

# NFTHD #26: Using product names in the wild

In this Notes from the Help Desk, we explore whether the use of a product name could be considered promotional, especially when used in the absence of any promotional claims.

The fundamental principle is that a brand name on its own is not considered promotion. Therefore, it can be used in many ways without triggering the need to include mandatories and additional text. That said, it's not a hard and fast science, and so much of it depends on context and interpretation, and audience.

What are some examples?

## Emailing product-related (branded) materials to healthcare professionals

- Can include brand name in the subject line – noting if you do include the brand name you should make sure that the full content of the subject line is not promotional.
- If the body of the email includes claims, you've got to include mandatories.
- If the body of the email doesn't include claim but is promotional, you've got to include mandatories.

## Websites that include product names in URL (HCP ONLY)

- Can include the brand name, as long as the information on the page is non promotional. For example, you could have a website called [www.AllAboutProductName.com.au](http://www.AllAboutProductName.com.au) and on that landing page you have a log in screen for a verified HCP audience, and no other information.
- Should you include any additional information on that landing page, it would likely to be considered promotional as it links the product name with the information provided.

## Using product names and/or logos on Business Cards and Envelopes

- Can include product names and/or logos on business cards, or on the outside of envelopes when you're corresponding with healthcare professionals – but only where there are no promotional claims.
- Like the other examples, including any additional information or claims would likely make the item promotional.

So, using brand names alone doesn't necessarily trigger the need for mandatory information – just be aware of context.

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