

Advice on the use of PIP code

There has been a great deal of confusion around the terms under which pharmacies, wholesalers, manufacturers and suppliers of systems to pharmacies may use and distribute the PIP Code. This statement intends to clarify the different licensing arrangements required by users of the PIP code.

The PIP Code is a unique code allocated to a specific product, along with the description associated to and describing that product. There are a number of other pieces of data which are provided by UBM (UK) Ltd, which are not a part of the PIP Code, but which are provided as a part of the wider C+D database.

The ownership of copyright in the PIP Code is dealt with in an agreement between the NPA and UBM (UK) Ltd which set out the joint design and development of the PIP code. This agreement specified that each party would have specific licensing rights in respect of the PIP Codes.

This has meant that there are in essence, two complementary components to PIP Code licensing. The NPA has the exclusive right to license the Code User Rights – the right to apply the PIP Code to products ('Code User Rights'). The right to publish the PIP Code is held solely by UBM (UK) Ltd - the right to publish PIP Code Data, and the right to incorporate the PIP Code into price lists, order forms and systems.

User Licence - required for any party wanting to put PIP codes onto its own price lists, order forms, into its own systems, or onto any product manufactured or supplied by it. This licence is currently provided to pharmacies that are members of the NPA as part of their membership. Pharmacies which are not members of the NPA, and other organisations (manufacturers, wholesalers, systems suppliers), are required to purchase a User Licence. Only the NPA can grant these licences.

Publishing Licence (part of the C+D Subscription) - required by any organisation/person wishing to publish or reproduce PIP codes to or for any other organisation/person. This can be obtained via purchasing an electronic version of the UBM database or a C+D subscription. A C+D subscription licenses pharmacies to place make orders containing PIP code available to third parties when placing order data. The subscription elements include electronic and print versions of the database and other UBM (UK) Ltd content and UBM content. Only UBM (UK) Ltd can grant C+D Publishing Licenses. In a typical scenario, a system supplier who wants to have the PIP Code as a part of their software would need to obtain a User Licence from the NPA, and a Publishing Licence from UBM (UK) Ltd. A pharmacy using this system, which is also a member of the NPA, would have a User Licence as part of their membership. NPA membership does not cover a C+D Publishing Licence. This must be obtained by purchasing a C+D Subscription from UBM (UK) Ltd.

A wholesaler supplying products to the pharmacy, and using the PIP code to identify products purchased by the pharmacist would need to purchase a User Licence from the NPA, and a C+D Publishing Licence from UBM (UK) Ltd. If the wholesaler is also acting as a system supplier, and/or wishes to publish PIP Code data either via print or electronically (e.g. as part of its product file), then they will also require a Publishing Licence from UBM (UK) Ltd. An organisation is not allowed to copy PIP Code data from a printed format and then republish the data, unless that organisation has a Licence to do so.

It is the sole right of the NPA to determine the amount to be charged for the User Licence, but it does not have the right to determine the amount charged for the C+D Subscription. Likewise, it is the right of UBM (UK) Ltd to determine how the Publishing Licences and C+D Subscriptions will be charged, but it does not have the right to determine User Licence charges. These rights are stipulated in the contract between UBM (UK) Ltd and the NPA. The contract between UBM (UK) Ltd and the NPA provides that either party may take legal action against organisations or individuals, which use the PIP code without having obtained the relevant licence. It should be noted that UBM, as the creator of the wider database, has additional rights in the database.