



Counting the Cost of Patents for High Spend Medicare Drugs

| DRUG INFORMATION | | | | | | APPROVALS | | | |
|------------------------|--|--------------------------------|-------------------------------|----------------|--|-----------------------|------------|----------------------------|---------|
| Drug (brand name) | Drug (nonproprietary name) | Company | Primary Condition Treated | Drug Type | Delivery Method | First Branded Product | | First Generic / Biosimilar | |
| | | | | | | U.S. / FDA | E.U. / EMA | U.S. | E.U. |
| Calquence | acalabrutinib | AstraZeneca | Cancer | Small Molecule | Oral | 10-2017 | 11-2020 | none | none |
| Darzalex | daratumumab | Johnson & Johnson (Janssen) | Multiple Myeloma | Biologic | IV Infusion | 11-2015 | 5-2016 | none | none |
| Darzalex Faspro | daratumumab / hyaluronidase-fihj | | | | Subcutaneous Injection | 5-2020 | 6-2020 | none | none |
| Dupixent | dupilumab | Sanofi / Regeneron | Atopic Dermatitis / Asthma | Biologic | Subcutaneous Injection | 3-2017 | 9-2017 | none | none |
| Januvia | sitagliptin / metformin | Merck | Diabetes | Small Molecule | Oral | 10-2006 | 3-2007 | 2026* | 12-2021 |
| Janumet | | | | | | 3-2007 | 7-2008 | 2026* | 2-2022 |
| Janumet XR | | | | | | 2-2012 | N/A | 2026* | N/A |
| Linzess | linaclotide | AbbVie / Ironwood | Constipation | Small Molecule | Oral | 8-2012 | 11-2012 | none | none |
| Pomalyst | pomalidomide | Bristol-Myers Squibb | Multiple Myeloma | Small Molecule | Oral | 2-2013 | 8-2013 | 3-2026 | 2-2024 |
| Skyrizi | risankizumab | AbbVie | Psoriasis | Biologic | Subcutaneous Injection / IV Infusion | 4-2019 | 4-2019 | none | none |
| Trelegy Ellipta | fluticasone furoate / umeclidinium / vilanterol | GlaxoSmithKline | COPD / Asthma | Small Molecule | Oral Inhaler | 9-2017 | 11-2017 | none | none |
| Xtandi | enzalutamide | Astellas / Pfizer | Prostate Cancer | Small Molecule | Oral | 8-2012 | 6-2013 | none | 8-2024 |
| Opdivo | nivolumab | Bristol-Myers Squibb | Cancer | Biologic | IV Infusion | 12-2014 | 6-2015 | none | none |

This list includes a subset of drugs selected for Medicare price negotiations; all are among the top-selling drugs in the U.S.

Branded product approval dates reflect initial regulatory authorization in both the U.S. and E.U. For generics and biosimilars, U.S. dates reflect first commercial market entry, not FDA approval, as products are sometimes approved but not launched. E.U. dates reflect EMA marketing authorization and confirmed product availability in one or more European countries. Generic and biosimilar dates are current as of March 2026.

Janumet XR was not separately authorized by the European Medicines Agency; only the immediate-release formulation (Janumet) received EMA marketing authorization.

* Generic equivalents of Januvia, Janumet, and Janumet XR are expected to launch in the US in mid-2026, per settlement agreements between Merck and multiple generic manufacturers.

Full methods and sources for the data in this table are available [here](#).



| PATENTS | | | | | | | |
|------------------------|--------------------------------|----------------------|-------------------------------|------------------------------------|-------------------------------|---------------------|-----------------|
| Drug (brand name) | # Patent Applications Filed | # Patents Granted | % Filed after FDA Approval | % Listed on Orange/ Purple Book | Years of Patent Protection | U.S. vs. E.U. | |
| | | | | | | Patent Applications | Granted Patents |
| Calquence | 69 | 24 | 29% | 12% | 28.9 | 2.6 | 1.7 |
| Darzalex | 129 | 40 | 81% | 0% | 38.5 | 1.6 | 1.7 |
| Darzalex Faspro | | | | | | | |
| Dupixent | 819 | 401 | 86% | 0% | 39.2 | 1.2 | 1.8 |
| Januvia | 123 | 76 | 35% | 2% | 39.7 | 1.1 | 1.4 |
| Janumet | | | | | | | |
| Janumet XR | | | | | | | |
| Linzess | 104 | 24 | 60% | 7% | 32.3 | 2.7 | 1.3 |
| Pomalyst | 206 | 106 | 61% | 1% | 44.8 | 1.9 | 2.9 |
| Skyrizi | 57 | 16 | 28% | 0% | 39.1 | 1.2 | 3.2 |
| Trelegy Ellipta | 106 | 57 | 22% | 11% | 31.3 | 1.3 | 1.2 |
| Xtandi | 71 | 31 | 65% | 7% | 40.5 | 1.4 | 1.7 |
| Opdivo | 298 | 118 | 91% | 0% | 39.8 | 1.8 | 3.4 |
| Average | 129 | 55 | 59% | 4% | 37 | 1.7 | 2.0 |

Patent data reflects all relevant patents identified up to July 2025.

