

Guidelines of the Turkish Patent Institute according to which a trademark is to be considered as well known in the sense of the Article 7 parag.1 (i) of Decree-Law no. 556 and Article 6 bis of the Paris Convention:

- 1.Registration and use of the trademark in question (detailed information in relation to the history of the trademark).
- 2.Geographical scope of the trademark protection and of the use (Copies of the registration certificates in Turkey and Worldwide registration list).
3. Documents attesting the market shares, sales figures for the goods and/or services for which the trademark is used.
4. Advertisement and their specifications (advertisement documents especially in relation to Turkey (but not limited) and specifying the period of the advertisement, the consistency, the geographical scope, the advertisement budget and the medias of distribution such as television, news paper etc....)
5. Promotional materials which can not be categorized as advertisement but which are beneficial for the awareness of the trademarks (news or publications in periodicals, newspaper, television etc)
6. Court decisions in relation to the notoriety of the trademarks or court decisions attesting the involvement of the trademark owner in protecting its trademark (Apart from the decision in relation to the notoriety of the trademarks, court decision on the basis of trademark infringement or unfair competition involving the well-known trademark or decisions in relation to the oppositions filed or figures attesting the numbers of the opposition filed worldwide)
7. The distinctive character of the trademark (originality) is to be taken into consideration as criteria.
8. Market Survey (preferably in Turkey) in relation to the notoriety of the trademark
9. Information in relation to the right holder (size of the company, the number of employee, the turnover, the distribution channels, dealers and sale branches, etc
10. The relation between the trademark and the goods. (Does the trademark refer to a certain good at sight? Does the trademark is indicative of the quality in respect of the goods in question?)
11. Awards obtained in relation to the trademark in question
12. Information in relation to the distribution channels of the goods bearing the trademark
13. The value of the trademark (if figuring on the balance sheet of the company or if available)
14. The scope protection of the trademark in terms of goods and services.
15. Information in relation to the number of infringement and conflicting applications filed by third parties in bad faith for benefiting from the notoriety of the trademarks.
16. Any other documents attesting the notoriety of the trademark.