



**Submission to the Patented Medicine Prices Review Board's
Consultation on the Revised Proposed Practice Directions**

AbbVie Corporation

September 24, 2026



AbbVie Canada welcomes the opportunity to comment on the Patented Medicine Prices Review Board (PMPRB) Revised Proposed Practice Directions.

AbbVie appreciates the Board's efforts to respond to stakeholder feedback received during the initial consultation on the Proposed Practice Directions that ended on May 4, 2026. The revised proposal addresses many of the issues previously raised by stakeholders, including changes relating to hearing scheduling, documentary production, motion timelines and page limits, and artificial intelligence disclosure requirements.

AbbVie had reviewed and continues to support the submissions of Innovative Medicines Canada (IMC) and the submissions of the industry Constitutional Coalition that brought the constitutional challenge before the Quebec Superior Court and Court of Appeal (composed of Merck, Janssen, Boehringer Ingelheim, Bayer, and Servier).

AbbVie aligns with IMC's recommendations and observations regarding the revised Practice Directions. AbbVie offers the following comments on a limited number of issues that remain outstanding.

Failure-to-File Proceedings

AbbVie reiterates the concerns raised in its previous submission on the Proposed Practice Directions regarding the complexity of Failure-to-File (FTF) proceedings. Such proceedings may engage significant legal, factual, evidentiary and remedial issues. There is no principled basis for having a different or abbreviated mode of hearing for FTF proceedings as compared to other Board proceedings. Each FTF proceeding should remain subject to case management, with its timetable and mode of hearing determined according to the circumstances of the case. Any compressed schedule or paper process should be adopted only where the parties agree or the hearing panel concludes, after receiving submissions, that it is fair and appropriate.

Virtual Proceedings

AbbVie acknowledges that the revised proposal has changed a paper hearing from the "default" to the "preferred" mode for the evidentiary portion of Board proceedings. Although this change acknowledges stakeholder concern, it does not fully resolve the procedural fairness and clarity issues raised during the initial consultation. AbbVie recommends that virtual or in-person hearings instead be identified as the preferred mode for the evidentiary portion of a proceeding. The parties should remain free to agree at the case management conference that the matter, or a defined portion of it, will proceed on the written record. This approach would preserve flexibility while ensuring that paper proceedings are used by agreement rather than presumption, particularly where viva voce evidence, cross-examination or credibility issues may arise.

Page Limits

AbbVie acknowledges that the revised proposal increases to 30 pages the limit for submissions on the merits, submissions in an abbreviated FTF proceeding and submissions on a motion, together with the corresponding replies. While this is an improvement, a fixed 30-page limit may be insufficient for proceedings involving complex records, expert evidence or multiple legal and



factual issues. AbbVie recommends either a higher default limit for merits and FTF submissions or, at minimum, an express mechanism permitting longer submissions where warranted. Extensions should be available through party consent or case management without requiring an unduly restrictive threshold.

Artificial Intelligence Disclosure

AbbVie welcomes the clarification of the proposed AI disclosure requirements and the closer alignment with the Federal Court's May 2024 Notice to the Parties and the Profession regarding the use of artificial intelligence. Greater alignment promotes a clearer and more proportionate disclosure standard.

However, the revised proposal does not address the recommendation that these requirements apply expressly and equally to all participants in a proceeding, including Board Staff. Transparency and accountability should not depend on which participant uses AI-assisted content. AbbVie therefore recommends that the final Practice Direction explicitly confirm that Board Staff are subject to the same disclosure, verification and responsibility requirements as the other parties.

Conclusion

AbbVie thanks the Board for considering these comments. The revised proposal reflects meaningful progress in response to stakeholder feedback, and AbbVie encourages the Board to further refine the Practice Directions in the areas identified above.

About AbbVie

AbbVie's mission is to discover and deliver innovative medicines that solve serious health issues today and address the medical challenges of tomorrow. AbbVie is one of the largest biopharmaceutical companies operating in Canada. We have offices in Montreal and Markham and directly employ over 1,000 Canadians. We have over 825 clinical trial sites that benefit patients, hospitals and researchers across the country.