

## LEGAL PROTECTON OF PACKAGING AND GRAPHIC DESIGNS-2003

### ABSTRACT

The reformist steps were taken in Turkish Intellectual Property (IP) Law in 1995 and the following years. Within this scope, four separate Decree Laws (Patent and Utility Model, Trademark, Industrial Design and Geographical Signs) were got into force. Furthermore, The Copyright Law was amended in 1995 and 2001. By force of the cited modern regulations, the Turkish IP Law became compatible with EU regulations and relating International Treaties. The numbers of IP related cases also increased and the case law started to be developed.

Besides the cited regulations, Turkish Patent Institute (TPI) was established for the registration of the industrial rights. Although the establishment of TPI was a good start for the protection of the rights, the expected services has not been obtained yet due to the lack of sufficient substructure.

The protection level of the packaging designs was widened with the new regulations. Packaging designs, as long as it bears the required conditions, are protected by each regulation of Patent, Utility Model, Trademark, Industrial Design and Copyright (*cumulative protection*).

In spite of the cited regulations and all of the administrative measures, it is still common to face with violation and loss of the rights in practice. The main reason of loss of rights is even the related judges, prosecutors and the lawyers are still in process of understanding and learning these rights.

This study focused on the new regulations of Intellectual property, the problems and the solution suggestions on the system.