

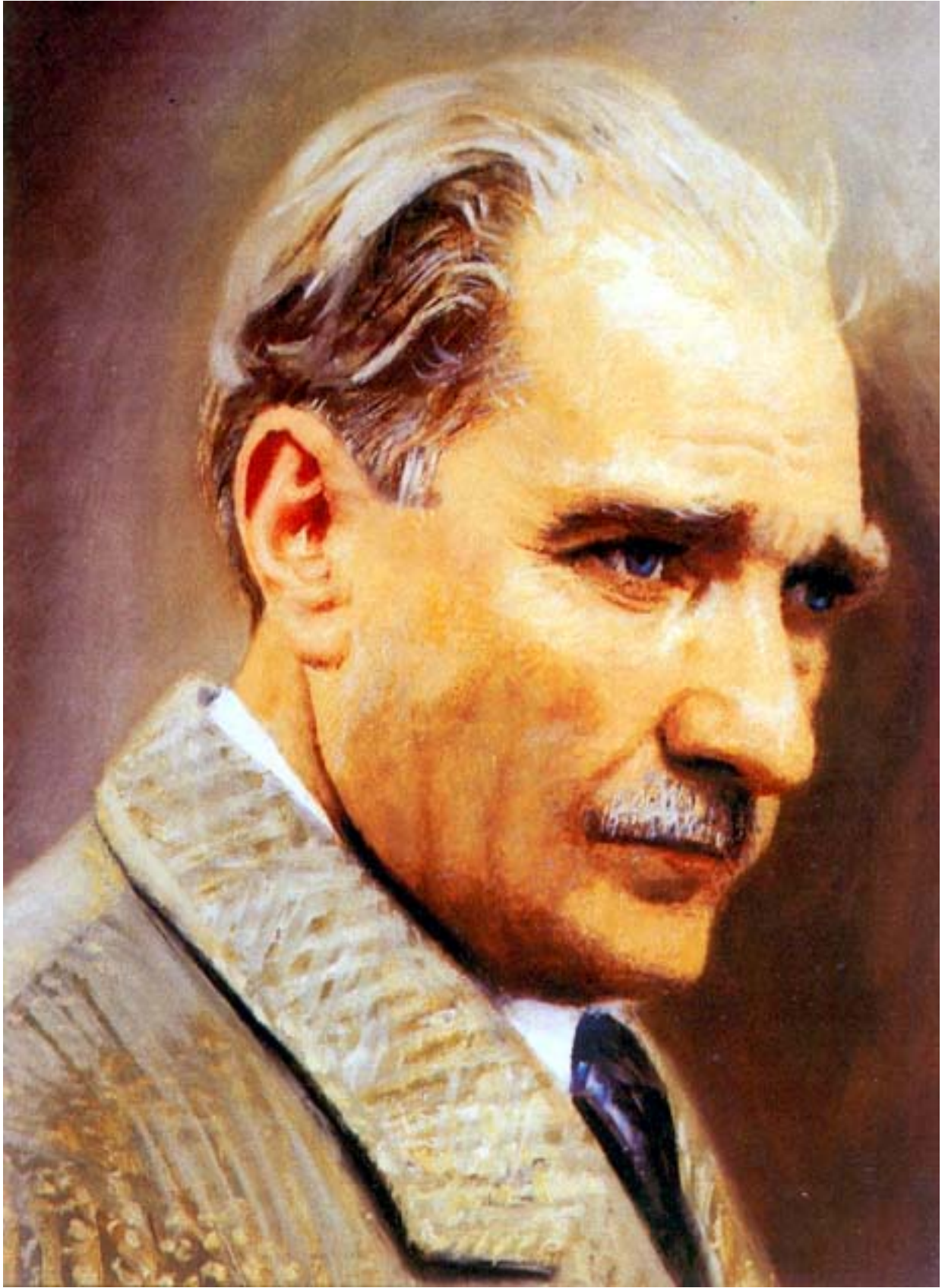


# **TURKISH PATENT INSTITUTE**



## **ANNUAL REPORT 2008**

**DEPARTMENT OF STRATEGY DEVELOPMENT  
2009**



## INTRODUCTION BY THE MINISTER

Today the industrial property rights consisting of the utility models, trademarks, industrial designs, geographical signs and integrated circuit topographies have become the most important element of the economies.

Developing the economy of our country shall be possible through increasing the inventions and designs as well as by creating trademarks with powerful economic values. In this respect, industrial property rights have a significant role in the process of forming new information and technologies.

The importance of industrial property rights especially increases in the economic crisis periods that penetrate the whole world. Such periods are the times that the enterprises should concentrate on these issues. Through an effective management of the industrial property rights enterprises may reduce the effects of the crisis and turning it into an opportunity.



Our country has 138 years of industrial property history. In addition to this, recently more importance and priority is being given to the industrial property rights in our country. We, as the government perceive the industrial property rights as a means to economic and technologic development. We believe that our industrialists and entrepreneurs shall have more contributions to the Turkish Industry and Economy through making effective use of these industrial property rights.

In this respect, various projects and actions such as the establishment of Patent Assessment Agency, transforming the existing legislative decrees (KHK) regarding the industrial property rights into Laws, formation of the Coordination Board and Design Council for the Intellectual and Industrial Property Rights are included in the Action Plan of our Government.

As taking part in the Action Plan, Coordination Board for the Intellectual and Industrial Property Rights is formed via the Prime Minister Circular that was promulgated in 2008. This board will develop a common strategy and policy for the relating public institutions within the field of intellectual property. It is also aimed that the board that shall establish short, medium and long-term strategies within the intellectual property field will be optimizing the implementation by improving the coordination and cooperation between the relative institutions.

A significant increase in all of the applications is experienced as a result of putting importance on the industrial property rights in our country. In order to understand the point Turkey has arrived in this field it shall be sufficient to review the statistics.

From the year of 1995 that refers to the renewal of the trademark legislation up to the end of year 2008, Turkish Patent Institute received 558 thousand trademark applications. 72% of these applications, in other words approximately 400 thousand were submitted in the 2002-2008 period. The number of trademark applications has reached 75 thousand in 2008 while it was 16 thousand in 1995.

Similar improvements can be observed also in the Industrial Designs. Last year the number of applications and designs has reached to 6,600 applications and 30 thousand designs while it was 1,500 and 3 thousand, respectively in 1995.

Again, in the recent period we have experienced significant increases also in the patent applications. While the annual increase rate of the patent applications is 5% in the world, and in fact most of the countries experienced a decrease, the increase rate in the domestic patent applications in our country was 70% in 2007 and 23% in last year. This is a success story. If we are to evaluate the applications in connection with the utility model applications, the number of patent applications submitted to the Turkish Patent Institute, as more than half of it being domestic has exceeded 10 thousand for the first time in our Republic history.

Assuring the sustainability of these increases is the priority target of our Ministry. In this context, we will continue to provide all kinds of support for the projects developed by the Turkish Patent Institute which operates in connection with our Ministry. Our works shall be carried on with the same determination by making effective use of the industrial property rights in order for the Turkish Industry to become prominent in the global competition.

**Zafer AĞLAYAN**  
**Minister of Industry & Trade**



## FROM THE PRESIDENT

In today's information society where the globalization cuts across all boundaries and competition runs up, patent, trademark and design have become the main elements for the companies to be permanent in the marketplace. Industrial property rights also in this sense have started to take a much more important role in the industrial society.

Today, when big enterprises are examined the values of industrial property rights form a significant part of the firm value.

In other words, today economic value is measured by the intellectual capital more than by physical assets. Turkish Industrialist and entrepreneur who are aware of this fact have started to manufacture for their own trademarks and with their own designs instead of contract manufacturing for others.

That is exactly why all our firms who wish to succeed in this 21<sup>st</sup> century have to well establish and manage their industrial property portfolios. All executives of the enterprises should have the level of consciousness and knowledge regarding what a design is and how it can be used effectively.

Turkish Patent Institute (TPI) being the exclusive body for the registration of industrial property rights in our country develops strategies and implements projects that allow our industrialists and entrepreneurs become prominent in the global competition through making the most effective use of their industrial property rights.

In this context, we have carried on giving priority to the activities intended for the SMEs (small and medium sized enterprises) and universities that are determined as the two important target groups. Second implementation of the "Hezarfen Project" being one of the model practices in the world intended for the SMEs and aiming at increasing the innovation capacities of the SMEs by using the industrial property rights was carried out in Ankara 1<sup>st</sup> Organized Industrial Zone.

"Patent Days" Activity was developed for the universities as the other target group. Moreover, a workshop was carried on in cooperation with the European Patent Academy in order to assure that industrial property subjects are added in the university curriculum. Turkey was one of the eight countries participating in the European Patent Office project aiming at establishing the Technology Transfer Office.



On the other hand, Coordination Board for the Intellectual and Industrial Property Rights, which was formed via the Prime Minister Circular no 2008/7 promulgated in 2008, is one of the most important progressions experienced within this year in the concerned field. It is also aimed that the board that shall establish short, medium and long-term strategies within the intellectual property field will be optimizing the implementation by improving the coordination and cooperation between the relative institutions. Studies to determine the National Intellectual and Industrial Property Strategy are commenced by the Board whose secretary is executed by the Turkish Patent Institute.

TPI, being an institution that protects technology and innovation is also an institution that utilizes technology itself. Number of research that is done within the scope of online transactions has reached 1.5 million per month and 18 million per year. Last year the most important improvement developed within the scope of e-government operations was to extend the online application service that was originally started for the trademarks, to patents and industrial designs. With these projects last year TPI became finalist in the eTR awards as well as 2007.

As a result of all these efforts, increases above the world average in the number of applications experienced in the last period also continued in 2008. For trademarks and designs, Turkey has maintained its third place in Europe in 2008. The number of applications exceeding 70 thousand within last two years has reached 75 thousand last year. Similarly, more than 6 thousand applications and 30 thousand designs were experienced in the field of designs. The increases in patent applications proceeded and these increases have also driven up our absolute numbers. Now, Turkey has reached the condition of being a country with more than 10 thousand invention applications when evaluated with the utility model applications.

Such as the number of applications, another indication of the progress that Turkey has shown within the area of industrial property is that the commencement of negotiations regarding the Intellectual Property Law as one of the 35 chapters in the European Union Negotiation Process of Turkey. This chapter of which Turkish Patent Institute and The Ministry of Culture and Tourism are co-responsible for is one of the 10 chapters opened up for negotiations as of today.

As a conclusion, by carrying on its works with the vision of **“Bringing Turkish industry and technology forward in global competition by providing efficient and common use of industrial property; being an example model in Europe for the development of industrial property rights in the world.”** TPI shall be in service of Turkish Industrialists and Entrepreneurs with its new projects in 2009.

**Prof.Dr.Habip ASAN**  
**President of the Institute**

## TABLE OF CONTENTS

<b>I- GENERAL INFORMATION .....</b>	<b>8</b>
A- Mission and Vision.....	12
B- Authority, Responsibilities and Obligations.....	13
C- Information on Management.....	14
1- Physical Structure.....	14
2- Organizational Structure.....	15
3- Informational and Technological Resources.....	16
4- Human Resources.....	20
5- Services Provided.....	22
6- Management and Internal Control System.....	26
<b>II- PURPOSE AND OBJECTIVES.....</b>	<b>27</b>
A- Purpose and Objectives of the Administration.....	28
B- Fundamental Policies and Priorities.....	41
<b>III- INFORMATION AND EVALUATIONS ON ACTIVITIES.....</b>	<b>44</b>
A- Financial Information .....	45
1- Results of Budget Application.....	45
2- Explanations on Fundamental Financial Statements.....	46
3- Results of Financial Audit .....	48
B- Performance Data.....	49
1- Information on Activities and Projects.....	49
2- Performance Result Table and Its Evaluation.....	67
<b>IV- ASSESSMENT OF ORGANIZATIONAL CAPABILITY AND CAPACITY.....</b>	<b>74</b>
A- Strengths.....	75
B- Weaknesses.....	75
C- Assessment .....	76
<b>V- SUGGESTIONS AND MEASURES.....</b>	<b>78</b>
<b>APPENDICES.....</b>	<b>80</b>

# **I - GENERAL INFORMATION**



## HISTORY

Industrial property rights are the intangible rights that enable registration of the industrial innovations, designs and original works on behalf of their first implementers, or the marks and inscriptions placed on the goods that are produced and sold in the field of trade on behalf of their owners; and thus ensuring the first implementers hold the right to produce and sell the product for a certain period of time.

Today, one of the most important factors indicating the development level of national economies is the industrial property rights. Rapidly increasing competition conditions as a natural result of the development in industry and commerce have increased the significance of industrial property rights more than before.

The first efforts to protect the industrial property rights in the world began with the implementation of first patent law in Venice in 1474.

During the period between the 16<sup>th</sup> and 19<sup>th</sup> centuries the importance attached to the industrial property by many states in the world increased, and many of these states, United Kingdom and USA as being the first ones, formed the basis of their own industrial property systems.

In Turkey, first practices regarding the systematic protection of industrial property rights took place with the Regulation on Trademarks of Commercial Products in the second half of 19<sup>th</sup> century and since then revolutionary developments have been experienced in the field of industrial property. Due to the importance placed on the international trade and cooperation Turkey has recently carried out very significant and serious works on both improving the national legislation and participating in the international agreements regarding the industrial property.

During the 19<sup>th</sup> and 20<sup>th</sup> centuries, many important developments were experienced in the industrial property field; many agreements were signed with the purpose of ensuring the international integration in this field and significant organizations dominating the industrial property system were established. The Paris Convention that was signed in 1883 is the first international agreement and it is perceived as the constitution of industrial property rights. Turkey became a part of this Convention in 1925. In the 20<sup>th</sup> century, besides signing many agreements that enabled international registration in the field of industrial property such as 1989 Madrid Protocol, 1925 Hague Convention concerning the International Deposit of Industrial Designs, 1958 Lisbon Agreement for the Protection of Appellations of Origin and their International Registration and 1970 Patent Cooperation Treaty (PCT) many important organizations that form the basis of today's commercial life and especially the industrial property system were established. International organizations such as World Intellectual Property Organization (WIPO) founded in 1967, European Patent Office founded in 1973 based on the European Patent Convention, World Trade Organization (WTO) established in 1995 and The Office of Harmonization for the Internal Market that is active since 1996 have led to new implementations in the field of industrial property and played significant roles in enabling the harmonization between the states. Both due to the importance she places on industrial property and as a natural result of the globalization, our country has become a member of certain international organizations and a significant part of the international industrial property system. A new era has begun in our country regarding our industrial property system especially with the World Trade Organization Foundation Agreement and with its Annex, Agreement on Trade Related Aspects of Intellectual Property Rights (TRIPS), coming into force as a result of being a member of World Trade Organization.

The development of Industrial Property System in Turkey may be examined in three periods:

**1) Developments between 1871–1923:**

1871–Regulation on Trademarks of Commercial Products entered into force.

1872–First annex was made to the Regulation on Trademarks of Commercial Products.

1879–Ottoman Patent Right Law was enacted.

1888–Second annex was made to the Regulation on Trademarks of Commercial Products.

**2) Developments between 1923–1994:**

1925–Participation in the Paris Convention concerning the Formation of an International Union for the Protection of Industrial Property.

1931–First Industrial Property Journal was published.

1934–Industrial Property Directorate was established under the Ministry of Economics.

1955–Our membership to the International Patent Institute was realized. Examination system in trademarks was implemented during the same year.

1956–Novelty search as started to be made in patent applications.

1965–Trademarks Law Number 551 replaced the Regulation on Trademarks of Commercial Products.

1976–Turkey became a member of WIPO by participating in the Charter of World Intellectual Property Organization (WIPO). In the same year, Industrial Property Directorate was restructured as the Industrial Property Department under the Ministry of Industry and Technology.

1977–European Patent Convention replaced the International Patent Institute. In the same year, the patent applications made by Turkish citizens were started to be held subject to novelty search at the European Patent Office.

**3) Developments as of 1994 to Present (1994 - 2008):**

1994–Turkish Patent Institute was founded as a special budget entity under the Ministry of Industry and Trade with the Decree in lieu of law number 544.

1995–During this year many important developments were experienced regarding our industrial property system:

- Turkey became a member of World Trade Organization (WTO).
- World Trade Organization Foundation Agreement and with its Annex, Agreement on Trade Related Aspects of Intellectual Property Rights (TRIPS) came into force in our country.
- Decrees in lieu of law regarding the Patent, Trademark, Industrial Design and Geographical Indicators that form the basis of our today's industrial property system were enacted. These are:
  - Decree Number 551 on Protection of Patent Rights
  - Decree Number 554 on Protection of Industrial Designs
  - Decree Number 555 on Protection of Geographical Indicators
  - Decree Number 556 on Protection of Trademarks

1996– By being a party of the Patent Cooperation Treaty (PCT) the opportunity of applying to more than one state at the same time with a single application was provided. In the same year Turkey participated in the Strasbourg, Nice and Vienna Agreements concerning the international classification of patents and trademarks.

1998–Turkey participated in the Locarno Agreement Establishing an International Classification for Industrial Designs and Budapest Agreement of the International Registration of the Deposit of Microorganisms.

1999–We participated in the Protocol Relating to the Madrid Agreement.

2000–Turkey became a party of the European Patent Convention (EPC). Patent Law Treaty (PLT) was signed.

2003–Law Number 5000 on the Foundation and Duties of Turkish Patent Institute entered into force.

2004–Law Number 5147 on the Integrated Circuit Topographies was enacted. Strategic Plan was prepared.

2005–Turkey participated in the Geneva Text of the Hague Agreement regarding the International Registration of Industrial Designs and in the Trademark Law Treaty (TLT). Patent research and examination procedures were started to be carried out in the Institute. European Patent Office Query System (EPOQUE) was brought into use.

2006–Protocol on Patent Promotions was signed between Turkish Patent Institute and TUBITAK (The Scientific and Technological Research Council of Turkey). Singapore Treaty regarding the revision of Trademark Law Treaty was signed.

2007–Law Number 5598 concerning the Participation to the Amended Text of European Patent Convention (EPC 2000) entered into force.

2008- Many projects were included in the Action Plan of the 60<sup>th</sup> Government Program. Intellectual and Industrial Property Rights Coordination Board was established.

## **A-MISSION AND VISION**

The mission and vision of Turkish Patent Institute was determined as follows:

### **Our Mission:**

- Contributing to the economic and technological development of Turkey by promoting creativity and innovation,
- Providing efficient protection for patent, trademark, design and other industrial property rights,
- Spreading a consciousness and knowledge for industrial property, developing cooperation in related areas,
- Providing quick and qualified services with customer focus by strengthening legal, technical and human infrastructure,
- Representing Turkey in international platforms in order to develop Turkish and European economy and protect industrial property rights, and strengthening cooperation.

### **Our Vision:**

Bringing Turkish industry and technology forward in global competition by providing efficient and common use of industrial property; being an example model in Europe for the development of industrial property rights in the world.

## **B – AUTHORITY, RESPONSIBILITIES AND OBLIGATIONS**

The responsibilities of Turkish Patent Institute (TPI), as a public organization under the Ministry of Industry and Trade with a special budget founded with the purpose of developing, promoting and protecting industrial property rights in Turkey, are determined in accordance with the law number 5000 and November 6, 2003 dated as follows:

- Performing the registry of legally protected industrial property rights and actions related to the protection of them,
- Serving as an arbitrator in licensing transactions and serving as expert in courts,
- Registering license and take-over agreements,
- Following the use of innovations, directing the transfer of technology with evaluation of new technologies and performing the archiving works,
- Cooperating with similar organizations abroad and with international organizations,
- Representing Turkey before the international organizations regarding the subjects of industrial property rights,
- Contributing to the interests of the country by protecting them on the preparation of international agreements related to industrial property rights and rendering the implementation of these agreements possible in Turkey,
- Cooperating with information banks and organizations and companies related to technology and research and development both inside and outside the country, establishing documentation centers, presenting these information to the benefit of the public,
- Publishing various media regarding the industrial property rights and periodically publishing Turkish Industrial Property Rights Gazette,
- Carrying out necessary activities in order to inform and direct persons and organizations within the country about industrial property rights.

