

Turkey
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Any patent application based on genetic resources or TK, should clearly disclose the source of origin in both the specification and description. We support any appropriate measure on this subject matter.

In regard to disclosure requirements on genetic resources and TK in patent applications, the following issues may also be taken account;
Compliance with access and benefit sharing, penalties for provisions of false information, refusal of grant on formality grounds, invalidation of patent after grant, narrowing or invalidation of patent claims that would have been supported by information not disclosed and prior informed consent. In addition, a revision of the IPC is necessary for covering “Traditional Knowledge”.

A draft law on the “Registration of Genetic Resources” has been prepared by the Ministry of Agriculture and Rural Affairs; when this draft law enters into force, our genetic resources will be registered, but only in Turkey under this law. Consequently we support all attempts for an international certification system of genetic resources. In this context, all genetic resources registered in member states may be collected in a central database, a system similar to CBD’s biosafety clearing house mechanism. In this context, international minimum standards and components should be determined, international legal binding mechanisms should be formed, systems should be in compliance within each member state in this matter.