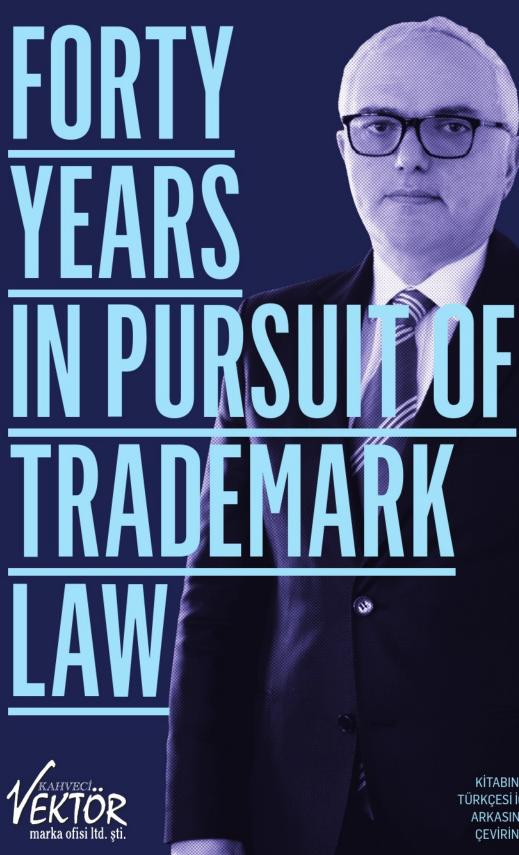
MARKA HUKUKU PEŞİNDE KIRK YI



KİTABIN TÜRKÇESİ İÇİN ARKASINI ÇEVİRİN



FORTY YEARS IN PURSUIT OF TRADEMARK LAW

Forty Years in Pursuit of Trademark Law

editor Enis Muş

едітед ву İrfan Dağdelen

BOOK DESIGN Aykut Şengözer

PRINTING & BINDING 12.matbaa Huzur Mah. Ahmet Bayman Cad. No: 25 34396 Sariyer, Istanbul T: +90 212 281 25 80 Certificate no. 46618

ISBN 978-625-96008-0-2

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I would like to thank Dr. Zeynep Ülkü Kahveci and Mr. Enis Muş, the director of our institution, who contributed to the translation and editing of the book.

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Introduction

Vehbi Kahveci

WHEN I WAS BORN IN TRABZON, the most beautiful province of Turkey, I had no idea what life had in store for me. The village I was born in was a place that displayed every shade of green throughout the four seasons, with a wide horizon, yet so steep that if you walked without planning three steps ahead, you would roll down.

In this beautiful place, where torrential rains of uncertain timing would cause rivers to overflow and landslides to occur, one had to live with constant caution. In fact, the place I was born and my genetics both contained all the surprises and beauties of life, as well as its dangers. Therefore, applying the examples nature offers us was the secret to success in shaping life. To survive, we either had to follow the already opened paths or, when those paths were blocked by floods or landslides, we had to open new roads using our own skills. Our life story was shaped by these examples.

When I was just one year old, we moved to Beşiktaş, Istanbul, because of my father's job as a civil servant. My father's choice of Beşiktaş so that his children could receive a good education, and his decision never to move elsewhere, was a great stroke of luck for us. In fact, his grandfather had made Bebek his home in the 1920s as a ship captain. His uncle had also settled in Beşiktaş in the 1950s.

By the time I turned twelve, I learned that when my father told his parents he wanted to leave the village — where opportunities were

limited and it was necessary to discover what laid beyond the mountains — they packed his bundle, and together with a friend, he walked first to Bayburt, then to Erzurum, and finally arrived in Istanbul on the back of a truck. In doing so, he created the environment in which his five children — one of whom would become a professor of philosophy, another a lawyer, another a doctor and senior engineer, another a teacher, and another an architect-contractor — could receive a good education. My father completed his primary, secondary, and high school education in Beşiktaş on his own means, and we truly became a generation of the Republic.

When my father settled in Beşiktaş, he also created a place where those from our village who didn't want to live the fate of the countryside could stay when they came to Istanbul and find help at any moment. I must say that this played a pioneering role in shaping us into individuals who participate and contribute to society. Almost everyone who came from our village or region, whether to work, go abroad, or receive medical treatment, stayed at our house. This situation helped form deeply meaningful feelings in us.

After completing primary, middle, and high school in Istanbul, a new chapter in life awaited me when I was accepted into Istanbul University Faculty of Law – my first choice – which I had long admired with envy while passing through Beyazıt. My desire to study law was strongly influenced by the advice of my mentor, Mr. Tahsin İskent. He has supported me endlessly ever since. However, since our family's financial situation was not sufficient, working as a stallholder in the market and various commercial activities to contribute to the household budget during my studies gave me a unique skill set.

I remember, while my classmates went out to have fun after or between classes, I would wander from shop to shop on the way down to Eminönü, trying to find defective melamine products or cups to purchase. I vividly recall one instance when I visited the manufacturer from whom I regularly bought defective melamine, and the owner told me, "There weren't any defects this week." When I sighed and said, "Oh no, what am I going to do?" he replied, "Don't say that – when there are defects, I incur a loss." That moment taught me the complementary nature of profit and loss, an empathy that has become a guiding principle in my behavior throughout my life. While running postcard stalls in front of the New Mosque in Eminönü before the holidays, I once had a conversation with a blind woman who was selling things on the old bridge that existed at the time. When she told me that she had lost her sight at the age of seven, I asked her, "Wasn't life difficult after that? You could no longer see the things you once knew." She replied, "Humans are such creatures that they immediately adapt to the environment they're in." That sentence led me to perceive every environment I would find myself in from then on as beautiful in its own way.

When the Beşiktaş Municipality made it a requirement to build a closed market stall in order to claim a spot in the market, the cost of constructing such a stall seemed far too high for me. Then one day, as I was passing through the Tuesday market, I saw a forgotten stall, bearing a bank advertisement, sitting there abandoned at a bus stop- and it happened to be exactly the type and size of structure I needed. That moment taught me a lesson: everyone's existence belongs to them alone, and I must act with as much determination for my own existence. After that, I stopped concerning myself with other people's possessions and developed the habit of saying, "May God bless its owner." It taught me to appreciate the value of what I earned.

Another foresight I gained from working in the market was the opportunity to observe the behavior of those selling counterfeit goods and learn about their sources.

Just like the people in the place where I was born, who had to succeed due to limited land and scarce economic resources, I, too, had to finish school on time, and I did. I will never forget how, during exam periods, my mother and I would sit together in the evenings, reading aloud to each other and reviewing lessons. One of the greatest blessings in my life was having such a devoted and compassionate mother.

Graduating from school didn't actually mean much at the time. Due to my family's introverted, honest way of life, we had never had any dealings with the courts or the police. I didn't know how the judicial system, or the police operated. Finishing school, in that sense, was a bit of a trauma for me.

When I went to see a lawyer in his office, located in a commercial inn, to ask for a recommendation to register with the bar association, I noticed the unpleasant smell coming from the restroom next to his office. That moment taught me that, no matter what, I needed to practice law in a space of my own, on a separate floor. I never worked as a lawyer in a room within a commercial inn.

During this period, I remember one night turning off the light in my room and staring pensively out the window. My father, seeing me, asked, "What are you thinking about?" I replied, "Dad, school is over, but what am I going to do now?" He reassured me by saying, "Son, don't worry. As long as we're already putting four bowls of soup on the table at home, adding a fifth won't harm us at all." That one sentence gave me the confidence I needed to hold on to life more securely.

Indeed, later on, through my father's connections, I had the opportunity to complete the remainder of my legal internship and start working as a lawyer in a quality law office under esteemed Mr. İsmail Müftüoğlu, who had just left the Ministry of Justice and begun practicing law. During that period, thanks to my older brother esteemed Mr. Celal Erbay, I also began an internship at the famous Liman Han with one of the prominent lawyers of the time, esteemed Mr. Semih Fadıl Şarlan, the son of a former CHP (the Repub-

Newsclip from *Hürriyet* daily about Adnan Kahveci



Kahveci, 1 milyar ödemekten kurtuldu

ANAP İstanbul Milletvekili Adnan Kahveci, Cumhurbaşkanı'nın oğlu Ahmet Özal'ın 1 milyar lira tazminat istemiyle açtığı davada aklandı. Özal'ın, Kahveci'nin Sabah gazetesinde yayınlanan bir söyleşide geçen, "Ahmet Özal'ın Emlak Bankası'ndaki arsa yolsuzluğunda parmağı var" ifadeleri nedeniyle açtığı tazminat davasının son duruşması dün yapıldı. Ankara 1. Asliye Ceza Mahkemesi, Ahmet Özal'ın tazminat isteminin reddine karar verdi. Duruşmaya Adnan Kahveci ve avukatı Vehbi Kahveci katılırken, Ahmet Özal gelmedi. Kahveci, duruşmada, olayın bazı sözlerinin çarpıtılmasından kaynaklandığını savunarak, "Ben kesinlikle böyle bir konuşma yapmadım. Ancak yaptığım bazı yorumlar farklı anlaşılmış olabilir" dedi. Kahveci, haberin yayımlanması üzerine, gazeteye gönderdiği tekzibin ise yayınlanmadığını da sözlerine ekledi. (ANKARA, Hürriyet)

lican People's Party) deputy and the man who adapted the *Mecelle* into Turkish. I thank him and pray that God may rest his soul.

While I was interning under Mr. İsmail Müftüoğlu, mobile phones did not yet exist, and one night I had to work late at the bar association. Since I couldn't inform my family, an entire search effort was launched after midnight. When my father arrived at the office with Mr. İsmail, they found that I had already placed the completed petitions inside file folders on Mr. Ismail's desk and was just leaving the office to go home. Out of respect for the profession, I felt the need to share this memory for the benefit of young lawyers.

Having the opportunity to work alongside Mr. İsmail Müftüoğlu became another turning point in my life. Because he had just recently left the Ministry, the respect he commanded allowed me, even at that young age, to learn how relationships within the courthouse should be conducted with dignity and respect. Mr. İsmail always supported me. In fact, he introduced me to global brands, explaining that they represented status and were a measure of quality work. Thanks to him, I became familiar with these brands for the first time, and I began to think that I should find a place for myself within that level of status.

In the early years of my legal career, my relative Mr. Adnan Kahveci had become a prominent politician and minister. I had the honor of serving as his lawyer. He graciously granted me his power of attorney, and I handled some of his important cases. Through this opportunity, I gained valuable insight into the state and its bureaucracy. I am thankful to him. I pray that God have mercy on his soul, as he tragically passed away at a young age in a devastating traffic accident. The image he left behind as an honest statesman continues to serve as an example for young people today. He made a significant contribution to my professional development.

In terms of my professional development, pursuing a master's degree and doctoral studies in the field of criminal law enabled me to establish a place within the academic community and form friendships with esteemed scholars. These studies helped me develop a strong habit of reading legal texts and the ability to conduct thorough research. I would like to express my gratitude to my professors, Köksal Bayraktar and Feridun Yenisey, for their continued support and contributions throughout this journey. Prof. Köksal Bayraktar, who enabled me to take part in high-profile cases that created great public impact in the country, still remains a guiding light in my life, and I will always be thankful for his presence.

After working for many years as a criminal defense lawyer, I began to feel that I no longer wanted to practice what could be called "street law." What led me to this decision was a remark made by the professor-who awarded me my master's degree for my thesis titled "Drug Offenses in the Turkish Penal Code," although I have never heard from him again. When he saw my thesis topic, he said, "What are you doing dealing with people involved in drugs?" That made me reflect. At that time, I was representing clients in the country's largest drug case, and I realized that the bosses and lookouts I encountered were all cut from the same cloth people I could not relate to in any way. While the principle that everyone has the right to a legal defence is important, so is the attorney's freedom to choose their cases. From that day forward, I made a personal vow never again to take on cases involving drugs, theft, or sexual assault — and I have upheld that vow ever since. I thank that professor for his eye-opening comment.

In this way, a new path opened up before me. At that time, due to the rapid bankrupt of several banks, cases that attracted significant public attention were at the forefront. I began to follow the trials of the executives of these bankrupt banks in the High Criminal Courts alongside the country's most respected lawyers. The opportunities I had given up were quickly replaced with new ones.

By 2001, this situation had also begun to trouble me. I needed to find a new path where I could apply my experience and knowledge in criminal law. Just like in my village, instead of walking closedoff paths, I had to create a new one to take their place.

I had become the attorney of a very important brand in Turkey. For this, I would like to thank Mr. Emin Cankurtaran. May God have mercy on him following his passing. I personally pursued the actions against trademark infringement. I was handling around 200 cases per month. Seeing this success, another well-known brand offered to work with me. I would also like to thank the chairman of the board of the prominent holding company who made the offer -I apologize for not being able to disclose his name. This proved the principle in the legal profession that no case is too big or too small, and that one case leads to another. Like a snowball, a small piece grew into something much larger. What mattered was not to break and scatter the rolling snowball. At this stage, I would like to express my gratitude to Mr. Attila Küçükkayalar, with whom I am still happy to be working, for his contribution through his strong work discipline and meticulousness in control. In the meantime, I would also like to give special thanks to Ms. Cindy Nelson for her support in matters concerning American brands. I must also acknowledge her ongoing support and the encouragement she has shown to my children, who are also good lawyers.

While representing many foreign and domestic brands, the retail sector in Turkey faced significant challenges due to the economic crisis. Shopping mall culture was just beginning to take root, and ruthless competition had started to emerge among retailers.

At this stage, when the need arose to organize the sector, efforts were first directed toward solving the problems faced by foreign brands in the country through lobbying activities and defending their rights as a non-governmental organization. To that end, the Registered Trademark Association (Tescilli Markalar Derneği) was established, and I served as its president at various times. One of the main goals was also to facilitate the entry of the "know-how" of high-quality luxury brands into the country. Many successful initiatives were carried out under this organization. I would like to extend special thanks to Mr. Selçuk Güzenge for his contributions to these efforts. After the Registered Trademark Association (Tescilli Markalar Derneği) was established and achieved notable success, a new demand arose to organize local brands and lead their expansion abroad. This led to the founding of the United Brands Association (Birleşmiş Markalar Derneği), which has since pioneered numerous initiatives – including the Turquality project – and helped bring them to life.

While striving to gain a respected position in the field of trademarks, the momentum we achieved also served our goal of becoming a leading law firm in our country. In the presentations we give at various educational institutions, when defining the role of a lawyer, we often say: if all your qualities are written as zero-zero-zero, unless you place the number one in front of them — representing trust — the other qualities have no meaning. This sense of trust should not only be understood as honesty, but also includes doing the job properly, keeping one's promises, and possessing full competence in one's field. I have carried out all my actions based on the principle: first, respect for myself, and then, respect for my work.

In Turkey, public awareness regarding counterfeiting has not vet fully developed. One undeniable fact is that the biggest buyers of counterfeit products are tourists. Special shopping tours are organized specifically to purchase counterfeit versions of brands produced in their own countries, and there are dedicated retail points targeting this market. As a result, the highest volume of counterfeit sales takes place in tourist cities and areas. The most frequently mentioned location, the Grand Bazaar, has therefore become a central hub for counterfeit goods. Through our work in this field, we have observed that sellers often do not even perceive their actions as a violation of rights. Although the main sources behind counterfeiting are large groups with extensive political influence and operational reach, it is the sellers who constitute the channels for these sources. What fuels this demand is often individuals who have become wealthy later in life and, due to an unestablished sense of status, choose to purchase counterfeit products - sometimes even paying amounts close to the price of genuine items - rather than shopping at the brand's official store. A perfect example of the sellers' attitude occurred during an operation in Bodrum, a tourist area. When we noticed that the products, we had previously seen, were no longer present during the inspection, we asked the seller, "You removed the items, didn't you?". The seller swore that he had not removed any products. In the meantime, we noticed that the seller was speaking with one foot lifted off the ground. According to a traditional belief, he did this because he thought that if he told a lie while lifting his foot, it wouldn't be considered a sin. Indeed, when operations intensified in the tourist region of Antalya, we came across a complaint petition sent to the Presidency by someone claiming to be a seller, in which he stated, "Selling counterfeits is not a sin anyway." Later, this person claimed that he had not sent the letter himself, and that someone else had written it using his name. Many incidents we experienced have shown us that the fight against counterfeiting is not easy and cannot be overcome by legislation alone. We have come to believe that social engagement would be more effective in this struggle.

In reality, the counterfeit market causes significant harm to both society and the state due to money laundering, the employment of child labor, tax evasion, the disregard of employee rights, and the deterioration of public morality.

It is also necessary to address the issue of market pollution. Trademark infringement is an offense that is subject to a formal claim/complaint. Since many trademark owners prioritize factors such as cost and choose not to initiate legal proceedings, there is a widespread perception that the market is flooded with counterfeit products. The main reason behind this is the hesitancy of some trademark owners to take action, due to various justifications. As a result, when courts do not issue search warrants and brands do not actively pursue enforcement, counterfeiters are able to freely and systematically display and sell their products, creating the image of a counterfeit paradise.

Thanks to long-standing and ongoing efforts, a certain level of control has been achieved in the retail sector among brands that actively monitor their trademarks. However, I believe there is still a long way to go.

One of the major issues that disturbs the public and prevents their support in the fight against counterfeiting is the fate of seized counterfeit goods. Under Turkish legal practice, such products are destroyed through incineration. We had proposed that counterfeit goods, which can be stripped of their brand identity, be repurposed and distributed to those in need through the Turkish Red Crescent. This proposal was accepted by the Turkish Red Crescent, but unfortunately, it has not yet been implemented. This issue is significant in terms of fostering public ownership and support for the fight against counterfeiting. Legal amendments must be made so that millions of counterfeit products stored in warehouses can be stripped of their brand elements and repurposed for those in need under the emblem of the Turkish Red Crescent.

Today, court summoners in various courthouses across the country call out "Attorney Vehbi Kahveci" at the same time on the same day feels to me like the most beautifully composed piece of music. I would like to thank every member of our team of attorneys, organized across the entire country with our base in Istanbul, for their contributions to this success. I'm truly grateful they exist, and that we have the opportunity to work together.

During the course of these efforts, I also served as the Chair of the Intellectual and Industrial Property Rights Commission of the Istanbul Bar Association at various times. I would like to thank the approximately five thousand legal professionals who attended the trainings we conducted in the field of intellectual and industrial property rights, as well as nearly a thousand colleagues who still actively work in this field today, for their contributions in expanding and establishing the discipline.

With the hope of continuing our work in a scientific, sincere manner and by making full use of the law's potential, I would also like to extend my gratitude to all our stakeholders.

Foreword

Vehbi Kahveci

THE FIGHT AGAINST TRADEMARK COUNTERFEITING, one of the most significant phases of my forty-two-year legal career, has become a dedicated field of law that I have pursued without interruption for twenty-four years.

When I first entered this field in 2001, legal regulations were primarily implemented through administrative decisions. I took part in the efforts to turn these regulations into formal legislation and contributed to the process. Particularly through my role as the Chair of the Intellectual and Industrial Property Rights Commission of the Istanbul Bar Association and the associations I founded, these efforts culminated in the enactment of Law No. 6769 on Industrial Property, thus establishing a clear legal framework in this area.

Problems that arose in practice were brought to public attention and resolved through the support of trademark owners and the media.

Due to the lack of public awareness that counterfeiting is a crime, awareness campaigns were also conducted in this field. In particular, issues such as money laundering, the financing of terrorism, and health hazards were highlighted in order to draw the attention of the public.

Through these efforts, it was revealed that the counterfeit market in the country – specifically in textiles, bags, and accessories – constitutes an industry worth approximately three billion dollars (USD). It was also observed that this market is in fact controlled by around one hundred illegal organized groups. Sellers merely act as instruments of these groups. By taking legal action against these sellers, efforts have been made to prevent the distribution of counterfeit goods in the market.

Turkey's unique position in counterfeiting lies in its role as a producer, exporter, and transit country — as well as an importer country, particularly in terms of electronic devices. For this reason, customs checkpoints hold significant importance. When we first began working in this field, there were no legal regulations in place. However, today, customs legislation has been established, and it is now possible to take action at all customs checkpoints through a single application. Customs training programs have made a major contribution to this achievement. For this reason, it is necessary to express our gratitude to the entire Customs Administration.

Because counterfeiters often operate as part of illegal networks and generate substantial illicit profits, they are capable of acting in an organized manner. We would also like to thank the police and gendarmerie forces, who have been meticulous in ensuring our safety throughout this work.

I would like to extend special recognition to the judiciary, which has been structured in accordance with EU standards and has established a strong legal tradition through the diligent efforts of specialized courts.

The purpose of writing this book is to present the accomplishments achieved over a long period and to contribute to the work of those fighting against counterfeiting by offering new insights, rather than spending time repeating past efforts. In other words, it aims to pass on institutional memory to new practitioners.

In the fight against counterfeiting, the Courts, Public Prosecutors, Customs Administration, Police Force, and the Gendarmerie General Command all play a crucial role.

Over the past twenty years, remarkable transformations have taken place in the field of Intellectual and Industrial Property Rights in Turkey as a result of these efforts.

- In Turkey, specialized civil and criminal courts have been established in the field of Intellectual and Industrial Property Rights, presided over by judges with specific expertise in the area.
- Within the structure of the Public Prosecutor's Office, dedicated departments have been created for Intellectual and Industrial Property Rights, managed by prosecutors specialized in the field.

- Under the General Directorate of Security's Department of Public Order, a dedicated structure has been developed for Intellectual and Industrial Property Rights, and IP units have been established across Turkey. The Gendarmerie has also been restructured accordingly.
- The Customs Administration has restructured itself in the area of Intellectual and Industrial Property Rights in Turkey, establishing a Directorate of Origin and Intellectual and Industrial Property Rights.
- Public Prosecutors' Offices have begun officially storing counterfeit products in warehouses established under the Directorate of National Property.
- Law No. 6769 on Industrial Property has been approved by the Grand National Assembly of Turkey, granting the field a solid legal framework.
- Previously, separate applications were required for each customs checkpoint and each transaction. Now, with a single application renewed annually, it has become possible to take action at all customs checkpoints.
- To determine the counterfeit nature of goods seized at customs, customs officers now independently collect necessary photographs and samples and send them to the relevant brand representatives. Instructions to facilitate this process have been communicated to customs checkpoints in line with operational needs. This has enabled a faster response in counterfeit-related interventions.
- Customs and law enforcement training programs have been expanded and implemented nationwide.
- The Council of Judges and Prosecutors provides regular training for judges and prosecutors to ensure consistency and uniformity in legal practice.
- Appellate courts and the Court of Cassation have brought the legal framework into a more defined and applicable set of norms.
- The confiscation and destruction of seized counterfeit products are now carried out by official state institutions.
- A fast-track destruction method has been developed.
- A coordination mechanism has been established with relevant state institutions to address any potential issues that may arise.
- Through its efforts, the Turkish Patent and Trademark Office has contributed to increasing public awareness of trademarks, and trademark registration applications have seen an extraordinary rise beyond standard expectations.

- Communication among all parties continues in order to resolve the issues that still persist.
- Acts of trademark infringement are now evaluated according to European Union standards.
- There is growing awareness among stakeholders regarding the reintegration of seized counterfeit products into the economy by stripping them of brand identifiers.
- It has been observed that trained officers are performing successfully within their respective fields of duty.
- In some cases, achieving results becomes impossible due to misinformed interpretations by practitioners. For example, although courts have discretionary power, their overly reserved stance in granting search and seizure orders serves as a case in point.
- Another issue is that, when search and seizure requests are denied, the appeal courts handling these objections are not specialized courts, which contributes to negative outcomes.
- The fact that municipalities have thus far failed to exercise the authority granted to them by law also stands out as a separate and ongoing problem.
- If trademark owners who currently do not monitor their brands begin to act more rationally in doing so, the perception of widespread counterfeiting can be diminished.
- Effective enforcement in the fight against counterfeiting will facilitate investment and production in the country by brand owners.
- Introducing a reward system for practitioners would further contribute to the success of enforcement efforts.
- If the usable portion of seized counterfeit goods is repurposed and distributed to those in need for public benefit, consumers will be less likely to accept counterfeit sales, thereby contributing to cutting off the financial resources of illegal networks.

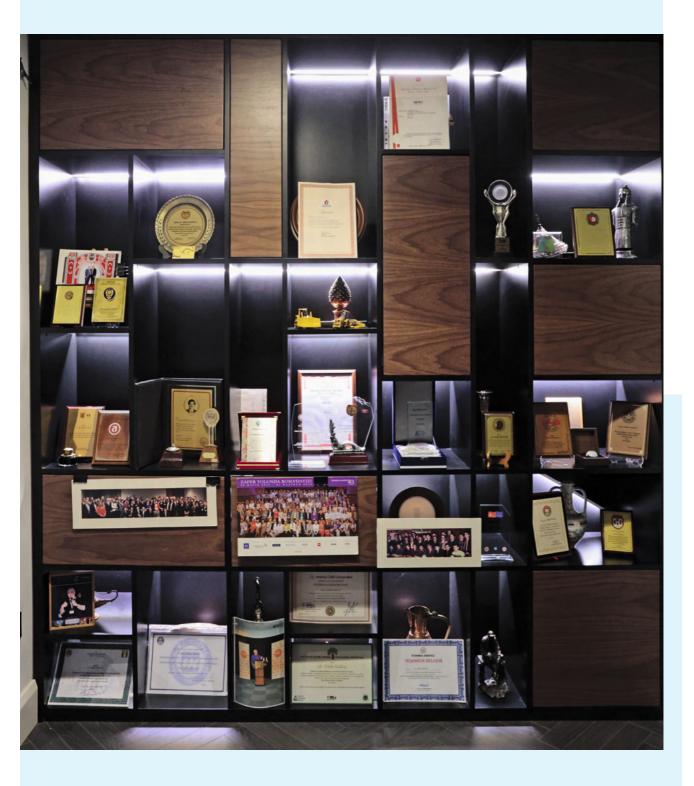
Since each effort builds upon the one before it, I truly believe that better days lie ahead before us.

Kahveci Law Office was founded in 1983 by Attorney and Mediator Vehbi Kahveci. Since its establishment, it has been aiming to provide the highest quality legal services to both domestic and international individuals and companies with its team of experts. The attorneys at Kahveci Law Office are fluent in at least one foreign language and offer legal and consultancy services to their clients in both Turkish and English.

In addition to the attorneys working at its main office, Kahveci Law Office also collaborates with law firms established by lawyers who were previously trained at Kahveci.

In addition, support is provided by academics and legal experts specializing in areas such as Commercial Law, Contract Law, and Corporate Law, to ensure that all legal services are delivered in the most effective and professional manner possible.

The attorneys at Kahveci Law Office provide legal assistance and consultancy services on all matters with a sincere commitment to confidentiality and by prioritizing their clients' best interests at the highest level. They represent their clients before all judicial and administrative authorities.





REPUBLIC OF TÜRKİYE ISTANBUL UNIVERSITY INSTITUTE OF SOCIAL SCIENCES

MASTER'S DEGREE DIPLOMA No: 27

Vehbi Kahveci, born on 15.9.1960, having completed graduate studies at the Institute of Social Sciences of Istanbul University, has prepared a thesis entitled "Article 221 of the Turkish Penal Code: Narcotics-Related Crimes", in accordance with the relevant regulations.

Upon successfully passing all exams related to this thesis, on 21.1.1985, and in accordance with the rights and authorities granted by the laws, he has been awarded the title of Expert in the field of Public Law, and this diploma has been issued to him.

Date of Issue: 25.02.1986

Rector of the University Director of the Institute

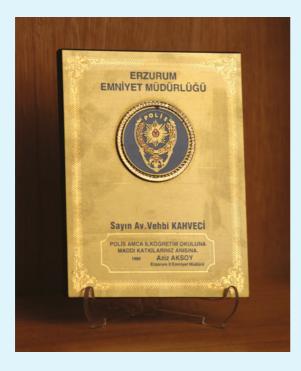


UNION OF BAR ASSOCIATIONS OF TÜRKIYE LAWYER'S LICENSE

Union No: 15996 Bar Registration No: 12925

This lawyer's license has been issued to Vehbi Kahveci, born in 1960, in accordance with Decision No. 38 dated 28.09.1983 of the Board of Directors of the Bar Association, to exercise the rights and powers granted to lawyers by the laws of the Republic of Türkiye.

President of the Istanbul Bar Association



ERZURUM PROVINCIAL POLICE DEPARTMENT

Dear Attorney Vehbi Kahveci, In commemoration of your financial contributions to Polis Amca Primary School.

1999 Erzurum Provincial Police Chief



TURKISH PATENT INSTITUTE

(Intellectual and Industrial Property Rights Research and Application Center - Anadolu University)

Dear Attorney Vehbi Kahveci,

We thank you for your contribution to the International Symposium titled "INDUSTRIAL PROPERTY PRACTICES IN TÜRKİYE AND ENVIRONMENTAL COUNTRIES", held in Ankara on 17–18 November 2005 with the support of the United Nations Development Programme (UNDP).



This project is funded by the European Union and the Republic of Türkiye.

Dear Vehbi Kahveci,

We would like to express our gratitude for your contribution to the "Project for the Protection of Intellectual and Industrial Property Rights at Customs."

Acting Director General of Customs Ministry of Customs and Trade



Dear Attorney Vehbi Kahveci,

We thank you for your contributions to the symposium titled "The New Criminal Procedure Code", organized by the Turkish Criminal Law Association and the Eskişehir Bar Association.

19.03.2005

On behalf of the Eskişehir Bar Association Board of Directors

President of the Bar



Dear Attorney Vehbi Kahveci,

We thank you for your contributions to the Istanbul Bar Association Intellectual and Industrial Property Rights Commission during the years 2006–2008.

President of the Istanbul Bar Association



Dear Attorney Vehbi Kahveci,

We extend our gratitude and respect for your valuable contributions as the Chair of the Executive Board at the Istanbul Bar Association Trainee Training Center during the 2008–2010 term.

07.02.2011

Chairman of the Executive Board, SEM

President of the Istanbul Bar Association



Dear Vehbi Kahveci Attorney

I extend my sincere gratitude for your valuable contributions to the training seminar titled "POMEM TCK-CMK", organized on February 28, 2008.

Chief Police Inspector Director of Arnavutköy Police Vocational Training Center 1st Class Police Chief



ARNAVUTKÖY POLICE VOCATIONAL TRAINING CENTER KAHVECİ GROUP

Dear Vehbi Kahveci,

We sincerely thank you — especially on behalf of our institution's students — for your dedicated efforts and outstanding contributions in preparing our students for professional life.

We extend our gratitude to you personally and to all members of Kahveci Group involved in the process.

We wish you continued success.

Chief Police Inspector Director of Arnavutköy Police Vocational Training Center



GENERAL DIRECTORATE OF SECURITY Department of Public Security

TMD-Association of Registered Trademarks

We express our gratitude for your contributions to the Intellectual Property Crimes Specialty Training, held in Ankara between January 8–10, 2013.



Dear Attorney Vehbi Kahveci (12925)

We celebrate the 30th anniversary of your professional career.

On the occasion of this milestone, we are pleased to present you with this commemorative album.

We wish you health and continued success.

Respectfully,

President of the Istanbul Bar Association

7 April 2013

35 Years in the Profession

Dear Attorney Vehbi Kahveci (Bar No: 12925)

We are pleased to celebrate the 35th anniversary of your professional career.