## C – INFORMATION ON MANAGEMENT

### 1-Physical Structure



New Industrial Property Campus of Turkish Patent Institute comprises the Presidency Unit, related department units along with the archive department and the court building. TPI carries out its services at “Hipodrom Caddesi No: 115 Yenimahalle/ANKARA”. The entrance of the court building is located at a separate building independent from the entrance of the Institute.

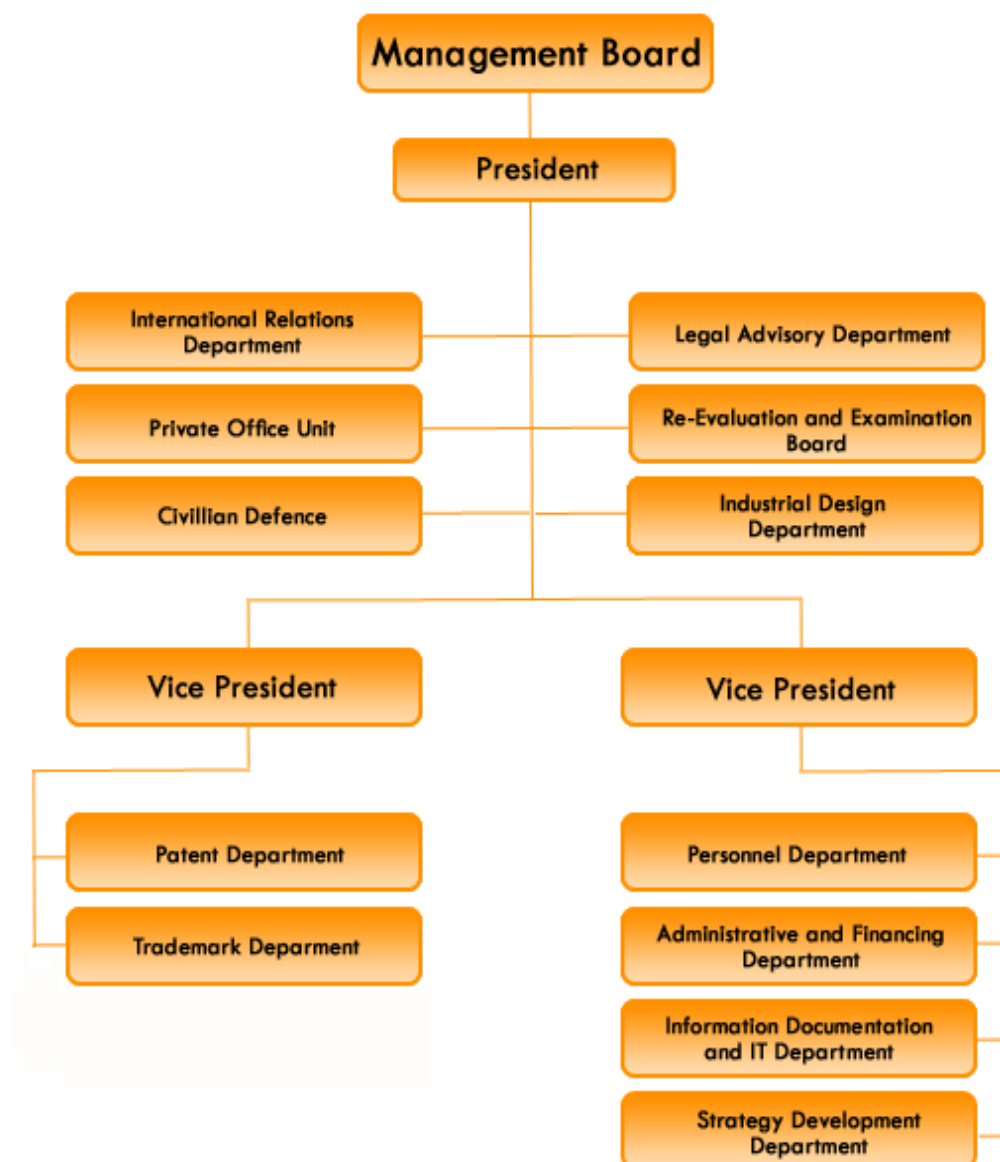
New Industrial Property Campus Premise of Turkish Patent Institute is built on an area of approximately 8000 square meters. Total area of TPI Industrial Property Campus is 31.870 square meters. The main building in which presidency and the offices are located is approximately 20.000 square meters, archive unit is approximately 9.500 square meters and the court building is approximately 2.112 square meters. TPI Industrial Property Campus includes a conference room capable of holding 416 people, 14 meeting rooms, 2 waiting rooms, data processing room, library, cafeteria, kitchen, café and a closed parking spot holding approximately 98 cars along with the office requirements. The campus also has an open parking spot capable of holding 168 vehicles.



## 2-Organisational Structure

Turkish Patent Institute is a public organization under Ministry of Industry and Trade with a special budget. The management of Turkish Patent Institute consists of Board of Directors, Advisory Board and Presidency; main service units consist of Patent, Trademarks, Industrial Designs and International Relations Department Presidencies; auxiliary service units consist of Personnel, Administrative and Fiscal Issues and Information, Documentation and Data Processing Department Presidencies; and counseling and inspection units consist of Legal Counseling, Directorate of Strategic Development, Internal Inspection Coordination Office.

### Organization Chart



### 3-Informational and Technological Resources

Quick and correct service provided by public and private organizations is very important in information society. That is why, all organizations should benefit from information technologies to the highest level. Turkish Patent Institute, being an organization responsible for the registry of new technologies and innovations benefits in maximum from the information technologies in the processes concerning the registry of industrial property rights. Furthermore, information technologies are utilized intensively in order for the whole community, especially the related persons, to have access to the publications related to the industrial property applications.

Along with this, rapid developments on information technologies that have appeared in the last twenty years have made it compulsory to correctly determine the strategies to be applied in this area. TPI as an organization with the principle of being technology-focused has carried out many projects in the last period to strengthen and develop its data processing infrastructure. With the data processing infrastructure formed as a result of these projects and works, TPI has become one of the best offices in the world.

#### Hardware Inventory

	2007	2008
Desktop Personal Computer	370	420
Laptop Computer	47	41
Server	32	32
Printer	220	250
Scanner	13	13
Multi-functional Scanner	6	6
Fax Device	18	
Video Conference System	1	1
Load Balancing Router	1	1
Projection Device	12	12
Telephone		413
Installed Power	-	-
Capacity	-	-

#### Physical Server Inventory

	2007	2008
Internet Server	3	3
Application Server	3	3
Database Server	3	3
Application Development Platform	1	1
Other	22	22
Supported Protocols	TCP/IP	TCP/IP
Internet Connection	4 Mbit	10 Mbit

Turkish Patent Institute has performed intensive works on transferring its transactions to the electronic environment. We may examine these works in two main groups as automation transactions and online transactions.

Within the scope of automation transactions, the project works concerning the technological infrastructure that have been going on for the last few years in order to provide faster service but with less errors and to shorten the time for transaction processes has also continued in year 2009.

Works for the improvement of application programs are still going on within the framework of the errors detected by the users after the implementation of new software and suggestions for better usage.

With the transfer of incoming and outgoing documents to electronic environment, some progress has been made in terms of transition towards “paperless office” environment.

The purpose is to minimize the physical circulation of the documents and to provide a faster and more secure environment for the transactions by way of scanning the archives and transferring them to the electronic environment.

The works performed on the online transactions allowed our customers to access the Institute services through the internet.

Within the scope of online transactions, as a result of the works carried out by data processing, searches can be done on TPI database via the use of internet. With this practice, preliminary search possibility is given to the users free of charge through internet as demanded and as it prevents loss of time, it both appreciates the principle of customer-focus and decreases the work load.

In order for the users to reach the published patent specification kit and research report on patent files, an E-doc patent system has been created within TPI with new software and the data has been presented to users. While only the first patent specification kit can be accessed through esp@cenet, with this practice, changed patent specification information of patent files can be accessed. What is more, this practice has rendered it possible to have document exchange with patent offices outside the country in required formats and giving this information to third persons via information offices.

Moreover, inquiry of application folders via internet has been made possible for industrial property users and the workload arising from the file information inquiry via telephone has especially decreased with that. Within this framework, the fact that services concerning the online transactions (trademarks, patents and design searches) is used approximately more than 1,5 million per month shows that the module is used quite efficiently. More than 250 daily calls are answered from the designated + 90 312 303 10 00 telephone number for our customers to follow their transactions regarding the institute. Also, Interactive Voice Reply System has been activated and a special number to access this service has been assigned (+ 90 303 1 303). From this line information providing process has been initiated for our customers in order to give them information especially about the current status of their applications as well as services of our institute.

The activities on e-signature project aiming at providing online performance for the applications of patent, trademarks and industrial design have been completed. As of August 1, 2007 trademark applications have been taken with e-signatures or mobile signatures. Also, as of January 1, 2008, patent and industrial design applications are submitted online too. 30,420 applications were submitted online during the year 2008.

38 % of the trademark applications, 14% of the patent applications and 18% of the industrial design applications were submitted online. These rates are expected to increase in the future and in 2009.

The news section of the website is actively updated before and after each activity. Where deemed necessary, e-newsletters are sent to nearly 6.000 TPI e-newsletter subscribers in form of announcements. Moreover, in the last quarter of 2008 a workgroup was formed with the participation of main service units of Institute in order to have a more customer - oriented content and design of the website. The aim of the new structure of the website is that each main service unit will have one homepage and all information related to that unit will be placed on the related pages, thus the customers shall easily access the data.

#### Number of Online Searches and File Inquiries for Year 2008

	PATENT	I. DESIGN	TRADEMARK	TOTAL
2008/01	67.843	71.294	1.489.312	1.628.449
2008/02	66.098	64.918	1.624.289	1.755.305
2008/03	66.641	63.113	1.996.308	2.126.062
2008/04	64.413	63.548	1.644.485	1.772.446
2008/05	63.328	78.564	1.552.918	1.694.810
2008/06	67.352	68.010	1.160.290	1.295.652
2008/07	70.608	74.166	1.219.120	1.363.894
2008/08	61.727	61.475	1.087.093	1.210.295
2008/09	61.811	69.911	1.116.084	1.247.806
2008/10	66.231	70.398	1.116.931	1.253.560
2008/11	78.616	90.469	1.249.096	1.418.181
2008/12	69.951	88.272	1.042.731	1.200.954
Total	804.619	864.138	16.298.657	17.967.414

#### Number of Online Applications in 2008

	PATENT		DESIGN		TRADEMARK		GRAND TOTAL	
	Online	Total	Online	Total	Online	Total	Online	Total
2008/01	17	488	27	530	888	5.614	932	6.632
2008/02	8	467	17	547	761	5.961	786	6.975
2008/03	59	539	86	595	1.895	6.913	2.040	8.047
2008/04	71	565	127	747	2.586	6.815	2.784	8.127
2008/05	138	572	122	643	2.901	6.873	3.161	8.088
2008/06	80	567	147	651	2.823	7.236	3.050	8.454
2008/07	92	617	116	587	2.677	5.588	2.885	6.792
2008/08	111	604	110	404	2.869	6.448	3.090	7.456
2008/09	111	685	92	411	2.284	5.503	2.487	6.599
2008/10	85	609	105	377	2.612	5.596	2.802	6.582
2008/11	118	699	92	504	3.019	6.615	3.229	7.818
2008/12	148	725	117	582	2.909	5.829	3.174	7.136
Total	1.038	7.137	1.158	6.578	28.224	74.991	30.420	88.706

## Information and Documentation Units

In order to provide information and documentation support to industrial property system users regionally, Turkish Patent Institute is establishing Information and Documentation units all over the country. In 2008, 3 Information and Documentation Units were established at Eskisehir Osmangazi University, Eskisehir Anatolian University and at the Afyonkarahisar Chamber of Commerce and Industry; and by this way the total number of TPI Information and Documentation Units became 38. 16 of these units are established in the universities and 22 are established at the Chambers of Commerce and Industry. With this feature, TPI is in a leading position among national offices in Europe in terms of information units it owns.



## Library System

TPI Industrial Property Library operating under Information, Documentation and Directorate of Data Processing Department provides services to all readers coming from inside and outside the institute. As our library is a subject library, our collection consists of books, magazines, CDs and theses collected from inside and outside the country about the industrial and intellectual property issues as well as related similar subjects. Number of publications increase every day in line with our service area and the aim is to provide a library that would be efficient in its area.

Nearly all of library's collection has been collected in catalogues and registered to library software. Collection can be browsed inside the institute via intranet. After the library web page's preparation is finished, collection will also be accessible for inquiry outside the institute via internet.

Turkish Patent Institute Industrial Property Library has a seating capacity of 40. Internet and institution's database research can be performed via 4 user computers.

As our institute is the only authorized organization on the subject of industrial property, our purpose is to make our library a subject library that can fulfill any need of the researchers. Necessary works are carried on in order to achieve this.

#### 4-Human Resources

In accordance with the article no. 26 of law no. 5000, and subjected to Government Officers Law no. 657 President, Vice President, Department Head, Legal Counselor, Counselor, Unit Director, Patent Expert, Trademark Expert, Vice Patent Expert, Vice Trademark Expert, Translator, Analyzer, Programmer and Computer Operator positions are filled with contracted personnel according while other personnel is employed in officer positions without contract.

Total number of positions inside our institute is 406. 145 of these positions are filled with contracted personnel while 96 positions without a contract; there are 165 vacant positions with 42 of them being contracted, remaining 123 being without contract.

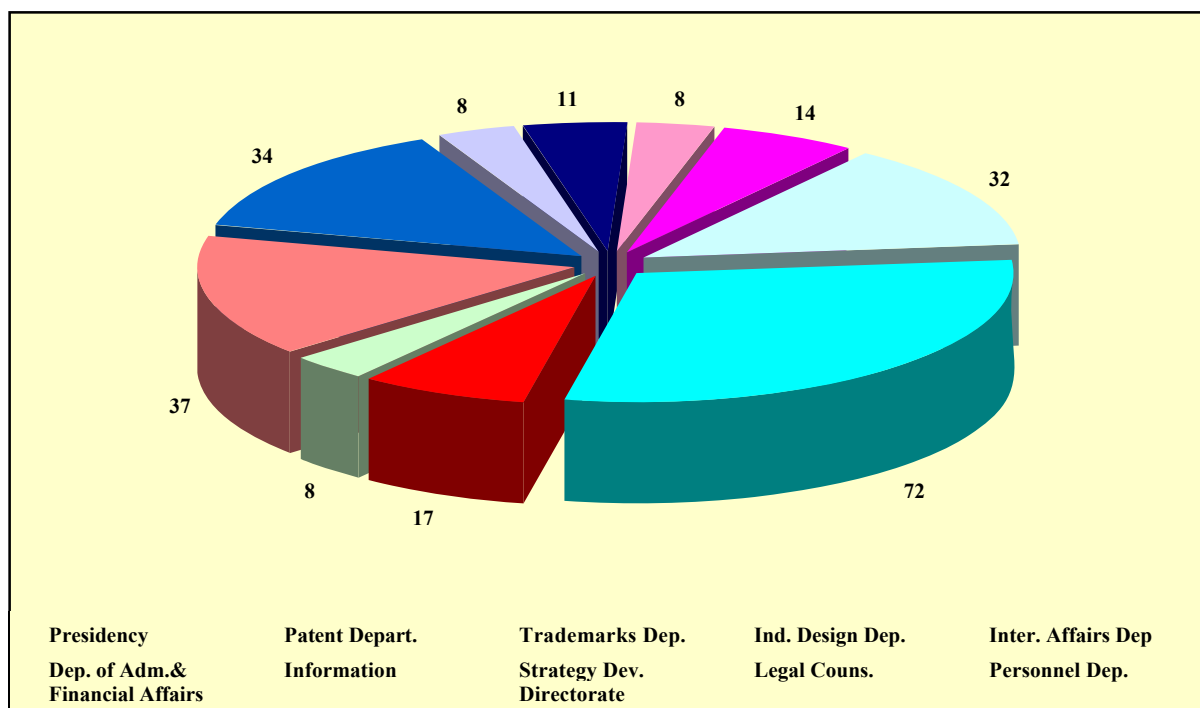
According to the amended article 22 of law number 4046, 115 of our existing positions will be assigned by the Prime Ministry State Personnel Administration within the scope of privatization. Among these positions, 13 of them are filled and 102 are vacant. Our institute is not legally authorized to assign to these 115 positions that are assigned by the Prime Ministry State Personnel Administration or change them into necessary positions.

#### Distribution of Filled Positions on the Basis of Title

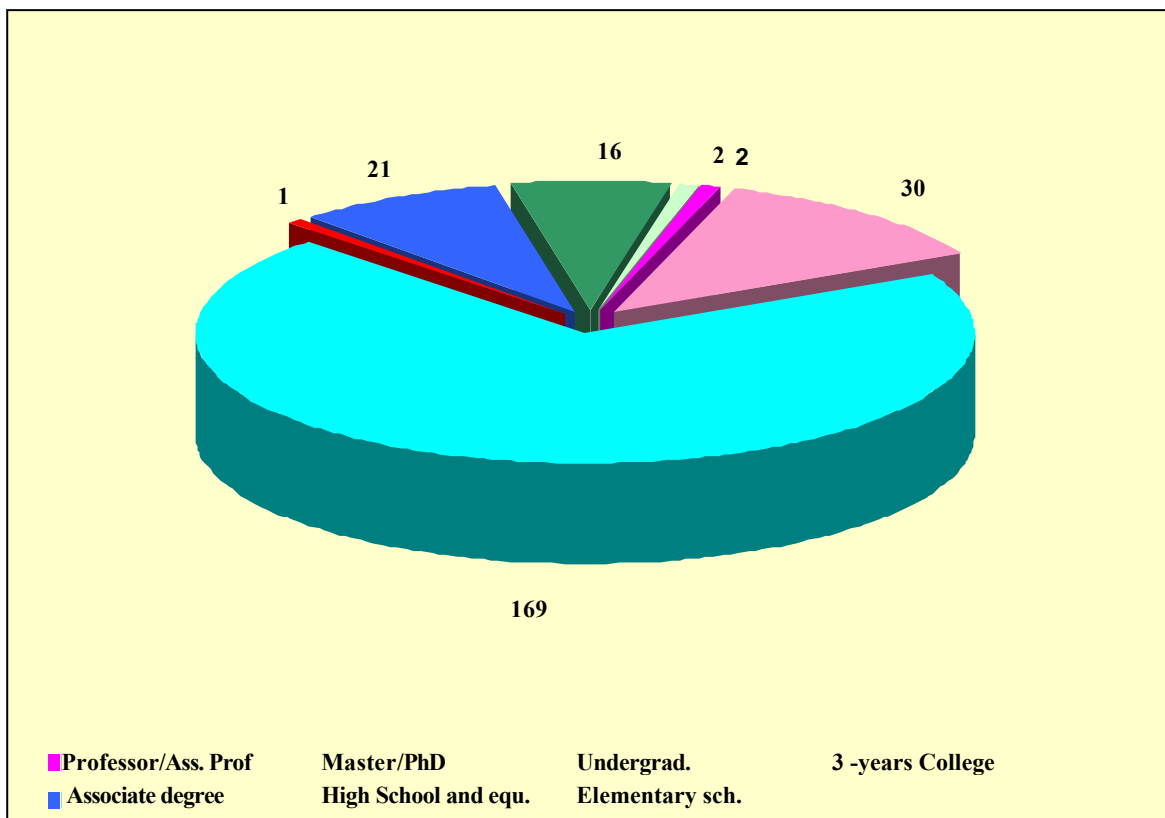
PRESIDENT OF THE INSTITUTION	1	VICE TRADEMARK EXPERT	10	OFFICER	40
VICE PRESIDENT	1	FINANCIAL SERVICES EXPERT	4	LIBRARIAN	1
1 <sup>ST</sup> LEGAL COUNSELOR	1	ENGINEER	10	CHIEF (PR.)	1
DEPARTMENT HEAD	6	ATTORNEY	5	CIVIL DEFENSE EXPERT	1
INTERNAL INSPECTOR	3	COMPUTER OPERATOR	24	STATISTICS TAKER	1
COUNSELOR	2	TRANSLATOR	1	SECRETARY	2
LEGAL COUNSELOR	2	PROGRAMMER	9	TECHNICIAN	2
UNIT DIRECTOR	23	ANALYZER	5	TECHNICAL OFFICER	1
PATENT EXPERT	22	RESEARCHER (PR.)	11	DISTRIBUTOR	1
VICE PATENT EXPERT	4	SECURITY PERSONNEL	5	SECURITY PERSONNEL	8
TRADEMARK EXPERT	31	EXPERT	3		



