CENS Ethics Seminar: Discussion about Authorship
April 16th, 2010, 1:00 PM - 2:00 PM
4760 BH

This seminar will cover topics on authorship, with scenarios and cases focused on the following topics:
(1) authorship
(2) getting ideas from reviewing other's work
(3) collaboration and ownership
(4) and protecting one's ideas.

Scenarios Resource: Online Ethics Center for Engineering and Research

Scenario #1: An Outrage or "Cultural Difference"?
You and your doctoral supervisor in your home department have been collaborating with a medical research team at a nearby medical school. Because your thesis research has direct applications in a new medical technology, your research funding for the year has been provided by the medical school lab directed by Dr. Distinguished. You have prepared a paper for publication and show your draft to one of your medical coauthors. Your coauthor tells you that Dr. Distinguished's name is always included as the final author on work funded by his lab. You object, pointing out that Dr. Distinguished has very little idea of what the research is about. Your coauthor explains that listing the lab head as the last author is often the practice in medicine, and it certainly is "local custom" here.
What, if anything, should you do?

Scenario #2: The Temporary Post-Doc
Phase 1
Dr. Smith, a post-doc, temporarily joined a research group while seeking employment. The group's mentor, Dr. Johnson, assigned him to investigate a very difficult organic chemical reaction. After two months, Smith claimed to have solved the problem by employing a certain reagent that he had independently discovered. Unfortunately, Smith did not have enough evidence to back up his claim. By that point, Smith had found employment and left the group. Jill Green, an experienced graduate student, continued the investigation of the reaction. Green had access to Smith's notebook and data. She found that Smith's experimental procedures were poorly written, and it was not possible to duplicate his work. Furthermore, his data were inconsistent and no valid conclusions could be drawn from the work. Unfortunately, Smith's procedures were never evaluated since he had been with the group such a short time. Green experimented with the reagent used by Smith and found that the reaction did indeed work, but under different conditions than described by his results. Six months after this discovery, Johnson and Green submitted their results to a journal for publication without consulting Smith.

Discussion Questions:
Should Johnson and Green have informed Smith of their results? Why? Explain.
Should Johnson and Green have acknowledged Smith's contribution to the work? If yes, how much credit should he have been given?
Should Smith have claimed to solve the problem?
Phase 2
A fourth party familiar with Smith's original work and the work submitted by the group happened to see him and described how the group had solved the problem. Upon learning that he was not acknowledged for his contribution, Smith became angry and returned to confront Johnson and Green. They pointed out to Smith that their procedure differed from that of his original work and that his work contained no data that could confirm a successful result. Smith could not deny their claim, but he argued that his idea led to a solution and that he should be acknowledged. Johnson and Green later privately discussed the best way to handle the situation. Green felt that acknowledging Smith's contribution in the publication would resolve the conflict and require only a minor adjustment. However, Johnson was concerned that listing Smith as a co-author was not justified based on his work. Johnson stated, "Even if Smith made some contribution, he deceived us into thinking that he was doing careful work, then took our salary, and we could not even use his results." In addition, Johnson thought an acknowledgment would complicate matters if a patent were to be filed on the experimental procedure.

Discussion Questions:
Even though Smith's idea led to a solution to the problem, does that justify his claim to acknowledgment?
Suppose a patent were filed on the experimental procedure published by the group and the procedure were used industrially and generated significant royalties. What ethical arguments could a patent lawyer use to include Smith on the patent?
Would requesting that Smith return to the lab and duplicate his own work be a fair way to resolve the question of his contribution?

Scenario #3: Friendship vs. Authorship
Dr. Jane McDonald is a psychology professor at a university in Texas. Her good friend and colleague, Dr. David Woodford, is a psychology professor at a university in Alabama. Both Jane and David are members of a professional psychology association that has requested the assistance of its members in conducting a large national survey. Although Jane and David are not teaching at the same university, they went to graduate school together and thought it would be fun to collaborate on this study. After some discussion and planning, they informed the professional association that they would be happy to conduct the study. During the planning stage, they agreed that since Jane would be doing more of the logistics of the study, she would be listed as first author and David would be listed as second when it came time to publish. Jane approached one of her graduate students, Mark Dunn, and asked him if he would be interested in taking responsibility for the logistical aspects of the study, such as mailing the surveys and data entry. Mark was informed that he would not be responsible for the new data analysis or final report since David would be doing these tasks. However, Jane did not discuss the issue of authorship with Mark. Mark, new in the psychology program, was flattered to be asked and agreed to participate.

