

ABSTRACT:

This article examines the legal inquiries on the subject of Intellectual Property Rights Interrelationship with Competition Law; US, European and Turkish perspectives. Rights over trademarks and patents arise from not only the contract of World Trade Organisation (TRIPS) but also generally intellectual property rights law. Additionally, rights on Trademarks and Patents may also be established under Intellectual Property Rights. This paper provides a comparative analysis of the parallel importation and the exhaustion of trademark rights in Anglo-Saxon Law System (Common Law System), European Law System and Turkish Trademark Law. In the first part, the concepts of Intellectual Property Rights, the relationship between trademarks, patents and competition law are examined. In the second part, focus is centred upon parallel import and the exhaustion of trademark rights. And the purpose of the final section is to find out the similarities and differences between US, European Union jurisdictions and Turkish Court of Cassation Awards.