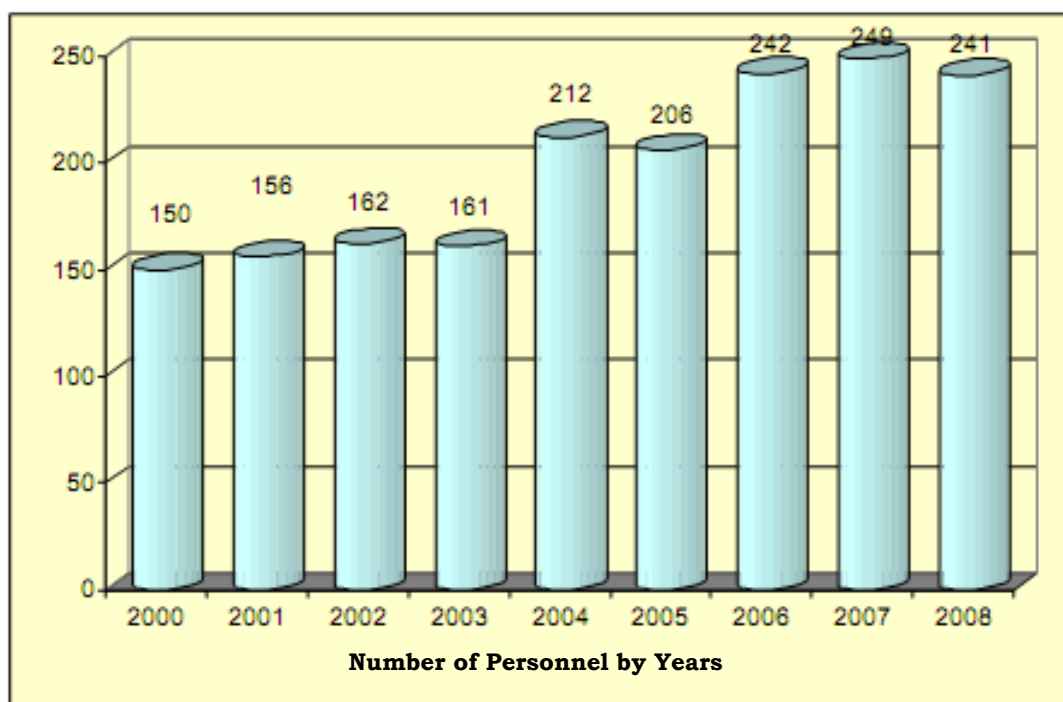
## Distribution of Filled Positions According to Units



## Educational Background of our Institute Personnel



## Number of Institute Personnel by Years



## 5-Provided Services

### 5.1. Services That Main Service Units Provide

#### Patent Department Presidency

- Registry transactions of patent and utility model applications,
- Preparation of research and investigation reports,
- Performance of transactions regarding the applications and documents such as licensing, take-over, title, address change etc.,
- Performance of temporary injunction, pledge, confiscation and similar transactions and transactions of recording annual fees,
- Fulfilling the information and document requests coming from courts, Execution Directorates, Ministries and similar official authorities as well as private organizations and persons.

#### Trademarks Department Presidency

- Performance of recording, filing, research, investigation, evaluation and registry transactions of trademarks' registry applications according to the verdicts of the related legislations,
- Performance of licensing, take-over and similar transactions of trademarks and trademark registry applications according to the verdicts of the related legislations,
- Performance of notice, classification and registry transactions of trademarks,
- Performance of transactions such as the protection of significant signs and notices, determination of criteria for recognition level of trademarks and application of them according to the verdicts of the related legislations,
- Performance of transactions about the geographical indications.

### **Industrial Designs Department Presidency**

- Performance of recording, filing, research, investigation, evaluation and registry transactions of industrial designs' registry applications according to the verdicts of the related legislations,
- Performance of transactions such as the renewing expired registries, licensing, take-over and similar legal transactions and similar transactions regarding the changes,
- Performance of necessary activities in order to enlighten and direct persons and organizations inside the country about the design registry.

### **International Relations Department Presidency**

- Carrying out of necessary activities in order to follow and investigate international agreements within the responsibility of the institute and to fulfill the required obligations,
- Carrying out activities within the frameworks of Law no. 1173 on Performance and Coordination of International Relations dated 5.5.1969 in order to participate in international agreements that are necessary,
- Counseling the Presidency for making necessary regulations on the legislation in necessary situations,
- Following and acquiring foreign legislations

## **5.2 Services That Supporting Service Units Provide**

### **Personnel Department Presidency**

- Determining the principles to be followed in procuring the required positions, assigning personnel, distributing them to the units, performing the training activities, determining the types and conditions of employment in order to carry out the TPI services in the most efficient manner,
- Carrying out the works about the assignment, promotion, resignation, retirement, registry, leave and related employee situations and salary, additional payment, discount, contract fees, board of director salaries, extra hours fees, bonuses and related payment situations within the frameworks of the provisions of Public Fiscal Administration and Control Law no. 5018,
- Recording the personal, registration and health files,
- Determining the in-house training needs,
- Preparing the training plans and programs,
- Providing the contribution of personnel to promotion trainings and inter-organizational seminars,
- Carrying out of necessary activities in order to increase the welfare and performance of the employees according to the aims, policies and strategies of TPI, creating new policies towards these, ensuring effective application and development of them.

## **Administrative and Financial Affairs Department Presidency**

- Carrying out necessary expenses to be done by the institute, revenues to be collected and purchases within the framework of related laws and legislation,
- Buying or leasing the required cleaning, maintenance and repair services and the needs of Institute along with tangible and non-tangible properties, submitting them for approval of selling and renting to the Board of Directors if necessary and carrying out these works with the approval of Board of Directors,
- Performing incoming and outgoing folders and archive services regularly,
- Keeping records of the non-tangibles and other related records.

## **Information, Documentation and Information Processing Department Presidency**

- Publishing informative books, brochures, magazines on responsibilities of the institute,
- Publishing documents concerning the industrial property rights both locally and internationally, and carrying out of services regarding the Industrial Property Library,
- Collecting information and documents on patents and trademarks registered inside and outside the country on the related subject,
- Publishing the official Industrial Property Gazette,
- Carrying out of all kinds of educational and promotional activities related to industrial property rights,
- Carrying out necessary cooperation activities in places that are considered appropriate by the decision of Board of Directors to have the information units perform activities,
- Establishing an information processing system in the institute, operating the hardware and software as well as developing them,
- Transferring the information and documents related to industrial property rights and taking care of their storage,
- Carrying out necessary actions to provide a fast access for the related units of the Institute to the data on computers.

## **Civilian Defense Expertise**

- Preparing the civil defense plans,
- Ensuring also in cooperation with those concerned that the planned activities are performed, changes and innovations are registered, following and managing the implementations when necessary,
- Following the procurement and supply of the required civil defense facilities, materials and equipment and their maintenance,
- Forming the civil defense teams and carrying out their training activities,
- Preparing the work reports,
- Following and reviewing the legislations, publications and orders of civil defense regularly and proposing, advising and following the implementations of their requirements at the Institute.

## **5.3 Counseling and Control Units**

### **Legal Consultancy**

- Performing the necessary activities in order for the industrial property rights legislations to be compatible with the day's conditions,
- Giving consultancy to the Board of Directors and Presidency on legal matters,
- Holding national and international legal agreements, laws, directives, other legislations, reports, articles and similar regulations regarding the industrial property rights ready for service,
- Representing the institute at the courts.

### **Directorate of Strategy Development**

- Coordinating strategic plan and performance program preparation activities of the administration and carrying out consolidation works of the results,
- Preparing the administrative budget including the following two years' budget estimates according to strategic plan and annual performance program and monitoring and evaluating the compatibility of administrative activities with them,
- Preparing detailed expenditure program within the framework of principles and fundamentals of the budget to be determined in accordance with the legislation and providing the distribution of allocation to related units by also considering the service requirements,
- Keeping track of budget records, collecting the data related to budget application results, evaluating and preparing absolute budget calculation and financial statistics,
- Preparing administration's annual report based on unit annual reports that are prepared by the expenditure units,
- Coordinating administration's preparation works for the investment program, keeping track of application results and preparing annual investment assessment report,
- Providing necessary information and consultancy on the application of related other legislations on financial issues to senior managers and expenditure officers,
- Carrying out preliminary financial audit activities,
- Carrying out the required works for the establishment of internal control system, application and development of its standards.

### **Internal Inspection Coordination Office**

- Evaluates the management and control structures of the Institute on the basis of risk analysis,
- Makes examinations regarding the effective, economic and productive usage of the resources and makes suggestions,
- Performs legal conformity inspections after the expenditures; checks and assesses the conformity of institutional expenditures, financial resolutions and savings with the policies, development plan, programs, strategic plans and performance plans,
- Conducts system audits of financial management and control processes and provides consultancy on these matters,

- Makes suggestions on the improvements according to the audit results, informs the Institute President in cases where an investigation is required during the audits or in line with the auditing results,
- Controls the validity of the information produced by the Institute, assists in determining the performance indicators if deemed necessary by the President of the Institute, review the applicability of the performance indicators.

## **6. Management and Internal Control System**

In accordance with the Law no 5018, embracing the understanding of the strategic management, realizing the process management and correlating the performance based budgeting with strategic plan is required and forming an internal control structure that shall ensure a healthy operation of these systems is needed.

Internal control - as being in conformity with the purposes of the administration, established policies and legislation, is the combination of organization, method and process established by the administration, and financial and other controls covering the internal audit that ensures

- conducting effective, economic and productive activities,
- protecting the assets and resources,
- maintaining the accounting records accurately and properly,
- producing the financial data and management information on time and with credibility

Since internal control is under the responsibility of administration's management, the directorates should perform the following along with the regulations established by the central adjustment units;

- Defining the activities for the implementation of strategic plan,
- Preparing the flow charts of activities, works and transactions,
- Defining the processes, process owners and the responsible persons,
- Determining the roles, authority and responsibilities of the personnel and control procedures,
- Establishing an interactive data management system and creating a communication networks along with control lists and control self-assessment.

“Public Internal Control Standards Notice” was announced by the Ministry of Finance on the 12/26/2007 dated 26738 no Official Gazette. Studies on this matter at our Institute was commenced with the Circular no 2008/5 of the Presidency. Turkish Patent Institute Internal Control Standards Action Plan studies are still going on by the established study group. Payment bases documents are being subjected to preliminary Financial Audit at all of the expenditure units of our Institute. Moreover, preliminary financial control transactions of the financial transactions indicated in the “Regulation concerning the Procedures and Principles of Internal Control and preliminary Financial Control” are being performed by the Directorate of Strategy Development.



## **II – PURPOSE AND OBJECTIVES**

## **A- PURPOSE AND OBJECTIVES OF THE MANAGEMENT**

Turkish Patent Institute in charge of acquisition and development of industrial property rights in our country has decided to follow its all activities with five years strategic plans and prepared the first strategic plan covering years 2005 – 2009 to efficiently perform its mission and the institute became one of the pioneers in this field. However, as our Institute is in group 1 of the “Transformation to Strategic Planning in Public Managements” of the Regulations on Procedures and Contents Related to Strategic Planning in Public Managements, this Strategic Plan was updated and has been prepared in a way that it will cover the period between 2007 and 2011 for five years, has been submitted to Under secretariat of State Planning Agency.

The compliance with the purpose, objectives and development plans stated in Strategic Plan is going to be followed carefully by our Institute and TPI is going to bring haste to the developments by increasing the contribution to the development Turkish industry and economy.

Purposes and objectives of the Turkish Patent Institute determined in line with its vision and mission are specified as follows.

### **Purposes:**

- 1- Developing the contemporary and innovative organizational structure of TPI,
- 2- Increasing the organizational efficiency and service quality,
- 3- Developing cooperation with organizations and foundations related to industrial property system,
- 4- Developing consciousness for industrial property throughout the country in order to promote innovation,
- 5- Increasing the efficiency of TPI in International Platforms.

### **Purpose 1: Developing the Contemporary and Innovative Organizational Structure of TPI**

TPI’s strategy in accordance with the purpose of developing the contemporary and innovative organizational structure is to form a transparent, dynamic and independent organizational structure with focus on the client and the system with the feature of being able to adapt to change and innovations in a way that close observation of international developments and active participation is achieved.

TPI will continue its works in the last years on quick decision making and implementation, development of organizational culture and image and identification of it by the employees, development of planned working method, employment of appropriate personnel, and development of personnel quality by continuous education and increase of effectiveness in relation with this purpose. This strategic purpose is in close relations with the strategies related to the presentation and image of the Institute and industrial property, and is dependent to exterior decision-making actors especially as well as internal dynamics.

**Objective 1 - Achieving an independent organization with the capability of flexible activities**

In order TPI as an affiliated organization of the Ministry of Industry and Trade to perform its duties and obligations effectively and quickly can only be possible by bringing a more flexible structure to the institute and liberalizing the institute in terms of management and finance.

Monitoring indicator: Performing the works with respect to determine the arrangements to be required for the TPI to leave its statue as “Affiliated Institution” and became “Related Institution”.

**Objective 2 – Development of leadership qualities of the managers and providing the efficient use of these qualities,**

The adoption of fundamental purposes of the Institute determined within the frame of its mission and vision primarily by the managers will provide the formation of the institutional culture and acting in this direction.

**Objective 3 – Development of personnel quality and increase in the number,**

By determining the personnel requirement of the Institute, it shall be considered to employ the staff correctly and it shall be focused on the activities that will provide the improvement in the personnel quality and adoption of the institutional culture with continuing training programs.

Monitoring indicator: Putting the personnel policy into writing, determining the personnel requirement in terms quality and quantity, performing the activities for adopting the purpose, target and institutional culture of the Institute.

**Objective 4 – Preparation of annual work plans by the Institute Units,**

Conducting their works within the frame of annual plans shall provide the determination of issue, need and targets in advance and increase the efficiency and productivity.

Monitoring indicator: Preparing of each department’s annual work and activity plan in harmony with strategic purposes. While preparing the plans, take care to measures orienting to increase customer satisfaction, provide the performance of the transactions in an effective and quick way and promote the abilities and skills of the staff.

**Objective 5 – Development of the image of the organization,**

Improving the image of the TPI before the public shall increase the reliance of TPI, to perform its duties and functions more efficiently, and increase the importance of the industrial property rights. TPI which operates quickly and quality, creates practical solutions, follows closely the improvements in the world and acts with world shall reach its purposes and objectives faster.

Monitoring indicator: Performing annual research for customer satisfaction

**Objective 6 – Activation of working groups,**

Reevaluating the existing working groups operating on various subjects concerning the industrial property rights and also subjects, following the national and international works via these groups shall contribute TPI to develop healthy policies and to orientate the developments.

Monitoring indicator: By reevaluating the subjects, on which working groups will be created, within three months, restructuring the existing groups. Preparing annual reports on the developments regarding the subject and realized studies and submitting to the Directorate

**Objective 7 – Providing the efficient use of the present resources within the frameworks of resource-work-time relationship and increase of efficiency,**

Rapidly increasing work load can be covered to provide efficient use of limited sources which do not show increase concordantly. Moreover, increasing the service quality and customer satisfaction is also depending on the efficient use of resources.

Monitoring indicator: Investigating continuously the work processes and carrying out the reorganization studies.

**Objective 8 – Top level benefit from national and international project opportunities,**

It shall be benefited from the national and international resources which will contribute to the institutional improvement of TPI.

Monitoring indicator: Researching national and international project opportunities and funds and preparing projects. Reporting and evaluating the benefits gained from the projects.

**Objective 9 – Foundation of TPI Training Center,**

TPI Training Center in which training activities will be performed for our internal and external partners shall be founded in order to provide optimum productivity on training services.

Monitoring indicator: As a result of requirement analysis to be performed, making “regular” and “requirement – oriented” training plans. Creating training materials and lecturer portfolio; conducting national and international training studies.

**Objective 10 – Reformation of Presidency of Department of Information Documentation and Data Processing**

Benefiting from the sources of TPI which is an important information and innovation center, shall provide significant contributions to the improvement of Turkish economy and industry. In order these contributions to reach to public efficiently; restructuring shall be performed on the Information, Documentation and Data Processing subjects.

Since those have different functions, it is required to structure these units under separate directorates in order Information, Documentation and Data Processing subjects, business administration and management to operate efficiently.

Monitoring indicator: By performing the required feasibility study within 6 months, reorganizing the organization structure concerning the separate directorates. Realizing necessary amendments on the Law numbered 5000.

**Objective 11 – Establishment of Median Public Relations Unit directly connected to the Presidency under TPI,**

It is required for TPI to prepare the media relations, speak texts of the President, news texts to be published in internet by a specialist team which concentrate on the publicity of TPI because of TPI's strategic structure and duties.

Monitoring indicator: Forming a specialized team which will conduct the media relations of TPI and relation of TPI with other institutions.

**Objective 12 – Performance of comparative works**

Following the institutional structure and studies of other countries' patent offices and comparing them with TPI shall enable TPI to make self – control, to closely follow the improvements in the world and to increase its service standards. The comparison shall be especially focused on the criteria such as efficiency, institutional capacity, fundamental policies and objectives, technology in use, and personnel structure.

Monitoring indicator: Preparing annual reports by the working group formed concerning the issue. Submitting the reports by preparing them in periods to be determined and including the sample practices which contribute to the institutional improvement to the annual plans.

**Purpose 2: Increasing the Organizational Efficiency and Service Quality**

**Objective 1 – Adopting electronic signature practice,**

Establishing an electronic signature system and starting to apply the system is one of the most significant conditions for TPI to receive applications from electronic environment and to conduct the correspondences in electronic environment.

Monitoring indicator: Drawing up a contract with an organization that provides the substructure for electronic signature and purchasing the service. Conducting required works concerning the adaptation of the users to the new system, determining policies concerning the incentive of the usage; analysis the usage ratio of the practice by the customers.

**Objective 2 – Adopting online application system,**

Adopting the online application system shall both provide time and cost advantage for the customers and also contribute to the completion of registration transactions by decreasing the work load of TPI.

Monitoring indicator: With conducting the electronic signature implementation, adaptation of online application system implementing the online application system. Performing the required publicity and training studies concerning the adaptation of the users to the new system. Determining policies concerning the incentive of usage, analyzing the number of online applications.

**Objective 3 – Efficient use of information technologies in communication and information,**

Efficient use of information technologies in communication and information shall provide important advantages both for the customers and TPI. Time and cost saving shall be provided by improving the usage of information technologies in any kind of communication and knowledge exchange shall be increased.

Monitoring indicator: Further conducting the communication and information activities in electronic environment, replying information request in electronic environment, analysis of the ratio of providing services in electronic environment and responding time of the requests.

**Objective 4 – Updating the content and design of the internet site and providing the development of the content,**

The internet site TPI shall be updated and a structure that provides customer to receive correct and quick service shall be established. It shall be paid attention to place especially the relevant legislation, statistical data, TPI's library, Supreme Court's decisions, detailed information regarding the industrial property rights and current news. Servicing of the internet site in English shall be provided. It shall be provided for the internet site to use as a mediator for communication, information and image development.

Monitoring indicator: Enriching the content of the internet site and keeping it update continuously, rearranging the web site in defined terms. Following up the statistics concerning the web site

**Objective 5 – Establishment of intra-organizational communication environment in electronic environment,**

Efficient internal information sharing shall be provided with an intranet environment to be established.

**Objective 6 – Carrying out the works on decreasing the level of bureaucracy,**

Unnecessary transaction stages and correspondences shall be removed and it shall be focused on electronic communication. It shall be provided to decrease the bureaucracy works, printed document, and copy and form numbers in the applications regarding all serviced industrial property rights.

Monitoring indicator: As a result of the continuous investigation of work processes and performing the reorganization works, removing the unnecessary transactions and correspondences; following the change in the transaction process.

