

# FAALİYET 2009 RAPORU



## INTRODUCTION BY THE MINISTER

Year 2009 passed with the shadow of the global financial crisis that had impact on the whole world. In many countries, long-lasting and permanent solutions were searched for while interim and temporary measures were taken in order to decrease the effects of the global crisis. This search for solutions made the discussion for R&D, innovativeness, trade marking and industrial property issues possible for a broader community, getting outside of the defined limited group of people.

Industrial property rights have gained importance in economic and industrial areas more and more in our country too, who was one of the countries that are least affected by the global financial crisis with its strong financial and fiscal structure.



As our country aims to be one of the 10 biggest economies of the world in year 2023, 100th anniversary of our republic, improvement of competitiveness in real sector plays a key role in achieving this goal. At this point, industrial property rights consisting of patents, utility models, trademarks, industrial designs, geographical indications and integrated circuit topographies are crucially important.

As a country, Turkey has a 139 year old, long established past in industrial property rights. Along with this, Turkish Patent Institute that functions in connection with our Ministry has been fulfilling a very important mission in terms of developing industrial property system of our country from 1994 till now.

As a government, we have included many important projects to our Government Program Action Plan in order to improve the industrial property system in our country, and we have been making these projects happen one by one each day. As a matter of fact, the foundation of Advisory Design Council of Turkey, a very important project that was included in the Action Plan has been made real with the Council of Ministers decision published in 2009.

The purpose of Design Council is defined as to help determine design strategies and policies, creation and application of an application infrastructure and creation of valuable high-level designs by that, getting Turkish designers and designs on a preferred position in world market, to provide cooperation between industrial producers and designers and establishment of “Turkish Design” image.

Year 2009 has been recorded as a successful year in terms of the presentation and shaping activities for different target crowds in national level along with the works performed about the patenting transactions of Turkish Patent Institute about industrial property rights.

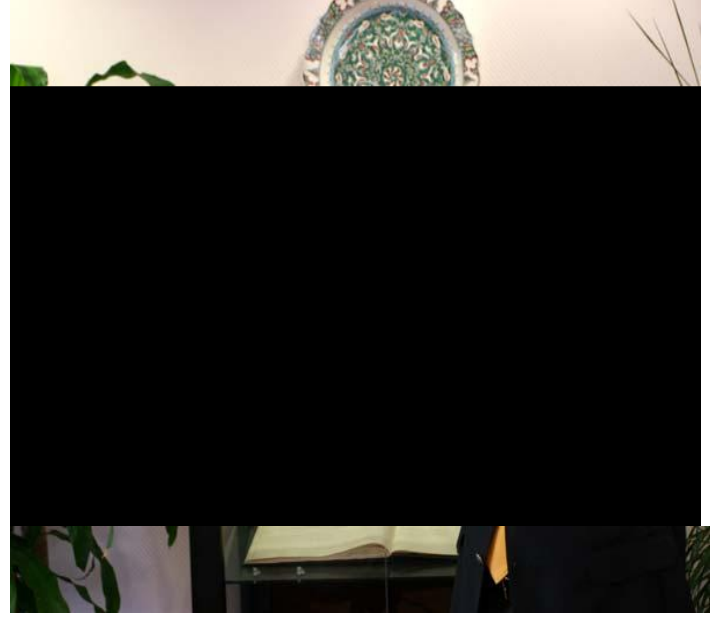
I congratulate the employees of Turkish Patent Institute connected to our Ministry for their performance in year 2009 and hope that these works will benefit the industries and economy of our country.

**Nihat ERGÜN**  
**Minister of Industry and Trade**

## FROM THE PRESIDENT

In information society where global competition on use of knowledge is very intense, industrial property rights have become one of the most important factors of business strategies.

Technological innovations that brought competition in world markets to higher levels are mainly the outcome of industrial property systems that began to appear near the end of the 19th century. The protection of technological innovations, original designs and the trademarks created and developed as a result of these is possible only with industrial property systems.



In our country, the process on industrial property rights that started in 1871 with the establishment of “Regulation on Trademarks of Commercial Products” has gained a significant dynamism in 1994 with the foundation of Turkish Patent Institute. Especially with 2000s, the projects and activities that institute has undertaken on recognition of industrial property rights, creation, protection and management of them both in national and international level has brought Turkish industrial property system to a good position.

On the other hand, European Union accession process as one of the most important foreign policy projects in the history of Turkish Republic has brought the necessity for a different approach in industrial property system in our country. In “Intellectual Property Law Chapter” opened in 2008 within the scope of full accession negotiations initiated in year 2005, important developments both in public and legislative sense have been reached in order to meet the required criteria.

In this context, Intellectual and Industrial Property Rights Coordination Council consisting of senior managers of Turkish Union of Chambers and Commodity Exchanges, 12 ministries and public organizations established in 2008 with notice from Prime Ministry has begun serving an important function in terms of determining the position and stance of Turkey in “Intellectual Property Law” process. Intellectual and Industrial Property Rights Coordination Council with our institute performing as the secretariat has met twice in year 2009 in February and October and has made important decisions in the area of industrial property.

Turkish Advisory Design Council, established with Council of Ministers Decision no 2009 / 15355 on the date August 5, 2009, as one of the most important projects related to industrial property rights included in Government Program Action Plan, has met for the first time in October in Ministry of Industry and Trade.

Activities of Turkish Patent Institute aimed for potential users of industrial property have continued existence actively in year 2009. The third application of “Hezarfen Project”, an application listed as one of the examples in the world for Small and Medium Sized Enterprises (SMEs) aiming to increase innovation capacities of SMEs by using their industrial property rights, has been performed in Konya.

“Patent Days” that we have first began in 2008 targeting universities and SMEs which play a key role in bringing our country to a desired level in terms of protection of industrial property have been held in Eskisehir, Bursa, Gaziantep and Istanbul in year 2009.

Within the framework of the activities in “Patent Days” the importance of patent knowledge is told to university and SMEs communities and one-on-one counseling is given with patent searches related to innovative products and projects within the scope of patent appointment system.

Turkish Patent Institute continues to develop its technological infrastructure in order to provide better facilities to applicants. As a result of the works held to make possible online research of applications to our institute, number of online searches done in year 2009 has reached 20 millions. More importantly, more than half of all the industrial property applications in last year were done online.

Positive reflection of our institute’s works aiming to develop industrial property rights in our country has been ongoing in application numbers. Although there was a certain amount of decrease in trademark and design applications with the impact of global crisis in 2009, the fact that these decreases are far below the world average is promising for our country. As a matter of fact, our country remained as one of the three leading countries in Europe in trademark and industrial design applications in year 2009 again. Along with that, just like year 2008, applications submitted to our institute in 2009 on patents and utility models exceed 10 thousands. The increase in local applications ratio in patent applications compared to the previous years has been evaluated as a promising development.

One of the most important indicators of the distance our country has gone in industrial property subject is one of the 35 chapters in European Union negotiation process “Intellectual Property Law Chapter”. This chapter, under the responsibility of Turkish Patent Institute and Ministry of Culture and Tourism is a leading chapter among others with our country being in a good position.

Turkish Patent Institute, with its vision “to bring Turkish Industry and Technology forward in global competition by providing efficient and common use of industrial property, being a leading model organization in Europe”, will continue being in service of our industrial producers and investors with projects aimed towards all aspects of industrial property system in year 2010.

Prof. Dr. Habip ASAN  
President of the Institute

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## ABBREVIATIONS

<b>R&amp;D</b>	: Research and Development
<b>CEBIT</b>	: International Information Technologies Fair
<b>WTO</b>	: World Trade Organization
<b>EPC</b>	: European Patent Convention
<b>EPO</b>	: European Patent Office
<b>CUJC</b>	: Customs Union Joint Committee
<b>SME</b>	: Small and Medium Sized Enterprises
<b>IENA</b>	: International Trade Fair for Ideas Inventions New Products
<b>INNORPI</b>	: Tunisian National Standardization and Industrial Rights Organization
<b>DL</b>	: Decree Law
<b>KOSGEB</b>	: Small and Medium Sized Enterprises Development Organization
<b>MNE</b>	: Ministry of National Education
<b>OECD</b>	: Organization for Economic Cooperation and Development
<b>PCT</b>	: Patent Cooperation Treaty
<b>TGNA</b>	: Turkish Grand National Assembly
<b>TUCCE</b>	: Turkish Union of Chambers and Commodity Exchanges
<b>TPI</b>	: Turkish Patent Institute
<b>TUBITAK</b>	: The Scientific and Technological Research Council of Turkey
<b>UNECE</b>	: United National European Commission of Economy
<b>WIPO</b>	: World Intellectual Property Organization
<b>YOIKK</b>	: Investment Development Coordination Council

## SECTION 1

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### GENERAL INFORMATION

## 1.1 MISSION AND VISION

### 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.

## 1.2 AUTHORITY, RESPONSIBILITIES AND OBLIGATIONS

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

- Performing the registry of legally protected industrial property rights and actions related to the protection of them,
- Serving as a negotiator in licensing transactions and serving as expert in courts,
- Registering license and take-over agreements,
- Following the use of innovations, doing the archiving works and directing the transfer of technology with evaluation of new technologies,
- Cooperating with similar international organizations and similar organizations abroad,
- Representing Turkey in front of international organizations on 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 making the application 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 related to industrial property rights and periodically publishing Turkish Industrial Property Rights Gazette,
- Performing necessary activities for briefing and directing of persons and organizations inside the country on subjects of industrial property rights.

## 1.3 INFORMATION ON MANAGEMENT

### 1.3.1 Physical Structure

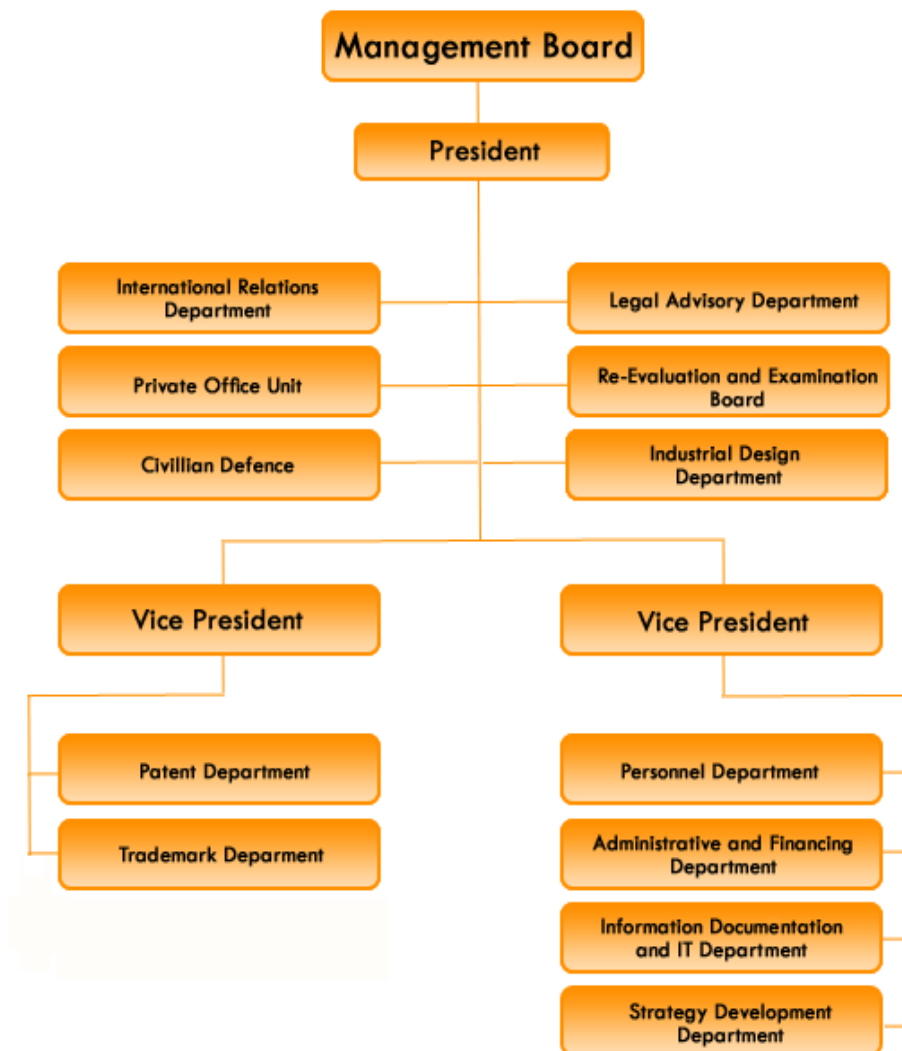
Turkish Patent Institute functions in Industrial Property Campus located on “Hipodrom Caddesi No: 115 Yenimahalle / ANKARA”. Presidency Unit, related department units and archive department along with the building of Court of Intellectual and Industrial Rights are located in Industrial Property Campus. The entrance for the court is independent from the entrance of the Institute; hence located elsewhere in another building.



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.

### 1.3.2 Organizational 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 consists of Patent, Trademarks, Industrial Designs and International Relations Department Presidencies; counseling and inspection units consist of Legal Counseling, Directorate of Strategic Development, Internal Inspection Coordination Office and supporting service units, Personnel, Administrative and Fiscal Issues and Information, Documentation and Data Processing Department Presidencies. Figure 1 shows the organizational structure of Turkish Patent Institute.



**Figure 1.** Organizational Structure of TPI

### **1.3.3 Informational and Technological Resources**

Quick and correct service provided by public and private organizations is very important in information society. For that reason, all organizations should benefit from information technologies to the highest level. TPI as an organization responsible for the registry of new technologies and innovations benefits from information technologies in the process related to the registry of industrial property rights to its maximum. What is more, information technologies are used intensively in order for the whole community, with priority to related persons, to have access to publishing related to industrial property applications.

Along with this, the fast developments which appeared in the last twenty years on information technologies 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 undergone 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 is one of the best offices in the world.

#### **1.3.3.1 Online Transactions**

Turkish Patent Institute has performed intensive works on transferring the transactions it's processing to electronic environment. We can investigate these works in two main groups as automation transactions and online transactions.

Automation transactions provide the automation of internal work is in the Institute. Within the scope of automation transactions, the project works that have been going on for the last few years in order to provide faster service with less mistakes and shorten the time for transaction processes has been continued in year 2009 too. With the mistakes determined by the users after new software are given and suggestions for better usability, works for the development of application programs are still going on.

With the transfer of incoming and outgoing documents to electronic environment, a distance is gone in terms of transition towards "paperless office" environment. In year 2009, 34.588 of the outgoing sent documents have been scanned and transferred to electronic environment.

“Spotted Document Projection System” has been open to use on 26.06.2009. With this system, scanned documents and trademark appeal documents in application folders can be seen by applicants and representatives with electronic signatures.

Within the scope of article no. 100 of law no. 5510; a database has been formed to Presidency of Social Security Organization in order to do inquiries for trademark, patent, utility model and design applicants who have social security debts, recorded to Patent Registry inside Turkish Patent Institute with inquiries by “TR Identification number” for real persons, “tax number” for legal persons and in the case that the inquiry cannot be done with these information, with commercial title.

As a result of transfer of the archive to the electronic environment by scanning, physical movement of folders is aimed to be minimized and a faster and more secure environment is aimed to be provided.

From July 23, 2009 to December 1, 2009, “Preliminary Notice” submission in Online Trademark Applications has been done via e-mail. After this date, “Received Notice” practice has been initiated for online trademark applications. Within the scope of this practice, “Received Notice” is sent to the e-mail address stated in the application with outgoing document number automatically after accounting control and billing transactions are performed.

The works done on online transactions enabled our customers to access Institute services through the internet.

Within the scope of online transactions, as a result of the works carried on 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 year 2009, a total of 19.804.488 online search and file inquiry transactions has been done with 1.021.423 of them being for patents / utility models, 1.017.504 of them being for industrial designs and 17.765.561 of them for trademarks. Monthly distribution of online search and file inquire transactions carried out in year 2009 can be seen in Table 1.

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 made it possible to have document exchange with patent offices outside the country in demanded format and giving this information to third persons via information offices.

