

## **Report Q210**

in the name of the Turkish Group  
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### **Protection of Major Sports Events and associated commercial activities through Trademarks and other IPR**

#### **Questions**

#### **I) Analysis of the current legislation and case law**

The Groups are invited to answer the following questions under their national laws:

- 1) *Does your national law provide specific protection for trademarks or other designations relating to Major Sports Events?*

The main law related to the protection of trademark rights in Turkey is the Decree Law Nr. 556 Pertaining to the Protection of the Trademarks (hereafter "**DL 556**"). The mentioned law sets the common rules for trademark protection and does not provide specific protection for trademarks relating to Major Sports Events.

On the other hand, specific protection for trademarks relating to Major Sports Events is provided through some other Laws in Turkey.

One of the mentioned laws providing specific protection for the trademarks relating to Major Sports Events is "Code of Olympic Games to be Conducted in Istanbul City No. 3796". The Article 18 of the said law states that Istanbul Olympic Games Preparation and Regulation Board's consent is needed for the use of the Olympic name and emblem for commercial, propaganda and similar purposes. Article 10 of the same law also states that by taking into account the rules of the International Olympic Committee, Istanbul Olympic Games Preparation and Regulation Board's consent is needed for the services for the preparation and regulation of the Olympic Games such as live TV broadcasting, transportation, advertising, sponsorship, marketing and city planning.

Besides, as the relevant Sports Federations in Turkey are member of the international organizations such as Federation Equestre Internationale ("FEI"), Fédération Internationale d'Automobile, Fédération Internationale de Basketball ("FIBA") and FIFA and UEFA, the use of the trademarks and logos related to these sport organizations are governed in Turkey due to the General Regulations of these organizations.

However, it should be noted that these regulations did not become a part of the Turkish national law. For instance, although the Turkish Automobile Sports Federation is the organizer of the Formula One Championship taking place yearly in Istanbul since 2005 and it is obliged to set national Rules in Turkey in accordance with the rules of International Sport Code and the General Rules of Fédération Internationale d'Automobile, no specific legislation has been enacted yet.

2) *If so, please explain whether - and in the affirmative in what way - the following trademark law requirements differentiate from the corresponding requirements in general rules of trademark law:*

- a) *Requirement of distinctiveness*
- b) *Use requirement.*

The requirement of distinctiveness and the use requirement do not differentiate from the requirements in general rules of trademark law.

3) *Also, please explain whether – and in the affirmative in what way - the following differentiate from the general rules of trademark law:*

- a) *Is the scope of protection of trademarks which relate to Major Sports Events narrowed or extended compared to the scope of protection of other trademarks?*

Given the aforesaid protection provided for the “Olympic Name and Emblem” pursuant to Article 18 of the “Code of Olympic Games to be Conducted in Istanbul City No. 3796”, the usage of the Olympic name and emblem for commercial, propaganda and similar purposes is subject to the approval of Istanbul Olympic Games Preparation and Regulation Board.

Thus, the scope of protection of trademarks which relates to the relevant Olympic Games is extended compared to the scope of protection of other trademarks given under DL 556 as according to the above Article, the Olympic name and emblem do not have to be **used as a mark to constitute infringement**.

Besides, it shall not be erroneous to say that the protection of trademarks which relates to the Olympic Games as such shall also be embraced by the regulations, by-laws and laws of Olympic Games in the course of implementation of the national law.

- b) *Does use as a mark constitute a precondition for infringement of trademarks which relate to Major Sports Events or is the requirement of use as a mark not applied in relation to infringement of those trademarks?*

Pursuant to Article 18 of “Code of Olympic Games to be Conducted in Istanbul City No. 3796”, the usage of the Olympic Name and Emblem for commercial, propaganda and similar purposes is subject to the approval of Istanbul Olympic Games Preparation and Regulation Board. This is construed as the Olympic name and emblem do not have to be **used as a mark to constitute infringement** as oppose to types of “usages as a mark” governed by the Article 9/II a, b, c and d of DL 556 which are comprised of:

- a) Affixing the sign onto the good or the packaging thereof,
- b) **Selling** goods bearing the sign on the market or stocking them for that purpose, offering the goods for sale bearing the sign or provision of or supplying the services under that sign there under,
- c) Importing or exporting the goods bearing the sign,
- d) Using the sign on business papers and in advertising.

Therefore; any type of exploitation of Olympic name and emblem in trade or for propaganda or similar purposes may result to infringement within the meaning of the “Code of Olympic Games to be Conducted in Istanbul City No. 3796”.

