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Villigen PSI, 22 November 2023



## Concerns Regarding Scientific Conduct

Dear Dr Maradia,

In an email dated 16.10.23, you drew the attention of our director, Prof. Christian Rüegg, to what you considered to be multiple unjustified listings of Prof. Damien Weber, Head of the Proton Therapy Center at PSI (ZPT), as co-author in ZPT publications, in particular in relation to a recent article published in Nature Physics. In this email, you also drew our attention to what you considered to be an unwarranted mention of a co-inventor on one of your patents, and to what you considered to be a misrepresentation of your colleagues in the submission of a project proposal. On the latter point, you have only provided us with a few details, so that we are not able to carry out a clear analysis on our part. Prof. Rüegg acknowledged receipt of your email on 17.10.23.

On 18.10.23, at your request and with our knowledge, you wrote to the PSI ombudsperson for research integrity, Prof. em. Roland Horisberger, requesting a discussion. This took place on 20.10.23. The same day, at your request, you informed the director and me by email of the results of the discussion from your point of view. Also, on 20.10.23 you again drew our attention by email to what you considered to be unjustified co-authorships of Prof. Damien Weber.

On 23.10.23, I asked the PSI research integrity officer, Dr Helmut Schift, to select 10 publications from those listed by you in your email of 16.10.23 and to ask Prof. Weber to comment in writing on what, in his view, justified his co-authorship. This reply from Prof. Weber was received by email on 30.10.23.

On 13.11.23 you reiterated your concerns about inappropriate co-authorship by Prof. Damien Weber, this time in the context of conference abstracts.



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Based on the information now available to us, we come to the following conclusion:

- **Co-authorship of Prof. Weber in ZPT publications**

In the view of the ombudsperson for research integrity and after evaluating the statements made by Prof. Weber on the 10 selected publications, there is no inadmissible co-authorship in the publications listed by you (i.e. also not in Nature Physics, 19, 1437-1444 (2023); ...). This applies in particular in view of the fact that publications of ZPT are produced in a medical environment in which, as is well known, specific co-authorship regulations accepted in the scientific community are applied in practice. Misconduct from the point of view of research integrity in the narrower sense cannot be established. The direct contributions to the publications may have been limited to feedback at project presentations and project meetings and to correcting the final version of the publication, but it cannot be concluded that the contribution in the sense of authorship was not substantial. In general but not specifically valid to this specific case, we see a need for action here in that we increasingly point out to supervisors that they are fulfilling their duty to provide feedback, but at the same time also refrain from their authorship in the case of only minor, rather supporting contributions.

- **Patent contributions**

We have an "Invention Disclosure" that you co-signed on 24.2.2022 for the patent you mentioned. This sets out the shares of inventorship between five people and designates you as the "lead inventor" with a 75% share. After consultation with the PSI Technology Transfer, we are not aware that this share was not agreed at the time.

- **Incorrect information provided by colleagues when submitting a grant proposal to a project sponsor**

In the ombudsperson's view, for the grant proposal that you are referring to this was not a violation of research integrity. On the contrary, research progress is based on results published in the past. At this point, we would also like to refer to the applicable legislation according to the Swiss Code of Obligations Art. 332 (SR 220) and the Ordinance of the ETH Board on Intellectual Property in the ETH Domain (SR 414.172).

In summary, after examining the allegations you have made, we conclude that there has been no breach of research integrity. At this point, we kindly ask you not to unjustifiably raise serious allegations of a suspected violation of research integrity. Any conflicts with your superiors and colleagues that should be taken no less seriously should be resolved in the first instance by line management with the assistance of the relevant HR responsables.



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Please note that PSI publication guidelines (AW-91-18-02 Bewilligungskompetenz und Unterschriftsberechtigung bei Geschäften mit Dritten inclusive Beschaffung, Art.10.1)<sup>1</sup> require information and consent of your group leader before submitting abstracts for conferences or manuscripts for publication independent of his or her potential involvement as co-author. For your planned submissions (your email 13.11.23) you must respect these rules while the Director or myself are not part of the approval or submission process.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Thierry Strässle', is written over a light blue horizontal line.

Thierry Strässle

cc: Director PSI, Christian Rüegg  
BPL ZPT, Adina Keller

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<sup>1</sup> AW-91-18-02, Art 10.1.1 (<https://intranet.psi.ch/en/psi/general-directives>) Die Veröffentlichung von Forschungsergebnissen in wissenschaftlichen Zeitschriften benötigt eine Bewilligung. Diese Voraussetzung ist erfüllt, wenn der Autor oder ein (Co-) Autor mindestens ein Gruppenleiter am PSI ist. In allen anderen Fällen ist eine Bewilligung bei der vorgesetzten Stelle (mindestens Stufe Gruppenleiter) einzuholen und zu dokumentieren.