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LICENSE REQUEST LETTER

March 3, 2021

Johnson and Johnson
88 McNabb St,
Markham, ON
L3R 5L2

Re: Johnson & Johnson / Janssen / Crucell License Request related to Ad26.COVID.S vaccine.

Dear Licensing officials for Johnson & Johnson and subsidiaries:

This letter is a request that Johnson & Johnson and its subsidiaries Janssen Vaccines & Prevention B.V. ("Janssen") and Crucell Holland B.V. ("Crucell"), collectively referred to as J&J, license rights in inventions to Biolyse Pharma, in order that Biolyse can make, sell and export the vaccine Ad26.COVID.S, under the uses authorized by the World Health Organization or national regulatory agencies.

Biolyse asks that J&J identify and disclose any and all patents or patent applications related to making, selling, using or exporting Ad26.COVID.S, either owned by J&J, or owned by third parties and licensed to J&J. For the avoidance of doubt, we are aware of at least four patents granted in Canada directed to adenovirus serotype 26 vectors or their use as immunogenic compounds, namely Canadian patent ID 2507915, 2586620, 2821289, and 3008542. We are also aware of at least ten pending patent applications filed in Canada that relate to adenovirus serotype 26 vectors or their use as immunogenic compounds, namely pending Canadian patent applications 2786835, 2809463, 2960092, 2961024, 3021341, 3035759, 3061278, 3066573, 3071011, 3077630. We note that one of these pending applications, number 2786835, is directed to methods for the scale up manufacture of adenovirus serotype 26 vectors.

We are also aware of two unpublished pending applications filed in the United States, 62/969,008 and 62/994,630, that we believe may be directed to Ad26.COVID.S. We also request a license to the Canadian equivalent of those patent applications pending in the United States, to the extent that they are indeed directed to Ad26.COVID.S and owned or licensed to J&J.

Biolyse requests a license to manufacture a maximum quantity of 400,000 doses a week of Ad26.COVID.S. We seek a license to manufacture for the life of the last remaining patent.

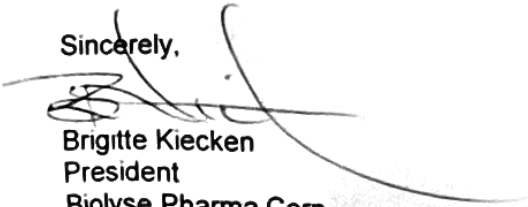
Biolyse requests the right to sell the vaccine in Canada, and to export the vaccine to WTO members that authorize the export under the procedures set out in 31bis of the TRIPS Agreement.

Biolyse agrees that the license is incumbent that the manufacture and sale of the vaccine is approved by national regulatory agencies and/or the World Health Organization

prequalification procedures, including but not limited to emergency authorizations related to the COVID pandemic.

Biolyse suggests royalty payments equal to five percent, or an amount based upon the 2005 WHO/UNDP tiered royalty method, as collective remuneration for all patents owned by or controlled by J&J, and is willing to consider other proposals on reasonable remuneration as well.

Sincerely,



Brigitte Kiecken
President
Biolyse Pharma Corp.