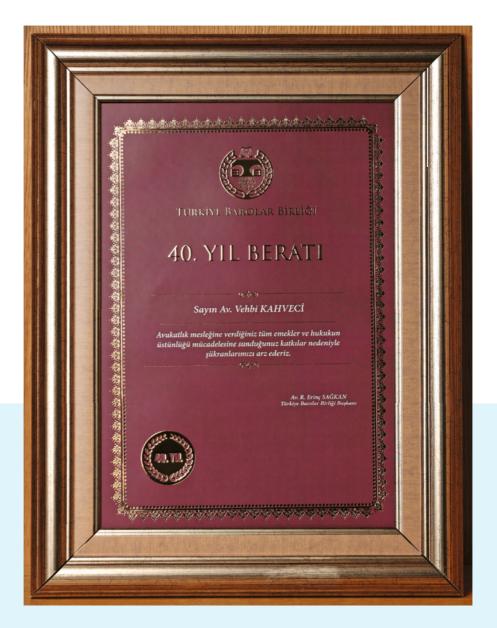
We wish you health and continued success.

President of the Istanbul Bar Association

18 April 2018

Istanbul Bar Association





UNION OF TURKISH BAR ASSOCIATIONS 40th YEAR HONORARY CERTIFICATE

Dear Attorney Vehbi KAHVECİ,

We extend our gratitude for all your devoted efforts to the legal profession and for your contributions to the struggle for the rule of law and justice.

President of the Union of Turkish Bar Associations

Our Office

As a pioneering law firm in the fight against trademark counterfeiting in Turkey, Kahveci Law Office has carried out various initiatives in this field since the year 2000.

Since the time we began working in this area, the legal prevention of trademark infringement in our country has gone through several distinct phases.

In Turkey, trademark awareness began with the Alamet-i Farika (Trademark) Regulation, and at the start of the Republican era, the exclusion of patents from legal protection was intended to pave the way for the development of the country's industry. This effort can be understood within its historical context.

Following the 1980 military coup and the economic reforms introduced by the January 24 Decisions, the increase in domestic production geared toward export and the liberalization allowing citizens to carry foreign currency led to greater international travel. This, in turn, heightened brand aspiration among the middle class.

As a result, counterfeit branded products sent abroad became an effective means for bringing illegal capital from outside the country back into Turkey. They have served as a major vehicle for money laundering.

The economic crisis of the year 2000 also encouraged the production and sale of counterfeit goods. Turkey became a significant hub for producing, selling, exporting, and transiting counterfeit products. In parallel with this, the fight against counterfeiting also began to develop.





PART I Counterfeit Products in Turkey

What was the state of the fight against trademark infringement crimes in Turkey during the transition to a free-market economy?

At the beginning of the 2000s, the fight against counterfeiting in Turkey was a legal concept with limited practical application.

Trademark reporting and enforcement efforts were carried out by a few law firms operating in a near-monopoly.

It was largely perceived as a matter of protecting foreign capital.

With the establishment of the Registered Trademark Association, attention was drawn to the issue by brand owners, practitioners, and official authorities, and relevant legal regulations were introduced.

Practitioners were trained, and brands began to view the fight against counterfeiting as a matter of prestige.

In this section, we will read the logbook of the fight against counterfeiting.

29 Temmuz 2003 Sal R 🐙 DÜNYA Haberler

> AB'ye üyelikte sorun yaratan taklit ürünlerin Türkiye'ye faturası 4 milyar doları aşıyor Ekonomide "taklit" sikintisi

• Zeynep ÖZER İSTANBUL

hracatta büyük atılımlar gerçekleştiren ve dünya çapındaki markalarıyla ön plana çıkan Türkiye'nin takli türünlerle başı detrte. Taklit ürünlerin faturasını 4 milyar dolan aştığı belirtl-lirken; Türkiye'nin "Köprü ülke" konumunda olduğu-nu kaydeden uzmanlar, taklit ürün ve satışlarınını organize grupların eline geçtiğini ifade etter. Mah-kemelere sadece İstan-bu'lda 1 Ocak 2003 tarihin-den itabaren 7 ayda bin 400 bul'da 1 Ocak 2003 tarihin-den itibaren 7 ayda bin 406 ceza davası yansırken, uy-gulamada ciddi sorunlar yaşandığı gözleniyor. AB'ye üyelik konusunda da takli-din önemli bir sorun oluş-

uyens kontustinda ud taki-din önemli bir sorun olus-nultigu vungulantyor. Tukkyevini takit ürin ko-nusunda Çin ve Tayvandan sonra masaya yatırıldığına dikkar çeken Tescili Marka-lar Derneği (TMD) Başkam Selçuk Güzenge, takifiçilke tekstül ürünlerinin başı çekti-ğini söyledi. Her şün çıkan 3-4 TR!dan birinde sahte ürünle karşılaşlaldığını vur-gulayan Güzenge, gilmrülk-lerde denetinlerin siklaştı-rıldığını ancak, takilde mü-cadelede zortuklar yaşandı-ğını söyledi. ğını söyledi.

Yeni yatırıma engel

Ge-beş firmanın sahre üçühefle yaptığı ihracat ne-deniyle, gerçek ihracat ra-kamlarma ulaşılamadiğun anlatın Güzenge, 500-600 milyon dolatlık sahte ihracat nedeniyle 30 milyar dolarla-n aşabilecek tekstil ihracatı-mı engellendiğini öne sür-dü. Taklit ürünlerle müxade-lenin öneminin altını çizen



Taklitçilik; tekstil, temizlik, kimya, elektronik, müzik gibi birçok sektörün en önemli sorunu haline gelirken, son yıllarda en fazla taklit edilen ürünler önemli sorunu haline gelirken, son yıllarda en fazla taklit edil olarak gözlük ve kırtasiye malzemeleri öne çıkıyor.

Gitarang, Gruding via no. kwi Bir aliyapa ve teknik kadroja ahipi oldugum, teknologia katro oldugum, teknologia berece zengin bir tilke oldu-tern odenjvje Urdkye in ho u belirarek, taklir turu-pini söytedi. Buyika kalcalma Turkiye'den mal almasa ka-dar, kalifeli kuruluşlanın Turkiye'de yatırmı yapması-mu da önemli olduğum alika kateken Güzenge, yeni ya-unmlar çin taklir şiliyi soosa terme serectiğini fade etti.

Kanun var, yaptırım yok

yaptırım yok Taklit urinlerin Türki-ye'ye faturasının yılda 4 milyar dolar dolüşını alik-kar çeken Güzenge, taklitçi-liğin organize bir şekilde yapıldığını söyledi. Taklitçi-likle mücadelede birçok zorlukla karşı karşıya kal-dıkların beliren TMD Baş-kanı, kanunların taklifçilik-le mücadeleye müsati ol-masına rağımen avukatların



yeterli güvenlik tedbiri alın-maması nedeniyle işlem ya-parken giçliklerle karşılaş-tıklarını söyledi. Taklıtçili, ğin bir suç umsuru olduğu nu ve hırszıkla eşdeğer tu-hımaşı gerektiğini balirası

nu ve misizinka eşdeğet tü-tulması gerektiğini belirten Güzenge, cezalardaki cay-dırıcılığın yetersizliği nede-niyle taklitçilerin aynı şekil-de çalışmalarını sürdürdük-



Türkiye "köprü ülke" konumunda

bilir suçlar arasına alınması gerektiğini belirtti. Taklitçi-liğin bir yandan şikayete bağlı bir yandan da acele iş-lerden kabul edildiğini soyyaşanan sorunlar yapanati sortiffiar Taklitçilikle mücadelenin hızını kesen unsurun uygu-lamanın şikayete bağlı ol-masını gösteren TMD Baş-kam Güzenge, taklitçiliğin şikayete bağlı suç olmaktan çıkartılıp, resen takip edileterden kabul edildiğini söç-leyen Güzenge, "Halbışlı acele işlerde suç ihtimali su-çun görülebildiği yere he-men müdahe etmek gele-kirken, bugun birçok mah-kemeden tedbir karan çık-

Etitketter degistrutiyor Windigradi ureline takti urinitein fazeri-ne sani Tarkiye'de urelining gbl 'Mdein tarkey' szatölgin bölren Karves, brunn Tarkiyenin mejun zedeledigin, algileen bu nu üzenirde galamalan gerekliginn all-ne gödi. Taktipikke mücadelee görmikke-de és ourular yazandığın hatifaten Kah-ved, ürünlerin git marka le deşaraş çıkarlı gala yazandığın barta bereklere zer tarkiye berek yaşağını belitein faki-ved, brühlerin üzerine yurdışında lakti ved, brühlerin ükdiklerin söyked.

nla karsılasıvoruz" dive konustu. Etiketler değiştiriliyor

madiği gibi sulh ceza mah-kemeleri de çok kolay top-izera ve arma karan vez-nara karan vezi yalandığı bir Garançe'nin yalandığı bir Daşlar i kan ise raklırçılıkle liğil 4 madderini ner mah-keme transindan işıldı yo-rumkanmaş ve topi (maki bilinçski işin uyşu lamaya da yansıtuası)

Her ürünün taklidi var

Her orijinal markanın ol-duğu gibi taklir markanın da alıcısı var. Alıcıların taklir üürünere yönelmele-dini ise sosyo-ekonomik üürünelmi İstanbu'daki bü-nünki adresi olan Eminö-nü, kalitesi dürayaca bili-nen Nike, Tommy Hilliger, La Goste, Sorn, Live's gi-bi markaların taklir üürün-lerine eva sahigili yapıyor. b) markalam taklit ürün-terine ev sahigili yapıyor. Eminönü'ndeki Tahtaklae, Dögübank, Polonya Pa-zarı ve çevresi ile Fa-zarı ve çevresi ile Fa-zihteki Yusu'aşa Üsige-citi ise korsan CD ve DVD'lerin merkezi duru-munda bulunıyor. Takli ürün satıcıları ise konu ile fağlı ya Koruş-mak istemiyorlar ya da görüşmeyi tergahların-dan uzak bir mekanda görüşmeyi tergahların-dan uzak bir mekanda görüşmeyi tergahların-dan daşa bir mekanda yapınayı tercin ediyorlar. Foloğırd çekinime ise izin yemiyorlar.

vermiyorlar. Eminönü sokakları taklit tekstil, kırsatiye ürünleri, elektronik cihazlar, taklit gözlüklerle dolu.

Sahte gözlükler revacta

Son yıllarda yaygınla şarak pazarların gözdesi olan, göz sağlığını tehdit ettiği de uzmanlar tarafından dile getirilen taklit gözlüklerin satışları tekstil gözlüklerin satışları teksbil ürünlerinin önüme geçmiş durumda. Çünkü fiyatlar-nın ucuzluğu alıcıyı çe-ken en önemli unsur. Markası ne olursa olsun taklit bir gözlük Eminö-nü'nde 6 milyona satın elunabiliyer. Gözlüklerin

In this news article published in Dünya newspaper, headlines such as "The Counterfeiting Problem in the Economy" began to appear in the press in an effort to raise public awareness and sensitivity toward the fight against counterfeiting. The production and sale of counterfeit goods were generally addressed as a significant issue in the context of Turkey's accession to the European Union.

Uygulamada

23 days of limbo hit famous brands

22 JUNE 2009 • HÜRRİYET DAILY

Istanbul - Compared to last year, sales of counterfeit products in Turkey have increased by 60 percent, thanks to a 23-day-long legal limbo in January. After a government decree was annuled and a law was approved 23 days later, the Turkish market is flooded with counterfeit products.

A 23-day legal gap in the fight against counterfeit products has hit global brands in Turkey by causing the sale of counterfeit products to boom by 50 to 60 percent.

"Due to the abundance of counterfeit products, we cannot sell genuine products any more," said one representative of a global brand. "Customers visiting our stores in the south are asking whether they are also selling counterfeit products. Our sales in the south have stalled."

Global brands such as

have been

affected by the delay in the legal arrangements on fighting counterfeit products.

A government decree that had been in effect for the past 13 years was annulled on January 5 because the necessary changes could not be made in the period the Constitutional Court gave to the government. On January 28, a law that changed the decree to protect original brands came into effect.

Lawsuits result in acquittals

But the 23 days between the two dates were enough for counterfeiters to seize market share. First, nearly 20,000 lawsuits against counterfeiters resulted in acquittals, meaning that confiscated goods will be returned to the defendants. January was also a boom time for counterfeit production, with the unregistered economy upping the ante and counterfeit products roaming free in the market. Sales of counterfeit products, whose annual volume is estimated at \$4 billion, rose 50 to 60 percent.

Counterfeits that were previously sold clandestinely in the south are now everywhere, said Vehbi Kahveci, chairman of the board of directors at the Registered Trademark Association, or TMd. **Example**, attorney of the **Example** brands, said the real boom in imitation products would come six months later.

"We are appealing against the decisions of acquittal and return of confiscated products," Tok said. "But the returns will start only in six months. This is a catastrophe for brands."

The legal struggle against counterfeiting has been waged under a government decree since 1995. But the decree became ineffective after the Constitutional Court ruled last year that crime and punishment could be defined only by law, annulling the legislation. After the court decision, a draft law was prepared by then-Industry and Trade Minister Zafer Çağlayan. The law came into effect on January 28. But during the 23-day interim period, the fight against counterfeit products had no legal basis. As this interval coincided with a period of increased production, counterfeiters started flooding the market.

Due to this "lawless" period, Kahveci said, previously confiscated counterfeit products must be returned to their owners. "This situation renders counterfeiters as strong as they were before," he said. "Compared to last year, counterfeit products are on the rise. The counterfeit products produced in January are now flooding the market. Especially in tourist resorts such as Side, Kundu, Marmaris and Bodrum, fake brands were sold clandestinely in the past. Now the counters and bazaars are full of counterfeit products sold openly."

The legal limbo in January also resulted in the abatement of all lawsuits retroactively, Kahveci said. "All that has been done since 1995 has gone down the drain," he added. "With the new law, the struggle started from scratch. There is still no criminal justice in patents and designs. And people are not resorting to legal means, as it costs a lot."

Calvin Klein is among the most counterfeited brands in Turkey. Vedat Stamati, a partner of **State Counterfeited**, the Turkish distributor of the global brand, said imitations harm both the brand's image and global brands' trust toward Turkey.

"We cannot sell the genuine product because of the abundance of counterfeits," Stamati said. "Our sales in the south are not rising an inch." Although the problem of counterfeiting is not a recent one, Stamati said, it has become more chronic. "The state had to take precautions years ago," he said.

Source to original text: https://www.hurriyet.com.tr/gundem/23-days-of-limbo-hit-famousbrands-11914124

CUMHURIYET HABERLER

An important article identifies that trademark infringement crimes are being used as a means to finance terrorist organizations. "The Gang Besieged the Island" This issue is a global concern and remains unresolved worldwide. Indeed, it is known and documented that the PKK, which has sustained terrorism in Turkey for over 40 years and caused the deaths of thousands, has generated significant financial resources through such means.

nigondu magaziarda... Tecgihtar, bize bir dei nchrim yapti: "Abi, size beg milyona oluz..." Paratan alan gencin adi Şehmnuz'du... Sonuyu yapşıtırdırı: "Sen Urfalsun değil m??" Şehmuz, "Evet" dedi skilerak Bu kez ben, "Üst k Urfa'nın Sivenk İlçesindensin" deyince şaşıstı "Helai atsun abi, nenreden birlini" * At t *** Sohbet koyulaşıyor... Çaylarımzi içerken Şehmuz bana soruyor: "Abi, Siverekil olduğumu nasıl anladın..." Rahatiyor... Tanırmış markaların taklitleri raflarda, tez-âhlarda duruyor... Aslında bu yani bir şey değill... Onyı önce de vardı... Ama gördüğüm kadarıyla işin rangi değişmiş mitlerde Sedat Bucak aşireti Kuşadası'nda bu işleri tenine almış... Her tezgâhin aylık cirosu yaklaşık **15 milyar** liral... Kirk dükkân olduğuna göre, ayda 600 milyar li-ra dro yapılıyoz... Kuşadası'nda turizm sezonu altı ay olarak dü-şünülürse, ne kadar diro yaptiklarını siz hesapla-Kuşadası'nda konuştuğumuz yerli esnaf ise "Bucak aşiretinin tezgâhları yaz-kış açık..." Elbet bazı iddialar da var... Ebet bazi iddiniar da var... Susuruk sedinlarından eski özel timciler Ercan Ersoy ile Oğuz Yorulmaz ve Sedat Bucak'ın şo-fori Abdülganı Kızılıkaya Seçluk Cezavi'nde, Bahçelevler katiların sanıdanından Haluk Kırcı Ödemiş Cezavi'nde yatıyorular... Selçuk Kuşadası'na on beş dakika, Ödemiş ise Seiçuk, Kuşadası'na on beş dakıka, Odermiş ise bir saat uzaklıdıta... Deniyor ki: "Sedat Bucak'ın adamları Kuşadası'nda çok güçü. Durya çapında firmaların asukatları ma-fan toplatmak için möcadele adıyonlar ama başa-tanın Susuriuk şamandarı deniyor. Belki reb uğ han birlikin wanındarı... mi Susurluk samiklerna gidhor. Beliki de bu igi go birikite jagvorfa...* Dedim ya, bu bri iddiat... Sedat Bucak alolit adamti... Anar vapobje yasal doğit... Ağırdın ndamtara işin bağıyda... Seguk, Ödemiy ve diğar ozazeklerindeki arka-ağırma, abilerine, dostlarına da yardım etmeyi nutmuzorf... Yaobklan isten kazandıkları beni hic ilgilendirnyon... Ne fiş kesiyorlar ne fatural.. Beni ilgilendiren ödedikleri vergi, taklit malları ra-Beni iğilendiren ödedikleri vergi, takilt mallan ra-atça satabilmeleri... Türkiye'de hukuk ve yasalar aşiret reisleri için ge-eril değil mülir? Kuşadası izlenimlerimi yarın da sürdüreceğim... hikmet.cetinkaya@cumhuriyet.com.tr Faks numaramız: 0212/ 513 90 98

POLİTİKA GÜNLÜĞÜ HİKMET ÇETİNKAYA

Ada'yı Aşiret Kuşattı...

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yorfar..." O dar eeki sokağa girdim arkadaşıla ta birlikte... Gerçekten dünyanın tanınmış markalarının tak-

Gerçekten dünyanın tarışını İtteri satilyordu... Tişörtleri aslıyla ayırt etmek olanaksızdı...

Tagahtari Jang and etmak olanakoso.... Tagotteri asiyla anyrt etmak olanakoso... "Yeki kuçuk milyon..." Tagahtari yanındu Graf Qalışlari görünce, göy-le bir bakıp "Cangiz Qandar Abi Aog galdin" de-di. Oral, biran Zozuldu ama Bell etmeneye çalıştı: "Ben Oral Qalışları"...." Ben Oral Qalışları'...." Teggihtari şin biliyordu: "Ben i hep Cardig'ire karştırınlar..." Ben de takıdırı: "Ben de takıdırı: *** Sohihat koysilaşıyor Çaylanmızi içerken Şehmuz bana soruyor: "Abi, Siverekli olduğumu nasil anladır..." Gülümsüyorum: "Konuşmandan..."

Tanınmış markaların taklitleri rallarda, tez-blarda duruvor

lahlarda duruyor... Aslında bu yeni bir şey değill.. On yıl önce de vardıl.. Ama gördüğüm kadarıyla işin rengi değişmiş

Sedat Bucak asireti Kusadası'nda bu işleri te

keline almış... Her tezgâhın aylık cirosu yaklaşık 15 milyar li-

ral.. Kırk dükkân olduğuna göre, ayda 600 milyar il-

ra ciro yapiiyor... Kuşadası'nda turizm sezonu altı ay olarak dü-şünülürse, ne kadar ciro yaptıklarını siz hesapla-

Kuşadası'nda konuştuğumuz yerli esnaf ise

Kugadasi nca kotravoyani Kugadasi nca kotravoyani "Bucak aşiretinin tezgihiları yaz-kış açık..." Elbet bazi idalard avar. Susurluk sanıldarından eski özel timciler Ercan Ersoy ie Oğuz Yorulmaz ve Sedati Bucak'ın şo-forû Abdülgani Kızıkaya Selçuk Cezaev'nde, Bahçolievler katiların sanıkanından Hakuk Kırcı Ödemiş Cezaev'nde yatıyotlar... Selçuk (kuşadası'na on beş dakika, Ödemiş ise bir saat uzakikta... Daniyarı kit

bir saatu uzakilkta... Deniyor ki: "Sedat Bucak'ın adamları Kuşadası'nda çok öçlü. Düryə qapında firməların avukatları mal-ları toplatmak için mücadele ediyorta ama başa-ni olamiyodra. Burada toplanan paraların bir bö-lümü Şusurluk sanıklarına gidiyor. Belki de bu işi hep birlikte yapıyorlar..." Dedim ya, bu bir iddia!

becum ya, bu ber koles. ★ # X Sedat Bucak akin adami. Arna yapib ia yasal değirla Ağırdıri adamiamı işin başına koymuş, kendisi Selçuk, Ödemiş ve diğer oczase/srindeki arka-dağırma, abilerine, dostlarına da yardım etmeyl murdmaxori.

antuyori... faptıkları işten kazandıkları beni hiç ilgilendir-

SAYFA 5 itor: Murat YALNIZ

ehirli ayakkabıların yüksek fiyatla askelenerek piyasaya sürüldüğü ortaya çıktı

Vicdansız fiyatlam yapılmış olabilir'

FIVAT ve kalitevh nelleme yapn un değil. Bazı myasal analiz lan anlaşılmaz ii doğru standartta un de bir dır. 19, 29 unlere, eð rre, eğe



testler çok sıkılaştı. Tüm ithal mallar mailar emēk de az. Ūrūnie markalar

re ve Tüketici Hakları Koruma ji Genel Başk, Mustafa Göktaş Taklit mala da yüksek fiyat biçiyorlar





tent uzr 'Bu durumu Yargitay bu noktaya getirdi'



Articles have begun to emerge regarding the use of materials harmful to health in counterfeit products. In all of this correspondence, we have contributed in our capacity as Attorney Vehbi KAHVECİ. Throughout the fight against counterfeiting, although it has been consistently argued that counterfeit products as a whole pose a threat to public health, this aspect has not been taken into account by the courts, particularly in relation to textile and accessory items.

30 Kasım 2014 PAZAR 21

POLEMIK

EKONOMI

Hürriyet Türkiye'de 25 sektör Cin istilasına teslim oldu

B nalar

ra Ticaret Odası (ATO), Cin i ile ilgili olarak yaptığı mada Cin mallarının Türkiye'ye alerde ve sanavjvi tehdit en i malları bugün ze ve sıynı malın netim pahalı olmasından het görüyve. ATO'num in bisikletten in bisikletten in Sirda ektörlerin ün yüzde 100'ü

UCUZ AMA KALİTESİZ MALLAR

ATO'nan araştırmasında yaşanan Çin istilası li firmaları bitirdiğine dikkat çekilerek, Çin'de al edilen malların ucuz ancak kalitesiz olduğu et ediliyor. Araştırmada su gönişlere yer



Çin malları neden ucuz Cin malları hangi sektörleri ne kadar istila etti

ATOrana nastramasında Çını mallarının Türkiyey'i istila mesindeki en köyük etkenin ürerim girdilerinin ucuralgu dugu belirtiliyev. Buğın 11 ine henzinin fiyuti Türkiye'de Tımiyon 866 hin ilm iken Çın'deki fiyatı sadece 496 hin nı Digat tarafında tekirtiğin ikloweti Türkiye'de 174 hin na iken Çın'de 74 hin ilm, Augari ürerle hakitçimmizdi ise mi Türkiye'de 22 milyon 99'n hili nı danı ücere, Çın'de ortalamın 112 milyon ilm. Ceraten kesilen vergi ise Türkiye'de yüzde 45 Çını'de ise yüzde 30.

bakaldaganda 224.8 milyon dolarla elektrikl makine ve cihazlar, 160 mlyon dolarla nükleer-makine ve cihazlar, 160 mlyon dolarla nükleer-reaktöler, kazan makine ve cihazlar, 56 milyon dolar ile minoral yakutiar, yağlar, mumlar, 47.5 milyon dolarla pamuk, 43 milyon dolarla organi kimyasajlar, 43 milyon dolarla orgik festorat

Sektör Yüzde Insaat malzemeleri Hirdavatçılar Marangoz el aletleri Kimyevi madde Halı Elektrikli cihaz Fotoğraf malzemeleri Mot.Taşıt yedek parça Kırtasiye 30 Gözlükçülük 40 50 40 30 Bilgisayar Klima

onfeksiyon (Kuma Tibbi cihazlar Büro makineleri Būro makineleri Cep telefonu aksesu. Elektronik cihazlar Oto lastiĝi Saraciye Hediyelik eşya Cam ve ca Ayakkabi

malı dolu her gemi bir fabrika kapatıyo



ATO Başkanı Sinan Aygün, Çin

yaptırmə yoluna gittiğini hatırlatarak şunları söyledi: şunları söyledi: "Üretim düşürülmezse Trük firmaları yerle bir olacak. Ekonomik alanda Türkiye'ye kadar uzanan Çin Seddi ancak ye ancak üretim maliyetlerinin düşürülmeşiye yaklabilir. Türkiye ihracat yapma şansını elbette ki zorlamalıdır.

Ancak diğer taraftan yabancı mi istalasını da önlemek zorundadı limanlarına yanaşan Çin mallar bir gemi, Türkiye'de bir fabrika kapatmaktadır. Zaman zaman v yan dına sullarlı dı. Türki ankın al

1.5 trilyonluk sahte Çin ürünü yakalandı G DNGOREN liçe Emniyet Müdürlüğü A Büro ciçiperi, Merter ve Güngüren büğ həar üzerine belinlediği adereslere yaptığı başkınlanda, Çin'den getirrildiği adereslere yaptığı haskınlanda, Çin'den getirrildiği adereslere yaptığı belinlarık dektronik ürün ele gecirildi. Olaşla liğili di belirlenen 5 kişi de gizatlıran alında. Yurtiştandan artitildin ve ilrevelerine Stemse adileti teknoluşdu.

kınlarda Çin'den getirilerek yu ve piyasa değeri 1.5 trilyon lira ör, termik role, yedek ana kont zemeleri, kutular ve Siemens et s, ürünlerin kalitelerinin düştük

ibi piyasaya sürülmesine çalış ilgili Ercan Develi, Altan Ka

büyük firmaların etiketini yapıştırıp kutularına ke inlerin gümrükte siki bir denetir Ömer CAĞLAK / İSTANBUL

Attention has been drawn to counterfeit products imported from the Far East. The issue has been examined by Hürriyet, one of Turkey's leading newspapers, with a particular emphasis on the need for close scrutiny of products originating from China. Headlines such as "25 sectors in Turkey have surrendered to the Chinese invasion" and "Fake Chinese goods worth 1.5 trillion seized" have appeared in the media.

8 Eylül 2003 Paza

TÜRKİYE

se

İstanbul'un Kadıköy ilçesi, Türkiye'de en çok korsan yayın üretilen ve satılan yer olarak anılıyor. Korsan yayıncılığa karşı mücadele verenlerin boy hedefi de Kadıköy Belediyesi

Kada sata n bii grup, kla-

the sta

e bir şey... rliği ettiği yının cen-r tür 'kor-

oşlara yayılıyor



Attention has been drawn to Kadıköy, one of Istanbul's major commercial districts, and it has been emphasized that the Municipality is obliged to take action under the Misdemeanors Law. However,

municipalities still fail to fulfill this duty.

Radikal 5

COUNTERFEIT PRODUCTS IN TURKEY 43



Various shops selling counterfeits of luxury brands. Photographed as part of procedures conducted by the Vektör Trademark Office aimed at preventing trademark infringement.





The second





10 KASIM 2004 CARSAMBA RUMI : 28 T.evvel 1420 (RICRI : 27 Komazan 1425 ISTANBUL VART (Bay Cda Kat VASAT (B2) 1155 1430 VASAT 16.99 1122 531

In Turkey, the fight against counterfeiting has proven to be extremely dangerous for lawyers and practitioners. Since the production and sale of counterfeit goods are often controlled by criminal organizations, lawyers have frequently faced physical assaults and threats. Only one such incident has received media coverage in the above article: "Lawyers beaten in broad daylight by counterfeiters." This is merely one example among dozens of similar cases. Thanks to the diligent efforts of the relevant official authorities, such incidents have since been reduced to a minimum level.



Saldırıp yumrukladılar Olaylar sırasında yaralanan avukat Yeşim Eriş, "Kolumdan turup beni dışarı attılar. Yumruklar dan beni arkadaşlarım korumaya çalıştı" dedi.

Taklitçilerden avukatlara meydan dayağı



Mehmet Zeki Orhan ve İlkşan Urlu, "Yanlarında dayak yedik" diyerek polisi suçladılar.

GUNGOREN'de, iki yabancı marka urunlerinin taklitlerini ürcten mağızaların bulunduğu 7 katlı bir hana suç delilerini topiamak için polis eşliğinde giren 4 avukat, yaklaşık 50 tişinin sadırısına uşıradı. Avukatlar Mehmet Zeki Orhan, Yeşim Eris, Cahit Doğdu elilsan Utul yu, oçunluğu esnaf, teyer yalşını ve özel girenlik görevlisi dan sadırganların elinden polis kurtardı. Ceşitli yerlerinden yaralanan avukatlardan Orhan, Eris ve Urtu Haseki Eğinin ve Araştırma Hastanes'in eğiderek şeçici rapor akı. Avukatlar olayla iğili savcılığa suç duyurusunda bulunacaklarını belirtitler, sayretiller' dedikleri polis, daha sunır 7 kişyi gızaltına dı.

Sahtekarlar aramızda

A bis villah Levi's tu Hen é ég te frýana. Be araki svaða paran y að amballa mannski dikkanlar nýmusanurski. Týnatg gargang skala skala skala skala skala nýmusanurski. Týnatg gargnýmusanurski. Týnatg gargnýmusanurski. Týnatg gargnýmusanurski. Týnatg gargnýmusanurski. Tánat skala skala skala nýmusanurski. Tánat skala skala skala nýmusanurski. Skala skala

me gybje corop verlyever. "Elstene energielle is attrisst annoch bybytk statter farchtlichtarn obtyger. Bondre menn belli olimotyger ann ya yaandikatna stereis storena da andialitarna stæreis storena da andialitarisst energies attrisst attrisst attrisst aktingter inglernake o kakte bagaenen iste fankt attrisst attrisst attrisst aktyrete inlaga her markunat adbe aktyrete inlaga her markunat adbe aktyrete inlaga her markunat adbe aktyrete inlaga her markunat adbe aktyrete inlaga her markunat adbe aktyrete inlaga her markunat adbe aktyrete inlaga her markunat adbe ender statte inden attrisste ender statte støret attrassa tereforder attrisste ender støret attrassa tereforder attrisste ender støret attelbackgrånd de belittiveret.

