

**Assoc. Prof. Dr. Cafer EMİNOĞLU**

**Ankara Yıldırım Beyazıt University  
Faculty of Law**

**Department of Commercial Law**



#### Personal Information

<b>Address</b>	Ankara Yıldırım Beyazıt Üniversitesi Hukuk Fakültesi, 15 Temmuz Şehitleri Binası, Ayvalı Mahallesi Halil Sezai Erkut Caddesi 150. Sokak 06010 Etilik/Keçiören/Ankara	
<b>Room No:</b> 7 <sup>th</sup> Floor 738	<b>Tel:</b> 03129062105	<b>Email:</b> cafer.eminoglu@gmail.com • ceminoglu@ybu.edu.tr

#### Education

<b>Ph.D.</b>	University of Vienna, Faculty of Law, 2007-2010. ( <b>Thesis:</b> Österreichisches Konzernrecht im Vergleich zum Recht der Gesellschaftengruppe nach dem Entwurf eines neuen Türkischen HGB–Unter Berücksichtigung der europarechtlichen Vorgaben- )
<b>LL.M.</b>	University of Vienna Faculty of Law, (Combined Bachelor's Graduate Degree), 2001-2006.
<b>LL.B.</b>	University of Vienna Faculty of Law, 2001-2006. Ankara University Faculty of Law, 2007- 2010.

#### Employment History

<b>10/2017-:</b>	Yıldırım Beyazıt University, Faculty of Law, Department of Commercial Law, <b>Assoc. Prof. Dr.</b>
<b>02/2013 - 10/2017:</b>	Yıldırım Beyazıt University, Faculty of Law, Department of Commercial Law, Assist. Prof. Dr.
<b>2019- 2016 -</b>	Ankara Bar Attorney <b>Arbitrator (Aktive)</b>
<b>05/2011 – 02/2013:</b>	Petroleum Pipeline Corporation (BOTAŞ) – Jurist in the Units of Engineering and Contracts, and Natural Gas Transmission and Marketing
<b>01/2008 - 03/ 2008:</b>	Legal expert at a law office (Dr. Margula) in Vienna
<b>02/2007- 10/2007:</b>	Paid internship at the Austrian law courts - Vienna District
<b>2003-2010:</b>	Legal Counselling and Court Interpreting

#### Foreign Language Knowledge

English, Advance Level.  
German, Advance Level.

## Research Interests

Commercial Law, Corporate Law, Intellectual Property Law, Energy Law.

## Experience Abroad

- 2001-2010, LLB, LLM and PhD, Vienna University, Faculty of Law, Vienna/Austria
- 2011-2014, Participation as a speaker or observer in various scientific and sectorial meetings organised in Italy, France, Austria, USA, Germany, Belgium and other countries.
- September 2014, Assignment as a guest lecturer at Kazimiero Simonavicius University, Faculty of Law, Lithuania for a week within the scope of Erasmus Teaching Mobility.

## Books

- **Konzern / Gesellschaftengruppe, Österreich-Türkei-EU**, Eylül 2013, Oniki Levha Yayınları
- **Türk Ticaret Kanunu'nda Kurumsal Yönetim (Corporate Governance)**, Eylül 2014, Onikilevha Yayınları.
- **Ticari İşletme Hukuku Pratik Çalışmaları, Ticaret Hukuku Uygulama Serisi – 1** (Arş. Gör. Dr. Süleyman KIRAN, Arş. Gör. F. Betül ÇAKIR ÇELEBİ, Arş. Gör. Nevin MERAL, Arş. Gör. Kemalettin Ahmet AKSOY ile birlikte), Haziran 2018, Adalet Yayınları.
- **Şirketler Hukuku Pratik Çalışmaları, Ticaret Hukuku Uygulama Serisi – 2** (Arş. Gör. Dr. Süleyman KIRAN, Arş. Gör. F. Betül ÇAKIR ÇELEBİ, Arş. Gör. Nevin MERAL, Arş. Gör. Kemalettin Ahmet AKSOY ile birlikte), Haziran 2018, Adalet Yayınları.
- **Kıymetli Evrak Hukuku Pratik Çalışmaları, Ticaret Hukuku Uygulama Serisi – 3** (Arş. Gör. Dr. Süleyman KIRAN, Arş. Gör. F. Betül ÇAKIR ÇELEBİ, Arş. Gör. Nevin MERAL, Arş. Gör. Kemalettin Ahmet AKSOY ile birlikte), Haziran 2018, Adalet Yayınları.
- **“Liberalization Process and Legal Aspects of the Turkish Natural Gas Market”**, Energy Technology and Valuation Issues, Springer 2014, 147 - 164.