- c) *Is the protection period for trademarks which relate to Major Sports Events the same as the protection period for other trademarks?*

While the protection period for trademarks is renewable 10 years in DL 556, the protection given for the Olympic name and emblem is not limited with a particular period of time; thus, it is valid until the "Code of Olympic Games to be Conducted in Istanbul City No. 3796" is repealed or becomes ineffective.

- d) *Is the determination of third party traders' legitimate interest in fair use different for trademarks which relate to a Major Sports Event than for other trademarks?*

There is no specific provision as to third party traders' fair use in the aforesaid "Code of Olympic Games to be Conducted in Istanbul City No. 3796". Therefore, Article 12 of DL 556 shall be applicable in the course of assessment of the third party traders' legitimate interest in fair use whereby 'the proprietor of a trademark cannot prevent the third parties from using his own name or address in the course of trade, indications concerning the kind, quality, quantity, intended purpose, value, geographical origin, the time of production of the goods or of rendering the services, or other characteristics of the goods or services, provided that the use is effectuated fair and in relation to industrial or commercial matters'.

- 4) *Does your national law provide for a specific registration procedure for trademarks relating to Major Sports Events?*

Specific registration procedure for trademarks relating to Major Sports Events is not provided in the "Code of Olympic Games to be Conducted in Istanbul City No. 3796".

- 5) *What are the possible remedies in respect of infringements of trademarks relating to Major Sports Events? Do they differ from the remedies applicable to other trademark infringements?*

The remedies applicable to infringement of trademarks relating to Major Sports events do not differ from the remedies applicable to other trademark infringements. According to Article 61 of DL 556, in case of trademark infringement, the right owner would have the right to institute an infringement action against the infringer before the Specialized Courts in Intellectual and Industrial Property Rights and asks for the infringement to be stopped and prevented, the payment of compensation for material and moral damages sustained because of the infringement and request an interlocutory injunction.

Trademark infringement consists also of an act of unfair competition according to the Articles 56 and 57 paragraph 5 of the Turkish Code of Commerce and according to article 58 of the Code, can be equally contested on such basis with similar claims as above. In such case, the right owner can additionally claim the restitution of the material status/facts resulting from the unfair competition or the retraction of false or deceiving statements, relevant also in case of ambush marketing.

Trademark infringement and unfair competition being also a criminal offense according to Article 61/A of the DL 556 and Article 64 of the Turkish Code of Commerce, the cessation of the infringing act may be requested through the penal proceedings as well in which case a complaint is filed before the Public Prosecutor and the Public Prosecutor, if convinced of the infringement, order the seizure of the infringing goods and institute the criminal action himself. The right owner can however join the action.

However, the Turkish Constitutional Court in a recent decision ordered the cancellation of the provisions of DL 556 preventing the use of a confusingly similar trademark on confusingly similar goods for lack of clarity of the provision describing a criminal offense and for its enactment with a Decree-Law instead of a law enacted by the Turkish Parliament. This cancellation entered into force on January 5, 2009. A new law dated 21.01.2009, numbered 5833 and entitled "Law on Amendment of the Decree-Law No.556 Pertaining to the Protection of Trademarks" has entered into force on 28.01.2009 with respect to the cancelled provisions

and 61/A of DL 556. This new law describes the acts which may be prevented by the trademark owner, infringing acts and criminal acts resulting to trademark offences together with their sanctions. However, the late publication of the new law has caused a statutory gap between January 05, 2009 and January 28, 2009 in the legal system for trademark protection as regards to the applicability of those provisions within this period.

- 6) *What are the possibilities under your national law of reacting against non-official sponsors' use or registration of trademarks which take place before a Major Sports Event and which relate to the Major Sports Event?*

In case the non-official sponsors use the trademarks without registration before the Major Sports Events whereby the event organizers are assumed to have registered the said trademarks in the country where the event shall take place, event organizers or the persons authorized to use the trademarks may file civil and criminal actions for the prevention and/or cessation of trademark infringement including the demand for monetary sanctions against the non-official sponsors together with the request of preliminary injunction consisting of seizure and confiscation of the counterfeit products bearing the said trademarks. Moreover, in the assumption where the trademarks are not registered by the event organizers in the host country, they are entitled to pursue the same actions relying on the notoriety of their trademarks registered and used worldwide in the view of Article 6bis of Paris Convention for the Protection of Industrial Property to which Turkey is one of the signatory countries and pursuant to the rules in relation to trademark infringement of DL 556.