**Objective 7 – Increasing the area number of patent search – investigations**

Increasing the field number whose research and investigation report is prepared shall provide decrease in patent costs and it shall be an incentive factor for the innovators in this field. Moreover, the research – investigation reports of TPI shall strengthen the position of the office as independent from outside.

Monitoring indicator: Determining the primary research fields and employing and training the patent specialists suitable for these fields. Informing the applicants, observing the change in the field number in which research and investigation is performed.



**Objective 8 – Following the case results related to industrial property rights and archiving them in electronic environment,**

Follow and analysis of the court decisions regarding industrial property rights shall enable the assessment and analysis of the decisions and shall set forth the different approaches between courts and the Institute and shall align the decisions with court decisions.

Monitoring indicator: Opening the decisions to the access of the concerned people on electronic environment. Analyzing the decisions and when required arranging a consultation meeting to judges according to assessment results. Reflecting the obtained data to practice and criteria works. By comparing the court decisions and the decisions of the Institute, determining the harmonization ratio between the decisions.

**Objective 9 – Making the works of Council of Revision and Assessment and decreasing decision times,**

Monitoring indicator: Structuring the Reinvestigation and Assessment Committee in legal and technical fields in such a way that the Committee will be composed of the members who have specialization and experience, shortening the decision periods, performing works required for providing consistency in decisions.

**Objective 10 – Keeping transaction fees at an appropriate level,**

Keeping the cost low for the application and registration transaction shall be an incentive factor in order to protect industrial rights especially the innovations with registration.

Monitoring indicator: Keeping the fees low, taking same fees for similar transactions in and outside unit, comparing the ratios of fee increases with reevaluation and charge increments.

**Objective 11 – Providing an increase in customer satisfaction,**

In order to maintain a healthy, permanent and constant relation with customers TPI gives attention to customer satisfaction. Therefore each year it performs customer satisfaction inquiries to different customer groups and takes necessary precautions according to obtained information. In case of necessity, consultancy service is taken for these inquiries.

Monitoring indicator: Creating separate surveys of customer satisfaction for each main activity field and application of it. Having an interview with the customers to be selected as sample within the compass of a definite system on the services provided to them.

**Objective 12 – Development of appropriate services to customer groups**

Since TPI is in relation to different customer groups, implementing policies by improving them in accord with the expectations of each customer group within the frame of general objectives.

Monitoring indicator: Determination of requirements and expectations of each customer group, improving the suitable services and training the staff. Presentation of the services suitable for each customer by the concerned staff.

### **Purpose 3: Developing Cooperation with Related Organizations and Foundations**

The efficient functioning of industrial property system and the acquisition of the expected benefits from the system will be possible via continuous, close and compatible cooperation between the parties of the system. In order for the creation of an industrial property system that will provide an efficient, effective and important resource to the economy of the country and will become the impulsion of the economy, TPI is aiming a continuous and efficient cooperation between the parties of the system.

For this purpose, the training and information works that have grown in the last years directed to the parties of the system will continue, the ongoing bilateral and multilateral cooperation will be developed and new projects will be created for increasing the innovation capacities and receiving top level benefit from innovations.

#### **Objective 1 – Development of attorney system,**

Attorney system is one of the important factors of industrial property system. Therefore, legal arrangements were made in order to gather them under a legal roof that will play an active role in the exam, training, audit and discipline processes of the attorneys whose total number has reach to 2541 as of those 1549 are trademark attorney and 992 are patent attorney. It shall be took care to select a capable attorney in the exams to be made and with the continuous training and audit activities, the service quality shall be increased and behaviors contrary to attorney ethic shall be prevented.

Monitoring indicator: By obtaining the consensus of concerned parties, completing the legal arrangements and providing the attorney system to become one of the means for improving the industrial property consciousness. Completing the legal arrangements; starting to training activities.

#### **Objective 2 – Improving Cooperation with Specialized Courts,**

A judicial system that takes quick and consistent decisions and has ability to imply those decisions effectively is the most important factors of a healthy operating industrial property system. Information required by the courts during the prosecution process shall be transferred quickly and systematically. In order to provide information and document exchange, to evaluate the improvements in national and international level, to provide harmonization between TPI and court decisions, joint projects shall be organized with the Ministry of Justice and training, seminar and conference activities shall be arranged.

Monitoring indicator: Improving industrial property rights and creating joint projects for protecting the rights effectively, bringing the information requests and presentations systematically together, providing mutual information and experience, accelerating the information exchange, improving the harmonization between TPI and court decisions, efficient protection of the industrial property rights.

#### **Objective 3 – Initiation of cooperation works for the development of expertise system,**

It is mostly appealed to expertise system in cases concerning the industrial property rights. In addition to this, in most cases individuals who are not expert are appointed as expert in this field which requires technical information and specialization.

In the court decisions, taking the reports as basis which is prepared by the individuals who are not expert in their field abuses the trust of people to court decisions and judicial system. In order to overcome these issues, TPI shall cooperate with the Ministry of Justice on the determination of expertise criteria and realizing the expert training.

Monitoring indicator: Determining the expert criteria with the Ministry of Justice, preparing project concerning the cooperation and consultation on the subjects such as training, content of the training, certification.

#### **Objective 4 – Increase of cooperation and sharing of knowledge with shareholders,**

Improving the relations with the partners of TPI has a special importance on increasing the awareness of industrial property rights in our country, providing efficient protection, and improving R & D and technology investments. Therefore TPI shall continue close cooperation with its partners in the upcoming period and by creating projects suitable to the activity fields and functions and signing protocols, TPI shall provide the efficient usage of incentive role of innovation of the industrial property.

Monitoring indicator: Improving suitable projects to the activity fields, duties and functions of the partners and arranging common events for the relevant sectors.

#### **Objective 5 – Encouraging academic studies on the age of industrial property rights and getting in cooperation with universities,**

The industrial property system is a dynamic field which is in relation and interaction with different disciplines mainly legal, economy and social elements. In order to correctly evaluate the role and effects of industrial property rights in different fields and improving correct policies, multilateral scientific analysis and empirical observations are required. Encouraging and increasing academic studies on this field shall enable to correctly evaluate the effects of industrial property in different fields and sectors and to improve suitable policies.

Monitoring indicator: Encouraging academic studies in this field under TPI and universities, following the academic studies in world, arranging annual symposiums on industrial property

#### **Objective 6 – Foundation of Patent Evaluation Agency**

Despite the rapid increase in the application numbers and awareness on the industrial property in recent years, same progress can not made on bringing the products subject to industrial property rights to the economy of the country. Since innovators in our Country are lack of sufficient experience and financial source to imply his/her innovation mostly to industry and begin to production, on the one hand current innovations are not evaluated and on the other hand incentive role of protecting such kind of innovations with patent lose its efficiency.

Therefore a Patent Evaluation Agency shall be founded in order to bring the resources subjected to industrial property rights to economy, determination of its financial value, gathering patent owner and industry together, orientating the market and to increase innovation capacity.

Monitoring indicator: Analyzing detailed the purpose and objectives, scope of duties and responsibilities, legal situation of the Agency, parties to be served, qualitative and quantitative structure of staff, and financial resources. Completing the analysis studies, determining the road map according to prepared report and starting to works.

**Purpose 4: Developing consciousness for industrial property throughout the country in order to promote innovation**

TPI, who have given importance to the registration transactions of industrial property rights in previous periods and who executes its responsibilities for Turkish industry and economy, has given special important to the presentation and information activities as one of the fundamental problems and has achieved a significant development in quality and efficiency despite of the increasing work load.

For training, information and raising awareness works related to industrial property rights in public and in related areas, instruments such as mass communication instruments, participation in conventions, internet site, seminar and symposiums have been used effectively and strategically.

Especially, with the cooperation with encouraging system that eases the financial aspects for patent applicants and was limited before, has been widened in its scope, and will be continued to develop.

**Objective 1 – Systematization of presentational and information works.**

TPE shall perform a detailed analysis of target group, place, subject and method regarding the presentational and catch-up activities relating to the industrial property rights.

Monitoring indicator: Re-assessment of the presentation and informing policies, giving particular importance to the needs - utility analysis.

**Objective 2 – Application of goods related to the information activities of customers on industrial property system applications in Turkey and in the world,**

Making the national and international industrial property system and its applications known publicly shall ensure an effective utilization of the system's advantages.

Monitoring indicator: Concentrating on the training works in line with this, particularly explaining the subjects of operation and utilization of the system under a separate title. Publishing the Turkish Patent Institute Bulletin online.

**Objective 3 – Increase in activities related with raising the awareness for patent protection and discovery of innovations,**

Number of patents is one of the important indicators for the technological development of countries. Low numbers of domestic patent applications among the annual patent applications in our country is grabbing the attentions. The most important reason for this is that the awareness for making discoveries and protecting them via patent is still inadequate. That is why, increasing the R&D activities and transforming the discoveries into patents shall make a significant contribution to the technological and economical development of our country.

Monitoring indicator: While performing the raising awareness activities, putting special emphasis on the importance of protecting the inventions via patents and transforming the R&D works into patents. Coordinating with various research institutes in order to provide financial and technical support to the inventors. Provoking R&D investments within the university and business fields.

#### **Objective 4 – Increase in activities on consciousness for trademark creation and protection,**

The role of trademarks in marketing and competition is increasing day by day in line with the globalization and the development of international trade; and in addition to the product quality, brand recognition and image started to have an important role in the consumer preferences. Thus the Turkish economy needs trademarks that are powerful and protected effectively in order to stand in the international competition.

Monitoring indicator: Conducting workshops/ training sessions for the businessmen; increasing the national and international investments for branding by giving special emphasis to the subject at the activities of raising public awareness and encouraging the creation of original brands. Explaining the importance of trademark protection, registration system and the post-registration protection methods. Experiencing an increase in the number of national and international applications and in the recognition and utilization of Turkish trademarks.

#### **Objective 5 – Increase in activities related to the discovery and protection of new and original designs,**

Besides the factors such as trademark, quality and price, the appearance of the products have an effective role in the consumer preferences. In today's economy, one of the ways for the companies to achieve their goals of stepping forward among the other companies active in the sector, fulfilling the expectations of the customers and providing a top-level service in customer satisfaction is to become distinct in terms of design. That is why, design should be encouraged, the awareness of protecting new and original designs via registration should be raised and the knowledge level regarding the protection should be increased.

Monitoring indicator: Giving more priority to the explanation of economical aspect of design and the acquisitions gained by the protection ensured via registration while conducting the raising awareness activities. Organizing activities that shall provoke the creation of new and original designs.

#### **Objective 6 – Carrying out works with various research institutes, universities and related organizations with the purpose of developing encouragements related to patent applications and efficient announcement of those,**

The promotion system established for supporting the expenses of applicants to increase the low numbers of patent applications in our country and the public shall be informed regarding the national and international promotions of industrial property rights.

Monitoring indicator: Keeping the promotion system cooperated with TUBITAK effective and operative; making efforts to develop the promotion of KOSGEB (small and medium industry development organization) for SMEs; cooperating with related universities to get patent support from the academicians; conducting an effecting informing process regarding the promotion system.

**Objective 7 – Determination of products that can be subject to protection of geographical indications with the purpose of protection of products that are distinguished by their local features and carrying out activities on registered protection of them,**

Monitoring indicator: Detecting the products that may be subject to geographic indication protection in our country. Mapping the local products of the country and ensuring registration and protection of these products. Providing counseling services to the applicants of geographic indication applications by TPI and encouraging the geographic indication applications by decreasing the registration costs.

**Objective 8 – Carrying out joint works with Ministry of Education and Supreme Council of Education in period 2007 – 2011 in order for the inclusion of industrial property rights to the educational curriculum at primary and secondary education level,**

As a result of the cooperation with MEB (Ministry of National Education), Technology and Design course was added to the elementary school curriculum and now the subject of industrial property rights is included into the scope of this course.

**Objective 9 – Fast continuation of the works on public awareness works on industrial property rights subject in period 2007 – 2011 and providing an increase on the subject of industrial property in public,**

It is very important to inform and raise awareness in the related groups of the society regarding the issues of the importance of industrial property rights for the enterprises and society or their contribution to the economic development. The activities that are conducted in line with the presentation strategy shall be carried on especially by making effective use of the mass media.

Monitoring indicator: Announcing the activities and new implementations of TPI via media; organizing seminars, symposiums and congresses; participating in the important expos; conducting surveys in order to measure the knowledge level of industrial property.

**Objective 10 – Establishment of an academic journal on industrial property rights and publishing it every three months,**

Monitoring indicator: Publishing academic, refereed journal in order to circulate the academic studies regarding the industrial property rights. Encouraging the academic studies in this field within TPI and universities and publishing these studies in the journal.

**Objective 11 – Application of library software for the development of Intellectual and Industrial Property Library under TPI,**

Improving the intellectual property library with new books and periodicals; and conducting promotional activities to ensure an effective use.

Monitoring indicator: Browsing national and international publications; obtaining all of the national publications of intellectual property rights and some of the important foreign publications, providing electronic access to the list of library resources. Obtaining the appropriate publications by browsing the publications during 2007.

**Objective 12 – Distribution of regular, annual prizes to persons and organizations that have performed significant works on issues of industrial property rights in Turkey.**

Rewarding the individuals and organizations that have performed significant activities on the industrial property rights in Turkey.

In order to increase the number of works on this subject, the individuals and organizations that have contributed to the industrial property rights and conducted studies/ works on the subject shall be determined and relating competitions are to be organized and prizes will be distributed.

**Purpose 5: Increasing the Efficiency of TPI in International Platforms**

TPI's strategy of becoming an efficient organization that brings contribution to the development of industrial property rights and directs it at international level makes it necessary for TPI to have significant roles in international platforms. For implementation of this purpose, TPI has been strengthening its representative capability in the last years by actively participating in international platforms where industrial property policies are shaped, has been reflecting international legislative applications, and has also been giving special consideration to its relations with Turkic Republics along with the countries in its region as well as developed countries. TPI will continue its works in this area in the following period with developments.

**Objective 1 – Strengthening of representative capabilities of TPI in international platforms where industrial property policies are shaped and providing the active participation of TPI in these platforms such as WIPO, WTO and, EPO.**

By taking active participation in the international meetings, TPI shall not only be the medium for transferring the international texts to the internal law but also it shall be in a position which allows TPI to prepare and shape these texts.

Monitoring indicator: An active and coordinative work of the work groups formed within TPI; providing suggestions that match the interests of our country by following the developments and documents at the international meetings. Informing the relating departments about the issues discussed in the meetings in order to sustain the position that we have as a country. Regularly participating in the international meetings. Providing participants with foreign language skills to these meetings.

**Objective 2 – Following international agreements and fulfilling the responsibilities in agreements which TPI is a party to,**

Protection and development of industrial property rights is a subject that should be handled in line with the international developments. There are numerous agreements worldwide that construct a basis for the national regulations regarding the subject of industrial property.

Turkey is still acts as a party of 13 international agreements. TPI has to follow the international agreements and fulfill its obligations in order to manage the international relations effectively.

Monitoring indicator: Following the international agreements. Conducting necessary activities that will ensure the liabilities arising from the signed agreements are included in the laws and regulations.

### **Objective 3 – Continuous monitoring of developments in the world,**

As the industrial property field has a dynamic structure in nature, new issues such as emerging genetic resources and protection of traditional knowledge, geographic indications, biotechnological inventions, software patents, public health, electronic trade, folklore, information technologies are being discussed intensively in the international platforms. TPI shall have an active role in these studies and discussions in order to reflect its policies - that are developed in line with the national interests - in the international regulations.

Monitoring indicator: close monitoring of the developments and implementations regarding the industrial property rights in the world and developing policies that match the national interests; reflecting the national interests in the international regulations.

### **Objective 4 – Continuation of cooperative works with related organizations for the purpose of full compatibility with Acquis Communautaire,**

Introductory and Detailed Screening Meetings of “Intellectual Property Law” was conducted at Brussels in Feb and March of 2006. This was the 7<sup>th</sup> chapter of the 35 part determined after the negotiations on full membership had started on Oct 3, 2005. Screening process regarding the “Intellectual Property Law” title was performed by co-chair of Ministry of Culture and Tourism and TPI. During the next periods the negotiations with EU shall be monitored closely and the deficiencies of industrial property rights shall be overcome and we shall conform to the EU Acquis.

Monitoring indicator: Close monitoring of the amendments made in the EU Acquis, reflecting these changes in the national legislation, continuing the coordination and cooperation with the related institutions such as Ministry of Justice, Ministry of Internal Affairs and the Undersecretariat of Customs in order to implement the legislation.

### **Objective 5 – Development of cooperation with international organizations and other national industrial property offices**

A special emphasis is being given to the cooperation with international organisations, neighbouring countries and patent offices of the developed countries in line with the reason that industrial property rights have a global quality. With this quest, TPI has developed various projects and signed bilateral and multilateral agreements. TPI shall carry on its activities in this direction for the next period too.

Monitoring indicator: Making cooperation agreements with the international organisations, EU countries, neighbouring countries and other country offices; reviewing and developing the existing cooperation agreements, organizing cooperative congresses and seminars; making cooperation regarding the subjects of expert exchange and trainings.



## **B – FUNDAMENTAL POLICIES AND PRIORITIES**

### **1 – Customer Orientation**

Turkish Patent Institute sees customer orientation as a significant principle in first degree. All personnel working in our organization have made it their principles to act in a way that will provide customer satisfaction, to pay close attention to the customer and give information within the frameworks of the legislation. Personnel provide the effective functioning of this principle by warning each other in the cases it is seen necessary. Customer orientation also means attainability. Our customers can always easily reach the related authorized personnel in order to get information, solve their problems or state their complaints.

### **2 – Employee Orientation**

Turkish Patent Institute has an understanding of work that protects and supervises its own personnel along with the customers. TPI has policies that oriented for its own training of the personnel of the organization, giving equal important to the mission and human relations, acquiring the maximum satisfaction from the work they do. TPI sees giving importance to and valuing its employees as an indispensable principle and carries out all its executions according to this.

### **3 – System Orientation**

System orientation means the development and application of new systems appropriate for new developments. Turkish Patent Institute has an understanding of work that will fasten the activity and transaction processes, simplify them, and give a more systematic service to the customers. This understanding makes it necessary to be flexible according to situation and conditions rather than firmly connecting one's self to rules.

### **4 – Reliability**

Turkish Patent Institute signifies being a reliable organization in the eyes of all its customers. Reliability makes it necessary that all applicants should receive the same proceedings in transactions related to industrial property rights, the transparency in management understanding and applications, being the most accurate and up-to-date source of information related to industrial property rights.

### **5 – Raising Awareness**

Turkish Patent Institute gives importance to the function of raising awareness in order for industrial property rights to provide maximum contribution to development and development of an innovative and creative structure in industry of our country. Raising awareness is supported with relationships to be established with universities, TUCCE, KOSGEB, TUBITAK and non-governmental organizations along with activities such as seminars, symposiums, organization of competitions, media announcements and preparation of presentation materials. Raising awareness is our fundamental function in every stage, every process and every relationship.

## **6 – Speed Orientation**

Turkish Patent Institute is aware of the significance of speed factor in order to get to the place it deserves in global competition. Speed shall not be achieved by sacrificing quality. However quality factor cannot get in front of speed factor. Turkish Patent Institute has made the combination of speed + quality the fundamental value and principle. Not postponing, quickly completing works, easing works, simplifying works and being understanding is the fundamental principle of the organization personnel.

## **7 – Quality Orientation**

Turkish Patent Institute works with understanding and philosophy. Understanding of total quality means that all personnel do a perfect job from the top level manager to the lowest level service personnel. Quality is not an obstacle in the way of being fast. Our personnel has learned to do every job one time with quality, without faults and quickly and has made it a habit to work this way. Quality is customer satisfaction at the same time. Personnel of Turkish Patent Institute works with a philosophy and understanding that will satisfy their customers. They are flexible persons that are far away from bureaucratic approaches, who try to help, who cooperate and who produces solutions by communicating.

