

CLOSEOUT MEMORANDUM
A01060023

We received an allegation that the Subjects¹ stole novel ideas as contained in certain patents² and publications of a researcher³ by incorporating them into a proposal submitted to NSF⁴ without appropriate attribution. Further, the allegation states that a preliminary review of the matter by Subjects' institution⁵ was too narrowly drawn in that it focused on patent infringement rather than intellectual theft and that it was biased in favor of Subjects.

We reviewed all documents in support of the allegations. We determined that in order to evaluate the allegations, we needed to consult an expert⁶ regarding the underlying science. We provided the expert with relevant documents to enable him to ascertain the degree of overlap, if any, between the science described in the NSF proposal and the science described in the researcher's patents and publications. The expert concluded that significant differences exist between the researcher's and Subjects' work and that citing the researcher in the NSF proposal, while helpful for background, was not strictly necessary.

As a result of our review and the expert's conclusions, we have determined that the evidence does not support the allegations of intellectual theft. Further, we have determined that the alleged flaws, if any, in the institution's review of the allegations are best addressed on a systemic basis during a future outreach presentation by this office.

This inquiry is closed and no further action will be taken.

cc: Investigations, IG

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