Gerçekten de insanlar bu konu da ikiye aynlıyor. "Anlarmyorur da iki, likimiz de aynı jean'i alıyoruz Benimkinin etiketinde biraz deği jiklik var ama olsun, arkadaşırını üçte biri para ödüyorum. Kalitele O kadar para ödüyorsunuz, iyi bir kıyafet alıyorsunuz ve herkesin üzerinde sahtesini görüyorsunuz. Bir de ballandıra ballandıra ne kadar ucuza aldıklarını anlatıyorlar. Tabii, büyük markalar

da bu işten büyük zarar görüyor. Aslı Çakır

ri arasında du pek fark yok bence," diyor 21 yaşandala Fison Timur, Arkadaşı Nesilhan Demir i Fisou gibi düşamiyer. "Neden inanları haketmedikleri parılar kazandırayını. O markanın mark olmasanı ve benim yarkarını mark olmasanı ve benim yarkarı Kalitle len arasında sanal fark olmazıl ucu ranla güvenmeyeceksin."

denlerden. Ama iş bununla bitmiyor. Bir kere herkes taklit olduğunu bilerek almıyor, gerçek zanne-



Iar. Bile tilte alsalar da satte en ar merkann tanannsyligen. gimulugana zarar veriyer. Josh bir markann stirekli sal siyle karajluganski o markaya givenimiz de azaiyore. Adat sorun maddiyid değil. Zaran markaları tabe edenler genç min alamayacak darumda ol Yani o markaların hedef kiti değiller. Onenii olan çokiş bir gönteği me verek adağı bir gönteği me

inin de bir ayrscalığı kal-Tarı Ak. Yıni o markaya taşımak çok num için ayrıcalık olmayama in caydırışcı cezalara rağıkal hineçire halik ocuz mal zasa damı söyleyerek faydalı de l ayraklarına innuyr ve bu en çir ölumülyorlar. Bu ker e prin kermeyerek kendive

Jerici syndmi etmoterne novyeslan, "Benim marka duşkihaliğun yokura, bir tek, Lev'iş Soll hariş, Tam orijnal olmas benim işin çok özemli, bu yüzden jenen lerimi Atmetici da aşeritiyyerun. Ama Türkiye'den almak zorunda kalanydın kasihide kendi maşşihzasındın giber almıltır. Kasi halde kalahma, kalınlığı kendi maşşih zasındın giber almıltır. Kasi halde kalahma, kalınlığırda marka konterinden BEDer Ütüh heftahde marka sahaplerinin en çok isteyereşi müşerelerden. Arter markacılar nasıl bulunuyor

ana makan inducation induced and or period analog decel presidenti nat. C martina kanditarini gizi tuzmak sebilari pia semienni vermiyodar raştırma sonucunda takir malların nerelenci verbildiği olgenişiyer. En ak Beşatır We Merte tarafında olan bu vertim yerlerine gizilip parası selitip o makdan bir tane alınıyor, inceleniyor ve sakte olduğu ispatianca polisile birilite baskan düzerileniyor. Acdından ceza davası açılır. K

certemon tevalector medication men exploration to contraction to contract the state para cezase sites, meetidetan median santar med larecticar ve sateclan bu cezatars rac ofduktarm betrifyortar. Bu ardati britigin gbi sadoce da kyvitetta degli başka ciuniende de taktiterie karştaşabilirismiz, Ömsk vermek gerekirse: Partim, saat, mü onher, mays, tabio, kaset, kitaç ağdışk, kazmetki ciunient.

A compelling article that explains how using counterfeit products constitutes fraud: "The Fraudsters Among Us." *Milliyet*, 14.03.1998

EKONOMI & Milliyet

PAZAR 4 Haziran 2006 Türk gümrük mühürleri Romanya'dan çıktı

"Turkish Customs Seals Found in Romania." Such issues were later resolved through corrective

aranmas för, Rom

This article describes a common method of counterfeit export in Turkey, where different documents and information are presented when leaving the Turkish customs gate, and yet another set of documents is submitted upon arrival at the destination. It includes examples where products are switched en route by breaking customs seals. One notable headline reads:



anlama geliyor?



Her malın taklidi var

measures.

Marka merakı, en çok tokatçının i-

Dünyaca ünlü markaların ürünlerini, İstanbul'da bulmak artık olası. Kaçak ya da taklit, ünlü markalar tezgâhta mevcut. Markayla, birlikte gelen ucuzluk da tüketicinin iştahını kabartıyor. Salı Pazarı, Tahtakale, Karaköy kaçak ve taklit mallar cenneti olarak anılıyor. Bu durumdan en çok yakınanlarsa

ünlü markaların Türkiye temsilcileri. Işi gücü bırakıp dedektif gibi etiket kovalıyorlar. Kaçak mal nedeniyle ekonomik darboğaza girdiklerini söylüyorlar. Bunu da yasadaki boşluklara bağliyorlar.

Kaçakçılara karşı görev üstlenen polisse seyrediyor. Ara sıra ortaya çı-kıp, göstermelik bir iki baskınla mala topluyor.

Sonuçta kaybeden yine vatandaş oluyor. Ya taklit mal alarak dolandırılıyor, ya

da tomarla para döküp kazıklanıyor. Vurguncu, tokatçı, dolandırıcı da avucunu ovuşturup, dalga geçiyor.

Published on September 19, 1997, in Milliyet, one of Turkey's leading newspapers, this report was among the first noteworthy articles to draw attention to how brand obsession was fueling the rise of counterfeiting. The headline read: "There's a Counterfeit for Everything."

Економі

italyan Diesel'den 3 milyar \$'lık taklit ekonomisine kıskaç

Türkiye'deki taklit tekstil pazarının büyüklüğü 3 milyar dolara ulaşınca, uluşlararası markaların gözü korktu. Taklitçilerin 'gözbebeği' Diesel, Türkiye'deki bu gidişata 'dur' demek için özellikle tatil yörelerinde eş zamanlı baskınlara start verdi

995 yılından bu yana ünlü markala-nn taklit ürünleriyle mücadele etti-

en Laleli e

12 SALI 15 Haziran 2004

ca, taklit ürünler de tezgahlarda cirit at maya basladı. Türk inlerin başında ise tekstil ge raştırmalara göre Türkiye'd lit tekstil pazarının büyüklü dit tekstil pazarınan büyüklü milyar dolara ulasmıs durun acoste, Diesel, D&G, DKNY, ve Paul&Shark gibi markala litleri özellikle turistik bölge özdesi. Taklit ürünlere karşa lı bir savaş yürüten İtalyar narkası Diesel, geçen yıl i Hukuk Bo ca taklit ürü urünü piyasa uda bin 400'e tti. Bu ko



VATAN

piyor. Bu nedenle taklit endüstrisi işi sıkı tutan markalardan daha gevsek tutan markalara doğru kayı-yor" diye konuştu. esel'in en çok jean pantolon-n taklit edildiğini belirten özellikle işcilik

dit ürün iher hale geldi" diye k

nı belirten Kahveçi, Fransızlar'ın yogun olduğu tatil bölgelerinde Fransız markaları, İngilizler'in daha çok olduğu yerlerde ise ağırlıklı ola-rak İngiliz markalarının taklitleri sadeğerlendirmesi

mesi olduğunu söyledi. Turistlerin ünlü markaların taklit ürünlerine rağbeti yü-

Viagra'dan prezervatife kadar

her sey taklit T ürkiye'de tekstil dışında ilaç, CD, VCD, kitap, akı suar ve oto yedek parça gibi ret Odası'ı her 3 CD'den biri, her-ten 2'si, her 100 kitapta her 100 bilgisayar yazıl 58'i korsan. Araştırmad sahteciliği nedeniyle dı 700 trilyon liralık bir ka taya çıktığı belirtildi.

By 2004, brands had gradually begun to intervene in the market. A good example of this is an informative article that sheds light on the early steps taken by trademark owners to combat counterfeiting and protect their rights.

The Counterfeit Bill: 3 Billion Dollars

29 SEPTEMBER 2004 • HÜRRİYET DAILY

Istanbul – The scale of counterfeit production in Turkey and the difficulty of combating it are discouraging foreign investors. Att. Vehbi Kahveci, founder of the Registered Trademarks Association and owner of Kahveci Law Office, stated that international companies are hesitant to invest in Turkey, a country whose name is increasingly associated with counterfeiting in global markets. In Turkey, counterfeit versions of world-renowned brands such as

are sold at one-fifth of the original price. This situation is alarming for foreign companies that have made significant investments in their brands.

The claim that illegal production contributes positively to Turkey is false. In order for Turkish companies to become influential in the global market, they must create their own brands, grant licenses, and sell branding rights. Due to counterfeit products in sectors such as health, food, clothing, personal care, and cleaning, the government loses \$3 billion (approximately 4.5 quadrillion Turkish lira) in tax revenue annually, Kahveci said.

Turkey Ranks Third

Kahveci noted that Turkey ranks third in the world for counterfeiting, following Poland and Thailand. "The reason for this is the high number of counterfeit product seizures in Turkey," he explained. "In contrast, in Far Eastern countries — the cradle of counterfeiting — very few products are actually seized, which is why they appear lower in the rankings. In reality, countries like Italy and China are at the forefront of counterfeiting, with other Far Eastern countries not far behind." He further stated that drug traffickers and money launderers also transfer large sums of money to their organizations through counterfeiting.

Scheduled to speak on this issue at Retail Days 2004, to be held on October 13–14, Att. Kahveci emphasized that even for a single brand, the market value of counterfeit production in Turkey reaches into the trillions of lira.

He noted that for just one counterfeit brand, there were 1,400 legal actions taken over the course of two years, yet only 160 counterfeit products were actually seized. Kahveci also pointed out that counterfeit products such as toys, bags, and stationery items imported from the Far East are being sold in shops located in Istanbul's Eminönü and Tahtakale districts. He added that counterfeit industrial and technological products are also being exported to Turkey, underscoring the scale of the issue: "There is a massive amount of unjust profit involved."

Source: https://bigpara.hurriyet.com.tr/haberler/genel-haberler/taklit-faturasi-3-milyar-dolar_ ID499249/

TMd

Türkiye pazarında, 3 milyar dolarlık taklit ürün dolaşıyor

taklit ürünler ekonomiye yılda 3 milyar dolar kaybettirirken, yabancı taklitlerinin üretilmesi korkusuyla Türkiye'ye yatırım yapmaktan kaçınıyor

meli ka



The news article titled "The Counterfeit Bill: 3 Billion Dollars" has been cited as an example. Dozens of similar reports have been published. The \$3 billion figure mentioned refers solely to the estimated value of counterfeit textile and accessory products.





Taklit ürünlerin Türkiye'ye vergi kaybı 3 milyar dolar

Taklit mal üreten ülkeler içinde üçüncü sırada bulunan Türkiye, sadı ce sağlık, gıda, giyim, kişisel bakım ve temizlik ürünleri sektörlerir deki taklitler yüzünden yıllık 3 milyar dolar vergi kaybına uğruyor.

Taklitcilik AB ller

This news article draws attention to the country's tax loss. In this way, it aims to attract the attention of official institutions. Many news articles of this nature have been published. This one has been taken as an example.

PART II

Developments in the Fight Against Counterfeiting in Turkey

In this section, counterfeiters were sought to be warned through the news reports. The seriousness of the situation was also intended to be shown to the brands whose products were being counterfeited. Such news articles have proven to be highly effective.

Counterfeit Bags for the Elite with a 'Password'

27 OCTOBER 2004 • MİLLİYET DAILY ESRA AKIN

Producers who counterfeit famous brands are conducting production in secret, fearing frequent police raids. Sales are made only to familiar customers at stores. Unknown customers can purchase products only if they provide the password.

In the Grand Bazaar, the sale of counterfeit bags of many well-known brands such as has prompted the Registered Trademorks Association (TMd) to take action

Trademarks Association (TMd) to take action.

The association, waging war against stores selling counterfeit products, frequently conducts raids in the Grand Bazaar together with law enforcement.

TMd's lawyer, Vehbi Kahveci, stated that they are continuing their fight against the informal economy, yet emphasized that dealing with the shopkeepers of the Grand Bazaar is far from easy. Kahveci noted that they become involved in legal disputes with an average of 300 individuals per month, totaling around 3,000 people annually. He also mentioned that the most recent raids were carried out on behalf of the famous French brand

Kahveci provided the following information: "First, investigators hired privately by the companies go to the scene. They take photos of the stores in the Grand Bazaar that are producing counterfeits. Then, the companies inform us of their complaints. With the permission we obtain, we contact the police and organize joint raids." Att. Kahveci stated that the lawsuits result in severe penalties, noting that those found guilty are sentenced to fines of 27 billion lira, two years of imprisonment, and prohibition from engaging in trade.

Sold for 250 Euros

Meanwhile, the counterfeit products being sold are of such high quality that they are almost indistinguishable from the originals. The primary customers of these bags are members of high society.

Stores selling bags for 250 euros are frequently subjected to raids. Shop owners have discovered new methods to sell their products. They are coming up with various solutions, ranging from password-based sales to sales conducted in secret storage areas.

'We'll sell in secret depots'

Some shopkeepers from the Grand Bazaar, when asked about TMd's crackdown on counterfeit sellers, respond by saying, "If something concerning us happens, we'll think about what to do then."

Stating that they are not currently considering taking any precautions, store owners claim that if their shops are shut down, they will fight back, and even remove the products from display windows and begin selling only from hidden depots.

The shopkeepers, noting that counterfeit goods are also sold abroad, express their frustration by saying, "The increase in raids and TMd's pressure on us is merely a show for the EU."

However, there are also those who take a more positive stance, saying, "If such a ban is imposed, we will simply stop selling those products."

Source: https://www.patronlardunyasi.com/sosyeteye-parola-ile-taklit-canta



A shop selling counterfeit bags. Photographed as part of procedures conducted by the Vektör Trademark Office aimed at preventing trademark infringement.

Housewives Set Out on a Counterfeit Hunt

4 JUNE 2006 • SABAH DAILY ESEN EVRAN

Women who report sellers of counterfeit versions of famous brands are earning thousands of dollars...

Housewives working for famous brands take photos with their mobile phones of shops and stalls selling counterfeit goods they come across while shopping, and earn up to 5,000 dollars a month, receiving at least 1,000 dollars for every 10,000 items reported.

Globally renowned brands such as

are receiving support from housewives in their fight against counterfeit products. In Turkey, where 3,000 new counterfeit lawsuits are filed each year and 9,000 are currently ongoing, hundreds of women work in collaboration with the local representatives of foreign brands to report counterfeit goods. Women who support their reports with evidence and take photos with their phones earn at least 1,000 dollars for every 10,000 items they help seize. For more expensive brands, this figure increases significantly. Vehbi Kahveci, the lawyer for the Registered Trademarks Association (TMd), which represents 105 brands in Turkey, stated that there are several ways to fight counterfeiting, and explained: "Private investigation companies have been established for this job. But what's more common is this: hundreds of housewives report counterfeit goods they see in markets and shops. Some earn a very good income this way, supporting their households and even sending their children to private schools. It's a job that can be done in just 2 hours a day-I highly recommend it. For example, a woman living in Bayrampasa could visit leather workshops, take photos secretly, and catch a lot of counterfeit items."

The procedure is long

Kahveci stated that the fight against counterfeiting began with a legislation enacted in 1995, and that those producing counterfeit goods are penalized with fines between 28-40 billion lira and prison sentences of 2-4 years. He continued: "The size of the counterfeit goods market is beyond your expectations. I can say it's worth hundreds of millions of dollars. In markets in places like Bodrum, Marmaris, and Alanya, a single stall may hold 3,000-5,000 items. Alanya has become a counterfeit paradise. There are 12,000 Germans living there. When they see the same product in Alanya at a quarter of the price they saw in their own countries, they buy it. There are counterfeits that are barely distinguishable from the real thing."

Counterfeit goods, which entered Turkey's agenda in the 1990s, are produced in two ways: either imported through customs from the Far East or produced domestically. Despite the existence of hundreds of people who make a living through the tip-off mechanism, Att. Vehbi Kahveci stated that there are still challenges in the fight against counterfeiting. He outlined where the system is failing: "All institutions claim to support us, but I don't see this in practice. Every time I go to the Grand Bazaar following a tip-off, the shops turn out to be empty. But if they resume business two days later, something needs to be investigated. In Beyoğlu, counterfeit **see the solution** is being sold on a piece of cardboard right in front of the **store** store. According to the 'Misdemeanor Law,' the municipality shouldn't allow that stall to operate there. But municipalities don't consider this a crime. I don't want to think otherwise, but still, this situation draws my attention."

The One Who Files the Complaint Gets the Goods Seized

No brand would deliberately allow its products to end up in street markets. The stalls in neighborhood markets are rented out by municipalities–so when counterfeit goods are sold there, shouldn't the municipality be held responsible? But in the mindset of municipalities, this isn't considered a crime. We file lawsuits, and under the new Criminal Procedure Code, the courts are acting much more diligently. They require strong suspicion.

Let me give you an example of something we did just yesterday. We received a phone call informing us that goods were currently being produced at a certain address and were about to be exported to Germany. Based on this information, we applied to the court. However, the court rejected our request, citing a lack of sufficient evidence. After significant effort, we found a witness and reapplied. When we finally went there, the goods were indeed on-site. Had we been one day late, they would have been gone. Whoever files the complaint gets the goods seized-if no complaint is made, no action is taken regarding those goods.

The One Who Files the Complaint Gets the Goods Seized

Manufacturers, sellers, and distributors work in an organized manner.

- They have very advanced information networks. When a report reaches the police station, the seller at the local market finds out immediately and dismantles the stall.
- Some brands introduce counterfeit versions of their own products into the Turkish market to build recognition, then later open their own stores.
- Goods sold in local markets are labeled as "excess export stock." However, the producer has no right to distribute excess production domestically. This would result in revocation of their manufacturing license.
- Turkish brands also suffer from counterfeiting. High-quality Turkish brands are being counterfeited and sold in Russia, the Middle East, Hungary, and Bulgaria.
- There are specific areas in Turkey where this business is highly prevalent. For example, there is a famous store in the Grand Bazaar where upper-income customers shop. They buy genuine **bags** but opt for counterfeit accesso-

ries. The store gives customers a password. Once they say the password, a staff member takes them to another store. This way, they avoid getting caught.

- Counterfeiters sell the t-shirt and the brand label separately. The buyer later sews the label onto the t-shirt.
- The cities with the highest levels of counterfeit production are Istanbul, Aydın, Gaziantep, and İzmir.
- Southern holiday resorts are a paradise for this business. Thousands of counterfeit goods are sold at night festivals. Since we have no legal right to conduct night searches, they operate freely.
- For example, the favorite character of young girls is **Example**. Counterfeiters used to print her image without writing her name. Now, **Example**'s image is trademarked. We will start collecting bags bearing that image as well.

Source: https://www.haber3.com/guncel/ev-kadinlari-korsan-avina-cikiyor-haberi-97427

Shops selling counterfeit jeryses. → Photographed as part of procedures conducted by the Vektör Trademark Office aimed at preventing trademark infringement.



The Knockoff Bag Market Hits the Brands Hard

9 JULY 2011 • YENİŞAFAK NEWSPAPER

Even the counterfeit versions of luxury brands such as

can find buyers for up to one

thousand dollars. While the leather goods sector exports 200 million dollars, imports have reached 300 million dollars.



Although brands attempt to prevent the sale of counterfeit products-referred to as "knockoffs"through law enforcement operations, the number of companies producing or importing counterfeit items of luxury brands like

has increased in recent years. The prices of counterfeit bags, some of which are used even by celebrities, range from 10 lira to 1,000 dollars.

Counterfeit Products in Nişantaşı

Vice President of the Leather Goods Manufacturers Association, stated that the knockoff market, which hinders legitimate sales, has become the industry's "biggest chronic wound." "If you go to the Grand Bazaar, you can't sell genuine branded products. Everyone buys knockoffs in the Grand Bazaar. These are also sold in Nişantaşı, Bakırköy, southern tourist regions, and many neighborhood markets," he said. Aydın noted that although the leather goods sector exports 200 million dollars, Turkey imports 300 million dollars in leather goods, and instead of real leather, these imports consist mostly of imitation products, despite Turkey's strong position in genuine leather production.

2,000 Units Produced Monthly

emphasized that brands are increasingly suffering from this issue, saying: "Almost 90–95% of the 620 stores in the Grand Bazaar sell counterfeit products. Because of knockoffs, our domestic sales have dropped significantly. One company can produce 2,000 counterfeit bags per month."

Organized Groups Involved

Vehbi Kahveci, Vice Chairman of the Registered Trademarks Association, stated that the counterfeit bag market is controlled by specific organized groups, adding, "This has been documented through police operations."

Source: https://www.yenisafak.com/gundem/cakma-canta-piyasasi-markalari-vuruyor-328878

Even the Knockoff Costs a Thousand Dollars

9 JULY 2011 • TAKVIM NEWSPAPER

Even the counterfeit versions of world-famous luxury brand products come with a hefty price tag. In Turkey, counterfeit bags are sold for as much as one thousand dollars. As the counterfeit market continues to grow, industry representatives express their concerns...



In Turkey, although efforts are being made to prevent the sale of counterfeit products-commonly referred to as "knockoffs"-the number of companies producing or importing them has increased in recent years. Exact replicas of luxury brands such as

, which place

price tags of around 20,000 dollars on their bags, also draw attention with their high coun-

terfeit prices. Counterfeit bags can be found in the market for as much as one thousand dollars. **Weiterfeit**, Vice President of the Leather Goods Manufacturers Association, stated that the knockoff market, which hampers their sales, has become the industry's "biggest chronic wound." Pointing out that the market for knockoff products has continued to grow in Turkey since 1997, with production and sales increasing each year, **Sector** said, "Our domestic sales have dropped significantly due to knockoff products. A single company can produce 2,000 counterfeit bags per month."

Sold Even at Home Gatherings

Vehbi Kahveci, Vice Chairman of the Registered Trademarks Association, also noted that counterfeit bags are being sold not only online but even at informal home gatherings. **Second Second Second**, stated that the actual size of the counterfeit bag market is unknown, but it is estimated to be worth billions of dollars.

Source: https://www.takvim.com.tr/ekonomi/2011/07/09/cakmasi-bile-bin-dolar

The Knockoff Sellers' New Trick: These Are Parallel Imports, Sis!

3 MAY 2014 • AKŞAM NEWSPAPER

ÖZGÜL ÖZTÜRK

Now brands are struggling with a new issue-parallel imports. Counterfeit products are being sold under the label of "parallel imports" even on the busiest streets, and it is stated that this causes billions of dollars in damage to the economy.

Foreign brands fighting against counterfeiting in Turkey are now also dealing with the problems caused by products being brought into the country without their permission. Parallel import, which allows a product to be legally imported by companies other than the official distributor in a given country, has led to luxury brand counterfeits being sold even on Turkey's most frequented avenues. Vehbi Kahveci, founder of Kahveci Law Office, stated that under the guise of "parallel import," unhealthy products-mainly from China and other Far Eastern countries-are being introduced to the market. "Parallel import is a globally recognized practice, but it is being abused in Turkey. Some companies doing parallel imports bring in a small number of original products and place them on their shelves, while also selling counterfeit goods on the same shelves as if they were genuine. The counterfeit market in Turkey is worth billions of dollars, and this figure contributes nothing to the national economy," he said.

Brands Must File Complaints

Kahveci emphasized that in Turkey, the fight against counterfeiting is only legally recognized when a complaint is filed. For this reason, he urged brands to take action against counterfeit products. He noted that among the brands actively fighting counterfeits, the rate of imitation in the market has significantly decreased. "There are brands conducting around 100 raids per month. But some brands do nothing, and this negatively affects the consumers as well," he added.

No Space Left in Storage

Kahveci explained that Turkey has made significant progress in combating counterfeit goods over the past 15 years. "We've started to reap the benefits of all the efforts made. While Turkey was once labeled as the hub of piracy by the EU and the U.S., this image is beginning to change. However, we still haven't reached the desired level," he said. He also mentioned that the counterfeit goods seized in raids are stored in courthouse warehouses, but due to the increasing number of cases in recent years, those storage spaces are now full.

Bags Sold for 1,500 Lira at the Bazaar

Kahveci pointed out that many companies engaged in parallel imports act as if they are official distributors of famous brands. He noted that despite being illegal, some stores have even been opened in recent years, selling a mix of branded products. "This situation severely harms the distributor system," said Kahveci. "Distributors rent stores, employ staff, pay taxes, provide after-sales services, and promote the brand. But companies that do none of this sell the same products. They even sell parallel-imported versions of famous bags for 1,500 lira at local markets. This completely destroys the brand image."

Source: https://www.aksam.com.tr/ekonomi/cakmacilarin-yeni-oyunu-paralel-ithalat-bunlar-abla/haber-304648



Counterfeit products in a bazaar

Major Crackdown on Counterfeit Goods

6 JUNE 2015 • SABAH NEWSPAPER

Those trading in counterfeit goods have come under strict scrutiny by the Ministry of Customs and Trade. It was revealed that some of the smuggled goods seized at customs were also counterfeit.



The Ministry of Customs and Trade has tightened its grip on counterfeit goods traders through strict inspections implemented at customs. Recently achieving significant success in this area, the Ministry took action in coordination with court decisions obtained by major international brands operating in Turkey. It was discovered that hundreds of thousands of products identified as smuggled were also counterfeit.

A Major Success Achieved

As a result of applications made by foreign brands to the Ministry of Customs, it was determined that hundreds of thousands of items-previously to be sold under the confiscation regime as smuggled goods-were actually counterfeit. Consequently, their sale was halted.

Lawyer Vehbi Kahveci, founder of Kahveci Law Office, explained that these items, previously classified only as smuggled and not recognized as counterfeits, were being put up for sale by customs under liquidation procedures. Now, their counterfeit nature has been identified, and sales have been suspended. Kahveci stated, "The Ministry of Customs has recently launched a serious initiative to prevent the sale of such items at customs. We also submit court rulings to stop the sale of these goods. Currently, a large stockpile has accumulated in the customs liquidation system. These goods are awaiting destruction."

Kahveci added that the legal process is ongoing to determine how the goods will be destroyed. If removing the label does not compromise the integrity of the item, it may be eligible for sale, he noted. "However, this may only apply to textile products. Items like perfumes are destroyed by draining the liquid and smashing the bottles," he said.

More Control, Better Image

Vehbi Kahveci noted that the Ministry of Customs and Trade recently carried out another major operation. He said that truckloads of counterfeit goods were seized at customs. "The seizure of these products while being exported abroad is a huge step toward improving Turkey's negative image in the area of counterfeiting," Kahveci stated. He also mentioned that trucks loaded with textiles and accessories leaving Turkey for Bulgaria, Greece, and the UK have been searched as suspicious. "The Ministry's tight control efforts are strengthening Turkey's image as a country with proper enforcement. At the same time, the image of Turkish exporters who do business properly is also improving," he added.

Source: https://www.sabah.com.tr/ekonomi/2015/06/06/cakma-mala-buyuk-kiskac



Counterfeit products in sacks. Photographed as part of procedures conducted by the Vektör Trademark Office aimed at preventing trademark infringement.

They Sell Counterfeit Products Under the False Claim of Being Customs Goods

5 NOVEMBER 2019 • SABAH NEWSPAPER

PINAR ÇELIK

Fraudsters who disregard human health are selling counterfeit cosmetic products to the public under the false claim of being "customs goods." Experts are warning especially against this major trap found online.

Fraudsters who disregard human health frequently use the false claim of "customs goods" to market expired cosmetic products. These individuals sell counterfeit items, particularly at highway rest stops in Anatolia, placing fake perfumes, deodorants, and personal care products from famous brands near cash registers claiming they are authentic. These fraudsters even illegally export their products. A cashier working at a rest stop revealed the extent of the scam built around the "customs goods" lie: "When customers ask about products that cost one-third of the original price, we say, 'These are customs leftovers and we are clearing them out.' We sell a perfume that costs at least 300 lira for just 70–80 lira. We never buy from customs. We made a deal with a producer. We earn profit from what we sell. Of course, the are all fake."

"Duty Free" Products

There are also scammers who deceive the public by claiming to sell leftover stock from the closed Atatürk Airport Duty Free. These dishonest vendors illegally sell counterfeit perfumes at low prices in front of shopping malls, on busy streets, and even in parking lots, using fake ID cards that claim they are Turkish Airlines personnel.

They Scam with the Same Product Multiple Times

The internet hosts dozens of websites selling fake products under the label of "customs goods." Even if they are shut down, new ones appear soon, and fraudsters continue selling counterfeit products. What's more, they even resell returned products through different websites, scamming customers repeatedly with the same items.

Produced in Industrial Zones

Att. Vehbi Kahveci stated that in a single year, they managed to have 50 to 100 trucks full of counterfeit goods seized, noting that just one truck can contain about 100,000 perfumes and deodorants. He emphasized that large tanks in industrial zones are used to mix chemicals, and the fake end products are packaged identically to genuine ones using original brand bottles. "These are all carried out illegally," Kahveci said.

Source: https://www.sabah.com.tr/ekonomi/2019/11/05/gumruk-mali-yalaniyla-sahte-urunsatiyorlar

The Nightmare of Digital Street Vendors

15 DECEMBER 2019 • SABAH NEWSPAPER

Street vendors have gone digital. Selling thousands of counterfeit productsfrom watches to perfumes-on major e-commerce platforms, these digital street vendors are deceiving consumers. Thousands of complaints related to the issue are pouring into consumer complaint websites.

Turkey's street vendor economy has now moved into the digital world. The new address of this sector-which provides a livelihood for thousands of local and foreign individuals-is now popular e-commerce and marketplace websites. Tens of thousands of counterfeit products, from fake perfumes to watches mimicking famous brands, are being sold under major e-commerce platforms. Taking advantage of the lack of oversight in these areas, savvy sellers especially flood the virtual market with fake products during promotional and discount periods. For example, a counterfeit version of a perfume that normally sells for 800 lira is offered online for 130 lira. Trusting the brand value of the marketplace, users often mistake these items for genuine and purchase them.

They Only Care About Commission

Among the most complained-about platforms are some of the top five e-commerce sites in their category. These sites allow any entrepreneur to open a sales page for their products, and complaints about them have surged. Users expressing their frustration on social media and other online platforms are also filing complaints with official institutions, claiming that the items they received were not genuine. Izzet Stamati, Chairman of the Registered Trademarks Association, stated that online marketplaces created for manufacturers on e-commerce sites are highly unregulated. He pointed out that these sites do not require any documentation from the seller regarding the authenticity of the products. "The e-commerce site only looks at the commission it earns. Is the product fake? Is it harmful to health? They don't care. Moreover, the site bears no responsibility for any damage caused by the product. This is a very unhealthy form of trade. At the end of the day, the only one who suffers is the consumer," Stamati said.

The Site Bears No Responsibility

Counterfeit product attorney Vehbi Kahveci also noted that chemical mixtures produced in large tanks at industrial sites are packaged in bottles identical to those of original brands and sold as if they were genuine-entirely through illegal means. e-commerce sites to the headquarters of the brands abroad, and it was proven that they were fake. Some of the sites are aware of this; others are not. When we issue warnings, they say, 'It's not our responsibility,' because according to the law, the seller company is responsible. But the websites themselves should also be held accountable," he said.

Don't Buy Without Research

Consumers who believe they purchased genuine products from e-commerce sites, but later discover they're fake, often struggle to get refunds or even find someone to address their complaint. Even when these fraudulent sites are shut down, new ones quickly take their place, and the sale of counterfeit goods continues. Scammers even resell returned items through different websites. Experts say these problems stem from e-commerce platforms accepting any vendor without proper vetting or control. "A perfume that normally costs 500 TL doesn't drop to 50 TL," they warn, urging consumers to thoroughly research the real prices of products before making a purchase.

