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LAW ON PROTECTION OF INTEGRATED CIRCUIT TOPOGRAPHIES

SECTION ONE – Aim, Scope and Definitions

Aim and Scope

Article 1 — The aim of this law is to provide a protection for integrated circuit topographies for the purpose of creating a competitive atmosphere in this field and this way to enable the development of industry.

This law comprises the principles, rules and conditions pertaining to the protection of registered integrated circuit topographies.

The rights conferred by this Law do not in any way invalidate the protection conferred by the other laws.

Definitions

Article 2 — For the purposes of this Law;

- a) Integrated Circuit: An intermediate or final product, designed for performing an electronic function or other similar functions, having at least one active element and some or all of the interconnections of which have been combined in and/or on a piece of material;
- b) Integrated Circuit Topography: The series of images that represent the three-dimensional sequence of layers embodying the integrated circuit and that has been prepared for production purposes, and fixed in any format and every image shall mean the entire or partial layout of the surface of integrated circuit at any stage of its manufacture.
- c) Institute: Turkish Patent Institute,
- d) Register: Register of Integrated Circuit Topographies,
- e) License: Right to use,
- f) License Agreement: the contract that gives the right to use of the Integrated Circuit Topography to third party,
- g) Bulletin: Bulletin that the Integrated Circuit Topography has been published.
- h) Re-examination and Evaluation Board: is the final decisive organ of the Institute that examines the appeals against the decision of the Turkish Patent Institute.
- i) Court: specialized courts,

SECTION TWO – Persons Entitled to Protection, Subject Matter, Conditions and Term of Protection

Persons Entitled To Protection

Article 3 — The Protection conferred by this law is available to nationals of Republic of Turkey, natural and legal persons residing in Turkey and performing industrial or commercial activities and the persons having the right of application under the provisions of the related international conventions.

Natural or legal persons other than those referred to in the first paragraph of this present Article, who are nationals of the States which accord legal or de facto protection to the nationals of the Republic of Turkey shall enjoy, according to the reciprocity principle, this protection in Turkey.

Subject Matter

Article 4 — Protection shall be granted to a topography which has an original nature. The protection shall not be applicable for the content on which the integrated circuit topography is based, operation process, system, technique or the information fixed on the topography other than the topography itself.

This right to protection of the integrated circuit contains a protected integrated circuit topography does not depend on the usage on a product.

Originality

Article 5 — If the topography is the result of its creator's own intellectual effort and is not known by integrated circuit producers and topography creators then it is said to be original.

Integrated circuit topography, which consists of an arrangement of known elements and interconnections, shall be protected insofar as the combined arrangement is original as a whole.

Commencement and Term of Protection

Article 6 — The protection conferred by this law shall commence on the day of the first commercial exploitation by the owner or the entitled third party, on the condition that the application is filed within two years as of its first exploitation, or the date on which the application is filed.

Term of protection shall expire at the end of the tenth calendar year following the year of commencement of protection mentioned in first paragraph.

The protection right shall not be requested if the topography has not been commercially exploited, other than confidentiality reasons, and the application has not been filed within fifteen years as of its design.

SECTION THREE – Ownership of the Right, Entitlements of the owner and Limitation of protection

Ownership of the Right

Article 7 — The protection right belongs to the creator or his successor in title.

In case of more than one person are the creators, unless a contrary agreement exists among the parties, the joint proprietorship provisions shall apply.

Entitlement under Employment

Article 8 — The right to integrated circuit topographies designed by employees shall belong to employers, unless otherwise provided in the employment contract.

The right shall vest with the employers for integrated circuit topographies which are not required by contract but developed by employers using the information and equipment available at work.

In such cases the employee shall be awarded a compensation the worthiness of which to be determined on the merits and the significance of the integrated circuit topography. The Court shall judge an appropriate value for the reward in case the parties cannot agree on the value.

Ownership of University Personnel

Article 9 — The right to integrated circuit topographies designed by university academics shall belong to the academics.

In cases where the educational institute has met the expenses of certain equipment and supplies, the educational institute shall be informed when the integrated circuit topography is exploited, and the creator shall make available when requested by the institution, the information on the means of exploitation of the integrated circuit topography and the revenues obtained during the exploitation. The educational institute will request, within three months of the written statement received, a suitable portion of the revenue. However, the amount requested cannot in any way be more than the expenses incurred by the institute.