**Table 1.** Number of Online Searches and File Inquiries for Year 2009

	<b>PATENT</b>	<b>I. DESIGN</b>	<b>TRADEMARK</b>	<b>TOTAL</b>
2009/01	84.992	104.470	1.314.317	1.503.779
2009/02	72.900	82.442	1.292.815	1.448.157
2009/03	91.241	61.475	1.996.308	2.149.024
2009/04	80.129	85.940	1.313.412	1.479.481
2009/05	74.159	82.750	1.319.124	1.476.033
2009/06	87.702	89.851	1.402.766	1.580.319
2009/07	88.233	87.635	1.428.639	1.604.507
2009/08	80.497	84.612	1.275.083	1.440.192
2009/09	75.539	65.001	1.202.219	1.342.759
2009/10	94.175	90.541	1.939.925	2.124.641
2009/11	94.126	89.140	1.494.285	1.677.551
2009/12	97.730	93.647	1.786.668	1.978.045
<b>TOTAL</b>	<b>1.021.423</b>	<b>1.017.504</b>	<b>17.765.561</b>	<b>19.804.488</b>

Inquiry of application folders via internet has been made possible for industrial property users and the work load on file information inquiry via telephone has especially decreased with that. Within this framework, the fact that services related to online transactions (trademarks, patents and design searches) is used approximately more than 1.500.000 each month shows that the module is used pretty 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 related to the institute. Whatismore, 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 giving process has been initiated to our customers about the services of our institute starting with the inquiry of the current status of their applications.

Works on e-signature project that aims to provide online performance for patent, trademarks and industrial design applications has been completed. From August 1, 2007 till now trademark applications have been taken with e-signature or mobile signature. Starting from January 1, 2008, patent and industrial design applications are submitted online too. In 2009, 44.200 applications have been submitted online. Again in 2009, 57% of trademark applications, 14% of patent / utility model applications and 29% of industrial design applications have been submitted online. It is expected that this ratio will increase in year 2010. Monthly distributions of online applications in year 2009 are shown below in Table 2.

**Table 2.** Monthly Distribution of Online Applications for Year 2009

	PATENT		DESIGN		TRADEMARK		GENERAL TOTAL	
	Online	Total	Online	Total	Online	Total	Online	Total
2009/01	141	727	108	418	2.454	4.718	2.703	5.863
2009/02	108	788	100	442	2.700	4.993	2.908	6.223
2009/03	141	968	150	617	3.254	6.137	3.545	7.722
2009/04	112	913	166	594	2.586	6.068	2.864	7.575
2009/05	113	817	166	523	3.696	5.995	3.975	7.335
2009/06	117	857	174	615	3.871	6.777	4.162	8.249
2009/07	140	865	160	525	3.619	6.296	3.919	7.686
2009/08	100	745	153	504	2.999	5.207	3.252	6.456
2009/09	111	733	127	398	2.954	5.011	3.192	6.142
2009/10	105	778	183	484	3.798	6.026	4.086	7.288
2009/11	107	782	163	458	3.703	5.763	3.973	7.003
2009/12	156	1.150	214	753	5.251	8.613	5.621	10.516
<b>Total</b>	<b>1.451</b>	<b>10.123</b>	<b>1.864</b>	<b>6.331</b>	<b>40.885</b>	<b>71.604</b>	<b>44.200</b>	<b>88.058</b>

The news part of the web site of our institute is actively updated every time before and after an activity. In the cases that it is seen necessary, e-newsletters are sent to nearly 6.000 TPI e-newsletter subscribers in form of announcements. Whatismore in year 2009 a work group has been formed with the addition of main service units of Institute in order to get the content and design of the website more customers – oriented. In the new structure of the website each main service unit has one homepage and all information related to that unit can be accessed through unit’s own page.

### 1.3.3.1 Information and Documentation Units

In order to provide information and documentation support to industrial property system users regionally, information and documentation units are being established all over the country by Turkish Patent Institute. In year 2009, 2 Information, Documentation Units and 1 Patent Support Unit has been established in 3 universities being Ankara University, Adnan Menderes University and Bahcesehir University; hence getting the total number of TPI Information and Documentation Units to 41. 20 of these units are established in universities and 21 is established in Industry and Trade Chambers. With this feature, TPI is in a leading position among national offices in Europe in terms of information units. As it was in the previous years, TPI has provided updates of knowledge for the responsible personnel in TPI Information and Documentation Units with trainings prepared by the Institute in year 2009 too.

### 1.3.3.2 Institute's publishing

The priority has been enabling TPI publishing to be also published electronically. In year 2008, priority has been given to getting TPI publishings transferred to electronic environment to CD environments and this principle has been the main motive. With this project, it is aimed to use the resources efficiently and in the maximum beneficial way.

**Table 3.** Institute Publishing Statistics

Name of the Publishing	Printing (number)	
	Paper	CD
<b>Bulletin Publishings</b>		
Official Patent Bulletin	1200	4200
Official Trademark Gazette	400	2100
Official Trademark Bulletin	1325	4200
Official Industrial Design Bulletin	2350	4200
<b>Application Manuals</b>		
Trademark and Geographical Indication	11000	
International Trademark (Madrid)	11000	
Patent / Utility model	9000	
Industrial Design	9000	
Integrated Circuit Topographies	3000	
<b>Promotion Information Brochures</b>		
Europe Patent Brochure	2000	
Patent Promotion Brochure	2000	
CD Brochure	10000	

Table 3 shows the number and types of documents published by Turkish Patent Institute. Turkish Patent Institute publishings are separated into three categories as bulletin publishings, application manuals and promotion information brochures.

### **1.3.3.3 Library System**

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TPI Industrial Property Library under Information, Documentation and Data Processing Department Presidency 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 related to industrial and intellectual property issues as well as related similar issues. Number of publishings increase every day with our service area and it is aimed to provide a library that is very efficient in its area.

Nearly all of library's collection has been collected in catalogs and registered to library software. Collection can be searched inside the institute via intranet. When library web page is prepared, collection will also be accessible for inquiry outside the institute via internet.

Turkish Patent Institute Industrial Property Library has a seating capacity of 40 people. 4 user computers can do searches from internet and institute's database. Our purpose is to make our library a subject library that can fulfill any need of the researchers as our institute is the only authorized organization on the subject of industrial property. Works are carried on in order to achieve this.

### **1.3.4 Human Resources**

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According to article no. 26 of law no. 5000, 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 to Government Officers Law no. 657 while other personnel is employed in officer positions without contract.

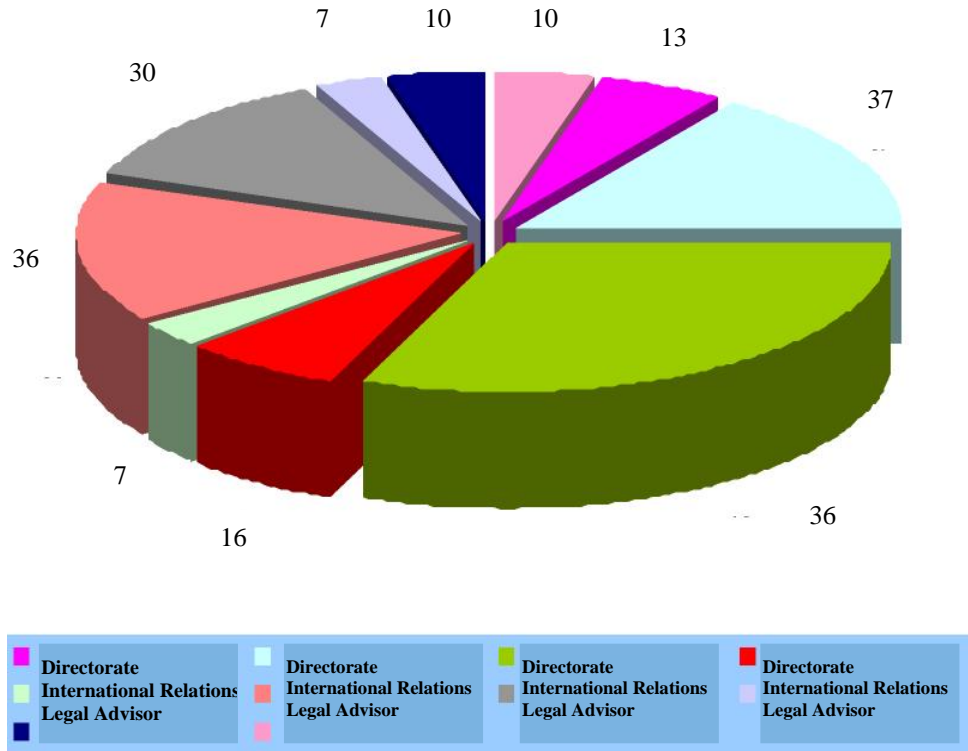
Total number of positions inside the institute is 405. 241 of these positions are filled with 149 contracted, 92 personnel without a contract, while 164 positions are empty with 39 of them being contracted, remaining 125 being without contract. According to the amended article 22 of law number 4046, when 115 positions are dropped after Prime Ministry Government Personnel Presidency assigns them within the scope of privatization, we will have 290 positions left. In these 290 position, 230 is filled with 149 being contracted, 81 being officers without a contract, while 60 is empty with 39 being with contract, 21 being without contract.

In addition to that, 104 of the 115 Researcher and Chief positions to be assigned by Prime Ministry Government Personnel Presidency within the scope of privatization according to the amended article no 22 of law no 4046 are empty while 11 of them are filled, our institute is not legally authorized to assign to these positions or change them into necessary positions.

**Table 4.** Distribution of Filled Positions on the Basis of Title

PRESIDENT OF INSTITUTE	1	VICE TRADEMARK EXPERT	12	OFFICER	39
VICE PRESIDENT OF INSTITUTE	1	FISCAL SERVICES EXPERT	4	LIBRARIAN	1
1st LEGAL COUNSELLOR	1	ENGINEER	8	CHIEF (PR.)	2
DEPARTMENT HEAD	6	ATTORNEY	5	CIVIL SECURITY EXPERT	1
INTERNAL INSPECTOR	3	COMPUTER OPERATOR	22	STATISTICS TAKER	1
COUNSELLOR	2	TRANSLATOR	1	SECRETARY	2
LEGAL COUNSELLOR	2	PROGRAMMER	9	TECHNICIAN	2
UNIT DIRECTOR	27	ANALYZER	5	TECHNICAL OFFICER	1
PATENT EXPERT	20	RESEARCHER (PR.)	9	DISTRIBUTOR	1
VICE PATENT EXPERT	6	APK EXPERT	4	SECURITY PERSONNEL	8
TRADEMARK EXPERT	31	EXPERT	3	STORAGE OFFICER	1

Table 4 shows the distribution of filled positions on the basis of title. Institute employs 26 patent experts and vice patent experts along with 43 trademark experts and vice trademark experts.

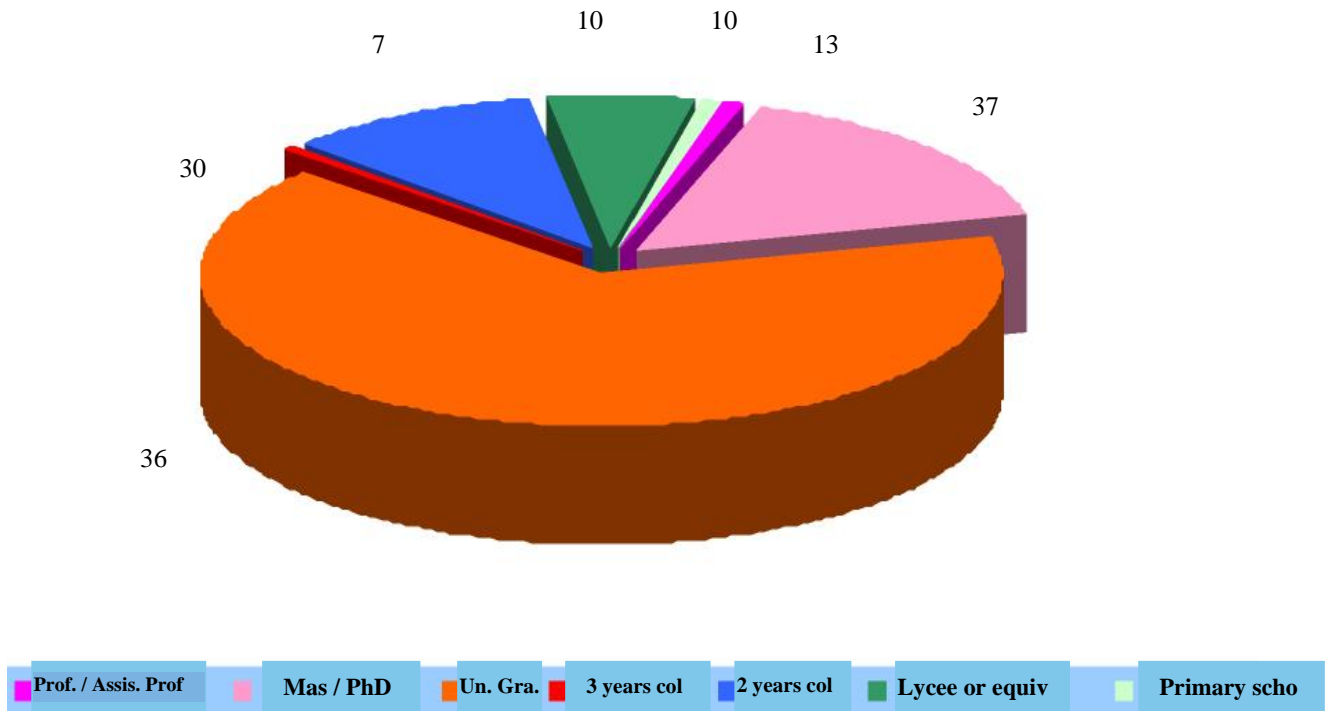


**Figure 2.** Distribution of Filled Positions to Units

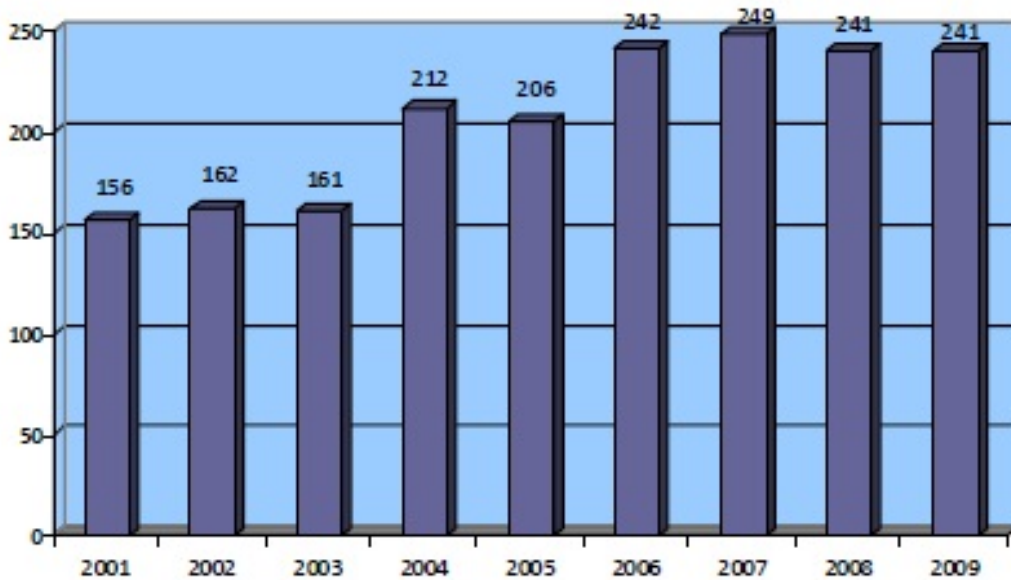
Distribution of filled positions to units in the institute is shown on the graph in figure 2. The unit with most personnel is Trademarks Department with 75 personnel. Patent Department and Administrative and Fiscal Works Department follow Trademarks Department with 37 and 36 personnel respectively.

When the graph that shows educational status of institute personnel is observed, an important portion of institute personnel will be seen to have bachelor's degree. TPI has 158 personnel with bachelor's degree.

Institute employs 39 professor and assistant professors with master's and doctorate degrees. On the other hand, TPI employs 25 employees with associate degrees and 14 personnel with high school degree or its equivalent.



