

## Annex 4

### **Notification in relation to the non-asserts under article 8.5 of the Internal Regulations<sup>1</sup> of the International Licensing Platform Vegetable**

To fulfil the requirement of article 8.5 of the Internal Regulations,

#### **THE UNDERSIGNED,**

XXXX, having its registered office and principal place of business at \_\_\_\_\_ (address and postal code), \_\_\_\_\_ (town/city), \_\_\_\_\_ (country), in this matter duly represented by: \_\_\_\_\_, in his/her position as \_\_\_\_\_, hereinafter “Notifying Member”

#### **hereby notifies**

YYYY, having its registered office and principal place of business at \_\_\_\_\_ (address and postal code), \_\_\_\_\_ (town/city), \_\_\_\_\_ (country), hereinafter “Notified Member”

#### **and declares as follows:**

- Option 1:*  
If and as far as Notifying Member and/or its Affiliates<sup>2</sup> have accessed or will access varieties of Notified Member or its Affiliates, Notifying Member accepts - for itself and its Affiliates - the terms and conditions of the non-asserts specified in article 8 Internal Regulations if and as far as it is acting under these non-asserts, and acknowledges that these non-asserts can only be invoked for use of the aforementioned varieties which took place after the date of signature of this notification. The Notifying Member understands that under this Option 1 the duty under article 8.1.5 International Regulations of a Patentee Member to inform about related Committed Patents is considered not reasonable and does not apply. This declaration remains valid until it is revoked in writing by Notifying Member.
  
- Option 2:*  
If and as far as Notifying Member and/or its Affiliates<sup>2</sup> have accessed or will access variety/varieties covered by the Variety patents and/or Committed Patents of Patentee Member or its Affiliates listed in Attachment 1, Notifying Member accepts - for itself and its Affiliates - the terms and conditions of the non-asserts specified in articles 8.1 and 8.2 Internal Regulations if and as far as it is using this variety/these varieties under these non-asserts and acknowledges that these non-asserts can only be invoked regarding use of the aforementioned varieties which took place after 5 April 2017 but not more than 12 months prior to the date of signature of this notification. This declaration remains valid until it is revoked in writing by Notifying Member.

Signature:

\_\_\_\_\_  
Name:  
Position:  
Place.  
Date:

<sup>1</sup> In its version with the effective date of 5 April 2017.

<sup>2</sup> As defined in article 1.1 of the Articles of Association of the ILP.

Attachment 1, List of Variety patents and/or Committed Patents:

- .....
- .....
- .....
- .....