Best Practices for COI

Provided below is a general summary to provide some guidance on the do’s and don’ts if you have a relationship with or work for a company outside of your institutional responsibilities for Duke.

Generally, you should maintain separation between your Duke responsibilities for research and education and your work with external companies in which you hold equity or from which you receive direct or indirect financial remuneration.

DO’S

• Separate and distinguish the focus of your ongoing university research and educational responsibilities from your involvement in any effort being conducted for the company.
• Limit consulting time for the company to the maximum allowed by the Faculty Handbook.
• You may wish to seek a leave of absence when engaged in a management role at the company.
• Disclose your outside financial interest in publications, as applicable, notably where the journal application requires disclosure and where you feel the objectivity of your research may be called into question if you do not volunteer the information.
• Disclose your outside financial interest whenever you discuss competitors of the entity in a publication or other statement to the public (e.g. a presentation).
• Ensure that the company has a physical and virtual presence that is not affiliated with Duke.
• Disclose all patentable discoveries generated in your research to the Duke Office of Licensing and Ventures.
• Ensure that your consulting agreement acknowledges that the company’s IP rights are subject to the university’s rights as your employer.
• Avoid situations where you seek to be the lead PI for an outside company and the lead PI for Duke on a research agreement between Duke and the outside company.

DON’T S

• Negotiate with the university on behalf of the company.
• Influence decisions by the university to enter into commerce with the company.
• Involve company personnel in Duke research except where there is a valid subcontract or other agreement negotiated at arms-length that reflects market rates, and you have recused yourself from the negotiation process.
• Use university facilities for company purposes, other than the incidental use of the faculty/staff member’s office and use of university library resources. If access to university facilities is provided, ensure that the use is negotiated at arms-length with university administration, reflects market rates, and that you have recused yourself from the negotiation process.
• Involve university students over whom you have oversight or supervisory responsibility in professional activities at or for the company, except where the student has an opportunity to meet with a representative of the COI Committee to better understand the issues involved, and has signed an acknowledgement that he/she understands those issues.
• Disclose confidential information obtained through your efforts on behalf Duke to the company before is publically disclosed when the confidential information does not further the work on a bona fide sponsored research agreement with the company.