### **Türkiye Legal Update**

### September 2022

#### **Turkish Color of the Month**

Born in Elaziğ on the east of Türkiye, 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.



© Saim Dursur

#### Substantial Amendments to the Regulation on Distance Contracts

Corporate and M&A

By Görkem Bilgin and Yalçın Umut Talay

New obligations related to distance contracts are detailed especially for intermediary service providers. Most regulations will come into force as of October 1, 2022 whereas certain provisions especially for right of withdrawal is postponed to January 1, 2024.

#### **News and Events**



Our 2022-2023 Legal Interns Joined

Congratulations and a warm welcome to our 2022-2023 legal interns!



Mehmet Gün has been listed in IAM Strategy 300 2022 - The World's Leading IP Strategists

Mehmet Gün, our founding partner, is listed in IAM Strategy 300 Global Leaders 2022.



Hande Hançar Is Giving "IP Law" Course at TOBB University during 2022-2023 Academic Year

Hande Hançar, is giving "IP Law" course at TOBB University of Economy & Technology, Faculty of Law as a visiting lecturer during 2022-2023 academic year fall semester.



Webinar: Modern Disputes Management and Arbitration for Competitive Economies

Istanbul Arbitration Association and a panel of global experts discussed the ways in which modern dispute management processes can be improved and the role arbitration can play in resolving legal cases.

### Draft Guideline on Processing Genetic Data

Data Protection and Privacy

By Begüm Yavuzdoğan Okumuş and Yalçın Umut Talay

The Turkish Personal Data Protection Authority made profound evaluation about processing and cross-border transfer of genetic data and explained data security measures which may be required to be taken.

### How to File an Individual Application with Constitutional Court

Dispute Management

By Beril Yayla Sapan and Kardelen Dorken

Act on Establishment and Procedure Rules of the Constitutional Court and the Internal Regulation regulates the procedure of individual applications to the Constitutional Court on grounds that fundamental rights are violated by public force.

# Advertisement Containing Blurred Images of Rivals' Products is Banned

Technology, Media and Telecom

By Hande Hançar and Baran Güney

Advertisement Board confirmed the scope of permitted comparative advertising in its recent decision ruling against an advertisement which contained blurred images of the competitors' products in an identifiable manner.

### A Milestone Decision on the Patentability of Second Medical Use Claims

Patents and Utility Models , Life Sciences

By Selin Sinem Erciyas and Aysel Korkmaz Yatkın

The General Assembly of the Court of Appeal ruled that second medical use claims granted as per EPC 1973 do not lack legal basis and can only be revoked if they lack patentability criteria.

## Recent Legal Updates Regarding NFTs First Preliminary Injunction Regarding NFTs Issued by a Court in Turkey

Trademarks and Designs

By Mutlu Yıldırım Köse and Havva Yıldız

In this article we update you on the recent developments in NFT world and look into the details of Turkey's first preliminary injunction decision regarding NFTs and EUIPO's guidance on the classification of the same.





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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