

## Attendee Lists for Attendees (Revisited)

By Norman M. Goldfarb

Behavior is more likely to be ethical if there is a negative consequence to unethical behavior. From time to time, I hear of unethical behavior, but never hear of anyone doing anything about it. As Editor of the Journal, I am in the position to expose such behavior to the light of day. I enjoy a spirited discussion about an ethical question. It is always risky to criticize someone, but there should be at least one public forum in the clinical research industry where people feel free to speak their mind. If you would like to see more articles like this – or you think this article is out of line – please send me an email message to that effect. My address is below.

In a previous issue of the Journal<sup>1</sup>, I proposed a simple code of ethics for conference organizers to enable the distribution of attendee lists to attendees at industry conferences:

1. We do not seek information under false pretenses, e.g., by concealing our identity.
2. We do not solicit, accept or use conference attendee lists from competitors without their permission.

Only the Association of Clinical Research Professionals (ACRP) agreed to sign the code. The others declined or did not respond, perhaps because they do not want to be at a disadvantage if their competitors do not follow it.

Well, they are right to be concerned. The previous article included an email message from a conference company requesting a competitor's attendee list under false pretenses. I kept its identity confidential based on my understanding that, although it would comply with the code, it was not prepared to sign it. A Journal reader has now informed me that the same conference company – The Center for Business Intelligence (CBI) – continues to solicit attendee lists and other competitive information. The author of the messages below now identifies herself as an employee of the conference company. However:

- She does not make it explicit that her employer is a competitor; recipients who are not paying close attention may assume the message came from the company that organized the conference.
- She does not mention that she is asking the recipient to perform an act that is generally considered unethical in the industry, may be contractually prohibited, and could get the recipient barred from speaking at future events.
- She slips the request very casually into her second message, as if it's just a minor and routine request.

In response to my recent inquiry, a senior CBI executive stated:

"You [previously] asked me if we ever solicit lists or names under false pretenses or under unethical or dishonest situations or using inappropriate business practices relating to growing the database and the answer is that we have clear guidelines and training on ethical behavior overall and specifically related to this."

Note:

- The first sentence of the statement, to the best of my recollection, is incorrect; I asked about specific behaviors, not "are you unethical and dishonest?"

- My understanding, which may have been in error, was that CBI would comply with the code of ethics.
- As the email message in the previous article demonstrated, CBI has, in fact, solicited attendee lists under false pretenses. These solicitations may have occurred without CBI management's knowledge.
- The statement says that CBI has "clear guidelines and training on ethical behavior", but perhaps the guidelines are looser than those of their competitors.
- The statement suggests that the messages below are in accordance with CBI's ethical guidelines and training.

You can form your own conclusions as to whether or not this behavior is ethical.

### Email Message 1

From: [CBI email]  
 Sent: \_\_ October 2005 18:11  
 Subject: \_\_\_\_\_ Conference in October...

Good Afternoon,

My name is [CBI name] and I am a Program Manager at CBI... I just got off the phone with an attendee from last months conference on \_\_\_\_\_ and they mentioned your panel went particularly well and they really enjoyed it. Was there a specific topic that was brought up during the panel that seemed more popular than others?? I would love to hear about what you thought of the panel...

I really look forward to hearing from you...

Regards,

[CBI name]  
 [CBI title]  
 The Center for Business Intelligence  
 [CBI contact info]

### Email Message 2

From: [CBI email]  
 Sent: \_\_\_\_\_, November \_\_, 2005 10:37 AM  
 To: \_\_\_\_\_  
 Subject: RE: \_\_\_\_\_ Conference in October...

Thanks for your help I really appreciate it... We are looking to do some more research on the conference since it was such a success... [Speaker name], did you get an attendee roster by any chance?

Regards,

[CBI name]

### References

1. "Attendee Lists for Attendees", Norman M. Goldfarb, Journal of Clinical Research Best Practices, July 2005

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