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GLOBAL LEADERS

Yasemin Kenarođlu
Founding Partner | KENAROĐLU AVUKATLIK BÜROSU

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INTERVIEWS WITH THE
PINNACLE OF THE
TRADEMARK PROFESSION

Yasemin Kenarođlu

WTR says: Yasemin Kenarođlu is a seasoned trademark professional and one of Turkey's most dynamic IP minds. Brilliant across the board, she manages large portfolios and handles complex infringement matters with exceptional proficiency while delivering a perfectly calibrated client service.

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Biography

Yasemin Kenarođlu is the founding partner of Kenarođlu Avukatlık Bürosu. She is registered as an attorney at law at the Istanbul Bar Association and as a trademark and patent attorney before the Turkish Patent and Trademark Office. Ms Kenarođlu has been working on IP-related litigation, enforcement, prosecution and counselling matters since 2003 and represents top-tier multinational and domestic companies on trademark, patent, design, domain name, copyright and unfair competition disputes. She has been ranked by the *WTR 1000*, the *IAM 1000*, the *Legal 500*, *Chambers & Partners*, *Managing IP*, *Top 250 Women in IP* and *WTR Global Leaders* as a leading IP practitioner.



Which aspect of your work do you enjoy most and why?

I feel blessed that my path crossed with intellectual property at the very beginning of my career. It is a great pleasure being a member of the international IP community, which consists of brilliant, sophisticated and ambitious practitioners from all over the world. And when it comes to the core of our work, we are so lucky to have the privilege of being involved in the creation, invention and decision-making processes of the rights holders who are shaping the future of the world.

What key skills do you need to succeed in the courtroom?

As a litigator, you need to know your case much better than the judge, the attorney for the counterparty and anyone else involved in the matter. And you need to believe in that case even more than your client does. Plus, you should feel comfortable being on the stage and able to convince everyone else in what you have believed in under the pressure and stress of the courtroom.

What are the biggest challenges currently facing multinational clients looking to enforce their rights in Turkey and overseas?

The biggest challenge that rights holders currently face in Turkey is the mindset of the local authorities. The administrative and legal authorities should be reminded that they exist to protect rights holders and that counterfeiting does not support the local economy. The law is clear and strong enough to protect IP rights but there is almost always a reason not to apply it against infringers. Rights holders seeking to enforce their rights in Turkey face different obstacles at every stage of the process. Even when they manage to overcome all these and commence criminal proceedings, the results are rarely a deterrent. The biggest disappointment is that there is no acceptable reason behind any of these

challenges. Turkey has the ability and the power to fight counterfeiting – all we need to do is to change the mindset and remember who we are.

Which recent decisions or legislative developments have had the biggest impact on IP strategy in Turkey in the past few years?

The Turkish Patent and Trademark Office (PTO) holds a registry of well-known trademarks; marks recorded in this enjoy broader protection in proceedings before the PTO and the IP courts, as their reputation has already been recognised. Recently, the Court of Appeals decided that it was not legitimate for the PTO to evaluate the well-known status of trademarks and to hold a registry for this purpose. The decision came as a shock to Turkish trademark practitioners and the PTO, since the registry has existed for many years and there is no legal regulation preventing it from holding such a registry or recognising the well-known status of registered marks. Now, it remains to be seen which direction the practice will take and what will become of the legal status of well-known marks already recorded in the registry.

You write on IP topics for a number of international and local publications. How do you manage multiple workloads and what are the benefits of writing such articles?

Our patrons are aware of how experienced we are in our field and writing for eminent publications gives us the chance to show this to the rest of the world. Writing on IP topics is a joy but writing together with my colleagues is an even deeper one and also answers how I manage multiple workloads. I am so lucky to have such a hard-working, creative and brilliant team, ready to help me in whatever I am involved in and writing articles is one of our favourite team tasks.