**Figure 3.** Educational Status of Institute Personnel



**Figure 4.** Number of Personnel in the Institute through Years

Number of personnel that our institute has employed from 2001 up till now is shown in the graph in Figure 4. The filled position number of 156 in year 2001 has become 241 in year 2009. The year that our institute has employed the most personnel is 2007 with 249 personnel.

### **1.3.5 Services Provided**

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The services that our institute provides are inspected in three categories as services that main service units provide, services that counseling and inspection units provide and services that supporting units provide.

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#### **1.3.5.1 Services That Main Service Units Provide**

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##### *Patent Department Presidency*

- Registry transactions of patent and utility model applications,
- Preparation of research and investigation reports,
- Performance of transactions related to 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,
- Reply to information and document demands 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 related to 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 renewal expired registries, licensing, take-over and similar legal transactions and similar transactions related to changes,
- Performance of necessary activities in order to enlighten and direct persons and organizations inside the country on 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 in order to fulfill the required obligations,
- Carrying out of 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 Presidency on making necessary regulations on the legislation in necessary situations,
- Following and Acquiring of foreign legislations.

### **1.3.5.2 Services That Counseling and Inspection Units Provide**

#### *Legal Consultancy*

- Performance of necessary activities in order for the industrial property rights legislations to be compatible with the day's conditions,
- Consultancy to Board of Directors and Presidency on legal matters,
- Readyng legally related agreements, laws, directives, other legislations, reports, articles and similar preparations both about national and international law in matters of industrial property rights,
- Representation of the institute at court.

### *Strategical Development Directorate*

- Coordination of strategical plan and performance program preparation activities of the administration and carrying out consolidation works of the results,
- Preparation of administrative budget including the following two years' budget estimates according to strategic plan and annual performance program and monitoring and evaluation of administrative activities' compatibility to these,
- Preparation of detailed spending program within the frameworks of principles and fundamentals of the budget to be determined according to the legislation and providing the distribution of allocation to related units considering service requirements,
- Keeping track of budget records, collection of data related to budget application results, evaluation and preparation of absolute budget calculation and fiscal statistics,
- Preparation of administration's annual report based on unit annual reports prepared by spending units,
- Coordination of administration's investment program preparation works, keeping track of application results and preparation of annual investment evaluation report,
- Providing necessary information and consultancy on the application of related other legislations on fiscal issues to senior managers and spending officers,
- Carrying out of preliminary fiscal control activity,
- Carrying out of the works on the establishment of internal control system, application and development and standards
- Coordination and secretariat of TPI Advisory Council consisting of 31 members from representatives of public organizations and private sector established according to article 7 of Law No. 5000 on the Foundation and Responsibilities of Turkish Patent Institute,
- Preparation of the announcement on the fees Turkish Patent Institute is going to take in return of the services it gives,
- Notification of Ministry and State Planning Agency Secretariat on the developments related to activities and coordination of the works related to the actions that are stated in government program and are determined by our Institute as the responsible organization,
- Carrying out of other responsibilities given by senior managers.

### *Internal Inspection Coordination Office*

- Preparation and development of internal inspection plan and programs based on risk analyses and submitting them for managers' approval,
- Making sure that the approved inspection plan and programs are applied, carrying out consultancy and supervision activities, performing non-program related responsibilities inside their responsibility demanded by senior managers,
- Evaluation of efficiency and effectiveness of institute's risk management, internal control and management processes,
- Submitting matters observed during internal control activities or matters that need investigation and inquiry following the internal inspection to senior managers' attention,
- Keeping track of the results of internal inspection activities,
- Establishment, application and development of a quality assurance and development program in order to evaluate internal inspection activities, carry out those according to public internal inspection standards and work ethics and development of internal inspection activities,
- Submission of the evaluation results done within the frameworks of quality assurance and development program,
- Preparation of annual internal inspection report and submission of this report to senior manager,
- Establishment of internal inspector positions in accordance with human resources policies of the Institute with qualified, experienced, professional and knowledgeable personnel and carrying out the necessary procedures for this,
- Preparation of internal inspection directive and transaction processes in accordance with the regulations of Internal Inspection Coordination Council and developing it,
- Submission of frequent information to the senior managers on the results of the internal inspection, briefing them on developments in internal inspection area and best international applications,
- Control of inspection reports on whether they are compatible with procedures and fundamentals determined by reporting standards and keeping one copy of them,
- Carrying out of other related works about internal inspection activity and internal inspectors.

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

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#### *Personnel Department Presidency*

- Determination of fundamentals to be followed in determining the conditions and types of employments, carrying out of educational activities, getting the necessary positions, assignment of personnel and distribution to units in order to best function the services of TPI,
- 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 verdicts of Public Fiscal Administration and Control Law no. 5018, keeping record of, health, registry and labor files, determination of inside service educational needs,
- Preparation of education plans and programs,
- Providing the contribution of personnel to promotion educations 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, creation of new policies towards these, effective application and development of them.

#### *Administrative and Fiscal Works Department Presidency*

- Carrying out of necessary spending by institute, revenues to be collected and buying within the frameworks of related laws and legislations,
- Buying or leasing of the necessary cleaning, maintenance and repair services and needs of Institutes along with tangible and non-tangible properties, submission for approval of selling and renting of these to the Board of Directors if necessary and carrying out of these works with the approval of Board of Directors,
- Proper carrying out of incoming and outgoing folders and archive services,
- Keeping record of non-tangibles and other related records.

*Information, Documentation and Information Processing Department Presidency*

- Publishing informative books, brochures, magazines on responsibilities of the institute,
- Publishing of documents related to industrial property rights both targeting inside and outside the country,
- Carrying out of services related to Industrial Property Library,
- Collection of information and documents on patents and trademarks registered inside and outside the country on related subject,
- Publishing of official Industrial Property Gazette,
- Carrying out of all kinds of educational and promotional activities related to industrial property rights,
- Carrying out of necessary cooperation activities in places seeming appropriate by the decision of Board of Directors in order for the information units to function,
- Establishment of information processing system in the institute, operation of hardware and software as well as their development,
- Transfer of information and documents related to industrial property rights and their storage,
- Carrying out of necessary actions in order for the information on computer environment to be able to be accessed as fast as possible by the related units.

### **1.3.6 Management and Internal Control System**

Turkish public fiscal system is restructured with Public Fiscal Administration and Control Law no. 5018. With this law, it is aimed for public organizations to prepare and apply their strategic plans and budgets according to annual programs and determined procedures and fundamentals, to record their all fiscal transactions, report them and regulate fiscal control in order to increase transparency and accountability in public fiscal administration, bringing internal control and internal and external inspection systems to a compatible level with international standards and increase the effectiveness of parliament on budget.

With this purpose, matters of determination of the necessary actions, establishment of an action plan for these actions and preparation of necessary procedures and related regulations has been announced by Ministry of Finance on Official Gazette number 26738 dated 27/12/2007 in order to provide the compatibility of internal control systems of public administrations within the frameworks of “procedures and fundamentals related to internal control and preliminary fiscal control” with Public Internal Control Standards. “Turkish Patent Institute Internal Control Standards Action Plan” has been prepared by our institute and has been put into effect on the date 07/07/2009. Strategy Development Directorate carries out the application, monitoring, coordination and secretariat services of the action plan.

The application of this plan will provide the Institute with benefits such as the achievement of goals that are included in the strategic plan, efficient, economic and effective use of resources, creation of the opportunity to make the right decisions at the right time, bringing a systematic approach to the determination of the institute’s service priorities, providing services in accordance with the legislations, preparation of fiscal or non fiscal accurate reports, making work processes better and working with output focus, clear identification of responsibilities and obligations, formation of risk management and making possible for internal inspection and establishment of an understanding for contributing management. Whatismore, all fiscal decision and transactions of the institute are subject to the preliminary fiscal control of Strategy Development Directorate.

## SECTION 2

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### PURPOSE AND OBJECTIVES

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## 2.1 PURPOSE AND OBJECTIVES OF THE MANAGEMENT

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Turkish Patent institute in charge of acquisition and development of industrial property rights in our country has prepared the first strategic plan covering years 2005 - 2009 to efficiently perform its mission. 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 and has been announced to public.

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.

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

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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.

#### ***Objectives:***

- Achieving an independent organization with the capability of flexible activities,

- Development of leadership qualities of the managers and providing the efficient use of these qualities,
- Development of personnel quality and increase in the number,
- Preparation of annual work plans by the Institute Units,
- Development of the image of the organization,
- Activation of working groups,
- Providing the efficient use of the present resources within the frameworks of resource-work-time relationship and increase of efficiency,
- Top level benefit from national and international project opportunities,
- Foundation of TPI Training Center,
- Reformation of Presidency of Department of Information Documentation and Data Processing
- Establishment of Median Public Relations Unit directly connected to the Presidency under TPI,
- Performance of comparative works.

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

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### ***Objectives:***

- Adopting electronic signature practice,
- Adopting online application system,
- Efficient use of information technologies in communication and information,
- Updating the content and design of the internet site and providing the development of the content,
- Establishment of intra-organizational communication environment in electronic environment,
- Carrying out the works on decreasing the level of bureaucracy,
- Increasing the area number of patent search – investigation,
- Following the case results related to industrial property rights and archiving them in electronic environment,
- Making the works of Council of Revision and Evaluation and decreasing decision times,
- Keeping transaction fees at an appropriate level,
- Providing an increase in customer satisfaction,
- Development of appropriate services to customer groups.

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

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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.

#### **Objectives:**

- Development of attorney system,
- Development of Cooperation with Specialized Courts,
- Initiation of cooperation works for the development of expertise system,
- Increase of cooperation and sharing of knowledge with shareholders,
- Encouraging academic studies on the age of industrial property rights and getting in cooperation with universities,
- Foundation of Patent Evaluation Agency.

### **Purpose 4: Developing a Consciousness for Industrial Property throughout the Country**

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TPI, who have given importance to the registration transactions of industrial property rights in previous periods and who executes 'ts 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.

### **Objectives:**

- Systematization of presentation and information works,
- Application of goods related to the information activities of customers on industrial property system applications in Turkey and in the world,
- Increase in activities related with raising the awareness for patent protection and discovery of innovations,
- Increase in activities on consciousness for trademark creation and protection,
- Increase in activities related to the discovery and protection of new and original designs,
- 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,
- 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,
- 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,
- 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,
- Establishment of an academic journal on industrial property rights and publishing it every three months,
- Application of library software for the development of Intellectual and Industrial Property Library under TPI,
- Distribution of regular, annual prizes to persons and organizations that have performed significant works on issues of industrial property rights in Turkey.

## **Purpose 5: Making TPI an Efficient Organization in International Platforms Having a Voice**

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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.

### **Objectives:**

- 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,
- Following international agreements and fulfilling the responsibilities in agreements which TPI is a party to,
- Continuous monitoring of developments in the world,
- Continuation of cooperative works with related organizations for the purpose of full compatibility with *acquis communautaire*,
- Development of cooperation with international organizations and other national industrial property offices.

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## **2.2 FUNDAMENTAL POLICIES AND PRIORITIES**

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### **2.2.1 Customer Orientation**

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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.

### **2.2.2 Employee Orientation**

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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.

### **2.2.3 System Orientation**

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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.

### **2.2.4 Reliability**

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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.

### **2.2.5 Raising Awareness**

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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.

### **2.2.6 Speed Orientation**

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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.

### **2.2.7 Quality Orientation**

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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.

### **2.2.8 Flexibility**

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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 a dynamic organization that solves problems rather than being a bureaucratic organization.

### **2.2.9 Result Orientation**

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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.

### **2.2.10 Continuous Training**

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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 customer oriented.

### **2.2.11 Creativity**

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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.

### **2.2.12 Technology Orientation**

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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.

### **2.2.13 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.

## SECTION 3

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### INFORMATION AND EVALUATIONS ON ACTIVITIES

### 3.1 FISCAL INFORMATION

#### 3.1.1 Results of Budget Application

Table 5 shows the economic distribution of spendings of Turkish Patent Institute for year 2009.

01. 7.747.000. – TL allocation as been assigned to our Institute’s budget for personnel expenses in year 2009 and 7.869.020. – TL of the said allocation that became 8.012.138. – TL with transfers made throughout the year has been spent with the spending rate being 98%.

**Table 5:** Economic Distribution of Spendings in Year 2009

	BUDGET INITIATION ALLOCATION	END OF YEAR ALLOCATION	BUDGET EXPENSES
<b>01 – PERSONNEL EXPENSES</b>	7.747.000	8.013.138	7.869.020
<b>02 – GOVERNMENT BONUS EXPENSES TO SOCIAL SECURITY ORGANIZATIONS</b>	282.000	721.000	684.997
<b>03 – GOODS AND SERVICES BOUGHT</b>	21.105.000	21.345.000	15.494.404
<b>05 – CURRENT TRANSFERS</b>	1.133.000	1.133.000	408.245
<b>06 – CAPITAL EXPENSES</b>	1.800.000	1.800.000	249.360
<b>GENERAL TOTAL</b>	<b>32.067.000</b>	<b>33.012.138</b>	<b>24.706.026</b>

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

02. 282.000. – TL allocation has been assigned to the budget of our Institute for Government Bonus Expenses to Social Security Organizations and 684.997. – TL of the said allocation that became 721.000. – TL with transfers made throughout the year has been spent with the spending rate being 95%.

03. 21.105.000. – TL allocation has been assigned to the budget our Institute for expenses of Goods and Services Bought and 15.494.404. – TL of the said allocation that became 21.345.000. – TL with transfers made throughout the year has been spent with the spending rate being 72%.

05. 1.133.000. – TL allocation has been assigned to the budget of our Institute for Current Transfers and 408.245. – TL of the said allocation has been spent with the spending rate being 36%.

06. 1.800.000 – TL allocation has been assigned to the budget of our Institute for Capital Expenses and 249.360. – TL of the said allocation has been spent with the spending rate being 13%.

32.067.000. – TL allocation has been assigned to the budget of our Institute for year 2009 and 24.706.026. – TL of the said allocation that became 33.012.138. – TL with the additions added throughout the year has been spent with the spending rate being 74%.

Table 6 shows the functional distribution of spendings of year 2009.

01. 14.246.000. – TL allocation has been assigned to the budget of our Institute for general public services and 6.172.425. – TL of the said allocation that became 11.694.527. – TL with the transfer made throughout the year has been spent with the spending rate being 52%.

**Table 6:** Functional Distribution of Spendings in Year 2009

	BUDGET INITIATION ALLOCATION	END OF YEAR ALLOCATION	BUDGET EXPENSES
<b>01 – GENERAL PUBLIC SERVICES</b>	14.246.000	11.694.527	6.172.425
<b>02 – DEFENSE SERVICES</b>	18.000	18.000	0
<b>03 – EXPENSES FOR PUBLIC ORDER AND SECURITY SERVICES</b>	600.000	600.000	540.226
<b>04 – ECONOMIC WORKS AND SERVICES</b>	17.203.000	20.699.611	17.993.376
<b>GENERAL TOTAL</b>	<b>32.067.000</b>	<b>33.012.138</b>	<b>24.706.026</b>

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

02. 18.000. – TL allocation has been assigned to the budget of our Institute for Defense Services and the said allocation has not been used.

03. 600.000. – TL allocation has been assigned to the budget of our Institute for Public Order and Security Services and 540.226. – TL of the said allocation has been spent with the spending rate being 90%.

04. 17.203.000. – TL allocation has been assigned to the budget of our Institute for Economic Works and Services and 17.993.376. – TL of the said allocation that became 20.699.611. – TL with transfers made throughout the year has been spent with spending rate being 87%.