Source: https://www.sabah.com.tr/ekonomi/2019/12/15/dijital-isportaci-kbusu

In Istanbul, the Thriving Counterfeit Market

19 OCTOBER 2022 KILLIAN COGAN

Estimated at three billion dollars, the Turkish counterfeit market contributes to the country's tourist appeal. An illegal activity that the authorities are reluctant to regulate in times of economic crisis.



The Grand Bazaar in Istanbul offers its fair share of counterfeit goods – including luxury watches and handbags. In the vaulted arcades built in the 15th century, a multitude of fake the same has found. We are at the Grand Bazaar of Istanbul

watches, can be found. We are at the Grand Bazaar of Istanbul – once the heart of imperial Ottoman trade, now a vast supermarket for counterfeits.

"90% of our customers are foreigners, most of them Europeans: French, Germans, or Dutch," explains Emre^{*}, 26, a seller of fake luxury bags at the entrance of the Grand Bazaar. "We sell two types of products: lower-quality imitations made of plastic, and others made of leather, which are priced higher," he says, pointing to a fake handbag. "As for the leather imitations, I can guarantee that they have absolutely no difference from the originals," assures the vendor. "It's top quality – we're the country of imitation!"

Indeed, Turkey has hosted a significant counterfeiting industry for several decades. A market difficult to quantify due to its illegal nature, which attorney Vehbi Kahveci – specialized in anti-counterfeiting for over forty years – estimates to be worth three billion dollars. According to a report published in December 2021 by the European Commission and the European Union Intellectual Property Office (EUIPO), Turkey is the third-largest source of counterfeit goods in the European Union, after China and Hong Kong. Another report on counterfeiting, published by the OECD and EUIPO in 2021, states that the proportion of counterfeit goods originating from Turkey seized worldwide rose from 4% in 2016 to 12% in 2019.

Among these counterfeit goods, fake luxury products occupy a prominent position. The sectors of perfumery, textiles, leather goods, and jewelry are particularly widespread.

Counterfeit watches, on the other hand, are mainly produced in China or Hong Kong, although they are distributed within the Turkish market.

Beyond local production, Turkey also acts as a hub for counterfeit goods between Asia and Europe.

At the Grand Bazaar in Istanbul, you can find replicas of the

for 160 euros or a fake for 150 euros.

"Patek Philippe watches are mostly requested by connoisseurs. The most popular models are the classic **ended**," the seller notes.

"For 2022, a little over 59,000 counterfeit Swiss watches have been seized in Turkey – but this is, of course, just the tip of the iceberg," says Vincent Stauffer of the Swiss Watch Industry Federation, which has been active in anti-counterfeiting efforts in Turkey for over twenty years.

"As for the leather imitations, I can guarantee that they have absolutely no difference from the originals. It's top quality – we're the country of imitation!"

These goods are mainly sold in Istanbul's tourist areas – in the Grand Bazaar or the Osmanbey district – as well as in seaside resorts on the Aegean and Mediterranean coasts, such as Bodrum, Antalya, or Kuşadası.

Since the beginning of the COVID pandemic, the sale of counterfeit goods has increasingly shifted online, both domestically and abroad.

This market is under close watch by luxury brands, as it can significantly damage their image and lead to a decline in consumer interest.

"For luxury watches, for instance, if a buyer of an authentic product sees a counterfeit version of the model they purchased on everyone's wrist, they may turn away from the brand," explains Philippe Azzola, a lawyer at the Geneva Bar who represents several major Swiss watch brands. "It's about protecting the exclusivity of the models."

Customs Authorities Take Action

According to several stakeholders involved in the fight against counterfeiting in Turkey, the local counterfeit luxury market continues to grow.

To try to curb this expansion, Western luxury brands rely on local law firms that carry out raids against sellers and counterfeiters operating on Turkish territory.

However, except for counterfeit perfumes - which are considered a health issue

by Turkish authorities and can thus be seized ex officio – raids against sellers of other counterfeit luxury goods require formal complaints filed by the brands.

To file a complaint, luxury brands and their representing law firms must gather sufficient evidence about the counterfeit products; otherwise, the courts cannot issue a search warrant.

Once the warrant is granted, law firms contact police forces, who conduct the raids in coordination with them. Law firms – and sometimes the brands themselves – deploy investigators on-site to collect evidence.

Source: https://www.bilan.ch/story/a-istanbul-le-marche-florissant-de-la-contrefacon-837831891724



Counterfeit bags in a shop window. Photographed as part of procedures conducted by the Vektör Trademark Office aimed at preventing trademark infringement.

They pay nearly the original price to buy counterfeit "crocodile" leather bags

10 DECEMBER 2024 • EKONOMI NEWSPAPER

YENER KARADENIZ

As demand for counterfeit bags and accessories made from exotic animal skins increases, there has been a significant rise in the illegal entry of products made from snake, iguana, and crocodile skins into Turkey in recent times. Vehbi Kahveci, founder of Kahveci Law Office, stated that while most counterfeit products come from the Far East, they can also be produced in Turkey. He also pointed out that the price difference between the counterfeit and the original items is often not very significant.



Demand for counterfeit bags and accessories made from exotic animal skins has increased. Vehbi Kahveci, founder of Kahveci Law Office and representative of several well-known brands, pointed out that there has been a significant rise in the illegal entry of products made from snake, iguana, and crocodile skins into Turkey in recent times.

Kahveci emphasized that while most counterfeit products come from the Far East, they can also be produced within Turkey, and the price difference between the fake and the original is not that substantial.

He stated: "If the original bag costs \$5,000 in a store, its counterfeit version is sold for \$3,000 on the black market. Someone who can afford \$3,000 could also pay \$5,000, but they find walking into a store that sells \$5,000 bags intimidating. They don't see themselves as belonging in that environment, so they end up buying the fake product at a still high price."

Kahveci described this preference as a "status issue," explaining that it is not necessarily price-driven:

"In recent years, there's been a shift in capital and a new social class has emerged. These new capital owners feel reluctant to enter stores where luxury brands are sold. They feel out of place in those shops. This behavioral pattern alone has created a new market."

"Only 5% of Counterfeit Products Are Caught"

Kahveci said that recently, many such bags and accessories have been seized in the Grand Bazaar, but despite the effective work of customs and police forces, only about 5% of counterfeit products in the market are actually intercepted. "We can't catch 95% of them," Kahveci stated. "Because the number of enforcement teams is not sufficient, and those who are in this business operate very professionally. Whatever precautions the state takes, they adapt and take countermeasures. Some brands are fighting this issue seriously and allocating large budgets for it." Kahveci also noted that these kinds of products attract significant interest from foreigners: "A large portion of counterfeit buyers in Turkey are foreigners. There are places that cater exclusively to tourists. Some stores open only when tourists arrive and shut down afterward," he said.

Source: https://www.ekonomigazetesi.com/sektor-haberleri/orijinaline-yakin-para-oduyorlar-taklit-timsah-canta-aliyorlar-43580/

James Bond on the Hunt for Counterfeits

10 JUNE 2015 • SABAH NEWSPAPER ÖZGE YAVUZ

Major international brands operating in Turkey have partnered with British, French, and German detective agencies to combat counterfeit products. Agents, much like James Bond, have surrounded counterfeiters in the Grand Bazaar, Bodrum, and Antalya.

International brands operating in Turkey have begun working with British, French, and German detective agencies to combat counterfeit products. Until now, these global companies had relied on local firms to identify the locations of counterfeit producers and sellers in Turkey, but with limited lasting success. Now, they are taking control of inspections themselves. Backed by significant budgets and technical resources, the detectives stationed in Turkey are tasked with locating areas where counterfeit products are heavily produced and collecting solid evidence such as photographs and audio recordings.

The Grand Bazaar in the Spotlight

In Turkey, the counterfeit goods trade-estimated to be worth \$20 billion-centers around key areas such as the Grand Bazaar, Bodrum, Antalya, and Kuşadası. Detectives have begun targeting not only sales points but also production workshops. Because they are foreign, these detectives often go unnoticed by sellers and producers. Vehbi Kahveci, founder of Kahveci Law Office, stated, "Right now, British, German, and French detectives are roaming around the Grand Bazaar and other regions. Counterfeiters haven't yet developed the instinct to protect themselves against foreigners, but they take every precaution against locals. Now that foreign brands are directly involved, things have become much harder for counterfeiters."

Strong Evidence

Foreign brands operating in Turkey–whose counterfeits circulate widely–are planning to use the strong evidence collected by detectives to obtain court-ordered search warrants. "Detectives are working with great precision," said Kahveci. "Just the other day, they located a site we would not have been able to find on our own. Dozens of counterfeit bags were seized in an underground location." The detectives are also tracking not just production and sales sites, but the counterfeiters' business connections in countries like Italy, Spain, and Egypt. Kahveci added, "The aim of these efforts is to significantly reduce the counterfeit trade."

Undercover as Customers

Turkey's counterfeit product market continues to grow each year, and much of the

demand comes from tourists. Sellers in tourist-heavy areas like Bodrum, Kuşadası, Antalya, and the Grand Bazaar mainly target foreign customers. According to Kahveci, this makes it relatively easy for British and German detectives to go undercover as customers and collect both video and audio evidence from the sellers. He noted that counterfeiters are much more cautious when dealing with Turkish customers, saying, "The major brands operating in Turkey only ask the foreign detectives to gather documentation. Then they pass these materials on to their lawyers, who use them as evidence in court."

A \$350 Billion Global Market

In Turkey, handbags are among the most counterfeited products. Counterfeiters often purchase original versions of next season's models from top brands and begin reproducing them. While the counterfeit market in Turkey is estimated at \$20 billion, globally it is believed to be worth as much as \$350 billion.

Source: https://www.sabah.com.tr/ekonomi/2015/06/10/james-bond-taklit-avinda



EKONOMI-FINANS

Taklitçiler yabancı markalardan sonra yerli markalara dadandı. Ürettikleri kalitesiz ürünlere

ünlü markaların etiketini basan dolandırıcılar internet satışlarından milyarlar kazanıyor



cmiste vaba Т cı marka arnn "çakma" diye tabir edilen taklit ürünlerini satan taklitçiler şimdi de yerli mar-kalara dadandı. Öyle ki kalikalara dadandi. Oyle ki kali-tesiz ünettikleri ürüne yerli markanın etiketini basıp, inter-net siteleri, sosyal medya hatta semt pazarları aracılığıyla satı-yorlar. Durum böyle olunca hem tiketiciler hem yerli markalar mağdur oluyor...

PAZARDA CAKMA KİĞILI

PAZARDA ÇAKMA KİĞİLI Birleşmiş Markair Derneği Başkanı Sinan Öncəl daha önce yabancı markalarla iğili sui-istimallerin işimdi yerli mar-kalar için yapıldığın belirtə-rek, "Markalarını imşilan tebdit altında" dedi. Yurtdışında sahte ürün toplatma çalışmalarından sonra yurtiçinde de benzer bir operasyona başlayan Kiğilı'nın Genel Müdüru Hilal Suordem ise, yaptırımlar yettersiz oldu gu için taklıtın Hila Suordem ise, yaptırımlar yettersiz oldu gu için taklıtın emücadelede çok başarılı olamadıklarını söyledi. başarılı olamadıklarını söyledi. "İmalatçılar pazarcılarla anlaşıp

Kiğılı etiketlerini üret-tikleri ürünlere dikiyo Organize olmayan Crganize oimayan satiş noktaların-da da taklit Kiğılı ürünlerine rast-hyoruz" diyen Suerdem, şu ana

2 AĞUSTOS 2019 CUMA

kadar ürün toplatma şeklin-de bir yaptırım uygulayabil-diklerini ifade etti. SAHTE SITE AÇAN VAR

SATTE SİTE AÇAR VAR Abba ürünle en çok mück de ede maknalarda bi fabe in ter maknalarda bi fabe in ter maknalarda bi fab



As a result of efforts in Turkey, local producers have also developed brand awareness and have begun taking action against the counterfeiting of their own brands. In this way, public awareness has also shown progress. The news article titled "Hunt for Local Knockoffs" is significant in demonstrating this growing interest.

76 FORTY YEARS IN PURSUIT OF TRADEMARK LAW



Yakalanınca sinirlendi Baskınla mallarına el konulan satıcı, Lacoste'un yetkililerine hakaret etti.

Ulus Pazari'nda Lacoste baskini

Fransa'nın ünlü giyim markası La Chemise Lacoste S.A'nın Türkiye'deki temsilcileri, taklit 'Lacoste'ları Ulus Pazarı'nda satan pazarcılara karşı operasyon düzenledi. Lacoste Firması'nın Fransa'daki merkezinden gelen emir üzerine, taklit ürünlerine karşı savaş açan Lacoste'un Hukuk Müşaviri Vehbi Kahveci ve Avukat Alper Öner, Mali Polis ile birlikte Etiler Ulus Halk Pazarı'na polisle birlikte ortaklaşa baskın düzenlediler. Polis ve firma yetkilileri, baskını haber aldıkları tahmin edilen 'uyanık' saticıların pazardan kaçmaları sonucunda ancak bir kişiyi yakalayabildiler. Taklit bayan çantası satarken yakalanan satıci ise firma yetkililerine hakaretler yağdırdı. Baskın sonucunda 50 kadar bayan çantası ele geçirilirken, pazarda birçok taklit mal dikkat çekti.

Dincer SEREF

Many news articles like Raid at Ulus Market" have been published to inform the public.



Pazarda taklit Lacoste avi

Mehmet Ali KANTARCI

irmaların taklit ürünlerle savaşı sürüyor. Fransa Paris merkezli La Chemise Lacoste S.A firması, Türkiye'deki taklit Lacoste'larla sürdürdüğü savașta, yılda ortalama 25 bin ürünü piyasadan topluyor

Türkiye'de taklit marka ile mücadelenin 1994'ten sonra yoğunluk kazandığına isaret eden avukat Alper Öner, takibini yaptıklari Lacoste ve Paul and Shark gibi markaların, yılda ortalama 30 bin adet taklit ürününe el konuldugunu bildirdi. Taklit marka üreten ve satanlara ani baskınlar yapıldığını ifade eden Öner, "Özellikle Ka-dıköy Salı Pazarı, Bostancı Çarşamba Pazarı, Etiler Pazarı, Yeşilköy Çarşamba Pazarı'nda taklit markalar yoğun olarak satılıyor. Denetim yaparak suç işlemeyi önlemeyi ve vatandaşlarımızı marka konusunda bilinçlendirmeyi hedefliyoruz" diye konuştu.

Basta La Chemise Lacoste olmak üzere birkaç markanın Türkiye'de hukuk danışmanlığını yapan Kah-veci Hukuk Bürosu'ndan avukat Alper Öner, özellik le Türkiye'nin Avrupa Birliği'ne girme çabalarıyla birAslı 38, takliti 5 milyon lira

Ulus Pazarı'na geçtiğimiz hafta yapılan baskın yapan La-coste firmasının avukatları tezgahlarda yüzlerce taklit Lacos-Coste inmasinin avukatian tezganiarda yüzerloe takin Lacos-te markalı tişöri, gömlek ve çanat tespi ettiler. Bir pazara baskın yapmadan önce sivil görevlilerin tezgahları incelediği-ni ve taklit maliarı tespi ettiğini belirten Avukat Alper Öner po-lis eşilğinde takit maliara et konulduktan sonra satı-cının karakola götürülerek ifadesinin alındı-ğını söyledi. Baskınların bundan sonra da de-yam adreeğini baliten Önar Lilve eşararı

vam edeceğini belirten Öner, Ulus pazarı

baskını sırasında el konulan taklit ürünlerin de Adli Emanet'e sevk edileceğini belirtti. Çarşamba günleri kurulan Ulus Pazarı'nda Lacoste da dahil olmak üzere Polo, Ferre, Adidas vb. ünlü markaların takilt ürünleri sahilyor. Lacoste markalı oğinal tişört Akmerkez'deki mağazasında 38 milyon TL, gömlek 49 milyon TL, çanta ise 60 milyon TL'ye satılırken Uluş Pazarı'nda takilt Lacoste tişört 5 milyon, gömlek ve çantalar da 10 milyon liradan satılıyor.

likte, tescil ve marka hakla-rına yönelik düzenleme ve denetlemelerin hızlandığını anlattı. Öner, "1856 Paris Sözleşmesi'nin markaları korumakla ilgili hükümleri gereğince, bugün ülkemizde de 556 sayılı markaların korunması konusunda KHK cıkarılmış ve tescilli markalar bu sekilde koruma altına alınmıştır. Gerek bu, gerekse 551 sa-yılı Markalar Kanunu, her türlü yasadışı marka taklit üretim ve satışını yasaklamıştır" dedi

Ticaretten men

Öner, 556 sayılı KHK'ya göre taklit marka üreten ve satanların 2-4 yıl arasında lira arasında para cezası ödediklerini vurguladı. Ören, şöyle devam etti: "Ancak bu suçta tekerrür de çok önemli. İkinci teker-

hapis cezası ile 4-30 milyar

rürde hapis cezası para cezasına çevrilmiyor, ayrıca ticaretten men etme cezası uygulanabiliyor. El konulan taklit ürünler Adli Emanet'e gidiyor ve mahkeme sonucuna göre genelde imha ediliyor. Biz yılda 25-30 bin adet Lacoste ve aynı miktarda taklit Paul and Shark'ı piyasadan topluyoruz. Kadıköy Salı Pazarı, Bostancı Çarşamba, Etiler, Yeşilköy Çarsamba pazarlarında yoğun denetim yapıyoruz."

"Counterfeit

Hunt at the Market"



Sahte Lacoste satana hapis

acoste, sahte ürünleri piyasadan toplamaya kararlı. Ankara'da taklit Lacoste ürünleri satan bir mağaza sahibi iki yıl hapis cezasına çarptırıldı. Ankara 3. Asliye Ceza Mahkemesi'nde görülen dava sonunda mağaza sahibine hapis cezasının yanı sıra 4 milyar 800 milyon ağır para cezasını ödemesine de karar verildi. Ayrıca 1 yıl işyeri kapatılması ve ticaretten men edilmesine de karar verildi. La Chemise Lacoste firması, 1999 yılı içerisinde toplam 200 baskın yaptırdı.



"Prison Sentence for Selling Fake

"Shock Raid on Counterfeiters", Türkiye newspaper

Marka taklitçilerine baskın düzenler Avukat Vehbi Kahveci





"Adidas" şirketinin taklit ürünlerinin Salpazan'nda satidigini belirten Alfa Güvenlik Şirketi avukat, po-lis eşliğinde Salpazarını didik ddik ederek, taklit ürün satanları suçüstü yakalattı. Coşkun BEL

"Raid Carried Out on Brand Counterfeiters", Gözcü newspaper

aklit' bask

ISTANBUL- Adidas firmasinin Türkiye Temsilcisi Esem Spor Giyim Sirketi yetkililerinin girişimleriyle, Adidas markasının taklidinin önlenmesi çalışmaları kapsamında dün İstanbul'un en büyük semt pazarı olan Kadıköy Salıpazarı'na polis tarafından baskın düzenlendi. Şirket yetkililerinin de hazır bulunduğu baskında 4 tezgahtan Adidas markası taklidi olan ve çoğunluğu eşofmandan olışan 600 adet çeşitli giysi toplandı. Mallari toplanan pazarcılar, taklit ü-rünlerin herkes tarafından satıldığını,

bunun suç olduğunu bilmediklerini söylediler. Zararlarının çok olduğunu ifade eden pazarcılar, bundan sonra aldıkları

"Counterfeit Raid", newspaper

malları kontrol ettirdikten sonra satışa çıkaracaklarını kaydettiler. Baskın sıra-sında mallarını vermek istemeyen bazı pazarcılar ile firma yetkilileri arasında sözlü tartışma yaşandı.

Firma Avukatı Vehbi Kahveci, yakla-Firma Avukati Vehbi Kahveci, yakla-suk bir saat süren takli türin toplama iş-leminden sonra yaptığı açıklamada, tak-lit ürün satıtıkları belirdenen 4 pazarcı hakkında yasal işlemi yapılcağını bildir-di. Taklit ürünlerle mücadele konusundu a

iç piyasada yoğun bir çalışma yürütüldüğünü belirten Kahveci, son 3 ayda 1- 31 malatçılara yapılan baskınlarda 125 bin adet taklit ürün ele geçirildiğini ifade etti. 102.000.000 B

Baskin sonucu toplanan eşofman, tişört gibi ürünler adli emanete teslim edilirken, taklit ürün saticilari hakkında da işlem yapıldı.



as'tan tak litci Ø re bas e

Kadıköy Salıpazarı'na baskın ya-Adidas marka ürün ele geçirdi.

OUnlü spor markası Adidas, marka- Avukat Vehbi Kahveci'nin de katılsının taklit edilmesi üzerine, taklit diği baskında, ellerindeki mahkeme marka üreticilerine karşı büyük bir mi kararını gösteren Adidas yetkilileri mücadele başladı. İhbar üzerine taklit ürün satan 4 tezgahtan 600 parça mal topladı. Avukat Kahveci pan polis ekipleri yüzlerce taklit amaçlarının tüketicileri taklit ürünlerden korumak olduğunu söyledi.

Counterfeit Raid", Akşam newspaper

Adidas'ın taklit baskır



skin yapın" dedi. Foto: Emine Kurtar

Counterfeit Raid", Yeni Yüzyıl newspaper

Adidas ürünlerinin Türkiye temsilcisi Esem Spor yetkilileri, Salı Pazarı'nda düzenlenen polis baskınıyla taklit mallara el koydu.

E sem Spor Giyim Boyan düynacı nöu apor markası Adidas'ın takitlerini satan Salı Pa-zan esand, dün firma yet-killeri ve polisin baskınıyla zor anlar yaşadı. Esem Spor adına baş-kınları organize eden Alfa ve Zeytinburnu'nda bulu

kuleri ve polisi otsamiya zor aniar yaşadı. Esem Spor adayadı. Güvenlik Danşma Merke-zi yetkilleri, polislerle bir-likte Kadıköy Salı Paza-rina giderek, Adidas takil-di urünleri topladı. Sahte Adıdas satışı yapan esand-ların Kadıköy Merkez Ka-rakolu'na caşırlıdığı baskın sıraşında polis hiçbir diren-mey'te karışlaşımadı. Taklit ürünlerin Merter

nan imalamatra tildiğini söyleyen ken, Es AŞ'nin veci, üç nelere y nelere yapılan bas. 125 bin taklit Adid Kah ürün ithal e 'de ediliy B çası, kara para aklamı yöntemi olarak çıkıyor kar şamıza," (vy)

aza." (yy)



Italyan hazır giyim markası Diesel, taklitleriyle başa çıkamayınca, ajanlarla çalışmaya karar verdi. Bugüne kadar Türkiye'de 150 bin taklit mal ele geçiren firma, yaz aylarında işe 300 tane ajan alacak

ÜRETICI ZOR DURUMDA

T orking de önemit bir parate pay elde iden haus ogivin úretisi Diesler a blag artikka, taklifetinde de önemit bir sjükselne gotdendi. Burun Dære markann hagid da bulunan merkengi, bir sjöoce avukat Vehit Kähnes (ie anlapank täklike molde kann alls di ösigerine baska da koeningeresk elden Avukat Kähnes, "Taklit Gürine i alum nötgete les, skölgelenin jave Diesler gapport. Bu da firma av datumatib kangkar, "Ansa sakat furtiller säglik.

TAKLİTÇİLİK MAFYASI VAR

Beginn kadar 600 lagar mahlamsye cikambi taru et 110 kambi 24 hagar se 34 mithar far a ra cazat aldığın söyleyen Vehbi Kahveçi, angar kadışlış engel taraki yerkelet aldığı fürün alaşın nada deven etişini kaydatı. Yakilanın takitar adışlışe engel taraki yerkelet aldığı to sahte izretici yakilatıran, cazadan kulumı r. Yakilanan bi cietdicimi adışlı beşinder tirdik tonuştar, kahveci taraki yakası beşinder be

TÜRKİYE 3. SIRADA

Tickye'nn Diese takticiiginde optiododguma altin cen Avkakr Vehichenen pu bigien vedi: "Caetilate Grave Uzakon uo attite mocadeel orando jich, burakrafta sun attite mocadeel orando jich, burakrafta sun utgutaretta osta takti mocadeeloe egy Va alan. Uggutarada opk acmass olanabilyor: Bi neden Tickye'de yapata takti distika eta takti oliti yapat opki bolgen oldudu ot nikatile etati oliti yapat Timsah, 30 yıldır gözyaşı döküyor

ekindeki tegosu nedeniyle 30 yıldan beri dertten kurtumadi. Dünyanın dört bir yanında logosunu taklıt eden firyıl 3



kilileri, bu yüzden her 1 3.5 milyon euro kaybet-

Bu da 600 milyonluk kot

Son zamanarda uzerinke susyetus geine kiziarin rağbet ettiği 7 (Seven) marka jean pantolonlar, fiyatıyla şaşırtıyor. Kalipları vücuda oturdügü için tercih edilen 7'ın kadın modelleri 300 ile 600 milyon arasında satılırken, erkek jeanleri 345 milyon liradan başlıyor.

7 (Seven)'ın yurtdışındaki fiyati ise 160 dolar. Yurdışında mağazası bulunmayan firma, internet üzerinden sətsi yuranıyar. Övdü XA2(E)(OG111/ Hab

- 14

Urgently Seeking an Agent

5 FEBRUARY 2004 • HÜRRİYET NEWSPAPER RAHİM AK

The Italian ready-to-wear brand **basis**, overwhelmed by the number of counterfeits, has decided to work with undercover agents. Having already seized 150,000 counterfeit items in Turkey, the company plans to hire 300 agents during the summer.

Manufacturer Under Pressure

As demand for **a second**, a leading ready-to-wear brand with a significant market share in Turkey, has grown, the number of counterfeit products has also increased. In response, the brand's headquarters in Italy signed an agreement with lawyer Vehbi Kahveci a year ago to combat counterfeiting. Stating that they conducted raids on 80 locations and seized a total of 150,000 counterfeit products, Kahveci explained: "Customers who buy counterfeit items still file complaints with **a second**. This puts the company in a difficult position. Moreover, counterfeit products pose health risks."

Counterfeiting Mafia Exists

Vehbi Kahveci noted that they have brought 600 individuals to court so far, and 110 of them were sentenced to 2 years in prison and fined 34 billion lira. However, he emphasized that the sale of counterfeit products in markets and resort areas continues rapidly. He pointed out that current laws obstruct efforts against counterfeiting: "When a seller helps catch a fake goods producer, they are still not exempt from penalties. And those who get caught do not reveal the identity of the manufacturers." Kahveci highlighted that a kind of mafia operates within the counterfeit market, making it very difficult to trace back to the actual producers.

Turkey Ranks Third

Att. Vehbi Kahveci stated that Turkey ranks third in **counterfeiting** worldwide and provided the following insights: "Since there is virtually no fight against counterfeiting in China and the Far East, those figures don't reflect the true scale. Turkish laws are more suitable for combating counterfeits. We've made significant progress in this fight. Enforcement can be very strict here. Because of this, the level of counterfeiting within Turkey is relatively low. However, as Turkey is a transit hub, there are claims that counterfeit textile products are being produced here."

Source: https://arsiv.sabah.com.tr/2004/02/05/gny101.html

"Lawsuit Against Municipalities Over Counterfeit Goods" Municipalities have not participated in the fight against counterfeiting for various reasons. Although the Municipal Law and related regulations assign them such responsibilities, they have failed to take action. Their primary excuse has been, "We cannot distinguish counterfeit products." As a result, official notices were sent to municipalities via notary public, reminding them of their legal duties. Despite this, municipalities still do not take part in this initiative in an institutional capacity.



4 Şubat 2005

As a result of increased public awareness through ongoing efforts, the Minister of Justice announced that those caught selling counterfeit goods would be reported to the tax authorities for investigation. This practice had been implemented in the past but was later abandoned.

SAYFA 9 mal davas

al satışı yaygın hale m almıyor" diyen nibi belediyelere de zırlanıyor

yor. Bunlardan Diesel en çok tak-tılan markalar arasında. ıgüne kadar sahte ürün satan yer-

ugüne kadar sahte ürün satan yer-e bu ürünleri dağıtan kişilere da-lıyor ve para cezası ile birlikte ha-zası ugulanıyordu. Şimdi ise uy-ada olan değişiklik sayesinde ürünlerin satıldığı dükkânların erine de dava açlıyor. 1 ilk bakışta normal gibi gözükse k ilginç sonuçlar doğuracak. Çün-ney illerimizde daha çok tursitlere tımak için kurulmuş yüzlerce dük-

kân var. Bu dükkânların mal sahibi ise büyük çoğunlukla belediyeler. Bu da sahte mal satıyor suçlamasıyla artık be-lediyelerin de karşılaşacağını gösteriyor. Diesel'in avukatı Vehbi Kahveci davala-rın belediye başkanlarına açılacağını herdeterek ilerek ideke anlatuyır. kavdederek süreci söyle anlatıyor:

AYDA 10 BİN TAKLİT ÜRÜN

"Her ay ortalama 60 işlem yaparak en az 10 bin taklit ürüne el koyuyoruz. Şimdi ki hedef başta sosyete pazarı olarak bilinen semt pazarları ve güney illerindeki belediyelere ait dükkânlar. Pazarda taklit ürünleri yakalıyor ve iş-

Pazarda taku turuleri yakanyol ye se-lem yapiyoruz. Belediyeler işgaliye adı altında bu kişilerden kira tahsis ediyor. Ama ya-pılan iş kanun dışı. Biz de Belediye Kanunu'na dayanarak başkanlar hak-kında görev i İnmal ye kötüye kullan-maktan dava açacağız."

YTL TASARRUF 9

Ceza alan korsanlar Maliye'ye bildirilecek

Adalet Bakanı Cemil Çiçek, korsan yayınlarla ilgili ceza davalarına bakan mahkemeler tarafından verilen kararların devletin uğradığı vergi kayıplarının önlenmesi için defterdarlıklara iletilmesini istedi. Çiçek tarafından', Cumhuriyet başsavcılıklarına gönderilen "Fikri ve Sınai Hak Korsanlığı ve Taklitçiliğinde Devletin Vergi Kaybı" konulu genelgede, Türkiye'de yürürlükte bulunan fikri ve sınai hak mevzuatının, fikri haklarda korsanlığı, sınai haklarda taklitçiliği yasakladığı anımsatıldı.

