1. Basic information

1.1. CRIS No:

1.2. Title: Support to the Turkish Police in enforcement of intellectual and industrial property rights

1.3. Sector: Single Market

1.4. Location: Turkey

1.5. Duration: Overall Duration 15 months, duration of activities 12 months

2. Objectives

2.1. Overall Objective

The project overall objective is to improve the enforcement of intellectual and industrial property rights (IPRs) in Turkey, and to align it to EU rules and practices.

2.2. Purpose of the Project

Administrative and technical capacity of the Turkish Police in the enforcement of intellectual and industrial property rights strengthened and co-ordination and co-operation with other enforcement bodies and right owner associations enhanced.

2.3. AP and NPAA priority

This project proposal addresses the areas defined in the revised Accession Partnership (AP) and the National Programme for the Adoption of the Acquis (NPAA) for Turkey’s accession to the EU, as follows:

2.3.1. AP (2005)

2.3.1.1. Short-term priorities
– Improve enforcement of the legislation on Intellectual property rights, by reinforcing administrative capacity and coordination including law enforcement agencies and the Judiciary. Address in particular counterfeit of trademarks and piracy, especially on book and other media.

2.3.1.2 Medium –Term Priorities
– Complete alignment and ensure the enforcement of intellectual property rights by strengthening enforcement structures and mechanisms, including enforcement authorities and the judiciary.
2.3.2. NPAA
Under “Priority 5.2 Intellectual Property Rights” of the National Programme for the Adoption of the Acquis (NPAA) 2003; Restructuring of the Directorate General for Copyrights and Cinema, establishing a computer network between the Ministry of Culture and Tourism, the Undersecretaries for Customs, and the courts, setting up an IT network between central units and local offices of the Ministry, ensuring access to registered products in a virtual environment, giving seminars and conferences for public awareness are stated as medium term priorities (2004-2005). It is also stated that, within their job definition, police, municipal police, and the staff of the Ministry of Finance and the Undersecretaries of Customs will receive continuous training in order to specialize in intellectual property rights.

2.4. Contribution to National Development Plan
Not applicable.

2.5. Cross Border Impact
Not applicable.

3. Description

3.1. Background and Justification
The conclusions of the Helsinki European Council in December 1999 recognised Turkey as a candidate for membership to the European Union. As a candidate country, Turkey has to approximate the whole body of EU acquis. Intellectual, industrial and commercial property rights (IPR) are also included under the body of the legislation that needs to be adopted and implemented by Turkey.

However, for the approximation of the legislation concerning IPR, Turkey has a head start due to the existence, since 1996, of the Customs Union between Turkey and the EU. According to the Decision 1/95 of the EC- Turkey Association Council, establishing the final phase the Customs Union, Turkey had to gradually finalise, by 1.1.1999, the harmonisation of its IPR legislation in areas of direct relevance to the Customs Union.

Turkey, before the entry into force of the Decision 1/95, adopted a serial of Decree-Laws for the protection of industrial property rights. Copyright and related rights are dealt with the Law No. 5846 on Intellectual and Artistic Works. The last amendment to this Law on 3.3.2004 by the Law No. 5101 aimed at strengthening the fight against piracy.

Currently, the Ministry of Culture is responsible for implementing copyright and related rights; whereas Turkish Patent Institute is responsible for the industrial property rights. Apart from these bodies, national police conducts raids upon the instruction of prosecutors or ex officio for copyright infringements and upon complaint for counterfeit materials. In addition, the customs administration is responsible for making random checks to prevent imports and exports of IPR infringed goods and seizures ex officio upon the request of right holders on the borders. Finally there are criminal and civil IPR courts.

Even though, Turkey has made significant progress to harmonise its IPR legislation with the acquis since 1995, the fight against piracy is still not sufficiently effective and remains a matter of concern. This issue has been included in all the Regular Reports.
Accordingly, an IPR office was established on 29 October 2004 under the General Directorate of Turkish Police in order to enhance cooperation with other relevant bodies, ensure implementation in all provinces and keep the infringement statistics on copyright frauds.

In addition, with Law No. 5846 on Intellectual and Artistic Works as amended by the Law No. 5101, the police was authorized for ex officio seizures on open places as of 12 March 2004 as also mentioned above.

On 31 March 2004, Turkish Police issued a communiqué (no 61) regarding the implementation of Law No. 5846 on Intellectual and Artistic Works. The communiqué foresees the establishment of anti-piracy teams under the supervision of Police Security Sections of the Provincial Police Directorates in major cities. These teams would cooperate with the Anti-Smuggling and Organised Crime Branch of the Police, in case of organized crime. Since the start of their functioning, CDs, DVDs and in particular pirated books have become considerably less visible in Turkey.

So far, quite a large number of operations have been conducted in all over Turkey. Before the amendment of the Law no 5846, that is, between 2000 and 2004 the number of confiscated materials was 2,900,000. After the amendment of the Law, when Police started conducting ex officio seizures, the number of confiscated counterfeit and pirated materials increased to 6,245,375 for the period 12 March 2004 - 31 January 2006, the number of operations being 6,433 and suspects prosecuted 7,635. The figures indicate the increasing effectiveness of the police.

Yet, the last Regular Report of 2005 states that the level of piracy remains particularly high, coordination and cooperation between relevant bodies i.e. the Ministry of Justice and the judiciary, the police, the Ministry of Finance, the Under-secretariat for Customs and municipalities are necessary but remain weak. In addition, effective enforcement of the legislation remains insufficient and gaps remain as regards the proper implementation of the legislation by non-specialised lower courts, and occasionally by specialised courts.

Moreover, full alignment with the enforcement Directive of 2004/48/EC is required and infringing activities should be effectively combated especially when they amount to organised crime.

In the current organisation structure, The General Directorate of Police consist of central and provincial units. These are the police departments at the General Directorate and State Security Sections in the provinces.

As for the share of responsibilities, State Security Units deal with intellectual and industrial property rights frauds whereas; Organized Crimes Units are responsible for organized intellectual and industrial property rights frauds. The prosecutors instruct these units in accordance with this job separation. It is intended that following this project, State Security Units will be the only unit responsible for the investigation of all intellectual property infringements, that is, both piracy and counterfeit issues, through establishment of specific offices.

Moreover, except the ones stated in Article 81 of the law No: 5846, investigation of intellectual and industrial property rights infringements are based on complaint. Accordingly
right holders must apply to the competent bodies; public prosecutors or security forces. Subsequent to such notification security forces start finding criminals and collecting the evidences. Yet, there must be methods and procedures for either collecting or investigating the evidence accurately.

Accurate collection of evidence is crucial for penal and criminal sanctions. According to Law No. 5237 Turkish Criminal Law and Law. No. 5271 Code of Criminal Investigation all the evidences must be collected and security forces must be in contact with judiciary. To prevent misusing of searching, confiscating and using the rights all the evidences must be collected legally. Thus, lack of evidence has serious legal consequences. For instance, the Supreme Court cancelled the courts’ decisions. Ex: 30th June 2004 no: 9599/8971 and 4th March 2004 no: 2125/3042 and 24th June 2004 no: 8209/8774. Besides, accurate collection of evidence will help the shortening of court proceedings.

Therefore training of police officers constitutes one of the strategic targets of the Project. Such training should not only address to the officers in the General Directorate of Police but also the officers of provinces where there are intensive intellectual and industrial property rights infringements.

For this purpose, it is envisaged to set up district IPR Offices in various provinces (The places of the offices could further be assessed under this Project). These offices will be under the supervision of central IPR Office located at General Directorate of Police. In order to ensure effective enforcement it is also important to establish these offices by taking into account the best practice of the EU Member States and adopt the best model for administrative structure, training, and implementation.

Yet, for effective enforcement, training should also be complemented with equipment. Examination and comparison of the material depends on special techniques, which is the case in many European countries. Turkish police unfortunately does not have such equipment, nor there trained personnel for conducting required analysis. Simple methods fall short of the fixation of counterfeit/pirated material. Thus, the Project also envisaged equipment support for the central IPR Office located under General Directorate of Police.

Previously mentioned Communiqué No: 61 of 31 March 2004 also addressed state security sections in 81 provinces as the competent unit in fight against intellectual and industrial property rights infringements. Moreover, the Communiqué No: of 104 was issued for coordination between the state security sections and the other police sections. Therefore, although they are not expected to be specialized as the police officers working at IPR Offices, all police officers from different sections must at least have a notion of industrial and intellectual property frauds, so that they will not hesitate when they come across with an infringement. In this respect, raising the awareness of the police officers becomes a crucial issue.

Another important aspect of enforcement is the coordination between the enforcement bodies, namely, the Ministry of Justice, the Ministry of Interior (Turkish Police), the Ministry of Culture and Tourism, Undersecretariat for Customs and Turkish Patent Institute. There is already cooperation between these bodies. Yet the level of cooperation and coordination need to be improved. Trainings to be provided under this Project will help the enforcement bodies to elaborate on the ways of cooperation and coordination. Since the Ministry of Justice and Turkish Patent Institute have already received technical assistance via MEDA or World Bank
funds, they will also provide valuable inputs to the training as well as enhance their knowledge further. The Project will also provide training to judges and prosecutors from provinces where the level of piracy and counterfeiting are high. A number of customs officers will also be trained and this will be complementary to the in-house training of the customs administration.

