



IND 70,362

Lung Rx, Inc.  
Attention: Mr. Ted Staub  
1077 Highway A1A  
Satellite Beach, FL 32937

Dear Mr. Staub:

We acknowledge receipt of your Investigational New Drug Application (IND) submitted under section 505(i) of the Federal Food, Drug, and Cosmetic Act. Please note the following identifying data:

IND Number Assigned: 70,362  
Sponsor: Lung Rx, Inc.  
Name of Drug: Treprostinil sodium  
Date of Submission: March 28, 2005  
Date of Receipt: March 29, 2005

Studies in humans may not be initiated until 30 days after the date of receipt shown above. If, on or before April 28, 2005, we identify deficiencies in the IND that require correction before human studies begin or that require restriction of human studies, we will notify you immediately that (1) clinical studies may not be initiated under this IND (“clinical hold”) or that (2) certain restrictions apply to clinical studies under this IND (“partial clinical hold”). In the event of such notification, you must not initiate or you must restrict such studies until you have submitted information to correct the deficiencies, and we have notified you that the information you submitted is satisfactory.

It has not been our policy to object to a sponsor, upon receipt of this acknowledgement letter, either obtaining supplies of the investigational drug or shipping it to investigators listed in the IND. However, if the drug is shipped to investigators, they should be reminded that studies may not begin under the IND until 30 days after the IND receipt date or later if the IND is placed on clinical hold.

As sponsor of this IND, you are responsible for compliance with the Federal Food, Drug, and Cosmetic Act and the implementing regulations (Title 21 of the Code of Federal Regulations). Those responsibilities include (1) reporting any unexpected fatal or life-threatening adverse experience associated with use of the drug by telephone or fax no later than 7 calendar days after initial receipt of the information [21 CFR 312.32(c)(2)]; (2) reporting any adverse experience associated with use of the drug that is both serious and unexpected in writing no later than 15 calendar days after initial receipt of the information [21 CFR 312.32(c)(1)]; and (3) submitting annual progress reports [21 CFR 312.33].

As required by the Food and Drug Modernization Act and the Best Pharmaceuticals for Children Act, you are also responsible for registering certain clinical trials involving your drug product in the Clinical Trials Data Bank (<http://clinicaltrials.gov> & <http://prsinfo.clinicaltrials.gov/>). If your drug is intended for the treatment of a serious or life-threatening disease or condition and you are conducting clinical trials to test its effectiveness, then you must register these trials in the Data Bank. Although not required, we encourage you to register effectiveness trials for non-serious diseases or conditions as well as non-effectiveness trials for all diseases or conditions, whether or not they are serious or life-threatening. Additional information on registering your clinical trials, including the required and optional data elements and the FDA Draft Guidance for Industry, "Information Program on Clinical Trials for Serious or Life-Threatening Diseases and Conditions," is available at the Protocol Registration System (PRS) Information Site <http://prsinfo.clinicaltrials.gov/>.

Please forward all future communications concerning this IND in triplicate, identified by the above IND number, to either of the following addresses:

U.S. Postal Service:

Food and Drug Administration  
Center for Drug Evaluation and Research  
Division of Cardio-Renal Drug Products, HFD-110  
Attention: Division Document Room, 5002  
5600 Fishers Lane  
Rockville, Maryland 20857

Courier/Overnight Mail:

Food and Drug Administration  
Center for Drug Evaluation and Research  
Division of Cardio-Renal Drug Products, HFD-110  
Attention: Division Document Room, 5002  
1451 Rockville Pike  
Rockville, Maryland 20852

If you have any questions, please call:

Mr. John David  
Regulatory Health Project Manager  
(301) 594-5309

Sincerely,

*{See appended electronic signature page}*

Edward Fromm  
Chief, Project Management Staff  
Division of Cardio-Renal Drug Products  
Office of Drug Evaluation I  
Center for Drug Evaluation and Research

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**This is a representation of an electronic record that was signed electronically and  
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/s/

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Edward Fromm  
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