



THE OMBUDSMAN FOR ACADEMIC ETHICS AND PROCEDURES OF THE REPUBLIC OF LITHUANIA

DECISION REGARDING VIOLATIONS OF THE PRINCIPLE OF ACADEMIC ETHICS IN THE RESEARCH ACTIVITY BY DARIUS MILCIUS AND CO-AUTHORS

/full text/

20 February 2015 No. SP-3

Vilnius

The Ombudsman for Academic Ethics and Procedures of the Republic of Lithuania (hereinafter – Ombudsman), <...> completed the investigation regarding possible violations of the principle of academic ethics and procedures in the research activity committed by Darius Milcius and his co-authors on the ground of the letter No. 4S-918 of the Lithuanian Research Council of 06 June 2014 following the clause 1 of the article 18 of the Law on Higher Education and Research of the Republic of Lithuania and subparagraph 1 of the paragraph 13 of the Statutes of the Office of Ombudsman for Academic Ethics and Procedures of the Republic of Lithuania approved by the Resolution No. XI-1583 of the Lithuanian Seimas of 15 September 2011 “Regarding Establishment of the Office of Ombudsman for Academic Ethics and Procedures of the Republic of Lithuania and Approval of Statutes of the Office of Ombudsman for Academic Ethics and Procedures of the Republic of Lithuania”, examined the information and material submitted by the Lithuanian Research Council, editor-in-chief of the scientific journal “Lithuanian Journal of Physics” (Lietuvos fizikos žurnalas) Evaldas Tornau, editor-in-chief of the scientific journal “Material Science” (Medžiagotyra) Sigitas Tamulevicius, publisher of the scientific journal “Solid State Phenomena” Thomas Wohlbier, executive publisher of the scientific journals “Applied Surface Science”, “Surface & Coatings Technology”, “Thin Solid Films” published by the publishing house “Elsevier”, Jan Willem Wijnen, publisher and editor of the publishing house “Hindawi”, Doaa Shokry, Darius Milcius and co-authors of his scientific publications Antanas Feliksas Orliukas, Arvydas Kanapickas, Birute Bobrovaite-Jurkone, Claude Templier, Frans Munnik, Giedrius Laukaitis, Julius Dudonis, Karolis Gedvilas and Rimantas Knizikevicius, and

determined that:

When the Office of Ombudsman for Academic Ethics and Procedures of the Republic of Lithuania (hereinafter – Office of Ombudsman) received the letter No. 4S-918 of the Lithuanian Research Council of 06 June 2014, it started the investigation of possible violations of research ethics by D. Milcius when the tender for the project No. VP1-3.1-ŠMM-07-K-03-065 “Synthesis of Hydrogen-Storing Substances using the non-Balance Technologies” was under preparation.

The Lithuanian Research Council asked in its letter No. 4S-918 of 06 June 2014 to evaluate possible violations of the principle of academic ethics committed by the co-authors in the tender for the project No. VP1-3.1-ŠMM-07-K-03-065 “Synthesis of Hydrogen-Storing Substances using the

