



File No: 2(709)/AGR/EXM/CCP/2024
COMPETITION COMMISSION OF PAKISTAN
GOVERNMENT OF PAKISTAN

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EXEMPTION CERTIFICATE

In pursuance of the powers conferred under Section 5 read with Section 9 of the Competition Act, 2010 (the "Act") and based on the information provided by M/s Lucky Core Industries Limited (the "applicant") the Commission hereby grants exemption on the relevant clauses of the "Distribution Agreement" from the application of Section 4 of the Act as per the conditions mentioned hereunder:

PARTICULARS OF THE AGREEMENT

First Party:	M/s. TherDose Pharma (Private)Limited having its registered office at Plot Nos 118,119 & 120, Survey No. 432, Road No. 6, ALEAP Industrial Estate, Pragathi Nagar, Hyderabad, India.
Second Party: (Applicant)	M/s. Lucky Core Industries Limited ('Distributor') having its registered office at 5 - West Wharf, Karachi. 26
Type of Agreement:	Distribution Agreement (the "Agreement") – an initialed copy of the agreement is attached herewith
Date entered into:	October 19 th 2023
Validity of the Agreement:	For a period of five (05) years from the date of execution of the Agreement unless terminated earlier under Article 17 of the "Agreement"
Product(s)/Drugs:	Following two "products" are covered under the Schedule-B of the "Agreement": i. Palonosetron 0.25mg; ii. Fulvestrant 250mg.



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PARTICULARS OF THE EXEMPTION GRANTED	
Exemption granted:	On territorial exclusivity and non-compete aspects as covered under Article 3 (a), 3(d) and Article 6 of the "Agreement"
Granted period:	From 19 th October 2023 to 31 st December 2025
Conditions:	<ol style="list-style-type: none">i. By virtue of exemption granted on the relevant clauses of the Agreement, the parties to the Agreement shall not engage directly or indirectly in any practice(s) and/or conduct(s) that are prohibited under the Act;ii. If during the exemption period, any other Distributor is appointed due to shortfall of the revenue, pursuant to Article 3(a) of the "Agreement", the same will be intimated to the Commission within 15 days of that decision;iii. If there is any change to the list of products covered under the "Agreement" (Schedule 'B'), the same will be intimated within 15 days of such decision;iv. This exemption does not entails or cover any approval on the pricing aspects of the products;v. The Applicant shall inform the Commission within 15 days in case of any change in regulatory regime of products covered under the "Agreement";vi. Pursuant to Article 10 of "Agreement", Commission will be communicated within 15 days of any patent registered under the relevant law ;vii. It is the responsibility of the Applicant to ensure that necessary approvals exists for the import, use and distribution of the "products";viii. The Applicant shall immediately intimate the Commission in case of any amendment(s) made to the "Agreement".ix. For renewal of this Exemption (if required/applicable). it will be the prime responsibility of the Applicant to seek extension as per Competition Commission (Extension in Exemption) Rules, 2007 at least three (3) months prior to the expiry of this exemption;x. It is the responsibility of the applicant to ensure that the other party is aware of the exemption sought from the Commission;xi. The Commission reserves the right to seek actual progress and data



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	<p>on financial and non-financial information provided in support of this exemption including the consumers' benefit envisaged and submitted by the Applicant;</p> <p>xii. The Commission reserves the right to review and revise the conditions of this Exemption, as deemed necessary;</p> <p>xiii. This Exemption is effective only for the territory of Pakistan;</p> <p>xiv. Breach of terms of this exemption, will result in immediate cancelation of the exemption being granted.</p>
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Without prejudice to the generality of Section 6 of the Act, the grantee of the exemption shall inform the Commission forthwith and seek clearance for continuation of the exemption if there is any material change, *inter alia*, in: (i) the terms of the Agreement; (ii) the market share of the products covered under the Agreement; or (iii) the circumstances in the market and/or the Regulatory framework relevant to the "Agreement" and the exemption being granted.

Granted on this the 6th day of June, 2024 at Islamabad.

Seal of the Commission

Shahzad Hussain
Registrar
Competition Commission of Pakistan
Government of Pakistan
Islamabad