

14. A NEW ERA IN TURKISH

are met, the use of these parts shall not be deemed as an infringement of the design right even though the usage has taken place less than three years after the design is made available.⁴³ This issue is still being discussed in EU law. Although there are some concerns about the scope of the equivalent parts, it can be said this exception will have a positive effect on the economy considering the equivalent/spare part sector in Turkey.⁴⁴

D. PATENTS AND UTILITY MODEL LAW

The aims of patent and utility models amendments can be summarized as harmonization to the international conventions and European patent law, improvement of the patent quality, increasing the commercialization of inventions, and simplification of the registration procedure.

The provision on patentable inventions was revised and

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medical use, the national pharmaceutical sector opposed this demand. Judge Adem Aslan, a member of the Court of Cassation of Turkey stated the Court of Cassation had given protection for the secondary medical use by interpreting decree-law. Therefore, the lack of any special provisions relating to it did not prevent either national applications or Europe(o)-8.3by cnatio4 (s)2.3n7 (o).4 (pe(o)-8.3by)-Cni12.3n7 (o.[(gy)]TJ-07Td[(he)-2.7 (w 0.6 Td()f

and Novelties on Patent and Utility Models in the Law on Industrial Property)'

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