

## APPENDIX 9

### SECOND AMENDMENT TO THIRD AMENDED AND RESTATED LICENSE AGREEMENT

This SECOND AMENDMENT TO THIRD AMENDED AND RESTATED LICENSE AGREEMENT (this “**Amendment**”) is made as of NOV 18, 2019 (the “**Amendment Effective Date**”) by and among **Gilead Sciences, Inc.**, a Delaware corporation having its principal place of business at 333 Lakeside Drive, Foster City, California 94404, USA (“**Gilead**”), the **Medicines Patent Pool**, a non-profit foundation registered under the laws of Switzerland, and having a principal place of business at Rue de Varembé 7, 1202 Geneva, Switzerland (“**MPP**”), and **Aurobindo Pharma Ltd.**, a company registered under the laws of India, and having a registered office at Plot No. 2, Maitrivihar, Ameerpet, Hyderabad, 500 038 A.P., India (“**Licensee**”).

### RECITALS

**WHEREAS**, Gilead, MPP, and Licensee entered into that certain Third Amended and Restated License Agreement effective as of 7 April 2016 (as subsequently amended, the “**Agreement**”), pursuant to which MPP granted Licensee certain licenses with respect to Gilead’s proprietary pharmaceutical agents tenofovir alafenamide, tenofovir disoproxil fumarate, elvitegravir, cobicistat, and bictegravir for treatment of HIV and HBV in developing world countries; and

**WHEREAS**, Gilead, MPP, and Licensee wish to amend the Agreement to add Azerbaijan to the TDF-TAF Territory, COBI Territory, and BIC Territory (as such terms are defined in the Agreement), in accordance with the terms and conditions of this Amendment, all as more fully described below.

**NOW, THEREFORE**, Gilead, MPP, and Licensee agree as follows:

1. **Appendices.** Appendices 1, 5, and 7 of the Agreement are hereby deleted and replaced with new Appendices 1, 5, and 7 attached to this Amendment, respectively.
2. **Miscellaneous.** This Amendment embodies the entire understanding of the Parties with respect to the subject matter hereof and supersedes all previous communications, representations or understandings, and agreements, whether oral or written, between the Parties relating to the subject matter hereof. Except as expressly amended by this Amendment, the terms and conditions of the Agreement will remain in full force and effect. This Amendment shall be effective as of the Amendment Effective Date, and may not be modified except by written agreement between the Parties. This Amendment will be governed by and construed under the laws of England, without regard to its choice of law principles, and any dispute that arises hereunder shall be resolved by binding arbitration as set forth in Section 12.7 of the Agreement.

*[signatures appear on the following page]*

IN WITNESS WHEREOF, the parties hereto have executed this Amendment as of the Amendment Effective Date.


GILEAD:

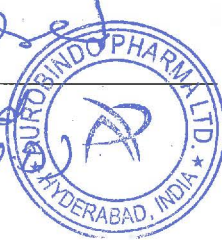
**Gilead Sciences, Inc.**

By   
Name: JASON OKAZAKI  
Title: SENIOR VICE PRESIDENT

LICENSEE:

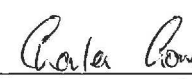
**Aurobindo Pharma Ltd.**

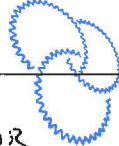
By   
Name: Mr. G. P. Prasad  
Title: Sr. V.P (G.F.O.)



MPP:

