

decision on which product the patient must buy is made by the physician. Although moderate or even enormous price differences may exist between products of comparable quality, this is seldom brought to the physician's attention.

Some have attempted to justify this situation by describing the physician as the patient's expert purchasing agent. In the view of the Task Force, this concept is not valid; in most situations, a purchasing agent who purchased without consideration of both quality and price would be unworthy of trust.

In what has been described as this "new competition" in the drug business, patents and trademarks have played key roles.

On the one hand, industry supporters have insisted that the present patent and copyright system makes possible the incentives and rewards that are essential for the industry's large research and development effort, the flow of new products to which it leads, the subsequent benefit to health, and the ready identification of brand name products.