## **8 – Flexibility**

Flexibility is the process of being aware of the changes and given appropriate responses to changing necessities that can appear in working conditions of the businesses in business life and in customer expectations, in economy. Turkish Patent Institute follows the developments in outside world and inside the country while working in determined legislative rules and adopt them. Turkish Patent Institute aims to be dynamic organization that solves problems rather than being a bureaucratic organization.

## **9 – Result Orientation**

Turkish Patent Institute acts with a result oriented principle in registry transactions of industrial property rights. TPI personnel give importance to the result rather than processes with the acknowledgement that transactions occur within certain processes and signify the conclusion of works. Achieving conclusions is signified rather than small bureaucratic mechanisms. Result orientation makes it necessary for confidence in the customer, quick working, helping out, information and easiness.

## **10 – Continuous Training**

Turkish Patent Institute acts with the consciousness that lifelong education is an absolute necessity in the fast paced changing world of today. In that context, every year all personnel is taken into internal service training programs within the frameworks of continuous training philosophy. In the training, our personnel are informed on new developments, findings and international understanding; hence making them more competent and more customers oriented.

## **11 – Creativity**

Turkish Patent Institute signifies creativity in order to strengthen its position in the face of the developments in the world while closely following them. The institute is not in a position to only watch the new developments. It also produces creative solutions developing its own original projects. Personnel that develops creative suggestions and ideas inside the organization is rewarded. New, different, original and solution bringing projects are created among the managers using brainstorming techniques. Innovation and creativity are the fundamental element of competition in international arena.

## **12 – Technology Orientation**

Turkish Patent Institute is well aware of the fact that the race in global competition is shaped within the frameworks of technology. Therefore, it provides the development of an understanding that signifies technology in all its managers. It organizes trainings in order to increase technologic efficiency of personnel working in all departments and units. Turkish Patent Institute closely follows developments in the world in information technologies and adopts them.

## **13 – Giving Importance to International Relations**

Turkish Patent Institute gives importance to international relations because of the fact that industrial property rights have global quality. Within this framework, it establishes relationships with industrial property rights organizations of EU countries and patent offices of other countries. It makes efforts to develop joint projects within the framework of joint partnership.

**III – INFORMATION  
AND  
EVALUATIONS ON ACTIVITIES**

## A – FISCAL INFORMATION

### 1 – Results of Budget Application

#### Economic Distribution of Spending

	<b>TOTAL ALLOCATION</b>	<b>TOTAL SPENDING</b>
01 – PERSONNEL EXPENSES	7.597.000	6.377.990
02 – GOVERNMENT BONUS EXPENSES TO SOCIAL SECURITY ORGANIZATIONS	908.000	626.764
03 – GOODS AND SERVICES BOUGHT	19.908.000	13.184.077
05 – CURRENT TRANSFERS	2.053.000	556.042
06 – CAPITAL EXPENSES	5.268.000	210.564
<b>GENERAL TOTAL</b>	<b>35.734.000</b>	<b>20.955.437</b>

#### Functional Distribution of Spending

TL

	<b>TOTAL ALLOCATION</b>	<b>TOTAL SPENDING</b>
01 – GENERAL PUBLIC SERVICES	15.520.000	7.004.754
02 – DEFENCE SERVICES	53.000	0
03 – EXPENSES FOR PUBLIC ORDER AND SECURITY SERVICES	520.000	905.748
04 – ECONOMIC WORKS AND SERVICES	19.641.000	13.044.935
<b>GENERAL TOTAL</b>	<b>35.734.000</b>	<b>20.955.437</b>

\* Budget expense numbers are not absolute as the net account studies have not yet been completed.

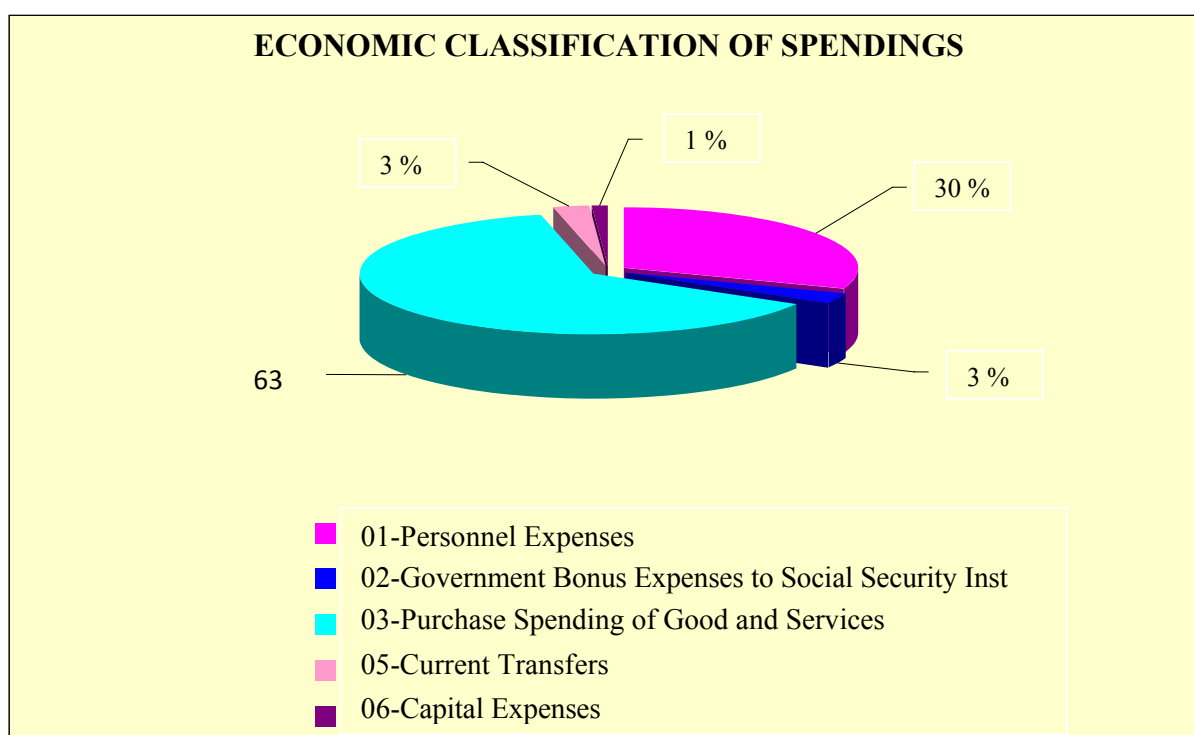
## Economic Classification of Budget Revenues

TL

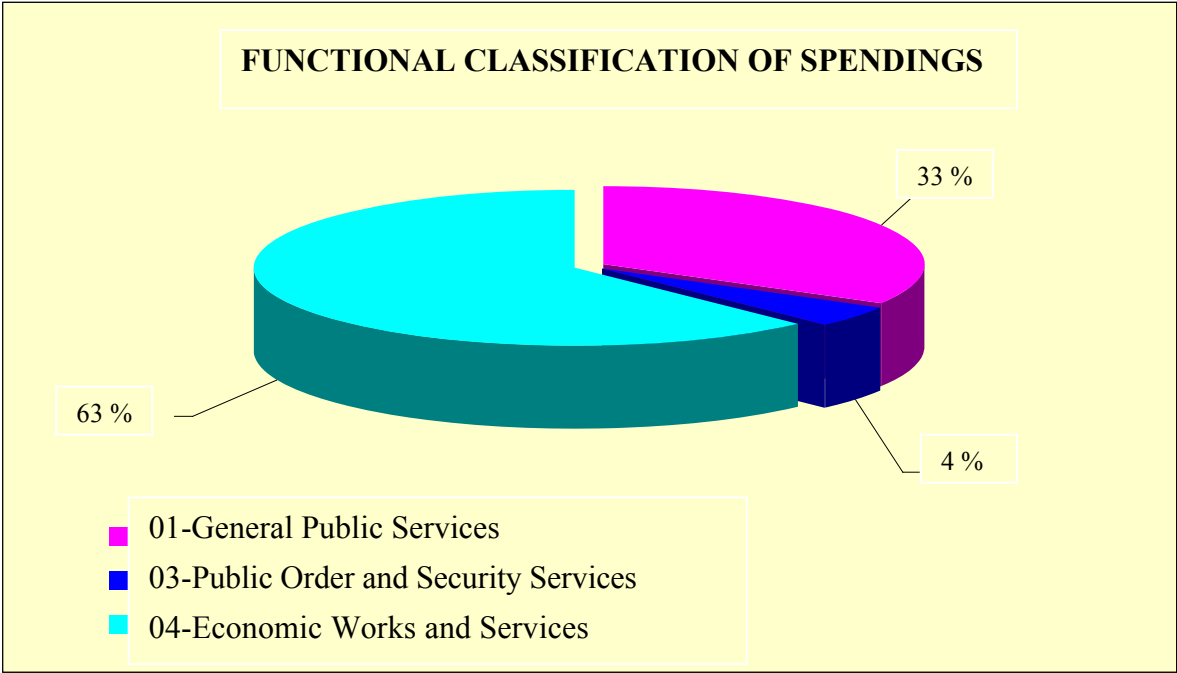
Economic					YEAR 2008
03	01	01	02	Sale Revenues such as Book, Publication and etc.	309.360
03	01	02	04	Activity Revenues such as Course, Meeting, Seminar, Training and etc.	28.825
03	01	02	20	Patent Revenues	13.445.083
03	01	02	21	Trademark Revenues	38.392.603
03	01	02	22	Utility Model Revenues	320.036
03	01	02	23	Revenues from Geographical Indication	6.020
03	01	02	24	Revenues from Industrial Design	4.161.921
03	01	02	25	Revenues from Integrated Circuit Topography	4.000
03	01	02	99	Revenues from Other Services	543.477
05	01	09	01	Receivables from Persons and Interests	1.588
05	01	09	03	Deposit Interests	21.917.950
05	09	01	06	Revenues from Persons	89.815
05	09	01	99	Several Revenues that are not Defined Above	14.520.604
<b>TOTAL OF BUDGET REVENUES</b>					<b>93.741.285</b>

\* Budget expense numbers are not absolute as the net account studies have not yet been completed.

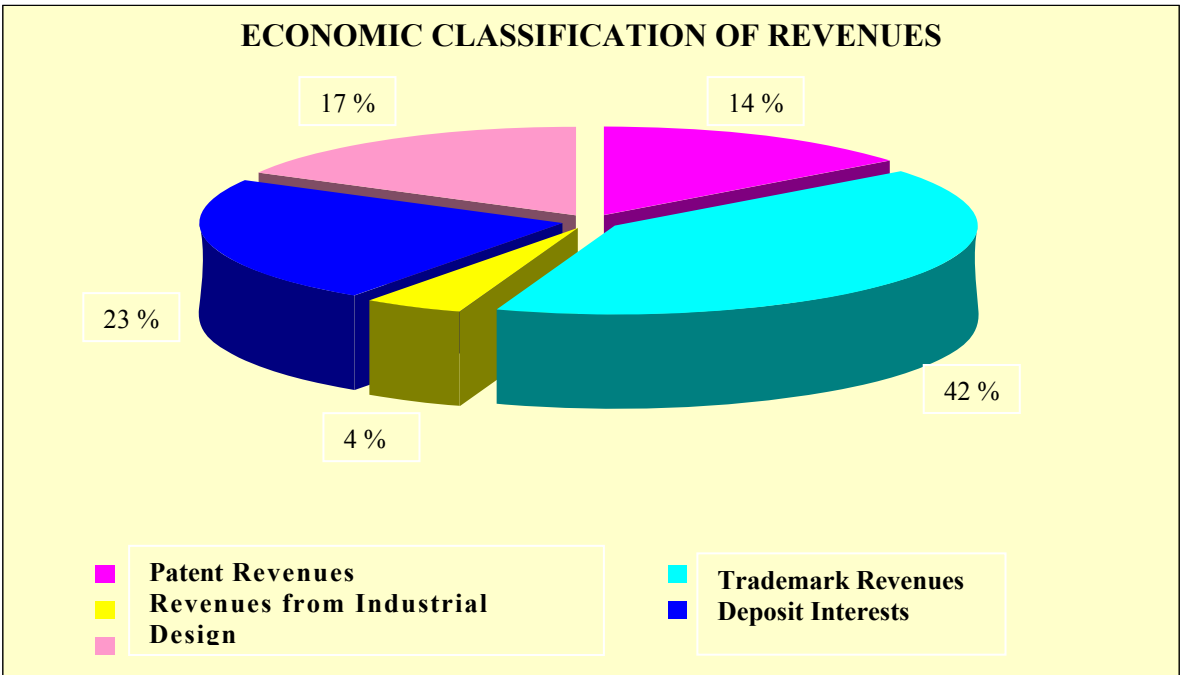
## 2 – Explanations on Fundamental Fiscal Tables



When this graph on economic classification of budget expenses is examined, it is seen that 63 % of total spending belong to spending on goods and services bought.



When functional classification of budget expenses is examined it is seen that majority of the total spending are related to economic works and services and this situation gives us the conclusion that main service units' share in the budget is significantly high.



According to Article 25 of the Law numbered 5000 and dated 06/11/2003 on the Foundation and Responsibilities of Turkish Patent Institute, the revenues of TPI consists of the fees it will get in return for the services it gives, all other kinds of charities and donations, revenues from the non-tangibles of the Institute and investment of these revenues. When income table of year 2008 is examined, it will be seen that 42 % of the revenues of the organization comes from trademark applications and registry works.

### **3 – Results of Fiscal Audit**

#### **3.1 – Internal Audit**

For enriching and developing the works of the public administration, internal audit is an independent, objective consultancy activity that provides confidence in order to evaluate and guide whether the resources have been managed according to economy, efficiency and effectiveness basis. These activities are realized in accordance with the generally accepted standards and in a systematic, continuous and disciplined approach with respect to evaluate and develop the efficiency of risk management, management and control processes of fiscal transactions with management and control structure of administrations.

During 2008, presentation and publication activities required for the publicity and understanding the internal audit in institutional level were performed. Internal audit Directive has been prepared and approved by the senior manager.

Investigation and research were performed for evaluating the work, transaction and activities of our Institute's Directorate of Strategy Development and at the end of this study, a Report dated 17/07/2008 and numbered 2008 – 1255 / 1299 – 1 was arranged.

Risk evaluation works have been carried out in administrative units of the Institute based on "Risk Evaluation Guide for Public Internal Audit" and works audit phase has been defined.

#### **3.2 – External Audit**

The purpose of the external audit held by the Audit Court after spending is the investigation of fiscal activities, decisions and transactions of the management within the frameworks of responsibility to reply to public managements in terms of appropriateness to organizational purposes, objectives and plans, and reporting of the results to Turkish Grand National Assembly.

The external audit is performed with the fiscal audit related to the accuracy and reliability of fiscal tables based on generally accepted international audit standards and Public management accounts along with documents related to them, audit of whether the fiscal transactions of public managements related to revenues, expenses and goods are appropriate to laws and other legal regulations, measurement of activity results and assessment of these in terms of performance. Our Institute is subject to Audit Court audit and has no recorded debt.



## B – PERFORMANCE INFORMATION

### 1 - Activity and Project Information

#### a) Patent and Utility Model

In 2008, patent application to our Institute was totally 7137 as 2268 are domestic and 4869 are foreign applications. 2159 of the domestic applications are direct national application, 69 of those are the applications submitted through Patent Cooperation Treaty (PCT) and 40 of those applications are the European Patent applications and European Patents submitted via European Patent Convention (EPC). 68 of foreign applications are direct national application, 107 of those are the applications submitted through Patent Cooperation Treaty (PCT) and 4694 of those applications are the European Patent applications and European Patents submitted via European Patent Convention (EPC).

Number of Domestic Application				Number of Foreign Application				General Total
TPI	PCT	EPC	Total	TPI	PCT	EPC	Total	
2159	69	40	2268	68	107	4694	4869	7137

Whereas application of utility model to our Institute was totally 2986 as 2949 are domestic and 37 are foreign applications. Distribution of foreign applications according to different systems is as 34 direct national application and 3 submitted via PCT.

Domestic			Foreign			General Total
TPI	PCT	Total	TPI	PCT	Total	
2946	3	2949	34	3	37	2986

When the applications of Utility Model is evaluated, for the first time in republican history, more than 10 thousand applications for inventions have been submitted to our Institute.

As of 01/01/2005 preparation for a research and investigation report has been started in our Institute. In 2006, totally 58 requests were made to our Institute for the preparation of a report and 50 of those are research and 8 of those are investigation requests. In 2007, totally 84 requests were made to our Institute for preparing the research and investigation reports in Turkey and 74 of those are for research and 10 of those are for investigation. In 2008, totally 49 requests were made to our Institute as 42 of those are for research and 7 of those are for investigation. The total number of completed reports in our Institute until now is 144. In 2006 28 objections, in 2007 26 objections and in 2008 25 objections were submitted to the Reinspection and Evaluation Committee in which the objections to the decisions of our Institute were discussed and those were concluded.

## **b) Integrated Circuit Topographies**

Integrated circuit which is designed in order to perform an electronic function or other similar functions is an interim or end product integrated within and/or above the material pieces of any or all of the interim connections comprising of at least one active element. Whereas integrated circuit topography is series of views fixed in any format and prepared for the purpose of manufacturing and also showing the three dimensioned series of the layers forming the integrated circuit.

The integrated circuit topographies which are formed as a result of its designer's ideational effort and have unknown original features among the integrated circuit manufacturers and topography designers during the design process, are put under protection by registering those with the Law for the Protection of Integrated Circuit Topographies numbered 5147.

The protection of the Integrated Circuit Topographies provides the creation of competition environment in this field and the development of the industry in this way.

The period of protection of integrated circuit topographies to establish an industrial property right is ten years in our country.

## **c) Trademark**

Spreading the trade marking concept due to the rapid development in the national economy, increasing competition between enterprises and similar reasons, caused a rapid increase in the trademark applications in recent years. When the data of 2008 is examined, compared to 2007, approximately 5, 47 % increase is observed in 2008 and totally 75258 trademark registration applications were made. The statistics of 2007 and 200 years for the trademark registration applications submitted through Domestic, Foreign and Madrid Protocol are listed as below.

	2007	2008	RATE OF INCREASE
DOMESTIC	58728	60751	3,44 %
FOREIGN	3285	4341	32,14 %
MADRID	9338	10166	8,86 %
TOTAL	71351	75258	5,47 %

Our position in the high places among European States in the number of trademark registration application is one of the most important indicators showing that the significance of trade marking concept in our commercially active enterprises.

In order to get the trademark right, which increases the competitive power and awareness towards companies in national and international trade and makes significant economic contributions to enterprises, the trademark application should be registered by TPI. Depending on the increase in domestic and foreign trademark applications and the ones submitted under the Madrid Protocol, an increase is observed in the number of trademark registrations in recent years.

#### **d) Geographical Indications**

An increase in geographical indications applications after being aware of the importance of the concept of geographical indications by manufacturers and customers, protecting the products identified with the region where they have their roots as of its characteristics and making contribution to the regional development is observed in our country that is rich with respect to regional product variety in the recent years. While the number of applications in 2008 was 49, the number of registered applications realized as 127. The number of registered geographical indications in Turkey reached up to 106 as of the end of 2008.

#### **e) Industrial Design**

In order to revise the product list in the Locarno Agreement regarding the international classification of industrial designs in 2008 in line with developing and changing requirements in such a way that provide facility and efficiency in research applications, participation to work group formed by WIPO has been provided.

The number of countries and intergovernmental organizations that are party to La Haye Convention for the international registration of industrial designs increases. Accordingly, the number of countries which will acquire protection facility with one application to be submitted to right holders settled in Turkey, increases.

Within the scope of quality works, transaction processes have been revised and especially the transactions after the registration are concluded in one day. In addition, the works for creating an Industrial Design Handbook in which design applications and transaction processes are placed and a Design Handbook in which agreements concerning the design applications are placed, are in progress.

Apart from that, “Industrial Design Application Guide” and “Industrial Design Information and Presentation Brochure” has been updated.

Within the scope of the symposium arranged under the cooperation with our Institute and World Intellectual Property Organization (WIPO) and with the support Italian Patent Office, subjects such as the economic dimension of the design, benefits of which the companies provide by means of differentiation with design method, the results of considering design in the manufacturing process and handling the situation of the sector regard as a designer, were emphasized.

