

What is a Warranty Worth?



Pharmacy name and address

Number used by the drugstore to identify this drug for your refills

Person who gets this drug

Instructions about how often and when to take this drug

Name of drug and strength of drug

Number of refills before certain date

Doctor's name

Drugstore phone number

Prescription fill date

Local Pharmacy
123 MAIN STREET
ANYTOWN, USA 11111 (800) 555-5555

DR. C. JONES

NO 0060023-08291 DATE 06/23/09

JANE SMITH
456 MAIN STREET ANYTOWN, US 11111

TAKE ONE CAPSULE BY MOUTH THREE TIMES DAILY FOR 10 DAYS UNTIL ALL TAKEN

AMOXICILLIN 500MG CAPSULES

QTY MRG
NO REFILLS - DR. AUTHORIZATION REQUIRED
USE BEFORE 06/23/12
SLF/SLF

Don't use this drug past this date

How Easy Is it To Give A Warranty?

The diagram shows a prescription label for Amoxicillin 500mg capsules. Callouts point to various fields on the label:

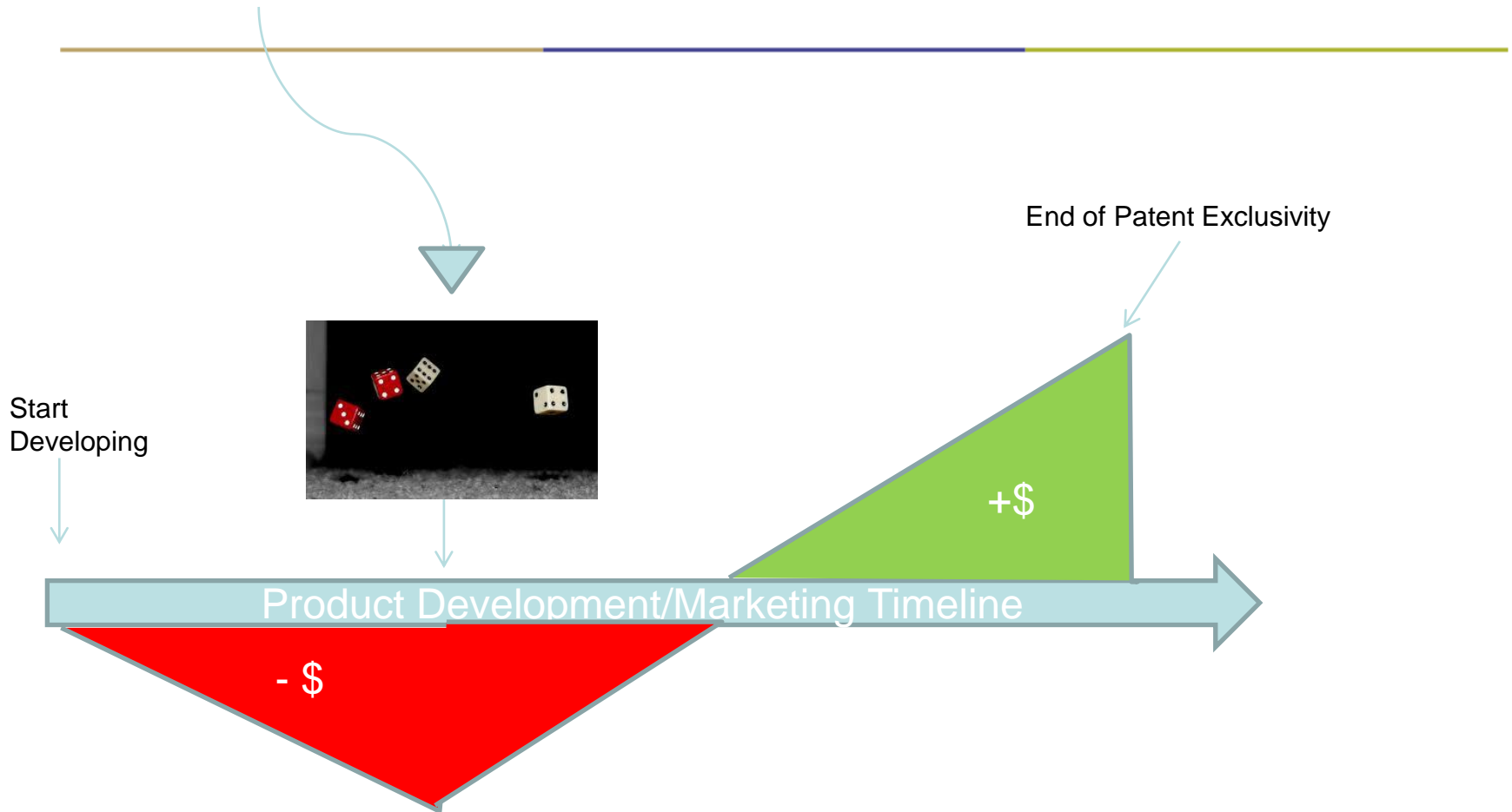
- Pharmacy name and address:** Local Pharmacy, 123 MAIN STREET, ANYTOWN, USA 11111
- Drugstore phone number:** (800) 555-5555
- Doctor's name:** DR C. JONES
- Prescription fill date:** DATE 06/23/09
- Number used by the drugstore to identify this drug for your refills:** NO 0060023-08291
- Person who gets this drug:** JANE SMITH, 456 MAIN STREET ANYTOWN, US 11111
- Instructions about how often and when to take this drug:** TAKE ONE CAPSULE BY MOUTH THREE TIMES DAILY FOR 10 DAYS UNTIL ALL TAKEN
- Name of drug and strength of drug:** AMOXICILLIN 500MG CAPSULES
- Number of refills before certain date:** NO REFILLS - DR. AUTHORIZATION REQUIRED
- Expiration date:** USE BEFORE 06/23/12