## Some Of Articles

- **“Türk Ticaret Kanunu'nun 864. Maddesi Kapsamında Gönderenin Kusursuz Sorumluluğu”** Gazi Üniversitesi Hukuk Fakültesi Dergisi, C.XIX, S. 3, 2015, 25-54.
- **“Tek Pay Sahipli Anonim Şirkette Genel Kurul”**, İnönü Üniversitesi Hukuk Fakültesi Dergisi, Cit: VI, Sayı: 1, 129-166.
- **“Pay Sahipleri Açısından Eşit Şartlarda Eşit İşlem İlkesi”**, Ticaret ve Fikri Mülkiyet Hukuku (TFM) Dergisi, Haziran 2015, 79-87.
- **“Ticaret Siciline Tescilde Şirket Sözleşmesine ve Emredici Hükümlere Uygunluk İncelemesi”**, Kazancı Hukuk Araştırmaları Dergisi, Nisan 2015, 55-94.
- EMİNOĞLU, Cafer/ŞEKER, Mehmet, **“Bir Pay Sahipliği Girişimi Olarak Kurumsal Temsilci”**, İnönü Üniversitesi Hukuk Fakültesi Dergisi, Özel Sayı I, 2015, 1-28.
- EMİNOĞLU, Cafer/ÇAKIR, Fatma Betül, **“Anonim Ortaklıklarda Tüzel Kişilerin Yönetim Kurulu Üyesi Seçilmesi ve Kamu Tüzel Kişilerinin Yönetim Kuruluna Temsilci Ataması”**, Gazi Üniversitesi Hukuk Fakültesi Dergisi, C. XVIII, S. 3-4, 2014, 277-297.
- EMİNOĞLU, Cafer/DALGIÇ ALTINTAŞ, Berrin, **“Türk Ticaret Kanunu'nun 340. Maddesi: Sermaye Şirketleri Hukukunda Sözleşme Özgürlüğünün Sonu Mu?”**, Erciyes Üniversitesi Hukuk Fakültesi Dergisi, C. IX, S. 2, Yıl: 2014, 1-25.
- **“Schutzmechanismen des Rechts der Gesellschaftengruppe nach neuem THGB”** (Türk Şirketler Topluluğu Hukuku'nun koruyucu mekanizmaları), Hacettepe Hukuk Fakültesi Dergisi, Haziran 2012.
- **„Regelungsbedarf des österreichischen Konzernrechts aus Sicht der Lehre“** (Öğretinin bakışıyla Avusturya Konzern Hukuku'nun düzenlenme ihtiyacı), ecolex, 09/2010.

- „Der Entwurf eines neuen türkischen HGB im Überblick“ (Yeni Türk Ticaret Kanunu Tasarısı'na Genel Bakış), RIW, 08/2010, 557-560.
- „Haftung aus Konzernvertrauen nach dem Entwurf eines neuen THGB“ (Yeni TTK Tasarısı'na Göre Şirketler Topluluğunda Güven Sorumluluğu), ZfRV, 02/2010, 42-46.

