

And is it not correct that if they can establish the name Orinase widely in the mind of the physician in the 17-year period of the patent protection then there is an expectation on their part that when the patent runs out the doctor will continue to prescribe under the brand name of Orinase.

Dr. SHAPIRO. But Orinase is only one of the antidiabetic agents.

Senator NELSON. But it is the only tolbutamide?

Dr. SHAPIRO. Yes, sir.

Senator NELSON. So if the doctor wants to use tolbutamide and the company has established it under its brand name Orinase, and the doctors have been writing Orinase for 17 years, and the patent runs out, isn't it the hope of the company and the expectations based on experience that the physician will continue to write Orinase even after the patent has run out? That is my point.

Dr. SHAPIRO. Possibly, yes. But my point, then, is that this will not alter the percentage of the number of diabetics that are being treated by their medication. There is also Diabinese, or DBI, and other agents available to us.

Senator NELSON. I realize that. But isn't there expectation—that is part of the advertising program—that when any doctor desires to use tolbutamide, after 17 years of advertising and prescribing by the name Orinase rather than by the name tolbutamide, that when the patent runs out and competition comes into the marketplace they could maintain a better position than they otherwise could, because the doctor will continue to write the name Orinase, or at least a good percentage would; isn't that the expectation?

Dr. SHAPIRO. I believe so, yes.

Senator NELSON. I just wanted to point that out, that there certainly are additional reasons other than the desire to promote continuing education. There is a very good, sound selfish reason for this kind of program.

Dr. SHAPIRO. However, Mr. Chairman, this sales pitch for their product will not be included in this series.

Senator NELSON. Upjohn is identified with the product, and everybody there will know it is Orinase, won't they?

Dr. SHAPIRO. There is no product. This is on the diagnoses of diabetes.

Senator NELSON. But it is Upjohn that sponsors it?

Dr. SHAPIRO. Yes, sir.

Senator NELSON. All right.

Mr. CAHAL. Mr. Chairman, it is not Upjohn that sponsors it. The articles are prepared by the medical editorial staff of GP magazine. A company is employed in New York to structure this in programmed learning. This is an innovation in medical teaching of the American Academy of General Practice. The series is not sponsored by Upjohn.

Senator NELSON. I meant paid for, rather.

Mr. CAHAL. A small portion of the total cost is paid for with the grant, no strings grant from Upjohn. There is no reference to it in the article.

Senator NELSON. How much is the grant?

Mr. CAHAL. Mr. Kemp?

Mr. KEMP. \$36,000.

Senator NELSON. Did you say this is a four-part program?