Entitlements under Contracts Other Than Employment Contracts

Article 10 — The right to integrated circuit topographies designed under a contract other than an employment contract shall belong to employers, unless otherwise provided in the contract

Rights of the Holder

Article 11 — The right holder shall have exclusive rights to prevent the following actions by third parties performed without permission:

- a) Taken into an integrated circuit or reproduction in any way of the entire integrated circuit topography or a part thereof excluding the non-original.
- b) Importation, sale or commercial use of integrated circuit including the protected integrated circuit topography or product including the illegal reproduction of the integrated circuit topography.

Cases Where the Protection is Limited

Article 12 — Following actions are not included in protection:

- a) Reproduction for noncommercial personal purposes or for purpose of evaluation, analysis, research or teaching
- b) Integrated circuit topography that resulted from the actions mentioned in subparagraph a subject to actions mentioned in Article 11
- c) Importation, sell or commercial distribution following the introduction of the protected integrated circuit topography or integrated circuit that keeping in the protected integrated circuit topography to the market by the holder of the right
- d) Actions mentioned in subparagraph b where the person concerned not or could not aware that such products are illegal reproductions when he get the integrated circuit or integrated circuit topography used on the integrated circuit after realizing that those are the illegal reproductions and only the ones that are already on hand or ordered that are paid a reasonable amount to the holder.
- e) Actions mentioned in subparagraph b of a person who has created an identical topography independently.

SECTION FOUR – FILING REQUIREMENTS AND REGISTRATION

Registration Authority

Article 13 — Turkish Patent Institute (TPI) is the competent authority for the registration of integrated circuit topographies. All the applications should be filed in written and separately.

Filing Requirements

Article 14 — An application for registration of an Integrated Circuit Topography must be filed with the following:

- a) Name and address of the applicant
- b) Brief description of the Integrated Circuit Topography.
- c) Receipt showing the payment of the application fee
- d) The date of the first commercial use of the Integrated Circuit Topography or declaration on it has not been used.
- e) Explanation about how the applicant has the right to application regarding the Articles 7, 8, 9 and 10.
- f) Power of Attorney if an agent is appointed
- g) Signature circular (if the applicant is legal person)
- h) A complete set of overlay sheets, drawings or photographs of the topography and a description of the nature or function of the topography.

If the copies or the drawings are clear enough to recognition of the Integrated Circuit Topography then no need to submit the copies or the drawing of parts regarding the production.

Principles and procedures relating to the application shall be determined by regulation.

Formal Examination and Becoming Definite of the Application Date

Article 15 — In case of there are deficiencies with respect to conditions of Article 14 and related regulation the Institute shall request the applicant to remedy these deficiencies in 2 months after the notification date.

However in case of the following are submitted, the date of filing on which the application was filed originally at the Institute has become definite.

- a) Application petition,
- b) Information identifying the applicant,

c) Copies or Drawings of Integrated Circuit Topography

In case of there are deficiencies on the filing date then the application date become definite on the date on which the deficiencies are remedied.

If the deficiencies are not remedied on prescribed time then the application shall be deemed not to have been made.

Registration and Publication

Article 16 — when the application has become definite Institute will record the application to the register without examining the accuracy of the information given in application, whether the applicant has been entitled to file the application or not and whether the Integrated Circuit Topography is original or not.

Registry is open to the public. Upon request and payment of the prescribed fee a copy the register shall be available. Upon registry an Integrated Circuit Topography shall be published in bulletin. Information in registry is determined by the implementing regulations.

SECTION FIVE – Transfer, Inheritance, Pledge, Levy and license

Transfer, Inheritance, Pledge and Levy

Article 17 — The rights deriving from an Integrated Circuit Topography and from a registered Integrated Circuit Topography right may be transferred to third parties, and is subject to inheritance.

Integrated Circuit Topography right may be charged as pledge and may be levied in execution. On request of one of the parties, respective rights are entered in the Register and published in Bulletin. Related provisions of the Turkish Civil Code, and the Bankruptcy and Execution Law shall have effect with respect to security rights and execution.

Legal transactions among living persons over the Integrated Circuit Topography rights shall be entered into in writing.

The inheritance or transfer of an Integrated Circuit Topography right shall be recorded in the Register and published upon payment of the fee prescribed in the Implementing Regulation. The effects shall enter into force for the third parties as of the publication date.

License

Article 18 — The application or the registration right may be licensed. A license may be exclusive or non-exclusive. Licensing contract shall be entered in the register and published

upon the request of one of the parties. It cannot be valid to the 3rd parties without entering the Register.

