MARKET ENTRY & IP

Doing Business in Türkiye?

A Practical Guide to Protecting IP in Türkiye

Key protection, market-entry and enforcement considerations for international businesses.



SINCORE IP | PRACTICAL IP GUIDES

MARKET ENTRY SHOULD BEGIN WITH IP READINESS

Commercial access to Türkiye does not automatically bring local IP protection. An EU trade mark or registered EU design does not itself provide national protection in Türkiye. Existing international registrations must also cover Türkiye through the relevant route.

BEFORE ENTERING THE MARKET, ASK:

01
Which brands, technologies, designs and know-how will be used?

02
Are those assets available for use in Türkiye?

03
Is ownership clearly documented?

04
Which rights should be filed before launch?

05
Could third-party rights affect the planned activity?

SMART PROTECTION, NOT AUTOMATIC FILING

Prioritise protection according to:

- Commercial importance of the market
- Planned duration and scale
- Entry and operating model
- Competitor and counterfeit exposure
- Sector-specific IP conditions
- Short-, medium- and long-term goals

KEY MESSAGE

Entering a market commercially and entering it with adequate IP protection are two different things.

REFERENCES [1] [2] [7]

HOW WILL YOU OPERATE IN TÜRKİYE?

The appropriate IP strategy depends on how the business will enter, operate and grow in the market.

OPERATING MODEL / PRIMARY IP FOCUS

01
DIRECT SALES & EXPORT

Brand clearance, product-related infringement risks, importer responsibilities and control over local marketing.

02
E-COMMERCE & DIGITAL PLATFORMS

Trademark protection, marketplace monitoring, domain names, social media accounts and counterfeit exposure.

03
DISTRIBUTION, LICENSING OR FRANCHISING

Permitted use, quality standards, ownership, sub-licensing, enforcement responsibilities and post-termination obligations.

04
MANUFACTURING & SOURCING

Patents, designs, tooling, moulds, technical documentation, confidentiality, quality control and supplier access to know-how.

05
R&D & COMMERCIAL COLLABORATION

Background IP, newly created IP, inventorship, publication rights, data access and confidential information.

06
LOCAL ENTITY, JV OR ACQUISITION

Portfolio ownership, licences, encumbrances, chain of title and control over locally developed assets.

KEY MESSAGE

Protect in Türkiye according to how you plan to do business in Türkiye.

PROTECT THE BRAND BEFORE LAUNCH

A trademark available in another country may still conflict with earlier rights in Türkiye. Local clearance should therefore take place before adopting, launching or investing in a brand.

BEFORE FILING

01 Search relevant Turkish trademark records

02 Assess identical and similar marks

03 Review Turkish meaning, pronunciation and market perception

04 Define goods and services according to the actual business model

05 Confirm the correct applicant and ownership structure

06 Consider company names, domains and online identifiers

PROTECTION ROUTES

01

NATIONAL ROUTE

File directly with the Turkish Patent and Trademark Office — TÜRKPATENT.

02

INTERNATIONAL ROUTE

Designate Türkiye through the Madrid System where the applicable requirements are met.

AFTER FILING

01 EXAMINATION — **02** PUBLICATION — **03** 2-MONTH OPPOSITION PERIOD — **04** REGISTRATION

TÜRKPATENT examines the application before publication. If no obstacle prevents registration, the process may proceed to registration after the publication stage.

MAINTAINING THE RIGHT

Protection runs for ten years from filing and may be renewed for further ten-year periods. Genuine use in Türkiye is important; extended non-use may make the registration vulnerable to revocation.

KEY MESSAGE

A company name, domain name or foreign trademark registration does not replace trademark protection in Türkiye.

REFERENCES [1] [2] [4]

PROTECTING TECHNICAL INNOVATION

Technical innovation may require a combination of patent, utility model, contractual and trade-secret protection.

AVAILABLE ROUTES

01
NATIONAL APPLICATION

A patent or utility model application filed directly in Türkiye.

02
PCT NATIONAL PHASE

Entry into the Turkish national phase through the Patent Cooperation Treaty.

03
EUROPEAN PATENT ROUTE

A European patent route covering Türkiye, followed by the required national formalities.

04
CONFIDENTIAL KNOW-HOW

Contractual, confidentiality and trade-secret measures for non-public information.

EUROPEAN PATENTS

European patents intended to take effect in Türkiye require specific local formalities, including Turkish translation requirements.

THREE DIFFERENT QUESTIONS

01
IS IT PROTECTABLE?

Does the invention satisfy the applicable requirements for patent or utility model protection?

02
WHO OWNS IT?

Are inventor, employee, contractor and collaboration rights properly documented?

03
CAN THE BUSINESS USE IT?

Could third-party patent rights affect manufacturing, importing, offering or selling the product in Türkiye?

PATENTABILITY ≠ FREEDOM TO OPERATE

A patentability search and a freedom-to-operate analysis answer different questions. One should not be treated as a substitute for the other.

KEY MESSAGE

Obtaining patent protection in Türkiye does not by itself confirm freedom to operate in the Turkish market.

REFERENCES [2] [3] [4] [5]

DESIGNS AND PRODUCT APPEARANCE

Design protection may be relevant to the appearance of products, packaging, graphical elements, ornamentation and other commercially distinctive visual features.

WHAT SHOULD BE REVIEWED?

01 The features that create the product's overall visual impression

02 Whether the design is new and has individual character

03 Previous disclosures, exhibitions, online publications and sales

04 Ownership of designs created by employees, agencies or external designers

05 Possible overlap with trademarks, copyright and unfair competition

06 Competitor designs already present in the Turkish market

PROTECTION ROUTES

01

NATIONAL ROUTE

File a national design application before TÜRKPATENT.