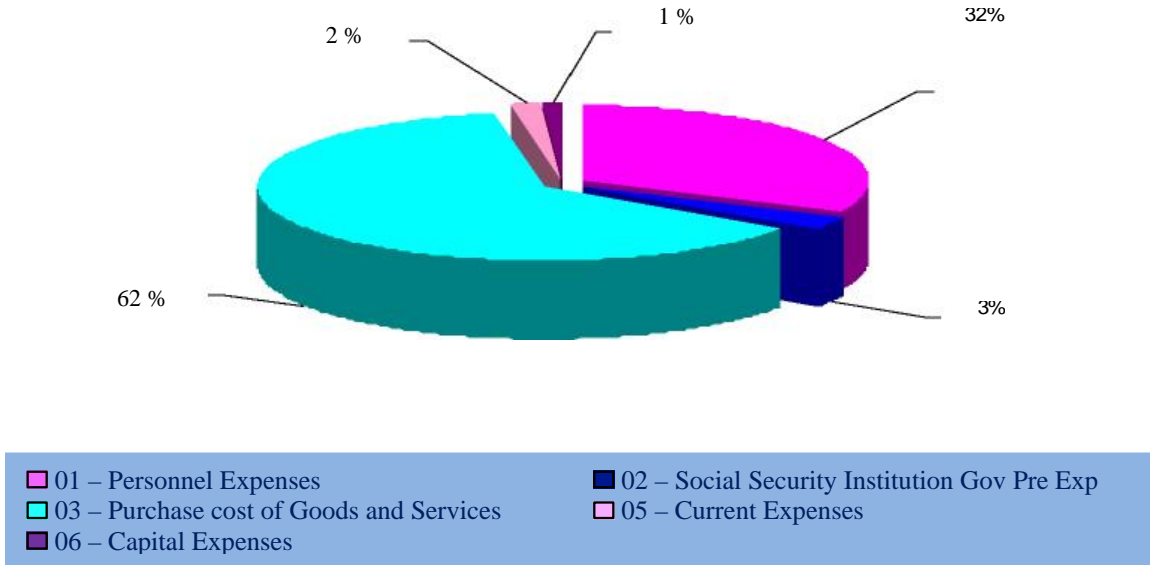
**Table 7: Income Distribution of TPI through Years**

TYPE OF REVENUE	2005	2006	2007	2008	2009
<b>A – INTERNAL SERVICE REVENUES</b>					
Revenues from Trademarks and Geographical Indications	23.893.797	30.177.748	40.206.647	38.398.624	38.155.965
Revenues from Patents and Utility Models	6.266.964	9.147.648	10.957.428	11.967.530	12.378.618
Revenues from Industrial Designs	3.081.432	4.041.294	4.319.674	4.161.625	3.922.277
Information Revenues	445.548	205.983	127.202	107.820	83.145
Documentation Revenues	306.771	358.767	327.873	309.567	230.899
Other Revenues	728.420	426.049	889.237	364.335	1.020.328
<b>TOTAL (A)</b>	<b>34.722.932</b>	<b>44.357.488</b>	<b>56.828.061</b>	<b>55.309.501</b>	<b>55.791.232</b>
<b>B – FOREIGN SERVICE REVENUES</b>					
Patent Revenues	771.707	983.048	1.120.618	1.801.983	2.512.259
<b>TOTAL (B)</b>	<b>771.707</b>	<b>983.048</b>	<b>1.120.618</b>	<b>1.801.983</b>	<b>2.512.259</b>
<b>GENERAL TOTAL (A + B)</b>	<b>35.494.639</b>	<b>45.340.535</b>	<b>57.948.679</b>	<b>57.111.484</b>	<b>58.303.491</b>
<b>C – OTHER REVENUES</b>					
Fiscal Year Budget Allocation					
Interest Revenues	5.352.060	8.185.015	4.747.108	14.718.565	20.609.239
Loss Claim					
Taken From the Personnel	22.046	24.631	27.934	89.219	28.840
WIPO – EPO Revenues	708.822	5.967.556	3.344.990	7.071.388	7.722.900
Compensations and Delay Penalties	384.594				
Other Revenues	105.686	162.361	136.439	57.314	16.400
<b>TOTAL (C)</b>	<b>6.573.208</b>	<b>14.339.562</b>	<b>8.256.470</b>	<b>21.936.486</b>	<b>28.377.379</b>
<b>GENERAL TOTAL (A + B + C)</b>	<b>42.067.847</b>	<b>59.680.098</b>	<b>66.205.149</b>	<b>79.047.970</b>	<b>86.680.870</b>

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

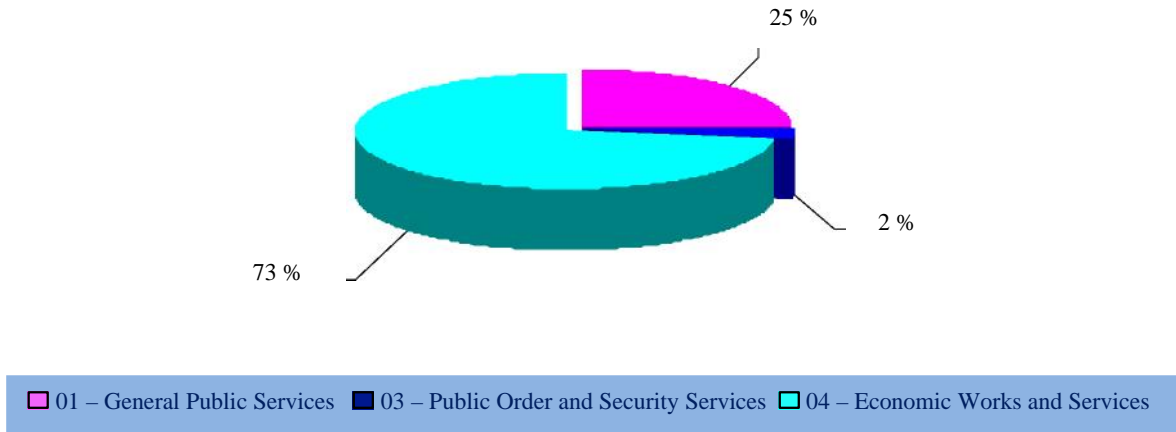
The income distribution of Turkish Patent Institute through years 2005 to 2009 is shown in Table 7. Revenue types have been categorized into three titles as internal service revenues, Foreign Service revenues and other revenues.

### 3.1.2 Explanations on Fundamental Fiscal Tables



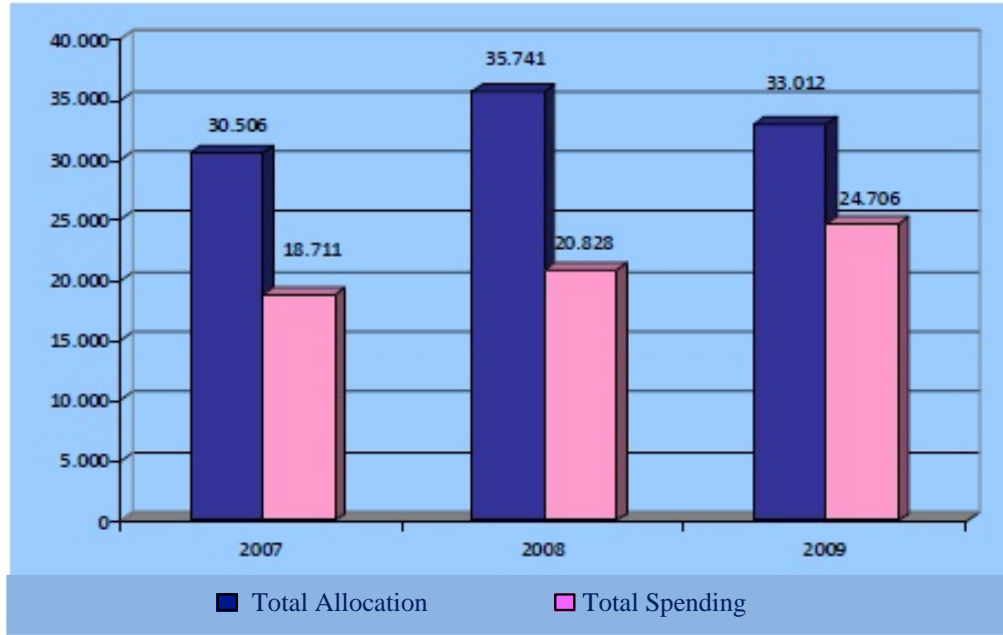
**Figure 5:** Economic Classification of Spendings

Figure 5 shows the graph for the economic classification of spendings. When this graph on classification of budget expenses is examined, it will be seen that 62% of total spendings belong to spendings on goods and services bought, 32% on personnel expenses and the remaining 6% to the other three types of expenses.



**Figure 6:** Functional Classification of Spendings

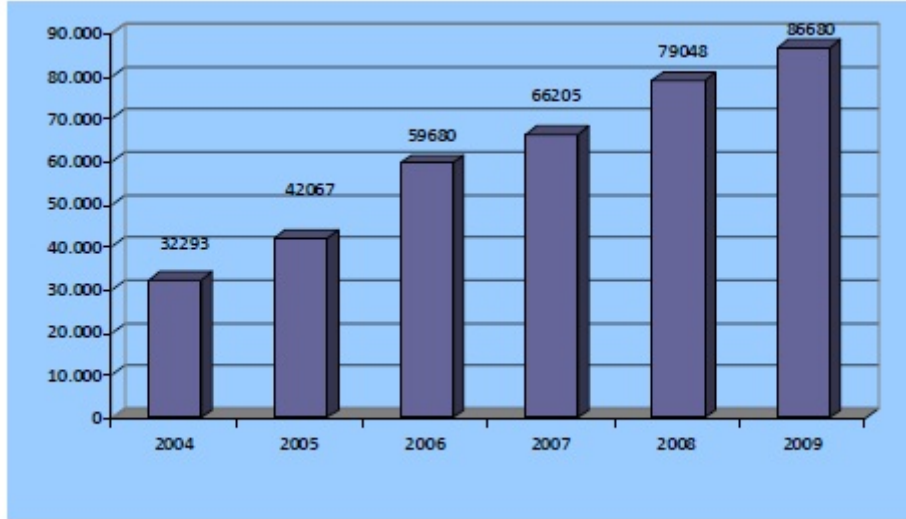
When Figure 6 that shows the functional classification of budget expenses is examined it will be seen that 73% of total spendings are related to economic works and services, 25% to general public services and 2% to public order and security services. This situation gives us the conclusion that main service units' share in the budget is significantly high.



**Figure 7:** Allocation and Spendings through Years (1000 TL)

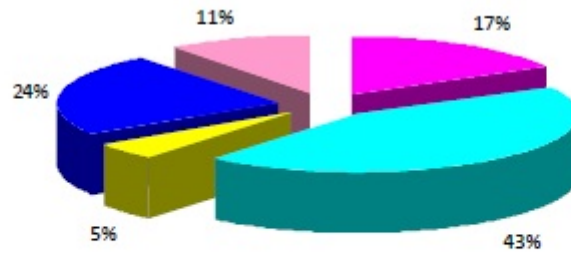
Figure 7 shows the assigned allocation and total spending amounts of the Institute between years 2007 and 2009. 61% of the allocation given to our Institute has been used in year 2007, and this percentage has been 58% for year 2008 and 75% for year 2009.

In year 2009, 24.706.000 TL of the allocation of 33.012.000 TL assigned to our Institute has been spent.



**Figure 8:** Income through Years (1.000 TL)

As can be seen from the graph in Figure 8, Institute revenues are increasing each year in an orderly manner. Distribution of revenues in terms of their types is shown in Figure 9.



Patent Revenues Trademark Revenues Industrial Design Revenues Deposit Revenues Other Revenues

**Figure 9:** Distribution of Revenues In Terms of Revenues

As can be seen from the graph in Figure 9, 43% percent part of the revenues of the Institute is in form of trademark revenues. It is followed by 24% deposit revenues and 17% patent revenues.

According to article 25 of the Law no. 5000 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 2009 is examined, it will be seen that 43% of the revenues of the organization comes from trademark application and registry works.

### **3.1.3 Results of Fiscal Audit**

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#### **3.1.3.1 Internal Audit**

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While 2009-2011 Period Internal Audit plan has been in preparation by Internal Audit Coordinatorship, risk evaluation works have been carried out in administrative units of the Institute based on “Risk Evaluation Guide for Public Internal Audit” published by Internal Audit Coordination Board. With evaluation works audit space has been defined, audit areas have been determined and the prioritization of audit areas has been done with determination of structural risk levels. Baring in mind risk evaluation works, all processes in all units of our Institute has been subject to evaluation and Internal Audit Program for year 2009 has been put into effect.

Within the frameworks of 2009-2011 Internal Audit Plan and year 2009 Internal Audit Program created as a result of the risk studies carried out by Internal Audit Coordinatorship and approved by Presidency:

- Preliminary fiscal control process
- Spending Management and accounting process
- Buying of goods and services that does not need a tender, has been the three activity areas that audit was performed.

Consequently to the subject audit activities, action plans on issues that should be developed have been prepared and their execution inside the schedule has been foreseen.

### 3.1.3.2 External Audit

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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 evaluation of these in terms of performance. Our Institute is subject to Audit Court audit and has no recorded debt.

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## 3.2 PERFORMANCE INFORMATION

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### 3.2.1 Activity and Project Information

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#### 3.2.1.1 Patents and Utility Models

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In information society of today in which the competition is globalizing and quickly developing, countries are distinguished from each other and go a step forward with the information they possess and produce. The development level of countries is evaluated according to their possession of information and skills for using and developing them. Countries, businesses and investors with these skills are successful being a step forward from their competitors. We can provide this with Research and Development along with innovation. Within the process of R&D and innovation, patent rights are significant with its information providing dimension along with the protection dimension. The patent applications are published and presented to public information. The information that is necessary in the initiation of R&D and innovation process can be provided from these publishings. The developments achieved during the continuation of the process can again only be protected by patent rights.

In our country, in near period of time, increases far above world average is seen in patent applications too just as all industrial property rights. These increases also increase the absolute number of applications. For the first time in republican history, more than 10 thousand applications for inventions have been submitted to our Institute in 2009 for the first time when evaluated with utility model applications. Despite the global crisis that affected the whole world, the application number in year 2009 has been more than 10 thousand too. Year 2009 has been a year in which the transformation in structure of inventions in our country has been significant. With the increase in local applications, the number of patent applications has been close to the number of utility model applications. In the case that increases in year 2009 continue in 2010, it is expected for them to exceed utility model numbers for the first time.

Year 2009 has also been a very efficient year in terms of the research and investigation reports prepared.

The exam for becoming an attorney for patents and trademarks that is held every two years according to article 30 of Law no. 5000 has taken place on 14.11.2009 with service sale method. Out of 267 of the 1107 applicants that applied for the patent and attorney exam have been successful. 278 out of 1767 applicants for trademark attorney have been successful

With the end of year 2009, 356 of the 1012 people that have registry as patent attorneys, and 690 of the 1599 that have registry as trademark attorneys are actively involved as patent and trademark attorneys.

#### 3.1.1.2 Trademark

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Law no. 5833 on Amendment to the Decree Law no. 556 on protection of trademarks have been put into effect on January 28, 2009 and published in the official gazette. The Law that aims to fill the possible breaches of law that may occur because of cancellation in some article of Decree Law no. 556 regulates the scope of rights stemming from trademark registry, actions that are recognized as violation to trademark right and the penalties to be given for these actions.

Changes in Directive of Decree Law 555 on Protection of Geographical Indications have been put into effect and published in official gazette on April 21, 2009.

Draft on Trademarks Law prepared by our Institute has competed an important stage in legislation process. The draft that is included as an action in the 60th Government Program Action Plan and which aims to provide compatibility with related *acquis communautaire* of EU has been presented to Turkish Grand National Assembly on February 19, 2009 and approved by EU Adaptation Commission on May 5, 2009. It is aimed for the draft to become a law after

it is discussed in another sub-commission Justice Commission and a main commission, Industry, Trade, Energy, Natural Resources, Information and Technology Commission.

Starting from July 23, 2009, preliminary notice certificate has been sent to applicants via e-mail in online trademark applications. However, starting from the date December 1, 2009, the preliminary notice documents are again sent via mail while the received certificates are sent through e-mail.

Law Draft on the Protection of Geographical Indications and Product Names with Traditional Features has been submitted to Turkish Grand National Assembly by the prime ministry on the date December 31, 2009. Law draft includes the regulation of rules and conditions related to the protection of all types of goods that appear as a result of the combination of natural and economic factors in areas such as agriculture, mining, handicrafts and similar with geographical indications and product names with traditional features in order to contribute to the strengthening of regional and agricultural economies by increasing the variety production and encouraging products with local or traditional features in Turkey, easing the access to high quality goods by the customers by guaranteeing production methods and geographical resources.

