



CDER SMALL BUSINESS AND INDUSTRY ASSISTANCE

CELEBRATING 40 YEARS: AN IN-DEPTH EXAMINATION OF THE FDA ORANGE BOOK

VIA WEBCAST
www.fda.gov/CDERSBIA

OCTOBER 27-28, 2020

Version 2 – Updated September 21, 2020

For files and resources, please visit
[The Event Page on SBIAevents.com](https://www.fda.gov/CDERSBIA)

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AGENDA

All times are Eastern (EDT UTC-4)

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DAY ONE: Tuesday, October 27, 2020

8:30 – 8:45

Welcome and Administrative Overview

Brenda Stodart

CAPT, USPHS

Director, Small Business and Industry Assistance (SBIA)

Division of Drug Information (DDI) | Office of Communications (OCOMM) | CDER

8:45 – 9:00

Opening Remarks

Opening remarks noting the 40th anniversary of the Orange Book.

Sally Choe

Director

Office of Generics Drugs (OGD) | CDER

9:00 – 9:45

FDA's Orange Book: A Historical Review of 40 Years

This session will provide a history of the Orange Book including why the Orange Book was established, changes and enhancements that have occurred over the years, who uses the Orange Book and for what purposes, as well as the FDA team that makes the publication happen.

Kendra Stewart

CAPT, USPHS

Division of Legal and Regulatory Support (DLRS)

Office of Generic Drug Policy (OGDP)

OGD | CDER

Your SBIA Hosts for Day One

Forest "Ray" Ford, Jr.

CAPT, USPHS, Pharmacist
DDI | OCOMM

Renu Lal

LCDR, USPHS, Pharmacist
SBIA | DDI | OCOMM | CDER

Lisa Misevicz

Health Communications Specialist
SBIA | DDI | OCOMM | CDER

DAY ONE: Tuesday, October 27, 2020

9:45 – 10:30

Orange Book 101: An Overview of FDA's Orange Book

This high-level presentation will cover the "nuts and bolts" content of the Orange Book, including how and when updates are made and information on the many workstreams involved in Orange Book publication.

Camile Smith
DLRS | OGDP | OGD

10:30 - 10:50: BREAK

10:50 – 11:50

How to Update Orange Book Information and Related Considerations: Marketing Status Changes: 506I reporting, Drug Shortages, and Transfer of Ownership Updates

This session will discuss updates to Orange Book information including transfer of ownership of an application, application holder name changes, reports required by section 506I of the Federal Food, Drug, and Cosmetic Act, and user fee implications.

Kendra Stewart
Kun Shen
DLRS | OGDP | OGD | CDER
Eunice Chung- Davies
Division of User Fee Management and Budget
Formulation (DUFMBF)
Office of Management (OM) | CDER

11:50 – 12:05

Q&A Panel

**Kendra Stewart, Kun Shen, Eunice Chung- Davies
and Elizabeth Friedman**
Division of Policy Development (DPD) OGDP | OGD | CDER

12:05 - 1:05: LUNCH BREAK

1:05 – 1:35

An Overview of FDA's Patent Listing Process

This session will discuss the patent listing process including a walkthrough of Forms 3542/3542a and how the forms are processed. The session will also discuss changes to Form 3542 instructions and how to avoid frequent mistakes.

Kun Shen

1:35 – 2:35

Changes to Orange Book Patent Information

This session will discuss how to submit and make changes to patent information, patent delistings, and patent expiration date extensions. We will also discuss what patent information to submit in connection with supplement approvals, including "Rx-to-OTC" switches.

Alicia Chen
DLRS | OGDP | OGD | CDER

DAY ONE: Tuesday, October 27, 2020

2:35 - 2:50

Q&A Panel

**Kun Shen, Alicia Chen
and Janice Weiner**
Division of Regulatory Policy I (DRPI)
Office of Regulatory Policy (ORP) | CDER

2:50 – 3:10: BREAK

3:10 – 3:40

The Patent Information Dispute Process

This session will explain the patent information challenge process, FDA's patent dispute list, and the single 15-day period for corrections to Form 3542.

Alicia Chen
DLRS | OGDP | OGD | CDER

3:40 – 4:20

Best Practices for 505(b)(2) and ANDA Applicants

This session will discuss best practices for 505(b)(2) and ANDA applicants to address patent information listed in the Orange Book, and how and when to respond to changes to patent information.

