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## Much Obligated

### Year

2001

### Description

This case highlights potential dilemmas encountered by postdoctoral fellows in a research setting. To whom is a research Ph.D. student obligated when a patent for research he created will be owned by the university and hinder his own future research? It also explores the ethics of conflicting commitments and obligations that arise with successful research.

### Body

Larry Jones is a Ph.D. student in the laboratory of Michael McCleary. Jones chose to work in McCleary's laboratory because of McCleary's excellent reputation as a molecular biologist and the promise that Jones would be given a good deal of flexibility concerning his research focus.

Early in his academic career, Jones decided to devote his research to the genetics of Kruese's disease, a debilitating hereditary disease of the muscles. His work toward his doctorate would be a continuation of his master's thesis. In his time in McCleary's laboratory, he hoped to better characterize the gene (i.e., the mutant allele) responsible for the disease. With this work, he could create a genetic test that would allow medical doctors to determine whether an individual carried the mutant allele.

Although Kruese's disease was not a major focus of McCleary's laboratory, he agreed to support Jones as much as possible using money from other grants. Jones, however, also spent a great deal of time throughout his graduate career preparing

grant applications to ensure that his project would be adequately funded. McCleary was very supportive with proofing and suggestions. Although it was agreed without debate that Jones had written the grants, Jones was only a student, and McCleary was listed as the author and principal investigator in all of the grant applications.

Over the course of Jones's research, several grant applications were accepted. The reviewers always expressed confidence in McCleary's laboratory, and the funding was generous. A portion of the grant from The American Society for the Prevention of Kruse's disease was intended to augment Jones's stipend (provided by the university) by 70 percent, allowing him to live in relative comfort during his six years of research.

With the cooperation of an excellent team of technicians, Jones was successful in reaching the goals of his research. He had improved the characterization of the mutant allele responsible for the disease and developed a test by which a patient's DNA could be accurately screened for its presence.

McCleary was very pleased with Jones's work in the laboratory. He explained to Jones that before he informed any funding agency of his final results, he (McCleary) would prepare the patent applications for both the sequence of the mutant allele and the genetic test. In accordance with university rules, McCleary and the university would share the patents.

Jones views the patents as a major impediment both to other scientists' ability to build on his results and his own ability to continue research in this direction upon leaving McCleary's laboratory. Adding to his fears is the fact that McCleary doesn't seem interested in continuing research on Kruse's disease after Jones's departure. He expresses his concerns to McCleary, and McCleary is bewildered. He agrees with Jones that patents may hinder further research, but he explains that they are a potential source of revenue and necessary for the prestige for the laboratory. Jones's stomach tightens as he feels a mix of obligations.

## **Discussion Questions**

1. To whom is Jones obligated, and what does he owe them? What about McCleary?
2. In what ways do any of these obligations conflict?
3. Which (if any) of these obligations are more important or stronger than others? Why?

4. What are some of scientists' obligations to society? Are any of these obligations "special"? Why?

## **Notes**

Brian Schrag, ed., Research Ethics: Cases and Commentaries, Volume 5, Bloomington, Indiana: Association for Practical and Professional Ethics, 2001.

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## **Resource Type**

Case Study / Scenario

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Graduate Research Ethics: Cases and Commentaries - Volume 5, 2001

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## **Discipline(s)**

Genetics and Genomics  
Life and Environmental Sciences  
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## **Publisher**

Association for Practical and Professional Ethics

Authoring Institution

Association for Practical and Professional Ethics (APPE)