**Medicines Patent Pool**

By   
Name: CHARLES GORE  
Title: EXECUTIVE DIRECTOR



Medicines Patent Pool  
Rue de Varembe 7  
1202 Geneva  
Switzerland

**APPENDIX 1**  
Countries in the TDF-TAF Territory

1. Afghanistan
2. Angola
3. Anguilla
4. Antigua and Barbuda
5. Armenia
6. Aruba
7. Azerbaijan
8. Bahamas
9. Bangladesh
10. Barbados
11. Belarus
12. Belize
13. Benin
14. Bhutan
15. Bolivia
16. Botswana
17. British Virgin Islands
18. Burkina Faso
19. Burundi
20. Cambodia
21. Cameroon
22. Cape Verde
23. Central African Republic
24. Chad
25. Comoros
26. Congo, Rep
27. Congo, Dem. Rep. of the
28. Côte d'Ivoire
29. Cuba
30. Djibouti
31. Dominica
32. Dominican Republic
33. Ecuador
34. El Salvador
35. Equatorial Guinea
36. Eritrea
37. Ethiopia
38. Fiji Islands
39. Gabon
40. Gambia
41. Georgia
42. Ghana
43. Grenada
44. Guatemala
45. Guinea
46. Guinea-Bissau
47. Guyana
48. Haiti
49. Honduras
50. India
51. Indonesia
52. Jamaica
53. Kazakhstan
54. Kenya
55. Kiribati
56. Kyrgyzstan
57. Lao, People's Dem. Rep.
58. Lesotho
59. Liberia
60. Madagascar
61. Malawi
62. Malaysia
63. Maldives
64. Mali
65. Mauritania
66. Mauritius
67. Moldova, Rep. of
68. Mongolia
69. Montserrat
70. Mozambique
71. Myanmar
72. Namibia
73. Nauru
74. Nepal
75. Nicaragua
76. Niger
77. Nigeria
78. Pakistan
79. Palau
80. Papua New Guinea
81. Phillipines
82. Rwanda
83. Saint Kitts and Nevis
84. Saint Lucia
85. Saint Vincent & the  
Grenadines
86. Samoa
87. São Tomé and Príncipe
88. Senegal
89. Seychelles
90. Sierra Leone
91. Solomon Islands
92. Somalia
93. South Africa
94. South Sudan
95. Sri Lanka
96. Sudan
97. Surinam
98. Swaziland
99. Syrian Arab Republic
100. Tajikistan
101. Tanzania, U. Rep. of
102. Thailand
103. Timor-Leste
104. Togo
105. Tonga
106. Trinidad and Tobago
107. Turkmenistan
108. Turks and Caicos
109. Tuvalu
110. Uganda
111. Ukraine
112. Uzbekistan
113. Vanuatu
114. Vietnam
115. Yemen
116. Zambia
117. Zimbabwe

**APPENDIX 5**  
Countries in the COBI Territory

- |                              |                             |                                       |
|------------------------------|-----------------------------|---------------------------------------|
| 1. Afghanistan               | 41. Georgia                 | 81. Philippines                       |
| 2. Angola                    | 42. Ghana                   | 82. Rwanda                            |
| 3. Anguilla                  | 43. Grenada                 | 83. Saint Kitts and Nevis             |
| 4. Antigua and Barbuda       | 44. Guatemala               | 84. Saint Lucia                       |
| 5. Armenia                   | 45. Guinea                  | 85. Saint Vincent & the<br>Grenadines |
| 6. Aruba                     | 46. Guinea-Bissau           | 86. Samoa                             |
| 7. Azerbaijan                | 47. Guyana                  | 87. São Tomé and Príncipe             |
| 8. Bahamas                   | 48. Haiti                   | 88. Senegal                           |
| 9. Bangladesh                | 49. Honduras                | 89. Seychelles                        |
| 10. Barbados                 | 50. India                   | 90. Sierra Leone                      |
| 11. Belarus                  | 51. Indonesia               | 91. Solomon Islands                   |
| 12. Belize                   | 52. Jamaica                 | 92. Somalia                           |
| 13. Benin                    | 53. Kazakhstan              | 93. South Africa                      |
| 14. Bhutan                   | 54. Kenya                   | 94. South Sudan                       |
| 15. Bolivia                  | 55. Kiribati                | 95. Sri Lanka                         |
| 16. Botswana                 | 56. Kyrgyzstan              | 96. Sudan                             |
| 17. British Virgin Islands   | 57. Lao, People's Dem. Rep. | 97. Surinam                           |
| 18. Burkina Faso             | 58. Lesotho                 | 98. Swaziland                         |
| 19. Burundi                  | 59. Liberia                 | 99. Syrian Arab Republic              |
| 20. Cambodia                 | 60. Madagascar              | 100. Tajikistan                       |
| 21. Cameroon                 | 61. Malawi                  | 101. Tanzania, U. Rep. of             |
| 22. Cape Verde               | 62. Malaysia                | 102. Thailand                         |
| 23. Central African Republic | 63. Maldives                | 103. Timor-Leste                      |
| 24. Chad                     | 64. Mali                    | 104. Togo                             |
| 25. Comoros                  | 65. Mauritania              | 105. Tonga                            |
| 26. Congo, Rep               | 66. Mauritius               | 106. Trinidad and Tobago              |
| 27. Congo, Dem. Rep. of the  | 67. Moldova, Rep. of        | 107. Turkmenistan                     |
| 28. Côte d'Ivoire            | 68. Mongolia                | 108. Turks and Caicos                 |
| 29. Cuba                     | 69. Montserrat              | 109. Tuvalu                           |
| 30. Djibouti                 | 70. Mozambique              | 110. Uganda                           |
| 31. Dominica                 | 71. Myanmar                 | 111. Ukraine                          |
| 32. Dominican Republic       | 72. Namibia                 | 112. Uzbekistan                       |
| 33. Ecuador                  | 73. Nauru                   | 113. Vanuatu                          |
| 34. El Salvador              | 74. Nepal                   | 114. Vietnam                          |
| 35. Equatorial Guinea        | 75. Nicaragua               | 115. Yemen                            |
| 36. Eritrea                  | 76. Niger                   | 116. Zambia                           |
| 37. Ethiopia                 | 77. Nigeria                 | 117. Zimbabwe                         |
| 38. Fiji Islands             | 78. Pakistan                |                                       |
| 39. Gabon                    | 79. Palau                   |                                       |
| 40. Gambia                   | 80. Papua New Guinea        |                                       |

