



UNITED STATES OF AMERICA  
FEDERAL TRADE COMMISSION  
WASHINGTON, D.C. 20580

Office of the Director  
Bureau of Competition

April 30, 2024

**By Federal Express and Email**

Elizabeth McGee  
General Counsel  
Novartis Pharmaceuticals Corp.  
1 Health Plaza, East Hanover,  
New Jersey 07936  
Elizabeth.mcgee@novartis.com

*Re: Improper Orange Book Patent Listings for Seebri and Utibron*

Dear Ms. McGee

On September 14, 2023, the Federal Trade Commission (“FTC”) issued a Statement Concerning Brand Drug Manufacturers’ Improper Listing of Patents in the Orange Book.<sup>1</sup> The Policy Statement, a copy of which is appended to this letter, highlights the negative impacts that improper Orange Book patent listings may have on drug competition and notifies market participants “that the FTC intends to scrutinize [such] improper listings as unfair methods of competition in violation of Section 5 of the Federal Trade Commission Act.”<sup>2</sup>

This letter is to inform you that we believe certain patents have been improperly or inaccurately listed and Utibron products and that we have availed

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Deputy Director  
Bureau of Competition

Enclosure: FTC Policy Statement Concerning Brand Drug Manufacturers Improper Listing  
of Patents in the Orange Book