## Communique

### **Some of Communiqués Presented in International Congress and Conferences**

- “The Corporate Governance- Approach of the Turkish Commercial Code (Türk Ticaret Kanunu Kurumsal Yönetim Yaklaşımı)” 5th Annual Meeting of Sosyoekonomi Society, 25 Ekim 2018, Milan / Italy, <http://www.sosyoekonomijournal.org/AMSS18CB.pdf>, s. 205-213.
- “The Examinaton of the Principles of Unicity of Trademark Owner in the Context of Trademark Assignment: an Assessment of the Decision of the Constitutional Court That Rescinded the Article 16/5 of the Decree No. 556 (Marka Sahibinin Tekliği İlkesinin Markanın Devri Bağlamında İncelenmesi (Anayasa Mahkemesi'nin 556 Sayılı KHK'nın 16/5 maddesini iptal eden kararı bağlamında bir değerlendirme)”, II. International Symposium On Intellectual Property Law, 27th November 2015, (Took Place by Ankara Yıldırım Beyazıt Univercity Law Faculty).
- “The Planned Amendments in Natural Gas Market Law” (Doğal Gaz Piyasası Mevzuatında Planlanan Değişiklikler), 8th International Energy Congress (EİF 2015), 4-6 November 2015, Ankara.
- “The Transparency Approach of the Turkish Commercial Code” (Türk Ticaret Kanunu'nun Şeffaflık Yaklaşımı), Kurumsal Raporlamada Şeffaflık Konferansı, 19.03.2015, İstanbul.
- “Equal Treatment Principle under Equal Conditions in terms of Shareholders” (Pay Sahipleri Açısından Eşit Şartlarda Eşit İşlem İlkesi), I. International Symposium on Commercial Law, 27 November 2014, Ankara • The Minority Rights in the Joint Stock Companies, International Symposium of Current Affairs in Turkish – German Law of Joint Stock Companies and Capital Market, 19 June 2014, Kayseri (co-organised by Erciyes and İnönü Universities)
- Law Education at Vienna University, Faculty of Law, 2014 Ankara Bar International Law Congress, 8-10 January 2014, Ankara.
- Turkish Natural Gas Market and Legal Aspects, Multinational Energy and Value Conference, CEVI (Centre for Energy and Value), 15-18 May 2013, Chicago/USA.
- Turkish Natural Gas Market: Legal Aspects – Energy Policies (Türkiye'nin doğal gaz piyasası ile ilgili mevzuatı ve enerji politikaları), “Gas to Power Turkey” Conference, 13-14 March 2013, İstanbul.
- Turkish Natural Gas Network Principles, International Integration and Opportunities on the Turkish Energy Market - CIS Oil and Gas 2012 Energy Summit – May 2012, Paris/France
- Evaluations of Natural Gas Transmission System of PPC in Turkey in the Context of UN Natural Gas Market Legislation - “International Conference of Energy and Politics” (EPOL) – April 2012, Antalya/Turkey (organised by İstanbul Kültür University)
- Turkish Natural Gas Market Law, Liberalisation of Market and International Projects – European Gas Conference 2012, 24-27 January 2012, Vienna/Austria
- Legal Aspects of Turkish Natural Gas Market and Transmission - The Congress themed as “Integration of Development and Energy Networks in the Mediterranean District”, organised by Mediterranean Assembly of Parliamentarians - November 2011, Napoli/Italy

### **Some of Communiqués presented in National Congress and Conferences:**

- “Transparency Approach of Turkish Commercial Code” (Türk Ticaret Kanunu'nun Şeffaflık Yaklaşımı), Conference on Transparency in Corporate Reporting organised within the scope of the project titled as “Multi-Stakeholder Approach for Transparency at Private Sectors” by International Transparency Association, 19 March 2015.
- Legal Education in Austria and Consequences for Turkey, I. Conference of Legal Education, Akdeniz University, Faculty of Law, Antalya, 7-9 November 2013.

