



FORM 5

(Subsection 5(2))

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

In the matter of an application by \_\_\_\_\_ (*name of applicant*) for export to \_\_\_\_\_ (*name of country*) 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)(ii)(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 country has provided to the Government of Canada; and
- (b) is not patented in that country.

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

Dated at \_\_\_\_\_ the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

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Signature of Applicant