non-Balance Technologies” and in the articles listed in the decision No. EK-S-2 of the Commission of Research Ethics of the Lithuanian Research Council of 03 February 2014 in the following scientific publications: 1) L. Pranevicius, D. Milcius, V. Sirvinskaite, T. Norby, R. Hausgrud, L. L. Pranevicius, C. Templier. Formation of YSZ films by thermal annealing of Y/Zr layers in air. *Surface Engineering*. 2003, Vol. 19, iss. 5, p. 378–381 (hereinafter – publication in *Surface Engineering* 2003); 2) L. L. Pranevicius, D. Milcius, G. Thomas. Synthesis of $Mg(AlH_4)_2$ by Codeposition of Mg and Al Atoms in Hydrogen Plasma. *Lithuanian Journal of Physics*. 2003, Vol. 43, No. 4, p. 297–302 (hereinafter – publication in *Lithuanian Journal of Physics* 2003); 3) L. L. Pranevicius, D. Milcius, R. Knizikevicius, J. Nomgaudyte, B. Bobrovaite. The Role of Processes on the Surface in Organization of Long Range Mass-Transport in the Bulk. *Solid State Phenomena*. 2004, Vol. 97–98, p. 185–190 (hereinafter – publication in *Solid State Phenomena* 2004); 4) D. Milcius, L. Pranevicius, G. Thomas, M. Lelis. Behaviour of Hydrogen Implanted during Physical Vapour Deposition in Al, Mg and MgAl Films. *Material Science*. 2004, Vol. 10, No. 3, p. 217–220 (hereinafter – publication in *Material Science* 2004); 5) L. Pranevicius, D. Milcius, L. L. Pranevicius, C. Templier, V. Sirvinskaite, R. Knizikevicius. Role of surface instabilities in mixing and oxidation mechanisms of bilayered Y/Zr films at elevated temperature. *Applied Surface Science*. 2004, Vol. 225, p. 272–280 (hereinafter – publication in *Applied Surface Science* 2004); 6) L. Pranevicius, D. Milcius, L. L. Pranevicius, G. Thomas. Plasma hydrogenation of Al, Mg and MgAl films under high-flux ion irradiation at elevated temperature. *Journal of Alloys and Compounds*. 2004, Vol. 373, p. 9–15 (hereinafter – publication in *Journal of Alloys and Compounds* 2004); 7) L. L. Pranevicius, D. Milcius. Synthesis of $Mg(AlH_4)_2$ in bilayer Mg/Al thin films under plasma immersion hydrogen ion implantation and thermal desorption processes. *Thin solid films*. 2005, Vol. 485, p. 135–140 (hereinafter – publication in *Thin solid films* 2005); 8) D. Milcius, L. L. Pranevicius, C. Templier. Hydrogen storage in the bubbles formed by high flux ion implantation in thin Al films. *Journal of Alloys and Compounds*. 2005, Vol. 398, p. 203–207 (hereinafter – publication in *Journal of Alloys and Compounds* 2005); 9) L. Pranevicius, D. Milcius, L. L. Pranevicius, A. Orliukas, J. Dudonis, G. Laukaitis. Plasma oxidation of bilayered Y/Zr films. *Solid State Ionics*. 2008, Vol. 179, p. 104–107 (hereinafter – publication in *Solid State Ionics* 2008).

Upon having analyzed the reports on expert evaluation presented by the letter No. 4S-918 of the Lithuanian Research Council of 06 June 2014 – report of 17 March 2013 of the head of expert group K. R. (the name and surname are known to the Office of Ombudsman) and two anonymous experts (the dates of reports on expert evaluation are not indicated, the personal data (name and surname) of the experts, who have carried out the expert evaluation and prepared its reports, are not indicated, therefore they shall be referred to expert No. 1 and expert No. 2) – regarding scientific publications of D. Milcius and his co-authors, the Office of Ombudsman determined the need for evaluation of other scientific publications of D. Milcius, as well. Therefore the Office of Ombudsman included the following scientific publications of D. Milcius into the evaluation of possible violations of the principles of research ethics: 1) L. Pranevicius, E. Wirth, D. Milcius, M. Lelis, L. L. Pranevicius, A. Baciaskas. Structure transformations and hydrogen storage properties of co-sputtered MgNi films. *Applied Surface Science*. 2009, Vol. 255, Iss. 11, p. 5971–5974 (hereinafter – publication in *Applied Surface Science* 2009); 2) E. Wirth, F. Munnik, L. L. Pranevicius, D. Milcius. Dynamic surface barrier effects on hydrogen storage capacity in Mg-Ni films. *Journal of Alloys and Compounds*. 2009, Vol. 475, Iss. 1–2, p. 917–922 (hereinafter – publication in *Journal of Alloys and Compounds* 2009); 3) L. Pranevicius, E. Wirth, D. Milcius, M. Lelis, L. L. Pranevicius, A. Kanapickas. Effects of surface dynamic behaviour on hydrogen storage properties of sputter-deposited MgNi films. *Surface & Coatings Technology*. 2009, Vol. 203, p. 998–1003 (hereinafter –

