

ANNEX " G "



Philippine International Trading Corporation

Ref No.: CCA/L-05-09-086
26 September 2005

Ms. Millette R. Asuncion
Legal Director
Pfizer, Inc.
23/F Ayala Life - FGU Center
6811 Ayala Ave., Makati City 1200

Dear Ms. Asuncion:

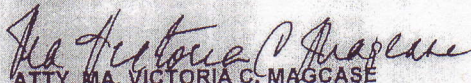
This refers to your letter of 21 September 2005 and your demand that the Philippine International Trading Corporation (PITC) withdraw its application for registration over *amlodipine besylate*, as well as offers for sale or supply of the same to government hospitals and drugstores.

In this regard, please be advised of the following:

1. Under Executive Order No. 442 signed by President Gloria Macapagal-Arroyo on 4 July 2005, PITC was designated the lead coordinating agency in ensuring that essential medicines are available, accessible and affordable to all. Among its primary responsibilities is to undertake sourcing of drugs and medicines, either through parallel importation or from local suppliers, for wide distribution to the public at the lowest prices realistically possible.
2. To fulfill this mandate, PITC continues to seek viable alternatives to correct the current iniquitous situation where more and more Filipinos, especially the poor, are unable to gain access to life-saving medicines which are priced way beyond their reach. The priority is to source commonly prescribed drugs for prevalent diseases which now ail a growing percentage of our population, but which are unfortunately still sold at exorbitant prices.
3. The application for Certificates of Product Registration (CPRs) filed with the Bureau of Food and Drugs (BFAD) does not *per se* amount to "making, using, offering for sale, selling or importing" any drug covered by an existing patent, and accordingly, need not be withdrawn. Mere application does not, in any way, constitute an infringement of patent rights, nor a violation of Sec. 71 of Republic Act 8293 or the Intellectual Property Code of the Philippines, especially if such act is merely in anticipation of patent expiry of a product at some future date.

We trust we have sufficiently clarified our position regarding the matter.

Very truly yours,


ATTY. MA. VICTORIA C. MAGCASE
Vice President, Countertrade and Corporate Affairs

cc: Prof. Leticia Barbara Gutierrez
Director-Bureau of Food and Drugs

Atty. Emil Polig
Acting Chief of LICD-Bureau of Food and Drugs

Pharmaceutical and Healthcare Association
of the Philippines- Makati City

NDC Bldg., 116 Tordesillas Street, Salcedo Village, 1227 Makati City, Philippines
Tel No: (632) 818 9801 Fax Nos: (632) 892 2021, 892 2051
Email Address: pitc@info.com.ph