## Distribution of the Industrial Design Applications by Years

Year	Domestic				Foreign				Total			
	File	Rate of	Number	Rate of	File	Rate of	Number	Rate of	File	Rate of	Number	Rate of
	Number	Increase	of Design	Increase	Number	Increase	of Design	Increase	Number	Increase	of Design	Increase
2004	4520	13,68 %	23211	8,15 %	372	30,99 %	1108	57,83 %	4892	14,84 %	24319	9,73 %
2005	4925	8,96 %	26716	15,10 %	405	8,87 %	1209	9,12 %	5330	8,95 %	27925	14,83 %
2006	5527	12,22 %	28237	5,69 %	496	22,47 %	1247	3,14 %	6023	13,00 %	29484	5,58 %
2007	5998	8,52 %	29109	3,09 %	546	10,08 %	1289	3,37 %	6544	8,65 %	30398	3,10 %
2008	6071	1,22 %	28749	-1,24 %	507	-7,14 %	1205	-6,52 %	6578	0,52 %	29954	-1,46 %

The number of applications has been increasing every passing year from 1995, the year in which industrial designs have been started to protect by means of registration, until now to the extent of the consciousness increasing in public. The number of designs to which protection requested was realized as 29954 in 2008.

### f) International Relations

#### Negotiations of Intellectual Property Law Chapter

Acquis Communautaire which is subject to negotiation between the parties in the negotiation process started in 3 October 2005 in line with the full membership of Turkey to EU is composed of 35 chapters. Industrial property rights within the scope of our Institute's assignment sphere, is the 7<sup>th</sup> Chapter and it is under the Phase of "Intellectual Property Law". In the Participation Conference held in 17 June 2008, the Chapter of Intellectual Property Law was officially opened to negotiation however in the Joint Position Document, four technical closing criteria was defined in addition to the additional protocol of the Ankara Agreement as a closing criteria. The closing criteria are as follows:

- Within the frame of the operation basis submitted by the Commission to Turkey in 3 April 2008, creating a successful dialogue on the subjects of the Intellectual Property field,
- Providing for executive administrations to have a sufficient administrative capacity in the application of the rights concerning the struggle against to pirated and reproduction activities,
- For Turkey to submit a satisfactory progress on the improved performance of Turkey regarding the investigations, prosecutions, and legal activities concerning the violations and effective implementation of the Intellectual Property Law and this progress should consist a large scale decrease in the number of pirated and reproduction products exported to EU,
- For Turkey to complete the harmonization to Acquis Communautaire concerning putting the additional protection certificates in to practise and consuming the rights on the Community level and providing these rights to implement with participation.

In the assessment meeting held in the Secretariat General for the European Union Affairs dated 4 July 2008, steps to be followed in order to fulfil the closing criteria were concluded. As a result of meetings held between our Institute and Ministry of Culture, a proposal was submitted in order to hold meeting for closing criteria in 13 October 2008 in Brussels and it was decided to hold a preparation meeting for this reason in our Institute.

In the meeting for Closing Criteria made with the representatives of EU Commission in 13 October 2008, detailed information was obtained on the dialogue mechanism and other closing criteria and the manner of our Country was protected as stated above. Similarly, in the meeting for Customs Union Joint Committee (CUJC) held in Brussels in 14 October 2008, the manner of our Country and developments about the chapter were briefly expressed. In 14 November 2008, the first meeting of the Coordination Committee of Intellectual and Industrial Property Rights was held and at the end of the meeting; it was decided to wait for the information on the Dialog Mechanism which were committed by the Committee and also to follow the activities regarding other closing criteria.

### **International Activities**

- European Patent Organization (EPO) Member States Classification Meeting

EPO Member States Classification Meeting held in Turkish Patent Institute on 25 January 2008 with the participation of the members of European Patent Organization. The 19 Member States of EPO, EPO representatives participated to the meeting and World Intellectual Property Organization (WIPO) was represented first time in such a meeting.

In the meeting the basics of constitution of a Classification Working Group is evaluated and information exchange was provided among member states. Usage of ECLA (Classification system of EPO) and issues on the International Patent Classification (IPC) and developments on the “Harmonisation Projects” ongoing among Japan, USA and EPO and Reclassification Project were discussed in the meeting.

- The Inter Regional Workshop on Geographical Indications

The Inter Regional Workshop on Geographical Indications organized under the “Technical Cooperation Project among OIC Member States” was held by Turkish Patent Institute and the World Intellectual Property Organization (WIPO) in cooperation with Islamic Development Bank (IDB) and the Islamic Centre for Development of Trade (ICDT) in the premises of Turkish Patent Institute on April 03-04, 2008.

On the event in which approximately the Patent and Trademark Representatives of 250 non-governmental organizations, industry and trade chambers, relevant institutions and organizations, applicants and right holders for geographical indications were invited, in the sessions realized following the opening speeches, the participants conveyed their knowledge and opinions on the necessary conditions for the protection of geographical indications in sui generis systems, and samples from the European Union and necessary conditions for the protection of geographical indications in countries that do not have sui generis systems, the harmonization issue between the protection in the country of origin and the protection at abroad, and economical factors of the geographical indicators and worldwide geographical indication producers.

In the second day of the workshop, the Turkish national geographical indications system was introduced. Afterwards, the participating countries provided brief presentations on their national system in the interactive sessions.

The Workshop provided an opportunity of information and experience exchange for especially the experts from OIC Member States and the Turkish nationals on protection of geographical indications worldwide and in the European Union by examining the protection legislation of geographical indicators, implementation samples and the protection of geographical indications in countries that do not have sui generis systems.

- Workshop on “International Registration of Trademarks Using Madrid System”

World Intellectual Property Organization (WIPO) in cooperation with Turkish Patent Institute (TPI) has organized a workshop on “International Registration of Trademarks uses Madrid System” on 17-18 April 2008. On the workshop, the WIPO and TPI representatives made presentations on the main properties of the Madrid System, structure of it, developments regarding the Madrid System, experience of TPI concerning the subject, the trademark protection system in Turkey and experiences of the users on the Madrid System.

Since it's widely and intensively used nature in the registration of trademarks in our country and besides thousands of trademark registry application is received from abroad via Madrid System, the Workshop in which the main properties of the Madrid System, structure of it, experiences concerning Madrid System, is highly helpful for initially trademark agents and any related individuals, bodies and organizations carrying on business in our country.

- European Round Table on Patent Practice (EUROTAB)

17<sup>th</sup> meeting of the EUROTAB which was established in order to countries party to European Patent Organization to exchange opinions regularly on patent practice and procedure between the national patent offices' was held in Ankara in 8 – 9 May 2008.

In the meeting in which 41 representatives from 20 countries participated, experiences on the subjects on the technical usage of publications in internet, inventions, inventory and perspectives protected with computer software, application date and conditions of (PLT 2000) / European Patent Convention (EPC 2000), were shared and things to be performed in order to provide practice union was discussed.

- Training Workshop on International Industrial Property Themed “Patent Cases and Procedures” for National Judges

With the coordination of the Academy, the Training Workshop on International Industrial Property Themed “Patent Cases and Procedures” for National Judges which has been arranged by the European Patent Academy in member states, was held in Istanbul.

In order to conclude the violations and conflicts fairly and quickly concerning the Intellectual and Industrial Property Rights, the number of Specialized Courts of Intellectual and Industrial Rights which were started to establish in 2001 reach to 23 as of today.

In the cities that have not Specialized Courts, general civil courts and general criminal courts are hearing the violation of Intellectual and Industrial Property Rights.

Projects and trainings for the judges assigned in specialized courts are ongoing by our Institute. In the previous period participation of our judges to the project of World Bank and the training programs arranged by the European Patent Academy was provided. In the existing period, the trainings for our judges will continue under the scope of the EU twinning project to be implemented with German Federal Patent Court and German Patent Office.

- Symposium of Differentiate with Design and the Economical Dimension of Design

It is so important to provide the institutional progress by submitting proposals on the comparison of design registry processes and practices in country offices activating in the field of Industrial rights, determination of differences and improving the processes. Therefore in the first half of 2008, an event on “Differentiate with Design and the Economical Dimension of Design” was arranged in 27 – 28 May 2008 with the cooperation of Italian Patent Office. On the Symposium, spokesmen shared their knowledge and opinion with participants under the main heading of the economical benefits of the companies gained by differentiating with design, benefits reached with considering the design in production period, situation of the sector from the designer perspective, How Italian Design becomes a trademark and experience in Turkey; on the subjects of the La Haye System and Italian design registry and protection system with the registry and protection of designs in Turkey round the main theme the roles and applied policies of the companies and occupational organizations on design basis while the leading furniture sector in Italy becomes its existing position with main theme about the protection of designs in natural and international platforms.

- Workshop on the Generalization of the Industrial Property Awareness in Universities

The Workshop on the “Generalization of the Industrial Property Awareness in Universities” which was arranged in order to generalize the knowledge of industrial property in universities and to integrate the industrial property issues into the curriculums of the universities was realized in Istanbul University in 21 February 2008.

- World Trade Organization (WTO) – Workshop on Trade Related Intellectual Property Rights (TRIPs)

International Regional Workshop on World Trade Organization (WTO) – Trade Related Intellectual Property Rights (TRIPs) was arranged in Istanbul in 24 – 26 June 2008. A delegation composed of the representatives of Turkish Patent Institute, Ministry of Culture and Tourism, Ministry of Justice, Ministry of Internal Affairs, Secretariat of the State Planning Organization, Under secretariat of Customs, and Under secretariat of Foreign Trade, was participated to the Workshop in which the representatives from 24 countries as of the Central and Eastern European and Central Asia countries Afghanistan, Albania, Armenia, Belarus, Bosnia and Herzegovina, Bulgaria, Croatia, Macedonia, Georgia, Iran, Israel, Kazakhstan, Kyrgyzstan, Moldavia, Montenegro, Romania, Russian Federation, Serbia, Tajikistan, Turkmenistan, Ukraine, Uzbekistan.

Besides the routine subjects discussed in TRIPs meetings, the following matters were discussed in the workshop from among the burning subjects of nowadays; patent and public health determined with the Doha Declaration, TRIPs agreement and public health, 6<sup>th</sup> paragraph of Doha Declaration concerning this matter, biotechnology, biodiversity, protection of traditional knowledge and folklore, provisions of TRIPs concerning the geographical indicators, expanding the protection extend of the geographical indicators with multilateral declaration and registry system.

### **Bilateral Cooperation of Turkish Patent Institute**

- Bilateral Cooperation with Japanese Patent Office

A committee from the Japanese Patent Office realized a business visit to Turkish Patent Institute in 14 January 2008. A presentation was performed to the Japanese Committee, whose President is the general Manager of the 4<sup>th</sup> Inspection Department of Japanese Patent Office, by the President of our Institute concerning the Turkish Industrial Property System with the activities of Turkish Patent Institute. The Japanese Committee was informed about the projects of Turkish Patent Institute in short term such as realizing the Patent Evaluation Agency. Furthermore, it was decided to improve the bilateral cooperation in the next term by emphasizing on the possible cooperation subjects between the Japanese Patent Office and Turkish Patent Institute.

- Bilateral Cooperation with Kyrgyzstan Patent Office

The protocol proposed the technical cooperation between our Institute and the Kyrgyzstan Patent Office was signed in our Institute in 12 February 2008 with a ceremony.

With the cooperation protocol in question it is aimed to improve the existing cooperation further between Turkish Patent Institute and Kyrgyzstan Patent Office, and to share knowledge and documents with mutual experience on the field of the protection of industrial protection. In the mentioned protocol the following subjects are included: subjects concerning the intellectual property took place in the draft of Action Plan, effective usage of industrial property in international standards, mutual knowledge and experience share, training of the office personnel, publication exchange, cooperation in the preparation of new publication, cooperation in the bodies and departments of the related offices in order to implement the decisions of international organizations such as World Intellectual Property Organization (WIPO) and World Trade Organization (WTO).



- Bilateral Cooperation Agreement with the State Intellectual Property Office of the People's Republic of China

Bilateral Cooperation Agreement between Turkish Patent Institute and the State Intellectual Property Office of the People's Republic of China was signed in Ankara in 16 December 2008.

- Cooperation Protocol between the Turkish Patent Institute and Industrial Rights Organization (INNORPI)

Within the scope of the second meeting of Turkey – Tunisia Partnership Council, negotiations of the cooperation agreement stipulated to sign between Turkish Patent Institute and Tunisian National Standardization and Industrial Property Institution (INNORPI) were completed.

Following the opening meeting held in the Under Secretariat of Foreign Trade in 16 December 2008, the Presidents of TPI and INNORPI came together in Turkish Patent Institute. Opinion exchange was realized on the possible activities on the institutional structuring subjects such as of data processing substructure and the capacity of the staff besides the opening of the European Patent Organization which contains the countries of North Africa.

As a result of technical works realized with the visitor President, the text of the Cooperation Protocol whose draft was prepared before were finalized and the Protocol was signed by the Presidents of TPI and INNORPI in 17 December 2008 before the Ministers of both countries.

Following are the other Patent Offices with which TPI has signed a Cooperation Protocol from the Establishment of our Institute up until today:

- “Protocol of Intention on Cooperation between the Patent Organizations in the field of Protecting Industrial Property” was signed at Ankara, on November 12, 1998 between Turkey and Azerbaijan, Georgia, Kazakhstan, Kyrgyzstan, Mongolia and Tajikistan. The said protocol was put into force after being published in Official Journal numbered 23590 dated January 24, 1999.
- A Cooperation Agreement was signed between TPI and The Federal Institute of Industrial Property (FIPS) of the ROSPATENT on December 4, 1998 at Moscow.
- Document Exchange Agreement in the field of Protection of Industrial Property was signed between TPI and State Patent Office of the Republic of Uzbekistan on November 09, 2001.
- A Cooperation Agreement was signed between TPI and the Swedish Patent and Registration Office (PRV) on January 21 – 23, 2003.

- A Cooperation Agreement was signed between TPI and Danish Patent and Trademark Office on January 30, 2003.
- Agreement of Cooperation on Protecting Industrial Property was signed between Republic of Turkey and the Government of Azerbaijan Republic, at Ankara on April 13, 2004. The Agreement was signed by Mr. Ali ÇOŞKUN, the Minister of Industry and Trade of the period, on behalf of our country.
- A Cooperation Protocol was signed between TPI and the State Office of Industrial Property of the Republic of Macedonia at Ankara on July 01, 2004.
- A Cooperation Agreement was signed between TPI and Italian Patent and Trademark Office on July 09, 2004.
- A Cooperation Declaration was signed between TPI and Czech Republic Intellectual Property Office, at Prague, on November 30, 2004.
- A Cooperation Agreement was signed between TPI and Austrian Patent Office at Vienna on February 17, 2005.
- A Cooperation Agreement was signed between TPI and French National Institute for Industrial Property at Ankara, on December 01, 2005.
- A Cooperation Protocol was signed between TPI and the Moroccan Industrial and Commercial Property Office at Ankara, on May 26, 2006.
- A Cooperation Protocol was signed between TPI and Mongolian Intellectual Property Office at Ankara, on November 02, 2006.
- A Cooperation Agreement was signed between our Institute and the State Patent Service of the Kyrgyz Republic at Ankara on February, 12 2008.
- As a result of studies and correspondences between the State Intellectual Property Office of the People's Republic of China and Turkish Patent Institute an agreed Cooperation Protocol was signed by the Presidents of both offices on December, 16 2008 and sent mutually between the offices.
- A Cooperation Agreement was signed between our Institute and the National Institute for Standardization and Industrial Property of Tunisia at Ankara on December, 17 2008.

Following are the Patent Offices with which Cooperation Protocol is planned to be signed and negotiations are being carried out:

Albanian Patent and Trademark Office:

It was considered to prepare a bilateral cooperation agreement with Albanian Patent and Trademark Office and a draft protocol was prepared and submitted to the Albanian Patent and Trademark Office. The opinion of the concerned office was received and a protocol will be signed with the mentioned office on an agreed date.

Romanian State Office for Inventions and Trademarks: The cooperation protocol which was considered to sign between Romania and Turkish Patent Institute was altered before within the scope of the opinions of our Ministry of Foreign Affairs for the protocols in the same nature and the protocol was finalized and submitted to Romanian State Office for Inventions and Trademarks. Positive respond was received from the mentioned office and the protocol is in the signing process and it will be signed with the said office on an agreed date.

## **g) Publicity and Information**

### **❖ Publicity Activities**

Our institute has made it purpose to raise awareness in area of industrial property by providing internal and external communication with the principle of reinforcing awareness of industrial property and strategy of use in order to provide maximum contribution with the way of industrial property rights to the development of creative and innovative structure of Turkish industry and economy. For this purpose a comprehensive publicity strategy has been created bearing in mind the importance of awareness and information activities in efficient protection and use of industrial property rights in Turkey.

The services and products for the target audience in publicity strategy have been defined in three stages.

#### **1<sup>st</sup> Stage: Activities for Raising Awareness**

Our Institute prepares brochures, booklets, publicity and conceptual CDs to raise awareness. The content and design of information brochures and application guides related to patents, trademarks, designs, geographical indications and integrated circuit topographies have been updated.



Besides, the printing of informative booklets and brochures named “Trademark and Patent Cartoon Booklets”, “Your World of Intellectual Rights”, “Intellectual Property and Small and Medium Sized Businesses”, as informative products of WIPO has been performed.



Since requirement raises on the subjects of public relations and media connections in the activities of strengthening and publicity the image of the Institute, a support was taken from a private company and within this scope, visual materials to be used continuously for new publication films, booklet design and service fields of the Institute.

The news section of the internet site of the Institute is actively updated before and after each event. In the cases where it is found necessary, news are sent to almost 3000 TPI e-newsletter members in form of announcements. Furthermore in the last quarter of 2008, in order to provide the content and design of the internet site to a customer – focused structure, a working group was formed with the participation of the main service units of the Institute. In the new structure of the internet site, it is targeted for the customers to reach easily to information by having each main service unit with a main page and placing all information concerning the unit on the page regarding the unit.

It was decided to broadcast the publicity film in televisions in which the Turkish Patent Institute is explained with 33 different concepts, publicity, documentary film, and cartons in which the subjects of patent, trademark, industrial design and geographical indicators and integrated circuit topographies are separately handled with the approval of the Radio and Television Supreme Council that those materials are for the public interest.

## **2<sup>nd</sup> Stage: Direct Information**

Informative seminars are organized in universities, chambers of industry and other organizations that request on various cities of our country. General information related to industrial property rights is given in these seminars and subjects such as strategies and databases related to the use of industrial property rights is discussed.

- **Hezarfen Project**

The “Hezarfen” project that was applied in 2007 in Ankara Ostim Organized Industry, was carried out as Hezarfen – Patent Research Project in Sincan 1<sup>st</sup> Organized Industry Site of Ankara Chamber of Industry in 2008, in order to increase the science and technology potential of our country to provide value added both in economical and social area by bringing systematically the potential more efficient and formal structure and to regularize it, to strengthen the competitive structure of the Small and Medium Sized Enterprises and to contribute for the improvement of their innovative structure. Studies for revising and continuing the mentioned project according to the present conditions were carried out in 2008. The third application of “Hezarfen Project” will be realized in Konya in year 2009 with the cooperation of Konya Chamber of Industry.

Participation to 77<sup>th</sup> İzmir International and CeBIT Informatic Eurasia exhibition was provided in order to reach directly to the users who are using the industrial property system currently in 2008 and also the potential users.

Besides those activities, third participation was realized to 60<sup>th</sup> IENA Inventions and Innovative Products Exhibition held in Nurnberg, Germany.



- **2007 Turkish Patent Awards**

The ceremony of “2007 Turkish Patent Awards” of Turkish Patent Institute (TPI) was held on February, 14 2008 in the Conference Hall of TPI with the participation of the Prime Minister Recep Tayyip Erdoğan.

Narendra Sabhaewal, Vice General Manager of World Intellectual Property Organization (WIPO) participated to the ceremony and gave the “WIPO Innovator of the Year” award to Murat Nural who has also gain award in the IENA exhibition held in Germany with his innovation called “Straight Rising Stair System”. The awards of the jurors, sponsorships individuals and organizations in various categories are given by the Prime Minister of Turkish Republic, Recep Tayyip Erdoğan.