A license may be exclusive or non-exclusive. Unless otherwise specified in the contract the license shall understand to be non-exclusive. Licensor may make use of his Integrated Circuit Topography rights personally, and may grant licenses to third parties on the same Integrated Circuit Topography right.

In the case of an exclusive license, licensor may not grant licenses to other parties and cannot himself make use of the Integrated Circuit Topography right unless such is provided specifically by the contract.

Unless it is specifically provided in the contract, licensee cannot transfer the rights arising from the license or cannot grant a sub license.

Unless provided otherwise by the contract, the holder of an exclusive license may, in the case of an infringement of the Integrated Circuit Topography rights, institute in his own name all legal proceedings which have been made available to the proprietor of the Integrated Circuit Topography right by this Law. Holders of non-exclusive licenses do not have the right to institute legal proceedings.

In the case of an infringement, the holder of a non-exclusive license may give notice, through a notary public, requesting the proprietor of the Integrated Circuit Topography right holder to institute such proceedings as required. In the event that the proprietor of an Integrated Circuit Topography refuses to initiate or within three months of the reception of the notice fails to institute proceedings, the non-exclusive license holder shall have the right to institute proceedings.

The licensee, who has instituted proceedings, shall notify the proprietor of the Integrated Circuit Topography right that the proceedings have been instituted.

The licensee may, in the face of serious damage where elapsing of time cannot be remedied, request the court to issue an injunction for precautionary measures.

SECTION SIX – Invalidity conditions, termination of the right and Persons Authorized to Act

Request of Invalidity and Invalidity Conditions

Article 19 — an Integrated Circuit Topography is decided to be invalid referring to the conditions below and upon request of consumer associations, Entities subject to Law No. 507 and other people with interest.

a) Where proved that the Integrated Circuit Topography is not eligible for protection under the provisions of the Article 4 and 5 of this Law.

b) Where proved that the entitlement to the Integrated Circuit Topography right actually belongs to another person or persons.

c) Where proved that the Integrated Circuit Topography has been used commercially and the application has not been filed in time prescribed in paragraph 1 of Article 6

Where the invalidity involves only part of the Integrated Circuit Topography partial invalidity shall be ruled in respect to the related part. Invalidity may be requested as cross action.

Court will be informing the Institute not only the suit is brought but also the decision is given. Institute will publish the notification and decision as soon as possible and update the registry.

Effects of Invalidity

Article 20 — A final decision for the declaration of invalidity shall have retroactive effect.

The retroactive effects of invalidity, without prejudice to claims for compensation for damage caused by negligence or lack of good faith on the part of the holder of the Integrated Circuit Topography right and to unjust enrichment, shall not extend to the following:

a) Any final decision for infringement of Integrated Circuit Topography right reached and enforced prior to the decision of invalidity

b) Contracts concluded and executed prior to the decision of invalidity. However, partial or total reimbursement of sums paid under the contract may be claimed on grounds of equity to an extent justifiable by the circumstances;

A final decision of invalidity shall produce effect against all.

Reasons for Termination

Article 21 — The Integrated Circuit Topography right shall be considered to have terminated when the period of protection has expired or the right holder has surrendered his right.

In case of termination subject matter will be considered public domain. This case will be published in bulletin.

Surrender of a Right

Article 22 — Holder of an Integrated Circuit Topography right may surrender his rights arising from the application right or the registration right.

The surrender shall be filed in writing at the Institute. Surrender shall have effect as of the date of entry in the design register.

Holder of an Integrated Circuit Topography right cannot surrender his right without having the consent of the licensees or holders of rights recorded in the Register.

Where there is a claim by a third party for the Integrated Circuit Topography surrender of Integrated Circuit Topography rights cannot be requested without the consent of the referred third party.

Persons Authorized to Act before the Institute

Article 23 — natural or legal persons who have filed the application and qualified patent attorneys are authorized to act before the Institute.

Legal persons may only be represented by those duly empowered by their respective authorized bodies.

Those who are domiciled outside the country can only be represented by patent attorneys.

Where an attorney has been appointed, all procedures are executed through the Attorney. All notices made to the attorney shall be considered to have been made to the assignee.

SECTION SEVEN – Infringement, Suits, Courts, Precautionary Measures and Prescription

Infringement of a Right

Article 24 — except the actions mentioned in Article 12 the person who has suffered have a right to bring suit in case of the actions in Article 11 paragraph a and b.

