

December 11, 2023 09:00-12:10 CET, via Zoom

إنتاجُ أفضل، وتغذيةً أفضل، وبيئةً أفضل، وحياةً أفضل.

更好生产、更好营养、更好环境、更好生活。

Better Production, Better Nutrition, Better Environment and Better Life.

Amélioration de la production, amélioration de la nutrition, amélioration de l'environnement et amélioration des conditions de vie.

Улучшение производства, улучшение качества питания, улучшение состояния окружающей среды и улучшение качества жизни.

Mejor producción, mejor nutrición, mejor medio ambiente y una vida mejor.

IMPORTANCE AND MODALITIES FOR GI CONTROLS

The Role of Certification and Controls
In Strengthening The Sustainability of GIs
In Türkiye

Gonca Ilicali, IP Expert

GIs Department / Turkish Patent and Trademark Office

GIs In TÜRKİYE



AUTHORITY

Turkish Patent and Trademark Office

-TURKPATENT-

(under TR Ministry of Industry and Sui generis' system!

Technology)

LEGISLATION

- **Intellectual Property Law No: 6769 (2017)**
 - * PGI and PDO date back 1995
 - * TSG dates back 2017 (TSG isn't an IP right)
- **Implementing Regulation**
- **Implementing Regulation for Emblems**







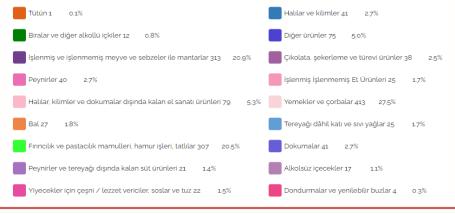
PGI

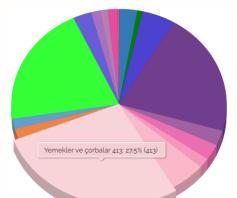
PRODUCTS ELIGIBLE TO PROTECT

- Foodstuffs and agricultural products (including wines and spirits)
- Mining products
- Handicrafts
- Industrial products

First 3 product groups:

- %27,5 meals&soups
- %20,9 processed/unprocessed fruits&vegetables
- %20,5 bakery products&desserts







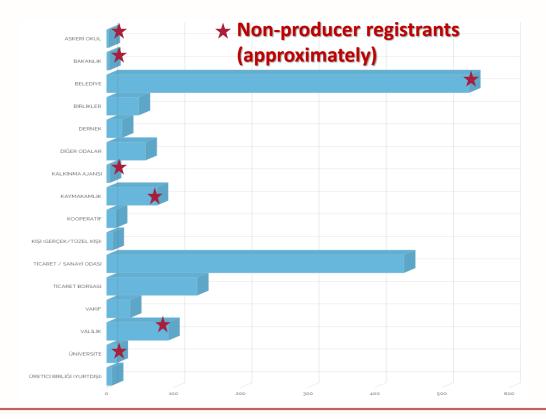


- Producer groups
- If proved, the sole producer of the product
- Associations, cooperatives
- Public institutions related with the product or the geographical area

 "ts High Level Protection"

 TRIPS) for all!

 TRIPS)





FOREIGN PDOs/PGIs IN TR

Registered (10): Champagne, Cognac, Duoro, Scotch Whisky, Zivania / Zivaniya, Hellim / Halloumi, Parmigiano Reggiano, Grano Padano, Prosciutto Di Parma, Gorgonzola

Through FTA (3): Pisco, Korean White Ginseng, Korean Red Ginseng

TURKISH PDOs/PGIs/TSGs IN THE EU

Registered (18): Antep Baklavası / Gaziantep Baklavası, Aydın Kestanesi, Aydın İnciri, Bayramiç Beyazı, Malatya Kayısısı, Milas Zeytinyağı, Taşköprü Sarımsağı, Giresun Tombul Fındığı, Antakya Künefesi, Suruç Narı, Çağlayancerit Cevizi, Edremit Zeytinyağı, Gemlik Zeytini, Milas Yağlı Zeytini, Ayaş Domatesi, Maraş Tarhanası, Edremit Körfezi Yeşil Çizik Zeytini, Ezine Peyniri