Additional text on the label includes: QTY, MRG, SLF/SLF, and a barcode.

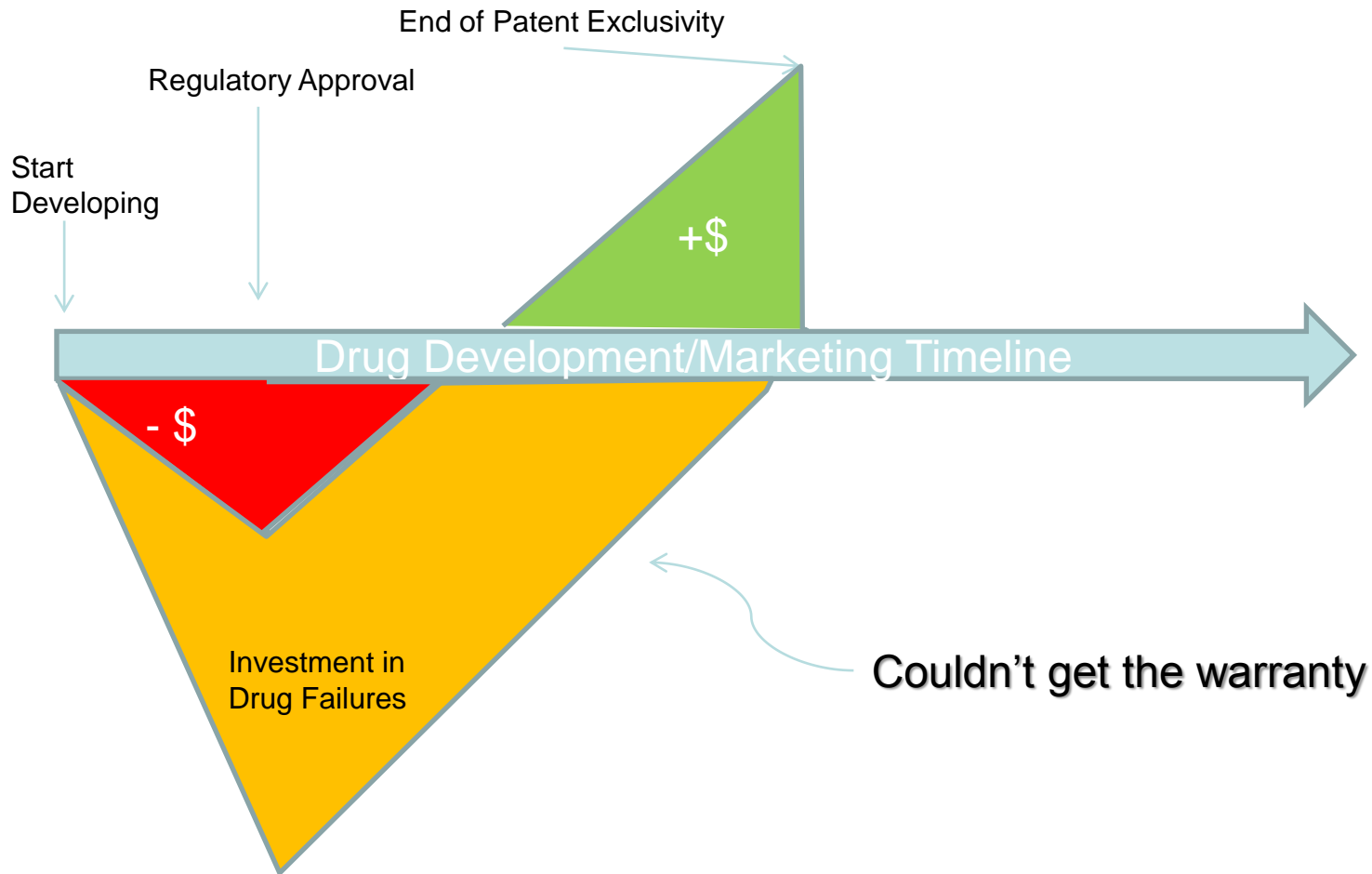
Warranties, Gag Orders, the Right to Copy and the Patent Cliff