It is to be noted that under the above circumstances where the trademark is registered by the organizer and exploited by the non-official sponsors without registration, the precautionary measures, i.e. preliminary injunctions including the confiscation and keeping in custody of the produced or imported goods on each and every site where they have been found including the borders of Turkey or the customs, free ports or free trade areas through civil and/or criminal proceedings and/or the restitution of the material status/facts resulting from the unfair competition or the retraction of false or deceiving statements are implemented more effectively, vigorously and promptly.

Additionally, since the acts of the non-official sponsors are likely to constitute confusion and misappropriation with the establishment, reputation, services-goods, marks and indication of the event organizers or the persons authorized to use the trademarks or the consumers prejudiced or likely to be prejudiced by the said act, they may ask for the prevention and/or cessation of those unfair acts within the trademark infringement action or within a separate action based on unfair competition.

In case the non-official sponsors use the trademarks registered in their own name before the Major Sports Events, the event organizers or the persons authorized to use the trademarks shall first initiate an invalidation action against the trademarks owned by the non-official sponsors since the prevailing decision of the Supreme Court in the Turkish jurisprudence is that the acts initiated by the trademark owner (even if he may not be the genuine owner) based on its registration during the protection period is found to be legitimate unless the registration is cancelled upon the invalidation action to be filed by the genuine trademark owner. In that sense, it is to be noted that any action to be lodged based on Unfair Competition provisions of the Turkish Code of Commerce will be most probably failed as the aforesaid prevailing jurisprudence of the Supreme Court amount to rejection of any action where the defendant's use is based on a registration. Therefore, only after the invalidation action is upheld and the trademark is cancelled from the Registry, event organizers will be able to file the aforesaid actions against the non-official sponsors.

Respectively, under the above circumstances, the precautionary measures, i.e. preliminary injunctions, may not be implemented as effective, vigorous and prompt as in the case where

the event organizer owns trademark registration and the non-official sponsor is deprived of the same.

- 7) *Does your national law provide for protection against Ambush Marketing? In the affirmative, is such protection set out in the law protecting trademark rights, in the laws against unfair competition, or both?*

There is no specific provision in the Turkish National Law including in the "Code of Olympic Games to be Conducted in Istanbul City No.3796" against ambush marketing. However, although ambush marketing is not forbidden as such, the Turkish Legislation does provide for protection against it.

Where the non-official sponsors use trademarks identical or confusingly similar with the registered trademarks, well known trademarks (in the sense of the Article 6bis of the Paris Convention) and logos, emblems, alias, insignia, flags, badges related to the event, the protection set in the DL 556 referring also the above mentioned provisions of the Paris Convention be relevant and sufficient. On the other hand, in all other cases, the provisions of the Turkish Code of Commerce as to unfair competition are to be applied.

Unfair competition is first defined with a general/principle clause (Article 56) as "all forms of abuse of economical competition with manifestation of deceiving acts or acts against the good faith" and some frequently presented forms of unfair competition among which the act of disparagement, false and deceiving statements regarding its own personal status, product, commercial activity and business, creating confusion with others' products commercial activity and business etc are enumerated then (Article 57).

In the Turkish doctrine, it is generally accepted that to consist of an act of unfair competition, the form of ambush marketing must include the following characteristics:

- the association of the non-sponsor with the event,
- the unfair or deceiving character of such association,
- the danger/risk of damages for the official sponsor or event organizer.

As a result some forms of ambush marketing such as consisting of creating the impression of being an official sponsor to the event (the so called ambush marketing by association) consist obviously of an act of unfair competition in the sense of the general clause and the clause of Article 57 as to false and deceiving statements. Although less obvious, most of the attempts of the non-official sponsors to be associated with the event by means of media and spectator exposure (the so called ambush marketing by intrusion) is expected to fall under the general clause (Article 56) on unfair competition.

- 8) *Does your national law provide for specific trademark protection or protection against unfair competition relating to other major events, such as film, art or music festivals, World Expos and other similar events?*

Yes, Turkish Law also provides specific trademark protection relating to other major events. For example, in Article 13 of the "The Law Related to 1996 Turkey Europalia Festival No. 4033", it is stated that the Board's or authorized Committee's consent is needed for the use of the Turkey Europalia Festival's name and the logo for commercial, propaganda and similar purposes. Article 12 of the same law also states that the Board's or authorized Committee's consent is needed for the services related to Turkey Europalia Festival such as visual or audio broadcasting, advertising, market and marketing (except news).

