U.S. FOOD & DRUG ADMINISTRATION

NDA 219660

TENTATIVE APPROVAL

Apotex Inc.
Attention: Kirin Krishnan, PhD
Senior Vice President, Global Regulatory Affairs
2400 North Commerce Parkway, Suite 400
Weston, FL 33326

Dear Dr. Krishnan:

Please refer to your new drug application (NDA) dated and received January 21, 2025, and your amendments, submitted pursuant to section 505(b)(2) of the Federal Food, Drug, and Cosmetic Act (FD&C Act) for ruxolitinib tablets.

This NDA proposes the use of ruxolitinib tablets (b) (4)

We have completed our review of this application, as amended. It is tentatively approved under 21 CFR 314.105(a); therefore, this application is not approved and will not be approved until FDA issues an approval letter after any necessary additional review of the application. Enclosed are the tentatively approved labeling (text for the Prescribing Information, Patient Package Insert, and carton and container labeling). This tentative approval determination is based upon information available to the Agency at this time, (i.e., information in your application and the status of current good manufacturing practices of the facilities used in the manufacture and testing of the drug product). This determination is subject to change on the basis of new information that may come to our attention.

Final approval of your application is subject to expiration of the 30-month period provided for in section 505(c)(3)(C) of the FD&C Act, and subject to expiration of a period of patent protection and/or exclusivity. Therefore, final approval of your application may not be granted at this time.

A listed drug(s) upon which your application relies is subject to a period of patent protection and your application contains a certification(s) to one or more patents under section 505(b)(2)(A)(iv) of the FD&C Act stating that the patent(s) is/are invalid, unenforceable, or will not be infringed by your manufacture, use, or sale of, this drug product under this application (“paragraph IV certification”).

Section 505(c)(3)(C) of the FD&C Act provides that approval of a new drug application submitted pursuant to section 505(b)(2) of the FD&C Act that includes a paragraph IV certification shall be made effective immediately, unless an action is brought for infringement of one or more of the patents that were the subject of a paragraph IV certification. If such a patent infringement action is brought prior to the expiration of 45 days from the later of the date the notice provided under section 505(b)(3) is received by the patent owner or approved application holder, your application is subject to a 30-month stay of approval, unless other conditions are met. You notified us that you complied with the requirements of section 505(b)(3) of the FD&C Act.

In addition, you have notified the Agency that the patent owner and/or approved application holder has initiated a patent infringement suit against you with respect to U.S. Patent Nos. 7,598,257, 8,415,362, 8,722,693, 8,822,481 and 8,829,013 in the United States District Court, District of New Jersey/ Case 1:25-cv-04044. Therefore, final approval cannot be granted until:

(1)

- expiration of the 30-month period provided for in section 505(c)(3)(C) beginning on the later of the date of receipt by any owner of the listed patent or application holder of the notice required under section 505(b)(3), unless the court has extended or reduced the period because of the failure of either party to reasonably cooperate in expediting the action, or
- the date the court decides that the patent(s) is/are invalid or not infringed as described in section 505(c)(3)(C)(i), (ii), (iii,) or (iv) of the FD&C Act, or,
- the listed patent(s) has/have expired, and

(2) we are assured there is no new information that would affect whether final approval should be granted.

To obtain final approval of this application, submit an amendment two or six months prior to the date you believe that your NDA will be eligible for final approval, as appropriate. In your cover letter, clearly identify your amendment as **"REQUEST FOR FINAL APPROVAL"**. This amendment should provide the legal/regulatory basis for your request for final approval and should include a copy of any relevant court order or judgment settlement, or licensing agreement, as appropriate. In addition to a safety update, the amendment should also identify changes, if any, in the conditions under which your product was tentatively approved, i.e., updated labeling; chemistry, manufacturing, and controls data; and risk evaluation and mitigation strategy (REMS). If there are no changes, clearly state so in your cover letter. Any changes require our review before final approval and the goal date for our review will be set accordingly.

Until we issue a final approval letter, this NDA is not approved, and cannot be legally marketed and the use of the enclosed tentatively approved labeling is not permitted for marketing this drug product. If you believe that there are grounds for issuing the final

approval letter before the expiration of the patent(s) and/or exclusivity protection, you should amend your application accordingly.

PROPRIETARY NAME

If you intend to have a proprietary name for this product, the name and its use in the labeling must conform to the specifications under 21 CFR 201.10 and 201.15. We recommend that you submit a request for a proposed proprietary name review. (See the guidance for industry *Contents of a Complete Submission for the Evaluation of Proprietary Names (*April 2016*)*[1]*,* guidance for industry *Best Practices in Developing Proprietary Names for Human Prescription Drug Products* (December 2020), and *PDUFA Reauthorization Performance Goals and Procedures Fiscal Years 2023 through 2027*.)[2]

REQUIRED PEDIATRIC ASSESSMENTS

Under the Pediatric Research Equity Act (PREA) (21 U.S.C. 355c), all applications for new active ingredients (which includes new salts and new fixed combinations), new indications, new dosage forms, new dosing regimens, or new routes of administration are required to contain an assessment of the safety and effectiveness of the product for the claimed indication in pediatric patients unless this requirement is waived, deferred, or inapplicable.

We note that if this application is ultimately approved, you will need to meet these requirements.

[1] We update guidances periodically. For the most recent version of a guidance, check the FDA Guidance Documents Database https://www.fda.gov/RegulatoryInformation/Guidances/default.htm.

[2] https://www.fda.gov/media/151712/download

If you have any questions, contact Melissa Button, Regulatory Project Manager, at 240-402-1995 or email at melissa.button@fda.hhs.gov.

Sincerely,

{See appended electronic signature page}

Tanya Wroblewski, MD
Division Director
Division of Nonmalignant Hematology
Office of Cardiology, Hematology,
Endocrinology, and Nephrology
Office of New Drugs
Center for Drug Evaluation and Research

ENCLOSURES: (tentatively approved)

- Content of Labeling
  - Prescribing Information
  - Patient Package Insert
  - Carton and Container Labeling

This is a representation of an electronic record that was signed electronically. Following this are manifestations of any and all electronic signatures for this electronic record.

/s/

TANYA M WROBLEWSKI
11/21/2025 03:00:43 PM