Yasa yeterli değil

Etkin bir fikri ve sınai mülkiyet hakları sisteminin oluşturulması için yalnızca yasal düzenlemelerin yapılmasının yeterli olmadığı vurgulanan genelgede, bunların ilgililerce etkin bir biçimde uygulanması da gerektiği kaydedildi. Genelgede, şu ifadeler yer aldı: "Günümüzde suç ekonomisinde önemli bir yer tuttuğu görülen fikri ve sınai hak korsanlığı ve taklitçiliğinin pekçok pazarda sözkonusu olabildiği; hukuka aykırı olarak işleyen böylesine muazzam bir pazarda ise devletin çok büyük vergi (KDV, gelir vergisi gibi) kayıplarının ortaya çıktığı aşikardır. Bu nedenle fikri ve sınai hak korsanlığı ve taklitçiliğine karşı etkin bir korumanın sözü edilen ihlaller nedeniyle, devletin uğradığı vergi kaybı da dahil tüm mali kayıplarını azaltacağı şüphesiz olup; bunu teminen fikri ve sınai hak korsanlığının ve taklitçiliğin tespiti halinde, Maliye Bakanlığı'na bağlı defterdarlıkların Gelir Müdürlük leri ile işbirliğine gidilmesi zorunluluğu doğmuş bulunmaktadir ANKARA Milliyet



1 MART 2005 SALI FİYATI 55 YKr - 550 BİN TL

AB'ye uyum genelgesi taklit davasını patlattı

AB'ye uyum için yürürlüğe giren genelge sonrasında sade-ce İstanbul'da açılan taklit davalarının sayısı iki bini geçti. Cezaların iki yıl içinde taklit sorununu bitirmesi bekleniyor. AYTER GOVENKAYA-ABDURRAHMAN ŞIMŞEK Üyesi ve avukatı Vehbi Kahveci, 1 Ni

kanlığı'nın Avrupa Birliği'ne si iki

Son bir aydaki suç duyuruları

er İlaçları Ltd. Şti.: Os

MEY İcki: Özelleşti

Legal regulations in Turkey have developed in parallel with negotiations conducted with the European Union. In this context, the fight against counterfeiting has accelerated thanks to training programs, the establishment of specialized courts, and the creation of dedicated units within relevant institutions, resulting in thousands of legal actions. For this reason, the newspaper Referans ran the headline: "EU Harmonization Circular Triggers Surge in Counterfeit Cases."



84 FORTY YEARS IN PURSUIT OF TRADEMARK LAW

Markalar takipte alındı. Heryil olduğu gibi

Ünlü markaların taklitlerinin satıldığı mağazalar gözaltına alındı. Firmalar, ürünlerini taklitlerinden korumak için savaş veriyor.

Alanya'da heryil szon başında yapılan marka denctimi bu sezonda basladı. Ünlü firmaların. isimlerinin kullanılarak taklit ürünlerin sətilması ve bu yolla haksız kazanç elde edilmesini önlemek amacıvla yaptıkları denetim, bu vilda olavlı eldu. Önceki gün Alanya'ya gelen

Adidas'ın avukatları, özellikle de pazaryeri bölgesinde bulunan mağazaları denetleyerek sahte olduğu anlaşılan Adidas markalı ürünlerin toplatilmasim istediler. Bu denetini sirasında yapılan çalışmaya karşı cikan ve avukatlara zor kullanan magaza

Bu arada yapılan uygulamayı haklı bulmakla birlikte eleştiri getiren CHP Alanya sahipleri gözetim altına

uvardı.

bu yılda yaşanan sahte

marka sorunu ve savaşı,

olaylı bir şekilde surdi. Unlü pekçok marka ıçın

sozkonusu olan taklit

urun satişi konusunda

elde etmenin ticari

ahlaka sığmadığını

belirterek esnafları

açıklama yapan ALTSO,

başkasının ismini kullanarak haksız kazanç

orgütü, "Ünlü markaların ismini kullanarak haksiz kazanç elde edilmesi yasal olmadığı gibi ahlaki prensiplere uymuyor. Ancak, burada kuçük esnafi mağdur etmekle sorun çözülmez. Bu urünleri yapan firmalar belli. Ünlu markalar, savaşlarını bu ürünlerin yapıldığı ve parakende sətildiği toptan mağazalar ve üretim fabrikalarıyla savaşsa sorunu daha kolay

çözer" şeklinde konuştu

Lewi's'den sonra Adio Geçliğirniz günlerde Cuma Pazarn-

da, sahle live's markasından sonra dünde sahte adidas pankli yasandı.

· Geçtiğimiz günlerde Alanya'da yaşanan sahte Lewi's markasından son dinde same Actidas pamigi yaşandı Adidas firması avukatının savçılık entrivic suite markalen toplamak isternesi üzerine esnaf ayaklanarak bunun sorumjusunun kendilerinin olmadaun söylediler

· Olayda avukata saldıran üç kişi gözaltma altnirken, esnaftar ANA P liçe Teşkoleti'na gelerek Haşan Sipahtofiu'ndan olaya coztan getirmesiai istediler.

un offeden soma satukları mallau marka turitymasi yozinden el konulan butik ve pacareilar ANAP ilçe binasının önüne gelerek partiden dununa gozilme kavuşturması şçin başkı

AP'ı stila

yaptilar Adulas timnesun nemurlanyla birlikie ilveye gelerek arasta tensil eden avukatu polis no vapansi ve salite markali mallara el na vaprarst ve sane markan trastan a er kovinasindan soma köplere haren ve mad dar dartura döger ematlar solaðu ANAD ikje kinasinni hötenk sldi. Parti brussinni nee vuasium operace ator. Faito operación al altanta serdekilerin asofaya 'emica tecn orazo yapan esnaflar, Parti yetkilerin olav entre altanente entre destructore parti verine gelmeanyle sakinleştirilerek, parti briasma aludi. Parti brossinda yapıları toplantulan sonra sorunun çözümü gerek li işlemlerin yapılıcağı öğrenildi 1012

ANATAN

1.1.1

PART III

Awareness Campaigns on Trademark Counterfeiting in Turkey

The most significant effort that has led to the institutionalization, formation of associations, and increased attention to the fight against counterfeiting in Turkey–supported by the European Union–has been the public awareness campaign.

The initiatives, some of which are published here, can be described as efforts to inform the public, conduct lobbying activities, and build cooperation with practitioners. The press has been the greatest ally in these efforts.

Due to the Spanish brand Zara, a factory in Sivas had to change its name twice

15 JANUARY 2008 • HÜRRİYET NEWSPAPER

as her company name for 15 years, found herself in court with Spanish fashion giant Zara when she tried to register the name as a trademark.

Sivas Chamber of Commerce President Osman Yıldırım also had to change the name of his lens factory twice because of Zara. Meanwhile, Turkish singer Zara has registered the name "Zara" in the food category.

Zarakol vs. Zara

Necla Zarakol, who has been active in the media and public relations sector for 25 years and has used her surname "Zarakol" as her business name for the last 15 years, got into a legal dispute with Zara when she applied to register "Zarakol" as a trademark. Zara, known for pioneering the "fast fashion" trend called "Zaranism" in the ready-to-wear industry, accused Zarakol-and other companies-of unfair competition by trying to benefit from its brand recognition in Turkey.

Zar&Accom Is the Latest Name

Sivas Chamber of Commerce and Industry President Osman Yıldırım faced a similar situation. He wanted to name Turkey's first lens factory "Zara Lens," as both he and his partner are originally from the town of Zara.

However, Spanish Zara objected, so they changed the name to "ZarAccom," but the company was sued again and lost the case. Now they operate under the name "Zar&Accom." "We'll see what happens," Yıldırım said. He noted he had dreams of turning the Zara Lens name into a global brand, but those efforts were blocked.

"Zara" Cannot Be Used Even Locally

Yıldırım expressed frustration: "Zara is the name of a place. The same name should be allowed in different sectors. I couldn't realize my dream because my path was blocked." He also mentioned that singer Neşe Yılmaz, who adopted the stage name "Zara," had trademarked "Zara" in the food category, preventing Yıldırım from using the name "Zara Water" for a planned water facility in the town.

Yıldırım called for reform in trademark law: "If someone registers a name but doesn't use it for business within a certain period, they should lose the rights. She trademarked a name that isn't even her real name and has no commercial activity under it. Meanwhile, I can't use the name of my own hometown for business."

Zara Wants "Zara" Removed from Zarakol

When Necla Zarakol applied to register "Zarakol" as a trademark with the Turkish Patent Institute (TPI), Zara sued, demanding the removal of the "Zara" portion from the company's letterhead, business cards, and documents. Zarakol, whose husband is from the town of Zara and carries the surname accordingly, responded with a countersuit.

Will "Zara Büfe" Also Be Closed?

Cemil Sever, Administrative Affairs Director at the Zara District Governor's Office, noted that many people who moved from Zara to Istanbul have opened businesses with names like "Zara Büfe" or "Zara Market." "How many of them will be shut down?" he asked. Regarding Necla Zarakol's case, he added, "If she is truly one of our own, we will try to help her."

Place Names Can Only Be Geographical Indications, Not Trademarks

Att. Vehbi Kahveci, a leading figure in Turkey in trademark and counterfeiting cases, explained the legal situation: "The name of a town like Zara cannot be registered as a trademark–it can only be registered as a geographical indication or collective mark. City or district names are not eligible for trademark registration."

Kahveci added that Zara is a globally known brand, and if it holds 'well-known brand' status in Turkey (similar to Coca-Cola), it can prevent others from using a similar name even in unrelated sectors. "No one can manufacture a car brand named Coca-Cola, for example."

Intent Matters

Kahveci clarified that simply using "Zarakol" as a company name isn't a problem, but attempting to register it as a trademark led to legal issues. "What matters is whether the name confuses consumers," he said. "In my opinion, it doesn't. What also matters is the intent-good or bad. In the U.S., people are naming their children 'Yahoo.' You can use 'Yahoo' as a personal or business name, but you can't register it as a trademark unless there's good faith." "If someone registers a name but doesn't use it commercially for five years, they lose the rights. After five years, someone else can register 'Zara Water,'" he concluded.

Source: https://bigpara.hurriyet.com.tr/haberler/genel-haberler/ispanyol-zara-yuzunden-sivas-taki-fabrikanin-adi-iki-kere-degisti_ID627143/

In Turkey, a deliberately made omission in the legislative process led to the dismissal of all criminal cases prior to 2008. The Constitutional Court had annulled certain provisions and granted time for their revision; however, the necessary legal

amendments were delayed by three days. As a result, the legal basis for prosecution was eliminated, and all related criminal cases were dropped. As illustrated in this news report, the public had been informed in advance, yet the dismissal of the cases could not be prevented.

'Trademark Protection' Was Forgotten, 9,000 Counterfeit Cases to Be Dropped

21 DECEMBER 2008 • HÜRRİYET NEWSPAPER

Since no new regulation has been prepared for six months to replace Decree-Law No. 556 on the Protection of Trademarks, whose certain penal provisions were annulled by the Constitutional Court, counterfeiters will gain the upper hand as of January 5, 2009. If new legislation is not enacted, 9,000 counterfeit cases will be dropped. Even if counterfeit products are sold in front of a brand store, nothing can be done.

One of Turkey's biggest problems-protecting intellectual property rights and fighting counterfeiting-is entering a period of chaos due to the lack of necessary legal regulations. Because no new regulation has been prepared in the six months following the Constitutional Court's annulment of certain penal provisions of Decree-Law No. 556 on the Protection of Trademarks, counterfeiters will gain the upper hand as of January 5, 2009. The Constitutional Court's decision was published on July 5, 2008, and the government was given six months to pass a new law. If new legislation is not enacted, 9,000 ongoing counterfeit cases will be dismissed. Even if counterfeit goods are sold right in front of a brand store, nothing can be done.

Convictions Will Be Overturned

Vehbi Kahveci, the lawyer of the Registered Trademarks Association (TMd), said: "If no new law is enacted, all criminal cases involving trademarks will be dismissed. Previous convictions will be nullified. After January 5, it will no longer be possible to carry out searches for counterfeit goods. Since offenses committed after that date will go unpunished, all the efforts made so far will be wasted. Turkey will become a counterfeit paradise."

Only a Miracle Can Save It

Kahveci recalled that many efforts had been made to introduce new legislation, but the draft law was repeatedly withdrawn, and currently there is no draft under discussion in Parliament. Due to the New Year's holiday, the Grand National Assembly of Turkey (TBMM) will be in recess from December 30 to January 1. Since the weekend follows January 2, it appears unlikely that Parliament will meet before January 5.

Kahveci added that, after Parliament, the President would also need to approve the law: "Considering all of this, it seems impossible for the law to be passed on time. It could only happen by a miracle. Because Turkey has failed to pass this regulation in time, it will be as if we've gone back years." Fearing a chaotic situation, Kahveci emphasized that not only foreign brands but also domestic brands that invest in R&D and innovation will be negatively affected. Those who have invested millions of dollars in branding and retail will no longer be able to defend their rights against counterfeiters.

A Decree-Law Is Not Enough-A Full Law Is Needed

Lawyer İbrahim Ekdial from Istanbul Patent Trademark and Consulting made the following assessment: "The legislature-i.e., the Parliament-has still not introduced a provision to fill this legal gap. Without penalties, the crime will go unpunished, which will create major issues in trademark law. A new regulation must be enacted immediately. All legislation concerning intellectual and industrial property rights was revised in 1995 as part of EU harmonization. Unfortunately, these updates were implemented as Decree-Laws (KHKs) pushed through quickly by the Cabinet, which has led to serious flaws and mistakes. Given that all trademark, patent, design, and related regulations since 1995 have been enacted through Decree-Laws rather than full parliamentary laws, the legislature should now pass a proper law, taking input from all stakeholders."

Millions of Counterfeit Products Had Been Seized

In 2007, 465,000 counterfeit products (e.g., shoes, pants) were seized in Turkey. 372 individuals were arrested.

In 2008, the number of seized fake products rose to 678,000.

282 individuals were arrested.

In 2007, 670,000 intellectual property-related items such as books and CDs were seized.

In 2008, this number exceeded 1 million items.

The number of offenses rose to 880, and 1,111 individuals were arrested.

The EU Will Also Raise Concerns

Selçuk Güzenge, Chairman of the TMd, stated that millions of counterfeit products have been confiscated in Turkey so far: "After the Far East, Turkey is the most frequently mentioned country in relation to counterfeiting. We already have a serious problem and a damaged image in this area. We are trying to harmonize our laws with the European Union. But can the EU accept a country that fails to protect trademarks and intellectual property rights? A Customs Union meeting is scheduled for February, and this issue will surely be raised there."

Source: https://www.hurriyet.com.tr/ekonomi/marka-koruma-yi-unuttular-9-bin-taklit-davasi-dusecek-10673807

Our warnings were acknowledged, but since the issue of timing was not resolved, the dismissal of the cases could not be prevented.

9,000 Counterfeit Cases at Risk, Government Takes Action for New Legislation

6 JANUARY 2009 • HÜRRİYET NEWSPAPER

As of today, the legal vacuum that leaves both local and international brands in Turkey unprotected against counterfeiting has been revealed to stem from a 13-year chain of neglect. Responding to warnings from the Registered Trademarks Association (TMd) that "9,000 counterfeit cases may be dismissed," Minister of Industry and Trade Zafer Çağlayan notified the Industry Commission that they have sent a draft bill to Parliament.

A 13-year chain of negligence that left brands unprotected against counterfeiting has been revealed. With 9,000 counterfeit lawsuits facing the risk of being dropped, the government hastily sent a new regulation to the Parliament yesterday. The Constitutional Court annulled some provisions of the Decree Law on the Protection of Trademarks on July 5, 2008. The Supreme Court gave Parliament 6 months to draft a new regulation. However, the government failed to use this time in favor of companies with trademarks.

Awaiting finalization since 1955

The Constitutional Court had annulled some provisions of the Decree Law on counterfeiting and penalties on the grounds that "the legality of crimes and penalties, fundamental rights, personal rights and duties cannot be regulated by Decree Law". In the ordinary legislative process, the government turns the decree laws into laws by sending them to parliament after a certain period of time. On June 27, 1995, during Tansu Çiller's prime ministership, the Decree Law on trademarks was sent to the Parliament on June 29, 1995, two days after its publication. This bill was renewed during each government term. If the Parliament had adopted and enacted even the provisions of the existing Decree Law, there would have been no legal gap in the protection of trademarks.

New draft was prepared

The Decree Law, which was kept in the parliamentary commissions for four legislative periods, was only remembered after the Constitutional Court's annulment decision. In the meantime, the Ministry of Industry and Trade prepared a new draft, and no discussion was held on the Decree Law. The Registered Trademarks Association and patent law offices have raised the possibility that 9,000 counterfeit cases will be dropped with the repeal of the relevant articles. Zafer Çağlayan, Minister of Industry and Trade, met with Soner Aksoy, Chairman of the Industry Commission of the Grand National Assembly of Turkey, and informed him that they had sent the draft to the Parliament. Aksoy said that he had called the Commission for a meeting tomorrow and that the bill would be enacted quickly.

Definition of sign narrowed down

With the bill prepared by the Ministry, the provisions of the decree canceled by the court are similar to the provisions of the law. The canceled definition of counterfeit was regulated as "the use of any sign that is likely to be confused, including the possibility of a connection with a registered trademark on the public". In the draft law, a more limited framework is drawn as "the use of any sign that is identical to the registered trademark". 6 months to 3 years imprisonment. A provision of the Decree Law, which was annulled, was taken as it was, and the definition of the crime was made as "placing the goods bearing the trademark mark on the market or stocking them for this purpose, offering that they can be delivered, or offering or providing services under that mark". The person who produces, sells, offers for sale, stores, subjects to a customs-approved process or use, transports from one place to another or holds for commercial purposes by infringing the trademark right will be sentenced to imprisonment from 6 months to 3 years and a judicial fine from 10 thousand days to 25 thousand days. The penalty will be reduced by half if the counterfeiter explains where he bought the goods and ensures that the producers are revealed.

Foreign brands to seek their rights abroad

Since the amendments requested by the Constitutional Court were not made in the Decree Law No. 556 on the Protection of Trademarks, Turkey has entered a chaotic period in the protection of intellectual property rights and the fight against counterfeiting as of today. Foreign trademarks operating in Turkey are seeking compensation for their damages in the legal process they will initiate in the European Union. Vehbi Kahveci, the lawyer of the Registered Trademarks Association (TMd), said that since the 6-month period given by the Constitutional Court expired yesterday, a new regulation that will come to the agenda of the Parliament as of today will not work. Kahveci also stated that they are in the process of a legal study to seek compensation for the damages suffered by foreign brands in the European Union. Emphasizing that the law that was not passed on time meant "amnesty" in a sense, Kahveci said: "A chaotic environment was entered. Now a solution is being sought. In the incidents that occurred in the last 6 months, follow-up can be done with the articles preventing unfair competition in the Commercial Code. It will be discussed whether the same provisions will be applied in older incidents. TMd Chairman Selçuk Güzenge reproached the Parliament by saying "God rest his soul".

Source: https://www.hurriyet.com.tr/ekonomi/9-bin-taklit-davasi-riske-girdi-hukumet-yasa-icin-harekete-gecti-10705939

'Revenue from Counterfeit Products Is Increasing'

25 MAY 2009 • MİLLİYET NEWSPAPER

Vehbi Kahveci, Chairman of the Registered Trademarks Association (TMd), stated that the turnover of counterfeit products in Turkey reaches billions of dollars, and it is known that during the summer months alone, there are \$300 million worth of counterfeit textiles and accessories along the coastal areas.

Vehbi Kahveci stated that certain penal provisions of Decree-Law No. 556 on the Protection of Trademarks, enacted in 1995, were annulled by the Constitutional Court on January 1, 2009. As a result, approximately 9,000 cases filed up to February 2009 were dismissed, and the seized counterfeit products were returned to their owners.

Kahveci noted that the Trademark Law was enacted on January 21, 2009. He argued that the prevalence of counterfeit products in the market significantly increased due to the legal gap before the law was passed and the lack of sufficient sensitivity from companies after it was enacted.

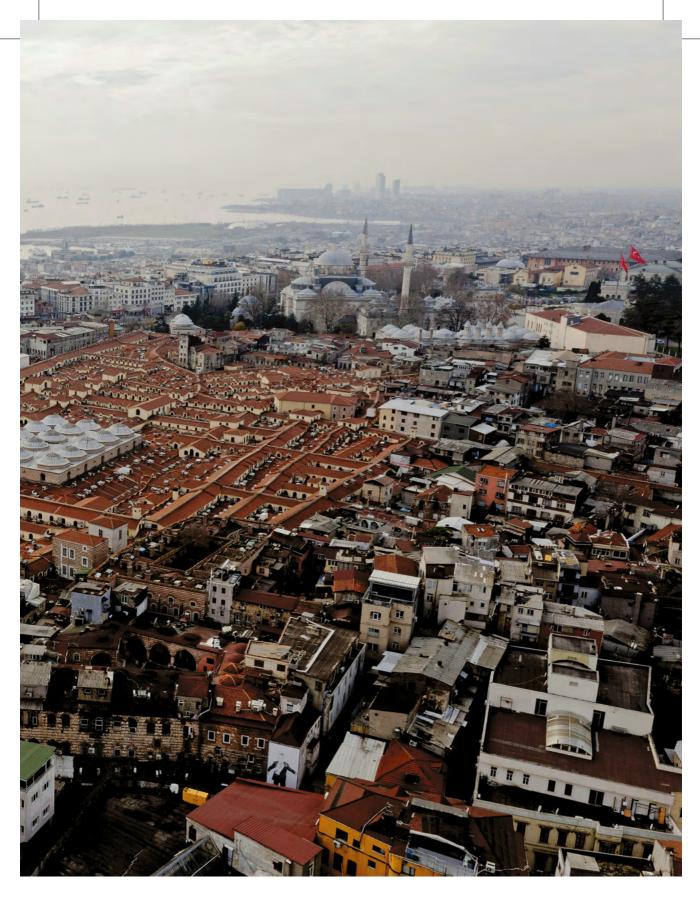
He emphasized that under the law, the penalty is the same whether someone is caught with one counterfeit item or one thousand:

"Accordingly, prison sentences range from 1 to 3 years, along with fines between 5,000 and 20,000 TL," he said.



Source: https://www.milliyet.com.tr/ekonomi/taklit-urunde-ciro-artiyor-1098556

Counterfeit purses. As part of procedures conducted by the Vektör Trademark Office aimed at preventing trademark infringement. Kapalıçarşı [Grand Bazaar, center] The bustling shopping district of Istanbul is also home to many shops selling counterfeit products. © Yusuf Çap



5-star hotels are selling counterfeits, if it continues, we will take legal action

15 FEBRUARY 2010 • SABAH NEWSPAPER

Vehbi Kahveci, Chairman of the Registered Trademarks Association, said, "Most of the products sold in 5-star hotels are counterfeit. The value of counterfeit products sold along the southern coastal strip has reached 300 million dollars."

Kahveci, who has worked with law enforcement in operations to seize counterfeit goods in the fight against trademark infringement, stated that the sale of counterfeit products in 5-star hotels and holiday resorts has increased significantly. He noted that counterfeit products are sold during events held under the name "Bazaar Nights" in luxury hotels and resorts, adding: "Tour operators are also complicit in this. They organize tours that take tourists to stores selling counterfeit products, and these tours are often arranged through prior agreements." Kahveci emphasized that not only those who sell these counterfeit goods, but also the managers and owners of the hotels and resorts providing space for them are responsible: "We have warned these institutions multiple times, but from now on we will pursue legal action against them. If necessary, we will sue." He added that the counterfeit trade in the southern coastal region alone amounts to 300 million dollars: "This revenue is concentrated in just a few centers. It's not like dozens of people are involved-just a select few."

The Municipality Problem

Outside of holiday destinations, Kahveci pointed out that the places where counterfeit products are most commonly sold are "elite high-end bazaars": "No brand officially sells products in a market. Originals are never sold in markets, only in retail stores. Unfortunately, consumers are not even aware of this. Every branded item sold at these markets is counterfeit. Municipalities are neglecting their responsibilities and abusing their authority here. These types of markets should not be allowed to operate."

"We've Stayed Silent About Charity Bazaars Because They're for a Good Cause"

Kahveci also noted that they have so far remained silent about charity bazaars out of respect for their good intentions. However, he stated that even the products sold at these events-where profits go to charitable organizations-are counterfeit: "They offer products that are nearly identical to the originals, so people don't notice. Since the proceeds go to charity, even when people realize, they often don't question it."

Source: https://www.sabah.com.tr/ekonomi/2010/02/15/5_yildizli_oteller_taklit_satiyor_devam_ ederse_dava_ederiz

We Have Become Europe's Trademark Dump

16 DECEMBER 2013 • AKŞAM NEWSPAPER ŞENAY BÜYÜKKÖŞDERE

In the counterfeit economy, which is approaching 3 billion dollars only in textiles, the biggest platform is now the internet... Lawyer Vehbi Kahveci warns consumers against the 'knockoff sellers' in e-commerce and those who sell 10-year-old products as 'new.'

According to the information provided by lawyer Vehbi Kahveci, although Turkey has made serious progress in the fight against counterfeiting, it has not yet been able to prevent e-commerce sites that sell counterfeit goods. Especially on sites that sell with a store concept, it is very difficult to maintain control. Even if it is determined that counterfeits are being sold, that store is closed and another one is opened under a different name. Ultimately, the one who suffers is again the consumer.

Sold as if it's "news season"

Another problem with internet sites is that unsold branded products from years ago are collected from Europe and sold in Turkey as if they are "new season." Kahveci says that thanks to these "clever entrepreneurs," Turkish internet sites have turned into Europe's brand dump. We talked to lawyer Vehbi Kahveci, former lawyer of the Registered Trademarks Association and an expert in counterfeiting, about the current state of the fight against counterfeiting.

— Turkey's acquaintance with the trademark concept is very recent. What kind of evolution did the trademark go through in Turkey?

In the last 15 years, a serious branding movement has started. Lessons were learned by looking at which paths foreign trademark followed. Society learned the importance of trademark value. Turkey learned to package a product and sell it at a higher price. Since it was able to achieve good quality, there was no problem, but entering the list of globally recognized trademark became a problem. This led to the formation of the counterfeit market.

Foreigners used to avoid manufacturing

- What were the effects of the formation of the counterfeit market?

The most important stage of counterfeiting is that foreigners who wanted to produce in Turkey started to hesitate. They were afraid that their products would enter the counterfeit market. Because Turkey is a complete transit point between Europe and the Middle East. Once the fight against counterfeiting reached a serious level, brands returned to manufacturing in Turkey.

- What is the situation now?

Amateur counterfeiters have withdrawn from the market. Those remaining are very professional. The General Directorate of Police has established a unit solely dealing with this issue. The justice system has established specialized courts for this matter. Of course, it was seen that some channels made a lot of money from this. It is estimated that the size of the counterfeit market in textiles is around 3 billion dollars. In addition, very serious amounts are also circulating in perfumes, automotive, and accessories.

You can't find it even at a US outlet!

- How can we tell if an internet product is counterfeit or original?

Both counterfeits and originals are sold on sites. If a 100-unit product is sold for 20 units, it is most likely an outdated, defective product collected from around the world or a counterfeit product. A product that is not even sold in a U.S. outlet is sold online here as if it is from the new season. Therefore, Turkey is also becoming Europe's dump. Of course, the rights of the brand representative here are also being violated. Someone else comes and takes a share of the market that took years to build, without spending any effort or money.

I ordered pants, a par of socks came out of the box

- I ordered pants online, socks came - can't I do anything?

This is fraud. It is necessary to check whether the same company has done this to more than one person. Otherwise, it is very difficult to prove. Regulations are needed for courier companies.

- Are there many lawsuits in this sense?

Yes, but there are difficulties in proving. There are properly operating internet sites. But there are also many sites that victimize consumers. In fact, properly operating internet companies should be the ones to fight these bad actors.

Chinese counterfeit rots, ours are identical to the original!

— China is far ahead in this... Is Turkey the second counterfeit market after China? No, it's not like that. Because Turkey carries out serious seizures. But counterfeit products in Turkey are very high quality. It can't even be compared to China. The ones brought from China and sold in Turkey are products that start to smell, spoil, or rot after a while. However, the products made in Turkey are almost identical to the original. Because labor here is very high quality, and raw materials are easy to access.

- Are there many counterfeiting lawsuits?

There is a serious increase. I wouldn't be wrong to say that there are around tens of thousands of ongoing lawsuits.

The most popular counterfeit product in Turkey is bags

- What is the most in-demand product in counterfeiting?

Whichever brand is a symbol of social status, that's the one most counterfeited. In the market, a bag can be sold for 1500 TL. The same bag is 2500 TL in the store. This is also a different psychology. Because people are hesitant to enter the store. The most counterfeited product in Turkey is T-shirts. Because production and release to the market are very easy. But the biggest economy is in bags. We recently learned that the watch market is also that big. As for brands, I can say that whichever brand symbolizes status, it is the most counterfeited.

Hard to prove, you have to open the package in the presence of a notary

- What is the most effective platform for counterfeiting?

The biggest problem right now is counterfeit sales over the internet. There are lawsuits filed worldwide against large sites. Courier companies are required to deliver the product without opening it. Once opened, the product loses its evidentiary value. Therefore, when you say "this is counterfeit" or "this is not what I ordered," nothing can be done. Because in order to prove that the product was delivered by the courier company, the package must be opened in the presence of a notary.

Source: https://www.hukukihaber.net/roportaj/avrupanin-marka-coplugu-olduk



Counterfeit purses and belts in a corner shop. Photographed as part of procedures conducted by the Vektör Trademark Office aimed at preventing trademark infringement. The fact that counterfeit products are harmful to health has been emphasized many times, but it has not been taken into consideration by practitioners.

'Azo' is not only in shoes but in all clothing...

7 DECEMBER 2014 • AKŞAM NEWSPAPER

Last week, reports emerged that imported shoes manufactured in China were spreading poison. When the Ministry of Customs and Trade also confirmed that poisonous shoes were being smuggled into the domestic market, we decided to investigate the issue more closely.

GÜNÜN İCİNDEN

Vehbi Kahveci, a board member of the Registered Trademarks Association and a lawyer, stated that dangerous goods do not only come from China or the Far East and emphasized that the real issue to pay attention to is the illegal products being imported. Dermatology and Venereal Diseases Specialist Prof. Sibel Alper also explained what to pay attention to when shopping.

Not every product can be inspected

SABAH SAYFA 6

It is not the case that every Chinese or Far Eastern product is unhealthy. Because most large factories produce there and even distribute to the whole world from there. Of course, unhealthy goods are also produced



Çocuk tişörtlerinde alarm veren madde

AB ye sokulmayan tişörtlerdeki fatalat maddesinin, çocukların **cinsel kimliklerinde bozulmaya** yol açtığı testlerle ortaya çıktı.

Ayrıca **kanser, kısırlık** ve **cilt** hastalığına da yol açan bu maddeyi taşıyan tişörtler, bizim pazarlarda denetimsiz olarak hâlâ satılıyor



there. For example, when news broke that the paints used by a toy company were unhealthy, the factory owner denied it. Because the biggest problem in the Far East is the issue of control. What I'm saying is especially valid for illegal products. Since the low production cost is prioritized in illegal products, consumer rights and safety checks are not taken into account. We can say that these products are seriously harmful to health. Currently, the most emphasized issue in Turkey is importation. They talk about the raw materials used in adhesives and azo dyes, which Turkey imports. The biggest problem is that in-depth inspections cannot be conducted at the customs stage. Truckloads of goods arrive, and it is not possible to check each product one by one. Now, the Ministry of Trade has launched a new practice and is conducting inspections at sales points. However, collecting the products and examining them in a laboratory setting takes a certain amount of time. By the time the inspections are carried out, these products have already been marketed. In the previous period, this study was conducted for many bag and pen brands. And as a result of this study, many of them were recalled from the market.

