



Representing the Consumer

Healthcare Industry

19th May 2014

Ms Ana de Miguel
Consumer and Competition Policy
Department for Business, Innovation and Skills
1 Victoria Street
LONDON
SW1H 0ET

Dear Ms de Miguel

Re: BIS review of the Consumer Protection from Unfair Trading Regulations 2008 (the 'CPRs') in respect of copycat packaging

I am writing on behalf of PAGB in response to your review.

PAGB is the national trade association that represents the manufacturers of branded non-prescription medicines and food supplements. PAGB's mission is to ensure self-regulation, support its members and to shape the regulatory and policy environment affecting our members' branded products.

PAGB is consequently ever mindful of the investments that the manufacturers of brands make in their intellectual property and welcome the opportunity to respond to the BIS review of the Consumer Protection from Unfair Trading Regulations 2008 (the 'CPRs') in respect of copycat packaging.

We are fully aware of the problem of parasitic copying and the difficulties members have in using IP rights to address the problem. PAGB members compete by building strong reputations with consumers and deliver high quality, innovative solutions. In the UK, our members' advertising and brand propositions play a significant role in recruiting consumers into responsible self treatment behaviours which contributes to the health of the nation and that of the NHS by building confidence in people to look after their own and their families' health at home when it is not necessary to use finite NHS resources.

Parasitic copies free ride off those reputations and brand advertising. It appears to us that these versions of consumers' favourites is, at best, misleading and undermining of these investments and hinders the ability to invest in quality, innovation and reputation and at worst, it is damaging to growth and competition.

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For these reasons, PAGB firmly believes that granting private rights of enforcement under the CPRs can be expected to lead to consumers being better able to make well-informed buying decisions which can only be in the best interests of consumers and the investing manufacturer.

In addition, I would like to add that many of PAGB's members are also members of the British Brands Group and therefore we would like to register our support for the BBG's response to this review which goes into the detailed response to your questions.

I very much look forward to seeing the results.

Yours sincerely

A handwritten signature in black ink that reads "Matthew Speers". The signature is written in a cursive style with a long horizontal line underneath the name.

Matthew Speers
Chief Executive Officer
PAGB

cc Mr John Noble, British Brands Group