

Supporting Research and Development

Marvin L. Birnbaum, MD, PhD

On February 16, I convened a meeting of the vendors displaying their wares at *EMS Today* in Tucson, AZ, USA. With the beginning of the Journal in its current form, a policy of reviewing all proposed advertising for truth and accuracy was initiated. This policy requests that all claims be substantiated by citation of appropriate research in order to gain entry into *Prehospital and Disaster Medicine*.

During a recent course, I became aware of the enormous costs associated with the development of products and the research necessary to prove their safety and efficacy. Those firms that do *appropriate* research on the products they develop must reinvest a substantial proportion of the profits gained back into the development and testing of future products, including those that do not pan out. A large share of the profits reaped are resown.

What caught me off-guard was the expression of frustration from those participants who have toed-the-mark with adequate research in the development of products. Their frustration stems from the copying of their well-researched products by others who had benefitted from but had not borne the costs of product research and development (R&D). Many of the products which suffer from the "copying syndrome" have been associated with handsomely supported research conducted by many of us. What results is a series of products marketed by other manufacturers which incorporate or frankly copy the design which has been tested at great expense by the originator. Usually, these manufacturers intensely market the copy or near-copy in direct competition with those who have footed the bill for the R&D. Hence, they are able to intensively market the copy and sell it to us at a much lower price than can the originator. The copycats have forgone the costs of the research and development but reap the profits justly due to the originators.

On the surface, this may seem reasonable—we get a product at a lower cost. Given our budget constraints, we are tempted to purchase the renegade. However, when projected to the long-run, in doing so, we attenuate the financial initiative to develop new products. By supporting those who copy, we discourage R&D and, in fact, remove the incentive of industry to fund our important research.

Unfortunately, the patent laws of the United States do not provide adequate protection for firms that bring products through rigorous research and testing. In addition, pursuit of the copycats by legal action would add further to the cost. Those firms that conduct appropriate R&D are caught in a double bind—out-marketed by copycats whose overhead is lower and reluctant to add to the costs by pursuing the copycats with expensive litigation. Perhaps the formation of a trade association by those who provide us with the quality we demand will strengthen the call for new protections for their well-researched and manufactured products.

I salute those who have accomplished the research which I demand. Hopefully, you will rethink your use of the copies. Although the purchase of the originals does not allow us to stretch our budgets, the long-term support of those who do the R&D will result in ongoing efforts to develop those products which help us to meet the needs of those for whom we provide the care. If we demand high standards, we should support those who try to meet them.