

## Turkey Legal Update

February 2020

### Turkish Color of the Month

Born in Elazığ on the east of Turkey, Saim Dursun, depicts, with the warm liveliness of light and color on his spatula, the true Anatolian picture uncovering the strong willpower of Turkish people and their joy of life despite hardship. Painter Saim Dursun passed away in August 13, 2021 at the age of 62.



By Saim Dursun ©

### Notes from the 2019 Corruption Perceptions Index for Turkey

Business Crimes and Anti-Corruption  
By Filiz Toprak Esin and Asena Aytuğ Keser

On 23 January 2020, Transparency International announced the much-awaited results of the 2019 Corruption Perceptions Index. Turkey scored 39/100 with a loss of 2 points compared to the last year and dropped to 91 from 78 at the ranking.

### News and Events



#### Arbitration School Panel

Mehmet Gün and Bilge Kağan Çevik spoke at the panel organized by Marmara University and ISTAC.



#### Our New Lawyers

Selin Bilik, Ayşenur Çıtak and Ahmet Niyazi Ülkü completed their formal internship at our firm and obtained their lawyer licenses.



#### Global IP Awards by IAM/WTR

We are delighted to have been selected as the "Trademark Firm of the Year" for 2020 in Turkey by Global IP Awards.

### Amendment on Commercial Communication Regulation in Turkey

Technology, Media and Telecom , Data Protection and Privacy  
By Begüm Yavuzdoğan Okumuş

Legislation on commercial electronic messages has been updated subsequent to the amendment regulation published on 04.01.2020. Service providers are obliged to register with the Message Management System ("İYS") and must transfer e-messaging consents to the system before 01.06.2020.

### Unfair Approach of Turkish IP Courts while Assessing "Bolar Exemption"

Patents and Utility Models  
By Özge Atılğan Karakulak and Aysel Korkmaz Yatkın

The bolar exemption should not be interpreted in a one sided manner, rather in a more balanced way for innovative and generic companies. It is essential for both firms to determine whether there is an infringement in advance for "certainty".

### CJEU Declares the Criteria to be Considered in Determination of Bad Faith

Trademarks and Designs  
By Zeynep Seda Alhas and Berrin Dinçer Özbey

In its judgement of 12 September 2019, the European Union Court of Justice ("CJEU") held that the applicant was acting in bad faith and ruled how the conditions sought for bad faith should be examined.



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We are a full service law firm providing national and international businesses with transactional, advisory and dispute management services across a broad range of industry sectors in Turkey. All lawyers work in Turkish and English and majority of them also offering fluency in German and French.

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