## II) Proposals for substantive harmonisation

The Groups are invited to put forward their proposals for adoption of uniform rules, and in particular consider the following questions:

- 1) *Are particular rules on trademark protection desirable for trademarks or signs which relate to Major Sports Events? In the affirmative, why is that the case?*

Turkish National Group is of the opinion that specific rules on trademark protection are desirable for trademarks or signs which relate to Major Sports Events **provided that these rules shall only be enforceable for a limited period of time in restriction with the duration and features of the Major Sports Events** in order to;

- a) Facilitate the registration procedure,
- b) Incorporate (merchandising) goods and services in relation to Major Sports Event in the existing classification system,
- c) Designate the non-usage of the trademark between the date of its registration and the commencement of the Major Sports Event as a justified reason,
- d) Provide specific measures to prevent 3rd parties' attempts for the registration of the trademarks related to Major Sports Events,
- e) Recognize privilege and immunity for the actual usage of the trademarks by the event organizers, official sponsors and the other event participants in case the trademarks are somehow registered by the 3rd parties before the Major Sports Event,
- f) Establish more effective and speedy system by virtue of the "preliminary measures, in particular in relation to preliminary injunctions" that will be granted over the File regard being had to its priority and deprive the infringer of any notification which shall be enforced against the acts of infringement and/or unfair competition incurred before or during the Major Sports Event,
- g) Narrow the requirement of distinctiveness for trademarks which relate to Major Sports Events.

- 2) *What would be desirable for trademarks and signs which relate to Major Sports Events in respect of the registration of such trademarks?*

- a) *Would it be reasonable to adopt a registration procedure which is shorter than the general registration procedure?*

Yes, it would be reasonable to adopt a registration procedure which is shorter than the general registration procedure.

- b) *Would it be reasonable to change the classification system in respect of registration of trademarks which relate to Major Sports Events?*

Rather than changing the classification system, it would be reasonable to incorporate (merchandising) goods and services in the existing classification system which will fall within the scope of the Major Sports Events.

- c) *Would it be reasonable to adopt a narrowed requirement of distinctiveness for trademarks which relate to Major Sports Events or alternatively not to require distinctiveness at all?*

It would be reasonable to adopt a narrowed requirement of distinctiveness for trademarks which relate to Major Sports Events.

3) *What would be desirable for trademarks and signs which relate to Major Sports Events in respect of the use requirement?*

a) *Would it be reasonable to adopt a use period of e.g. 8 or 10 years for trademarks which relate to Major Sports Events?*

Turkish National Group is of the opinion that it would not be necessary to adopt a use period more than the statutory period of five years envisaged in Article 14 of DL 556 since it is possible to designate the non-usage of the trademark prior to the commencement of the Major Sports Events as a justified cause which provides an exception to the obligation of serious and uninterrupted usage of trademarks for five years.

b) *Would it be reasonable to apply a use period of e.g. 8 or 10 years if the period from registration of the trademark to the actual event is shorter than 8 or 10 years?*

If we assume that the answer given in the above (a) item of the 3rd proposal applies to this proposal to the same extent, then Turkish National Group believes that it would not be reasonable to apply a use period of e.g. 8 or 10 years.

4) *What would be desirable for trademarks and signs which relate to Major Sports Events in respect of the scope of protection? Would it be reasonable to give trademarks which relate to Major Sports Events a broader scope of protection than the scope of protection given to other trademarks, and in particular in relation to other trademarks which have a low degree of distinctiveness?*

In the line with our proposal given under our answer to Section II question 1, we find it desirable to broaden the scope of protection of trademarks and signs which relate to Major Sports Events in particular to signs which have a low degree of distinctiveness in such way that it can normally not be registered as a trademark according to the provisions of the DL 556 provided that the said scope of protection is determined with a Law Specific to the Major Event and to its characteristics and is applicable for a limited period of time restricted in any case to the ending of the Major Sports Events.

5) *What would be desirable for trademarks and signs which relate to Major Sports Events in respect of infringements of those trademarks?*

a) *Should the requirement of use as a mark as a precondition for trademark infringement apply to alleged infringements of trademarks which relate to Major Sports Events or should it be possible to infringe such trademarks even when the use in question can not be characterised as use as a mark? Why is that the case?*

The Turkish Group is of the opinion that the requirement of **use as a mark** as a precondition for trademark infringement should apply to alleged infringements of trademarks which relate to Major Sports Events and that the simple referrals to an event within a certain radius should neither be considered as trademark infringement, nor unfair competition in view of the public interest.