PDO/PGI applications: 42

TSG applications: 5

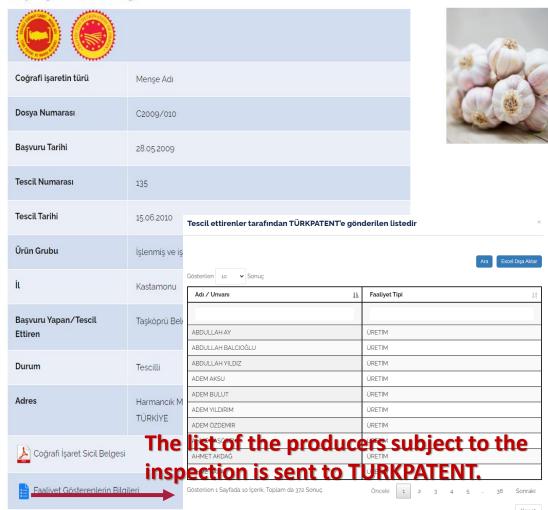
PDO/PGI/TSG INSPECTIONS IN THE IP LAW

- Provisions regarding the inspection are very detailed.
- For each of the registrations, inspection is carried out by an 'inspection board' coordinated by the registrant and consisting of generally by the participation of the relevant local public organizations, universities, producers unions, etc.
- Inspection reports are submitted to TURKPATENT once a year.
- If inspections are not carried out or repeating improper inspections exists, 'change of registrant' provision (Article 43) applies.
- Inspection functions also as a tool to assess the need for the revision of the registration content.



https://ci.turkpatent.gov.tr/

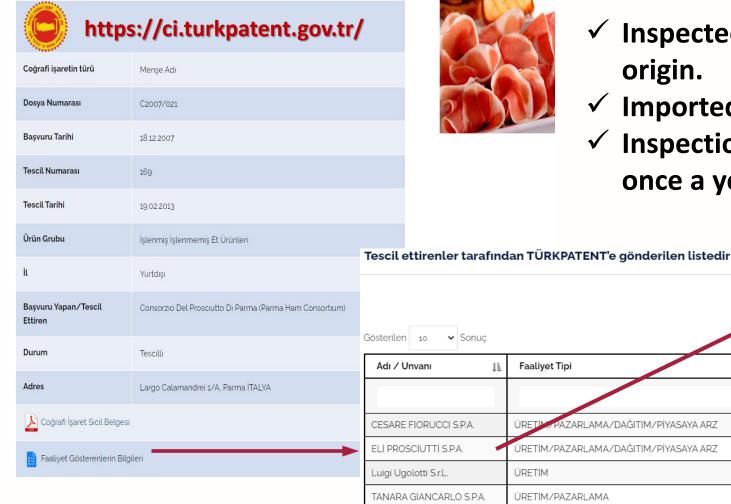
Taşköprü Sarımsağı



PDO/PGI/TSG INSPECTIONS IN THE IP LAW

An example for a foreign PDO registered in Türkiye.

Prosciutto Di Parma (Parma Ham / Parma Jambonu)





Faaliyet Tipi

ÜRETİM

ÜRETİM/PAZARLAMA

AZARLAMA/DAĞITIM/PİYASAYA ARZ

ÜRETİM/PAZARLAMA/DAĞITIM/PİYASAYA ARZ

- Inspected by the CSQA in the country of origin.
- ✓ Imported to Türkiye.
- ✓ Inspection report is submitted to TURKPATENT once a year.





PDO/PGI/TSG RELATED INSPECTIONS IN OTHER LEGISLATION (OTHER THAN IP LAW)

 Ministry of Agriculture and Forestry: Control activities for foodstuffs and agricultural products within the scope of Article 23 of the Veterinary Services, Plant Health, Food and Feed Law No. 5996

(Difference from the EU system: Official controls haven't been delegated to the control bodies.)

 Ministry of Trade: Investigation upon complaint within the scope of Consumer Protection Law No. 6502 (Unofficial data for 2022: 7 complaints (6 monetary fines)