Lastly, staff of the Ministry of Culture of Tourism will be trained on examination of pirated material, so that they will gain insight on the practical aspects. Intensive training of The Ministry of Culture and Tourism will be provided under another EU funded Project (See 3.5. Linked Activities).

According to this project; to improve administrative capacity of Directorate General of Cinema and Copyrights and monitor effective implementation of IPR through upgrading the technical infrastructure and establishing information network among the other enforcement bodies (judiciary, police and customs) has been foreseen. Additionally; the gathered information about banderols will be transferred to travel mates and pirated or invalid banderols shall be determined at the same time. There are 81 provinces in Turkey so that there must be computers to be used for network connection.

3.2. Sectoral Rationale

Counterfeit and pirated materials have approached to a high level among international commerce. It is referred that this loss is about 240 billion US Dollar per year. A great national and international fight against IPR frauds is needed. In addition to legislation, there must be effective implementations. And this will provide useful value to the sector. And also Police is an enforcing body of implementation and Turkey is being criticized on implementation of IPRs frauds.

3.3. Results

The outputs to be delivered and the guaranteed results achieved by this project include:

- Technical and Administrative Capacity of IPR Offices of Turkish National Police enhanced.
- Awareness of police officers with high level of counterfeit and piracy raised
- Co-ordination and cooperation among relevant units of the police and other IPR shareholders (Ministry of Justice, Ministry of Culture and Tourism, Undersecretaries of Customs, Turkish Patent Institute and Collecting Societies) improved.

3.4. Activities (including means)

In order to meet the project purpose and to produce the results indicated in section 3.3, the project activities will address four main areas. These are:

1. Drafting plans, procedures and strategies in order to make clear and effective structures for the IPR Offices on the basis of best practices of the EU Member States
1.1 Assessing the organizational structure of the current IPR Office of the Directorate General of Police in respect of effective enforcement of intellectual and industrial property rights

The current position of the Turkish National Police in respect of the fight against piracy and counterfeiting will be assessed. This assessment will be through the application of current ‘best practice’ procedures within the EU and a comparison with current Turkish procedures.

1.2 The evaluation of the current implementations of Turkish National Police on IPR.

1.3 The assessment of professional development needs of Police responsible for the implementation of IPR.

1.4 Elaborating and drafting an institutional development strategy and operational procedures with an action plan both for the IPR Office of the General Directorate General of Police as well as required provincial IPR Offices.

While improving the technical capacity of police, technological developments will be taken into consideration and if it is needed for fighting against IPR infringements a new project proposal will be prepared.

1.5 Two weeks internship for 5 specialized police in one of the EU member states. This specialised group is able to enhance their professionalism by learning the best enforcement of a proposed EU member state.

1.6 Study visit(s) to relevant institutions of the EU Member states in order to increase the professionalism of the Police and to see the ‘best practice’, organisational and operating procedures in a proposed EU member state. Three different study visits (in three terms) including 45 specialized staff including project beneficiaries (each group will be 15 persons) to the EU member states will be held. Duration of each study visit will be 5 days.

(45) Personnel; (30) from Turkish National Police and (15) who have attended “IPR Training the Trainers Course” program will attend the study visits.

1.7 Development of training packages or curriculum in respect of needs analysis and on related EU Acquis and best practices of EU Countries such as specific case laws on enforcement, fighting against this kind of Organised and Economic Crimes.

1.8 Preparation of documents for the implementation of IPR, such as handbooks, manuals et cetera;

2. Strengthening the capability of the police in the fight against piracy and counterfeiting.

The module will have a detailed analysis and strategic evaluation of training and professional needs of the Police on IPR.

2.1 The delivery of the training of the trainers program.
There will be a (5) day “Intellectual and Industrial Property Rights Specialization Training the Trainers Program” including (30) Police officers from State Security Department, Organized Crimes Department and Adana, Ankara, Bursa, Diyarbakir, Istanbul and Izmir constabularies, 5 prosecutors or judges, 5 personnel from Undersecretaries for Customs, 5 personnel from Patent Institute. (Total number is 40)

2.2 Assessment of current awareness and capacity improvement needs on IPR of different provincial police units, judiciary and select adequate trainees.

2.3 Providing specialist trainings to the police and other relevant bodies.

The delivery of pilot training for about 300 police staff including junior and senior level police officers involved in the fight against piracy and counterfeiting and other relevant institutions. These trainings will be held as follows:

The Police Supervisors

Except from the 6 provinces where the IPR infringements take place intensively (Adana, Ankara, Bursa, Diyarbakir, Istanbul and Izmir) the other 75 province’s 100 Police Chiefs will be trained under the name of “Intellectual and Industrial Property Rights Specialization Training Program” in 3 days seminar/workshop in 3 terms.

The Police Officers

Except from the 6 provinces where the IPR infringements take place intensively (Adana, Ankara, Bursa, Diyarbakir, Istanbul and Izmir) the other 75 province’s 180 Police Officers will be trained under the name of “Intellectual and Industrial Property Rights Specialization Training Program” in 3 days seminar in 3 terms.

Ministry of Justice

40 prosecutors and judges who work in the provinces where the IPR Courts exist (Istanbul, Ankara, Izmir) and the infringements take place intensively (Adana, Bursa and Diyarbakir) will participate in the police supervisors’ trainings (Intellectual and Industrial Property Rights Specialization Training Program)

Undersecretaries of Customs

Totally 30 personnel from Undersecretaries for Customs will attend the same specialization trainings of the police supervisors. For each seminar 10 personnel will participate.

Patent Institute

5 personnel from Patent Institute will attend the same specialization trainings of the police supervisors.

2.4 Counterfeit Materials Investigation and Preparing Expertise Report Training

The purposes for investigation and comparison of optical disks and preparing expertise report, (4) Police Officers from State security Department (2 of them are project contact persons), (2)
Police Officers from Criminal Police Laboratory Department, (6) Police Officers from provincial state security sections, (2) personnel from MoCT (Total number is 12), (10) days “Optical Disk-Counterfeit Material Investigation and Comparison Specialization Training” will be held. All the instructors will be foreign instructors and the training should include implementation. First 5 days of this training will be held in Turkey and second part 5 days training will be held in one of the EU countries where these kinds of investigations and comparisons are being done. Interpreters will translate the presentations.

3. Raising Awareness of Police and other related governmental and representatives of non-governmental institutions

3.1 Strengthening Co-operation and Coordination between the Police, Customs, Municipality police and Judiciary (public prosecutors and judges) through seminars, workshops and conferences.

3.2 Strengthening Co-operation and Coordination between the Police, Ministry of Culture and Tourism and representatives of non-governmental institutions through seminars, workshops and conferences.

3.3 Assistance in the development of an improved model for co-operation among law enforcement authorities concerning judicial investigations.

This component aims at assessing the current situation regarding judicial co-operation and working relationship between law enforcement authorities (police and prosecutors) and lawyers and adopting recommendations for improvements. Short-term expert assistance will be provided to work closely with the Joint Working Group (Police and other related governmental and representatives of non-governmental institutions) regarding improvements in the co-operation and practices in judicial investigations.

Thus, this module directly responds to the need to improve law enforcement practices and serious issues presented by lack of co-operation and co-ordination between the three institutions and its impact on the overall judicial investigations.


The impact of criminal activity in the infringement of IPR is an increasingly important phenomenon and one that affect all countries in one-way or another. Within the Member States themselves, to submit the evidences to the courts all of the competent agencies responsible for the investigation of these criminal matters are developing procedures and systems with great rapidity. It is very important that the Turkish authorities are not left behind these developments.

This module is therefore intended to assist in the implementation of ‘best practice’ from EU Member States. The module will have a modest investment component, which will include the provision of essential software and some hardware.

STEs will check the Technical Specifications and amend them if necessary. Later the tender for the supply module will begin.

This module will provide:
• Optical Discs Examination And Analysis System (Workstation: microscope, air conditioner, pc, camera, printer, scanner and software)
• PCs (To connect to the network system of Ministry of Culture and Tourism)
• Travel mates (to check banderols whether original or pirated)
• Questioned Document Examination Workstation

3.5. Linked Activities

Ministry of Culture and Tourism’s twinning project entitled as (TR 0402.04-TR/2004/IB/OT/01) “Support to Turkey’s efforts in the full alignment and enforcement in the field of intellectual property rights with a focus on fight against piracy” supported by European Commission. The project has not started yet. Regarding this project General Directorate of Police is secondary beneficiary institution. The main beneficiary institution is Ministry of Culture and Tourism. The activities that are expected by this project are:

To develop and implement an Information Network System through establishment of a website for making the data available to the specialised IPR courts and relevant sections of the Customs and, the National Police, National Security bodies, Provincial Directorates and Collecting Societies. Currently, there does not exist a network between the Ministry of Culture and Tourism and the other enforcement bodies. So, the supply component of this project foresees:

- A database tailored for the specific needs of the Ministry of Culture and Tourism an to monitor IPR implementation to contribute in effective collective rights management
- A central IT system based on the Internet technology, combining the collecting societies, the Customs and the National Police, National Security Bodies the Courts and the Directorate General of Cinema and Copyrights,
- A website dedicated to the IPR in order to disseminate all relevant information.