Is an Integrated Circuit Topography has been published in Bulletin referring to the Article 16 then holder has a right to bring a suit against the infringement. Infringing party has been informed about the application and its scope it is not taken into consideration whether the application has been published. Infringement shall be considered to exist before the publication when the court rules that the infringing party was acting in bad faith.

Right of Requesting Transfer

Article 25 — when the subject matter of application has been received without permission that third party may institute a court action claiming the transfer of ownership.

If the application has been registered then third party may institute a court action claiming the transfer of ownership and correcting the registry within 3 years of the publication date.

Appeals of the Right Holder and the Competent Court

Article 26 — an Integrated Circuit Topography right holder whose rights have been infringed may in particular appeal for the following at the Court:

- a) Determine the acts which can be considered to infringe
- b) Request for the establishment of the existence of an infringement.
- c) Appeal for remedies of infringement and request compensation for damages incurred.
- d) Request the confiscation of products produced or imported and of the equipment used directly to produce such goods which have infringed the rights of a registered Integrated Circuit Topography
- e) Request the disclosure to the public and to those related of the courts decision by means of publication, costs of which to be met by the offending party.
- f) Appeal for enforcement measures for the prevention of continued infringement of rights, in particular request the destruction of the products and equipment if it is essential for the preclusion of acts of infringement or the prevention of alterations on the products and equipment confiscated according to subparagraph (d),
- g) Appeal for the proprietorship over the products confiscated in accordance with subparagraph (d); in this case the value of the products shall be deducted from the compensation awarded. If the values of the products turn out to be above the compensation value awarded, the Integrated Circuit Topography right holder shall repay the balance to the infringing party,

As regards the measures, the court shall rule in accordance with the related provisions of the law of civil procedure on precautionary measures.

The competent court, for the institution of civil proceedings by the Integrated Circuit Topography right holder against the third parties, is the court of the domicile of the plaintiff or of the place where the acts was committed or of the place where the act had effect.

Where the plaintiff is not a citizen of the Republic of Turkey, the competent court is the court of the domicile of the authorized agent registered in the registry and if the agent's registration has been canceled the court of the domicile of the Institute.

The Competent Court, for the institution of proceedings by the third parties against the Integrated Circuit Topography right holder, is the court of the domicile of the defendant. If the application or Integrated Circuit Topography right holder is not domiciled in Turkey, the provisions of the fourth paragraph shall prevail.

Where there several competent courts, the court at which the proceedings are instituted first, is the competent court.

Request of the Documents Evidencing Infringement

Article 27 — The Integrated Circuit Topography right holder can request from the infringing party the documents related with the use of the Integrated Circuit Topography without his consent, for valuation of the injury suffered because of an infringement of the design.

Loss of Profits

Article 28 — The injury suffered by the Integrated Circuit Topography right holder includes not only the value of the actual loss but also the income loss incurred because of the infringement of the design rights. The loss of income shall be calculated in accordance with one of the following evaluation methods, on the option of the Integrated Circuit Topography right holder who has suffered the injury:

- a) According to the possible income that the Integrated Circuit Topography right holder would have generated if the competition of the infringing party did not exist;.
- b) According to the income generated by the infringing party from the use of the Integrated Circuit Topography;
- c) According to a license fee that would have been paid if the party infringing the Integrated Circuit Topography right would have utilized the Integrated Circuit Topography under a legal licensing contract.

In calculation of the profits lost, in particular the economic value of the Integrated Circuit Topography, the term of protection remaining at the time of infringement, the type and member of licenses outstanding and similar factor shall be taken into consideration.

Where the Integrated Circuit Topography right holder has selected one of the evaluation options specified in this Article; the Court may add on a reasonable extra amount if in courts opinion Integrated Circuit Topography contributes substantially to the economic value of the product.

Prescription

Article 29 — Time limit provisions of the Code of Obligations shall have effect concerning the time limits for appeals relating to infringements on Integrated Circuit Topography rights.

Appeals against the Decisions of the Institute and Bringing Suit

Article 30 — Appeals may be placed against the decisions of the Institute within two months after the date of notification of the decision. The Re-examination and Evaluation Board shall consider the appeal.

Actions may be instituted, within two months of the notification of the decision, at the authorized court within 60 days after the date of notification of the final decision of the Re-examination and Evaluation Board.

Competent Courts

Article 31 — Specialized courts shall have jurisdiction for all of the actions and claims provisioned by this Law. These are single judge courts. High Council of Judges and Prosecutors shall determine which of the Commercial Courts of the First Instance and the Criminal Courts of the First Instance shall be appointed as special courts and indicate their respective jurisdiction based on the request of the Ministry of Justice.