02

INTERNATIONAL ROUTE

Designate Türkiye through an international application under the Hague System.

TERM OF PROTECTION

5 YEARS → **RENEW IN 5-YEAR PERIODS** → **UP TO 25 YEARS**

A Turkish registered design is initially protected for five years from filing and may be renewed in five-year periods for up to twenty-five years.

REGISTERED AND UNREGISTERED RIGHTS

Türkiye also recognises limited unregistered design protection in defined circumstances. However, registered rights generally provide a clearer and more predictable basis for enforcement.

KEY MESSAGE

The safest approach is to assess and protect commercially important designs before public launch or disclosure.

REFERENCES [2] [4]

OWNERSHIP, CONTRACTS AND LOCAL PARTNERS

Registering IP is only part of the strategy. Businesses must also retain effective ownership and commercial control.

01 OWNERSHIP

Confirm who owns:

- Existing trademarks, technologies and designs
- Improvements and adaptations created for Türkiye
- Local marketing materials and digital content
- Employee, contractor and agency-generated IP
- Jointly developed technology, products and data

02 CONTROL

Contracts with distributors, licensees, franchisees, manufacturers and other partners should address:

- Permitted use of IP
- Territory, products and commercial channels
- Quality and brand standards
- Confidentiality and access to know-how
- Domains, social accounts and marketplace profiles
- Authority to file, oppose or enforce rights
- Use of subcontractors and sub-licensees

03 EXIT

The agreement should determine what happens when the relationship ends:

- Immediate cessation of IP use
- Transfer or closure of local accounts and domains
- Return or destruction of confidential materials
- Treatment of stock, packaging and marketing materials
- Continuing confidentiality obligations

KEY MESSAGE

A local commercial relationship should not create unintended gaps in IP ownership or control.

REFERENCE [2]

ENFORCEMENT AND COUNTERFEIT RISK

Registration creates the legal foundation, but effective protection also requires monitoring, evidence and a coordinated response.

A LAYERED APPROACH

01

MONITOR

Watch trademark and design filings, competitors, distributors, online marketplaces, social media, domains and relevant commercial channels.

02

PRESERVE EVIDENCE

Document the seller, product, location, date, platform, transaction and other relevant circumstances before taking action.

03

ASSESS THE RESPONSE

Depending on the right and the facts, available options may include notices, platform takedowns, negotiation, civil proceedings, preliminary measures and criminal measures for certain trademark offences.

04

CONSIDER CUSTOMS ACTION

Turkish customs authorities may suspend the release of suspected infringing goods following a valid right-holder application or, in certain circumstances, through ex officio action.

05

COORDINATE LOCALLY

Commercial teams, local partners, investigators, customs advisers and legal representatives should work with a consistent enforcement strategy.

KEY MESSAGE

The objective is not to react to every incident in the same way, but to respond according to commercial impact, urgency and available evidence.

REFERENCES [2] [6]

STRATEGIC ROADMAP

A TÜRKİYE IP ROADMAP

IP planning should evolve with the company's commercial presence.

FROM MARKET ENTRY TO SUSTAINED GROWTH

01
BEFORE MARKET ENTRY

- Map the IP that will be used in Türkiye
- Confirm ownership and chain of title
- Conduct relevant clearance and risk searches
- Evaluate competitors and counterfeit exposure
- Prioritise protection according to market importance

02
BEFORE LAUNCH

- File commercially critical rights
- Finalise distributor, licence and supplier agreements
- Secure confidentiality before technical disclosure
- Review product-related infringement risks
- Assign responsibility for local IP matters

03
DURING EARLY MARKET ACTIVITY

- Monitor applications, marketplaces and competitors
- Control partner and distributor use
- Preserve evidence of authorised trademark use
- Review customs protection where appropriate
- Track opposition, renewal and procedural deadlines

04
AS THE BUSINESS GROWS

- Extend protection to new products and brands
- Review contracts and ownership arrangements
- Maintain and rationalise the portfolio
- Escalate enforcement according to business impact
- Reassess the strategy as commercial priorities change

ALIGN PROTECTION WITH BUSINESS GOALS

SHORT TERM	MEDIUM TERM	LONG TERM
Secure launch-critical rights and reduce immediate entry risks.	Build control, monitoring and market resilience.	Support investment, expansion, licensing and sustained competitive advantage.

KEY MESSAGE

A Türkiye IP strategy should not end when the first applications are filed.

TÜRKİYE IP SUPPORT

Planning an IP Matter in Türkiye?

Whether you are entering the Turkish market, expanding an existing business or coordinating a Türkiye IP matter for a client, Sincore IP provides focused local support aligned with your commercial objectives.

CONTACT SINCORE IP

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OFFICIAL SOURCES CONSULTED

[1] TÜRKPATENT — Trademark Information
[2] Industrial Property Code No. 6769 — Official English Translation
[3] TÜRKPATENT — Patent and Utility Model
[4] WIPO — Madrid, Hague and PCT Systems
[5] European Patent Office — Türkiye Translation Requirements
[6] Republic of Türkiye Ministry of Trade — Intellectual and Industrial Property Rights at Customs
[7] EUIPO — Where to Register a Trademark and Design

INFORMATION NOTE

This guide was independently prepared by Sincore IP. No passages were copied directly from the listed sources; they were consulted for legal and procedural background.

DISCLAIMER

This material provides general information and does not constitute legal advice. Requirements may vary according to the rights, facts and circumstances of each matter.

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