the insertion of the expressions of "Trademark Experts" and "Patent Experts" to come after the expression of "Consumer and Competition Experts" in the subparagraph (i) of the paragraph "A-Special Service Compensation" under the Section "II-Compensations" of the Article titled "Salary Raises and Compensation".

Entry into Force

Article 32 - This Decree-Law shall enter into force on the day of publication.

Execution

Article 33 - This Decree-Law shall be executed by the Council of Ministers.

(Published in the Official Gazette No: 21970 dated 24 June 1994)
