



ANDA 207231

**ANDA APPROVAL**

SciRegs International, Inc.  
U.S. Agent for Inventia Healthcare Private Limited  
6333 Summercrest Drive  
Columbia, MD 21045  
Attention: C. Jeanne Taborsky  
Regulatory Affairs Agent

Dear Madam:

This is in reference to your abbreviated new drug application (ANDA) submitted pursuant to section 505(j) of the Federal Food, Drug, and Cosmetic Act (FD&C Act) for Iloperidone Tablets, 1 mg, 2 mg, 4 mg, 6 mg, 8 mg, 10 mg, and 12 mg.

Reference is also made to the tentative approval letter issued by the Agency on June 27, 2016, and to your amendments dated August 16 and November 8, 2016.

We have completed the review of this ANDA and have concluded that adequate information has been presented to demonstrate that the drug is safe and effective for use as recommended in the submitted labeling. **Accordingly the ANDA is approved**, effective on the date of this letter. The Office of Bioequivalence has determined your Iloperidone Tablets, 1 mg, 2 mg, 4 mg, 6 mg, 8 mg, 10 mg, and 12 mg, to be bioequivalent and, therefore, therapeutically equivalent to the reference listed drug (RLD), Fanapt Tablets, 1 mg, 2 mg, 4 mg, 6 mg, 8 mg, 10 mg, and 12 mg, of Vanda Pharmaceuticals Inc. (Vanda). Your dissolution testing should be incorporated into the stability and quality control program using the same method proposed in your ANDA.

The reference listed drug (RLD) upon which you have based your ANDA, Vanda's Fanapt Tablets, 1 mg, 2 mg, 4 mg, 6 mg, 8 mg, 10 mg, and 12 mg, is subject to periods of patent protection. The following patents and expiration dates are currently listed in the agency's publication titled Approved Drug Products with Therapeutic Equivalence Evaluations (the "Orange Book"):

<u>U.S. Patent Number</u>	<u>Expiration Date</u>
8,586,610 (the '610 patent)	November 2, 2027
8,652,776 (the '776 patent)	August 31, 2030
8,999,638 (the '638 patent)	October 28, 2030
9,072,742 (the '742 patent)	January 16, 2031
9,074,254 (the '254 patent)	December 28, 2031
9,074,255 (the '255 patent)	December 17, 2030
9,074,256 (the '256 patent)	February 10, 2031
9,138,432 (the '432 patent)	September 30, 2025
9,157,121 (the '121 patent)	April 5, 2030

Your ANDA contains paragraph IV certifications under section 505(j)(2)(A)(vii)(IV) of the FD&C Act stating that the patents<sup>1</sup> are invalid, unenforceable, or will not be infringed by your manufacture, use, or sale of Iloperidone Tablets, 1 mg, 2 mg, 4 mg, 6 mg, 8 mg, 10 mg, and 12 mg. You have notified the agency that Inventia Healthcare Private Limited (Inventia) complied with the requirements of section 505(j)(2)(B) of the FD&C Act, and that litigation for infringement of the ‘610 patent was brought against Inventia in the United States District Court for the District of Delaware [Vanda Pharmaceuticals Inc. v. Inventia Healthcare PVT Ltd., Civil Action No. 1:15-cv-00362] and in the United States District Court for Northern District of West Virginia [Vanda Pharmaceuticals Inc. v. Inventia Healthcare PVT Ltd., Civil Action No: 3:15-cv-00059], and for infringement of the ‘432 patent in the United States District Court for the District of Delaware [Vanda Pharmaceuticals Inc. v. Inventia Healthcare PVT Ltd., Civil Action no.1:15-cv-00921].

Under section 506A of the FD&C Act, certain changes in the conditions described in this ANDA require an approved supplemental application before the change may be made.

Please note that if FDA requires a Risk Evaluation & Mitigation Strategy (REMS) for a listed drug, an ANDA citing that listed drug also will be required to have a REMS. See section 505-1(i) of the FD&C Act.

Postmarketing reporting requirements for this ANDA are set forth in 21 CFR 314.80-81 and 314.98. The Office of Generic Drugs should be advised of any change in the marketing status of this drug.

Promotional materials may be submitted to FDA for comment prior to publication or dissemination. Please note that these submissions are voluntary. If you desire comments on proposed launch promotional materials with respect to compliance with applicable regulatory requirements, we recommend you submit, in draft or mock-up form, two copies of both the promotional materials and package insert(s) directly to:

Food and Drug Administration  
Center for Drug Evaluation and Research  
Office of Prescription Drug Promotion  
5901-B Ammendale Road  
Beltsville, MD 20705

We call your attention to 21 CFR 314.81(b)(3) which requires that all promotional materials be submitted to the Office of Prescription Drug Promotion with a completed Form FDA 2253 at the time of their initial use.

The Generic Drug User Fee Amendments of 2012 (GDUFA) (Public Law 112-144, Title III) established certain provisions with respect to self-identification of facilities and payment of annual facility fees. Your ANDA identifies at least one facility that is subject to the self-identification requirement and payment of an annual facility fee. Self-identification must occur by June 1 of each year for the next fiscal year. Facility fees must be paid each year by the date specified in the Federal Register notice announcing facility fee amounts. All finished dosage

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<sup>1</sup> The agency notes that the ‘610, ‘432, ‘776, ‘638, ‘742, ‘254, ‘255, ‘256, and ‘121 patents were submitted to the agency after submission of your ANDA. Litigation, if any, with respect to these patents would not create a statutory stay of approval.

forms (FDFs) or active pharmaceutical ingredients (APIs) manufactured in a facility that has not met its obligations to self-identify or to pay fees when they are due will be deemed misbranded. This means that it will be a violation of federal law to ship these products in interstate commerce or to import them into the United States. Such violations can result in prosecution of those responsible, injunctions, or seizures of misbranded products. Products misbranded because of failure to self-identify or pay facility fees are subject to being denied entry into the United States.

As soon as possible, but no later than 14 days from the date of this letter, submit, using the FDA automated drug registration and listing system (eLIST), the content of labeling [21 CFR 314.50(l)] in structured product labeling (SPL) format, as described at <http://www.fda.gov/ForIndustry/DataStandards/StructuredProductLabeling/default.htm>, that is identical in content to the approved labeling (including the package insert, and any patient package insert and/or Medication Guide that may be required). Information on submitting SPL files using eLIST may be found in the guidance for industry titled “SPL Standard for Content of Labeling Technical Qs and As” at <http://www.fda.gov/downloads/DrugsGuidanceComplianceRegulatoryInformation/Guidances/UCM072392.pdf>. The SPL will be accessible via publicly available labeling repositories.

Sincerely yours,

Carol A. Holquist, RPh  
Deputy Director  
Office of Regulatory Operations  
Office of Generic Drugs  
Center for Drug Evaluation and Research



Carol  
Holquist

Digitally signed by Carol Holquist  
Date: 11/28/2016 10:38 20AM  
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