

## **Registrability – Likelihood Of Confusion (Similarity Of Trademarks)**

**“BADEM”**

**ÜLKER GIDA SANAYİ VE TİCARET A.Ş. vs. ÜLFET BİSKÜVİ VE GIDA SANAYİ A.Ş.**

**(\* ) 3rd Commercial Court of Ankara**

**Decision No. 1998/1008 – 1999/630 (December 16, 1999)**

**(\*\* ) 11th Civil Chamber of the Supreme Court**

**Decision No. 2000/3308-2000/6468 (July 6, 2000)**

In the action instituted for the cancellation of defendant’s trademark application for “BADEM” the 3rd Commercial Court of Ankara ruled for the cancellation of the trademark application, in consideration of the prior trademark registrations in the name of the plaintiff. Upon the defendant’s appeal, in its decision (\*\* ) the Supreme Court overturned the decision (\*) of the first instance Court on the ground that no trademark registration existed in the name of the defendant on the date when the court action was filed.