IP in the Innovative Pharmaceutical Industry

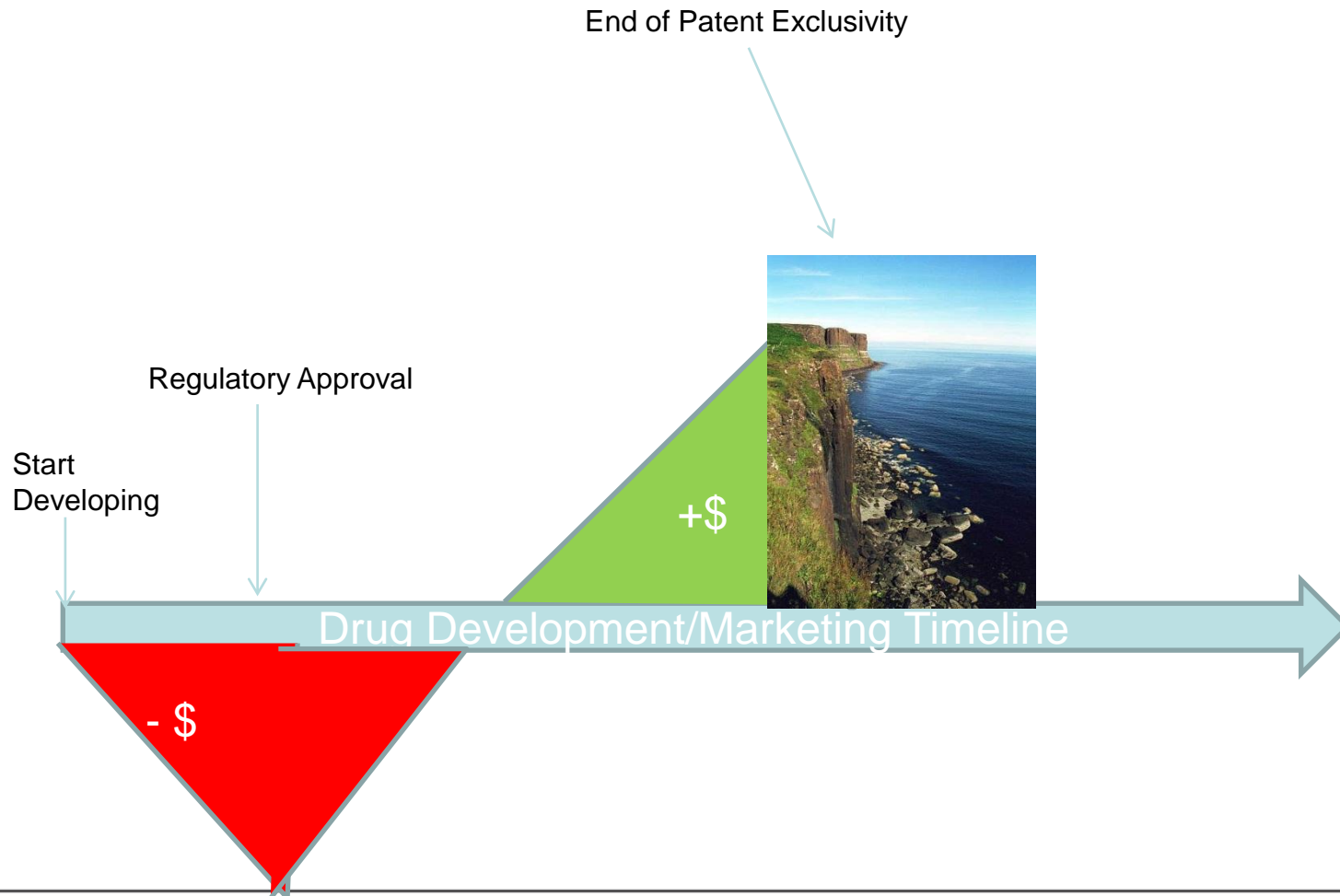
The Warranty



Warranty Uncertainty



Why a Patent Cliff?



How About Branded Marketing?



Promotion highly regulated
- limited to label

Often cannot differentiate over
competition
- cannot trade on first