Combating counterfeit products

There is no inspection at all when it comes to counterfeit goods. Because counterfeit products enter Turkey in two ways. First, they are declared as a different product at customs, and second, there are those that enter illegally. It is not even possible to inspect those that enter illegally. Products entering legally are also declared as different goods, so they are not subject to inspection by chemical laboratories. Now, under both the Municipal Revenues Law and the law on the duties and powers of municipal police, municipalities are obliged to inspect products sold on the market and destroy them. Just as it is illegal to sell products on the street and subject to fines by law, the sale of products harmful to health is also prohibited. However, municipal police do not carry out this inspection on the grounds that they cannot distinguish which products are suitable or not. Therefore, a new phase must now be entered in the fight against counterfeiting.

Source: https://www.milliyet.com.tr/ekonomi/taklit-urunde-ciro-artiyor-1098556

Due to the inequality in income distribution in Turkey, the destruction of seized counterfeit products has caused significant public backlash, which is why such social responsibility projects have been carried out to ensure public support in the fight against counterfeiting.

Kızılay (The Turkish Red Crescent) will distribute branded products!

24 NOVEMBER 2016 • HABERTÜRK NEWSPAPER

Vehbi Kahveci, former Chairman of the Registered Trademarks Association and a lawyer who leads the fight against counterfeiting on behalf of retailers, has received approval from the brands. From now on, counterfeit products will not be destroyed by burning but will be given to those in need.



At the 16th Retail Days event held on November 23-24 this year, the main topics on stage were profit pressure, concerns about increasing efficiency, and the exchange rate of the dollar, but some of the major problems in the sector were also discussed during coffee breaks. Vehbi Kahveci, the

founder of Kahveci Law Office and the sector's go-to figure for its legal troubles, is the person who has been leading the fight against counterfeit products on behalf of brands for years. He sought support through every channel and once even called on housewives to report counterfeit products they saw in marketplaces.

Kahveci, who also once served as the Chairman of the Registered Trademarks Association representing foreign brands like

, told us in a conversation years ago that

counterfeit products were being destroyed by burning, while there could actually be ways to reintegrate these products into the economy, and we discussed what could be done.

Yesterday, at the Lütfi Kırdar Convention Center where the Retail Days were held, we ran into Vehbi Kahveci, who said, "My five-year-long efforts are finally starting to bear fruit." He stated that counterfeit products would no longer be burned but instead would be distributed to those in need. Kahveci specifically emphasized that this would not include bags and shoes, but would only be applied to textile products. "Because it's not possible to hide the brand on bags and shoes. This harms the brand owner," he said.

So how will the process work? The brand names and labels on seized jackets, shirts, and t-shirts will be removed, and instead, labels from the Vektor Brand Office, which was established for this purpose, will be sewn on. The product may look

identical to a t-shirt worth a thousand lira in the shop window, but the brand on it will be "Vektor." All seized counterfeit textile products will now be delivered to the Red Crescent under this brand. The Red Crescent will handle the distribution. It took time to convince the brands, but one thing proved very effective. Vehbi Kahveci said,

"We sent video footage of the products being destroyed by burning to the representatives of the brands. It was, of course, a very saddening sight. Labor, time, and financial resources all gone. The solution we found will not disturb the original producers since the product will no longer carry the brand. In fact, a good will come out of something bad. Now, brands are giving their approvals one by one. Our Red Crescent deliveries will begin soon."

1.3 billion dollars in counterfeit textiles

It is estimated that the counterfeit goods market, which has reached 1 trillion dollars worldwide, amounts to approximately 17.2 billion dollars in Turkey. The market is growing in parallel with the expansion of the luxury goods sector. The global economic scale of counterfeit, pirated, and smuggled goods trade is approaching 1 trillion dollars. Of the counterfeit products in the world, 29% are accessories, 27% watches, 12% electronics, and 8% clothing. Based on this data, it is estimated that there is a counterfeit clothing production worth 1.3 billion dollars.

Source: https://www.haberturk.com/ekonomi/is-yasam/haber/1327913-kizilay-burberry-chanelprada-dagitacak?page=4



Counterfeit products in a warehouse. As part of procedures conducted by the Vektör Trademark Office aimed at preventing trademark infringement.

Counterfeit Brands in the Historic Peninsula

19 JANUARY 2021 • DÜNYA NEWSPAPER ÖZGE YAVUZ

Counterfeit product sellers have started moving from the Grand Bazaar down to Mahmutpaşa. Paying high rents for shops, counterfeiters are pushing out longtime tenants and taking over the marketplace.



The negative conditions caused by COVID-19 have also changed the nature of commerce in Istanbul's Historic Peninsula. While counterfeit sellers were previously concentrated mainly in the Grand Bazaar, they have begun to take over Mahmutpaşa, one of the busiest streets in the area. Why has COVID-19 become the biggest reason for this concentration of counterfeit activity in the region? Let's take a look... With the decline in shopping during the pandemic, store revenues dropped not only in malls but also in street shops. In Mahmutpaşa, operators of 25-30 square meterv shops with monthly rents between 10,000 and 15,000 TL asked landlords for rent reductions due to falling revenues. Rather than offering discounts, landlords started to find tenants willing to pay double. Who are they? Shopkeepers selling fake products. Counterfeiters, paying 55,000 TL in rent for a 50-square-meter shop, have begun spreading across the area over the past year. No one knows how they can afford such high rents or if they make enough revenue to cover it. But according to the information I've received, shops of 25-30 square meters that were previously rented for 15,000 TL are now immediately leased by counterfeit sellers for 30,000 TL. Landlords, happy with the high demand, no longer offer discounts to their old tenants.

They are taking over the marketplace

Shopkeepers are concerned that the counterfeit product trend starting in Mahmutpaşa may spread down to Sultanhamam, and they are losing their power against landlords. It is claimed that key money paid for shops on the main street has reached up to 1–1.5 million TL. Located within the borders of the Fatih district, stretching from Topkapi Palace on one end to Edirnekapi on the other, the Historic Peninsula is quickly becoming a haven for counterfeit goods. It is estimated that there are over a thousand counterfeit sellers in the area from Eminönü, the Grand Bazaar, and Mahmutpaşa to Sultanhamam and the Unkapanı Bridge. Counterfeiters, who have reportedly been rapidly acquiring shops in the region over the past year, sell dozens of products from bags to shoes, belts to jackets. They offer replicas of world-famous brand products, which normally cost thousands of lira, at starting prices of 70–80 lira, supplying both individual consumers and wholesalers.

"We shut one down, another opens"

Vehbi Kahveci, owner of Kahveci Law Office, which has dealt with hundreds of cases in the fight against counterfeiting for years, stated that the biggest market for counterfeit goods is now the digital space. So, is there no oversight in this area? Kahveci compares counterfeiters to mushrooms and says, "Of course there is monitoring in the online space, but a seller can reopen a store under a different name the very next day after you shut one down. We close one, they open another under a new name." Kahveci explained that the counterfeit trade is not only growing in the domestic market but is also expanding toward foreign countries. He continued: "There is now a shift toward the foreign market. And lately, the biggest star in counterfeiting has been perfume. Perfumes are being shipped abroad by trucks. As a result, the products most recently seized by the police have been perfumes. Due to the pandemic, tourists who used to come to Turkey to buy counterfeit goods are no longer visiting. The counterfeit product market in Turkey is evolving. For example, most recently, thousands of counterfeit eyeliners were seized in Doğubayazıt. There are currently serious efforts underway at customs checkpoints."

Source: https://www.ekonomim.com/sektorler/tekstil/tarihi-yarimadada-taklit-marka-istilasihaberi-607456



Kahveci: Sahte ürünle mücadele için kanun var ancak uygulanamıyor



You can watch the broadcast by scanning the QR code with your phone.

The sale of counterfeit products in online shopping has increased by 40 percent

4 магсн 2021 • Екопомім.сом

The sale of counterfeit and fake products has shifted to online channels. Industry representatives stated that the sale of counterfeit products has increased by 40 percent and said, "The Ministry must take action as soon as possible."

The trade of pirated goods, which had been significantly curbed through strict inspections and sanctions, is on the rise again through social media and e-commerce platforms. It is particularly noted that platforms selling second-hand products have largely turned into counterfeit product markets.

Intervention by law enforcement should be facilitated

Vehbi Kahveci, founder of Kahveci Law Office and legal representative of many luxury brands in Turkey, stated that the counterfeit and fake product market in Turkey is around 3-4 billion dollars and that the growth rate in this area has exceeded 40 percent. He said, "Thousands of lawsuits have been filed so far, and the seized products have been destroyed. During this process, Law No. 6769 was enacted. Security forces and customs authorities are making intensive efforts in this regard, but for law enforcement or customs administrations to take action, search and seizure orders must be issued by the courts. In this market, where underground trade is widespread, it is difficult to obtain evidence that will convince the courts of strong suspicion, and when the courts reject the request, there is no further legal action that can be taken," he said.

There are 4 types of online sales

- Explaining that there are many forms of sales online, Vehbi Kahveci said that when the prosecutor's office or the court gets involved in all these channels, it is sometimes difficult to obtain a decision due to the difficulty of proof. Kahveci noted that service providers have a duty to monitor whether the products sold are original and listed the types of sales and legal procedures as follows:
- Sales on global platforms such as Twitter, Instagram, and Facebook: Sales on these platforms can be shut down without a court order if convincing documents are submitted to the relevant institution.
- Sales via WhatsApp channels through subscriptions: In order to access the site, counterfeiters require you to pass a security screening. Once access to the channel is achieved, if the identified information is reported to the relevant digital authorities, the channels can be shut down.

- Sales through websites established by counterfeiters themselves: Although it is possible to request the closure of the website through its hosting provider, it is sometimes not possible to reach the service provider.
- Sales by opening stores on service provider websites: In line with the criteria accepted by the Court of Cassation, the "notice-and-take-down" formula is applied. However, it is often not possible to achieve results with service providers on this matter.

Source: https://anlatilaninotesi.com.tr/20210304/online-alisverislerde-sahte-urun-satisi-yuzde-40-artti-1043950131.html

Clothing prices have increased by nearly 80%: Historic Peninsula overrun with counterfeit!

27 MARH 2022 • MYNET NEWS

As production cost-driven price increases in the ready-to-wear sector approach 80 percent, the famous commercial center Mahmutpaşa has turned into a counterfeit product market. Shopkeepers stated that prices in the area are now higher than those in shopping malls, which has forced a shift toward counterfeit products. Lawyer Vehbi Kahveci, who represents luxury clothing brands, said that they have identified all points where counterfeit products are sold and know exactly who is doing what, but they are unable to intervene.

In the ready-to-wear sector, production costs have doubled in the past year. Raw material prices have increased by 130 percent due to the rise in exchange rates, labor costs by 50 percent, and energy expenses have quadrupled. The rise in costs has made price hikes on products inevitable. Sector representatives stated that as of the end of 2021, price increases have reached 60 percent and are expected to hit 80 percent during the summer.

Due to high prices, local buyers have been replaced by foreign buyers in Mahmutpaşa, a famous trade center. Where previously no-name local brands were sold, now counterfeit products of luxury brands dominate.

Shopkeepers interviewed in the area by Dünya stated that business has significantly declined compared to previous years. Since their prices are, in some cases, higher than mall brands, locals only come for wedding-related shopping during dowry season. This situation, they said, has practically forced them to turn to counterfeit products.

Search and seizure orders cannot be obtained

Lawyer Vehbi Kahveci, legal representative of luxury clothing brands, said that they have been facing major problems in practice over the past two years. Despite applying in every possible way, they have not been able to obtain search and seizure orders. Kahveci said that they have identified all points where counterfeit products are sold and know who is doing what, but they are unable to take action.

The Grand Bazaar, where such incidents were far more frequent in the past, is at the forefront of these regions. However, in recent times, similar orders cannot be obtained for Mahmutpaşa either. In fact, in none of the areas where counterfeit product trade is dense can such procedures be carried out. This, it is said, has caused the counterfeit product wave to surge significantly after the pandemic.

Source: https://finans.mynet.com/haber/detay/ekonomi/giyimde-fiyatlar-yuzde-80-e-yakin-arttitarihi-yarimadayi-taklit-urun-sardi/441317/

The counterfeit product market is controlled by 100 families

20 JANUARY 2023 • SABAH NEWSPAPER

YENER KARADENİZ

Vehbi Kahveci, Alternate Board Member of the Registered Trademarks Association (TMd) and legal representative of luxury brands, stated that there is a counterfeit market worth 3 billion dollars in Turkey, including leather accessories and apparel, and that this market is controlled by 100 families. TMd Chairman Selçuk Güzenge also noted that political and governmental relationships can play a role in the fight against counterfeiting, and that the problem lies not with the law itself but with its enforcement.



The Registered Trademarks Association (TMd), which has been active in Turkey since 2001 and now has 140 members, has launched efforts to include Turkish brands within its structure. The association's new president, Selçuk Güzenge, emphasized that due to ethical rules, they had not expanded significantly in the past, but from now on, they plan to include Turkish players from various sectors beyond ready-to-wear, such as health and cosmetics. He also stated that one of their top priorities would continue to be the fight against counterfeiting.

Vehbi Kahveci, TMd Alternate Member and legal representative of well-known brands, noted that the counterfeit market in Turkey, including leather, accessories, and apparel, is worth around 3 billion dollars, and that it is controlled by 100 families who produce and distribute these counterfeit goods wholesale. Kahveci added that counterfeit products are being shipped from Turkey to many regions, including African countries, and said, "This has no benefit to the economy. The real issue lies not in legislation, but in people and education. This is one of the areas we must work on."

Counterfeit goods distributed globally from the UAE

President Selçuk Güzenge stated that the fight against counterfeiting will continue to be a top agenda item in the new term, and mentioned that they have two requests from the public sector. He said that while the Trademark Law has introduced certain rules, there are significant problems with enforcement. Emphasizing that the fight against counterfeiting should not be dependent on complaints and that law enforcement should have the ability to act independently when necessary, Güzenge said, "By the time you obtain permission from the prosecutor, politics may intervene and the judge may not grant the search warrant, and unfortunately, the goods are gone. Many judges have lost their positions for not issuing search warrants. It is said that 2–3 billion dollars' worth of counterfeit goods are shipped to the United Arab Emirates and then distributed around the world. This is a new development. It's not easy to combat this. If we can take our precautions and enforce our existing laws, we will make significant progress."

Turkish brands joining the fight against counterfeiting

Vehbi Kahveci, TMd Alternate Member and legal representative of major brands, recalled that the association was founded during the 2001 economic crisis to foster solidarity among retailers. He noted that Turkey now has an Industrial Property Rights Law and said, "Worldwide, the main way to protect economic rights is through the protection of patent and trademark rights. For all brands, the priority is to prevent counterfeiting. That's why TMd is planning to focus more on efforts related to counterfeiting rather than only voicing retailers' problems or working on shopping mall issues. We want to reactivate these initiatives, but while doing so, we also need to obtain new rights without compromising the rights we've already gained. In the new term, we will especially focus on helping domestic brands in their fight against counterfeiting."

Focus on Turkish brands

TMd Treasurer Simge Telman said that they want to place more emphasis on Turkish brands. She emphasized the importance of Turkish brands growing both domestically and internationally and said, "These brands need to come together under one roof and communicate. Of course, you can achieve certain things alone, but there is strength in unity. With the new management, we want to adopt the mission of helping Turkish brands grow. Not just in textiles and ready-to-wear, but also in cosmetics and health. We want to gather Turkish brands under our umbrella and support them with our experience, knowledge, and accessibility." TMd Vice President Füsun Kuran added, "There are many new organizations out there, and we want to embrace all of them and grow as a larger community. We welcome all registered brands, big or small, who want to be part of the retail sector. We also have the opportunity to help them expand abroad."

Problems in the fight against counterfeiting:

- By the time a permit is obtained for a search, the counterfeit products are already moved. Political interference may occur.
- Courts require a deposit of 50,000 TL for search warrants, which exceeds the value of the counterfeit goods, making legal action nearly impossible.
- The issue lies in enforcement, not in the law itself.
- Mahmutpaşa, the Grand Bazaar, Merter, and Gedikpaşa are filled with counterfeit products.
- Fake websites mimic those of famous brands and sell counterfeit goods at original prices.
- 17% of global trade consists of counterfeit goods.
- Counterfeiting has also emerged in weapons.
- Counterfeiting is widespread in perfumes, but only 5% are caught.
- Marble powder is being added to counterfeit detergents. Seized products are allowed to be reintroduced into the market after brand information is removed.

Source: https://www.ekonomigazetesi.com/sektor-haberleri/taklit-urun-piyasasi-100-ailenin-kontrolunde-5934/

After brands, websites are also being counterfeited

24 JANUARY 2024 • EKONOMİM.COM

YENER KARADENİZ

After the counterfeit and fake products of famous brands, now their websites are being faked as well.

Following the production of counterfeit and imitation goods of major brands, fake websites of these brands have also started to emerge. Not only the websites of brands already operating in Turkey, but also those of many others such as - which have not yet entered the Turkish market -

are being copied identically. In order not to raise suspicion, scammers display high product prices and use this method to steal personal information such as credit card details.

Turkey, which has the second-largest counterfeit and fake product market in the world after China, is seeing this illegal market expand its reach day by day. The counterfeit product market, which once operated on the streets, later moved into stores and online sales channels, and is now targeting brands not even present in Turkey. Using methods clearly operated by the same companies or individuals, fraudsters create fake websites of brands not yet in Turkey, selling counterfeit products at relatively high prices while also collecting personal data such as credit card information – effectively carrying out two types of fraud at once. Among the brands targeted with fake online stores are global giants such as

, which are active in Turkey, as well as , which have yet to enter the Turkish market.

Export by auction

This development, without a doubt, harms the targeted brands the most. Vehbi Kahveci, founder of Kahveci Law Office and legal representative of luxury brands in Turkey, pointed out that the online counterfeit product market has recently surpassed physical sales. Highlighting the emergence of new selling methods every day – from WhatsApp-based sales to auctions and online marketplaces to Instagram – Kahveci noted that the latest trend includes copying the websites of both domestic and international brands. He explained that to avoid raising suspicion, product prices are kept unusually high and added, "Since these websites are hosted abroad, shutting them down is not easy. In this way, many personal details, including credit card information, are collected." Kahveci stated that counterfeiting and imitation have become blatantly common and that products are even being exported abroad via online auctions, thus making counterfeit product export a reality.

Sites reopen with minor changes

According to sector experts, the servers of the fake websites are located abroad, making it difficult to shut them down. One such site belongs to Japan-based **Sector**. Founded in 1949, the brand had 2,358 stores worldwide as of November 30, 2021, increasing the likelihood of its entry into the Turkish market. Taking advantage of this, scammers have launched multiple fake online stores for the brand. Similar websites have been created – indistinguishable from the originals – for dozens of brands, from **Sector**. Even when these sites are shut down, they are reopened with minor domain name changes. In order not to raise suspicion, the product prices on these sites are kept high, and since all parts of the websites are designed by the same individuals or companies, they are structured in identical ways.

Source: https://www.ekonomim.com/ekonomi/markalardan-sonra-siteler-de-taklit-ediliyorhaberi-726347

Turkey is China's biggest rival in counterfeit products

10 APRIL 2013 • CUMHURIYET NEWSPAPER

The counterfeit product market in Turkey has doubled over the past 10 years, reaching a value of \$1 billion. According to the Registered Trademarks Association (TMd), Turkey ranks second in the world after China in the distribution of counterfeit goods.

Turkey has become a haven for counterfeit products. While producing replicas of well-known brands, Turkey has also recently become one of the leading importers in this field. TMd Chairman Tahsin Özlenir stated that the estimated size of the counterfeit product market in Turkey is around \$1 billion.

In a meeting where he shared the new vision of TMd, Özlenir said the association currently has 92 members. He noted that TMd members alone are involved in approximately 4,000 lawsuits across Turkey related to counterfeit goods. "When looking at the total number of lawsuits across the country, there are between 7,000 and 8,000 cases related to trademark protection. Globally, Turkey ranks second after China in terms of counterfeit product distribution," he said.

Özlenir emphasized that cities such as Istanbul, İzmir, Denizli, Bursa, and Diyarbakır have become hubs for the production and sale of counterfeit goods, with trademark infringements being most intense in popular tourist areas.

Currently, penalties for counterfeit product cases usually result in a 10-month prison sentence and a judicial fine of 80 TL. The seized counterfeit goods are destroyed by the state. However, for this legal process to proceed, a criminal complaint must be filed with the prosecutor's office and a search warrant obtained from the court. Since these procedures take at least two days, many instant reports regarding counterfeit products cannot be responded to in time.

According to TMd Board Members Özhun Olgar, Vehbi Kahveci, Önder Öztarhan, Chairman Tahsin Özlenir, Vice Chairman Mehmet Eren, Füsun Kuran, and Gökhan Kancal, all workers in this \$1 billion counterfeit product market operate outside the social security system. Labor is being exploited. The economy remains informal. Workers lose. The country loses tax revenue. Honest businesspeople who operate legally and invest in branding and marketing also lose. The only winners are those who act unlawfully.

Source: https://www.cumhuriyet.com.tr/haber/turkiye-taklit-urunde-cinin-en-buyuk-rakibi-414952

BasKonuş TURKCELL

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BÖLGELER

ASTROLO.

YAYIN GRUBU

AKDENIZ

Güneş

Alem Platin

Tercüman

Alem FM

Radio Madio

SKY SKYTURK

TURKCELL

SHOW TV

Sağlık

Spor Hava Durumu

Borsa-Finans

Özel Haber

SITE ICINDE ARA

Türkiye'nin imajını düzelteceğiz A Yazdır

Yaklaşık büyüklüğü 4 milyar dolara ulaşan sahte ve taklit ürün sektörü, dünyaca ünlü markaların Türkiye'ye yatırım yapmasını engelliyor. Sahteciliğin Türkiye'yi hem maddi hem de manevi zarara uğrattığını söyleyen Halkalı Tekstil İhtisas Gümrük Müdürü Hüseyin Dermenci, gümrüklerde sahte ürünlerin ihracatına karşı başlattıkları operasyonların artarak devam edeceğini söyledi.

AKS



YAZIYOOOR

SON DAKIKA

Türkiye'nin tekstil ihracatı ve ithalatının yüzde 80'inden fazlasının yapıldığı Halkalı Tekstil İhtisas Gümrük Müdürlüğü, taklit marka ihracatının artması üzerine şüpheli görülen ihracat mallarını kırmızı hatta sokup, sıkı denetimden geçirmeye başladı. Ancak ihracat beyan esasına dayandığından taklit edilen markadan şikayet ya da ihbar gelmezse denetim sadece firmanın beyanı üzerinden yapılabiliyor.

27 Aralık 2004 tarihinde yapılan operasyonla piyasa değeri 1 milyon doları bulan sahte ürün ele geçirdiklerini söyleyen Halkalı Tekstil İhtisas Gümrük Müdürü Dermenci, 'Sahte ürünlerin iç pazarda satılması, hatta ihraç edilmesi Türkiye'nin dünya pazarlarındaki kaliteli üretici imajını korkunç bir şekilde zedeleniyor. Gümrüklerde başlatılan operasyonların caydırıcılığı çok yüksek düzeyde. Tazminat davaları çok yüksek. Taklit ürün ihracatı yapan firmanın bundan sonraki her ihracat kontrol edilivor' dedi. Lacoste, Puma, Paul&Shark'ın da aralarında bulunduğu dünyanın en tanınmış 90 markasının Türkiye temsilcilerinden oluşan Tescilli Markalar Derneği üyeleriyle sahte ürünlerin yurtdışına ihraç edilmeden yakalanması konusunda işbirliği vaptıklarını da belirten Dermenci, sunları söyledi:

YABANCI YATIRIMCILAR KAÇIYOR

'Yabancı yatırımcılar, sahte ürün cenneti haline gelen Türkiye'de üretim yaptırmak istemiyor.

Sahtecilik konusunda Türkiye'vi Uzakdoğu ve özellikle de Cin'e benzettiklerinden, artık ürün de almak istemiyorlar.'

This news article includes an interview given to the press by the Director of the Specialized Textile Customs Directorate, in which they state that they will work more meticulously and aim to improve the country's image associated with counterfeiting.



Türkiye'de sahte ürünlerin yıllık maliyeti 4 milyar dolar

Taklit ve sahte ürünlerin dünya ekonomisine yıllık maliyeti 512 milyar dolar. Sadece sahte tütünün Türkiye'ye verdiği arar ise yılda 750 milyon dolan buluyor.

Dünya toplam ticaretinin vüzde 7 sini olusturan ve boyutu 500 milyar dolan aşan marka taklitçiliği, gelişmekte ekonomisiyle Türkiye'nin de baş belası. Kozmetikten içkiye, otomotiv sektöründen spor giyim ve tütüne dek uzanan sahteciliğin Türkiye ekonomisine verdiği yıllık zararın 4 milyar dolara ulaştığı tahmin ediliyor. Tür-kiye'de yalnızca sahte tütün-

Ulusal ve uluslararasi 250 markayi temsil eden 13 fir-açabilirdik" diye konuştu. manın 2001'de kurduğu Marka Koruma Grubu; verdiği Kanun değişmeli ekonomik zarann yanı s

can da alan" sahte rakı olanın ardından sahtecilikle mücadelede daha etkin çözümler üretmeye hazırlanıyor. British American Tobac-co, Eczacibași Beiersdorf, Johnson&Johnson, JT Inter-national, Henkel, L'Oreal, Mey İçki, Nestle, Pfizer, Phi-lip Morris, Procter&Gamble, Richmond Otel'de yapu.

Sahteciliğin dünya Türkiye ekonomisine verdiği zarann ortaya konduğu toplanuda konuşan Proc-ter&Gamble Türkiye Yöne-

tim Kurulu Başkanı Saffet Karpat, grubun 2002'de yaptığı araştırmaya göre Türki ye'de sahteciliğin Gayp Safi Yurt İçi Hasıla'nın yüzde 1.4'ünü olusturduğunu ve pazarının 2.63 milyar doları bulduğunu anlattı. *Ekonomik büyüme dikkate alındı ğında bu rakamın 2005'te 4 milyar dolara çıktığını tah min ediyoruz" diyen Karpat, "Bu parayla IMF'ye bir yıllık den doğan yıllık kayıp 750 milyon dolan buluyor. borcumuzu öcleyebilir, Tüp-raş gibi bir rafineri kurabilir,

Grubu oluşturan 13 firmanın son bir yılda 360'dan fazla dava açtığını ancak hiçbirinin sonuçlanmadığını be lirten Karpat, yargı sürecinin kısaltılması, ihtisas mahkemeleri sayısının da artırılması gerektiğini vurguladı. Karpat, söyle konuştu: "Markaların Korunması Hakkındaki verin oluşturduğu grup, ilk kabul ediyor. Dolayisıyla Richmond Otel'de sametal Kanun Taslağı, sadece Türkigetirilen sahte ürünler suç kapsamına girmiyor. Mücadeleve büyük zarar verecek bu ve benzeri maddeler değiştirilmeli. Kovuşturma, şi-kayete bağlı olmamalı."



Sektörlere göre maliyeti

SCRIOF	Call all
Otomotiv	
İlaç	
İçki	
Tütün	16 milyar dolar
Spor givim	
Yazılım	
*Sadece AB ütkelerinde ** Iki ABD şirketinin zaran	
Kaynak: Kürcsel Kalpazanlık Beferans Dökümanı	

Unilever Türkive Yönetim Kurulu Başkanı İzzet Karaca da, Çin gibi ülkelerin serbest başı çektiğini belirterek bu ganizasyon giderleri için kul-piyasaya açılmasının sahteci-kara lekeden kurtulmak için landıyor" diye konuştu. liği artırdığını söyledi. Sahteciliğin, 2004 dünya ticaretinin yüzde 7'sine denk geldi-ğini belirten Karaca, "Rakarıflar, bunun 2005'te 550 milyar dolara doğru gittiğini gösteri- yor. Üstelik sahte ürünlerin işaret etti. IHABER MERKEZD

Türkiye'de her yıl ortalama 30 bin marka tescili gerçekleştiriliyor. Diğer yandan bir ay içinde yakalanan taklit markaların sayısı bunun iki katını buluyor. En çok taklit edilen markalar arasında Adidas, Ni-

En çok taklit edilen markalar

ke, Polo, Panasonic, Microsoft, Citizen, HP, Versace, Gucci, Dolce Gabbana, DKNY, Prada, Viagra ve Sony ürünleri yer alıyor.

yor" dedi. Sahtecilikte Asya, terörizmle ilişkisi var. Bura-Arap ülkeleri ve Türkiye'nin dan gelen para, silah ve or ellerinden geleni yapacakla-nnı vurgulayan Karaca, 'Sah-Yorgancıoğlu da yakalana

Mey İçki CEO'su Galip

nnı vurgulayan Karaca, "Sah-Yorgancıoğlu da yakalanan te üretim ve ticaretin yaygın olduğu ikinci grubu Avrupa ve Afrika ülkeleri oluşturu-dıncılığın artması gerektiğine

The newspaper article with the headlines "4 billion dollars in tax lost due to counterfeit products," "Even medicine has counterfeits," "Al-Qaeda found behind counterfeit cosmetics" is intended to raise public awareness.

Sahte ürünler yüzünden 4 milyar dolar vergi uçuyor

ÇOĞU uluslararası markalar olmak üzere, 13 grubun temsilcileri Marka Koruma Grubu (MKG) adı altında bir araya geldi. MKG, dün kamuoyu önüne çıkıp, sahte

Ilaan bile sahtesi var

IZZET Karaca, ilaç sektöründe bile sahteciliğin var oldu-ğunu belirtirek, geliş-mekte olan ülkelerdeki bların yüzde 10 ile inin standartlara uymadığını, sahtecilik ile mücadelenin çok ile mücadelenin çok etkin olduğu ABD'de bile 1996 yılında sahte antibiyotik yüzünden 66 kişinin öldüğünü kaydetti.

Zararın 750 milyon doları sigaradan

SADECE sahte sigara yüzünden hükü-metlerin toplam vergi kaybının 16 milyar dolar olduğunu belirten Kara-ca, bu rakamın Türki-ye'de ise 750 milyon do-lar olarak tahmin edildigini belirtti. Karaca, İngiltere'de her 25 pub'dan birinde sahte Türkiye'de 27 kisının sahte rakı yüzün-den öldüğünü hatırlattı.

Kozmetikte sahtekar, El Kaide çıktı

SAHTECILI-GIN terörle olan SAHTECILI-GIN terörie olan ilijkisine de değinen Izzet Karaca, bu konuda şu örnekleri verdi: "2001 yılında Duhai den İngilter: ye gitmek uzeroşiken yakalanan toşlam 8 ton kozemetik ürünüm önderen kişinin terör ergütü El Kaide'nin üyesi okluğu belirlendi."