Dupixent's high patent count inflates the average and is excluded from the Patent Applications Filed and Patents Granted averages presented in the table. Including Dupixent, the average number of patent applications filed is 198 and granted patents is 89.

| PRICE | | | | | | |
|----------------------|--|----------------------------|---------------------------------|---------------------------------------|-----------------------------------|-------------------------------------|
| Drug (brand name) | Beginning Year of Analysis (and through 2025) | Cumulative WAC Increase | Matched Consumer Price Index | WAC Multiple vs. Matched Inflation | % Years WAC Exceeded Inflation | Highest Single-Year WAC Increase |
| Calquence | 2023 | 9% | 9% | 1.0x | 33% | +3.0% |
| Darzalex | 2024 | 11% | 5% | 2.2x | 100% | +5.5% |
| Darzalex Faspro | 2021 | 27% | 24% | 1.2x | 80% | +5.5% |
| Dupixent | 2020 | 29% | 25% | 1.1x | 67% | +6.0% |
| Januvia | 2013 | 95% | 39% | 2.4x | 69% | +9.9% |
| Janumet | 2012 | 102% | 42% | 2.4x | 79% | +9.9% |
| Janumet XR | 2012 | 106% | 42% | 2.5x | 79% | +9.9% |
| Linzess | 2016 | 87% | 35% | 2.5x | 90% | +9.5% |
| Pomalyst | 2022 | 21% | 18% | 1.1x | 75% | +6.0% |
| Skyrizi | 2022 | 24% | 18% | 1.3x | 75% | +7.4% |
| Trelegy Ellipta | 2021 | 18% | 24% | 0.8x | 40% | +5.0% |
| Xtandi | 2014 | 80% | 37% | 2.2x | 92% | +5.9% |
| Opdivo | 2015 | 20% | 35% | 0.6x | 36% | +2.0% |
| Average | N/A | 48% | 27% | 1.6x | 70% | N/A |

Price indicators reflect Wholesale Acquisition Cost (WAC) list price changes as reported by 46brooklyn research using Elsevier's Gold Standard Drug Database; WAC is the manufacturer's published list price and does not reflect rebates, discounts, or net prices paid by payers or patients.

No average is shown for highest single-year WAC increase, as an average of individual peak values does not produce a meaningful summary figure.

| MEDICARE | | | | | | |
|----------------------|--------------------------|-------------------------------|------------------------------------|---------------------------------------|--|--|
| Drug (brand name) | Total Spending (2024) | Total Beneficiaries (2024) | Spending Per Beneficiary (2024) | Growth in Total Spending (2021-24) | Growth in Total Beneficiaries (2021-24) | Growth in Ave Spend per Beneficiary (2021-24) |
| Calquence | \$1,701,974,921 | 15,056 | \$113,043 | 120% | 66% | 32% |
| Darzalex | \$149,893,958 | 2,246 | \$66,738 | 919% | 954% | -3% |
| Darzalex Faspro | \$2,530,789,636 | 26,521 | \$95,426 | 14119% | 13095% | 8% |
| Dupixent | \$2,491,808,192 | 88,375 | \$28,196 | 240% | 189% | 18% |
| Januvia | \$3,807,969,556 | 828,316 | \$4,597 | -6% | -11% | 6% |
| Janumet | \$709,239,361 | 159,333 | \$4,451 | -13% | -17% | 5% |
| Janumet XR | \$357,982,035 | 85,935 | \$4,166 | -8% | -13% | 6% |
| Linzess | \$1,981,992,040 | 632,077 | \$3,136 | 44% | 31% | 10% |
| Pomalyst | \$2,149,966,456 | 14,324 | \$150,095 | 35% | 14% | 19% |
| Skyrizi | \$2,487,343,198 | 37,455 | \$66,409 | 1473% | 517% | 155% |
| Trelegy Ellipta | \$5,294,493,957 | 1,268,937 | \$4,172 | 121% | 97% | 12% |
| Xtandi | \$3,401,164,480 | 35,369 | \$96,162 | 41% | 18% | 20% |
| Opdivo | \$1,934,258,527 | 26,955 | \$71,759 | 23% | 6% | 16% |
| Average | \$2,230,682,794 | 247,761 | \$54,488 | 60% | 38% | 23% |

Figures represent gross Medicare Parts D and B spending before manufacturer rebates and discounts. Products with the same active ingredient were combined where applicable. Growth figures reflect the period 2021–2024.

Average growth figures for total spending and total beneficiaries exclude outlier values for Darzalex, Darzalex Faspro, and Skyrizi, whose growth rates reflect launches during or just before the 2021–2024 measurement period rather than sustained price or utilization trends.