- **Patent Days**

Our Institute held events in 4 different cities during 2008 in order to strengthen the national innovation system by encouraging the innovation, productivity and creativity, to contribute to the improvement of the cooperation between university and industry, to raise awareness of the Small and Medium Sized Enterprises, Academic Staff and students in universities, individuals, institutions and organizations that work on research and development studies on the industrial

property rights. Events called “Patent Days” were held in Kayseri Chamber of commerce and Erciyes University on May, 1 – 2 2008, Kocaeli Chamber of Industry on May, 15 – 16 2008, Karadeniz Technical University on June, 5 – 6 2008 and Erzurum Ataturk University on June, 9 – 10 2008.

- **Registration Ceremony of Gaziantep’s Baklava Geographical Indicator**

A ceremony was held in Turkish Patent Institute on February 21, 2008 for giving “geographical indicator registration certificate” to Gaziantep’s Baklava. In the ceremony geographical indicator registration certificate of Gaziantep’s Baklava was given to the President of Gaziantep Chamber of Industry by our Minister.

- **Registration Ceremony of Antakya’s Sweet Shredded Pastry With Cheese Geographical Indicator**

A ceremony was held in Antakya Chamber of Commerce and Industry on October 31, 2008 for giving “geographical indicator registration certificate” to Antakya’s Sweet Shredded Pastry with Cheese. In the ceremony geographical indicator registration certificate of Gaziantep’s Baklava was given to the President of Antakya Chamber of Commerce and Industry by our Minister.

- **Activities Related to Ministry of National Education**

TPIs support to the students and teachers of the “Technology and Design” Course given in 6<sup>th</sup>, 7<sup>th</sup> and 8<sup>th</sup> grades of the elementary schools continued and with the cooperation of the Ministry of National Education and our Institute, a training seminar on the registration of industrial right was given to the 500 formatter teachers in Elementary Schools on June, 20 2008 in our Institute’s Conference Hall.

In addition, it was provided for the students of Ankara’s Elementary Schools to visit our Institute and seminars on the subjects of patent and industrial rights were held to the students in our Institute at these mentioned visits.

An exhibition were arranged on the student events of “technology and design” course called “It Is Time To Think” in our Institute on April, 25 2008 with the participation of approximately 450 students on the prompting of April, 26 World Intellectual Property Day and National Sovereignty Week. Also a seminar was given to participant students and teachers within the scope of the exhibition. In the seminar, the designed technology and design internet site was introduced in order to give support to our students and teachers about the innovations and designs within the scope of the technology and design course which is introduced in the 6<sup>th</sup>, 7<sup>th</sup> and 8<sup>th</sup> grades of the elementary schools and a presentation of a project selected from among the project homework of the participant schools was made and the patent specialist of our Institute gave a training seminar related to industrial rights. After the seminar, projects of 200 schools selected from among the 1400 applicants of Ankara Elementary Schools were exhibited in the fairground of our Institute.

### **3<sup>rd</sup> Stage: Inclusive Trainings**

With the training of Industrial Property Rights Practices arranged on November, 17 – 21 2008, a seminar was held on the subjects of patent and industrial rights to approximately 467 people and also totally 1500 students of Ankara Elementary Schools.

Events	Number of Events
Seminar	46
Training	8
Fair	6
Symposium	2
Innovation Contest	1
Patent League Awards	1

#### **❖ Information Activities**

Statistics of patent, trademark and design were inclusively arranged in detail and published in internet site.

- Preliminary Search and Information Activities

Description	Quantity
Trademark availability search	1.718
Preliminary design search on the company base	5
Preliminary search for patent/utility model	81
Copy of patent/utility model	489
Request for obtaining information	2.529
The ones directly applied and informed	6.266
The ones make a phone call	40.124



- **Activities for Obtaining Information**

Description	Quantity
Total application for obtaining information	1
Affirmatively answered applications to which information or document access was provided	9 7
Partially affirmatively answered and partially rejected applications to which information or document access was provided	8
Total of rejected applications	5
Applications to which information or document access was provided by removing or allocating the confidential or secret information	-
Applications oriented to Other Institutions and Organizations	5
Total number of the applicants whose applications were rejected and who appealed to court	-

Within 2008, totally 1037 application was made for obtaining information and distribution of the applications according to their qualification was given above.

- **Publications of the Institute**

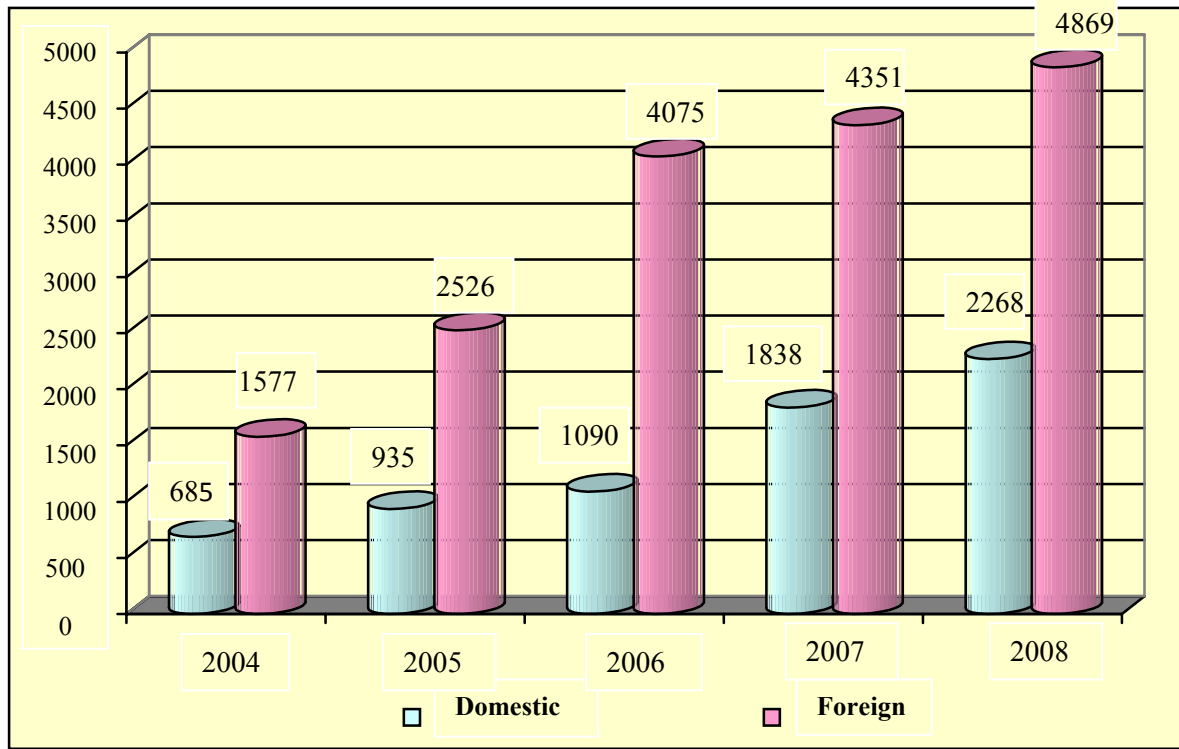
Providing the publications of TPI in electronic environment to its users was handled primarily. In 2008 it was given importance to publish the TPIs publications which were transferred to electronic environment, in CD format and TPI acted in line with this principle. With this project, efficient usage of sources and productivity principle has also been considered.

## Printing and Publishing Statistics

Name of the Publication	Printing (Quantity)	
	Paper	CD
Bulletin Publications		
Official Patent Bulletin	1.900	4.000
Official Trademark Newspaper	500	2.000
Official Trademark Bulletin	1.625	4.050
Official Industrial Designs Bulletin	2.950	3.950
<b>Guidelines for Applicant</b>		
Trademark and Geographical Indicator	20.000	
International Trademark (Madrid)	10.000	
Patent / Utility Model	20.000	
Industrial Design	20.000	
Integrated Circuit Topographies	10.000	
<b>Publicity and Information Brochures</b>		
Patent Brochures	30.000	
Trademark Brochure	30.000	
Geographical Indicator Brochure	30.000	
Industrial Design Brochure	30.000	
Integrated Circuit Topographies Brochure	30.000	
Produce Smartly Win By Registration (Insert) Brochure	30.000	
Brochure of Intellectual Property and Small and Medium Size Enterprises	20.000	
European Patent Brochure	10.000	
Patent Cartoon Booklet	50.000	
Trademark Cartoon Booklet	50.000	
Booklet of Our Intellectual Rights World	50.000	
Patent Incentive Brochure	10.000	
Publicity and Information File	20.000	

## 2. Performance Results Table and Its Assessment

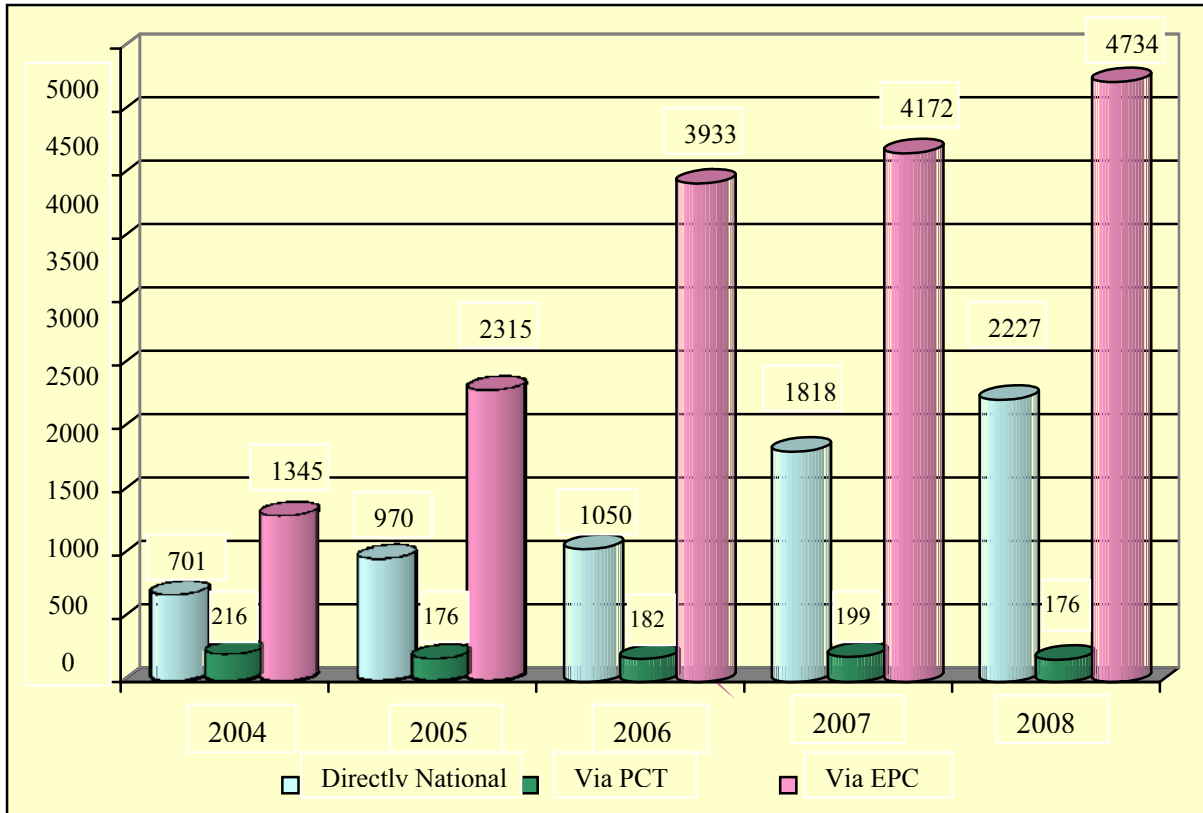
### Patent Applications (2004 – 2008)



When numbers of patent applications in the Figure are examined, a continuous increase is seen in the number of domestic applications. Increment rate of the number of domestic applications compared to previous year was occurred as 17 % in 2006, 69 % in 2007 and 23 % in 2008. The most important reason for the increment in the number domestic applications in recent years is especially the Patent Application Incentive System realized with the cooperation of TUBITAK and TPI in order to support domestic innovators in financial terms.

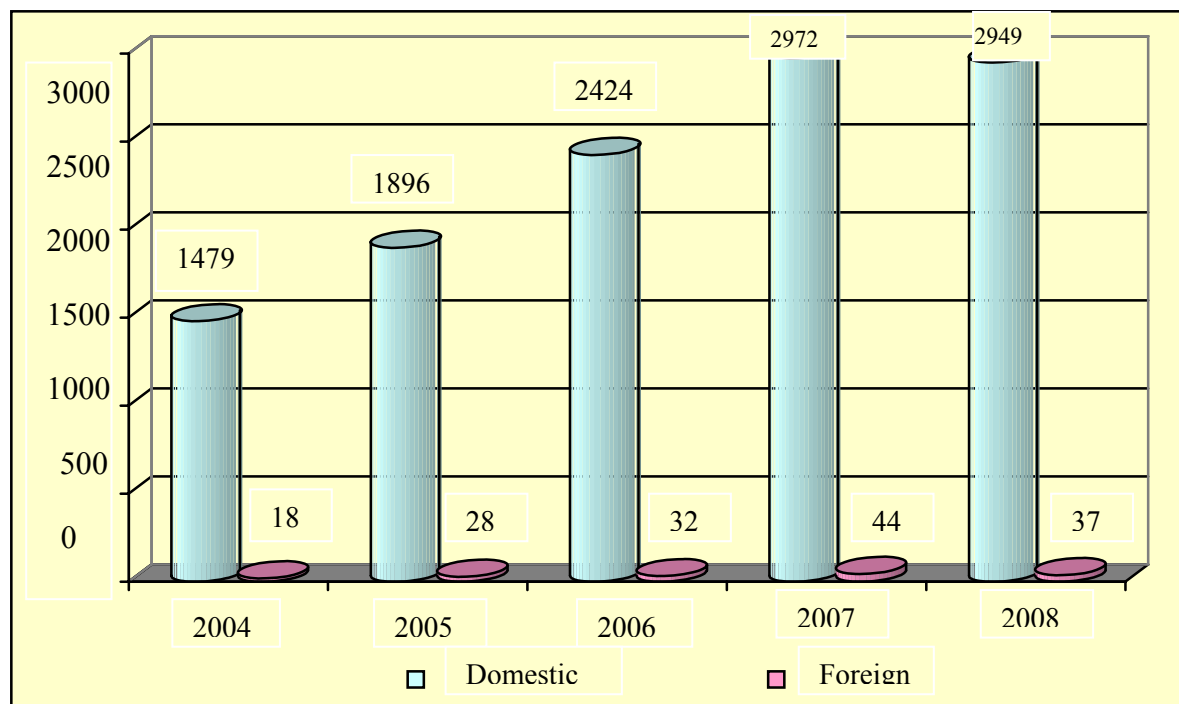
The patent applications submitted to TPI can be evaluated in three groups such as the domestic and foreign applications submitted to TPI, domestic and foreign applications submitted via Patent Cooperation Treaty (PCT) and European patent applications and patents whose Turkish requests and fascicules are submitted to TPI via European Patent Convention (EPC).

### Patent Applications made from Other Systems (2004 – 2008)



When patent applications submitted from different systems in the Figure for 2004 – 2008 periods are examined, a substantial increase is seen in Directly National applications. Also the patents which passed through to national stage via EPC are also increasing. On the other hand, it is understood that the foreign applicants have a tendency to demand protection in Turkey by taking European patents directly with EPC rather than passing through national stage with PCT. EPC is preferred rather than PCT as EPC is a European patent system and therefore has the opportunity to acquire a European patent that can directly be valid in Turkey.

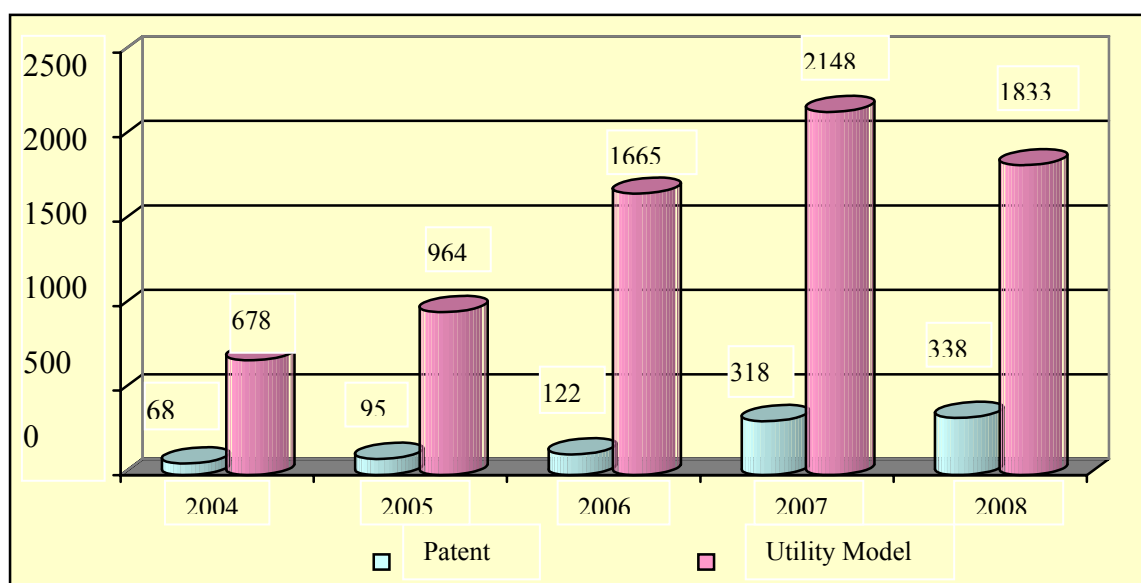
### Numbers of Utility Model Applications (2004 – 2008)



In the Figure, domestic and foreign applications for utility model are shown. A constant increase is observed in the number of utility model applications in 2004 – 2007 periods. However, there was a small decrease in the number of utility model applications as 0, 77 %. It is possible to correlate the reason for this decrease with the economic crisis occurred in the world. From the data given in the above figure, it is seen that most of the utility model applications were submitted by the domestic applicants.

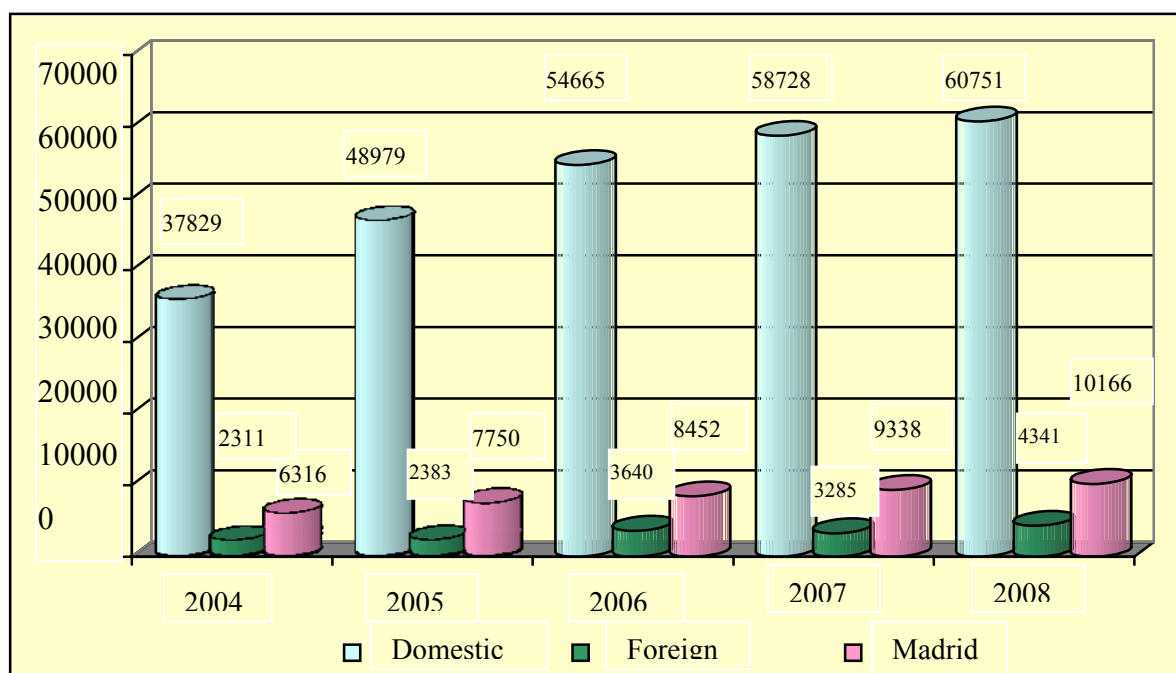
Since it is not required to arrange a research and investigation report for protecting the utility model, its cost is less than the patent and its documentation period is shorten than the patent. Therefore, generally the utility model system is preferred by the domestic applicants and many potential patents are protected with utility model. However, the new incentive system offered to patent applicants is also oriented the applicants to mostly submit a patent application.