ARKA Koruma Grubu olarak Ditana Di sirket salate ürünkere karşı savaş aç Türkiye'de de bu işin ciddi boyutlara ulu bu cekti. Unilever Yöretinin Kuralu Ba utlara ulaştı alu Başkanı f. Unilever Yönetiin Kurulu Başkanı ta-i işin global boyutunun 500 milyar dolar rken, Procter& Gamble Türkiye Başkanı da şahtecilik yüzünden Türkiye deki et Karaca Jergi kaybenin 4 milyar dolari buklağunu açıkladı. DÜNYADA 512 MİLYAR DOLAR: Türkiye'de faaliyet

UNTADA 312 MILTAR DOLART TURkye ék haljer gösteren ulsak u ukakarnas sikretler ve ligil dernekkerin 2001 yilnals kurulagu görulli ber imisytati ölam Nakaa Koruma Grahov inna (MKG) karnnegin göstamismiska sikri Meller dinginda duranledigi föstahteriligin boyutuna estapa kuydu. Umhaner 1719 yilnaim Nacha beljanan Izera Umhaner 1719 yilnaim Nacha beljanan Izera in uhansen 1719 yanutun kuydu beljanan Izera in einer hanna kuydu beljana Izera in einer hanna kuydu beljana Izera in vara kuydu beljana Izera in vara desta kuydu beljana Izera in vara kuydu beljana Izera in vara kuydu beljana Izera in vara kuydu beljana Izera in vara kuydu beljana Izera in vara kuydu beljana Izera in vara kuydu beljana Izera in vara kuydu beljana Izera in vara kuydu beljana Izera in vara kuydu beljana Izera in vara kuydu beljana Izera in vara kuydu beljana Izera in vara kuydu beljana Izera in vara kuydu beljana Izera in vara kuydu beljana Izera in vara kuydu beljana Izera in vara in vara in vara in vara in vara in vara kuydu beljana Izera in vara in v meger som medjamsgin, so ytt at 200 miljølf delar okara tinna eldtigint, børna da 2004 ytt dange tarætinn ytak 7 at ököpana dikka (edst Thakter blirt Aralfs HATTIDFØ Fracters & Gambe Tardkoge Vonetinn Kuruha Baskan Saffet Karpat ise, devlenis hurakalik kapbrun at miljørar okan baskgina orgunalat. Titte daroxenisinin yarenni tarm doss eksterisetti at som en som en som en som ytakas yttilk verklerekti kapt dara på at som ytake 2002 de yagtningen kapt som en som en som en som ekster at som en som en som en som etter at yaranda sing vikels som en som en som etter i som ekster anstände i som etter at som ekster i som ekster anstände i som ekster i som ekster i som ekster anstände i som ekster i som ekster i som ekster antråg köngliste kontom (SATHIP miljør ver-gisker beralet ev indram 3 miljør ekster forsåre balager ver-gisker beralet ev indram 3 miljør ekster forsåre balager ver-tanding kongliste i minderen dokkan belager. Turktyge eksternister i brejøre går ostane alandiginde, samt 2005 jend en mylare ekster ekster i balang etter.

upmädja zanam 2005 sin 4 mihor debr ekkija uhamin edilyov."
360 DAVA VAR: Machadaran Korumasa Hakknakia Kaman Taalija rakis "assee Turkiya de unstien arinterin sintecilijinin suc otarak eks almahkeeta denasu" makkenin degitrinnesin istedikerini die getrien. Karpat, mahtemderke yasanan sorunkara da die getrint. Mikö tiyosi 13 filmanan ber yakis actig 360 dasa bukanduğuna açıklayan Karpat, mahkemse sincenin magkar olmansanan bayaka acta anala

4 billion dollars in tax revenue lost due to **Counterfeit Products** The scale of counterfeiting by sector worldwide: 512 Billion Dollars 360 ongoing lawsuits

66

Türkiyer

9 MAYIS 2009

SABAH STYLE

Annemize sevgimizin taklidini vermeyelim

Annelerimizin sevgisine layık olabillmek adına, minnettarlığımızı biz de en 'gerçek' şekilde göstermeli, bu özel günde de taklit ürünlerden kaçınmalıyız



VEHBİ KAHVECİ Tescilli Markalar Derneği Genel Başkan

ünümüzde her ne kadar çeşitli psiko-sosyal nedenlerle istisnalarına sıkça rastlasak da, dünyada en gerçek duygu, hiç şüphesiz ki, bir annenin çocuğuna duyduğu sevgidir. Bu sevgi o kadar gerçektir ki; hayata adım attığımız ilk zamanlardan sonsuza dek bizi koruyacağına inanlır, sonrasında gittiğimiz her yere bizimle beraber gelir. Çoğu zaman anlatamasak da "o" bize her baktığında sanki ruhumuzu dinler. Büttin üzüntülerimizi, sevinçlerimizi, bizim hissettiğimizden daha büyük bir fırtınayla içinde hisseder.

Tüm gerçekliğiyle, üstelik içinde hiçbir beklenti taşımadan bize sunulan bu sevgiye karşılık vermek için değil; (zira gücümüzün yeteceğini sanmıyorum) sadece minnettarlığımızı gösterebilmek için bir hediye seçme telaşı içindeyiz hepimiz bugünlerde. Tescilli Markalar Derneği olarak biz de Sabah Gazetesi'nin işbirliğiyle bu özel gündeki telaşınızı bir nebze azaltabilmek adına bu sayfaları hazırladık.

Unutulmaz olmasını istediğimiz bu özel sürprizlerin seçiminde dikkate alınmasında yarar gördüğüm birkaç hususu da sizlerle paylaşmak istiyorum. Bu özel hediyeyi seçerken hiçbirinizin sevdiklerimizin sağlığını tehlikeye atmak, mevzuatımıza göre bir suçun ortaya çıkmasına neden olmak, kayıtdışı ekonomiyi besleyerek veya kara para aklanmasına vesile olarak ülkemizi milyonlarca lira zarara uğratmak, çocuk işçileri çalıştırarak onların üzerinden yasadışı kar elde edilmesini sağlamak, bununla birlikte işsizliği ciddi oranlarda arttırmak veya ülkemizin uluşlararaşı çevrelerde imajımı zedelemek gibi bir amacı olamaz.

HEPİMİZE GÖREV DÜŞÜYOR

Ancak üzülerek belirtmek isterim ki; dikkatsizliğimiz sonucunda, maliyetlerini düşünerek veya çeşitli nedenlerle taklidini aldığımız her üründe fikri ve sınai mülkiyet haklarının ihlaliyle beslenen ve bu sonuçları doğuran sisteme katkıda bulunuyoruz. Bu noktada; ülkemiz mevzuatının yeterli hale getirilmesi, taklit ürünlerin üretimine göz yumulmaması, gümrük müdürlükleri ile emnivet birimleri arasında ortak bir çalışmanın yürütülerek bu ürünlerin ülkemize girişlerinin engellenmesinin sağlanması için devlet mekanizmasıyla birlikte sivil toplum örgütlerinin de çalışmalar yürütmesi gerekse de, bu çabalar tek başına yeterli olmayacaktır. Bireysel olarak bizlerin fikri ve sınai mülkiyet haklarının korunması gerektiği ve bunun aslında başka bir mülkiyet hakkının ihlali neticesinde ortaya çıkan hırsızlık suçundan farklı olmadığı hususlarında bilinçlenmemiz ve iç dinamiklerini harekete geçirebilen, duyarlı ve demokratik bir toplum olarak devlet mekanizmalarını yönlendirmemiz gerekecektir.

Bugünün tüm anneler için mutlulukla hatırlanması ve annelerimizin bize sunduğu bu sevgiye aynı "gerçek"likle minnettarlığımızı gösterebilmek ümidiyle...

"Let's not give our mothers a counterfeit version of our love" In my article published on Mother's Day, a warning was included not to buy products from the counterfeit sector, where child labor is employed, as gifts for your mothers. 20 HAZIRAN 2009

SABAH STYLE

Türkiye'nin her yerinde Babalar Günü

Markalara ulaşabilmek yurdun ücra köşelerinde yaşayanların da hakkı olmalı. Bunun için de yeni düzenlemeler gerekiyor



VEHBİ KAHVECİ Tescilli Markalar Derneği Genel Başkanı

ugün size ulaştığımız bu ek; SABAH gazetesinin saygın mensuplarının olağanüstü çabaları ve Tescilli Markalar Derneği üyelerinin gayretleri ile hazırlanabilmiştir.

Gerçekten, ülkenin her yeri aynı standardı yaşayabilmelidir. İnsanımız en iyi müziği dinleyebilmeli, en iyi şekilde beslenebilmeli ve en yakışanı giyebilmelidir.

Marka kavramı işte böyle bir şey. Tanınır olmak; tüketici hakları, kalite, fiyat garantisi, sağlık kurallarına uyum, devlete karşı tüm yükümlülüklerini yerine getirmek

karşı tüm yükümlülüklerini yerine getirmek gibi özelliklere sahip olmanın yanında; dünyanın her yerinde her zaman ürün alıcısına hizmeti götürebilmek özgürlüğünü de müşterisine vermektir.

BÜTÜN BABALARIN HAKKI

Bu düşüncelerle Anadolu'da birçok mağaza açan ünlü markalar; alışveriş merkezleri ve yerel alışkanlıkların tümüne çevap vermek çabasını sürdürmektedirler. Son dönemde bazı olumsuzluklar,

yaşayan lokal ekonomik değerler ve alışveriş merkezi prensipleri nedeniyle; Anadolu'ya yapılan bu açılım tekrar büyük şehirlere geri dönmek zorunluluğunu getirmektedir. Anadolu'nun değişik illerinde mağazalaşmış markalar; halka sunum

magazataşınış markatar; nanka sunum noktalarında kendilerine uygulanan yanlış politikalar, ekonomik yaşamın dalgalanmalarına karşı gerekli tedbirleri almakta gecikmeler nedeniyle alışveriş merkezlerinden çıkarak, halkın ayağına getirdikleri hizmeti artık verememenin üzüntüsünü yaşamaya başlamışlardır.

Ülkenin her yerinde babalar, her şeyin en iyisine layıktırlar. Çocuklar babalarmı hatırlamak ve gönüllerini almak için kaliteye ulaşma hakkına sahiptirler. Bu hakkı engelleyen he türlü acemiliği kınıyoruz.

Daha iyi ortamlarda babalarımızla ve gönülleri coşan çocukları ile birlikte olabilmek dileğiyle nice Babalar Günü'ne. Her şeyin en iyisine layık olan cefakâr

babalarımıza saygılar.



In my article published in *Sabah* newspaper on Father's Day, the theme of not buying counterfeit products as gifts for your fathers was emphasized in order to raise public awareness. 8 Cuma, 25 Ekim 2002



THE I

Üç büyüklerin ezeli rekabeti sadece yeşil sahalarda yaşanmıyor. Artık taklitçi işportacılı da lisanslı ürünlerden gelir hedefleyen Galatasaray, Fenerbahçe ve Beşiktaş'ın ezeli rakil Taklit forma savaşında şimdiye dek Galatasaray 100, Fenerbahçe 200, Beşiktaş 50 dava aç

Avukatları Kahveci

GALATASARAY'DA ticari hakları elinde tutan Sportif A.Ş. Mayıs'tan beri hukuki mücadele veriyor. Kulüp, Maliye

eski Bakanı Adnan Kahve-ci'nin yeğeni Avukat Vehbi Kahveci ile çalışıyor. Şimdiye 16 dek satıcılara 100'e yakın dava açıldı. Geçen sezon forma satışı 73 bin olan kulüp, bu sezon sadece ilk iki ayda 70 bin adede ulaştı. Kulübün



markalı ürün satışları, yüzde 40'ı forma olmak üzere yıllık 1.5 milyon dolar.

Rekor satış Fener'de

FENERBAHÇE'DE isim hakkına sahip Sportif Hizmetler A.Ş.'nin şimdiye dek Fikri ve Sınai Haklar Mahkemesi'ne açtığı dava sayısı 200'ü buldu.

Kulüp markalı ürünlerden yılda 4 milyon dolar civarında gelir elde ediyor. Bu rakamın yüzde 40'ı loko-motif ürün olan forma gelir-1201 lerinden oluşuyor. Geçen se-zon 120 bin adet forma satan Fenerbahçe Sportif Hizmetler A.Ş., sezon başından bu yana da 70 bin adede ulaştı.

Ekipler sıkı takipte

BEŞİKTAŞ Futbol Yatırımları A.Ş. şimdiye dek 50'ye yakın dava açmış. Beşiktaş taklit ürünlere karşı İstanbul Beşiktaş taklit ürünlere karşı Büyükşehir Belediyesi le iş-birliği yapıyor. Yöneticilerin belediyeyi sık sık uyardıkları-nı belirten kulüp yetkilileri, ayrıca gönüllü ekiplerle İs-tanbul'da ve deplasmanlar-da şüpheli mekanları takibe aldıklarını söylediler. Yıllık ürün satışı 15 milyon dolaş ürün satışı 1.5 milyon dolar. Bunun yüzde 65'i forma.

TAHSIN AKCA

In recent years, one of the most important sources of income for football clubs has been the revenue from jersey sales. Counterfeiters have become the biggest rivals of football clubs. This issue was highlighted in our article. "Jersev War"

"Their Lawyer: Kahveci"



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42 metaboli Naya Talan 201

Türkiye'de Taklit **Urün Piyasası** Nedenleri, Sonuçları ve Mücadele Yöntemleri

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An article titled "The Counterfeit Product Market in Turkey: Causes, Consequences, and Methods of Combatting It" was published in Merhaba, the magazine issued by SOYSAL Retail, the hub of major retail sector gatherings in Turkey.



In Turkey, since the textile sector is both a major source of employment and one of the country's key export items, attention has been drawn to how counterfeiting harms this industry.

"Counterfeiting Is Undermining the Textile Industry."



R e -1

Gümrükler Genel Müdürlüğü'nün yeni genelgesi, taklit ürün ihracatına göz yumuyor. TMd Üyesi Avukat Vehbi Kahveci'ye göre, bu genelge ile yakında Türkiye taklit cenneti olacak

Gumtükler Genel Müdürlüğü'nün Gumtük ve Muhafaza Başmödürlükleri'ne ilettiği 13.02.2004 tarihli yeni genelge, taklit marka ihracatını kolaylaştırılıyor. Tescilli Markalar Demeği (TMd)

tarihi yeni genelge, takit marka uhracutni kolaylaştırılıyor. Tessilli Markalı Derneği (TMd) Kurau Üyesi Avukat Vehit Kalıveci, ümrüklerdek İfkiri ve Sinai Mükliyet Hakları'na üşkin uygalamaları yeniden düzenleyen bu genelgenin Gümrük Kanuuri wa ve Gümrük Yonetmeliği'ne aykırı olduğuna dikkar ekti. "Bı genelgenin bir an önce Gümrük Kanunu ve Gümrük Yonetmeliği. Dünya Gümrük Örgütö Normları'ne Firki ve Sinai Haklara Ilişkin düzenelemesi gerekir 'diyen Kalıveci, takit düzenelemesi gerekir' diyen Kalıveci, takit markalı orünlerin ihracatını kolaylaştıracak yeni yaşınalanaları öğe anlatı: "Gümrük Klaresi çalasınlarının ihracatıtaki famunsurluğu yevşi yekiti kikisler tarafındaş markanın kullanındığını gördükleri anda urünlere el koymaları ve yetelili ilisanöv sirkete tabber el koymaları ve yetelili yeni genelgede, hak abitbi hertangi bir ihbar bayarırışında

HBAR İMKANSIZLAŞTI

HBAR İMKANSIZLAŞTI Başka bir madde de, sadece ihraç edilmekte idan ûrünle iğli ihbar başvarsusnun kabul değil, börin herhangi bir arunu ihranatışar, tur pakşat ve cıkış saatı ile tespit etmemiz imkansı, tay vizden de eksi uyçılananda oldağu gibi belil zonusu olursa bur mefti durum ortadan aralıkları için ibbarları geçefi olması soz konusu olursa bur mefti durum ortadan tarkabilir. Ayrea yeni geneğe takli marka hiracatıçılarma söyle de bir koşlıklış getiriyye taklı manlan günrük silemleri başlamış işe aratı zanları indir. Başvarışı deşirke ile dayıklış getiriye taklı manlan günrük silemleri başlamış işe aratı zanları indir. Başvarışı daşıkatı alamışıyır. Bir de Turkiye'de sirketlerin kendi adını markayla intracı yapmasını engelleyen bir mezet hikimi balunmadığındanı, inreasiçdanı



Avukat Velbi Kahveci, Gümrük ve Muhafaza Başmüdürlükleri'ne iletilen yeni genelgeyle, taklit ürünlere karşı yapılan genel ilbarların geçerliliğini kaybettiğini ve gümrük memufarının da arak taklıt malın ihracatı ile savaşta sorumlu tutulmadıklarını belirtti.

Dava açacağız

Dava açacagu Dava açacagu Tescili Markalar Derneği Kalveci, Yescili Markalar Derneği olarak, bu geneğle i Mulkyet Hakhır'na iliklin dala Sace başlatlan titiz qalışmaları rak adamlacağından cekiniyeruz. Geneğleden memurların de bi sorumluğu doğurayazışından, daha önceden teşpi celle Threadların serbes kalacığı bada bunun böyle olmamasın ve daha önce gösterilmeye çalışan tizkiğin devam etmesini istiyoruz. Kesinlik daha uyarın mitelik bir geneğle düzenlemsensi haberiniz oldu. Öğ ün içinde geneğeni iştufi için dava şacaşız, yürütmeyi durdurma talep edeceğiz' dye konuştı.

The circular issued by the Directorate General of Customs was criticized, and a call was made for the correction of the practice. "Tolerance for Counterfeit Products"

126 FORTY YEARS IN PURSUIT OF TRADEMARK LAW

Yurtdışında 'sahte' giyen politikacı deşifre ediliyor



Lüks markaların kara VI

TÜM dünyada milyonlarca tüketicisi olan lüks markalar, tarihlerinin en kötü sezonunu yaşıyor. 11 Eylül ve olası Irak savaşının getirdiği tedirgin-lik Gueci, Bydgari gibi markaların kârlarınım geçen yılın ilk 9 ayına kıyasla yüzde 50 civarında düsme-sine yol açtı. Avrupa genelindeki ekonomik dur-gunluk ünlü markaların yöneticilerini kara kara düşündürüyor. Satışların bu kadar düsmesinin ve birbirin-

Satışların bu kadar düşmesinin ve birbirin-den ünlü firmaların sıkıntıya girmesinin en den ünlü firmaların sıkntıya girmesinin en önemli nedeni Amerika'da yaşanan 11 Eyful saldırıları. Saldırılardan sonra kimsenin uçakla-ra binmediğini söyleyen yöneticiler bu yüzden ken dileri için büyük gelir katsı olan free-shop Pardan alıyevrişin de bıçak gibi kesildiğine dikkat çekiyor. Hiç unımadıkları ölçide pazır daralmaşa yaşayan Armani, Louis Vuitton gibi dev markalar eski par-lak günlerine dönmek için liğinçi promosyonlar uy-guluyor. Cumartesi günü Milano moda fuannda 2003 yaz kersyonunu tanıtına Armani düşen ilğiyi arttırmak için Gwyneth Paltrow ve sihirbaz David Copperfieldi. Fran-sız Louis Vuitton da şişeler dolusu Moet Chandon sampanyalarının tükeylidigi özel gösterilerde son kreasyonlarını tanıtıyor. DİŞ HABERLER GERİDE KALDI LVMH (Louis Vuitton, LVMH (Louis Vurtton, Don Perignon): Ciro 5.7 milyar dolardan 5.8 milyar dolara yükselirken kår miktarı yüzde 10 düşerek 239 milyon Euro'dan 214 milyon Euro'ya indi. Gucci: Cirosu geçen yıla kıyasla 50 milyon Euro düşen şirketin kårı da 156.8 milyon Euro'dan 78.3 milyon Euro'ya geriledi Euro'ya geriledi. Bvlgari: Geçen yılın ilk 9 ayında 358 milyon Euro ciro yapan şirketin rakami bu yıl 338 milyon Euro'da kaldı, Italyan devinin kârı ise 26 milyon Euro'luk düşüşle 22.6 milyon Euro oldu.

Prada: Cirosu yüzde 4.7 düşerek 761.2 milyon Euro'da kalan şirketin karı da 94.2 milyon Euro'ya geriledi.

THAL markaların Türkiye temsilcileri, taklit mala savas actı: Türkiye'de, sahte mal satan pazarcılar bile markanın mağazası gibi hareket ediyor

YAŞANAN ekonomik krizle birlikte değişen tüketici eğilimleri marka ürünlerin tüketimini azıltır.ken, taklit ürünlere olan ilgiyi artırdı. An-cak dünyanın ünlü markalarının Türkiye temsil-ileri, bu değişimin Türkiye ekonomisine büyük zarar verdiği görüşünde birleşiyor. Türk Tescilli Markalar Derneği de bu amaçla 'taklit tirdi' sa-tıcılarıyla büyük mücadele içinde. Türkiye'mi en fazla dava açan derneği olan Tescilli Markalar Derneği şu anda yaklaşlı 3 bin dava yürütiyor ve her gün bu davalara yenileri ekleniyor. Türkiye'ye yabancı yatırımın gelmesi içini gereken koşullardan biri de taklit edilen marka aşıyanımı en aza indirilmesi. Yabancı markaların, "sahtesini yaparlar" korkusu ile a tırk Türkiye de üretim yapamktan YAŞANAN ekonomik krizle birlikte değişen

Yabancı markaların, "sahtesini yaparlar" korkusu ile artık Türkiye'de üretim yapınaktan kaçındığım anlatan Avukat Vehbi Kahveci mar-kalı ürünlerin taklidi konusunda büyük bir savaş veriyor. Tüm Türkiye'deki pazarları denetleyen ve başkınlar düzenleyen Kahveci, İzmit ve An-kara'daki bazı belediyelerin ise sahtecileri des-teklediğini söylüyor.

M ARKANIN GARANTISI VAR

HRRCHUNIN GARAVITI DI VAR HRRCHZalasi dije tiketicije sunulana firin-lerin her birinin bir taklit olduğunu belirten Kahveci, "Bu ihraç fazlası sözü bir masaldır. Marka diye pazarlarda satılan tirinler sahtleeri-ne benzemeye çalsan taklitlerdir. Marka esof-manın garantisi vardır, testlerden geçmiştir. Ter-leyince insan vücudunu nasi etkileyeceği denen-miştir. Ancak markaya benzetilip pazarda satı-lan eşofmanın insana zarar verip vermeyeceğini, danser vanın vanamazağını bilemeyiz" divor.

kanser yapıp yapmayacağını bilemeyiz" diyor. Sahtecilerin kazandığı paraların hiçbir şekil de ekonomiye dahil olmadığının altını çizen Kah-veçi, "Çünki sahteciler sigortalı işçi çalıştırmıyor-lar, vergi vermiyorlar. Tüm bunları düşündüğü-

lar, vergi vermiyortar. Tüm bunlari düsündüğu niz zaman bir marka pazarda satılıyor diyebilir misiniz? Bunlar masaldır" diye konuştu. Sahtecilerin 2 yıl hapis, bir yıl kapatma ve 10 milyar lira para cezası bulunduğunu kaydeden Kahveci, "Yurtdışında sahte giyyor diye deşirte edilen politikacılar var. Ancak ülke-mizde sahteciliğin hala hangı durumlara yol açabileceği ko-nuşunda en ufak fikir gelişmedi" dedi. ESRA Tüzün-HABER HABER Av. Kahveci, 3

In the article published in Sabah newspaper on October 13, 2002, it was emphasized-aiming to raise public awareness-that using counterfeit products is considered shameful in Europe.

"Politicians Wearing Fakes Abroad Are Being Exposed."

PART IV

Educational Efforts in the Fight Against Counterfeiting in Turkey

Since 2001, extensive efforts have been made in Turkey to educate relevant institutions, consumers, and lawyers on the issue of counterfeiting. Here, we present a few examples of such initiatives. During the periods when I served as President of the Intellectual and Industrial Rights Commission of the Istanbul Bar Association, as President of the Istanbul Bar Association Trainee Education Center, as the founder, president, and lawyer of the Association of Registered Trademarks, and as legal counsel to various brands, these efforts were meticulously carried out under my coordination. Approximately 5,000 fellow lawyers have been trained. Currently, around 1,000 lawyers are working in this field. Awareness and interest have been successfully raised.

In this section, we extend our gratitude to our former Bar Presidents Mr. Kazım Kolcuoğlu and Mr. Muammer Aydın.

EU and Turkey Practices on Trademark, Patent, and Industrial Design Rights

1 JUNE 2004 • ISTANBUL BAR ASSOCIATION

The fourth of the Istanbul Bar Association's In-Service Training Seminars will be held on Saturday, June 5, 2004.

The seminar will be held at Maltepe University Dragos Campus and will focus on the topic: "EU and Turkey Practices on Trademark, Patent, and Industrial Design Rights – A Perspective on Current Issues."

The seminar will be opened with a speech by Istanbul Bar Association Secretary General Av. Filiz Saraç. The session will be moderated by Prof. Dr. Selçuk Demirbulak, Chair of the Istanbul Bar Association EU Law Commission.

During the session, Av. Hakan Öncel, Secretary General of the EU Law Commission of the Istanbul Bar Association, will present on "Trademark Protection and Invalidity."

A paper titled "Industrial Design, Community Design, and Patent Rights" will be presented by Av. Umut Başar, Member of the EU Law Commission.

The paper titled "Examples of Counterfeiting in Practice" will be presented by Selçuk Güzenge, Chairman of the Registered Trademarks Association, and Att. Vehbi Kahveci.

Source: https://www.istanbulbarosu.org.tr/HaberDetay.aspx?ID=556&Desc=Marka,-Patent,-End%C3%BCstriyel-Tkasar%C4%B1m-Hakk%C4%B1ndaAb-Ve-T%C3%BCrkiye-Uygulamas%C4%B1

Intellectual and Industrial Property Rights Discussed Over Two Days

1 JUNE 2004 • ISTANBUL BAR ASSOCIATION

A symposium was organized by the Istanbul Bar Association Intellectual and Industrial Rights Commission on Saturday, April 14, and Sunday, April 15, at the Şişli Municipality Conference Hall in Gayrettepe.



On the first day of the symposium, Saturday, April 14, sessions focused on issues related to private law, while on Sunday, April 15, sessions addressed problems concerning criminal law. The opening speech of the first day was delivered by the Vice President of the Istanbul Bar Association, Att. Mehmet Durakoğlu. In his speech, Durakoğlu emphasized that in

countries integrated into the global economy, one of the most important assets is the brand. He stated that it is critically important to ensure that this asset, which goes beyond being merely an economic value, attains the legal security it deserves.

Durakoğlu explained that for a long time, the prevailing approach to brand protection has been shaped by the effort to safeguard rights formed in foreign countries and to prevent their counterfeiting. He noted that today, the problems faced by Turkish brands both domestically and abroad have also become a central concern.

Highlighting the growing interest in trademark and patent law-which is still developing in Turkey-Durakoğlu pointed out that applications to the Turkish Patent Institute have increased by 500%, indicating strong interest in trademark and patent rights. He also reminded attendees that one of the unresolved issues is the inability of lawyers to receive direct authorization (power of attorney) from the Turkish Patent Institute and to intervene in proceedings. He concluded his remarks by stating: "We believe that lawyers should be able to obtain power of attorney for proceedings that are likely to be brought before the judiciary. The fact that lawyers who are also trademark attorneys are required to be members of another professional organization outside the bar is incompatible with the legal profession. It must be acknowledged now that this issue will lead to serious debates in the future. We believe these matters, which closely concern our colleagues, must be discussed."

The president of the Intellectual and Industrial Rights Commission, Att. Vehbi Kahveci, also delivered an opening speech in which he provided information about the ongoing work of the commission.

Intellectual and Industrial Property Rights Infringement Cases and Lawsuits

14 JANUARY 2008 • ISTANBUL BAR ASSOCIATION

The symposium titled "Intellectual and Industrial Property Rights Infringement Cases and Lawsuits," organized by the Istanbul Bar Association Intellectual and Industrial Rights Commission, was held on Friday, January 11, at the İsmail Özaslan Conference Hall of Istanbul Commerce University's Eminönü Campus.



At the opening of the academic meeting, which drew great interest and was successfully held, Vice President of the Istanbul Bar Association Att. Mehmet Durakoğlu emphasized that intellectual property law has gained significant importance today and stated that international developments in the field of intellectual rights should not be overlooked. He expressed his gratitude to those who organized such an important symposium, to the officials of Istanbul Commerce University, to the academics, and to all participants.

President of the Istanbul Bar Association Intellectual Property Rights Commission, Att. Vehbi Kahveci, also spoke at the opening, stating that they place great importance on the education of their colleagues in the field of intellectual property rights. He noted that 1,300 colleagues have completed certification programs so far and that they aim to raise this number to 2,000 this year. He also mentioned that the Istanbul Bar Association Journal has been prepared with two special issues and that the proceedings of this symposium would be published as a book.

Intellectual and Industrial Property Law III. Certificate Program

24 MARCH 2008 • ISTANBUL BAR ASSOCIATION

Within the framework of cooperation between the Istanbul Bar Association Intellectual and Industrial Rights Commission and the In-Service Training Center, the III. Certificate Program on "Intellectual and Industrial Property Law" was held from March 12 to 16, 2008, with the aim of contributing to the professional development of our colleagues.

At the opening of the seminar, Istanbul Bar Association Board Member Av. Muammer Aydın emphasized the global importance of intellectual and industrial rights, which are still in the early stages of development in Turkey. Aydın stated, "By participating in such educational programs, our colleagues will greatly contribute to the growth and awareness of this field." At the conclusion of the certificate program, President of the Intellectual and Industrial Rights Commission Att. Vehbi Kah-



veci addressed the participants, stating that 375 colleagues have been trained through the exam-based certification programs held so far, and a total of 1,500 lawyers have been educated through presentations given during symposiums and Executive Board meetings. He announced that by the end of June 2008, with the upcoming presentations and national and international symposiums, this number is expected to reach 2,500.

On the 130th Anniversary of Our Bar: International Symposium "Trademark Counterfeiting and Registration Practices"

8 APRIL 2008 • ISTANBUL BAR ASSOCIATION

An international symposium titled "Trademark Counterfeiting and Registration Practices in Different Countries" was organized as part of the celebrations of the 130th Anniversary of the Istanbul Bar Association and Lawyers' Day on April 5.



The symposium, began at 10:00 am at the Atatürk Cultural Center and hosted around 40 presidents and representatives of foreign bar associations. Speaking at the opening of the international symposium, President of the Istanbul Bar Association, Att. Kazım Kolcuoğlu, said that the economic development of a country can be achieved through the effec-

tive protection of intellectual and industrial property rights. Kolcuoğlu emphasized that intellectual and industrial property rights are among the fundamental pillars of continuously advancing technology and commercial life. He noted that, in line with global developments, regulations concerning these rights are increasingly being addressed through frameworks that go beyond national borders. He also pointed out that intellectual and industrial property rights in Turkey have been protected under decree-laws for the past 13 years, which is a significant legal shortcoming and stressing that rectifying this issue is of great importance for the rule of law.

Att. Vehbi Kahveci – Panelist

President of the Intellectual and Industrial Rights Commission of the Istanbul Bar Association

Counterfeit goods are being tolerated. Such an approach is inappropriate during the EU accession process. Products bearing counterfeit trademarks are, in fact, elements of a crime. These counterfeit goods are often produced illegally. This type of production also violates anti-money laundering laws and fuels the informal economy. Possessing counterfeit goods for commercial purposes is a crime. In the fight against counterfeit goods, criminal penalties must be applied effectively. To achieve this, improvements must be made within law enforcement.

Trainee Education Center 18th Term 2010/4 Training Period Has Begun

30 MARCH 2010 • ISTANBUL BAR ASSOCIATION

The 18th Term 2010/4 Training Period of the Trainee Education Center (SEM) began on Monday, March 29, 2010, at 16:30 with a ceremony held at the Orhan Apaydın Conference Hall.