To develop training packages for the Police. Two 2-day seminar/workshops on Enforcement of Copyright in the format of training the trainers. The selected group for this activity, consisting of 20 persons for each seminar/workshop, will benefit from two 2-day training sessions each provided by EU experts in the field in order to upgrade their knowledge and their capacity to further pass over their knowledge to their other colleagues. The sessions will take place in Ankara. 5 days study visit to England for 5 police officers on enforcement of Intellectual Property Rights.

Other Linked Activities of Police are

2 chiefs from Turkish National Police participated TAIEX Training Seminar on the fight against Intellectual & Property Right Frauds organized in co-operation with Europol, Greece and France held in Athens/Greece from March 14-18 2005.

2 chiefs from Turkish National Police participated IPR enforcement seminar that the UN/ECE IP Advisory Group co-organized with WIPO (World Intellectual Property Organization) and WCO (World Customs Organization) in Almaty/Kazakhstan hosted by the Ministry of Justice of Kazakhstan from July 5-7 2005. Turkish Police made a presentation about the implementations of police works in Turkey on the fight against Intellectual Property Rights frauds.
The aim of the seminar was to provide practical information on enforcement procedure and practice using a mixture of presentations, case studies and interactive workshops. Particularly important was the emphasis on encouraging regional cooperation between the different countries participating. These were: Kazakhstan, Kyrgyzstan, Tajikistan, Uzbekistan, Turkmenistan and the Russian Federation.

Training Seminar on the fight against Intellectual Property Right Frauds organized in co-operation with MoJ (IPR specialized judges and prosecutors) held in Ankara from June 8-10 2005 by the participation of 40 police chiefs from 24 various provinces who are responsible of fighting against IPR infringements, 5 police chiefs from General Directorate of Police/State Security Department and 5 police chiefs from Organized Crimes Unit as well. 2 judges from Ankara and Istanbul IPR Courts, 2 prosecutors from Ankara and 1 prosecutor from Izmir made presentations.

Training Seminar on the fight against Intellectual Property Right Frauds organized in co-operation with MoCT held in Antalya from March 2-4 2005 by the participation of all 81 state security divisions’ police chiefs who are responsible of fighting against IPR infringements.


Turkish National Police participated IPR seminar organized by Istanbul bar held in Istanbul 15-16 September 2005.

3.6. Lessons learned

- Previous experiences prove that for effective fight against piracy and counterfeiting:
  - The coordination between the enforcement authorities, and other relevant public authorities (i.e. The Ministry of Culture and Tourism, Turkish Patent Institute, Under Secretariat for Customs and IPR courts) should be improved.
  - Technical and Administrative Capacity of IPR Offices of Turkish Police should be enhanced.
  - Awareness of police officers from different units of provinces with high level of counterfeite and piracy should be raised.
- It appears that the project of The Ministry of Culture and Tourism is not able to support the needs of the Police in terms of law enforcement and technical aspects. Because there is only one study visit and 2 workshops has been foreseen for the police in this project and it is not adequate for police department. For an effective fight against IPR frauds, Technical and administrative capacity of police must be enhanced, as police is responsible for enforcement of IPR law in urban areas of Turkey.


4.1. Main Beneficiary

- General Directorate of Police/State Security Department
It is the unit responsible for leading and coordinating the units about the tasks relating to intellectual and industrial property rights, making law studies (proposing laws), creating projects, identify strategies and goals, making evaluations and preparing circulars about this issue, determining training needs about the subjects requiring expertise, preparing training plans and programs, implementing and coordinating training activities such as courses, seminars and so on organized both in Turkey and abroad, preparing the statistics about combating with the violation of intellectual and industrial property rights.

4.2. Secondary Beneficiaries from Police

- **General Directorate of Police/ Organized Crimes Department**
  
  It is the unit responsible for taking actions regarding the related laws when criminal organizations violate the intellectual and industrial property rights.

- **General Directorate of Police/ Criminal Police Laboratory Department**
  
  It is the unit responsible for evaluating the evidences given to the unit during judicial and administrative investigations by using scientific methods and preparing the expertise reports.

4.3. Other Relevant Bodies

- Ministry of Justice/ General Directorate of EU
- Ministry of Culture and Tourism/ General Directorate of Copyrights and Cinema
- Under-secretariat for Customs/ General Directorate of Customs
- Turkish Patent Institute

4.4. Project Steering Committee

Representatives from relevant bodies, CFCU and EU commission execute this project. This committee carries out at least 4 meetings in a year for assessing the activities and recommend solutions for solving the problems that might occur in the future.

5. Budget

<table>
<thead>
<tr>
<th></th>
<th>Phare/Pre-Accession Instrument support</th>
<th>Co-financing</th>
<th>Total Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>€</strong></td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td><em>Year 2006- Investment support jointly co funded</em></td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
</tbody>
</table>
TR 06 03 08 Support to the Turkish Police in the enforcement of IPR (ver 30.08.06)

<table>
<thead>
<tr>
<th>Sub-project 1: IB</th>
<th>-</th>
<th>-</th>
<th>-</th>
<th>-</th>
<th>-</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sub-project 2: Supplies</td>
<td>532.500</td>
<td>177.500</td>
<td>-</td>
<td>-</td>
<td>710.000</td>
</tr>
<tr>
<td><strong>Investment support – Sub-total</strong></td>
<td><strong>532.500</strong></td>
<td><strong>177.500</strong></td>
<td>-</td>
<td>-</td>
<td><strong>710.000</strong></td>
</tr>
<tr>
<td><strong>% of total public funds</strong></td>
<td><strong>Max 75 %</strong></td>
<td><strong>Min 25 %</strong></td>
<td>---</td>
<td>---</td>
<td>---</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Year 2006</th>
<th>Institution Building support</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sub-project 1: twinning</td>
<td>800.000</td>
</tr>
<tr>
<td>Sub-project 2: Supplies</td>
<td>-</td>
</tr>
<tr>
<td><strong>IB support</strong></td>
<td><strong>800.000</strong></td>
</tr>
<tr>
<td><strong>Total project 2007</strong></td>
<td><strong>1.332.500</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Year 2008</th>
<th>Investment support</th>
</tr>
</thead>
<tbody>
<tr>
<td>Indicative</td>
<td>-</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Year 2008</th>
<th>IB support</th>
</tr>
</thead>
<tbody>
<tr>
<td>Indicative</td>
<td>-</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Year 2008</th>
<th>Total (indicative) project</th>
</tr>
</thead>
<tbody>
<tr>
<td>2008</td>
<td>-</td>
</tr>
</tbody>
</table>

(*): Contributions from National, Regional, Local, Municipal authorities, FIs loans to public entities, funds from public enterprises

(**): Private funds, FIs loans to private entities

1. All investment sub-projects supported by PHARE must receive co-financing from national public funds. Minimum requirement for co-financing from national public funds is 25% of the combined PHARE and national contributions to the overall investment support.

2. Many Institution building projects will also have a degree of co-financing – this should be quantified and included wherever possible.

3. Expenditure related to equipment (regulatory infrastructure or ESC-related) and to Technical Assistance supporting investment (e.g. pre feasibility study / supervision of works / technical specifications) should be considered as Investment support in the project fiche.

4. All co-financing must be provided on a joint basis. Parallel co-financing will, in a principle, not be accepted. Exceptions to this rule have to be agreed with the Commission in advance.
5. All co-financing should be clearly quantified, also the degree of certainty of such co-financing (i.e. for National Public Funds: is it already earmarked in local or national budget, for FinLoans, private funds: are they already approved/under appraisal, etc.).

6. Where parallel co-financing is accepted and justified per exception to the normal rule it should be provided in monetary form. If this is not possible there should be clear criteria set out for the valuation of any non-monetary contributions (that should be quantified in the table)

7. If twinning is involved, clearly state the expected budget of the twinning covenant

8. The financial engineering of the project should be closely monitored against actual delivery during implementation and against the objectives that were set in the project fiche so that corrective actions may be taken where required.