Apart from that, easing the transactions for geographical indication applications has been aimed with information to be given as a whole in Official gazette and local newspapers and advertising information in high selling daily newspapers, while the draft and the applications are foreseen to be only published in the Official Trademark Newsletter.

Audit of use of geographical indications and product names with traditional features are very significant in terms of benefit of real manufacturers of the product from the economic benefits from this protection and fulfilling the expectations of the consumer. Therefore, a new system that will enable a more efficient audit to be performed has been foreseen.

### 3.2.1.3 Industrial Designs

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Works on legislation of Decree Law no. 554 on Protection of Industrial Designs and adaptation to European Union legislations has been sent to nongovernmental organizations and public foundations and organizations after the completion of the prepared draft text. In accordance with the comments and views taken and the workshop done with related groups, the prepared draft has been finalized with the meetings held in Prime Ministry. The draft has been sent to Turkish Grand National Assembly on the date 18.02.2009 by the Prime Ministry. It is waited for the Law Draft to be discussed in Turkish Grand National Assembly commissions.

Works on “Project on Decreasing Bureaucracy and Administrative Simplification” has been completed on 31.12.2008 with the Application Approval sent in the attachment of Circular of Ministry of Industry of Trade with the coordination of Prime Ministry Presidency of Development of Administration with the purpose of development in public services. As a result of the works carried out within the scope of the said project, changes in Directive suggested by our Institute has been put into effect and published in Official Gazette on the date 21.04.2009.

Along with that, participation in works held in Turkish Grand National Assembly Constitutional Commission related to law proposals submitted for the revision of the draft text for adaptation to Turkish Criminal Law and cancellation of article 48 of Decree Law no 554 of Constitutional Law has been achieved.

The foundation of Design Council has been included in 60th Government Program by the proposal and request of Turkish Patent Institute and the foundation works were initiated in January 2008 period. Council of Ministers Decision draft has been prepared by our Institute

and new shareholders considering their areas of responsibility in addition to organizations and foundations functioning in design area has been determined. Meetings have been held with organization representatives to be cooperated with. Preparation works related to the foundation of Turkish Design Council has been completed with the meeting held in our Institute with participation of shareholders.

Turkish Advisory Design Council consists of members that form the sub-components of policies and strategies that will provide highest level of contribution to national policies and strategies on design, which carries out the necessary works for industry and economy of the country in design area.

The first meeting of Turkish Advisory Design Council has been held on September 23, 2009 with the participation of representatives of the member organizations and foundations with the presidency of Council President Minister of Industry and Trade. How the secretariat services of the council with procedures and contents of the work has been discussed in the meeting and it has been decided to establish technical committees that will carry out works on the subjects of “training and research”, “encouragements and supports”, “legal issues” and “raising awareness and advertisement”. Furthermore, it has been decided that a large scale participated workshop shall be held in January of year 2010 in order to create a “Design Strategy Certificate and Action Plan”.

Transaction processes within the frameworks of quality studies have been revised and especially the completion of transactions after the registry has gained haste. Furthermore, a draft for the document “Industrial Design Application Investigation Handbook” has been prepared in relation with the investigation works of design applications. With this study, the investigation processes and regulation oriented applications have been put into writing and it has been aimed to decrease the difference of interpretation between experts, hence providing a

similar application environment. Besides this, the works on a document called “Software Guide” about how all design registry transactions and transactions after registry are going to be performed is still ongoing. Apart from that, “Industrial Design Application Guide” and “Industrial Design Information and Presentation Brochure” has been updated.

Within the scope of works related to decreasing the level of bureaucracy in public carried out by Prime Ministry Presidency of Administrative Development, inventory of all services presented by our Institute is listed, analyses and status determination has been performed on the bases of these services, documents and information requested for the service, whether the service is available in electronic environment or not, which approval organs have a say in the process of presentation of the service, and the inventory has been prepared in the foreseen order. Consequently to these works, some bureaucratic applications that increase the work load along with unnecessary work processes have been eliminated with the contribution of the Directive change. At the same time, standard times for main services presented were determined. These times and the necessary information and documents for presentation of the service have been announced to third parties as the guarantee of our Presidency.

Another significant activity completed in year 2009 is criteria studies for the unit. The Purpose of the said study is to provide an even running set of decisions, decreasing relativity in investigation to minimum level, providing the consent in decision for exemplary situations and creation of unit application related to subjects such as get-up, set “color factor in design protection” discussed in international arena. This way, increasing the positive image of the organization and increasing service quality and customer satisfaction has been aimed. The process and method that was followed in the study is as follows:

- Determination of subjects where consent cannot be reached,
- Choosing application examples on these subjects,
- Preparation of a survey creating questions from exemplary situations,
- Application of the survey to experts,
- Analysis of survey answers,
- Holding meetings in order for the experts to explain their answers in the survey with their reasons,
- Formation of criteria with unanimity or majority related to each subject with joint decision.

Decisions made as a result of this work has also formed data for the application investigation handbook prepared.

#### 3.2.1.4 International Relations

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##### *23rd Meeting of Customs Union Joint Committee and European Union Accession Negotiation Technical Meeting Chapter on Intellectual Property Law*

A Customs Union Joint Committee meeting was held on October 26, 2009 and a technical meeting on October 28, 2009 in order to discuss our reply to the proposal on monitoring the distance our country has gone, especially on dialogue mechanism related to the closing criteria of the 22nd Customs Union Joint Committee meeting dated February 19, 2009 with the Commission within the scope of the ongoing accession negotiations with European Union.

##### *Relations with Tunisian National Standardization and Industrial Rights Organization (INNORPI)*

The first meeting of Turkey-Tunisia Partnership Council that was established within the scope of Partnership Agreement between Turkey and Tunisia that assigns Free Trade Zone has been held in Ankara on December 16-17, 2008 and a cooperation agreement has been signed between TPI and INNORPI. Within the scope of the said cooperation, a committee from TPI has visited Tunisia on March 16-17, 2009. In the first clause of the work plan prepared in this business trip, a business trip to INNORPI – Tunisia is included in order to plan an electronic application system from TPI. The mentioned business trip was performed on June 23-24, 2009. On this trip, information was received on information technologies infrastructure of

INNORPI. Along with that, the knowledge that TPI has on the infrastructure suggested for online applications were shared. The knowledge we have on architectures that can be used for software along with hardware infrastructure was tried to be explained.

#### *Bilateral Cooperation Protocol with Syrian Patent Office*

As known, the revised version prepared by our Institute of the Cooperation Agreement foreseen to be signed between Syrian Patent Office and our Institute in Turkish- Syrian Partnership Committee Meeting held in December 27-28, 2008 has been submitted to Syrian authorities for review and has been seen appropriate by Syria.

During the “Trade Committee” Program for Syria on the date February 16-18, 2009, the said Cooperation Agreement has been signed between Turkish Patent Institute and Syrian Patent Office with the participation of our President of Institute and President of Syrian Patent Office.

#### *Relations with Albanian Patent Office*

Protocol that foresees technical cooperation between Turkish Patent Institute and Albanian Patent Office was signed by President of TPI and President of Albanian Patent Office with a ceremony held in TPI on June 19, 2009. The said cooperation protocol aims the mutual sharing of information, documents and experiences between Turkish Patent Institute and Albanian Patent Office in order to develop the current cooperation even more. In the protocol, subjects related to intellectual property that is included in Executive Plan Draft, effective use of industrial property in international standards, sharing of mutual information and experience, training of office personnel, change in publications, cooperation on preparation of new legislation, cooperation on related organs and departments of the offices in order to adopt the decisions of World Intellectual Property Organization (WIPO) and World Trade Organization (WTO) are included as subjects.

#### *Regional Seminar on the Subject of Transfer of Technology in Intellectual Property Rights*

The workshop on the subject of “Role of Intellectual and Industrial Property Rights in Transfer of Technology” that was planned to be organized as a result of the works of “Expertise Group of Intellectual Property Rights” consisting of representatives from Turkish Patent Institute, Government Planning Agency and Ministry of Culture and Tourism formed in the process of restructuring of United Nations European Commission of Economy

(UNECE), has been held in March 12-13, 2009 in Turkish Patent Institute. In the workshop, technology transfer, role of industrial property, experiences of countries, the problems and solutions faced were discussed. Information on goods and services that WIPO has developed for member states in this area as one of the expert bodies of United Nations has been given. The participants in the workshop consisted of UNECE officials and managers of techno parks that function in our country and various Middle Asian countries leading with Azerbaijan, Kazakhstan, Kirgizstan, Tajikistan, Turkmenistan and Uzbekistan.

#### *International Conference on Innovation and Industrial Property Rights*

An international conference on the subject of “Innovation and Industrial Property Rights” has been held in Istanbul on December 4, 2009 with the cooperation of Turkish Patent Institute and Foundation of Economic Research in order to encourage creativity, productivity and innovation, raise awareness for industrial property, strengthen national innovation system and develop cooperation between related groups. In the conference, subjects of “Patent Rights and Use of Patent Rights in Innovation Process, Transfer of Innovation and Technology, Contribution of University – Industry Cooperation to the process of Innovation” have been held.

With this international event in which innovation system and process both in macro and micro levels were discussed together with subjects such as university – industry cooperation and technology transfer in industrial property dimension, a positive synergy was established in this platform between people who know the value and power of industrial property and work in this context.

It is significantly important that theoretical information and innovations in various areas are transformed into application and presented to the benefit of the society as value added goods and services for the commercialization of innovations and continuity of development of industrial property rights. Turkish Patent Institute, who aims to have maximum contribution to the development of creative and innovative structure of Turkish economy and industry because of the strategic position it has in terms of all sectors, is preparing the platform in which all groups inside industrial property system will get together and share their information, knowledge and experiences.

### *Work Meeting of Intellectual and Industrial Property Rights Coordination Council*

Within the frameworks of the works that Intellectual and Industrial Property Rights Coordination Council that was established with Prime Ministry circular no. 2008/7, a meeting on the subject of Intellectual and Industrial Property Strategy Document and National Geographical Indication Policies at Turkish Patent Institute. The meeting was held with the joint presidency of President of Turkish Patent Institute and Vice General Director for Copyrights and Cinema. In the meeting where representatives from Ministries of Justice, Internal Affairs, Health, Agricultural and Rural Affairs along with Government Planning Agency, Under secretariat of Foreign Affairs, Under secretariat of Customs, General Directorate of Copyrights and Cinema, TUBITAK and TUCCA, issues of determination of the roadmap for creation of strategy document for intellectual and industrial property rights, national policies related to geographical indications and creation of a study group for geographical indications were discussed.

### *Investment Development Coordination Council Technical Committee Meeting on Intellectual and Industrial Property Rights*

Technical Committee on Intellectual and Industrial Property Rights functioning under Investment Development Coordination Council (YOIKK) has met at Turkish Patent Institute on December 23, 2009 with the joint presidency of President of Turkish Patent Institute and Vice Secretary of Ministry of Culture and Tourism. In this last technical committee meeting of year 2009, final status of action plan has been discussed with representatives of public organizations and private sector organizations in technical committee. Status determination about each action has been done by the end of the year and actions related to year 2010 have been evaluated.

YOIKK has been founded with the Principle Decision of Council of Ministers dated December 11, 2001 within the scope of Investment Development Reform Program with the purpose of elimination of administrative barriers in front of investments in our country and developing the availability of investment environment for local and foreign investments. 12 technical committees have been established within the council where public and private sector carries out joint work. TPI took part in one of these committees, “Technical Committee on Intellectual and Industrial Property Rights” with Ministry of Culture and Tourism.

Year 2009 action plans have been created by updating the Action Plans created in 2007 with the purpose of bringing performance criteria to the works carried out by the Technical Committees of YOIKK, on the 13th YOIKK meeting held on January 11, 2009. Within this scope, Technical Committee on Intellectual and Industrial Property Rights Action Plan has also been updated.

Developments provided within the frameworks of the subjects included in Action Plans are regularly monitored by YOIKK Secretariat each month and Council of Ministers and Directing Committee Members are notified on the developments provided. In three month periods, developments achieved within the frameworks of Action Plans are shared with public with the press release published in under secretariat of Treasury's internet site.

#### *Full Assembly Meetings of World Intellectual Property Organization (WIPO)*

47th of WIPO's full assembly has been held in Geneva between September 22 and October 1, 2009. Senior representatives of 184 member states, along with representatives from observing organizations and related organizations attended the meeting. General Director of WIPO gave information on the subjects like works aimed within the frameworks of strategic restructuring program and effect of the global economic crisis on Intellectual Property Rights. Referring to the importance he gives to WIPO Development Plan, General Director emphasized his belief that they will reach solid results on international level related to traditional cultural definitions, traditional information and genetic resources. In the meeting that President of the Institute also attended, the works carried out by TPI lately and activities planned to be performed in the next period was discussed.

#### **3.2.1.5 Publicity and Information**

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Giving importance to registration transactions of industrial property rights at the beginning and executing important responsibilities for Turkish industry and economy, TPI has given particular importance to publicity and information activities that are two of the fundamental problems. Within this scope, activities such as attending seminars, symposiums and fair domestically has been continued in year 2009 too. Approximately 70.000 people have been directly accessed with the 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.

#### *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. Furthermore, the number of printed publications has been decreased due to high cost and low effectiveness; increasing the numbers of CD brochure publication has been continued instead of this.

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

A country-wide campaign to raise awareness has been planned within the frameworks of “TPI Image Creation and Public Relations Campaign” under Turkish Patent Institute by informing public on concepts such as “Patent, trademarks, geographical indications, industrial designs and integrated circuit topographies in Turkey”.

In this context, 33 films have been prepared consisting of documentaries in which the birth of every concept related to industrial property rights, limits of registration rights, developments in Turkey and the world in relation to economic values and times of these in a plain, explanatory, easy to remember and efficient cinematic language; informative films related to all concepts included in industrial property rights to be broadcasted on national, regional and local television channels and animated movies related to patent, trademark and design concepts directed to preschool and primary school aged children. The broadcasting of the said

films after their transfer and distribution has been provided via sending them to local, regional and national television channels in appropriate broadcasting formats.

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 6000 TPI e-newsletter members in form of announcements.

### *Direct Information*

Statistics on the service given to people who would like to have information by coming to TPI or via telephone / e-mail is shown in Table 8.

**Table 8:** Preliminary Research and Information Activities

<b>The Work Done</b>	<b>Number of Works Done</b>
Trademark similarity search	1235
Preliminary design search on the basis of companies	8
Preliminary search on patents / utility models	121
Copies of patents / utility models	676
Information request and info	5369
Those with direct application and information	9922
Phone Calls	40124

### *Comprehensive Trainings and Activities*

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.

In order to reach users that already use industrial property system and the potential users, our Institute has participated in 78th Izmir International Fair and CEBIT fair in year 2009. Along with these, the Institute also participated for the fifth time, to the 60th IENA International Trade Fair for Ideas Inventions New Products in Nurnberg city of Germany.

Table 9 shows the types and numbers of publicities and activities took place in year 2009, carried out by Turkish Patent Institute.

In year 2008 when a total of 84 activities were held, seminars were the most significant ones in these activities. In year 2009, our Institute has carried out 30 seminar activities.

**Table 9:** Publicity and Event Activities

<b>Type of the Work Done</b>	<b>Number of Works</b>
Meeting	16
Fair	5
Seminar	30
Workshop	3
Congress	1
Conference	3
Assembly	1
Live Participation on Media	4
Panel	2
Project Work	6
Protocol and Signature Ceremony	2
Symposium	1
Exhibition	3
Competition	3
Visit	4
<b>Total</b>	<b>84</b>

#### *Works Directed to Universities*

Our Institute has organized regional activities in order to create and spread cooperation between universities and industries. In this context, in Anatolia University, one of the Research and Development and innovation centers, a publicity and information meeting on the subject of trademarks, patents and industrial designs has been held in March 11, 2009 with the participation of academicians, university students and people who would like to get knowledge on industrial property rights as a matter of establishment of Information and Document Unit of our Institute.

In the events held in Hacettepe University Sıhhiye Campus Center of Culture on the dates March 26-27, 2009, “Hacettepe Teknokent Inc. Award Ceremony for Project Competition year 2008” and Hacettepe University Teknokent Days – 2009 (HUTEG’09) event with subject “University-Industry Cooperation and Technology Transfer”, our Institute has opened stands and for two days information and document support on industrial property rights has been given to participants and visitors.