At the opening of the meeting, which was presented by SEM Executive Board Member Att. Hüseyin Rahmi Ekşi, the president of Istanbul Bar Association Att. Muammer Aydın stated that a legal education without a strong foundation cannot produce a successful lawyer.

Aydın emphasized that at the Trainee Education Center, the rights symbolized by the robe that lawyers wear with pride are taught, and underlined that in order to make the most of this term, trainees must use their time effectively, benefit from the experiences of seasoned professionals, and continue enriching their legal knowledge.



Source: https://www.istanbulbarosu.org.tr/HaberDetay.aspx?ID=4896&Desc=Staj-E%C4%9Fitim-Merkezi-18.-D%C3%B6nem-2010/4E%C4%9Fitim-D%C3%B6nemi-Ba%C5%9Flad%C4%B1

10th Workshop Program on Intellectual and Industrial Property Law

6 MAY 2013 • ISTANBUL BAR ASSOCIATION

29 May-2 June 2013

Information about the program

The Istanbul Bar Association Intellectual and Industrial Rights Commission will organize a 5-day workshop from May 29 to June 2, 2013, in order to contribute to the professional development of our colleagues.

The program will be held at the Titanic Hotel, located at Lamartin Street No:47, Taksim. It will consist of a total of 40 hours, and participants will be awarded a certificate of participation at the end of the program.

Participation fee: 400 TL (includes lunch and tea/coffee/snacks for 5 days). The fee can be paid without any transfer fee either to the accounting department of the Istanbul Bar Association or to the following Vakifbank Beyoğlu Branch account:

In the description section of the receipt, please indicate: "Fikri ve Sınai Haklar Komisyonu Eğitim Semineri." Also, write your bar registration number on the receipt and send it via fax to 0212 292 01 17 or email to ihm@istanbulbarosu.org.tr.

After sending the receipt, confirm your registration by calling Ali Yıldız at 0212 251 63 25 / extension 149.

Important:

The number of participants is limited and registration will be done on a first-come, first-served basis.

Click here for the program details.

Source: https://www.istanbulbarosu.org.tr/HaberDetay.aspx?ID=8077&Desc=Fikri-Ve-S%C4%B1nai-M%C3%BClkiyet-HukukuX.-%C3%87al%C4%B1%C5%9Fma-Program%C4%B1

Problems and Solutions in Intellectual and Industrial Property Rights

15 OCTOBER 2014 • ISTANBUL BAR ASSOCIATION

The symposium titled "Problems and Solutions in Intellectual and Industrial Property Rights," organized by the Istanbul Bar Association Intellectual and Industrial Rights Commission in collaboration with Istanbul University Faculty of Law, was held on Monday and Tuesday, October 13-14, 2014, at the Istanbul University Congress and Culture Center.

At the opening, Prof. Âdem Sözüer, Dean of Istanbul University Faculty of Law, spoke about the strong relationship and collaborative work between the faculty and the bar, noting that new joint projects are being discussed for the future. Addressing legal education and profession, he pointed out that there are currently over 100 law faculties in Turkey, graduating thousands of students each year, and emphasized the impossiblity of strengthening the legal profession under these circumstances.

Istanbul Bar Association Intellectual and Industrial Rights Commission President Att. Vehbi Kahveci stated that they had organized a highly intensive and comprehensive intellectual property symposium in collaboration with the faculty. He noted that the symposium's proceedings would be transcribed and published as a book to benefit those working in the field. Kahveci also provided details about the participant profile and the program's implementation methods, emphasizing that the two-day symposium was diligently prepared. He extended his thanks to those who contributed to the event, to the distinguished academics and experts who presented papers, and to the attendees for their strong interest.

President of the Turkish Patent Institute Prof. Habib Asan provided information about the foundation, duties, and activities of the institute stating that regulating intellectual and industrial property rights through decree-laws had led to numerous shortcomings. He noted that they had conducted thorough work to prepare a draft law, incorporating the opinions of professional organizations, and that the draft had been submitted to the Grand National Assembly of Turkey and placed on the legislative agenda, with its enactment expected later that month.

In the first session chaired by Att. Vehbi Kahveci, Prof. Dr. Caner Yenidünya, Faculty Member at Marmara University Faculty of Law, presented on "A Practical Perspective on Offenses Against Trademark Rights"; Assist. Prof. Dr. Selman Dursun discussed "Classification and Evaluation of Offenses Under the Decree-Law on the Protection of Trademarks"; and Memiş Selçuk Güney, Member of the 7th Criminal Chamber of the Court of Cassation, presented on "Court of Cassation 7th Chamber Practices Regarding Trademark Infringement."

Intellectual and Industrial Property Rights Symposium

22 DECEMBER 2014 • ISTANBUL BAR ASSOCIATION

The symposium titled "Problems and Solutions in Intellectual and Industrial Property Rights", organized by the Istanbul Bar Association Intellectual and Industrial Rights Commission in cooperation with the Istanbul University Faculty of Law, was held on Monday and Tuesday, October 13-14, 2014, at the Istanbul University Congress and Culture Center.

In the opening speech, Att. Vehbi Kahveci, President of the Istanbul Bar Association Intellectual and Industrial Rights Commission, stated that they had organized a very intensive and comprehensive intellectual property symposium in collaboration with the law faculty. He announced that the recordings of the symposium would be transcribed and published as a book to benefit professionals working in this field. Kahveci also provided information about the participant profile and the program's implementation methods, emphasizing that the two-day symposium had been meticulously prepared. He extended his gratitude to all contributors, the distinguished academics and experts who presented papers, and the participants who showed great interest in the event.

Following the opening speeches, the symposium sessions commenced. The first session was chaired by Att. Vehbi Kahveci. In this session, Prof. Dr. Caner Yenidünya from Marmara University Faculty of Law discussed "A Practical Perspective on Offenses Against Trademark Rights," Assist. Prof. Dr. Selman Dursun presented on "Classification and Evaluation of Offenses under the Decree-Law on the Protection of Trademarks," and Memiş Selçuk Güney, Member of the 7th Criminal Chamber of the Court of Cassation, addressed "Practices of the 7th Chamber of the Court of Cassation Regarding Trademark Infringement."

Source http://www.selmandursun.com/?p=96

Information on Intellectual and Industrial Property Law, Trademark and Patent Law, and Related Issues

11 APRIL 2016 • BARO VİZYON



On the Istanbul Bar Association's legal television channel, Barovizyon TV, the guest of the program hosted by Attorney Süreyya Turan and broadcast on April 11, 2016, was Attorney and Mediator Vehbi Kahveci, President of the Istanbul Bar Association Intellectual and Industrial Property Rights Commission. The program provides information on Intellectual and Industrial Property Law, Trademark and Patent Law, and the related issues.

You can watch the broadcast by scanning the QR code with your phone.

PART 1

PART 2





The Effects of the Industrial Property Law on Practitioners

27 APRIL 2017 • KADİR HAS UNIVERSITY

The symposium titled "The Effects of the Industrial Property Law on Practitioners", organized by the Istanbul Bar Association Intellectual and Industrial Rights Commission in collaboration with Kadir Has University Faculty of Law, was held on Friday, April 21, 2017, at 09:00 at Kadir Has University's Cibali Campus.



Speaking at the opening of the symposium, Istanbul Bar Association Board Member Att. Muazzez Yılmaz stated that very important topics would be addressed by highly qualified experts and wished for a successful symposium.

The first session of the symposium, which was held in four separate sessions, was chaired by Deputy Chair of the Istanbul Bar Association Intellectual and Industrial Rights Commission, Att. Vehbi Kahveci.

Working Group Meeting on the New Industrial Property Law Held

10 MAY 2017 • ISTANBUL CHAMBER OF COMMERCE

The working group meeting on the "New Industrial Property Law", jointly organized by the Istanbul Chamber of Commerce (İTO) 25th Customs Brokerage Professional Committee and the Istanbul Association of Customs Brokers (İGMD), was held on Wednesday, May 10, in the Assembly Hall of the İTO Eminönü Campus.

The opening speech was delivered by İTO Board Treasurer Mr. Hasan Erkesim, and the meeting was chaired by Mr. Serdar Keskin, Member of the Assembly of the ITO 25th Customs Brokers Committee and President of the IGMD.

Among the speakers at the meeting was Mr. Ersel Yüksek, who emphasized that a trademark is a concept that is very difficult to obtain. He stated, "The protection of trademarks, at the level of international legislation, is under the responsibility of customs authorities. We must be diligent in protecting brand value. As customs brokers, we are fulfilling our responsibilities in the protection of Intellectual and Industrial Property Rights in the best way possible-and we will continue to do so. Sensitivity on this issue is increasing globally. While our current law includes a single article on Intellectual and Industrial Property Rights, the inclusion of eight articles in the new draft law is a serious and important step forward."

The meeting was also attended by Istanbul Customs and Trade Regional Deputy Director Mr. Yalçın Özden, Branch Director Mr. Yahya Dolgun, Büyükçekmece Liquidation Office Director Ms. Rukiye Yonluk, representatives from the foreign trade sector, and fellow customs professionals.

Source: https://www.igmd.org.tr/Yeni-Sinai-Mulkiyet-Kanunu-Konulu-Zumre-Toplantisi-Gerceklesti_haberi

Protection of Industrial Property Rights at Customs Discussed at the Istanbul Chamber of Commerce

11 MAY 2017 • ISTANBUL CHAMBER OF COMMERCE

At the panel on the "New Industrial Property Law" held at the Istanbul Chamber of Commerce (İTO) on May 10, 2017, our Chairman of the Board, Mr. Kemal Yamankaradeniz, delivered a speech on "Customs Protection of Intellectual and Industrial Property Rights." In his address, he made several recommendations for ensuring effective protection at customs and explained how to prevent the loss of rights.

During the event, the following speakers also gave presentations: Selçuk Süral, Member of İTO's 25th Customs Brokerage Professional Committee Ersel Yüksel, Vice President of the Istanbul Association of Customs Brokers Ceren Turgut, Industrial Property Expert at the Turkish Patent and Trademark Office Att. Vehbi Kahveci, Deputy Chair of the Istanbul Bar Association Intellectual and Industrial Rights Commission

Meriç Kelleci, Expert from the Department of Origin and Intellectual and Industrial Property Rights, Directorate General of Customs, Ministry of Customs and Trade of the Republic of Turkey

İsmail Onaran, Public Prosecutor at the Istanbul Courthouse, Ministry of Justice of the Republic of Turkey

Source: Istanbul Chamber of Commerce

Intellectual and Industrial Property Rights Training Program

29 OCTOBER 2017 • ISTANBUL BAR ASSOCIATION

The Training Program organized by the Istanbul Bar Association Intellectual and Industrial Rights Commission has commenced. The program, which began on Wednesday, October 25, 2017, at the Istanbul Bar Association Cultural Center, will continue for five days.

At the opening of the training program, President of the Intellectual and Industrial Rights Commission, Att. Burcu Aslan, and Deputy President Att. Vehbi Kahveci emphasized the importance of intellectual and industrial property rights and provided information about the structure and content of the program.

Following the opening, the first lecture was delivered by Assoc. Prof. Dr. Ali Paslı, a faculty member at Istanbul University Faculty of Law. In his lecture, Paslı provided information on international trademark legislation.

The training program will last a total of 24 hours, and participants will be awarded a Certificate of Participation upon completion.



[left] Istanbul Bar Association board member Att. Burcu Aslan and Att. Vehbi Kahveci

Source: https://istanbulbarosu.org.tr/HaberDetay.aspx?ID=12791

One-Year Implementation of the Industrial Property Law

27 APRIL 2018 • ISTANBUL BAR ASSOCIATION

The meeting titled "One Year Implementation of the Industrial Property Law," organized by the Istanbul Bar Association Intellectual and Industrial Property Rights Commission, was held on Friday, April 27, 2018, at 09:30 in the Conference Hall of our Bar Association's Main Building.



The second session of the meeting was chaired by the Vice President of the Istanbul Bar Association Intellectual and Industrial Property Rights Commission, Attorney Vehbi Kahveci.

A Q&A section was held during the session breaks. At the end of each session, Certificates of Appreciation were presented to the session chairs and participants.

You can watch the broadcast by scanning the QR code with your phone.



Source: https://www.istanbulbarosu.org.tr/HaberDetay.aspx?ID=13384

1st Academy Symposium: Intellectual and Industrial Property Rights

Organizer:

The 1st Academy Symposium: Intellectual and Industrial Property Rights is organized by the Anadolu University Law Academy Club. **Date:** Friday, April 12, 10:00–17:00 **Venue:** Anadolu University Main Yunus Emre Campus, Student Center, Hall S

Venue: Anadolu University Main Yunus Emre Campus, Student Center, Hall 2016, Eskişehir



Source: https://www.omercihatatilla.com/hizmet/1-Akademi-Sempozyumu-Fikri-ve-Sinai-Haklar/34

We Participated in the Eleventh Development Plan Specialization Commission and Working Group Meetings Organized by the Ministry of Industry and Technology

As part of the preparatory work for the Eleventh Development Plan (2019–2023), the Intellectual Property Rights Specialization Commission was established. Within the scope of its work, a roadmap is expected to be developed that will contribute to the formulation of short, medium, and long-term policies in the field of intellectual property rights, taking into account the country's economic potential, technological capacity, sectoral structure, and human resources.

In this context, it is observed that the current legal and institutional framework of the intellectual property rights system in Turkey is adequate, that a solution-oriented approach is adopted in addressing issues, that measures to improve implementation are being proposed, and that the system-when compared with global examples-exhibits a flexible, swift, and competent structure.

In the field of intellectual property rights, there is rapid change and constant dynamism due to global developments and technological advancements. This nature of the system necessitates the introduction of new practices and measures concerning the establishment, enforcement, and monitoring of rights.

Within the scope of the Specialization Commission (ÖİK) studies, it is expected that the focus will be placed on the contribution of intellectual property rights to the national economy; that how the components of the system can be utilized in development and growth policies will be outlined; that policies aimed at increasing the competitiveness of industrial sectors will be formulated; that strategies will be developed to achieve value-added production; and that recommendations will be made in specific technology fields.

Additionally, measures are expected to be proposed to strengthen the country's human capital and intellectual assets for these purposes. As a result of the ÖİK studies, it may also become possible to identify critical areas of structural transformation, to recognize the need for significant policy changes, or for the country to make strategic choices in certain sectors or technologies and to define corresponding targets and strategies.

Source: https://www.sbb.gov.tr/wp-content/uploads/2020/04/ FikriHaklarOzelIhtisasKomisyonuRaporu.pdf

scilli Markalar Derneği (TMd) temmuz sonunda spanya'ya çıkarma aptı. TMd Başkanı Güzenge, Prof. Av. Selçuk ulak, Av. Vehbi Kahveci ve Füsun antekinler, Avrupa Birliği Marka ve Imm Tescil Ofisi'nin (OHIM) davetlisi olarak Alicante'ye gitti. Toplantının ana ise OHIM ve TMd ilişkisinin gelişmesi ve Türkiye'nin marka yaratmaktaki na katkıda in de stek

6



arayışı. OHIM Başkanı de Boer, toplantının sonunda Avrupa Birliği'ne üye olan ülkeler arasında Türkiye'nin



TMd'nin OHIM Ziyareti

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bit etgijn bildrå. Heyes, Torkyhm Ginyaya softmaklak basana ve marlar callemataran bu vermenir koruanda harshafa report sanda. TMA heyetindeli huku adamine na Torkyahde marka haki konusandali onlemeter hakinda se Brock Aurupa Brgij utkelinenna beis ortwayen hitusa Mahamater/him Torkyhof santasogenn möjdelini verd. GMM Basian Tasatil Metriatar Denselynn bu koru og attermine lodig ostabeta bakelit karetadgrin finde etti. De Bore honu og attermine sandardur. Tarkiyold TMd ve GMM/n bibrigiye duanada her semnen ock besen gud. Ban. Tempiz Mehkemesi Beskam Bruno Machado, 22 Temmazdis verdigi oğlem şemeğinde Turkişe'nin sahtacılık ve taklikle ver mücadele kinauxında daha duşeri olmase genebiğini, dolişeyati Tascili mantaler: Demeğine daha fada is duştüğünü abşladı. Machado, Martin al isemeşi bi kası ber sünde serurmükdelerini bilincinde ve mücaelesini ukularensis piletörme tasmaandakis basarısını taktöri ettiğini asaladı. TMd'inin Aaruşa Britiğini et anımlı atlasimenis bilişinde biri olanı Marka Tasarını ve Tescil Dirkiye'de yürüttüğü ortak seminetenin kunyu Türkiye'debi kozdu kaletmeteri bişişindirmesi aça analan sına direce yaranı'a duğunu

The Registered Trademarks Association, of which I am the president, has conducted cooperation and training activities with the "EUROPEAN UNION INTELLECTUAL PROPERTY OFFICE" (OHIM) as part of its awareness-raising efforts.



MESLEK İÇİ EĞİTİM SEMİNERLERİ - 4

"Marka, Patent, Endüstriyel Tasarım Hakkında AB ve Türkiye Uygulaması, Güncel Problemlere Bakış"

5 Haziran 2004 Cumartesi / Saat: 10.00-13.30

AÇILIŞ: Av. Filiz SARAÇ İstanbul Barosu Genel Sekreteri

OTURUM BAŞKANI: Prof. Dr. Selçuk DEMİRBULAK İstanbul Barosu AB Hukuku Komisyonu Başkanı

Markaların Korunması ve Hükümsüzlüğü Av. Hakan ÖNCEL İstanbul Barosu AB Hukuku Komisyonu Genel Sekreteri

Endüstriyel Tasarım, Topluluk Tasarımı ve Patent Hakkı Av. Umut BAŞAR İstanbul Barosu AB Komisyonu Üyesi

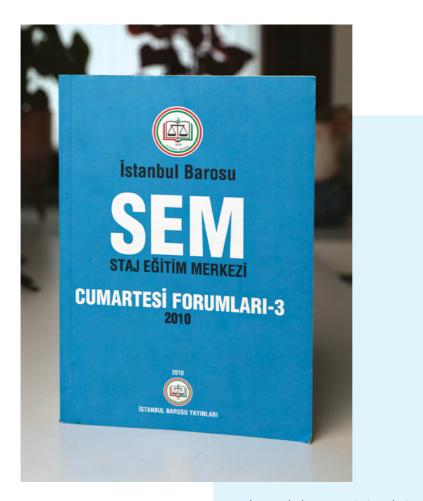
Uygulamada Sahtecilik Örnekleri Selçuk GÜZENGE - Tescilli Markalar Derneği Başkanı Av. Vehbi KAHVECİ

Soru - Cevap

Katılım ücretsizdir. Yer: Maltepe Üniversitesi Dragos Kampüsü / Sahil Yolu, Dragos, Maltepe Tel: 0216 441 51 68 (pbx)

İSTANBUL BAROSU BAŞKANLIĞI

An example of dozens of practice-oriented studies. This particular study was carried out in cooperation with the Istanbul Bar Association and Maltepe University.



At the Istanbul Bar Association, during my term as the president of the Istanbul Bar Association Trainee Education Center–where law graduates must receive training to become lawyers–this study was one of the works we carried out. The book, published in 2010, is 374 pages long. In this study, the draft trademark law was discussed.



This book, published in 2008 during my term as President of the Istanbul Bar Association Intellectual and Industrial Rights Commission, addresses violations and lawsuits in the field of Intellectual and Industrial Property Rights. Practical shortcomings were discussed, and the book is 160 pages long. Experts and practitioners in the field contributed with their presentations. Here, we include some of the many publications that the Istanbul Bar Association has produced to support the fight against counterfeiting. On this occasion, we extend our thanks to Mr. Att. Mehmet Durakoğlu, who was the president of the Bar at the time.



The most comprehensive training study on trademark law carried out during my term as President of the Istanbul Bar Association Intellectual and Industrial Rights Commission was compiled into a book in 2007.

This study featured speakers including faculty members from relevant university departments, practicing lawyers, bar association administrators, members of the Court of Cassation, and judges and prosecutors from specialized courts.

As attendees, practicing lawyers, members of the police and gendarmerie forces, customs officials, and other stakeholders participated. During my presidency, approximately 5,000 individuals were trained through this program.

PART V

Current Outcome in the Fight Against Counterfeiting in Turkey

Turkey cracks down on counterfeit goods

17 OCTOBER 2011 • GUARDIAN.CO.UK

CONSTANZE LETSCH

Authorities in 'republic of fakes' target burgeoning market worth \$6bn in anything from knockoff handbags to honey.

In a small workshop hidden away on the third floor of a narrow building close to one of Istanbul's busiest shopping arteries the smell of leather and textile paint hangs in the air, patches of material are scattered across workbenches, design samples decorate the walls. The room is barely big enough for the three workmen, the piles of textiles, the machines and the tools. A small radio transmits a live football game. One of the men is sewing together patches for a Mulberry handbag. The fabric comes from Bursa, while accessories such as zips are made in metal-coating workshops in Istanbul. The bags they are making are fakes.

"Customers demand brand names, they simply don't buy anything else," explains the owner, who does not wish to be identified. In 2002 he spent three months in jail for making counterfeit Louis Vuitton bags. "Colleagues who make fake bags are forced to do so. They need to make the money to feed their families, they have no choice. That's why there will always be counterfeit products."Even before we started to produce fakes, Turkish artisans often copied designs they had seen in French and Italian magazines. The lack of courage to try something new and original seriously impedes the development of the industry."

The Turkish counterfeit market is booming – it is expected to be worth \$6bn (£3.8bn) this year, up from \$3bn in 2010. "We are a republic of fakes," a Turkish newspaper recently lamented. Now the government is accelerating a crackdown against the flourishing trade in knock-off products that encompasses everything from electronics, cosmetics and accessories to pharmaceuticals, textiles and alcohol – even olives blackened with shoe polish or honey extended with starch and paraffin.

Asaf Savaş Akat, economics professor at Istanbul Bilgi University, says: "There are two types of fake markets. One is the market for counterfeit goods of low quality that are sold on the street all over Turkey. These goods are very cheap and often imported from China. On the other hand there is an upscale market for fake products: for example high-quality leather **bags** that are hard to distinguish from the original and that cost several hundred dollars." Handbags are the most common counterfeit products made and sold in Turkey. Lawyers such as Vehbi Kahveci say that brands have to be more responsible and go after the counterfeiters. "In Turkey crimes of counterfeiting are only prosecuted if someone denounces a certain seller or producer. There still is a reluctance to invest in the legal infrastructure, in lawyers and inspectors. Some brands even tolerate knockoffs as a means to raise brand awareness."

His office – representing brands such as

suffered in 2009, when infringement law reforms led to the closure of 9,000 court cases. But, he says, things have been looking up since then: "There are now special courts that deal solely with counterfeiting and piracy, and the police forces dispatch special teams that we help to educate." This year his office founded the Association of Registered Trademarks to unite brands such as around the problem of the counterfeit market. But, he says, the main problem is the

around the problem of the counterfeit market. But, he says, the main problem is the mindset of the consumer: "People here don't see the fake goods trade as a crime."

Turkish laws concerning trademark infringement were tightened considerably in 2009, and the government increasingly clamps down on those involved in the fake goods trade. Melih Çuhadar, speaker of the Ankara Chamber of Commerce, told the Guardian: "Legal measures have been significantly improved over the last years, and fines for infringement have increased." In April the Istanbul police conducted a large-scale operation against counterfeiters for the first time, raiding 137 stores inside the Grand Bazaar. The largest covered market in the world, which has catered to travellers, tourists and shoppers since the 15th century and is arguably the best-stacked knockoff market in the city, yielded more than 14,000 counterfeit handbags. Ninety shop owners were arrested. Ever since, Kahveci says, smaller raids on three or four stores at a time are conducted weekly. "You will never completely eradicate the fakes", he says, referring to the piles of **starts**, **sta**

bags still on display everywhere in the bazaar. "But you can install fear in those who sell them, and create public awareness that selling and buying counterfeited goods amounts to theft." One shop owner in the bazaar who was convicted for selling counterfeit handbags once in 2008 now falls back on a simple trick. "You must change three different things on a designer bag to be in the clear," he says. "If three details are different, and you don't use the actual brand logo, they cannot fine you." His current bestseller is a shopping bag mimicking a French brand: "I added plastic reinforcement on the handle, and two kinds of zippers on the inside." But he is no cheat, he says. "I am a good Muslim. I sell fakes to my customers but I never lie about that. I never tell anybody that these are original."

Kahveci says that counterfeiters are increasingly resorting to more ingenious tactics to avoid discovery and arrest: "If you have an arrest warrant for a certain address, they simply move their goods into the neighbour's shop." And, he adds: "Many workshops now work behind closed blinds over the weekend, when they appear to be closed. By Sunday night a truck picks up the goods, and by Monday morning, when the workshop opens, there is not even a trace of evidence anymore."

Source: https://www.theguardian.com/world/2011/oct/17/turkey-counterfeit-goods-trade



Ekonomi - Finans SABA Taklitcilikle mücadele dernekles



ilik konusunda glo TURKIYE'YI takifutlik konusunda glo-bal arenata 3'üncü sıraya yerleştiren yurtdı-ig çirişimlere karşı, tabanında avukat, savca, hakim ve marka temsilcilerinin bulunduğu yeni bir dernek kuruldu. Fikri Sinai Hakime Tenstitüsü Derneği ismiyle fiadiyete goçon yapının amac. yurtdışında büyük eleştirile re maruz kalan Türkiye'nin taklitçi bir ülke olduğu ismiyun ortadan kaldırınak için caşlışı mak. Bunun için belli periyodlarla rapot-lar yayımlayacak olan dernek, Türkiye'nin TÜRKİYE'Yİ takli

ciddi se

ciddi şekilde taklitçilikle mücadele ettiğini, bu alanda yayılanlar konsusunda hem tul-sal hem uluslararası alanlarda ülkeyi temsil ederek anlatacak. Demoğin başkanlığını yürüten Avukat Vehbi Kahveci, "Objekti, hukuki taban-da, yurdışındakilerle aynı tabanda çalışıla-cak bir yaşıdayazı. Bundas sonan Türkiye'de kanun çalışmalarında, şünartik, polis, ve diğer kurumların eğitimlerinde aktif rol oynayacağız" diye konuştu.

Following the awareness-raising efforts, the association initiative I led as president was concluded with the establishment of the Registered Trademarks Association. Its first initiative aimed to contribute to the fight against counterfeiting by distributing counterfeit products stripped of brand elements to those in need via the Red Crescent. However, this initiative did not yield results due to legal restrictions.



In this news article, the association formed by trademark owners announced that they would combat the sale of counterfeit products on internet platforms.

Hürriyet

Ekonomi

10 Nisan 2013 Çarşamba

Hedefte paralel ihracat yapan fırsat siteleri var Taklit mala 4000 dava



i 1554 LLIA Marxaiar verneği (1 Moi) başxanı Tansın özlenir, firsa sitesi adı altında internetten satış yapan firmaların paralel ithalar yaptığını ve denetlenen ürünlerin yüzde 50'sinin taklıtı ölduğunu söyledi. TMd Başkan Yardımcısı Mehmet Eren ise "Avrupa'nın çöplerini Türkiye'de satıyorlar" dedi.



red CENOLA gent Denneghinde, man den Denneghinde, man den Denneghinde, man den Denneghinde man den Justeretten me oblagantisti Unitimier sundaugunu den Justeretten den in gü ye çağrıyotlar ve inceler yüzde 50'si taklit çıkıyor ardan bir kısmı bu sitele lavalardan bir xısmi bu sıtesene kım pilot davalarla emsal teşkil ıxçlar almak istiyoruz. Tüketici alıyor, ştirmek için mağazaya gidince taklit

AVRUPA'NIN ÇÖPÜ GELİYOR

AVEUPAN NIN COPU GELLYOR displan Tardmors Mehmet Fren ise gramaleer Avrupa run cöpülgünü gine müke konumuna geldi" dedi. B-ert niteirinden önce de paralel ithalat mich cologium battalan Eren puslan dir Alama bit zincir yillindu yapyvo bami terinden and andre andre andre andre andre dir alama bit zincir yillindu yapyvo bami terindu yapyvo bami attayor. Bey U önceldi n emot uruniyie flyvi kryatalamas yaparı sabar reisabet yaratıyor. Turkiye'de ni dira farsa tisteva var. Zaten böyle at elemin kryat var. Zaten böyle at elemin kryat suter var. Zaten böyle at elemin bit yo clanı 10 tanı talamalı. Peter terindu yapı dana firsat sitelerleri sayr. Tüketici ciddi biçimde alatabıyıcı:

350 MILYAR DOLARLIK TAKLIT 330 militar Dottana karg aqlan dava us 78 bin civarında olduğunu belirten ödenir, dinya ticaretinin yüzde 17 siniz alılardan oluştuğunu, bunun da 350 ölara denk şediğini söyledi. Ozlenir, sonra taklıt markalı türin sayısında mada bulunan Türkiye de taklıt türun un 1 milyar dolar olduğunu da belirtti.

Devlet yönetimleri şeffaf AVM yönetimlerini bilmiyoruz

SON gunlerde Hurriyet Gazetesi'nin nen Tahsin Öz iderlerine de deginen tartan oktiman (sikayet aliyoruz, 5 kati bir apartman pazalı AVM de kat müldyeti kanunu lle AVM deki markalar giderlerin hesabin Qünkü mal sahibi deği kiracı. Yeni bir ya turan, Turp dünya seffaflasiyor, devlet faf hiz AVM lerin harcamalarin

KURULAN Perak Federasyonu cabsi albida yer almama nedenlerini Tahsin Ozleni söyle acıkladı: "Bize TMd yı feshedip, Birlesmes Markalar

TMd'siz federasyon eksik kalır lerneği çatısı altında gir nerdiler. Bu kabul edile abul edilemez. Iele eden, indirimlerin markalarimiz bu sartlarda orada yer alamaz. Bizim onceleurind

bir indirim addamacasinin birmesi we indirim yasasinin cikmasi. Bizi TMd olarak almalari gerekir. TMd 92 markayi ve onlarin 2000 civarinda manazakeni tamsil achem. TMd Siz

Taklitin cezası: 80 TL ve 10 ay hapis

TAHSIN Özlenir, taklitin şıka TAHSN Ozterni, takitin şikayete bağı süç orinanda orum gerektiğin belirterek, "Savcılığı müracat dermikle başlıyor ve operasyon yapıtması 2 gün sünüyor. Burunla ilgili yeri karun teklifi sunacağız. Zaten davaların sununda sanıktara 10 ay hapis ve 80 TL para cezasi veriliyor. Bu sonrun cazmüyor" dedi.

In this news article, the counterfeit market was examined, and the president and members of the newly established association announced to the public that, as of that date, 4,000 lawsuits had been filed as a result of efforts against counterfeiting.



A CHINESE PERSON IS ASKING THIS, DO YOU HAVE AN ANSWER TO THIS QUESTION?

MUSLIM BUSINESSMEN COME TO US AND ASK US TO WRITE INTERNATIONAL BRAND NAMES ON THE COUNTERFEIT PRODUCTS THEY WANT TO BUY. HOWEVER, WHEN WE TAKE THEM TO DINNER, THEY ASK WHETHER THE FOOD WE SERVE IS HALAL. I AM WONDERING, IS IT HALAL IN ISLAM TO COMMIT FRAUD AND SELL COUNTERFEIT PRODUCTS?



The trusted address for trademark registering and monitoring...

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