

**CASE STUDY # 12: Conflicts Emerging from Collaborations with For-Profit Organizations (Does size and structure matter?)**

*Dr. Wright has both extramural and intramural responsibilities at the NIH. She is party to a material transfer agreement (MTA) with a large pharmaceutical company called Gentour. Her counterpart on the agreement is Dr. Stevens who works within Gentour's CNS development division. While inspecting her applications for the upcoming review round, Dr. Wright notices an application from Gentour with Dr. Douglas as principal investigator.*

*Must Dr. Wright recuse herself from serving as the Program Officer on Dr. Douglas' application or grant?*

Because large companies may have component divisions that are often quite separate from one another, individual conflicts with company employees are recognized, but usually do not pose conflict issues, as a whole, for a company as large as Gentour.<sup>1</sup> Nonetheless, Dr. Wright will need to ask a few questions to determine if she is in specific conflict with this application. Dr. Wright should confirm that neither she nor Dr. Stevens has personal or financial ties with Dr. Douglas.

*Would any of this be different if Dr. Wright only had intramural responsibilities?*

Intramural investigators may be invited to review applications. If Dr. Wright were asked to review Dr. Douglas' application, this would be acceptable so long as there are no other conflicts.

*What if Gentour were a small business with Dr. Stevens as the major owner or an employee?*

Small companies tend to have closer personal and professional relationships among their employees, making clear distinctions regarding individuals' interests within the company difficult to ascertain. Small businesses are essentially single entities, whereas a large business may have separate components that have little, if anything, to do with one another.<sup>1</sup> Therefore, there may be a conflict at the institutional level with a small company in a collaborative setting between an NIH employee and a company staff person. Anything submitted by a Gentour employee would present a conflict and Dr. Wright should be recused from all matters concerning the application. As above, Dr. Wright's conflict is at the individual level with Dr. Stevens.

*Dr. Wright is expecting joint publications with Dr. Stevens. How might this influence the conflict situation with Dr. Stevens?*

The MTA may be finished long before the findings are published. Dr. Wright's conflict with Dr. Stevens would last another three years after the last publication date or three years after any continuing collaboration ends.

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<sup>1</sup> Making the determination of whether two individuals are far enough apart within a big company may prove challenging in and of itself.