Eight months later Mark completed his portion of the study and sent the data to David for analysis. Several weeks later Jane approached Mark and told him that David had not completed the data analysis and it needed to be done. Furthermore, she needed to have the data in a final report format so that she could present it at a conference in two weeks. Mark spent most of the next two weeks conducting the data analysis and writing the final report. Jane expressed her
gratitude to Mark for his commitment to the project and asked if he would be interested in collaborating on the final paper for publication. Mark agreed.

Two months after Jane and Mark had this discussion, Jane handed Mark a final draft of a manuscript that was to be submitted the next week for publication. Never in the previous two months had Jane asked Mark to help with writing the paper. Furthermore, although David had not contributed to writing the paper, he was listed as second author and Mark was listed as third. Mark approached Jane and expressed his confusion as to why he was not asked to participate, and why David was listed as second author. Jane stated that she was too busy to collaborate and that it saved her time to write the paper herself. Furthermore, she and David had an agreement about authorship from the beginning, and nothing could be done to change the arrangement.

Discussion Questions:
Since Mark was not included in the planning stages of the study, should he be included as an author?
Should participation in some parts of a study have greater weight in determining authorship than participation in other parts?
Although Jane and David reached an agreement at the outset of the study, should David be included as an author?
Did Jane let her friendship with David get in the way of doing what was right with regard to including Mark as second author?
How could Jane have handled this situation in a way that was fair to her?
How could Jane have handled this situation in a way that was fair to Mark?
Did Jane deceive Mark when she failed to collaborate with him in writing the paper?
What can Mark do to ensure that he receives proper credit for his work?

Scenario #4: The Lisa Bach Case
Part 1
Lisa is a post-doc who has been working at a major research university for the past year and a half. Since she arrived, she has gotten along well with her boss, Dr. Richard Bell. The work in his lab relates to the synthesis and characterization of anti-cancer agents. Lisa's first project was the synthesis of divialan, which has been difficult to synthesize in the lab. It is a compound that was found in a species of plant that only grows in the Swiss Alps. About six months after her arrival, she developed a few more steps of the synthesis, and things looked very promising. One month later, working on a crucial step in the reaction, she found that a divialan derivative was being produced in large quantities and only few impurities in low quantities were found in the product mixture.

Lisa told Bell, "Rick, you have to take a look at this result on a reaction I performed. I believe that it is a derivative of divialan." Bell looked at the data, "Lisa, this is great," he said. "I will have to study the data more closely to know for sure. Let me look at it in more detail and if it looks good I will start writing a paper for submission." Lisa had a lot of work to do on other characterizations, and she agreed.

A month and a half later, Lisa was talking with Pete, a post-doc in another lab. Lisa was saying, "I have been having a lot of trouble trying to get the final steps in the synthesis of divialan, but I
did get a surprising derivative along the way." She went on to describe the procedure to obtain the derivative. Pete was a little surprised. He said, "I was just at a meeting, and Rick presented that same synthesis. The thing is that your name wasn't mentioned in the presentation." Lisa was very surprised.

**Discussion Questions:**
What can Lisa do to get the credit she deserves?
Should she confront Bell?

**Part 2**

Later that afternoon, Lisa ran into Bell, "Hey, Rick -- I was wondering how the paper is coming along. Do you have any questions about the procedures or the data?" Bell said, "Everything seemed pretty straightforward. Come to my office, and I will give you a copy to look at and revise, if you would like." "That would be great," Lisa answered.

The paper did not include a title or author list. She returned the copy with revisions, a proposed title and a list of authors.

A month later, Lisa inquired about the article again. "Rick, how is the article?" Bell responded, "Well, it went great. I was glad to get your comments and I completed it and sent it off a couple of days ago." She felt weird about this answer, not having seen the final draft, but since it had already been sent off she didn't press the issue.

Over the next several months, Lisa worked hard on the synthesis and characterization of divialan. Every once in a while, she asked Bell about the paper. He told her that the referees were still reviewing it and he was making minor adjustments to please them.

Lisa is now writing up her CV and wants to put together her list of publications. She asks Bell about the paper. He says, "Oh, I have been meaning to give you some copies of the paper. It was accepted and will be in the next publication. I will leave some copies in your mailbox." When Lisa got them, she looked it over and noticed that her name did not appear until the acknowledgments. She became infuriated. She is now wondering what her options are.

**Discussion Questions**
Could Lisa have avoided this situation?
What kind of rights does she have concerning the work she performed?