



Asclepius and the Art of Medicine

4th Session: Different countries, different names? How are pharmaceutical trade marks selected and cleared?

By Pharmaceutical Trademarks Panel

Abstract

Christian Schalk

- (1) Why do we market pharmaceutical Rx products (and others) under trade marks (and not only under INNs) ?
 - (a) INNs are not trademarks ! – a few general information about INNs
 - (b) advantages of trademarks for the pharmaceutical products (there are not so many differences to other products but worth to mention)
- (2) Trademark Development for an innovative pharmaceutical Rx product
 - (a) Goals of a trademark department
 - (b) When is the right time for trademark development ?
 - (c) Some aspects about naming strategy
 - (d) Challenges – I will just mention them but not go too much into detail
- (3) Due Diligence or what do we do to avoid issues with competitors, trademark offices and health authorities ?

Here, I will not focus on legal assessment and trademark conflicts but mainly on what I call “trademark testing” which consists of regulatory risk assessment and market research.

Imre Gonda

- possible ways for generic company to select business identifier of the product (from INN+company name to fully invented brand name)
- driving factors of the selection
- possible conflicts with earlier TMs and how to overcome
- negotiations with proprietor of earlier TM as useful tool to demarcate the latter application.

Alexios Skarlatos

- General introduction on the regulatory and legal framework of naming approval in the EU for centrally authorised products;
- Role and composition of the Name Review Group;
- Procedural aspects and general statistics (rates of approvals/rejections);
- Challenges and tips to achieve an acceptable (invented) name.