**Certification of non-implementation and non-enforceability of patents and data protection in respect of pharmaceutical products**

Whereas:

Further to Paragraph 7 of the Declaration on the TRIPS Agreement and Public Health adopted by the WTO Ministerial Conference on 14 November 2001 (WT/MIN(01)/DEC/W/2) and Council for TRIPS Decision IP/C/25, the WTO Council for TRIPS decided on 6 November 2015 (IP/C/73) that Least Developed Country Members of the WTO need not implement, apply or enforce patents and test data protection with respect to pharmaceutical products until at least 1 January 2033.

The [*insert title of government official*] hereby confirms that:

(a) patents and test data protection with respect to pharmaceutical products shall not be granted or deemed enforceable within and with respect to [insert country name] at least until 1 January 2033;

(b) importation, manufacturing, use, sale, and offering for sale of pharmaceutical products may be conducted by any party complying with the relevant medicines regulations, notwithstanding any patents which may have been granted or test data protection (including related grants of regulatory marketing exclusivity) which may be applicable with respect to those products; and

(c) patents and test data protection rights (including related grants of regulatory marketing exclusivity) may not be enforced by holders thereof within and with respect to [insert country name] with regard to any actions by the government or third parties undertaken during the period extending at least until 1 January 2033.