

UNITED STATES OF AMERICA  
FEDERAL TRADE COMMISSION

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*Re: Improper Orange Book Patent Listings for QVAR Redihaler*

Dear Counsel,

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 in the Orange Book with regard to Pan Oentmpr (nt)6.9 (6 (6.9h(nt)8.6 ( L)2. )6.9 ( ha)0.9 (pr) patent that your company may have improperly submitted. Indeed, your firm bears the burden of

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Sincerely,

/s/ Rahul Rao  
Deputy Director  
Bureau of Competition

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