Our Institute has taken its part in 18th Spring Conferences organized by Trakya University and TMMOB (Turkish Union of Chambers of Engineering and Architecture) Edirne Branch on April 29-30, 2009 at Trakya University State Conservatory Art and Education Center, with its seminar under the name “Research and Development Activities in Turkey, A model to be Used in Academic Promotions with Education”. Within the frameworks of the conference seminar has been given to university students and academicians consisting of trademark, patent and industrial design subjects and certificate of appreciation and placards have been given to organizations in Edirne that applied in patent, trademark, geographical indications, utility models and industrial design subjects the most between years 1995 and 2008.

With the purpose of information and raising awareness of industrial producers, academicians and people interested in industrial property system on industrial property rights and the registration system of these rights, because of the 10th anniversary of foundation of TPI Information and Documentation Unit in Ege University Science – Technology Application and Research Center founded in June 07, 1999, an event has been held. Within the frameworks of this event, “Industrial Property Rights Semnar” with participation from interested people, university students and academicians has been given by our Institute. With the award ceremony held, certificate of appreciation and placards have been given to the first three organizations in Izmir that applied in patent, trademark, geographical indications, utility models and industrial design subjects for registries / applications the most between years 1995 and 2008 according to Institute data.

#### *Patent Information Days*

Our Institute has organized “Patent Information Days” event in 4 different cities (Eskisehir, Bursa, Gaziantep, Istanbul, Kocaeli) in year 2009 in order to strengthen national innovation system by encouraging innovation, creativity and productivity, to raise awareness in industrial property rights subjects in people, organizations and foundations with Research and

Development works, students, academicians, regional industrial producers and Small and Medium Sized Enterprises.

Within the frameworks of the two-day “Patent Days” event, a joint information seminar has been organized to SMEs and university members on the subject of importance of patent information and one-on-one consultancy service has been given by performing patent search related to innovative products and projects within the scope of patent appointment system.

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

As a result of the cooperation between Training Council of Ministry of National Education and TPI, information on industrial rights and especially patent and design subjects has been added to the curriculum of Technology and Design Lesson.

In this context, visits from primary school students to our Institute has been performed and with the said visits, seminar on industrial property rights has been given to approximately 1000 students from Primary Schools in Ankara in period January 2009 – June 2009 at the Institute.

With the responsibility on our Institute on encouraging innovations, a technology and design lesson student activities exhibition called “It’s Time to Think Now” has been organized in our Institute on the date April 27, 2009 within the scope of April 26, World Intellectual Property Day and National Sovereignty Week baring in mind the dynamism that organizing encouraging activities that will develop the systematic thinking skills and creative intelligence of young brains will contribute to state economy in the future.

For the exhibition that consisted of approximately 250 works that students from 116 primary schools in Ankara have created in academic year of 2008/2009, over 7500 applications have been received from 500 primary schools. As there were many applications and in order to display as much work as possible, the number of works that was announced to be 100 has been increased to 250. The 250 selected works that have been displayed were drawn randomly from the applications done appropriately to application rules.

The school projects chosen from Primary Schools in Ankara and selected with the members from Members of Training Council of Ministry of National Education have been displayed in lobby area of our Institute with the opening made by Undersecretary of Ministry of Industry and Trade after the seminar.

In the panel dated May 5, 2009 held within the frameworks of “Project Based Skill Competition” organized by Ministry of National Education, with the purpose of directing students and participants in professional and technical education schools and organizations in entrepreneurship by making them use their professional knowledge and skills along with their interests and capabilities, creative thinking, scientific thinking, research with competitive consciousness and their encouragement, a presentation has been made by our Institute and information and document support has been provided to participants with a stand.

Within the context of raising the future generations as researching, creative, questioning and productive individuals, Turkish Patent Institute informative seminars have been held with the purpose of supporting the “This is My Work” event within the frameworks of cooperation between Ministry of National Education and TPI.

Seminars given by TPI on issues of industrial property rights during regional exhibitions in 12 regions as Ankara, Adana, Antalya, Bursa, Erzurum, Istanbul Asia, Istanbul Europe, Smyrna, Kayseri, Malatya, Samsun and Van within the scope of the event “This is My Work” organized by Ministry of National Education Presidency of Research and Development of Education Department (EARGED), have received interest from participating students and teachers. Furthermore, participation to the final exhibition held on dates May 12-13, 2009 for students projects selected from regions and sent to Ankara, has been provided by organizing seminars with expert support and opening a stand.

Along all this, industrial property seminar has been given to Female Technical Education General Directorate central and rural organization personnel and principals of Female Profession high schools educating throughout the country on the date May 15, 2009 in the conference room of our Institute with cooperation of Female Technical Education General Directorate of Ministry of National Education. Approximately 400 participants as, Principals and Vice Principals of Profession High schools and Maturity Institutes along with personnel from General Directorate have attended the seminar from 547 schools.

Concepts of intellectual and industrial property, contribution of industrial rights to technological and economic, action area and responsibilities of TPI, patent approval conditions, patent request right and innovations of personnel under introduction to patent system, application process, utility model application patent encouragement system. Besides, application and registrations procedures on industrial design and trademark subjects that form the two important part of industrial property rights have been explained with example applications along with patent databases and patent search.

#### *Activities towards Other Private and Public Organizations and Foundations*

Our Institute has prepared various training seminars to public and private sector organizations and foundations eligible for integration with system along with potential users of industrial property system within the frameworks of publicity and awareness activities.

A training seminar has been given to industrial producers that want to carry out Research and Development activities, in the region of effect of Adana University – Industry Joint Research Center, based on patent, utility model and trademark subjects and particularly the fulfilling of application forms by our Institute personnel on January 12, 2009.

The second meeting of Intellectual and Industrial Property Rights Coordination Council which was founded with Prime Ministry Circular no. 2008/7 with the aim of providing common application with the development of joint strategies and policies in related public organizations in the context of objectives determined in “2008 – 2012 Government Program Action Plan”, “Program for Year 2008” and “Turkey’s Adaptation to EU Acquis Communitaire Program (2007 – 2013)” and had its first meeting on November 14, 2008, was held with the host as Turkish Patent Institute who also carries out the secretariat works of the Council on February 25, 2009 with the joint presidency of Secretary of Ministry of Industry and Trade and Secretary of Culture and Tourism.

In the mentioned meeting, subjects such as the evaluation of year 2008 in terms of intellectual and industrial property rights, work on national intellectual and industrial property strategy document and creation of a work schedule, initiation of works on determination of national geographical indications, evaluation of the request of YOIKK Direction Committee, determination of members of Technical Committee on industrial property rights and developments related to closing criteria of Intellectual Property Law Chapter (7<sup>th</sup> Chapter) within the frameworks of EU process.

The President of the Institute has participated in the panel with the subject “ Obstacles in Market Access for Equivalent Medicines – Evaluation on Intellectual Property Rights for European Union and Turkey” organized by Turkish Medicine Industry Employers Union held in Ankara on March 04, 2009, and made a speech.

Work group meeting on development of application within the frameworks of the project with the subject “Support to Turkish Police Force on Applications of Intellectual and Industrial Property Rights” in Security General Directorate on the dates February 25 – 26, 2009. Our Institute has participated in the assemblies of the said meeting on the dates February 25 and 26 of 2009.

Our Institute has participated in the “e-government” exhibition that was carried out with the support of Turkish Foundation on Informatics in Ankara Migros – Ankamall shopping mall on the dates March 12-14, 2009 by opening a stand.

Training seminars have been given by our Institute on the subjects of patent / utility models within the scope of protection of innovations in Aliaga Petkim Petrokimya Holding Inc. General Directorate on the date March 12, 2009.

On March 19, 2009, a training seminar has been given by our Institute about patent process and patent rights within the frameworks of the curriculum for a doctorate lecture with the subject “Creativity, Innovation and Entrepreneurship in Science” in Directorate of Institute of Health Sciences of University of September Ninth.

Our Institute personnel has participated in “International Security Automation Fire Emergency Search and Rescue and Telecommunication Fair” (ISAF 2009) held in Ankara Altinpark Fair Center between the dates 02 – 05 April 2009.

Our Institute has participated with a speech to the panel with the subject “Creative and Innovative Approaches in Science and Technology” within the frameworks of “National Conference on Creativity and Innovation Year of Europe 2009” held in April 09, 2009.

On April 17, 2009, a training seminar on the subjects of patent application procedure and patent search has been given in Middle-east Rulman Industry factory has been given.

Within the frameworks of the event called “SME Week” organized by Kocaeli Chamber of Industry on the dates 06 – 14 May 2009, a seminar has been given by our Institute on the subjects of patent and patent search in an organization carried out for SMEs on May 11, 2009. A training seminar has been organized by our Institute to cover subjects of patent, trademarks and industrial designs on June 03, 2009 in Ankara Chamber of Furniture and Lacquer Manufacturers, Merchants and Artists.

Our Institute has participated to the seminar with the subject of “EU Accession Negotiations, Developments, Problems, Solutions and Projections on Turkey of Croatia” at Istanbul Yeditepe University on the dates June 08-09, 2009.

A training seminar has been given by our Institute covering subjects of trademarks, patents and industrial designs in Istanbul S.S Ikitelli Small Industry Sites Construction Cooperatives Union on June 10, 2009.

A training seminar has been given on the subjects of “Activities of Our Institute and Industrial Rights” by our Institute for branch teachers for lesson Technology and Design in Yozgat on the dates June 17 – 18, 2009.

Our Institute has participated in “Intellectual Property Rights and Technological Cooperations” seminar organized under Istanbul Chamber of Industry on the date July 03, 2009 to make a presentation.

#### *Activities Related to SMEs and Industries*

In globalized world of today where competition has changed dimensions, “new economy”, “entrepreneurship”, “intellectual capital”, “innovation”, “Research and Development”, “trade marking” and “design” come up as key concepts. According to a research published by OECD, more than half of the growth in developed economies in the last 30 years has occurred with Research and Development and innovation. Therefore, Research and Development and innovation are given crucial importance in the whole world. EU has started using Lisbon Strategy for this purpose. The purpose of the Lisbon Strategy is to make Europe the most competitive information based economy of the world in year 2010.

SMEs can easily adapt to new applications with their flexible and dynamic structures; hence having important role in increasing the competition power of the countries. The capacities of SMEs should be increased for innovation. As it is the case in the whole world, various support and opportunities are presented by various organizations and foundations in our country that SMEs can benefit from. Activities directed to SMEs have been carried out in period January 2009 – December 2009 by our Institute.

The “Hezarfen” project that was applied in 1st Organized Industry Site of Ankara Chamber of Industry in 2008 and in 2007 in Ankara Ostim Organized Industry Site in order to increase the use of industrial rights for innovation and development of innovative structure of SMEs with cooperation of Turkish Patent Institute, Small and Medium Sized Enterprises Development and Support Management Presidency, Ostim Organized Industry site Directorate and Turkish Union of Chambers and Commodity Exchanges has been put into effect in Konya in year 2009 with the cooperation of Konya Chamber of Industry.

An opening ceremony has been held under Konya Chamber of Industry on March 02, 2009 with the purpose of subscription of the protocol prepared for the implementation and public announcement of the application.

With this project, it is aimed for SMEs to easily reach their objectives using different industrial property tools, develop their activities in a secure way and acquiring a solid position among their competitors and companies that they are in cooperation with.

Consultancy service on strategic use of industrial property, innovation and competitiveness, patent search, transfer of technology, technical knowledge and protection of commercial secrets, protections that will be necessary in international markets, new technologies and following competitors and patent subjects has been given to the selected innovated companies within the scope of the project. World Turkish Entrepreneurs Assembly has been held in Istanbul Lutfi Kırdar Congress and Exhibition Palace on April 10 and 11 with the participation of 2 thousand people from approximately 80 countries with the cooperation of Foreign Economic Relations Council (FERC) and Under Secretariat of Foreign Trade.

The main theme of “World Turkish Entrepreneurs Assembly” in which approximately 2000 Turkish entrepreneurs, high level bureaucrats, Turkish directors of international companies,

Turkish private sector leaders and managers of world countries has been “Global Power Turkey”. Information and documents on industrial property rights have been given to the participants of the assembly for 2 days from publicity stand of Turkish Patent Institute.

With the interactive sessions carried out in the assembly, mutual sharing of views have been achieved in subjects such as solutions to visa problems of entrepreneurs from various places on earth, foreign education of youth, domestic and foreign effects of the experienced global crisis, monitoring of crisis on fiscal indications, efficiency of support packages that the government supplies and content and programming of the following packages.

Intellectual and Industrial Property Rights Technical Committee Meeting acting under Investment Development Coordination Council (YOİKK) ha been held at Turkish Patent Institute on April 21, 2009. Public and private sector organizations’ representatives in technical committee have participated in the meeting to which President of Turkish Patent Institute and Vice General Director of Ministry of Culture and Tourism Copyrights and Cinema were presidents together.

ITM 2009 Textile Fair has been held at Istanbul TUYAP Beylikduzu Fair and Exhibition Area on the dates 06 – 10 June 2009 and our Institute have participated by opening a stand. Within the scope of the fair, on June 08, 2009, Turkish Patent Institute has organized a workshop to which experts from European Patent Office have also actively contributed and was participated by sector representatives, visitors and companies participating at the fair for the purpose of discussing the problems in current situation of the sector in our country along with resolutions in a platform where the value and power of industrial property in textile sector is known and how industrial property knowledge on this issue can be spread and encouraged to everyone can be discussed.

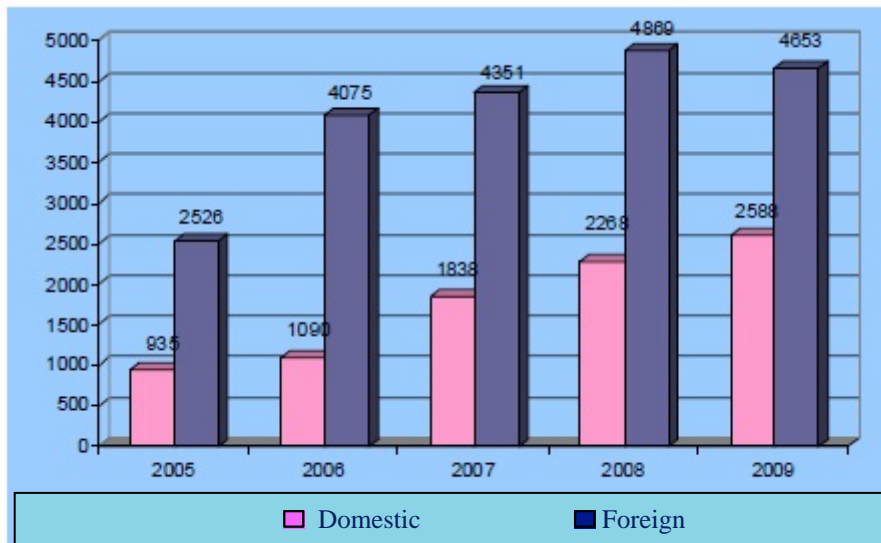
Besides, within the scope of the fair, machine parks, Research and Development departments of leading companies in textile sector in Istanbul has been visited with experts from European Patent Office, the status of the companies on patent has been analyzed and dynamism was tried to be achieved with their present potential.

Ostim Organized Industry Site Directorate is applying YENTEK (training innovative technical personnel) project within the scope of active employment measures HIBC plan of

2008 and preparing training to the participants within the scope of the project. It is foreseen that the participants will get training on subjects such as innovation and innovation management for SMEs, industrial rights and applications towards SMEs, personal development, quality assurance and standards, industrial design and work and time critique. On June 25, 2009, a training seminar related to industrial rights has been given by our Institute in order for the 40 participants to revise applications related to the given theoretical training.