For actions brought in respect of the Institute's decisions within this Law and for actions brought against the Institute by the third parties who have suffered from the decision of the Institute, the special court is Ankara Specialized court.

Publication of the Court's Decision

Article 32 — Where a court judgment has become final, the successful party may request the publication in full or in summary of the final judgment in a daily paper, radio, television or by other means of the media, the costs of which to be met by the other party. Right of publication shall be void if not exercised within three months of the judgment becoming final. The nature and extent of the publication shall be determined in the judgment.

Determination of Non-infringement

Article 33 — Any related person may institute proceedings against the proprietor of an Integrated Circuit Topography to obtain a judgment of non-infringement.

Prior to the institution of proceedings referred in the first paragraph, a notice shall be forwarded through the notary public to the attention of the proprietor of the Integrated Circuit Topography to enable the Integrated Circuit Topography right holder to express his observations on whether the Integrated Circuit Topography to be used on the products produced or to be produced by the requesting party in Turkey constitute infringement of the Integrated Circuit Topography rights.

Where the proprietor of the Integrated Circuit Topography upon receiving such a notice does not respond within one month of receiving the notice, or the content of the response is not found acceptable by the requesting party, the appealing party shall have the right to institute proceedings according to the first paragraph.

Persons, against whom action of infringement has been brought in respect of the Integrated Circuit Topography right, cannot institute proceedings with respect to first paragraph.

Institution of proceedings shall be communicated to all right holders entered in the Integrated Circuit Topography Register.

The actions referred to in this Article may also be instituted jointly with a claim for invalidity.

Request of Precautionary Measures and the Nature of Precautionary Measures

Article 34 — Any person entitled legally to bring action as prescribed by this Law, may appeal the court to order precautionary measures.

The request for precautionary measures may be filed before or with the institution of proceedings or filed later. The request for precautionary measures shall be examined separately.

Precautionary measures shall be in nature to enable securing of the judgment and particularly provide the following:

- a) Cessation of the acts of infringement of the Integrated Circuit Topography rights of the plaintiff,
- b) injunction to arrest within the borders of Turkey, including the customs, free ports or free trade areas and keep in custody the produced or imported goods which have infringed the Integrated Circuit Topography rights,.
- c) Ordering the placement of security for possible future damages to be compensated.

Applicable Provisions

Article 35 — With respect to other actions for securing and precautionary measures provisions of the Civil Procedures Code shall have effect.

Seizure at Customs

Article 36 — Customs authorities, while being exported or imported, shall withhold as a precautionary measure the products which have infringed the rights of a Integrated Circuit Topography referring to the Customs Law Article 57.

The withholding measure employed by the customs authorities shall cease to have effect if proceedings are not instituted at the special court or preventive injunction is not obtained from the court within ten days of the withholding.

SECTION EIGHT – General Requirements for Compulsory License and Expiration

Requirements for Granting Compulsory Licensee

Article 37 — The Council of Ministers may decide to grant a compulsory license without permission of the holder on grounds of:

- Public Interest, National Security, Public Health or Development of the other vital sectors of national economy need to use for non commercial purposes
- Anticompetitive situation determined by administrative or judicial authorities

A person whose contractual license request has been refused may apply to the Institute for a compulsory license after waiting for a reasonable term. In request he should submit the evidencing documents that he has requested contractual license.

Integrated Circuit Topography is put to use by means of compulsory license by The Council of Ministers with the advice of Institute and the related ministry.

The concerned Ministry proposes to the Council of Ministers to issue a decree pertaining to the grant of compulsory license. In case, where the use of the Integrated Circuit Topography is important for national defense or public health, the proposal is prepared jointly by the concerned ministries.

The decision to grant compulsory license, may, restrict the use of the Integrated Circuit Topography to one or some enterprises on grounds of its importance for national defense.

The use of integrated circuit topography Recognized under this Article should be in a nature that scope and duration has been authorized in terms of purpose, and limited domestic market demand should be met.

This right is not exclusive. In case of a compulsory license the Integrated Circuit Topography right holder shall be paid an economically reasonable fee.

of the Council of Ministers gives the cost of the economic value and applies where the competent competition in the middle need to compensate the uninstaller applications, to be held within the framework of regulations

Usage fee is determined by taking into consideration the economic value and the need for compensation of the applications that are removing the competition by the Institute with the power given by council of ministers. Owner of the right of usage pays the fee.

