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Turkey Introduces New Regulation on Code of Conduct and Discipline of Patent and Trademark Attorneys

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The Turkish Patent and Trademark Office (the Office) published the Regulation on the Code of Conduct and Discipline of Patent and Trademark Attorneys on May 18, 2017, following the **entry into force of the Industrial Property Code** on January 10, 2017.

Article 30/A of the Law of the Establishment and Functions of the Turkish Patent and Trademark Office no. 5000, which was introduced by Article 182 of the IP Code, sets forth that disciplinary sanctions shall be exercised against those trademark and patent attorneys who are acting and behaving against the professional codes of the patent and trademark attorney profession. Disciplinary penalties, and the acts against which these penalties will be applied, are listed in the subsequent paragraph of Article 30/A, whereas the **recently published Regulation** introduces the rules regarding the code of conduct for patent and trademark attorneys. The code of conduct regulates the relationships between attorneys and clients, other attorneys, and the Office. Rules and procedures relating to the complaint and investigation process by the disciplinary board are also comprised in the Regulation.

Naturally, there are questions regarding the interpretation of some basic concepts, such as conflict of interest, transfer of files, approach to potential clients, and advertising. It is expected that the Disciplinary Board of the Office will shed light on these issues by either publishing sample cases on its website, by concealing the confidential information, or by publishing guidelines.

The provisions of the IP Code and the Regulation on the Code of Conduct and Discipline has filled a gap in the profession of patent and trademark attorneys, as there were no provisions or regulations directly referring to code of conduct and discipline in the former legislation.

The leading intellectual property associations in Turkey are quite enthusiastic about the new regulation, and most stakeholders believe that this is a milestone for the IP profession in paving the way for the IP profession to reach international standards.

Although every effort has been made to verify the accuracy of items in the *INTA Bulletin*, readers are urged to check independently on matters of specific concern or interest.

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