Conflict of Interest in Research

Start-ups

Does a faculty member have any financial interest in the start-up? Will the faculty member spend any time (even outside of business hours) at a start-up that uses the faculty member’s academic expertise? If you are reading this, then the answer to this question is likely “yes”, or at least “possibly”.

*I am considering founding a company. What potential conflicts of interest should I consider?*

Conflict of commitment essentially involves spending Duke time on corporate work. For full-time faculty the threshold is approximately four days per month, the key being not the precise amount of time but the amount of attention and energy devoted to outside tasks. Mixing of resources essentially involves using university resources for corporate purposes (without adequate compensation). Conflict of commitment should be avoided, and corporate and university activities should be clearly separated.

Time spent on outside activities should also be discussed with your department chair or other administrative report. You will want to have a clear and candid conversation about the reasons for forming a start-up, how your time will be spent, and how the Duke academic mission will be balanced with the start-up’s focus.

Additional Start-up resources can be found at: https://olv.duke.edu/resources/startupresources/

The next step is to contact the Research Integrity Office (RIO) for information about policies related to Conflicts of Interest in Research. Establishing a new company could impact the PI status of existing/future funding.

https://medschool.duke.edu/research/ethics-integrity-compliance/research-integrity-office/contact-rio

*My start-up has been created and I am developing a grant proposal for an SBIR or STTR. Should I contact RIO and if so, when?*

Yes, and it is in your best interest to contact RIO prior to submitting a grant application. The last thing you want to happen is to be awarded a grant and then learn that you have potential conflicts that have to be managed in a way that is inconsistent with the grant application.

*If I do have a potential conflict, who decides whether I can proceed, or how it will be managed?*

In addition to the COI Chair, the SOM/SON COI Committee evaluates potential conflicts and makes management recommendations for those cases that are outside of normal management protocol. Management strategies vary but every effort is made to create a plan that is reasonable and does not impede research goals.

Please make sure to make all of your contacts well before:

- Developing any grant proposal for your start-up that may use Duke space, facilities, resources, services or personnel;
- Making any commitments to individuals, companies or funding agencies for the start-up that may affect or involve Duke resources, facilities or personnel; or
• Making any assumptions in the planning processes about the use of Duke facilities or services and the fees that may accompany that use.

The purpose of taking proactive steps to work with Duke units from the beginning is to best support you, and your new company. Early contacts will help avoid the confusion and delays that can occur when plans are not coordinated with Duke units.