Right of usage may be transferred to a third party. It should be transferred all of the firm or the part that have the right of usage. On request of one of the parties, respective rights are entered in the Register. Otherwise it cannot be adduced to the third parties. Owner of the

right of usage cannot grant a sub license. Procedure for that purpose considered invalid. In case of the subparagraph b of the first paragraph fourth paragraph is not applied.

Termination of Compulsory License

Article 38 — The Council of Ministers may decide the termination of compulsory license when the above mentioned grounds do not exist any more on request of owner, approval of Institute and the advice of the Ministry.

SECTION NINE – Penalties and right of complaint

Penalties Will Be Applied In Case Of Infringement

Article 39 — Persons acted following shall be sentenced to an imprisonment term of between one and two years and to pay a heavy fine of between ten billion and twentyseven billion liras:

- a) Those making false declaration with respect to true identity of the Integrated Circuit Topography right holder
- b) Those removing without authority the sign indicating a Integrated Circuit Topography right rightfully placed on a product or on its packaging
- c) Those falsely presenting themselves as the proprietor of an Integrated Circuit Topography application right or an Integrated Circuit Topography right.

Persons acted following shall be sentenced to an imprisonment term of between two and three years and to pay a heavy fine of between twenty billion and thirty billion liras:

- a) Having committed the acts without authority, those transferring or placing as security or undertaking any other such action for utilizing any one of the rights of transfer, placing of security, execution of levy and other such actions
- b) those affixing signs on a product produced or put to sale by own self or by others, or on its packaging thereof or on commercial documents or on advertising material in such a way that would convey the impression as if a relationship exists with a legally protected integrated circuit topography right, or of using to the same effect writings, signs or expressions in the advertisements and commercials at the published and visual media after the expiry of the protection term or after the invalidation of the integrated circuit topography right or after the termination of the integrated circuit topography right.

the persons acted as Article 11 paragraph a and b shall be sentenced to an imprisonment term of between two and four years and to pay a heavy fine of between twenty billion and thirty

billion liras and shall be prevented from practicing any commercial activity during the same period. In case of recurrence penalties would be raised half of above.

where the felonies stated above are committed by those working in the undertaking whether on their own initiative or under instructions while carrying out their duties, the employees and the owner or the manager or their representative and the person holding whatever title whatsoever who is de facto managing the undertaking who have not prevented the misdemeanor shall be punished in the same manner.

Where the felonies stated in this Article have been committed during the execution of tasks related with a legal entity, the legal entity shall also be liable for the fines, expenses and damages. for those assisting the acts, depending on the nature of the action the provisions of the Articles 64, 65, 66 and 67 of the Turkish Penal Code shall apply.

Prosecution with respect to the felonies stated above shall be subject to complaint.

Persons Who Has Right to Complaint

Article 40 — The right of complaint belongs to the person whose integrated circuit topography right has been infringed, and additionally belongs also to the institute for all felonies except those provisioned in Article 48, and to the consumer associations and to establishments under the jurisdiction of laws no 5590 or no 507 for acts of false declaration with respect to true identity of the integrated circuit topography right holder, and for acts of affixing signs on a product produced and put to sale by own self or by others, or on its packaging or on commercial documents or on advertising material in such a way that would give the impression as if a relationship exists with a protected integrated circuit topography right, or of using to the same effect writings, signs or expressions in the advertisements and commercials at the published and visual media without being the rightful proprietor of the integrated circuit topography right or after the expiry of the protection term or after the invalidation of the integrated circuit topography right or after the termination of the integrated circuit topography right. The proceedings with respect to the felonious acts should be initiated within two years of the date of being informed of the act and the actor.

The complaints with respect to acts falling within this scope shall be treated as of urgent matters.

Subparagraph 8 of paragraph 1 of Article 344 of the criminal procedures code no 1412 shall not apply for the implementation of the provisions of this Article.

the provisions of Article 36 of the Turkish Penal Code and the related Articles of the criminal procedures code shall apply for the seizure, the confiscation or the destruction of the goods

and the equipment and machinery used to produce these goods which are subjects of acts of felony having infringed the rights arising from an integrated circuit topography right application or a protected integrated circuit topography within the provisions of this law.

Regulation

Article 41 — The regulations would be put on the effect by Institute in 6 months after the publication of this law.

Entry into Force

Article 42 — This Law shall enter into force on the day of publication

Execution

Article 43 — This Law shall be executed by the Council of Ministers.