



Cornell University®

2021
Responsible Conduct of Research (RCR) Symposium:
Conflict of Interest

CASE STUDIES

Case 1

Student A is working on his PhD with his advisor, Professor B, and is about halfway through his dissertation. During the course of Student A's research, he comes to a point at which he needs specialized equipment that is not available on Cornell's campus. Student A doesn't have the funding needed to buy this equipment, however, the equipment IS available at a company which is partially owned by Professor B, where Student A works part time. Professor B allows Student A to use this equipment so that Student A may continue to make progress with his Cornell research. Both are happy with the situation, and do not enter into any sort of agreement regarding ownership of intellectual property that will result from the use of the equipment.

When filling out her COI survey, Professor B reports her ownership of the company, and that Student A is both under her academic supervision at Cornell, and supervised by her at her company. Professor B becomes concerned that this could be an issue. In thinking about the situation further, Professor B also remembers that all of the intellectual property in the student's thesis must belong to Student A, and cannot be co-owned by Student A and Professor B's company.

Realizing the problem, Professor B tries to convince the company to relinquish the intellectual property created by Student A's work, entirely to Student A. However, the company is filing a patent based on this work and is reluctant to give up what it sees as valuable intellectual property.

Discussion Questions:

- What COI issues does this case present?
- What should the student and professor have done to resolve this problem?
- To whom should they have reported the problem?
- When should the conflict have been brought to the COI office and a management plan created?
- What could have been managed by the management plan to resolve the problems?

Case 2

In the course of their research, Postdoc C and her advisor, Professor D jointly make a breakthrough and decide to found a start-up company, "New Co." Postdoc C might like to become CEO of New Co, but still is considering pursuing an academic career.

Professor D, who is very influential in academia and experienced with starting companies, organizes the company and the initial division of equity. Professor D values his own inputs more than that of the Postdoc, and thus initially proposes a division of equity that heavily favors himself, by assigning only a small fraction of stock in the company to Postdoc C, even though Postdoc C did the great majority of the research leading to the breakthrough. Postdoc C decides not to negotiate the stock assignment with the influential Professor D because that may sour the relationship, and lead to the loss of the support of Professor D in the future.

Postdoc C eventually decides not to pursue an academic career and looks for opportunities in industry. The best option turns out to be working for New Co. Although Postdoc C helped found the company, she now will have no real say in its management, because she only owns a small fraction of the stock.

Discussion Questions:

- Do you think Postdoc C was right to accept the inequitable share of stock?
- Would a COI management plan have been helpful in this situation? What terms should it have included?
- Do you think that Postdoc C could have properly negotiated with Professor D?
- Where do you go for assistance if you have this conflict?