**Indicative Budget Breakdown**

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>MS - Project Leader Costs</td>
<td>20,000 €</td>
</tr>
<tr>
<td>PAA – Costs</td>
<td>400,000 €</td>
</tr>
<tr>
<td>Linguistic Assistant</td>
<td>24,000 €</td>
</tr>
<tr>
<td>Module (1) – Drafting plans, procedures and strategies</td>
<td>300.00 €</td>
</tr>
<tr>
<td>Module (2) - Strengthening the capability</td>
<td>100.00 €</td>
</tr>
<tr>
<td>Module (3) – Raising Awareness</td>
<td>116.00 €</td>
</tr>
<tr>
<td>Module (4) – Evidence Evaluation Capacity</td>
<td>710,000 €</td>
</tr>
<tr>
<td>Contingency</td>
<td>40,000 €</td>
</tr>
<tr>
<td><strong>Total – (maximum budget)</strong></td>
<td>1,510,000 €</td>
</tr>
</tbody>
</table>

6-Implementation Arrangements

The Institutional Parties:

6.1. Implementing Agency
The Central Financing Contracting Unit (CFCU) will be the Implementing Agency and will be responsible for all procedural aspects of the contracting matters and financial management (including payments) of the project activities.

Central Finance and Contracts Unit (CFCU)
Muhsin ALTUN
PAO
Phone : +90 -312- 472 37 00/102
Fax : +90 -312- 472 37 44
E-Mail: muhsin.altun@cfcu.gov.tr

6.2. Twinning and Supply

6.2.1. Beneficiary
Main Beneficiary
<table>
<thead>
<tr>
<th>MAIN BENEFICIARY INSTITUTION</th>
<th>General Directorate of Police, State Security Department</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Ismail ÇALIŞKAN</td>
</tr>
<tr>
<td></td>
<td>Director of State Security Department</td>
</tr>
<tr>
<td></td>
<td>+90 312 412 30 10</td>
</tr>
<tr>
<td></td>
<td>E-mail: <a href="mailto:ismcaliskan@yahoo.com">ismcaliskan@yahoo.com</a></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>General Directorate of Police, State Security Department</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Gökmen TEKİN</td>
</tr>
<tr>
<td></td>
<td>Chief Inspector</td>
</tr>
<tr>
<td></td>
<td>+90 312 412 30 67</td>
</tr>
<tr>
<td></td>
<td>E-mail: <a href="mailto:gokmentekin96@yahoo.com">gokmentekin96@yahoo.com</a></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>General Directorate of Police, State Security Department</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Güngör SÜRMELİ</td>
</tr>
<tr>
<td></td>
<td>Chief Inspector</td>
</tr>
<tr>
<td></td>
<td>+90 312 412 30 68</td>
</tr>
<tr>
<td></td>
<td>E-mail: <a href="mailto:gungorsurmeli@yahoo.com">gungorsurmeli@yahoo.com</a></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>SECONADY BENEFICIARIES OF POLICE</th>
<th>General Directorate of Police, Organized Crime Department</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Adnan ÖZCAN</td>
</tr>
<tr>
<td></td>
<td>Chief Inspector</td>
</tr>
<tr>
<td></td>
<td>+90 312 412 71 42</td>
</tr>
<tr>
<td></td>
<td>E-mail: <a href="mailto:adnanoz@hotmail.com">adnanoz@hotmail.com</a></td>
</tr>
</tbody>
</table>

|                                 | General Directorate of Police, Criminal Police Laboratories Department |
|                                 | Hüseyin YAŞLI                                             |
|                                 | Inspector                                                 |
|                                 | +90 312 412 45 62                                        |
|                                 | E-mail: hyasli@egm.gov.tr                                |

|                                 | General Directorate of Police, Criminal Police Laboratories Department |
|                                 | Selçuk KOÇ                                                |
|                                 | Inspector                                                 |
|                                 | +90 312 412 45 62                                        |
|                                 | E-mail: skoc@egm.gov.tr                                  |
6.2.2. Member State Inputs

1. PL (Project Leader)
The PL should be a high ranking official with broad knowledge of enforcement of intellectual and industrial property rights, who will continue to work at his/her Member State (MS) administration but devote some of his/her time to conceive, supervise and co-ordinate the overall thrust of the Twinning project.
The PL will allocate a minimum of 3 days per month including one visit every 3 months to Turkey as long as the project lasts.
a) Qualifications:
• Broad long-term knowledge of all the relevant issues in the area of enforcement of intellectual and industrial property rights
• Proven understanding of the main issues regarding EU accession;
• Experience in carrying out strategic and organizational analyses;
• Good knowledge of the European institutional environment related to the enforcement of EU

• Network of functional contacts with related EU and Member State institutions (proven functional contacts at the EU level are considered an asset);
• High-ranking official with ability to call on short-term experts in support of the efficient
Implementation of the project and the full support at senior levels within Turkey;
- Overall appreciation of the problems and solutions in the sector;
- Capable of unblocking any problems at highest level;
- Good leadership skills;
- Good communication skills.

b) Tasks:
- Overall project co-ordination;
- Co-chairing, with the Turkish PL, the regular project implementation steering committee meetings;
- Mobilising short- and medium-term experts;
- Executing administrative issues (i.e. signing reports, side letters, etc.).

2. Resident Twinning Adviser for 12 months:

Background of the RTA
The RTA must be highly qualified in all subject matters covered by the twinning arrangement, and must possess good management skills. He/she must be well acquainted with the enforcement of the EC intellectual and industrial property rights rules. Experiencing in organising training programmes is a comparative advantage.

More specifically, the RTA
- Shall have sound theoretical and practical experience in enforcement of intellectual and Industrial property rights, more specifically fight against counterfeiting and piracy.
- Shall have broad international contacts,
- Shall be fluent in English

Tasks of the RTA:
- To design a work plan for the implementation of the project and to assist the process of drawing up a twinning contract,
- To assist the preparation of all strategic project documents (quarterly monitoring reports, final project report, training manuals etc.)
- To ensure continuity of the implementation through the execution of the day to day management; working on a daily basis with the Turkish staff to implement the project,
- To plan, coordinate and to ensure proper quality of outputs,
- Together with the Project Leader, to nominate, mobilise and supervise the short term and medium term experts,
- To coordinate and organise training activities, workshops and public awareness activities.

3. Short-term expert(s) for following areas of assistance (indicative)

Areas not directly covered by the RTA can be taken over by short-term experts within the limits of the budget. Short-term expert(s) are expected to cover, among others, the tasks listed below: (for indicative purpose)
- To organise training seminars,
- To contribute/prepare training materials and manuals,
- To deliver training,
- To draft and deliver reports
• To check Technical Specifications and amend them if necessary.
• Short-term expert(s) must be experienced on IPR issues.

Operating Environment:

A Resident Twinning Adviser (RTA) will be placed at the General Directorate for Police and will provide expert advice for effective implementation of the twinning arrangement. The RTA will also be responsible to identify short-term experts with the assistance of his/her delegating institution.

The responsible staff of the General Directorate for Police will co-operate in identifying needs and will arrange local inputs.

6.3. Non-standard aspects
This twinning project will be implemented in accordance with the PHARE Twinning Manual.

6.4. Contracts
There will be a selection procedure for the twinning and one supply tender will be launched. A total of 2 contracts are envisaged as follows:

• Twinning (800,000 €)
• Supply (710,000 €)

7. Implementation Schedule

7.1. Start of tendering/call for proposals

• Component 1 – twinning:
  
  Circulation of Project Fiches : NOVEMBER 2006
  Selections of Twinning Partners : FEBRUARY 2007
  Start of negotiations of the Twinning Contract : MARCH 2007
  Contracting : OCTOBER 2007

• Component 2 – supplies : JUNE 2007

7.2. Start of project activity

• Component 1 – twinning : OCTOBER 2007
• Component 2 – supplies : DECEMBER 2007

7.3. Project completion

• Component 1 – twinning : OCTOBER 2008
• Component 2 – supplies : MARCH 2008

For details, see Annex 2 – Implementation chart in standard form
8. Equal opportunity
The proposed Programme will comply with EU equal opportunity policies. Equal treatment of men and women in project implementation at all levels will be one of the most important principles in project management and implementation. Great attention will be given on having equal participation within the personnel that will be trained as well. The beneficiaries are employers of equal opportunity. Appropriate professional qualifications and experience will be the main decisive factors in personnel recruitment and evaluation. Both women and men have identical prospects.

9. Environment
Not applicable.

10. Rates of return
Not applicable.

11. Investment criteria
The whole investment component of PHARE Project is relating to Institution Building activities. All investment is to be tendered immediately. Specifications will be prepared by experts within the limits of twinning where required.

11.1 Catalytic effect
The project will serve the priorities highlighted both in the AP and NPAA which is to align with EU Directives regarding intellectual property protection, improve the institutional capacity of the related institutions and cooperation among these bodies, together with raising public awareness, as well as the effective implementation of this legislation.

11.2 Co-financing
Under this project, 177,500 EURO amounting 25% of the total investment costs - which is 710,000 EURO- will be provided by the national public funds

11.3 Additionality
Not applicable

11.4 Project readiness and size
The relevant legal basis exists. According to the regulation State Security Sections are authorized to fight against copyrights and industrial rights frauds.

11.5 Sustainability
Relevant government policies ensure sustainability. All participating institutions are in a position to contribute to the program in an effective manner.

11.6 Compliance with state aids provisions
Not applicable
12. **Conditionality and sequencing**

- Turkish Police makes available adequate number of staff fluent in English for running and coordination of the Project.