### 3.2.2 Performance Results Table and Its Evaluation

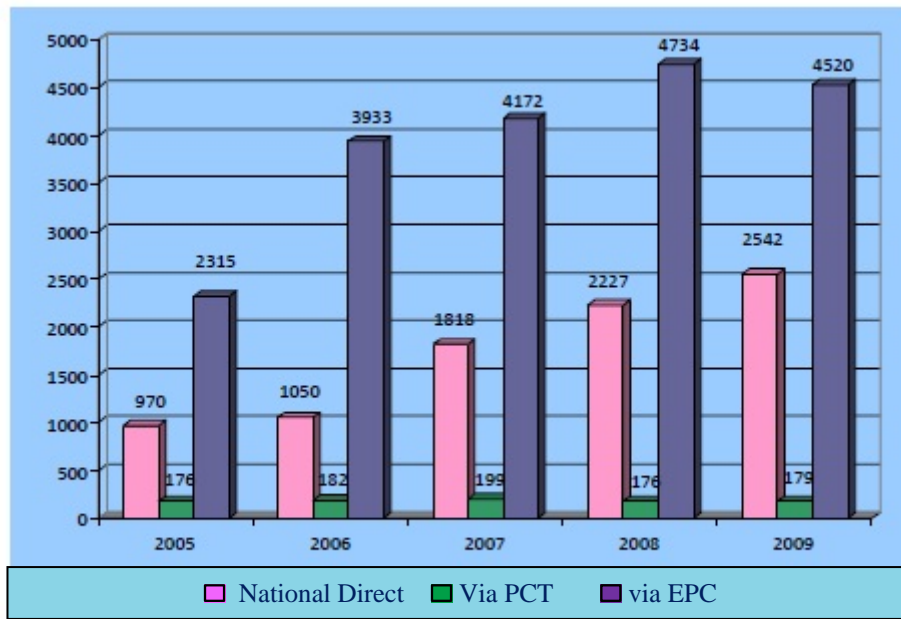
While patent applications in the last period have increased about 5-10% in the world, many countries experience a decrease in these. In year 2009, patent applications, especially local patent applications have decreased about 8-10% except for several exceptions with the effect of global crisis. One of the exceptional countries that have increasing local patent applications in the world is Turkey.



**Figure 10:** Number of Patent Applications

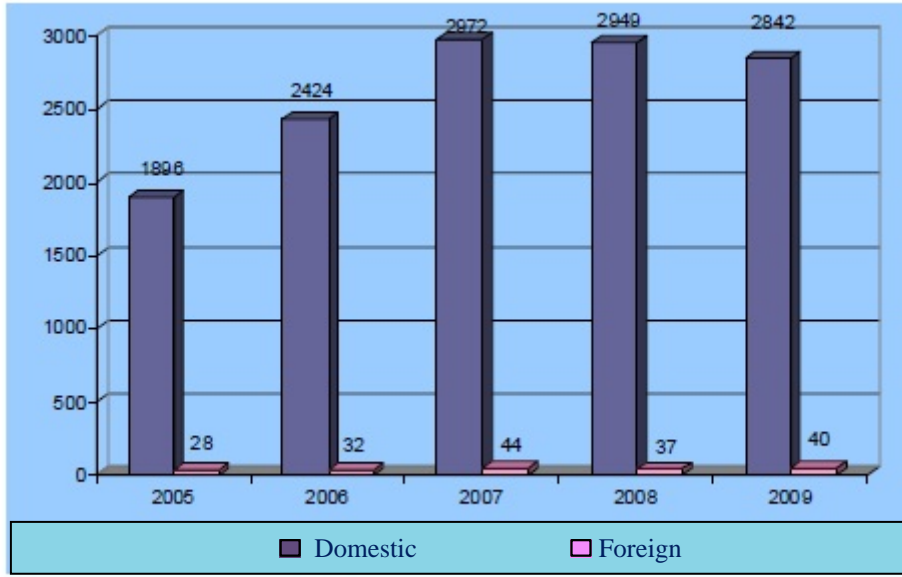
Figure 10 shows the distribution of local and foreign patent applications submitted to our Institute. Local patent applications in our country show increases that are far above world average. Within this framework, the increase that occurred as 68,6% in year 2007 and 23,4% in year 2008 has been 14,1% in year 2009. When the decrease in other countries is taken into consideration, the increase in local applications becomes about 23-25% in practical terms. In the last period, these increases have been high above world average and brought absolute

application numbers above. In year 2009, a total of 7241 patent applications have been submitted to our Institute, 2588 being local and 4653 being foreign. 2159 of the local patent applications have been made directly, while 74 of them were made by Patent Cooperation Treaty (PCT) and 41 with European Patent Contract (EPC). On the other hand, 69 of the foreign applications were done directly, 105 of them were done with PCT and 4520 by the means of EPC. Despite the increase in local applications, a 4, 4 % decrease in foreign applications was seen in year 2009. However, in spite of this decrease, the total patent application number has increased by 1, 5 % compared to the numbers of previous year and reached 7241. The rate of local applications inside total applications has been 35, 7 %.



**Figure 11:** Patent Applications Submitted Through Different Systems

When distribution of patent applications submitted through different systems in Figure 11 are examined, it is seen that with Turkey's participation in EPC following November 01, 2000 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 has the opportunity to acquire a European patent that can directly be valid in Turkey.

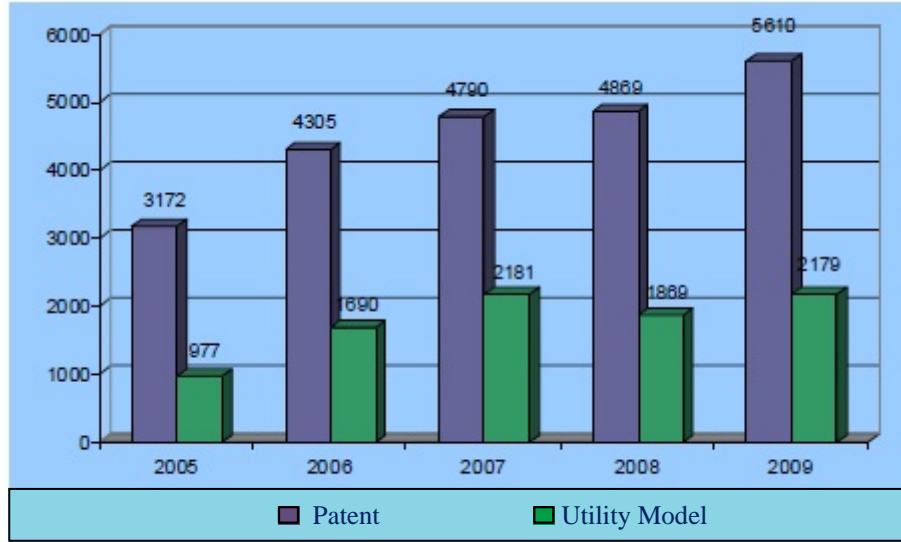


**Figure 12:** Numbers of Utility Model Applications (2005 – 2009)

Figure 12 shows the distribution of utility model applications submitted between the years 2005 – 2009. We see that approximately three thousand applications are submitted for utility model applications as another protection type present in our country for innovations. A small decrease in utility model applications has been seen in year 2009 just as the previous year. With this decrease of 3,5%, the number of applications has been 2882. The weight given to innovation criteria in utility models by our Institute in order to give more solid certificates has a significant effect on this decrease.

When patent and utility model applications are evaluated together, it is seen that applications for more than 10 thousand innovations a year are submitted to our Institute from year 2008 onwards. The statistics for year 2009 solidifies the reality that Turkey is in a position in which 10 thousand annual applications for innovations are submitted. When compared to the number of applications in year 1995 when patent legislation in our country has been renewed, statistics of year 2009 becomes significant in showing the distance gone. Another positive development is the continuous increase in local applications inside total applications. In year 2009, the rate of local applications in patent applications has reached 35,7% and in total applications (patent + utility models) it has reached 53,6%. Only 12% of total applications were local in year 1995. Utility model protection that started with the new legislation in year 1995 has been preferred by applicants in Turkey as it cost less and resulted in less time. However, the innovation structure of Turkey has started to change with the increase in local

patent applications in the last years. The gap between patent and utility model applications have began to tighten in year 2009. In the case that increases in year 2009 continue the same way in year 2010, local patent applications will exceed utility model applications for the first time in Turkey.



**Figure 13:** Numbers of Patent – Utility Model Registrations (2005 – 2009)

Parallel to the increase in number of applications, the number of certificates given by our Institute has also increased. Within this framework, year 2009 has been a very successful year. Figure 13 shows statistical information on number of patent and utility model registrations. An increase of 35% in patents and 17,4 % in utility models have been achieved in number of new certificates. For the first time in Republican History, number of local patents given in our country is close to 500. When we think about the fact that annual local patent number has been below 100 in our country until 2005, the significance of the distance went will be understood better. Registered utility model certificate number has been 2179 in year 2009. A great portion of the given certificates were local applications. When patents and utility model certificates are evaluated together, 7789 certificates were given in year 2009. 28 % of the certificates given belong to utility model applications while 72 % belongs to patent applications.

Number of local certificates has increased by 17,1 % in year 2009 and reached 8,1 % in patents, while it reached 33,5% in total certificates (patent + utility model) with an increase of 3,9 %. Now, every one of three certificates of patent or utility models given in our country belongs to a local person or company. An increase of 15,2 % for patent and 16,6 % for utility models have been seen 2009 in terms of certificates given.

Following 01.01.2005, preparation works for research and investigation reports in some classes under our Institute has been initiated. In year 2006, patent class (IPC) dependency for reports to be prepared has been cancelled and evaluation of preparability of report after format investigation has been started in practice. Statistical information related to research and investigation reports prepared at TPI can be seen in Table 10.

**Table 10:** Research and Investigation Reports Prepared at our Institute

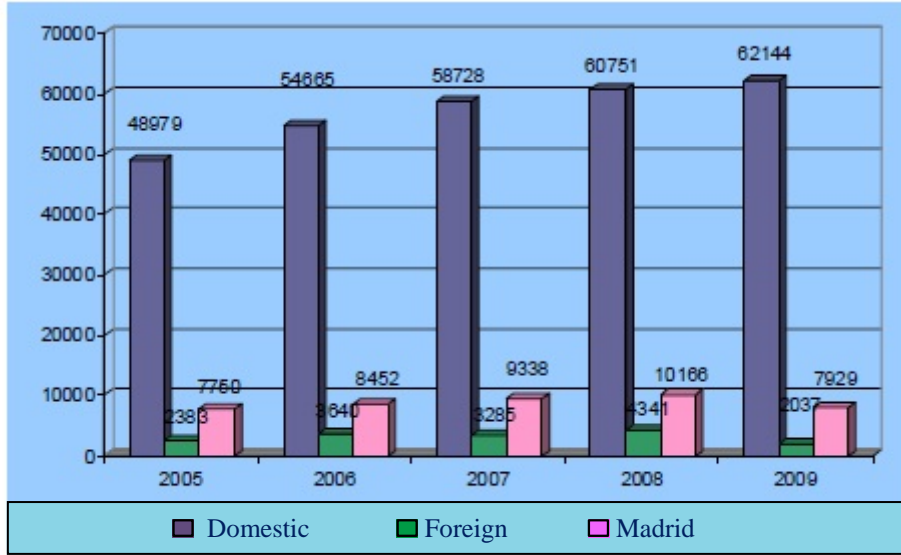
Type	2008	2009	Increase Rate
Total Applications (National + PCT)	2403	2721	13,2 %
Applications Decided "TPI Can Prepare"	121	219	81,0 %
"TPI Can Prepare" Decision Rate	5,0 %	8,1 %	59,8 %
Number of Requests for Report Preparation at TPI	76	99	30,3 %
Number of Reports Sent to Experts	64	99	54,7 %
Number of Reports Prepared	56	156	179,6 %
- Number of Research Reports	49	116	136,7 %
- Number of Investigation Reports	7	40	471,4 %

Present capacity has been increased in this area that is strategically important for our Institute and our country. While 13 reports were prepared in year 2005 when research and investigation reports were started to be prepared under our Institute, 26 reports in year 2006, 69 reports in year 2007, 56 reports in year 2009 has been prepared. While a total number of 164 reports were prepared between years 2005 -2008, this number has gone up to 156 in year 2009. The number of reports decided to be preparable by the Institute has increased to 219 with a rate of 81% increase. This number is 8% of total applications. The number submitted requests for report preparation in TPI has been 99, increasing 30, 3% compared to the previous year.

**Table 11:** Statistics of Patent and Utility Model Publications

	2008	2009	Increase Rate
Application Publication (Patent)	733	1115	52,1 %
Application Publication (Utility Model)	2311	2530	9,5 %
Certificate Publication (Patent)	550	650	18,2 %
Certificate Publication (Utility Model)	1869	2183	16,8 %
Research Report Publication	594	1072	80,5 %
European Patent (EP) Fascicle Publication	4318	4958	14,8 %
Application Invalid (Annual Fee Not Paid)	159	864	443,4 %
Certificate Invalid (Annual Fee Not Paid)	97	4046	4071,1 %
Rejection / Denial (No Certificate Preparation	162	700	332,1 %

According to the valid Patent Legislation, various publications about works and transactions our Institute has performed are published in Official Patent Bulletin. When the publication statistics in Table 11 are examined, it will be seen that year 2009 has been a very efficient period of time. Patent application publication has become 1115 with an increase of 52,1 %, utility model application publication has become 2530 with an increase of 9,5 in year 2009. Certificate publications have increased 18,2 % for patents and 16,8 % for utility model certificates. Research report publication has increased by a rate of 80,5 % compared to the previous year and reached 1072. 14,8 % increase has been achieved in European patent fascicle publications. An increase of 4071 % on applications with invalidity publication due to annual fee not paid, and 443 % in the number of certificates have been achieved. 33,2 % increase in invalidity publications because of no certificate preparation fee has been seen.

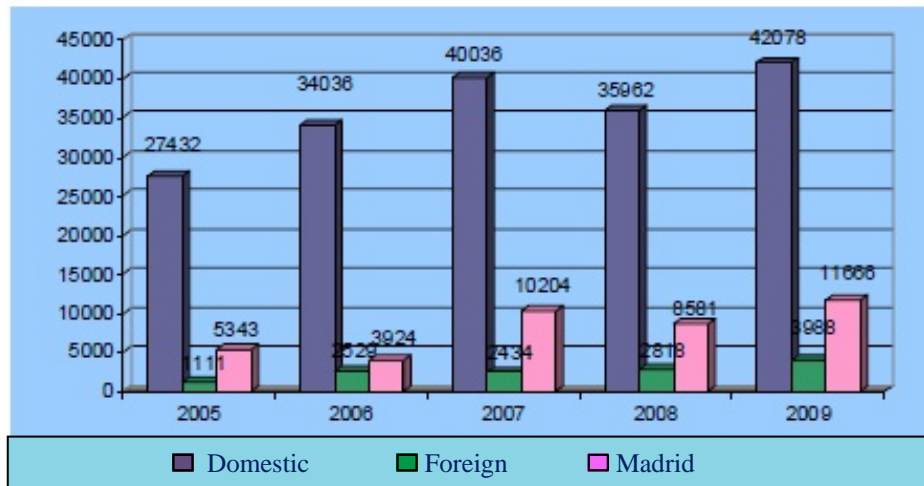


**Figure 14:** Number of Trademark Applications

Figure 14 shows the distribution of trademark applications submitted to our Institute between years 2005 -2009. In year 2009, a total of 72110 trademark registration applications have been submitted to our Institute and 70.951 of these applications have been examined.

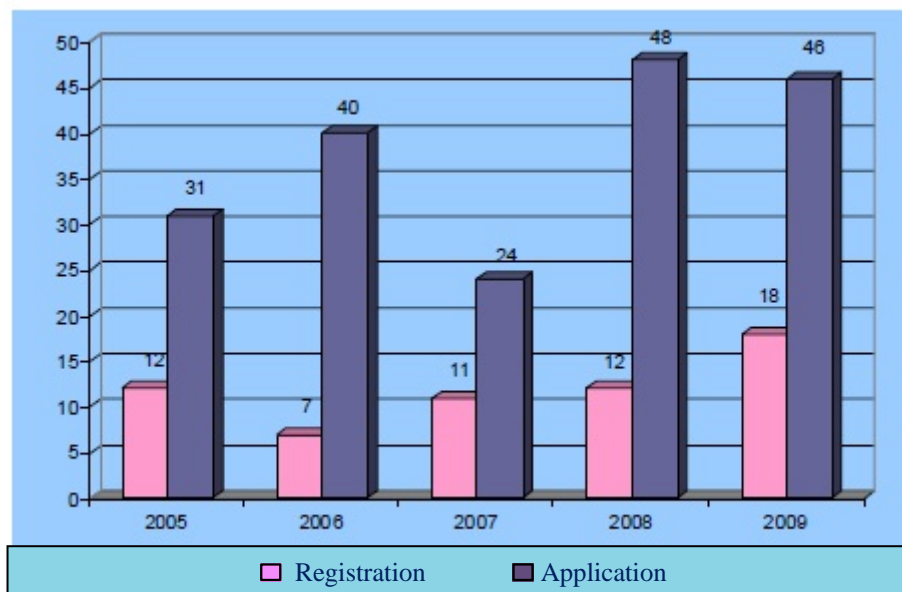
Number of local trademark registration applications has increased to 62144 in year 2009, compared to 60751 in year 2008. Despite the increase in local applications, a decrease in foreign trademark registration applications has been seen in year 2009 compared to previous year. Number of foreign trademark applications has decreased to 2037 in year 2009 compared to 4341 in year 2008.

