Brand drug manufacturers use a variety of strategies to extend the exclusivity of their drugs beyond the end of their original 20-year exclusivity period. They use “patent thickets” as an extension tool by filing multiple additional patents on the same drug after it receives FDA approval.

These patents are usually filed as the drug nears the end of its original exclusivity period. For five of the ten top-selling U.S. drugs, there were a total of 584 patent applications submitted after their initial FDA approval:

- Humira: 231
- Revlimid: 145
- Imbruvica: 91
- Keytruda: 65
- Enbrel: 52

Patent thickets delay generic and biosimilar competition from coming to market, which has allowed manufacturers to enhance the prices of their drugs throughout the years. Patent extensions added more than $500 billion in additional sales for these five drugs.