However, in view of the necessity of taking immediate actions during the event, the legislator may determine in advance that the use of certain combinations of non-distinctive words relating to the event are assumed to be infringing acts unless the contrary is proven.

b) *Should the remedies available against infringements of such trademarks be different from the remedies available against infringements of other trademarks? In the affirmative: Why is that the case?*

The Turkish Group considers that the remedies as well as the precautionary measures available in the DL 556 are sufficient and there is no need to anticipate different remedies

for infringement cases related to Major Sports Events. However, the granting of the preliminary injunctions is of the discretionary power of the Judges and the preliminary injunctions are conservatively applied influencing negatively the effectiveness of the legal provisions. Therefore, taking into consideration the necessity and importance of a prompt and effective reaction against infringers to protect the interest of the event organizers and official sponsors, it is absolutely necessary to foresee in the Specific Law in relation to the Event clear and detailed provisions which limits the discretionary power of the Judges and order the examination of such matters with priority.

- 6) *Are specific measures protecting against Ambush Marketing relating to Major Sports Events necessary or justified? In the affirmative, why is that the case and what should the contents of such measures be?*

The Turkish Group believes that the protection provided by the provisions on unfair competition in the Code of Commerce is mostly sufficient against ambush marketing. (Please refer Section I question 5) Moreover, the Law on the Protection of Consumers and the Advertisement Law also includes measures against ambush marketing. However, despite the Article 64 of the Code of Commerce enumerating in detail the preventive measures, the Turkish Courts are generally reluctant to grant preliminary injunctions based on the unfair competition provisions. This practice would obviously be detrimental for the event organizers and official sponsors. Therefore, once again the aforesaid Specific Law shall include provisions as to easy and fast injunctions.

- 7) *Are other measures protecting against unfair competition relating to Major Sports Events necessary? In the affirmative, why is that the case?*

The Turkish group considers that there is no need for other measures protecting against unfair competition relating to Major Sports Events, since the Article 56 of Turkish Code of Commerce which is the general principle related to the unfair competition and reads as: "all forms of abuse of economical competition with manifestation of deceiving acts or acts against the good faith" and Article 57 of the same Code citing in a non-exhaustive way the acts involving bad faith and provides the necessary basis against unfair competition.

Furthermore, the measures suggested as a response to question 6 may also be considered for the protection against unfair competition.

- 8) *Does your group have any other views or proposals for harmonisation in the area?*

The Turkish group considers that specific regulations pertaining to the protection of the trademarks or other signs related to the Major Sport Events should be provided either in a general separate Law or in the Laws, which will be enacted for each kind of Major Sport Event.

Furthermore considering that none of the Turkish National Laws defines the act of ambush marketing; it should be considered to make a definition of the Ambush Marketing and the acts which will be deemed as Ambush Marketing. By that way, specific protection against ambush marketing acts in Major Sport Events can be provided.

On the other hand, Turkish Group is of the view that the general rule of Article 56 of Turkish Commercial Code is sufficient for protection against unfair competition related to Major Sport Events and there is no need for a specific or additional rule in this area pointed to major sport events.

Considering the sui generic frame of the subject matter, Turkish National Group proposes that the ambush marketing activities conducted before or during the Major Events shall be evaluated independently case by case and by its own terms –in the light of the protection of competition and principle of taking benefit from the competitive environment by the national



economy- in a way that will constitute stability between the interests amongst the competitors and public/social benefit based on the criteria compatible with the purpose and qualification of the Event (i.e existence of an association, association contrary to the rules of good faith, unfair or misleading association, danger of being damaged).

In Major Sports Events, Turkish National Group is in the view that it may effectuate more practical, fast, effective and event driven solutions if the ambush marketing activities conducted by the competing Companies shall not only be interfered in the frame of statutory legislation but also in the meaning of the license and sponsorship agreements executed between the Event organizers and the host country or between Event organizers and official sponsors.

By taking into account that not every ambush marketing activity constitutes per se an act of unfair competition –saving the acts amounting to confusion and trademark infringement- and considering the sui generic structure and terms of the Major Events, Turkish National Group is in the view that the boundaries of the unfair ambush marketing activities may be drawn relying on the criteria such as the place, time, intensity of the act, the level of utilization conducted by the 3rd parties, the apparent disproportionateness between the advantage taken by the utilization of 3rd parties and the advantage that the official sponsors and organizers anticipate to take.

