BLA 125514/S-136

ACCELERATED APPROVAL

Merck Sharp & Dohme Corp., a subsidiary of Merck & Co., Inc.
Attention: Michelle Ponpipom, RPh, MPH
Senior Director, Global Regulatory Affairs
126 E. Lincoln Avenue, P.O. Box 2000
RY34B-332
Rahway, NJ 07065

Dear Ms. Ponpipom:

Please refer to your supplemental biologics license application (sBLA), dated and received October 21, 2022, and your amendments, submitted under section 351(a) of the Public Health Service Act for Keytruda (pembrolizumab).

This Prior Approval supplemental biologics license application provides for the following new indication for Keytruda: Keytruda, in combination with enfortumab vedotin, is indicated for the treatment of adult patients with locally advanced or metastatic urothelial carcinoma who are not eligible for cisplatin-containing chemotherapy.

APPROVAL & LABELING

We have completed our review of this application, as amended. It is approved under the provisions of accelerated approval pursuant to section 506(c) of the Federal Food, Drug, and Cosmetic Act (FDCA) and 21 CFR 601.41, effective on the date of this letter, for use as recommended in the enclosed agreed-upon labeling.

Marketing of this drug product and related activities must adhere to the substance and procedures of the accelerated approval statutory provisions and regulations.

WAIVER OF HIGHLIGHTS ½ PAGE LENGTH REQUIREMENT FOR HIGHLIGHTS

Please note that we have previously granted a waiver of the requirements of 21 CFR 201.57(d)(8) regarding the length of Highlights of Prescribing Information.

CONTENT OF LABELING

As soon as possible, but no later than 14 days from the date of this letter, submit, via the FDA automated drug registration and listing system (eLIST), the content of labeling [21 CFR 601.14(b)] in structured product labeling (SPL) format, as described at

MERCK EX1160
Merck Sharp & Dohme LLC v. The Johns Hopkins University
IPR2024-00624

FDA.gov,[1] that is identical to the enclosed labeling (text for the Prescribing Information, and Medication Guide) and include the labeling changes proposed in any pending "Changes Being Effected" (CBE) supplements.

Information on submitting SPL files using eLIST may be found in the guidance for industry *SPL Standard for Content of Labeling Technical Qs and As*.[2]

The SPL will be accessible via publicly available labeling repositories.

Also, within 14 days, amend all pending supplemental applications that include labeling changes for this BLA, including pending "Changes Being Effected" (CBE) supplements, for which FDA has not yet issued an action letter, with the content of labeling [21 CFR 601.12(f)] in Microsoft Word format that includes the changes approved in this supplemental application, as well as annual reportable changes. To facilitate review of your submission(s), provide a highlighted or marked-up copy that shows all changes, as well as a clean Microsoft Word version. The marked-up copy should provide appropriate annotations, including supplement number(s) and annual report date(s).

ACCELERATED APPROVAL REQUIREMENTS

Products approved under accelerated approval pursuant to section 506(c) of the FDCA and 21 CFR 601.41 may require further adequate and well-controlled clinical trials intended to verify and describe clinical benefit. You are required to conduct such clinical trials with due diligence. If required postmarketing clinical trials fail to verify clinical benefit or are not conducted with due diligence, we may withdraw this approval. We remind you of your postmarketing requirement specified in your submission dated March 7, 2023. This requirement, along with required completion dates, is listed below.

This postmarketing clinical trial is subject to the reporting requirements of 21 CFR 601.70:

4429-1 Conduct clinical trial EV-302, "Enfortumab Vedotin and Pembrolizumab vs. Chemotherapy Alone in Untreated Locally Advanced or Metastatic Urothelial Cancer" and submit the final OS, PFS, ORR and DoR results, intended to verify and describe the clinical benefit of enfortumab vedotin in combination with pembrolizumab in patients with untreated locally advanced or metastatic urothelial cancer.

Trial Completion:	03/2025
Final Report Submission:	09/2025

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

Submit clinical protocols to your IND 122753 for this product. In addition, you must submit status reports of the progress of each requirement not later than 180 days after the date of approval of this drug and every 180 days thereafter (section 506(B)(a) of the FDCA as amended by section 3210(b) of the Food and Drug Omnibus Reform Act of 2022). The status summary should include expected trial completion and final report submission dates, any changes in plans since the last report, and, for clinical trials, the number of patients entered in each trial (21 CFR 601.70).
Submit final reports to this BLA as a supplemental application. For administrative purposes, all submissions relating to this postmarketing requirement must be clearly designated "**Subpart E Postmarketing Requirement(s)**."

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 indicationin pediatric patients unless this requirement is waived, deferred, or inapplicable.

We are waiving the pediatric study requirement for this application because necessary studies are impossible or highly impracticable.

PROMOTIONAL MATERIALS

Under 21 CFR 601.45, you are required to submit, during the application pre-approval review period, all promotional materials, including promotional labeling and advertisements, that you intend to use in the first 120 days following marketing approval (i.e., your launch campaign). If you have not already met this requirement, you must immediately contact the Office of Prescription Drug Promotion (OPDP) at (301) 796-1200. Please ask to speak to a regulatory project manager or the appropriate reviewer to discuss this issue.

As further required by 21 CFR 601.45, submit all promotional materials that you intend to use after the 120 days following marketing approval (i.e., your post-launch materials) at least 30 days before the intended time of initial dissemination of labeling or initial publication of the advertisement. We ask that each submission include a detailed cover letter together with three copies each of the promotional materials, annotated references, and approved Prescribing Information, Medication Guide, and Patient Package Insert (as applicable).

For information about submitting promotional materials, see the final guidance for industry *Providing Regulatory Submissions in Electronic and Non-Electronic Format-Promotional Labeling and Advertising Materials for Human Prescription Drugs*.[3]

[3] https://www.fda.gov/media/128163/download

REPORTING REQUIREMENTS

We remind you that you must comply with reporting requirements for an approved BLA (in 21 CFR 600.80 and in 21 CFR 600.81).

If you have any questions, call Sherry Hou, PharmD, Regulatory Project Manager, at 240-402-1813.

Sincerely,

{See appended electronic signature page}

Daniel Suzman, MD
Deputy Division Director
Division of Oncology 1
Office of Oncologic Diseases
Center for Drug Evaluation and Research

ENCLOSURES:

- Content of Labeling
  - Prescribing Information
  - Medication Guide

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/

DANIEL L SUZMAN
04/03/2023 10:53:51 AM