

<p>Patents Form No. 11A PATENTS ACT 1983 AND PATENTS REGULATIONS 1986</p> <p>APPLICATION FOR COMPULSORY LICENCE UNDER SECTION 49(1A)(b) [Sections 49(1A)(b) and 50(1)] [Regulation 38(1)]</p> <p>To: The Registrar of Patents Patent Registration Office Malaysia</p>	<p style="text-align: center;">For Official Use</p> <p>APPLICATION NO.:</p> <p>Filing Date:</p> <p>Application received on:</p> <p>Fee received on:</p> <p>Amount:</p> <p>*Cheque/Postal Order/Bank Draft/Local Order/Credit Card/ Debit Card No.:</p>
<p>Please submit this Form together with the prescribed fee.</p>	<p>Applicant's or Agent's file reference </p>

I. IN THE MATTER OF:

*Patent/Certificate No.:	Date of Grant:
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II. APPLICANT:

Name	:	
I.C./Passport No.	:	
Address	:	
Address for service in Malaysia	:	
Nationality	:	
*Permanent residence or principal place of business	:	
Telephone Number (<i>required</i>)	:	
Email address (<i>required</i>)	:	

III. APPLICATION:

The above applicant(s) *applies/apply, in respect of the above-mentioned patent, for the grant of a compulsory licence under section 49(1A)(b), of the Patents Act 1983, in accordance with the terms proposed in Part IV of this Form and upon the grounds set out in Part V of this Form.

IV. PROPOSED TERMS:

A statement setting out of the following:

- ☐ (a) the amount of adequate remuneration;
the conditions of the exploitation of the patent;
the restriction of the rights of the licensor or licensee; and
the name and quantity of the pharmaceutical product
- ☐ (b) a declaration application is made by or on behalf of an eligible importing country under section 48
- ☐ (c) a copy of request from eligible importing country or the authorized representative of the eligible importing country containing:
 - i) the information that the pharmaceutical product to be imported is on behalf and with the authorization of the eligible importing country;
 - ii) name and quantity of the required pharmaceutical product
- ☐ (d) a copy of notification made by the eligible importing country to the Council for TRIPS
- ☐ (e) a declaration that eligible importing country or the authorized representative of the eligible importing country:
 - i) will take reasonable measures to prevents re-exportation pharmaceutical product from its territory
 - ii) will prevent the pharmaceutical product from being used other than to deal with public health problem in its territory
 - iii) eligible importing country has granted or intend to grant compulsory licence to import

V. **STATEMENT OF GROUNDS attached.

VI. ADDITIONAL INFORMATION accompanies this Form:

☐ Yes ☐ No

VII. DECLARATION AND SIGNATURE:

- ☐ **By Person Filing the Form**
I, the undersigned, do hereby declare that the information furnished above is true to the best of my knowledge.
- ☐ **By Agent** (An agent signing this Form on behalf of the applicant shall satisfy himself as to the truth of the declaration)

I, the undersigned, do hereby declare that:
 - i. I have been duly appointed and authorized to act as an agent on behalf of the person(s) filing this form.
 - ii. the information furnished above on behalf of the person(s) filing this form is true to the best of the applicant(s)' knowledge.

Signature:	
Name of signatory:	
Official capacity of signatory:	
Notes for Official capacity of signatory: Applicant(s) or common representative as specified in regulation 11/Authorized person of Applicant(s) as specified in regulation 50/Agent	
If Agent, indicate Agent's Registration No.:	
Date:	

Attention:

It is an offence under section 63 of the Patent Act 1983 to make or cause to be made a false entry in any Register and that person may be liable to a fine not exceeding RM15,000.00 (Fifteen Thousand Ringgit) or to imprisonment for a term not exceeding two years or to both.

* Delete whichever does not apply

** The ground upon which the request is based shall be indicated by a reference to the statutory provision the applicant considers applicable (section 49(1A)(b) of the Patents Act 1983) and to the facts he considers as justifying the grant of a compulsory licence.