

# *TURKEY IN HORIZON 2020 ALTUN/HORIZ/TR2012/0740.14-2/SER/005*



Bu proje Avrupa Birliği ve Türkiye Cumhuriyeti tarafından finanse edilmektedir









## What is Intellectual Property?

"Intellectual property (IP) refers to creations of the mind, such as:

inventions;

literary and artistic works;

designs;

symbols, names and images used in commerce."\*

\*According to WIPO, World Intellectual Property Organisation







# **Categories of Intellectual Property?**

- Industrial property: inventions (patents), trademarks, industrial designs
- Artistic work protected by copyright:
  original literary and artistic works, music,
  television broadcasting, software, databases,
  architectural designs, advertising creations and
  multimedia
- Commercial strategies: trade secrets, knowhow, confidentiality agreements.. \*







<sup>\*</sup>According to European Union (europa.eu)

### **How IP is created?**

- Research
- Experimentation
- Creativity



- Scientific Invention: electronics, drug, etc.
- Product of Creativity: Movie, song, book, article, slogan, name, drawing, design etc.







## Why IP is important?

- Your ideas
- Your work
- Your business advantage
- A valuable asset that must be protected (it can be traded)







# But what are IP Rights (IPR)?



"IP Rights (IPR) are the rights given to persons over the creations of their minds. They usually give the creator an exclusive right over the use of his/her creation for a certain period of time."

e.g. Patents, Copyrights, Trade marks ...

\*According to WTO, World Trade Organisation







### Types of IP Rights

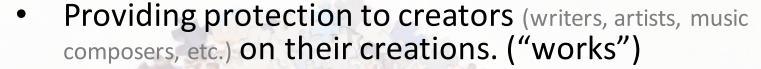
- Copyrights
- Patents
- Trademarks
- (Trade secrets)
- !! Protection still in national level rather than EU\*
- Apply to European Patent Office but European patent needs to be <u>validated by the national patent office in</u> <u>each country where protection is required.</u>







### **Copyrights**



- Do NOT extend to ideas, only to expression of thoughts.
- No need for registration (some countries have a system)
- Types of rights:
  - Economic: financial reward / reproduction, distribution, public performance, broadcasting, translation, adaptation.
  - Moral: attribution / recognition, fame, right to object to changes, adaptations
- Protection: companies or organisations of creators
- Duration: usually 50 years after a creators death







### **Trademarks**

- Sign used to identify certain goods and services by someone (person or enterprise)
- Can consist of a word, combination, abbreviations, names, drawings (logos), 3D shapes, colors, even music.
- Must be distinctive
- Types of trademarks (in addition to commercial):
  - Collective: members of an organization, union
  - Certification: comply with a set of standards
- Protection: Registration in country Trade offices
- Duration: usually 10 years, renewed indefinitely







### How to protect a Trademark?

A trademark can be protected at EU level through with an EU trade mark (ETM).

### Why?

- If you do business in more than one EU country, an EU trade mark (ETM) offers you protection throughout the EU.
- ETMs are registered in Alicante (Spain), at the Office for Harmonization in the Internal Market (OHIM).
- Under the provisions of the 2015 amending Regulation (REGULATION (EU) 2015/2424 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 16 December 2015), the name of the Office will change to the European Union Intellectual Property Office.
- This change will come into effect on 23 March 2016, when the legislation enters into force.







### **Industrial Designs**

- Ornamental or aesthetic aspect of an article: 3D features, shape, patterns, lines or color (instruments, watches, jewelry, houseware, electrical appliances, vehicles, architectural structures, textile designs, etc.)
- Must "appeal the eye" (aesthetic)
- Protection: Registration in country authorised agencies/trade offices
  - Prevent unauthorised copying or imitation
  - license or authorize others to use
- Duration: usually 5 years, renewed up to 15







### **Patents**

- Exclusive right granted in respect of an invention
- Types of Inventions:
  - New or novel
  - Non-obvious
  - Useful or capable
  - "patentable subject matter"
- Rights:
  - Exclusivity of use in a territory
  - Permission to license it to others
- Protection: National Patent Offices, EPO
- Duration: 20 years







### **Trade Secrets**

- Confidential Business Information
- Provides a competitive edge for the company
- Not registered but Kept Secret
- Protection:
  - Through legal binding agreements: Non disclosure, confidentiality, etc.
- Duration: indefinitely







### Sources and more reading

- European IPR Helpdesk: <a href="https://www.iprhelpdesk.eu">https://www.iprhelpdesk.eu</a>
  - Guide to IPR (EU Helpdesk)
  - Fact Sheets on IPR in Proposal Stage
- THE EU SINGLE MARKET: Intellectual Property
- WIPO: <u>http://www.wipo.int</u>
  - WIPO Academy (<u>http://www.wipo.int/academy/en/)</u>
- **WTO:** Trade-related aspects of IPR
  - https://www.wto.org/english/tratop\_e/trips\_e/trips\_e.htm
- EPO: <u>https://www.epo.org/</u>
- TURKEY Specific:
  - Turkish Patent Institute: <a href="http://www.tpe.gov.tr/">http://www.tpe.gov.tr/</a>
  - International Chamber of Commerce: <u>Promoting and Protecting IP in Turkey</u>





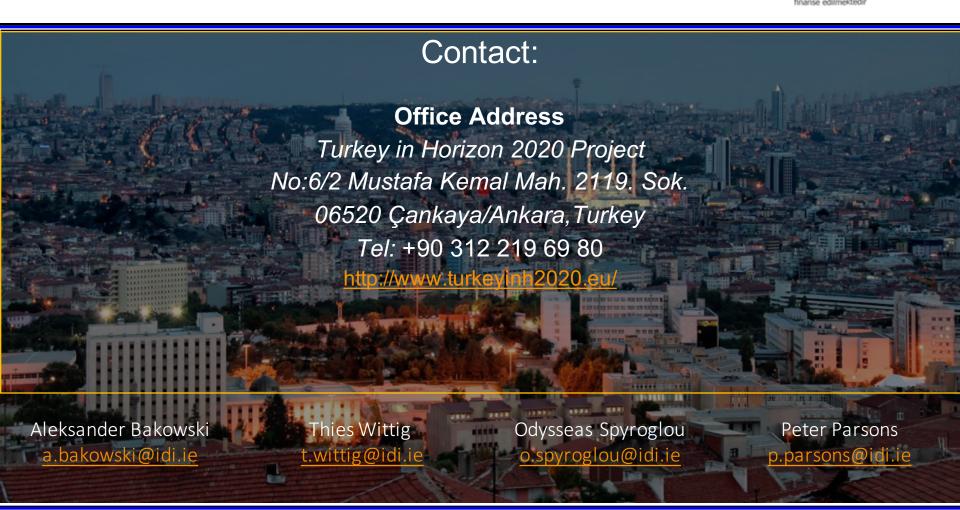






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Teşekkür ederim! Thank you!







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