A total of 17.907 objections have been made to the decisions made by our Institute in year 2009. 11.560 of these objections were against publication decisions, while 6.347 were against rejection decisions.



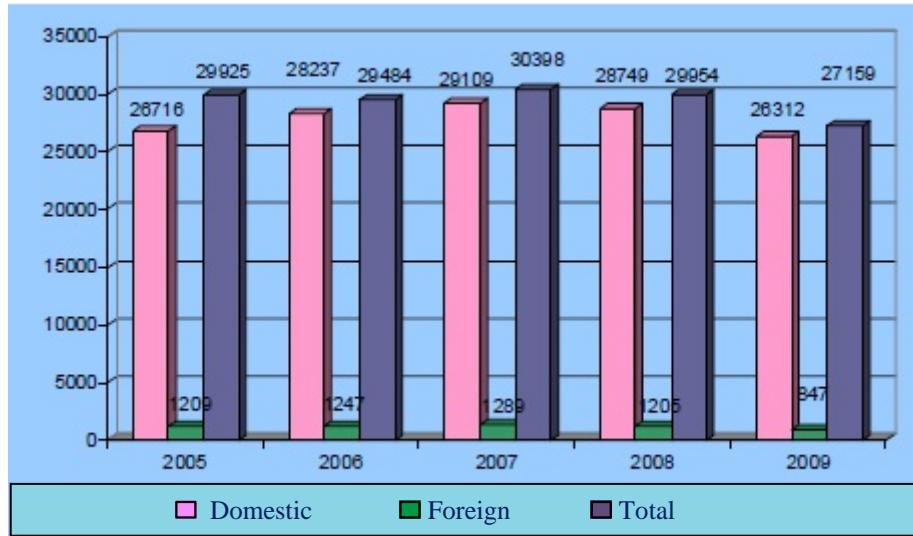
**Figure 15:** Number of Trademark Registrations

Figure 15 shows the distribution of trademark registrations between years 2005 – 2009. Number of registered trademark applications is 57.732 for year 2009. A 22 % increase has been seen in number of registrations compared to year 2008.



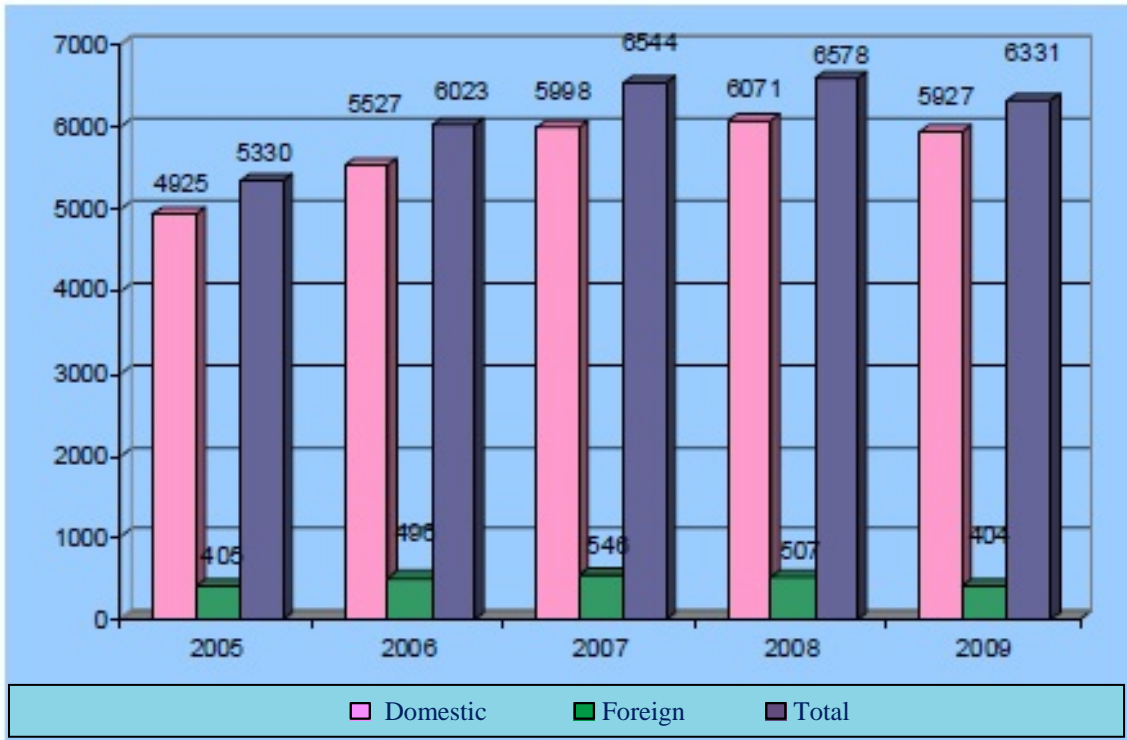
**Figure 16:** Number of Geographical Indication Applications – Registrations

Applications in geographical indications which are very important in terms of protection of local values, has shown increase throughout the years. Figure 16 shows statistical information on application and registration of geographical indications. In year 2009, 46 geographical indication applications have been submitted to our Institute. Apart from that, 18 geographical indication applications with ongoing transactions have been registered. Total number of geographical indications by the end of year 2009 is 124.



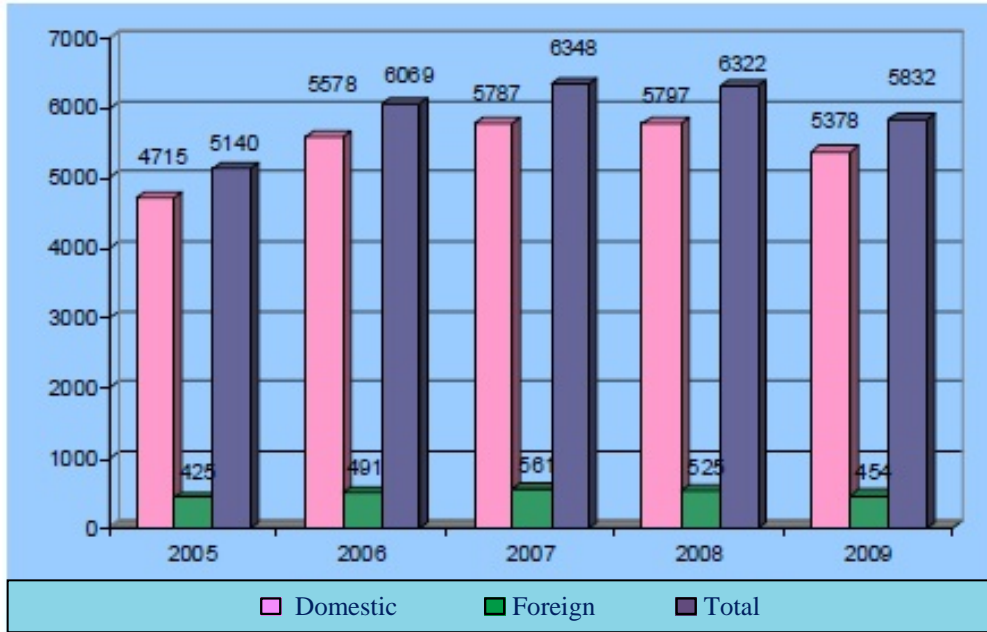
**Figure 17:** Number of Applications Based on Design

Generally, industrial design applications have a tendency of increasing parallel to the increase in awareness and information of the public. Figure 17 shows the number of design applications submitted to our Institute between years 2005 and 2009. Number of applications which reached its peak in year 2007 with 30398 design applications have shown partial decrease in 2009 and especially 2009. Global financial crisis that affected the whole world and the tightening economic markets have shown their effect on number of applications. With this effect, number of design applications has reached 27159 in year 2009. A small amount of decrease has been seen in number of foreign design applications in year 2008. The number of foreign design applications which was 1205 in year 2008 has decreased to 847 in year 2009.

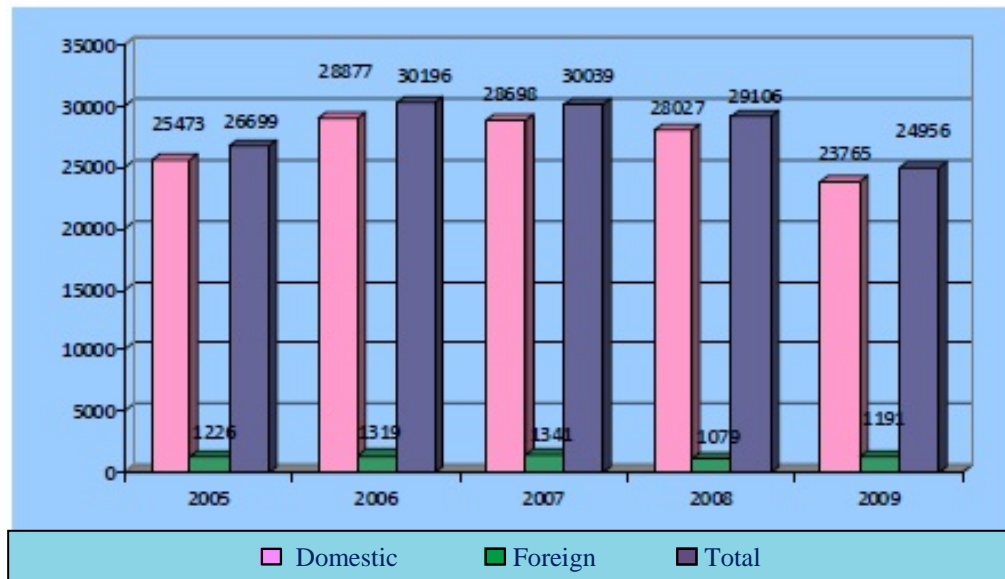


**Figure 18:** Number of File Based Design Applications

When the file based industrial design statistics shown in Figure 18 are examined, it will be seen that number of both local and foreign files have decreased in year 2009 compared to year 2008 in small rates. 6071 local file based applications in 2008 has decreased to 5927 in year 2009 and 507 foreign file based applications in 2008 decreased to 404 in year 2009.



**Figure 19:** Number of File Based Design Registrations



**Figure 20:** Number of Design Based Registrations

Figure 19 and 20 shows statistical data on number of design based and file based registrations.

## SECTION 4

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### EVALUATION OF ORGANIZATIONAL CAPABILITY AND CAPACITY

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## 4.1 STRENGTHS

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- 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

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## 4.2 WEAKNESSES

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- 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

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## 4.3 EVALUATION

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In our country which has one of the oldest legislations on industrial property in the world, industrial property rights have lately begun to occupy the agenda in all parts of the society more and more. The effect of the initiated spreading of awareness in society that industrial property rights are important tools in development of industry and economy is very big. Parallel to these developments, significant increases in industrial property applications have occurred in the last few years.

In our country, the number of patent and utility model applications exceeded 10 thousand for the first time in Republican history in year 2008. Again in 2009, despite the negative effect of global financial crisis on industrial property applications all over the world, again over 10 thousand patent and utility model applications have been made for innovations.

A total of 630 thousand trademark applications have been submitted to Turkish Patent Institute from 1995 when trademark legislation was renewed to the end of year 2009. Approximately 470 thousand applications equivalent to 75% of these applications have been submitted in 8 year period covering the period from 2002 to 2009. More than 70 thousand trademark applications have been submitted in the last three years. Our country is the third in Europe after France and Germany with more than 70 thousand annual trademark applications.

Turkey also preserved its position in the first three of Europe in terms of industrial design applications too in year 2009. Applications to our Institute have been submitted for approximately 27 thousand designs in year 2009.

Parallel to the increasing awareness in terms of geographical indications which is significant in terms of preservation of local and regional values of our country, the number of applications for geographical indications has shown increases day by day too. A total of 293 geographical indication applications have been submitted to our Institute from year 1994 when geographical indications legislation was put into effect till the end of year 2009, and 124 geographical indication applications have been registered by the end of year 2009.

Our Institute has continued to strengthen its technological infrastructure in year 2009 too in order to ease industrial property application transactions. As a result of these works, number of online searches done through our website has reached 20 million and more than 50% of all industrial property applications have been submitted to our Institute online.

Publicity and awareness activities have had a significant place among activities of Turkish Patent Institute in year 2009. Our Institute has carried out 84 different activities in year 2009.

Patent Days events continued to be applied in different cities of our country. Hezarfen Project that we developed towards Small and Medium Sized Enterprises have been put into practice in Konya in year 2009. In addition to these, our Institute has participated actively in many important fairs and seminars, trying to directly reach potential users of industrial property rights.

Our Institute, carrying out the secretariat activities of Intellectual and Industrial Property Rights Coordination Council established with Prime Ministry Circular in year 2008 and Turkish Consultancy Design Council established with Council of Ministers Decision in year 2009, has carried out important activities in order to develop industrial property system in our country within the scope of these two significant platforms.

In the following period, it is aimed to increase the present capacity related to all activity areas of our Institute with priority given to the capacity related to research and investigation activities in patent applications which have strategic importance for our country.

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 model in Europe*” will continue its works on developing our industrial property system in the context of this vision in year 2010 too.

## SECTION 5

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### SUGGESTIONS AND MEASURES

A positive trend is seen in the last few years in terms of creation of industrial property in our country. Increases in industrial property applications are generally high above the world average. With these results, the role of publicity and awareness activities that our Institute has been carrying out cannot be ignored along with the distance our country's economy and industry has gone. Turkish Patent Institute has been providing important contributions to the development of industrial property system in our country with its modern and technical infrastructure along with high quality service principle.

Parallel to the increases in industrial property applications in our country, significant increases in work load of Turkish Patent Institute also occurs. In order for the Institute to overcome the increasing work load, to carry out the transactions in less time with more quality, the number of personnel shall be increased, training and work processes should be revised and studies on restructuring shall be carried out.

In order for the elimination of issues determined as weaknesses, updating Law on Foundation and Responsibilities of Turkish Patent Institute no. 5000 is also important.

Along with this, the legislation of Draft Laws that were completed by our Institute to renew the legal infrastructure in our country is very important. Within this scope, the legal regulation that aims the compatibility of present crimes and penalties with the New Criminal Law with the cancellation decision made by Constitutional Court on 2009 to be put into effect on 10.06.2010 should be performed priorly.

Industrial property system shall be evaluated as a system that concerns many different organizations and foundations with different dimensions such as the production, registration and commercialization of industrial property. Therefore, the regular meeting of shareholders related to intellectual and industrial property rights, sharing ideas and discussion solutions to problems is very important. Within this scope, a great deal of work is under the responsibility of Intellectual and Industrial Property Rights Coordination Council established to create short, medium and long term strategies in intellectual and industrial property areas, develop coordination and cooperation between related organizations.

Preparation of National Intellectual and Industrial Property Rights Strategy Document decided by the Coordination Council to be prepared that will determine the tendency of our country in the area of intellectual and industrial property, performance of the activities towards the objectives included in this strategy document by all shareholders will provide significant contributions to the competitiveness of the industry and economy of our country.

## APPENDICES

### Attachment – 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.

Ankara

30/042010

**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 “3.1 Fiscal Information” of the Annual Report of year 2009 of our management is reliable, full and accurate.

Ankara

30/04/2010

**Ö. Faruk ALTINSOY**  
**Director of Strategy Development**