In case where the ambush marketing activities turn out to be unfair or misleading, Turkish National Group is in the view that not only the trademark or unfair competition rules shall prevail but also rules conferring from Laws on Consumer Protection, Protection of Competition and Code of Obligations shall be taken into account in terms of reaching a solution whereas the consumers may indeed be damaged or be in a danger of being damaged (i.e due to misleading comparative advertisements) in addition to competitors or organizers.

### **Summary**

Turkish National Group:

- a) Noted that while the Turkish Trademark Law does not provide specific trademark protection for Major Sports Events, there is only one legislation for Olympic Name and Emblem according to which the use as a mark is not a pre-condition for trademark infringement,
- b) Nevertheless, is of the opinion that it is necessary to bring about specific rules for accelerated, effective-efficient, broader trademark protection which shall only be enforceable for a limited period of time and in restriction with the duration and features of the Major Sports Events,
- c) Furthermore, observed that Turkish National Law covers most of the ambush marketing activities in the view of trademark rules and of the general provisions on unfair competition,
- d) Considers as to the remedies, that the precautionary measures available in the Turkish Trademark Law and Code of Commerce are sufficient and there is no need to anticipate different remedies for ambush marketing cases related to Major Sports Events,
- e) However finds it absolutely necessary to foresee prompt and effective preliminary injunction system preferably within a Specific Law in relation to the Event to protect the interest of the Event organizers and official sponsors.

### **Résumé**

Le Groupe national turc

- a) note que la Loi turque sur les marques ne prévoit pas de protection ad hoc pour les marques spécifiques à des événements sportifs majeures à l'exception unique d'une loi concernant le

nom et l'emblème olympique selon laquelle l'utilisation du signe comme marque n'est pas une condition préalable pour violation de marque,

- b) toutefois, est d'avis qu'il est nécessaire d'établir des règles spécifiques pour une protection accélérée, effective et plus étendue des droits de marques, qui seraient cependant applicable de manière limitée à la durée et, aux caractéristiques de l'événement sportif majeur,
- c) considère que la Loi turque sur les marques est apte à couvrir la plupart des activités d'Ambush Marketing à travers les règles de protection de marques et les dispositions générales sur la concurrence déloyale,
- d) considère, quant aux recours, que les mesures provisionnelles prévues par la Loi sur les marques et le Code de commerce turc sont suffisantes et de ce fait, il n'y a pas lieu d'anticiper des recours différents contre des cas d'Ambush Marketing en relation avec des événements sportifs majeurs,
- e) toutefois, est d'avis qu'il est absolument nécessaire de prévoir un système de mesures provisionnelles préférablement à travers une loi spécifique à l'événement ayant pour but la protection des intérêts des organisateurs et sponsors officiels.

### **Zusammenfassung**

Die Türkische Nationale Gruppe:

- a) hat beobachtet dass, Türkisch Marken Recht keine besondere Markenschutz für Wesentliche Sport Ereignisse anbietet und es nur ein Recht für Olympische Namen und Emblem gibt, welche regelt dass, Benutz von einer Marke keine Voraussetzung für die Verletzung der Marken ist.
- b) Gleichwohl denkt dass, das Geben besondere Regeln für beschleunigt, effektiv-effizient, umfassend Schutz für die Marken nötig ist, welche nur für eine begrenzte Frist und für die bestimmten Besonderheiten der Wesentlichen Sport Ereignisse durchsetzbar sein soll.
- c) Ausserdem, beobachtet dass, Türkisch Nationale Recht meistens Versteckte Marketing Tätigkeiten durch Marken Recht regeln und durch die Generalklausel über unlauterer Wettbewerb regelt.
- d) Vertretet die Meinung über die Rechtsmittel dass, die Massnahmen des Türkischen Marken Rechts und des Handelsgesetzbuches ausreichend sind und es keine Bedarf gibt um unterschiedliche Regeln für Versteckte Marketing Tätigkeiten im Wesentlichen Sport Ereignisse zu geben.
- e) Allerdings denkt dass, um die Vorteil des Veranstalter und Offizielles Sponsor zu schützen es nötig ist eine prompt und effektive System für die Einstweilige Verfügung in Bezug auf Wesentlichen Sport Ereignisse durch eine Besondere Gesetz zu regeln.