

Ethical Intersections and Tensions Between Intellectual Property Protections and Open Neuroscience

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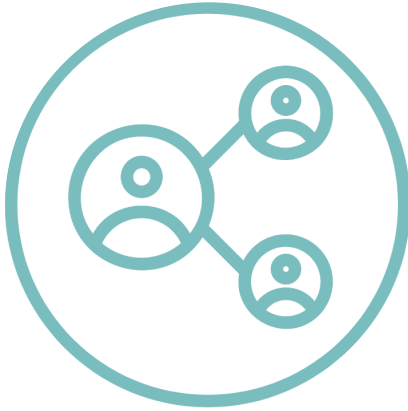
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Neuroethics Canada is located on the unceded and traditional territories of xʷməθkwəy̓əm (Musqueam), Skwxwú7mesh (Squamish), and Səlílwətaʔ (Tsleil-Waututh) Nations.

Open Neuroscience





*Public release of data
and scientific resources*



*External research
partnerships*



*Research materials
and tools*



Intellectual property



*Research and
patient autonomy*

Research objectives



- To determine stakeholder perspectives on intellectual property protections and open neuroscience
- To inform the future of open science policy for the neurosciences in Canada and broadly



Study Design and Methods



Focus groups and interviews:

9 groups; N=29

In-person

N=3
1 woman, 2 men

N=1
1 man

N=1
1 man

Patent experienced
(N=11)

Patent inexperienced
(N=18)

Virtual

N=6
2 women, 4 men

N=2
2 men

N=7
4 women, 3 men

N=6
1 woman, 2 men

N=5
1 woman, 4 men

N=1
1 man

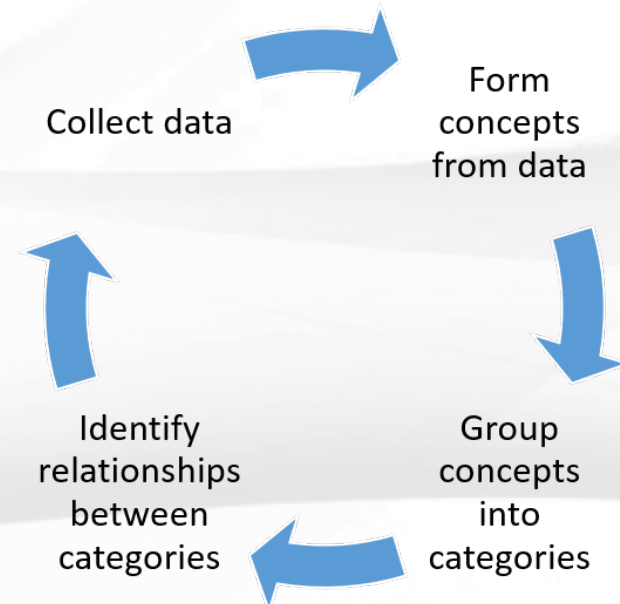
Semi-structured interview guide:

Risks, benefits, ethical implications of IP

Intersections between IP and OS

Qualitative thematic analysis:

(Hsieh et al., 2005; Vaismoradi et al., 2013)



Major Themes



Benefits of IP

Obligation to
Science

Knowledge Gaps

Limitations of IP

Respect for
Persons

OS Infrastructure

Benefits of OS

Coexistence of IP
and OS

Exceptionalism of
the Brain

OS Concerns

Justice

Special Concerns

Major Themes



Benefits of IP

“... [IP] allows you to
forward and develop

“... there's a failure to share
information ... such as the

Limitations of IP

“... the biggest prob
money, time, effort

“... if somebody feels that OK
their ideas should be patented, I
don't have the right to say no,
you can't do that.”

Benefits of OS

“... it's accessible to a
community ...”

would be considerably less interested if
there was no way to commercialize ...”

OS Concerns

ne time
ng IP...”

Special Ethics Considerations



Implications for OS in research partnerships



Concerns about data ownership, control, and privacy



Views on the brain, mind, and personhood

Takeaways



Translational benefits



Researcher autonomy

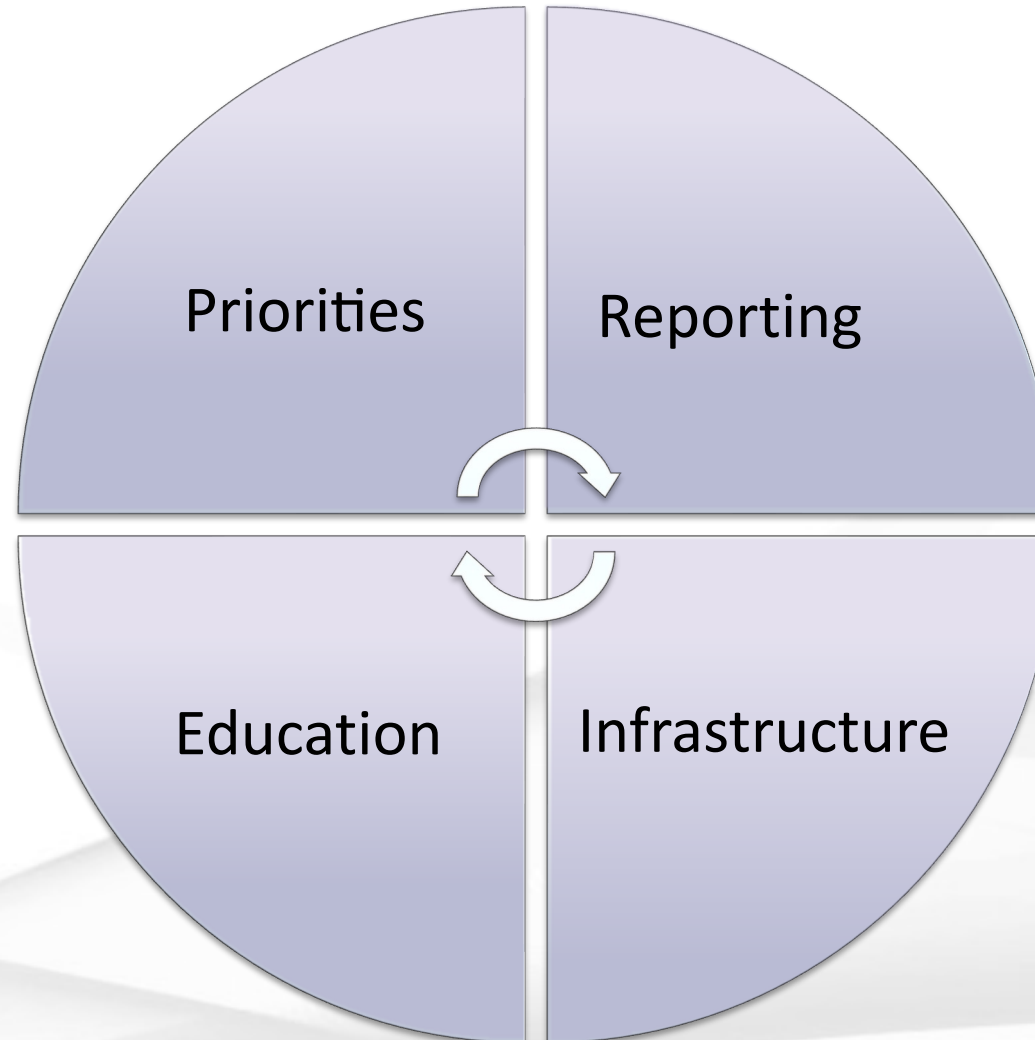


Culturally safe research



Context-informed choice

Recommendations



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