Mary Ann Holovac
Division of Regulatory Policy (DRP)
Office of New Drug Policy (ONDP)
Office of New Drugs (OND)

Andrew Coogan
DLRS | OGDP | OGD | CDER

4:20 – 4:35

Q&A Panel

**Alicia Chen, Mary Ann Holovac,
Andrew Coogan,
and Jennifer Gerton**
Office of the Chief Counsel (OCC)

4:35 – 4:40

Closing Statements

4:40: DAY ONE ADJOURN

DAY TWO: Wednesday, October 28, 2020

8:45 – 8:55

Welcome and Administrative Overview

Brenda Stodart
 CAPT, USPHS
 Director, SBIA
 DDI | OCOMM | CDER

8:55 – 9:00

Opening Remarks

Kendra Stewart
 CAPT, USHPS
 DLRS | OGD | OGD | CDER

Your SBIA Hosts for Day Two

Forest "Ray" Ford, Jr.
 CAPT, USPHS, Pharmacist
 DDI | OCOMM

Renu Lal
 LCDR, USPHS, Pharmacist
 SBIA | DDI | OCOMM | CDER

Lisa Misevicz
 Health Communications Specialist
 SBIA | DDI | OCOMM | CDER

9:00 – 9:15

Orange Book Exclusivity: An Introduction and Overview

This session will provide an overview of the types of exclusivities that are listed in the Orange Book and information on publication of exclusivities.

Truong Quach
 DLRS|OGDP|OGD

9:15 – 9:45

Orange Book Exclusivity: Part I - NCE and 3-Year

This session includes presentations on New Chemical Entities (NCEs) as well as 3-year Exclusivity and impacts on ANDAs and 505(b)(2)s.

Nisha Shah
 Division of Regulatory Policy I (DRPIV)
 Office of Regulatory Policy (ORP)

9:45 – 10:00

Q&A Panel

**Truong Quach, Nisha Shah
 Alicia Chen
 and Christopher Pruitt**
 DLRS | OGD | OGD | CDER

10:00 – 10:20: BREAK

DAY TWO: Wednesday, October 28, 2020

10:20 – 11:05

Orange Book Exclusivity: Part II - Pediatric, Orphan, and GAIN

This session will provide information on pediatric, Generating Antibiotic Incentives Now (GAIN) , and orphan exclusivities and impacts on ANDAs and 505(b)(2)s

Kristiana Brugger
Division of Regulatory Policy IV (DRPIV) Office of
Regulatory Policy (ORP) | CDER

Aaron Friedman
Office of Orphan Products Development (OOPD)
Office of Clinical Policy and Programs (OCPP)
CDER

Katherine Schumann
Division of Regulatory Policy (DRP)
Office of New Drug Policy (ONDP)
OND | CDER

11:05 – 11:50

Orange Book Exclusivity: Part III - 180-Day and Competitive Generic Therapy Exclusivities

This session will provide information on 180-Day and Competitive Generic Therapy exclusivities, which apply to generic drugs.

Jonathan Hughes
Division of Policy Development (DPD)
Office of Generic Drug Policy (OGDP)
OGD | CDER

Mindy Ehrenfried
DPD | OGDP | OGD | CDER

11:50 – 12:05

Q&A Panel

**Kristiana Brugger, Aaron Friedman,
Katherine Schumann, Jonathan Hughes,
Mindy Ehrenfried**

12:05 - 1:05: LUNCH BREAK

1:05 – 1:35

Orange Book: An Overview of Therapeutic Equivalence

This session will discuss the basics of therapeutic equivalence and how FDA determines if drug products are therapeutically equivalent (TE). It also will provide information on the process for (b)(2) TE determinations and TE requests.

Elizabeth Friedman
DPD | OGDP | OGD | CDER

TBD Presenter

1:35 – 1:50

Q&A Panel

**Elizabeth Friedman, Kendra Stewart,
TBD Presenter
and James Myers**
DRP | ONDP | OND | CDER

DAY TWO: Wednesday, October 28, 2020

1:50 – 2:35

Referencing Approved Drug Products in ANDA Submissions

This session will discuss referencing approved drug products in an ANDA, how to request designation of a reference listed drug or different reference standard, and how to choose the right reference product for your submission.

James Hanratty
DPD | OGDP | OGD | CDER

Timothy Kim
DLRS | OGDP | OGD | CDER

2:35 – 2:50

Q&A Panel

**James Hanratty, Timothy Kim
Kendra Stewart
and Susan Levine**
DPD | OGDP | OGD | CDER

2:50 – 3:10: BREAK

3:10 – 3:40

Orange Book: Looking Towards the Future

Discuss the recent Federal Register notices soliciting feedback on the Orange Book in general as well as on patent listings and potential Orange Book enhancements.

Kendra Stewart
DLRS | OGDP | OGD | CDER

3:40 – 3:50

Closing Remarks

Kendra Stewart

3:50: ADJOURN