

[Government letterhead]

Council for TRIPS
World Trade Organization
c/o Central Registry of Notifications
154 rue de Lausanne
CH-1211 Geneva 21
Switzerland

Email: crn@wto.org; ipd@wto.org

[Date]

Notification of compulsory licence to export under the Paragraph 6 System

Dear Sir or Madam,

[Name of exporting Member] has granted [a licence] [licences] to use the subject matter of a patent or patents solely for the purposes of production of [a pharmaceutical product] [pharmaceutical products] and [its][their] export under Article 31*bis* of the TRIPS Agreement, and the Annex and the Appendix to it. The details of the [licence] [licences] granted are as follows:

- Name and address of the licensee(s): []
- Product(s) for which the licence(s) has/have been granted: []
- Quantity(ies) for which the licence(s) has/have been granted: []
- Country(ies) to which the product(s) is/are to be supplied: []
- Duration of the licence(s): []
- *OPTIONAL [Any other licence conditions not set out above] [Other information, such as the patent number(s)]*

The licensee will post information before shipment on the quantities being supplied to each destination and the distinguishing features of the product(s) [on the following website: []] [on the WTO website dedicated to the Paragraph 6 System].

Yours faithfully,

[Name, position and signature
of authorized government official]

NOTES TO MODEL 3: EXPORTING MEMBER'S NOTIFICATION

This is the exporting Member's notification of the grant of a compulsory licence for export, including the conditions attached to it, as required under the Paragraph 6 System.

Who needs to make an exporting Member's notification?

Any Member that exports under the System must make this notification for every compulsory licence that it issues under the System prior to export.

A notification is not required to export pharmaceutical products under the regional mechanism (see paragraph 3 of Article 31*bis* of the amended TRIPS Agreement).

If the medicines to be exported only form part of production under a compulsory licence that is issued predominantly for the supply of the domestic market, then there is no need to use the System at all, and consequently no notification is needed.

Can the exporting Member attach a copy of the compulsory licence(s) instead?

Yes, as long as all the information listed in the model notification is included in the attachment. Other information, such as the patent number(s), can also be included.

Must the licensee set up its own website?

No. The licensee may post the required information on its own website or, with the assistance of the WTO Secretariat, on the page of the WTO website dedicated to the System.

Reference for this notification: see paragraph 2(c) of the Annex to the amended TRIPS Agreement.