to market advantage

Regulations/policies often
favor competition

Can Copyright Help?

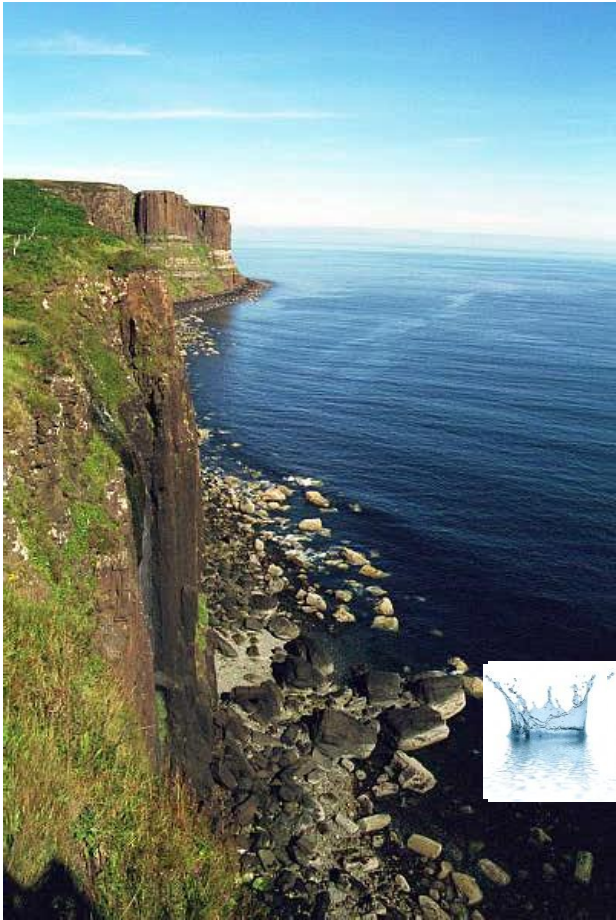
Pharmaceutical Industry Reality 1:

By law your product is your label

Pharmaceutical Industry Reality 2:

Your competitor can copy your label

Back to the Patent Cliff



Thank You