

[BUREAU CIRCULAR NO. 21, S. 1999, October 27, 1999]

GUIDELINES FOR THE EVALUATION OF BRAND NAMES FOR PRODUCTS TO BE REGISTERED WITH THE BUREAU OF FOOD AND DRUGS

For purposes of clarifying and updating the requirements and procedures in the evaluation of brand names for foods, drugs, medical devices, diagnostic reagents, cosmetics, and household hazardous products to be registered with the Bureau of Food and Drugs, the following guidelines are hereby issued, for the information and guidance of all concerned.

A. General Requirements:

1. Every brand name of a food, drug, medical device, diagnostic reagent, cosmetics and household hazardous product to be registered with the Bureau of Food and Drugs shall be subject to evaluation and approval as part of the registration process. This is to prevent similarity of the brand name with other previously registered product.
2. A brand name of imported product, though patented and/or registered in other countries, will not be allowed if there exists an identical or similar brand name already registered with BFAD.
3. The following names shall not be allowed:
 - 3.1 Deceptive brand name;
 - 3.2 Deceptively descriptive brand names such as Best, Outstanding, Most Effective, Wonder Drug, and the like;
 - 3.3 Geographically descriptive names which gives false impressions to the country of origin of the product such as Canadian Food Supplement, European Herbal Drug, etc.
 - 3.4 A brand name which is identical or similar to another brand name that is registered or previously cleared with the BFAD;
 - 3.5 A brand name which would confuse the public and unwary consumers and deceive them into believing that the product bearing one label are similar or produced by the same manufacturer as those carrying the other label;

B. Specific Requirements for Pharmaceutical Products:

1. For every manufacturer, trader, and distributor/importer/exporter, only one brand name shall be allowed for a given pharmaceutical formulation registered in their name. Differences in a pharmaceutical formulation shall be based only in active