- Police will assign at least one of its staff members having legal background, preferably specialized in Intellectual Property Law.

13. **ANNEXES**

1. Log frame in Standard Format
2. Detailed Implementation Chart
3. Contracting And Disbursement Schedule By Quarter For Full Duration Of Programme
4. Reference list of specifications and cost price schedule
5. Reference list of relevant laws and regulations
6. Related part of 2005 Regular Report On Turkey’s Progress Towards Accession
7. Justification of the Required Equipment for IIPR Offices
8. Institutional Framework
## ANNEX-1 SUPPORT TO TURKISH POLICE IN ENFORCEMENT OF INTELLECTUAL AND INDUSTRIAL PROPERTY RIGHTS

<table>
<thead>
<tr>
<th>Overall objective</th>
<th>Objectively verifiable indicators</th>
<th>Sources of Verification</th>
<th>Assumptions</th>
</tr>
</thead>
<tbody>
<tr>
<td>To improve the enforcement of intellectual and industrial property rights (IPRs) in Turkey, and to align it to EU rules and practices.</td>
<td>• Improve the work of the Turkish National Police Agencies in the field of IPR; • Achievement of compatibility with the EU acquis.</td>
<td>• Evaluation of the EU Regular Report on Turkey’s progress towards accession (in the field of organised crime) • Evaluation of the progress in the implementation of the Turkish National Programme for the adoption of the Acquis.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Project Purpose</th>
<th>Objectively verifiable indicators</th>
<th>Sources of Verification</th>
<th>Assumptions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Administrative and technical capacity of the Turkish Police in the enforcement of Intellectual and Industrial Property Rights strengthened and co-ordination and co-operation with other enforcement bodies and right owner associations enhanced.</td>
<td>• Administrative and enforcement capacity of Turkish Police strengthened by end of 2008. • %25 increase in the number of police IPR investigations undertaken. • %10 increase in the number of cases in the court. • Protocols for co-operation adopted and implemented by end of project.</td>
<td>• Statistics of Turkish National Police • Data of Right Owners Associations. • Regular reports of European Commission.</td>
<td>• Willingness to improve coordination and cooperation between relevant institutions • Full commitment of the relevant institutions • Full participation of the relevant institutions to the project activities. • Sustainability of Police raids against IPR frauds.</td>
</tr>
<tr>
<td>Results</td>
<td>Objectively verifiable indicators</td>
<td>Sources of Verification</td>
<td>Assumptions</td>
</tr>
<tr>
<td>------------------------------------------------------------------------</td>
<td>---------------------------------------------------------------------------------------------------</td>
<td>----------------------------------------------------------------------------------------</td>
<td>-------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>1. Technical and Administrative Capacity of IPR Offices of Turkish National Police enhanced. 2. Awareness of police officers with high level of counterfeit and piracy raised 3. Co-ordination and cooperation among relevant units of the police and other IPR shareholders (Ministry of Justice, Ministry of Culture and Tourism, Undersecretaries of Customs, Turkish Patent Institute and Collecting Societies) improved.</td>
<td>• Dissemination of the new enforcement procedures and plans regarding IPR through seminars and training completed by the end of 2008. • Increased technical capacity with the installation and operation of technical equipment in IPR offices by the end of the project. • Implementation of joint working groups, seminars and training by end of project At least 300 staff trained by the end of the project new procedures in the fight against piracy and counterfeiting implemented by 2008. • Increased number of evaluation meetings and trainings with the attendance of relevant units of the Police and other relevant bodies.</td>
<td>• Statistics of Turkish National Police • Data of Right Owners Associations. • Regular reports of European Commission. • Annual reports of the Directorate General for Copyright and Cinema • Awareness Raising Activities reflected in the Media</td>
<td>• Willingness to improve coordination and cooperation between relevant institutions • Full commitment of the relevant institutions • Full participation of the relevant institutions to the project activities.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Activities</th>
<th>Means</th>
<th>Costs</th>
<th>Assumptions</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.1 Assessing the organizational structure of the current IPR Office of the Directorate General of Police in respect of effective enforcement of</td>
<td>• Twinning Contract • Supply Contract</td>
<td>800.000 Euro (Twinning)</td>
<td>• Twinning assistance from an appropriate agency/ies in EU</td>
</tr>
</tbody>
</table>
intellectual and industrial property rights

1.2 The evaluation of the current implementations of Turkish National Police on IPR.

1.3 The assessment of professional developmental needs of Police responsible for the implementation of IPR.

1.4 Elaborating and drafting an institutional development strategy and operational procedures with an action plan both for the IPR Office of the General Directorate General of Police as well as required provincial IPR Offices.

1.5 Two weeks internship for 5 specialized police in one of the EU member states. This specialised group is able to enhance their professionalism by learning the best enforcement of a proposed EU member state.

1.6 Study visit(s) to relevant institutions of the EU Member states in order to increase the professionalism of the Police and to see the ‘best practice’, organisational and operating procedures in a proposed EU member state. Three different study visits (in three terms) including 45 specialized staff including project beneficiaries (each group will be 15 persons) to the EU member states will be held. Duration of each study visit will be 5 days.

(45) Personnel; (30) from Directorate General of Police and (15) who have attended “IPR Training the Trainees Course” program will attend the study visits.

1.7 Development of training packages or curriculum

| Training list and curriculum that will be obtained from the identification of training needs, the reports of the evaluation and assessment and the outputs of the assistance. | 710.000 Euro (Supply) |
| Organisation and delivery of training for trainers, including study tours. | 1.510.000 Euro (Total) |
| Equipment provided | |
| Beneficiaries own resources allocated for the new training facilities. | |

| Member State/s |
| Effective monitoring of project implementation |
| Timely availability of adequate resources |
| Staff will be released for training |
| Staff will be able to absorb the training |
| Full commitment of the relevant institutions |
| Willingness to improve coordination and cooperation between relevant institutions |

22
in respect of needs analysis and on related EU Acquis and best practices of EU Countries such as specific case laws on enforcement, fighting against this kind of Organised and Economic Crimes.

1.8 Preparation of documents for the implementation of IPR, such as handbooks, manuals et cetera;

1.9 Counterfeit Materials Investigation and Preparing Expertise Report Training

2.1. The delivery of a training of the trainers program.

2.2. Assessment of current awareness and capacity improvement needs on IPR of different provincial police units, judiciary and select adequate trainees.

2.3. Providing specialist trainings to the police and other ministries.

3.1 Strengthening Co-operation and Coordination between the Police, Customs, Municipality police and Judiciary (public prosecutors and judges) through workshops, seminars and conferences.

3.2 Strengthening Co-operation and Coordination between the Police, Ministry of Culture and Tourism and representatives of non-governmental institutions through seminars, workshops and conferences.

3.3 Assistance in the development of an improved model for co-operation among law enforcement authorities concerning judicial investigations.
## ANNEX 2: INDICATIVE IMPLEMENTATION CHART IN STANDARD FORMAT

<table>
<thead>
<tr>
<th>IMPLEMENTATION CHART-1</th>
<th>2006</th>
<th>2007</th>
<th>2008</th>
</tr>
</thead>
<tbody>
<tr>
<td>I-Twinning</td>
<td>D</td>
<td>D</td>
<td>D</td>
</tr>
<tr>
<td>II-Supplies</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

| Design          | D    |
| Tendering and contracting | C    |
| Implementation and Payments | I    |
**IMPLEMENTATION CHART-2 (INDICATIVE)**  

<table>
<thead>
<tr>
<th>SCHEDULE (PROJECT DURATION)</th>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
<th>6</th>
<th>7</th>
<th>8</th>
<th>9</th>
<th>10</th>
<th>11</th>
<th>12</th>
</tr>
</thead>
<tbody>
<tr>
<td>I-Twinning</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Assignments</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Period for Police</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Activity 1.1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Activity 1.2</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Activity 1.3</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Activity 1.4</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Activity 1.5</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Activity 1.6</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Activity 1.7</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Activity 1.8</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Activity 1.9</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Activity 2.1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Activity 2.2</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Activity 2.3</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Activity 3.1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Activity 3.2</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Final Activities</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Final Report Preparation</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Final Report</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>II-Supplies</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Equipment supply</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

* Estimated Project starting time, OCTOBER 2007
ANNEX 3: CONTRACTING AND DISBURSEMENT INDICATIVE SCHEDULE BY QUARTER FOR FULL DURATION OF PROGRAMME (EUROS) EU Contribution

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Twinning</strong></td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>800,000</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>800,000</td>
</tr>
<tr>
<td><strong>Supply</strong></td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>532,500</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>532,500</td>
</tr>
<tr>
<td><strong>Cumulated</strong></td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>800,000</td>
<td>800,000</td>
<td>1,332,500</td>
<td>1,332,500</td>
<td>1,332,500</td>
<td>1,332,500</td>
<td>1,332,500</td>
<td>1,332,500</td>
<td>1,332,500</td>
<td>1,332,500</td>
<td>1,332,500</td>
</tr>
<tr>
<td><strong>Twinning</strong></td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>640,000</td>
<td>20,000</td>
<td>20,000</td>
<td>20,000</td>
<td>80,000</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>800,000</td>
</tr>
<tr>
<td><strong>Supply</strong></td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>319,500</td>
<td>213,000</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>532,500</td>
</tr>
<tr>
<td><strong>Cumulated</strong></td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>640,000</td>
<td>660,000</td>
<td>999,500</td>
<td>1,232,500</td>
<td>1,252,500</td>
<td>1,332,500</td>
<td>1,332,500</td>
<td>1,332,500</td>
<td>1,332,500</td>
<td>1,332,500</td>
<td>1,332,500</td>
</tr>
</tbody>
</table>
ANNEX 4: INDICATIVE LIST OF SPECIFICATIONS AND COST PRICE SCHEDULE

1. For more details go to the ANNEX 7
2. The prices are obtained by Market research and related institutions/companies of EU member states.
3. Computers will be used for network communication of IPR issues.