**APPENDIX 7**  
Countries in the BIC Territory

1. Afghanistan
2. Angola
3. Anguilla
4. Antigua and Barbuda
5. Armenia
6. Aruba
7. Azerbaijan
8. Bahamas
9. Bangladesh
10. Barbados
11. Belarus
12. Belize
13. Benin
14. Bhutan
15. Bolivia
16. Botswana
17. British Virgin Islands
18. Burkina Faso
19. Burundi
20. Cambodia
21. Cameroon
22. Cape Verde
23. Central African Republic
24. Chad
25. Comoros
26. Congo, Rep
27. Congo, Dem. Rep. of the
28. Côte d'Ivoire
29. Cuba
30. Djibouti
31. Dominica
32. Dominican Republic
33. Ecuador
34. El Salvador
35. Equatorial Guinea
36. Eritrea
37. Ethiopia
38. Fiji Islands
39. Gabon
40. Gambia
41. Georgia
42. Ghana
43. Grenada
44. Guatemala
45. Guinea
46. Guinea-Bissau
47. Guyana
48. Haiti
49. Honduras
50. India
51. Indonesia
52. Jamaica
53. Kazakhstan
54. Kenya
55. Kiribati
56. Kyrgyzstan
57. Lao, People's Dem. Rep.
58. Lesotho
59. Liberia
60. Madagascar
61. Malawi
62. Malaysia
63. Maldives
64. Mali
65. Mauritania
66. Mauritius
67. Moldova, Rep. of
68. Mongolia
69. Montserrat
70. Mozambique
71. Myanmar
72. Namibia
73. Nauru
74. Nepal
75. Nicaragua
76. Niger
77. Nigeria
78. Pakistan
79. Palau
80. Papua New Guinea
81. Philippines
82. Rwanda
83. Saint Kitts and Nevis
84. Saint Lucia
85. Saint Vincent & the  
Grenadines
86. Samoa
87. São Tomé and Príncipe
88. Senegal
89. Seychelles
90. Sierra Leone
91. Solomon Islands
92. Somalia
93. South Africa
94. South Sudan
95. Sri Lanka
96. Sudan
97. Surinam
98. Swaziland
99. Syrian Arab Republic
100. Tajikistan
101. Tanzania, U. Rep. of
102. Thailand
103. Timor-Leste
104. Togo
105. Tonga
106. Trinidad and Tobago
107. Turkmenistan
108. Turks and Caicos
109. Tuvalu
110. Uganda
111. Ukraine
112. Uzbekistan
113. Vanuatu
114. Vietnam
115. Yemen
116. Zambia
117. Zimbabwe