



FORM 3

(Subsection 5(2))

**SOLEMN OR STATUTORY DECLARATION UNDER CLAUSE 21.04(3)(d)(i)(A)
OF THE PATENT ACT**

In the matter of an application by *(name of applicant)* for export to *(name of WTO Member)* of the following pharmaceutical product:

- (a) if the pharmaceutical product is a drug as defined in section 2 of the *Food and Drugs Act*: *(name of the pharmaceutical product as set out in Schedule 1 to the Act and, if applicable, the strength, dosage form and route of administration of the pharmaceutical product)*; or
- (b) if the pharmaceutical product is a medical device: *(name of the pharmaceutical product as set out in Schedule 1 to the Act, its class, and its identifier within the meaning of section 1 of the Medical Devices Regulations)*;

1. The undersigned *(name of applicant)* hereby declares, in accordance with clause 21.04(3)(d)(i)(A) of the Act, that the pharmaceutical product to which the application relates
 - (a) is the pharmaceutical product specified in the notice in writing that the WTO Member has provided to the TRIPS Council; and
 - (b) is not patented in that WTO Member.

2. The name, postal address and telephone number of the undersigned are as follows:

Dated at the day of , .

Signature of Applicant