<table>
<thead>
<tr>
<th>ITEM</th>
<th>DESCRIPTION</th>
<th>ENVIRONMENT</th>
<th>MINIMUM REQUIREMENTS</th>
<th>QUANTITY</th>
<th>COST</th>
</tr>
</thead>
</table>
| 1    | Optical Disc Examination And Analysis System | NATIONAL POLICE HEADQUARTER STATE SECURITY DEPARTMENT AND PROVINCIAL STATE SECURITY DIVISIONS | A- Optical Disc Examination And Analysis System  
1. Reflected light upright material microscope.  
2. Fully motorized DIC (Differential Interference Contrast)  
3. Trinocular observation tube. One pair of 10X Eyepieces  
4. DIC compatible objectives listed below; 1.25X-5X-10X-20X-50X-100X  
5. Motorized nosepiece with a minimum of 6 positions.  
6. Necessary attachment for polarization included (polarizer, analyzer)  
7. Ceramic coated, containing stepping motors, automatically movable in x-y-z directions motorised stage.  
8. Automatically adjustment of light intensity and contrast.  
10. With 0.63X c-mount adapter.  
11. With 8MP of CCD resolution,  
12. With 36 bit colour depth  
13. With Politer cooling  
14. Imaging software to allow operation of external devices, real-time image acquisition, interactive measurements, structured archiving and analysis, statistical experiments | 1 | 100.000 € |
15. Imaging software includes a macro module to allow detection, identification, classification and analysis of characteristics on the surface of optical discs.

B-Minimum requirements of System Computer for Optical Disc Examination And Analysis System
- Minimum 3.4 GHz 64 Bit HYPER THREADING 2Mb. Cache 800 MHz LGA 775 Pin,
- 2 GB DDR RAM 533 Mhz,
- 4X250 GB (Raid System) SATA HDD,
- DVD-ROM Re-Writer Driver,
- 3.5” 1.44 MB Floppy Disk Driver,
- 256 MB Screen port, graphics card,
- 22" TFT LCD colour monitor
- 4 USB2.0 Port, Internal Modem,
- 10/100/1000 Ethernet Port,
- Full Duplex Speaker Port
- Windows XP Professional OS,
- Fax/Modem -Optic Mouse, Keyboard

C-Minimum requirements of Printer for Optical Disc Examination And Analysis System
- Colour Laser Writer
- Max. Press speed: 16 Pages/min, (At least)
- Max Colour Press speed: 16 Pages/min, (At least)
- Press Size: A4, executive, legal, letter
- Main unite: USB 2.0
- Black-White Press Quality: 600 X 600 DPI
- Colour Press Quality 600 DPI
- Standard memory: 64 MB
- Source Paper: 2 sector
- Must be compatible with Windows 2000/XP
<p>| | | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>2</strong></td>
<td><strong>PC</strong></td>
<td>NATIONAL POLICE HEADQUARTER STATE SECURITY DEPARTMENT AND PROVINCIAL STATE SECURITY DIVISIONS</td>
<td>-Minimum 3.4 GHz HYPER 64 Bit THREADING 2Mb. Cache 800 MHz LGA 775 Pin, -1 GB DDR RAM 533 Mhz, -200 GB SATA HDD, -DVD-ROM Re-Writer Driver, -3.5” 1.44 MB Floppy Disk Driver, -256 MB Screen port, -17” FLAT Colour Monitor, -4 USB2.0 Port, Internal Modem, -10/100/1000 Ethernet Port, -Full Duplex Speaker Port -Windows XP Professional OS, -Fax/Modem -Optic Mouse, Keyboard</td>
</tr>
<tr>
<td><strong>3</strong></td>
<td><strong>Notebook Pc</strong></td>
<td>NATIONAL POLICE HEADQUARTER STATE SECURITY DEPARTMENT AND PROVINCIAL STATE SECURITY DIVISIONS</td>
<td>-Intel Centrino 735 1,7 GHz 1 Mb -Intel 835 Pm -15.4” LCD Colour Monitor -Screen solution 1900X1200 -512 Mb DDR 533 Mhz -120 GB HDD -128 Mb Screen port -Carrying bag -Windows XP Professional OS,</td>
</tr>
</tbody>
</table>
|   |   | NATIONAL POLICE HEADQUARTER STATE SECURITY DEPARTMENT AND PROVINCIAL STATE SECURITY DIVISIONS | -4800 X 4800 DPI  
-48 bit  
-Speed Scan: (4 X 6 Colour Photo) 25 Second (ADF, A4) Up to 15 Pages/min  
-Must be compatible with Windows 2000/XP  
-Automatic Main unite: SC51, USB 2.0 | 1 | 2.000 € |
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>5</td>
<td>Scanner</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
| 6 | Air Conditioner |   | - Cooling Capacity: 25.400 Btu/h  
- Heating Capacity: 25.800 Btu/h  
- WxHxD: 1082x297x195 mm (Evaporator)  
- WxHxD: 870x655x320 mm (Condenser)  
- New evaporator design  
- Neo Plasma air cleaning system  
- Smart operation system  
- Plasma HX evaporator fin technology  
- Automatic evaporator drying function  
- Air circulation with natural wind effect (Chaos Swing)  
- Corrosion resistant Gold Fin plated condenser  
- Jet Cool  
- Sleep mode, Efficient operation with 3-phase evaporator  
- Healthy dehumidifier, Washable | 2 | 2.000 X 2= 4.000 € |
<table>
<thead>
<tr>
<th>No.</th>
<th>Description</th>
<th>Specifications</th>
<th>Quantity</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>7</td>
<td>External Hard Disk Portable Drive (USB Memory)</td>
<td>NATIONAL POLICE HEADQUARTER STATE SECURITY DEPARTMENT AND PROVINCIAL STATE SECURITY DIVISIONS</td>
<td>90</td>
<td>200 X 90 = 18.000 €</td>
</tr>
<tr>
<td>8</td>
<td>Travel Mate</td>
<td>NATIONAL POLICE HEADQUARTER STATE SECURITY DEPARTMENT AND PROVINCIAL STATE SECURITY DIVISIONS</td>
<td>90</td>
<td>1.500 X 90 = 135.000 €</td>
</tr>
<tr>
<td>9</td>
<td>Barcode Scanner</td>
<td>NATIONAL POLICE HEADQUARTER STATE SECURITY DEPARTMENT AND PROVINCIAL STATE SECURITY DIVISIONS</td>
<td>90</td>
<td>500 X 90 = 45.000 €</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>---</td>
<td>---</td>
<td>---</td>
<td>---</td>
<td></td>
</tr>
</tbody>
</table>
| 10 | Cabinets | NATIONAL POLICE HEADQUARTER STATE SECURITY DEPARTMENT | - The cabinets must have the features keeping the archive for a long time.  
- The size of the cabinets will be proper with the shape and size of the Optical Disc Examination and Analysis System office. |
| 11 | Questioned Document Examination Workstation And Software | NATIONAL POLICE HEADQUARTER CPL DEPARTMENT | QUESTIONED DOCUMENT EXAMINATION WORKSTATION AND SOFTWARE  
A- Document Examination Workstation with UV-IR Light Sources:  
1. The equipment shall consist of proper illumination cabinet and digital 3xCCD colour camera at 1360x1024 pixel output. The camera shall transfer data at minimum 400 Mb/s. The camera shall be sensitive 400-1000nm IR light.  
2. The equipment shall have UV (short-medium-long wavelengths), Infrared, Spot, sidelight, and coaxial and inferior illumination functions.  
3. The operating software shall be compatible to Windows 2000 or equivalent.  
4. The system shall have at least 9 (nine) light filters and 15 (eleven) camera filters.  
5. The operator shall select the camera filters and the light filters automatically by means of computer and software.  
6. The system shall eliminate the selection of the faulty filter.  
7. The system shall monitor each and every step likes control functions, filter rates, selected parameters and detection results.  
8. The system shall have an integration capability to intensify the weak luminescent images. |
|   |   |   | 1 |
|   |   |   | 2.000 € |
|   |   |   | 52.000 X 5 = 260.000 € |
9. The system shall analyse the ink colour; obtained values shall be monitored for determination.
10. The system shall enable to be compared the two different images side by side and overlap. Also, it enables to take mirror image, rotate, store, and vibrate the image on the screen.
11. The camera’s optic shall have 10X zoom ability. The magnification shall range between 2X to 70X on 21” monitor. The system’s software shall have the ability of magnification the objects between 14X to 140X regarding to the function of the digital picture.
12. The system shall have the ability to compare the colour of the original document and the RGB rate obtained from the colour camera monitored by a diagram.

