



KEI Europe
CP 2100
1 Route des Morillons
1211 Geneva 2
Switzerland

July 29, 2014

Sunil Patel
Director, Operations Planning - Intercontinental Region at Bristol-Myers Squibb
Bristol-Myers Squibb Company
ATTN: Partnering Opportunities - Mail code B24-04
Rt. 206 & Province Line Road
Princeton, NJ 08540

Via email: BusinessDevelopment@bms.com

Re: Request for license to daclatasvir, asunaprevir, BMS-791325 and daclatasvir/asunaprevir/BMS-791325 patents for territory of Romania.

Dear Sunil Patel,

KEI Europe is a not-for-profit Swiss association formed in 2013, in part to improve access to medicines.

We are writing today with a request to license patents relating to the treatment of the Hepatitis C Virus in Romania. Specifically, the revised request now includes any and all patents held by Bristol-Myers Squibb that are necessary for the making, importing and/or selling for treatments for hepatitis C, including but not limited to inventions relating to daclatasvir, asunaprevir and BMS-791325, including rights in any combinations of those products. Our request is limited to the territory of Romania.

We are seeking to either manufacture the drugs in Romania, or to import the drugs into the Romanian market.

Although estimates vary, it is believed that anywhere from 3.2 to 6 percent of the Romanian population is infected with the Hepatitis C virus. For a nation with a 2013 per capita GDP of \$9,500 (USD) -- and an extraordinarily high rate of infection, it is highly unlikely that persons in Romania living with the Hepatitis C virus will receive your products indicated for the Hepatitis C virus.

KEI Europe was recently incorporated as an entity with a separate legal status from Knowledge Ecology International (KEI), in order to expand work on access to knowledge goods in Europe. The names and biographies of the KEI Europe Board of Directors and staff are described in an Attachment to this letter.

We propose a license along the following terms:

Field of Use: We request a field of use, the right to use daclatasvir, asunaprevir and BMS-791325 patents for the treatment of Hepatitis C, including as standalone drugs, or as part of a combination therapy, including with other drugs, including drugs developed by Bristol-Myers Squibb, but also possibly drugs invented developed by companies or other third other than Bristol-Myers Squibb.

Geographic Area: We are requesting sufficient licenses to import finished product or portions of the finished products, such as the active ingredients, into Romania, to treat patients in the territory of Romania.

Royalty: We are prepared to pay royalties for the use of the invention in a product.

When the Bristol-Myers Squibb inventions are used in a product that does not include patented inventions held by third parties, the options for a royalty would include:

- (i) an amount equal to 7 percent of the generic price,
- (ii) an amount consistent with the 2005 World Health Organization (WHO) Tiered Royalty Method,
- (iii) an amount equal to 5 percent of the per capita income of Romania, for each patient who is cured of Hepatitis C after being treated..
- (iv) a fixed amount of money, per year, to supply a generic product (such as daclatasvir, asunaprevir and BMS-791325) to the territory of Romania, or
- (v) another mutually agreed upon royalty.

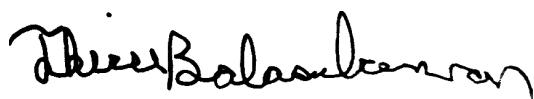
When the Bristol-Myers Squibb inventions are used in a product that combines the Bristol-Myers Squibb inventions with patented inventions held by third parties other than Bristol-Myers Squibb, the options for a royalty would be the same, except for an adjustment to share the royalty payments with relevant third parties. For example, if daclatasvir would be used in combination with sofosbuvir, the royalty would be equally divided between the patent holders for daclatasvir and sofosbuvir.

Registration: Any product made available to patients in Romania would first be registered by the Romania National Agency for Medicines and Medical Devices, or the European Medicines Agency.

KEI Europe also advises Bristol-Myers Squibb that we are requesting additional HCV patent licenses from Gilead, Merck, AbbVie, Roche and other holders of HCV patents.

Thank you for considering this request. We look forward to your response by September 15, 2014.

Sincerely,



Thiru Balasubramaniam
Managing Director
KEI Europe
CP 2100
1 Route des Morillons
1211 Geneva 2, Switzerland
thiru@keieurope.org
+41 76 508 0997

Attachment: KEI Europe Board of Directors and Staff