Valley of Sorrow
by Stephanie Curtis (North Carolina State), Paul Dawson (Clemson), James Moyer (North Carolina State), and Robert Zall (Cornell)

Dr. Howard Johnson is a tenured Associate Professor in the biochemistry department at a public university. He has been collaborating with a large, multinational pharmaceutical firm for the past six years. During this time the company has supported his research to the extent that they are the sole source of his funding. The research is widely respected and he receives multiple requests each year for seminars, review articles, etc. He anticipates that his promotion credentials for Full Professor will be forwarded to the University Committee in two to three years. As part of his research program with the company, he serves as an "external reviewer" in the annual evaluation of the Research and Development section of the corporation. In doing so, he signs a confidentiality agreement which covers the research activities discussed during the review.

This year Dr. Johnson was inadvertently included in a discussion at the social gathering following the review where one of the corporate scientists revealed that they had been utilizing a widely recognized chemical synthesis to generate new compounds which could be used as antidotes to certain viral infections. Because of prior use and the obvious nature of the synthesis as presented in the literature, neither the process nor the compounds could be patented. Thus, as soon as word of this process leaks out, it would be available to any of their competitors.

During the course of this conversation he learned that in secret trials one of the compounds reduced the mortality of Rift Valley Fever by 90%. About 5000 lives are lost annually to this and similar viruses in East African countries.

The strategic plan adopted by the company was to withhold the distribution of those compounds. Management decided that they could not afford to release this compound to a developing country which would amount to a purely philanthropic gesture until after they had time to develop the compounds for influenza and the common cold. This would require about five years to obtain all of the permits needed to market such an antidote in developed countries. Unless the market in developed countries could be reached the antidotes would not be economically feasible to develop. However, if developed tens of thousands of additional lives lost to influenza would be saved.

**Ethical Dilemma:**
Should Dr. Johnson break confidentiality and reveal the process?