

			
EMVO_0322_D_A - Transferor OBP Side Letter (Data Upload)			
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From:**Transferor OBP Name & Address**To:

European Medicines Verification Organization  
 Head of Commercial and Partner Management  
 Mr. Tobias Beer  
 Rue de la Loi 28, box 21  
 1040 Brussels, Belgium

Re: **(Insert OBP's name) Participation Agreement**

Dear Tobias,

Reference is made to the Agreement for Participation of Onboarding Partners in the European Medicines Verification System ('Participation Agreement') between **(Insert Transferor OBP's name)** and its affiliated MAHs (via adhesion) on one hand and the European Medicines Verification Organization ('EMVO') on the other with Effective Date **Month Day, Year**.

Please note the following:

- **Insert Company Name** ('Transferor') belonging to the same group of companies as **(Insert Transferor OBP's name)** with **CP###** has entered into a definitive agreement to transfer its products listed under Annex I attached hereto ('Products') to **Insert Company Name** ('Acquirer') belonging to the same group of companies as **(Insert Acquirer OBP's name)** with **CP###**.
- According to the specifications with which every On-boarding Partner ('OBP') needs to comply as per the Participation Agreement with EMVO, each product code is unique in the European Medicines Verification System.
- Moreover, as per sections 4.6.1.3 and 5.8.7 of the Participation Agreement, an OBP can only perform the upload of data on the European Hub on its behalf if it is an MAH and/or on behalf of its affiliated MAH(s)<sup>1</sup>.
- At this moment, no technical solution at the European Hub level for the assignment of a product code to the new (correct) OBP/owner has been implemented. Therefore and subject to a related agreement between the Transferor and the Acquirer whereby the Acquirer grants the Transferor the relevant authorisation for data upload, EMVO is requested to exceptionally allow the Transferor to upload data to the European Hub regarding the Products on behalf of the Acquirer and only for (i) the period defined by law or the competent authority(-ies) to complete the implementation of the transfer of the respective marketing authorisations to the Acquirer or (ii) until a technical solution at the European Medicines Verification System level is in place, such upload being performed always in

<sup>1</sup> Affiliate means, in relation to a Party, any other entity Controlling, Controlled or under common Control with the Party. "Control" and its derivatives mean either the holding, directly or indirectly, of 50 % or more than 50% ownership interest or the statutory or de facto authority to exercise a decisive influence on the appointment of the majority of directors or managers or the orientation of policy provided it is, at EMVO's own absolute discretion, sufficiently proven.



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accordance with the conditions set out in the Participation Agreement, the EU Directive on Falsified Medicines and the Delegated Regulation.

- The above-described upload to be performed by the Transferor will not be deemed a breach of the Participation Agreement provided it is performed in accordance with the conditions described hereunder.
- The Transferor requests that EMVO countersigns this letter for its acknowledgement and agreement. The Transferor may share a copy of the letter countersigned by EMVO with the Acquirer.

\_\_\_\_\_  
Name/Title:  
For Transferor

\_\_\_\_\_  
Name/Title:  
For Transferor (second sign if required)

Acknowledged and agreed as above

\_\_\_\_\_  
Name/Title:  
For EMVO



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**Annex I****List of Transferred Products**

Products carrying a GTIN as Product Code

Product Code	Product Name	Transferor's Marketing Authorization Holder

Products carrying an NTIN as Product Code

The following prefixes are indicative for NTINs that will/might not change upon transfer of the marketing authorization to the Acquirer:

AT	0908888 ...	ES	0847000 ...
DE	04150 ...	FR	03400 ...
CH	07680 ...	Scandinavia (Nordic Vnr)	0704626 ...

Product Code	Product Name	Transferor's Marketing Authorization Holder
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