

LETTER TO THE EDITOR

Plagiarism in Scientific Publishing - the Issue of Patent Holder (War Between Developed and Undeveloped Countries) - Letter to Editor

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Dear Editor,

Since plagiarism is a very important issue in scientific publishing I read with interest the commented article of Izet Masic, published in *Acta Informatica Medica* journal.

It is a question: are the intellectual properties of the authors fully protected? As the author writes in the Conclusion of his article "There is a dilemma: who, on what basis (criteria, standards, rules), when and how should declare someone a plagiarist. Then, which institutions or which scientific body committee at the national or international level, when plagiarism is proven, can someone sanction and what are the sanctions."

The publishers and editors try to protect the prestige of their journals and hesitate to condemn a colleague as a plagiarist particularly if he/she occupies a prestigious position. The evaluation is particularly difficult when not a text but a new idea is plagiarized. My case described below may provide an insight into the present state of the subject.

In 1982 I invented a chemical synthetic method that had so high efficiency that was never dreamed before. It made possible to synthesize, for example, all the possible 64 million hexapeptides in a single process lasting no longer than one week. Among others, it had a remarkable feature: in the process all structural combinations of compounds were formed that could be deduced from the building blocks applied in the synthesis hence the name of combinatorial synthesis or combinatorial chemistry for name of the new field in chemistry. Following the suggestion of a patent attorney, in order to help in potential priority disputes in the future,

the method (later named "split-mix" synthesis) was notarized in the same year (1). In 1988 the chemically realized invention was published in two international congresses (2, 3). In February 1990 a manuscript was sent to Professor Victor Hruby Editor in Chief of the *International Journal of Peptide and Protein Research* where it appeared in June 1991 (4). In the meantime the followings happened: 1) Four patents were filed all based on my invention (5-8). One of them belonged to a group of University of Arizona including the Editor in Chief and K. S. Lam, the other group included Richard A. Houghten founder of the Torrey Pines Institute, San Diego. The number of patent applications "incidentally" equaled the number of those people that had access to my manuscript (Editor in Chief and the three reviewers). With participation of the Editor in Chief my method was published as their own invention in 1991 in a symposium (9), in a paper at *Nature* (10), and a book chapter (11). Their grant applications were also based on it. R. Houghten also published my invention in a symposium (12) and a *Nature* paper (13). Since I was invited to the University of Arizona and on April 2 1991 gave a seminar in the presence of Prof. Hruby and K. S. Lam I was totally shocked by these happenings. I tried to publish a comment in *Nature* that was shortly refused by Prof. Maddox the Editor-in-Chief at that time. I protested at the Office of Research Integrity of National Institute of Health and the Munksgaard International Publishers (publisher of *Int J Pept Protein Res*) without any success. I sent protesting letters to R. Houghten and V. Hruby. Houghten answered that he

did not know about our publications and promised to send a correction letter to Nature which, however, never appeared. His denial did not prove true. His patent application was filed about ten month before his manuscript was submitted to Nature and in the application our 1988 publication (2) was cited but left out from the manuscript. Hruby and Lam sent me apologizing letters for not citing our publications and promised to publish correction. The correction appeared in Nature but my name was misprinted (Fukura). The correction with my right name appeared only after protesting again.

In the followings, both Lam and Houghten insisted to the idea that they are independent inventors. Besides their Nature publications they also cited our paper (14, 15, 4) being so "kind" at these times to assign to us an independent inventor position, too. Later on, however, this was not enough for them. Both Houghten and Lam proclaimed himself as only inventor by citing only their own Nature papers in their articles (16, 17). Both Houghten and Lam published over ten such articles. After incidentally observing this in this year, I sent several correction letters to the journals in which their papers appeared. Until now definite answers came from Dr. M.G. Finn Editor-in-Chief of ACS Combinatorial Science and Prof. Jonathan V. Sweedler Editor-in-Chief of Analytical Chemistry. Both of them refused to publish my correction letters.

It needs to be emphasized that the participants of my story are not students but prestigious members of the scientific community and recipients of awards. Professor Victor Hruby as mentioned was the Editor-in-Chief of International Journal of Peptide and Protein Research, and at that time the President of the American Peptide Society. Professor Kit Lam is a member of the Editorial Board of the ACS Combinatorial Science. Richard Houghten was founder of a scientific journal Peptide Research and he was also the president of the American Peptide Society in 2007-2009.

I think that my case in accordance with the thoughts expressed in the Conclusion of the commented article shows that much has to be done for the satisfactory protection of the intellectual properties in scientific publishing (18).

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- Conflict of interest of Editorial Board: None
- Author contribution: Arpad Furka gave substantial contributions to the conception or design of article, revised it and gave final approval of the version to be published. Also Arpad Furka gave agreement to be accountable for all aspects of the work in ensuring that questions related to the accuracy or integrity of any part of the work are appropriately investigated and resolved.

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