



# Med-E.R.R.S.<sup>®</sup>

## Medical Error Recognition & Revision Strategies

### **The Issue** Over-the-Counter Brand Name Extensions: Family Tradenames

- Over-the-counter (OTC) medication manufacturers can cause confusion when they extend the use of popular brand names within a line of products.
- The same brand name has been used for products with opposing indications (e.g., Kaopectate).
- Many of these brand name extension products are packaged in the same type, size and color containers as the "original" product.
- In some cases, pediatric patients are at risk for receiving medications that are not appropriate or safe for them (e.g., there is a risk for Reye's syndrome associated with children receiving aspirin and other salicylate-containing medications).
- Without FDA review and specific approval of the OTC product names, companies have capitalized on well-known and trusted brand names and used them for other products, even if the product has different ingredients and uses.

### Examples of Over-the-Counter Brand Name Extensions

Family Name	Trademark Extensions	Active Ingredients	Route	Form	Purpose	Manufacturer
<b>Dulcolax<sup>®</sup></b>	Dulcolax Laxative	Bisacodyl	Oral	Tablet	Laxative / used as part of the preparation process for GI procedures	Boehringer Ingelheim Consumer Products
			Rectal	Suppository		
	Dulcolax Stool Softener	Docusate sodium	Oral	Softgel	Constipation	
<b>Kaopectate<sup>®</sup></b>	Kaopectate Stool Softener	Docusate calcium	Oral	Softgel	Constipation	Chattem, Inc.
	Kaopectate Anti-Diarrheal Caplets, Kaopectate Liquid (various strengths and flavors)	Bismuth subsalicylate	Oral	Caplet, Liquid	Diarrhea	

### **Awareness**

- **Issue:** Despite reports of confusion among various medications within several product lines of OTC medications, the pharmaceutical industry continues to extend the use of existing brand names
- **Patient Safety Risk:** Avoidable adverse drug events arising from misleading naming practices where consumers are purchasing medications with active ingredients that differ from what they expect or what their healthcare practitioners have recommended for their condition(s)
- **Trademark Risk:** Potential association of a trademark with a misleading naming system
- **Prevention:** Med-E.R.R.S. can provide human factors testing to evaluate perceptions of what a product's active ingredients are and the product's intended use

### **About Med-E.R.R.S.**

Med-E.R.R.S.<sup>®</sup> is an independent organization that works with pharmaceutical and healthcare industry professionals who specialize in trademark development, trademark law, regulatory affairs and drug safety. Our expertise is in evaluating trademarks for safety during the pre-market phase, for the purpose of reducing the risk of medication errors. We accomplish this by assessing the potential for look-alike and sound-alike confusability of trademark candidates with other drug products, medical terms and abbreviations encountered in the healthcare setting.



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