**B-Minimum requirements of System Computer for Document Examination Work Station:**
1. It must have minimum 300 Pass Mark Score.
2. PCI / AGP
3. The RAM shall be minimum 1 GB Dual DDR-2 (upgradeable up to 3 GB).
4. The HDD shall be minimum 250 GB 7200 rpm
5. The graphics card shall support 1600x1200/98 Hz resolution and compatible to 3D graphics and must have minimum 128 MB RAM.
6. 10/100/1000 Mbit/s Ethernet.
7. At least 16 X DVD±RW.
8. 1,44MB, 3,5”
9. TR-Q Win with PS2 connector
10. Optical wired mouse with scroll-wheel PS2 connector
11. Mouse pad
12. 220V, 50Hz, DIN type electrical outlets.
The monitor shall be 21 inches TFT LCD
Intellectual Property Rights Law Article 81
Representatives of Ministry of Interior or provincial governors may always supervise whether banderols is affixed or not on works and publications required to bear banderols. If needed, provincial governors ex-officio or by the order of Ministry of Interior may form enforcement commissions to conduct operation against IPR frauds. When needed, Ministry of Culture and Tourism and representatives of collecting societies may take part in these commissions. In cases of infringement mentioned in this article, the security forces and municipal police ex-officio or upon the application of authors, Commission, collecting societies, Ministry of Culture and Tourism or other right owners authorized by the relevant regulations, the security forces take action and confiscate such copies, publications and any or all devices used in reproduction and other evidences, and after safe-keeping the immovable ones they submit the evidences to the Public Prosecutor ship together with the notice of accusable.

The Public Prosecutor may demand before a competent court within three days to seize and destroy the copies or publications thereat and further to take the technical equipment used in the infringing act under seal and sell the same and close down the place.

After the seizure of publications within 15 days if there will not be an application or compliant to the competent court by the author or right owners, by the demand of public prosecutor competent court decides to keep some copies for action and destroy the others or if it is possible use these copies as raw material or destroy them and sell as raw material.

The materials and reproduced legally cannot be sold in the open areas such as streets, bazaars, bridges or etc. Security forces and municipal police have to confiscate and send these publications to the competent institutions whenever they see them. Regarding the publications seized like this, to sell or use for the other purposes is determined by Ministry of Culture and Tourism by taking the opinion of relevant collecting societies.

List of Legislation
- The Work and Owner of Connected Rights Law (IPR law NO: 5846)
- Patents Decree Law No: 551
- Trade Marks Decree Law No: 556
- Industrial Designs Decree Law No: 554
- Geographical Indications Decree Law No: 555
- Customs Law No: 4458
- Regulation for banderol implementation
- Certification Regulation of IPR materials for filling, reproduction and selling
- General Directorate of Turkish National Police/State Security Department, Provinces’ police constabularies/state security sections and town police constabularies/town state security offices’ establishment, task and works regulation.
- Organized crimes department/ Provinces’ police constabularies’ establishment task and work regulation.
- General Directorate of Turkish National Police’s regulation on 31st of March 2004, communiqué (no 61)
- General Directorate of Turkish National Police’s on 5th of October 2005, communiqué (no 104)
- General Directorate of Turkish National Police’s on 3rd of February 2006, communiqué (no 11)

ANNEX-6: RELATED PART OF 2005 REGULAR REPORT ON TURKEY’S PROGRESS TOWARDS ACCESSION

Chapter 7: Intellectual property law
The acquis on intellectual property rights specifies harmonised rules for the legal protection of copyright and related rights. Specific provisions apply to the protection of databases, computer programs, semiconductor topographies, satellite broadcasting and cable retransmission. In the field of industrial property rights, the acquis sets out harmonised rules for the legal protection of trademarks and designs. Other specific provisions apply for biotechnological inventions, pharmaceuticals and plant protection products. The acquis also establishes a Community trademark and Community design. Finally, the acquis contains harmonised rules for the enforcement of both copyright and related rights as well as industrial property rights. Adequate implementing mechanisms are required, in particular effective enforcement capacity.

The alignment with the acquis is already advanced in the area of enforcement of intellectual property rights as well as with regard to the administrative capacity. There has been little additional progress concerning further alignment with the acquis.

No progress was made in legislative alignment with provisions concerning copyright and neighbouring rights. As regards implementation, a regulation on the certification of undertakings making duplication and sale of the materials on which copyright works are fixed came into force in April 2005. It is expected that the system will provide more control over illegal duplication, even if the compatibility of this measure with other aspects of the single market acquis remains to be demonstrated.

The Copyright and Cinema DG of the Ministry of Culture and Tourism (DGCC) has begun to establish procedures to certify undertakings. The DGCC is the body responsible for defining policy areas, reviewing related legislation, taking necessary measures, co-operating with other stakeholders in the field of copyright and neighbouring rights. It recruited 7 new junior examiners in 2005. However, training and specialization of staff has not improved.

A regulation on principles and procedures on the usage and/or transmission of works, performances, production and publications was published in June 2005 and an amendment to the regulation concerning the implementation of banderols was published in November 2004.
With regard to right holders, there are 17 collecting societies. A compromise addressing collective management of copyright royalties among collecting societies could not be reached. Conflicts about representation of right owners by collecting societies still continue and a clear strategy to effectively implement its legislation in this area should be established. Overall, Turkey has essentially aligned its legislation concerning copyright and neighbouring rights with the *acquis*, even though the legislation still needs to be further revised for full alignment with the *acquis* and with international requirements. Improved co-ordination and co-operation is necessary among all stakeholders i.e. the DGCC, the judiciary, the police and collecting societies. Administrative capacity is not improving, and for certain aspects even weakening.

Some new developments can be reported concerning **industrial property rights** (IPR). The regulation implementing the Law on Topographies of Integrated Circuits was adopted in December 2004.


The TPI continued raising awareness among the general public and right holders, through seminars, and training activities. The number of provincial information and documentation centres operating on behalf of TPI in the premises of some universities and chambers of commerce increased to 20.

(Regulatory data protections for pharmaceutical products are examined under Chapter 1 – Free Movement of Goods.)

As regards administrative capacity, search and examination of patent applications in some classes of international patent classification were initiated as of 1 January 2005. The European Patent Office Query (EPOQUE) database system has been installed and is being utilised by the TPI patent examiners. Overall, the core administrative structures are in place and were further strengthened.

Some progress has been made concerning **enforcement**. Specialised IPR courts have improved. Two additional IPR specialised courts function effectively, which brings the distribution of such courts as follows: 1 criminal and 3 civil IPR courts in Ankara, 2 civil and 3 criminal IPR courts in Istanbul and 1 criminal IPR court in Izmir. Further training on IPR was delivered to approximately 50 judges and prosecutors dealing with IPR cases in November 2004.

However, some flaws still exist concerning the functioning of the TPI. For instance, right owners and trademark attorneys complain about inconsistent decisions of the TPI in applying trademark protection rules and registration procedures. Difficulties and lengthy procedures to oppose and/or to cancel bad faith trademarks and industrial designs lead to distrust among right owners concerning IPR protection in Turkey. Objections of applicants or opponents based on earlier use or acquired distinctiveness is not taken into consideration by the TPI in evaluation procedures. Search and examination transactions for patent applications take longer than the EU average transactions.

In addition, some problems also remain concerning the judiciary. Right owners and attorneys faced increasing difficulties in obtaining search and seizure warrants from non-specialised lower courts. Sharp discrepancies among the decisions of lower court judges in different circuits undermine the success in enforcement made by specialised courts. Moreover, punishments have not proved deterrent even for counterfeiting actions involving threats to public health.

The publication of a circular on “Tax Losses of the State due to Intellectual and Industrial Rights Piracy and Counterfeiting” by the Ministry of Justice was a step forward. This provision addresses the Office of the Chief Public Prosecutors to encourage the interinstitutional cooperation within the framework of protection of intellectual and industrial rights and prevention of tax losses.
The national police made efforts in enforcing intellectual and industrial property rights and in training its staff. Between 2000 and 2004, 2,900,000 pirate materials were seized in police raids. From 12 March 2004 (after the police was authorized for ex officio seizures on open places) to June 2005, the number of seized pirate items reached 3,551,330. In the same period, in 4,771 raids, 5,056 accused people were referred to anti-piracy commissions and public prosecutors to be fined administratively or arraigned before the courts.

