CLOSEOUT FOR CASE M99040024

On 4 April 1999, we received an allegation of misconduct in science from the complainant.[1] The complainant alleged that the subject[2] committed intellectual theft when he resubmitted a proposal to NSF[3] that contained ideas from their jointly submitted, declined, NSF proposal.[4]

According to the complainant, he wrote the declined NSF proposal that was submitted jointly with the subject and a third co-PI. Because the complainant's employment at the institution was about to end, the subject had asked the complainant to resubmit the proposal and assured him that if it were funded the subject would find a way to have the complainant brought back to the institution. The complainant said he told the subject that he did not want to resubmit the proposal with the subject. After he left the institution, the complainant learned that the subject had resubmitted the proposal, and it had been funded.

We determined that, because the subject was a co-author on the declined proposal and because there were no restrictions on the subject's use of the material in the future, he did nothing wrong when he used their intellectual property. We also determined that the resubmitted proposal had been significantly revised. Given the complainant's position on further work with the subject, it is not surprising that the subject did not attempt to contact the complainant about the planned resubmission. There was no substance to the allegation of intellectual theft.

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

cc: Integrity, IG

[1] The complainant [redacted] is a [redacted]

[2] The subject, [redacted] is a [redacted]

[3] NSF proposal [redacted] entitled [redacted] was submitted by the subject as PI [redacted]

[4] NSF proposal [redacted] entitled [redacted] was submitted by the complainant, as PI, [redacted]