- Legal Texts Regarding the Third Part Access to PPC Transmission System, The Workshop of Trade and the Access to the System in Natural Gas Market, organised by Association of Energy Experts, November 2012, Ankara/Turkey

## Editorships

- Editorial Board Member of Journal of Commercial and Intellectual Property Law (Ticaret ve Fikri Mülkiyet Hukuku Dergisi - TFM)
- Advisory Board Member of Journal of Energy Law

## Teaching Experience

### Verilen Dersler

#### • Arbitration Education

##### **2018/2019 Spring Semester:**

- Konzernrecht (German) (PhD)
- Company Law (Şirketler Hukuku) (Bachelor)
- Current Problems in Commercial Enterprise Law (Ticari İşletme Hukukunun Güncel Sorunları) (Master)
- Current Problems in Law of Commercial Papers (Master)

##### **2018/2019 Fall Semester:**

- Law of Commercial Papers (Bachelor)
- Corporate Governance in Turkish Commercial Code (Master)
- Group of Companies Law (Şirketler Topluluğu Hukuku) (Master)
- Capital Market Law (PhD)

##### **2017/2018 Spring Semester:**

- Hypothetical Case Competitions II (İngilizce) (Bachelor)
- Hypothetical Case Competitions IV (İngilizce) (Bachelor)
- Deutsche Rechtssprache V (Bachelor)
- Current Problems in Limited Companies (Master)
- Current Problems in Commercial Enterprise Law (Ticari İşletme Hukukunun Güncel Sorunları) (Master)
- Tradenames (PhD)

##### **2017/2018 Fall Semester:**

- Law of Commercial Papers (Bachelor)
- Corporate Governance in Joint Stock Companies (Master)
- Current Problems in Law of Commercial Papers (Master)
- Group of Companies Law (Şirketler Topluluğu Hukuku) (PhD)
- Practice of Intellectual Property Law (PhD)

##### **2016/2017 Spring Semester:**

- Company Law (Şirketler Hukuku) (Bachelor)
- Moot Court II (Bachelor)
- Capital Market Law (Master)

- Management in Joint Stock Companies (Anonim Ortaklıklarda Yönetim) (PhD)
- Current Problems in Commercial Enterprise Law (Ticari İşletme Hukukunun Güncel Sorunları) (Master)

#### **2016/2017 Fall Semester:**

- Law of Commercial Papers (Bachelor)
- Group of Companies Law (Şirketler Topluluğu Hukuku) (Master)
- Capital Market Law (PhD)
- Current Problems in Law of Commercial Papers (Master)

#### **2015/2016 Spring Semester:**

- Company Law (Şirketler Hukuku) (Bachelor)
- Term-Paper And Presentation In Law (Bachelor)
- Corporate Governance in Turkish Commercial Code (Master)
- Group of Companies Law (Şirketler Topluluğu Hukuku) (Doctorate and Masters without Thesis)

#### **2015/2016 Fall Semester:**

- Commercial Enterprise Law (Ticari İşletme Hukuku) (Bachelor)
- Einführung in die Deutsche Rechtssprache – II (German) (Bachelor)
- Einführung in die Deutsche Rechtssprache – IV (German) (Bachelor)
- Group of Companies Law (Şirketler Topluluğu Hukuku) ((Master)
- Protection of Creditors in Joint Stock Companies (PhD)
- Management in Joint Stock Companies (Anonim Ortaklıklarda Yönetim) (Masters without Thesis)

### Research Experience And Projects

- International Symposium on Commercial Law, BAP Projects, Project Manager, 2017.
- International Symposium on Commercial Law, BAP Projects, Project Manager, 2015.
- International Symposium on Intellectual Property Law, BAP Projects, Project Manager, 2014.

### Administrative Duties

- **2016- Halen:** Brand Stretching Expertise Commission Membership in TAPDK
- **July 2013 - 2016 :** YBU Faculty of Law, Vice Deanship
- **April 2013 - :** YBU Faculty of Law, ERASMUS Coordinatorship
- **2014: YÖK –** Equivalency Commission Membership (Law)