### Number of Patent – Utility Model Registrations (2004 – 2008)



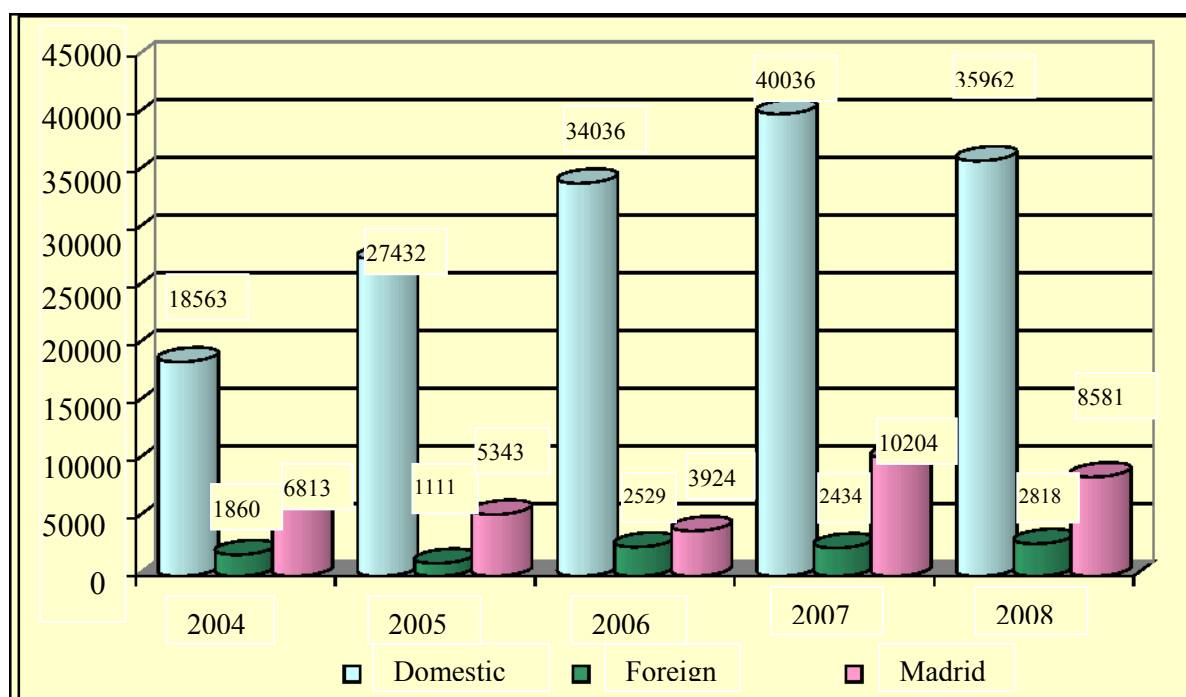
When the registry numbers of domestic patent and utility model are examined for 2004 – 2008 years according to Figure, a similar picture with the application numbers is seen. Especially the increase rate of the numbers of patent registry compared to previous year was occurred 28 % in 2006, and 161 % in 2007. This ratio was nearly 6 % in 2008. The increase rate of the registration numbers of utility model compared to previous year was occurred 73 % in 2006, and 29 % in 2007. However, a decrease in the ratio of 15 % was occurred in the registration numbers of utility model in 2008.

### Domestic – Foreign – Madrid Trademark Applications (2004 – 2008)



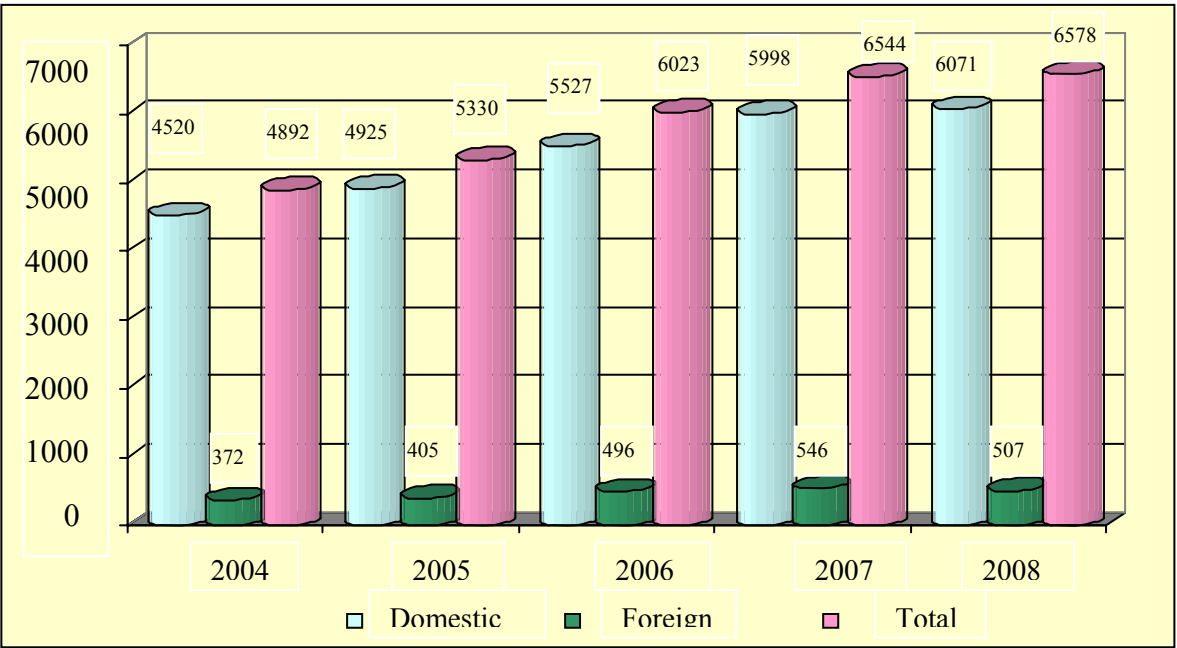
An increase in the ratio of 6 % was provided in 2008 compared to previous year and 75.258 trademark application were received.

#### Domestic – Foreign – Madrid Trademark Registry Number (2004 – 2008)



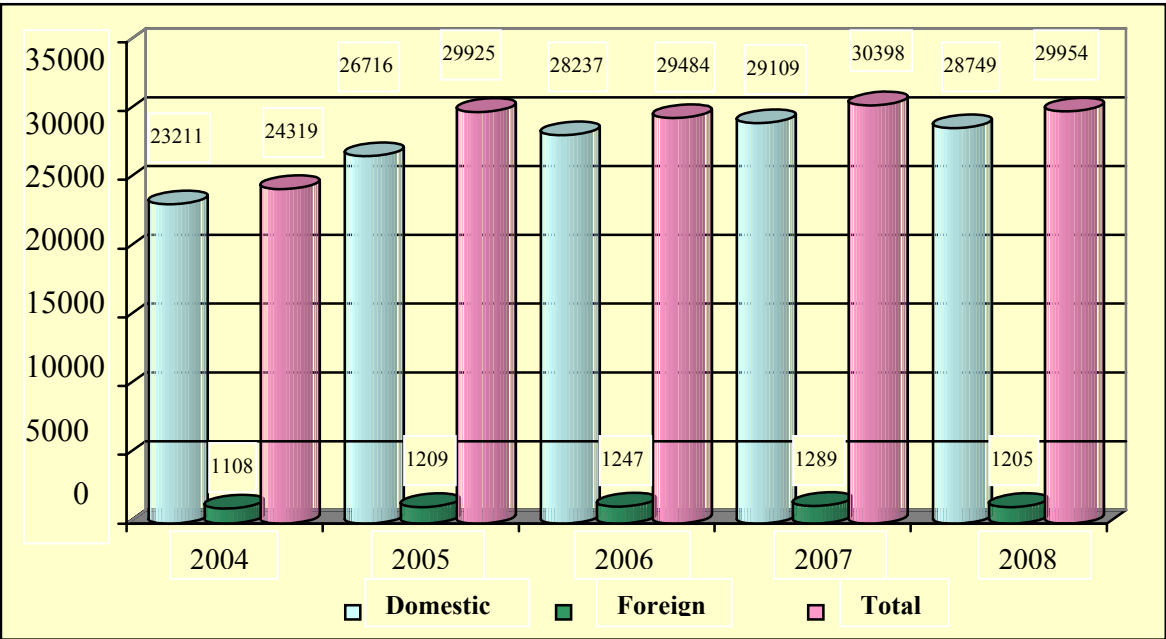
It is seen that the constant increase in the number of trademark registrations that has been continuing regularly from 2004 decrease in 2008. While the total number of the trademark registry was 53.174 in 2007, the number fall to 47.361 by decreasing 12 % in 2008 compared to previous year.

**Numbers of Domestic – Foreign Design File (2004 – 2008)**



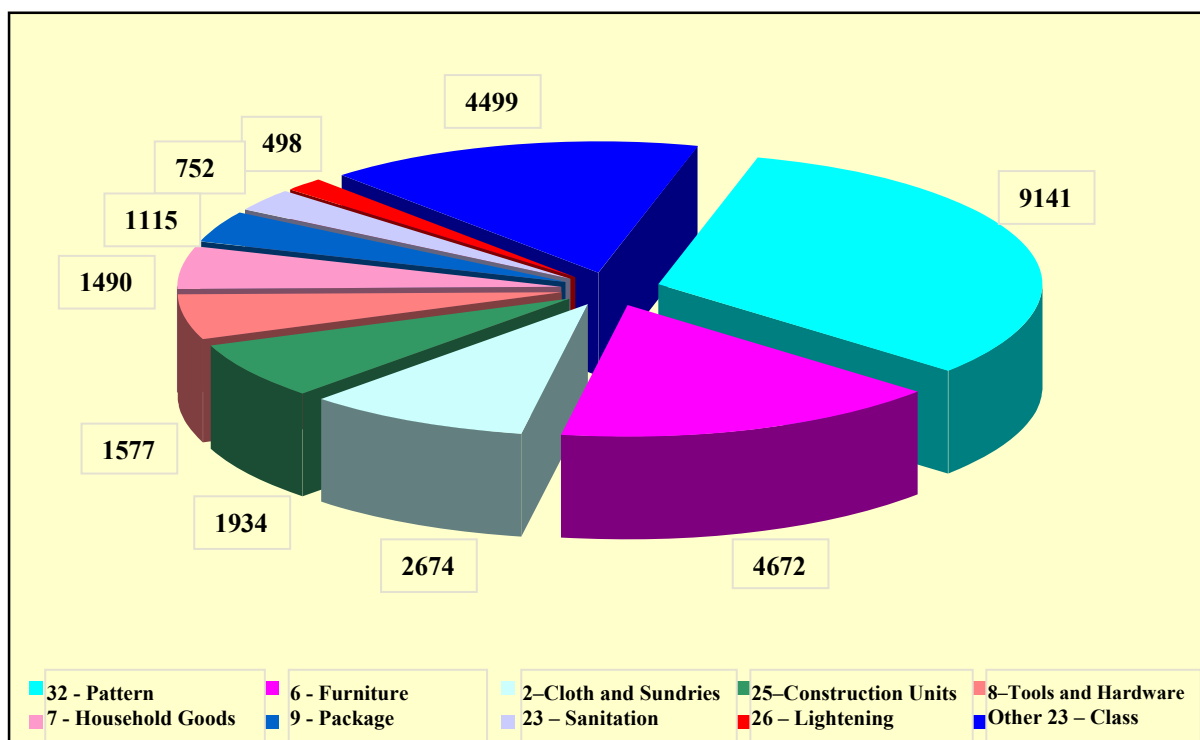
The figure concerning the numbers of design files are as above and improvements on the file base are seen in this figure. As it is seen in the figure, there is an increasing trend in last five years.

**Domestic – Foreign Design Numbers (2004 – 2008)**





## Graphical Illustration of Locarno Classification



According to the above graphics that show the distribution of design applications by sectors, the largest share in the domestic industrial design registration applications in 2008 belong to pattern designs (Class 32). This is followed by furnishings (Class 6) and by clothing and sundries (Class 2) with building units and construction equipments (Class 25).

TRANSACTIONS MADE BEFORE AND AFTER THE REGISTRATION	
TRANSACTION TYPE	TRANSACTION NUMBER
Renewal	1382
Transfer	104
License (License Registry)	2
Registration Copy	49
Address change	216
Title change	73
Type change	14
Other	1584
<b>TOTAL</b>	<b>3424</b>

Numerical data for the transactions realized before and the registration during 2008 are seen above.

# **IV- EVALUATION OF ORGANIZATIONAL CAPABILITY AND CAPACITY**

## **A – Strengths**

- Administrative and working staff embracing their responsibilities, open to innovations,
- Organizational structure with high capability of adapting to changes,
- Expert personnel authorized in his area and capable with high knowledge,
- High standard physical and technical infrastructure,
- Projects towards strengthening the technological infrastructure,
- Administrative understanding decreasing the level of bureaucracy,
- Information units spread throughout the country,
- Firm and continuous cooperation with shareholders,
- Efficient and powerful relationships in international platforms,
- Initiation of patent research and investigation transactions in some areas by TPI,
- The importance given to publicity of industrial property rights by the organization,

## **B – Weaknesses**

- Insufficient level of qualified personnel staff and number,
- Limits in patent research and investigation areas performed by TPI,
- Incomplete incorporation process,
- Differences in staff structure,
- Insufficiency in Personal Rights of Personnel,
- Bureaucratic obstacles in use of budget,
- Lack of coordination between departments,
- Not providing the continuity in administrative level

## **C – Evaluation**

In our country which has one of the first implementing agencies of the industrial property rights in the world, a leap forward is occurred as a result of the importance given to industrial property rights in the recent period and activities realized by the Turkish Patent Institute within this scope and potential of our Country on the applications of industrial property became active.

A total of 558 thousand trademark applications have been submitted to Turkish Patent Institute from 1995 when trademark legislation was renewed to the end of year 2008. Approximately 400 thousand applications equivalent to 72 % of these applications have been submitted in the period from 2002 to 2008. Applications exceeding the range of 70 thousand in last two years reached to 72 thousand in 2007 and 75 thousand in 2008. In other words 1/7 of the applications submitted in 14 years were occurred in last year. The distance covered by Turkey can be evaluated better when compared to the application numbers of 1995 as 16 thousand and 2002 as 36 thousand.

Approximately 80 % of the submitted applications received from domestic applicants and this situation has a particular importance. It is an indicator shows that the Turkish enterprises are aware of the importance of branding and trademark. With its 75 thousand trademark application Turkey keeps its third position following the two biggest country of Europe such as France and Germany.

Turkish enterprises that break the records in domestic applications are protecting their trademarks at abroad from now on. Approximately 2 % of the international trademark applications in 2008 were submitted from Turkey. Turkey which is placed among the countries that use the Madrid system composed of 84 countries too much is an idol country for foreign trademark holders.

Similar improvements are also available for the increment in the design numbers. It was reached from 3800 applications and 20 thousand design numbers in 2002 to 6600 applications and 30 thousand design numbers in last year. In the period between 2002 and 2008, 74 % increment was occurred when evaluated according to application number and 50 % increment was occurred when evaluated according to design number. These results gain a also different meaning when it is compared with the 1500 applications and 3 thousand design number in 1995.

Also in the recent period, we are facing very important improvements in patent applications. Whereas the annual rate of increase on the patent applications in the world is under 5 %, moreover decreases occurred in many countries, rate of increase on the domestic patent applications in our country was occurred as 70 % in 2007 and 23 % in last year. When it is evaluated together with the utility model in our country, the number of patent applications exceeded 10 thousand for the first time in Republican history.

Increase on the application numbers effected Turkish Patent Institute as work load. However despite the increase in work load more than 100 % compared to 2003, absence of work load is an important matter. Usage of technology by Turkish Patent Institute as an institution that keeps the technology and innovations has an important role in this result. Moreover, Turkish Patent Institute continuously improves services provided by the Institute under the scope of e – government. The online application service which was started for the trademarks in 2007 was generalized for the patent and industrial design applications in 2008. Online search number was reached to 18 million in 2008. With these projects TPI was the finalist of this year in eTR awards such as in 2007.

All these improvements are also contribute Turkey to start the negotiations in 2008 on the chapter of Intellectual Property Law which is one of the chapters from among 35 chapters in the negotiation process of European Union.

As a conclusion, with its physical and technical substructure and operation Turkish Patent Institute which has a long – standing background on industrial property is considered among the best industrial property agencies.

Turkish Patent Institute with the vision *“Bringing Turkish industry and technology forward in global competition by providing efficient and common use of industrial property; being an example and leading institution in Europe”* will continue its works and also to create and implement new projects in 2009 too.

## **V- SUGGESTIONS AND MEASURES**

As a result of developments occurred in the field of industrial property in our country, there is a industrial property system which is deep – rooted as well as good operating in Turkey. Moreover, existing potential in our country became active and increases in industrial property applications are generally high above the world average. With these results, Turkish Patent Institute has been providing important contributions to the development of industrial property system in our country with its modern technical infrastructure placed in the centre of the system, service principle and human resource.

However, providing the sustainability of the progresses realized in this field notably the increases occurred on the industrial property applications is very important. Within this scope, the National Strategy Document, to be created for this field by the Coordination Committee of Intellectual and Industrial Property Rights which creates the small, medium and long term strategies on the field of intellectual and industrial property and increases the efficiency on implementation by improving the coordination and cooperation between the related institutions, will fulfil an important function.

Furthermore, the Project of Patent Evaluation Agency developed by Turkish Patent Institute is also another important project. Patent Evaluation Agency will fulfil the function of the evaluation of the industrial property right in other words the determination of its economic value and also the use of industrial property rights in other words bringing it to economy.

On the other hand as a natural result of our Country's potential to become active, work load of Turkish Patent Institute also increases. In order for the Institute to continue its current successful position, it is required to strengthen the administrative and technical capacity of the Institute, to increase the number of personnel, to improve to employee personnel rights. So that, Turkish Patent Institute will maintain its successful position at home and abroad

## **APPENDIX**

### **Appendix – 1: Internal Control Assurance Statement of Senior Manager**

#### **STATEMENT OF ASSURANCE FOR INTERNAL CONTROL**

Within my authority as senior manager;

I hereby declare that the information given in this report is reliably, full and accurate.

I hereby notify that the resources assigned by the budget for the activities explained in this report are used for their planned purposes in accordance with good fiscal management principles and that the internal control system provides sufficient assurance related to legality and regularity of transactions.

This assurance is based on facts of my knowledge such as the information and evaluation, internal controls, internal inspector reports and Audit Court reports I possess as a senior manager.

I hereby declare that I don't have knowledge of any fact that harms the benefits of the management that is not reported here.

**Prof. Dr. Habip ASAN**

**President of the Institute**



**Appendix – 2: Statement of Fiscal Services Unit Director**

**STATEMENT OF FISCAL SERVICES UNIT MANAGER**

Within my authority as Fiscal services unit director;

I hereby declare that the activities in this management are carried out in accordance with fiscal management and control legislation along with other legislations, that the internal control processes are performed in order to ensure the most efficient, effective and economic use of public resources, that they are monitored and my thoughts and suggestions are reported to the senior manager in a timely manner in order for the necessary measures to be taken.

I hereby confirm that the information given in section “III/A Fiscal Information” of the Annual Report of year 2008 of our management is reliable, full and accurate.

**Ö. Faruk ALTINSOY**

**Director of Strategy Development**