Seizures and police raids in particular of pirate CDs and books have been continuing, but at the same time the pirate trade discovers new methods such as delivery of the pirate goods on the customer’s order. Evidence of organised piracy on books has appeared, including street selling, illegal commercial photocopying, but also printing piracy, including the use of forged or stolen banderols. Although, piracy of copyright and related rights decreased compared to past years, further measures should be taken to combat book piracy, and piracy on optical disks should also be targeted decisively. The level of counterfeiting of trademarks and industrial designs remains high.

**Conclusion**

Turkey has continued to increase the level of alignment with the *acquis* in the area of copyright and industrial property rights, which is quite advanced.

As regards the legal framework for enforcement, full alignment with the enforcement Directive should be ensured, in particular as regards provisional and precautionary measures. Infringing activities should be effectively combated especially when they amount to organised crime.

Administrative capacity has also improved, but remains insufficient. Effective enforcement of the legislation remains insufficient and gaps remain as regards the proper implementation of the legislation by non-specialised lower courts, and occasionally by specialised courts. The level of piracy remains particularly high. Coordination and cooperation between relevant bodies i.e. the Ministry of Justice and the judiciary, the police, the Ministry of Finance, the Under-secretariat for Customs and municipalities are necessary but remain weak. Concerning in particular the judiciary, the application of provisional and precautionary measures and duration of court procedures remain insufficient.

**ANNEX-7 JUSTIFICATION OF THE REQUIRED EQUIPMENT FOR IIPR OFFICES**

**PC’s and Travel mates**

(Connect to the network system of Ministry of Culture and Tourism and to check banderols whether original or pirated)

Ministry of Culture and Tourism’s twinning project entitled as (TR 0402.04-TR/2004/IB/OT/01) “Support to Turkey’s efforts in the full alignment and enforcement in the field of intellectual property rights with a focus on fight against piracy” supported by European Commission. The project has not started yet. Regarding this project General Directorate of Police is secondary beneficiary institution. The main beneficiary institution is Ministry of Culture and Tourism. The activities that are expected by this project are:

To develop and implement an Information Network System through establishment of a web-site for making the data available to the specialised IPR courts and relevant sections of the Customs and, the National Police, National Security bodies, Provincial Directorates and Collecting Societies. Currently, there does not exist a network between the Ministry of Culture and Tourism and the other enforcement bodies. So, the supply component of this project foresees:

- A database tailored for the specific needs of the Ministry of Culture and Tourism an to monitor IPR implementation to contribute in effective collective rights management
-A central IT system based on the Internet technology, combining the collecting societies, the Customs and the National Police, National Security Bodies the Courts and the Directorate General of Cinema and Copyrights,

-A website dedicated to the IPR in order to disseminate all relevant information.

**External Hard Disk Portable Drive**
It is known that materials are duplicated in particularly Internet cafes and some other shops. To back up the hard disks of the computers external Hard Disk Portable Drives are necessary for police to keep the evidences at the scene. If the police save the information gathered from the computers can submit these to the courts. So that external Hard Disk Portable Drives will facilitate the workload of police.

**Optical Discs Examination and Analysis System**
**Subject:** The procurement, delivery and installation of an optical microscope system for the examination and comparative study of tool marks on the surface of optical discs.

**Overview:** A technical solution is sought for the examination and comparative study of tool marks on the surface of optical discs. Optical discs are manufactured via a moulding process, and as such will bear on their surface marks that are copied from the mold's inner surface. The comparison of such tool marks (typically ranging from a few microns to a few hundred microns in size) makes possible to establish whether different optical discs have been manufactured on the same mould.

The envisaged system will include a reflected light material microscope with polarizing and DIC capabilities. The microscope should be equipped with a professional microscope camera which will be connected to a PC in a way that will allow both real-time viewing and the acquisition and storage of high quality photomicrographs. Provision for software that will also cater for archiving/data basing and analysing of the photographs and other pertinent examination information should be made. Tenders should also cover the provision of on-site training and any after-sales-service facilities. The required delivery period (lead time) for the whole system must be clearly mentioned.

Additionally, air conditioner is necessary at the place where this system will be established. Because, microscope works with light and particularly in summer time this effects the motivation of personnel negatively. Air conditioners are necessary to provide a suitable working office.

And also, to keep the optical disks in the archive in IPR office cabinets are necessary. The cabinets must have the features keeping the archive for a long time.

**Questioned Document Examination Workstation and Software**
It is known according to information obtained during the operations conducted against the infringement of “Intellectual and Industrial Property rights” that a number of pirated editions (counterfeit books) as well as pirated CD, DVD, cassettes are circulated illegally to market and sold illegally. It is a remarkable important to determine whether or not pirated editions under suspect which are seized in the operations are actually pirated or not. In this respect, to prepare expertise reports according the results obtained by means of scientific methods and technical methods and also comparison suspected editions with original ones will give an effectiveness to investigative and operations conducted for that purpose as well as giving a correct direction to investigative.

Document examination workstation, is used to determine some forgeries and alterations not visible for naked eyes, the function of zoom and comparison. Also, it will be possible to take print out images showing examination stages and examination results. In brief, this workstation has a multifunction in order to examine all kind of counterfeit documents and alterations on questioned documents.
By using mentioned Workstation, it will enable to experts to examine pirated editions (books, journal, the printed paper on CD and DVD material, introduction brochures in CD and DVD boxes) as well as examination of all kind of false documents submitted by law enforcement officers, comparing them with original ones. As a result of these technical examinations it can be determined whether or not the suspected editions are pirated and thereby creating and ideas as to whether or not suspected editions seized in different operations have some technical features in terms of printing methods.

Furthermore mentioned workstations enable for experts to determine whether the holograms that are incorporated to some editions as a security feature are genuine or counterfeit.

The fact that transferring the images of examination stages to digital media (computer) and then preparing an expertise report including images (photo) will lead to more clearly understanding expertise reports while judicial authorities give a verdict depending on written expertise report.

ANNEX-8 INSTITUTIONAL FRAMEWORK
(National competent authorities and related administrative institution)

A-Enforcement

- Ministry of Interior

  General Directorate of Police

  State Security Department
  It is the unit responsible for leading and coordinating the units about the tasks relating to intellectual and industrial property rights, making law studies (proposing laws), creating projects, identify strategies and goals, making evaluations and preparing circulars about this issue, determining training needs about the subjects requiring expertise, preparing training plans and programs, implementing and coordinating training activities such as courses, seminars and so on organized both in Turkey and abroad, preparing the statistics about combating with the violation of intellectual and industrial property rights.

  Organized Crimes Department
  It is the unit responsible for taking actions regarding the related laws when criminal organizations violate the intellectual and industrial property rights.

  Criminal Police Laboratory Department
  It is the unit responsible for evaluating the evidences given to the unit during judicial and administrative investigations by using scientific methods and preparing the expertise reports.

- Police Department in Provinces

  State Security Section
  It is the section responsible for taking actions regarding the related laws criminal violates the intellectual and industrial property rights.

  Anti-Smuggling and Organized Crimes Section
  It is the section responsible for taking actions regarding the related laws when criminal organizations violate the intellectual and industrial property rights.
• **Ministry of Justice**

The Ministry of Justice is responsible for;
- Establishment of IPR courts
- Ensuring effective operation of these courts
- Training judges, public prosecutors and other staff working in these courts

• **Undersecretariat for Customs**

The Function of Turkish Customs in the Fight against Counterfeit Regarding Enforcement
- To evaluate the applications
- To check the goods under the customs supervision
- To inform the right holders about the suspicious goods
- To suspend the release of the goods
- To act according to the court decision - release or destroy the goods

**B-Administrative Structures in the Field of Copyright and Related Rights**

• **Ministry of Culture and Tourism**

**General Directorate of Copyrights and Cinema**

Main duties of the ministry in the field of copyright and related rights
- Policymaking
- Strengthening copyrights in terms of intellectual property system
- Supporting all related sectors as a legal regulator

**C-Administrative Structures in the Field Of Industrial Rights**

**Turkish Patent Institute**

- Turkish Patent Institute (TPI) is the competent authority for granting patents and utility model certificates.
- To contribute to the development of Turkish economy and technology by encouraging creativity and innovation,
- To provide effective protection of patents, trademarks, industrial designs and other industrial property rights,
- To disseminate the awareness and knowledge of industrial property throughout the country and to cooperate with the related sectors,
- To provide a customer oriented, timely and high quality services by strengthening legal, technical and human infrastructure,
- To represent Turkey on international platforms and strengthen co-operation for the protection of the interests and development of the Turkish and European economy.
Main Beneficiary

General Directorate of Turkish National Police State Security Department

Second Beneficiaries

General Directorate of Turkish National Police
Anti-Smuggling Organise Crime Security Department

Second Beneficiaries

General Directorate of Turkish National Police
Criminal Police Laboratories Department

Support to Turkish Police in Enforcement of Intellectual and Industrial Property Rights

Other Beneficiaries

Minister of Justice
(General Directorate of EU)

Other Beneficiaries

Minister of Culture and Tourism
(General Directorate of Copyrights and Cinema)

Other Beneficiaries

Undersecretariat of Customs
(General Directorate of Customs)

Other Beneficiaries

Turkish Patent Institute