

We received an allegation of intellectual theft and violation of peer review of a proposal for federal funding by an NSF-funded researcher¹ (the "subject"). According to the complainant,² the subject obtained confidential material regarding a genetic sequence of a particular protein that was described in one of his proposals.³ In this proposal, the complainant disclosed new information about the structure of a certain protein and its homologues. He alleged that the subject had access to the proposal as a reviewer, and that the subject used confidential information in the proposal to identify a clone identical in sequence to the subject's homologue. The subject published her results⁴ before the complainant was able to publish, and the subject did not include any reference to the complainant's research.

The complainant had requested that the journal editor review this matter. We learned that the journal editor discussed this matter with the subject and an addendum⁵ to the paper was published in the same journal volume as the complainant's paper. The addendum provided a logical explanation of the linkages between the complainant's and the subject's work and also provided the complainant with credit for the genetic sequence. In the addendum, the subject explained that she used a series of computerized searches of a public database to gather the information she needed. The addendum further explained that her search was facilitated by information provided at a conference presentation by a colleague of the complainant. The addendum provided more detail about how the subject's research was conducted and stated that information provided at the conference by the complainant's colleague triggered the research that led to their discovery.

Although the subject did have access to the complainant's proposal, we found the subject's explanation and the journal editor's actions to be reasonable.

Therefore, this inquiry is closed and no further action will be taken on this case.

CC: IG, Integrity

¹ Dr. [REDACTED] University Distinguished Professor, [REDACTED] University-Department of [REDACTED] Laboratory and Department of [REDACTED] University.

² Dr. [REDACTED] is a Scientist at the Institute of [REDACTED] at [REDACTED] University.

³ The proposal was entitled "[REDACTED]" and was submitted to [REDACTED] on [REDACTED].

⁴ [REDACTED] This paper was funded, in part, by NSF award [REDACTED]. Dr. [REDACTED] was the PI on this award, with no co-PIs.

⁵ Addendum: [REDACTED] This addendum was prepared by the subject in response to a letter to the editor from the complainant.