publication in Surface & Coatings Technology 2009); 4) L. L. Pranevicius, D. Milcius, S. Tuckute, K. Gedvilas. Preparation of hydrogenated $\text{-TiO}_2/\text{Ti}$ double layered thin films by water vapour plasma treatment. Applied Surface Science. 2012, Vol. 258, Iss. 22, p. 8619–8622 (hereinafter – publication in Applied Surface Science 2012); 5) L. Pranevicius, M. Urbonavicius, S. Tuckute, K. Gedvilas, T. Rajackas, L. L. Pranevicius, D. Milcius. Structural and Phase Transformations in Water-Vapour-Plasma-Treated Hydrophilic TiO_2 Films. Advances in Materials Science and Engineering. 2012 (hereinafter – publication in Advances in Materials Science and Engineering 2012).

It is stated in the extract of the minutes No. EK-P-01 of 03 February 2014 of the meeting of the Commission of Research Ethics of the Lithuanian Research Council submitted with the letter No. 4S-1801 of the Lithuanian Research Council on 26 November 2014 that “D. Milcius <...> recognizes the opinion of expert of articles of poor quality and does not have any objections” (p. 2).

During the meeting of 23 October 2014 in the Office of Ombudsman (minutes of the meeting in the Office of Ombudsman on 04 November 2014 No. TS-90 (revised)) Nr. TS-90) D. Milcius indicated that “the material of previous researches was used in the article’s manuscript as the continuity of researches” (p. 3–4) and explained that “in some cases it was done [usage of the image of previous research] because when more than 8 percent of alloys are included, the substance always decomposed and that decomposition method was illustrated using the same photos” (p. 4, our specification is provided within the angle brackets), that “he was not taking photos because his core responsibility was related to the substance’s generation” (p. 4), and “if the research method created by D. Milcius and his colleagues is used <...>, D. Milcius becomes a co-author (he describes the part of the substance’s generation in the article)” (p. 3).

I. The head of expert group of the Lithuanian Research Council (K. R.) determined the following in the publication of D. Milcius and his co-authors in Applied Surface Science 2004 (report on expert evaluation of 17 March 2013 submitted by the letter No. 4S-918 of the Lithuanian Research Council on 06 June 2014): 1) “Fig. 4d and 4e has scientific fraud in other publications by the same PI [principal investigator], compare Surface Engineering, 2003, Volume 19, Number 5, pp. 379-393 (Fig. 2b and Fig. 5b) and Solid State Ionics, 2008, Volume 179, Issues 1-6, 104-107 (Fig. 2c and 2d) – figures are the same. However, the legends show that in one case they correspond to the layers oxidized in the air for 3 hours at 600°C, other case 30 min at 600 °C and the third case – oxidized in plasma for 30 min at 450 °C.” our specification is provided within the angle brackets); 2) “**The material (curves) presented in publication [3]** [publication in Applied Surface Science 2004] (Fig. 1b, 1 & 2 curves), Surface Engineering, 2003, Volume 19, Number 5, pp. 379-383 (Fig. 3b, 1 & 2 curves), Solid State Phenomena, 2004, Volumes 97-98, pp. 185-190 (Fig. 2b, 1 & 2 curves), and Solid State Ionics, 2008, Volume 179, Issues 1-6, pp. 104-107 (Fig. 3b, 1 & 2 curves) are the same, however, in Solid State Ionics they correspond to layers oxidized in plasma for 30 min at 450 and 600 °C, when in other publications – oxidized in air for 30 min at 600 and 900 °C.” (our specification is provided within the angle brackets); 3) “**The figures presented in publication [3]** (Fig. 3c) and Solid State Ionics, 2008, Volume 179, Issues 1-6, pp. 104-107 (Fig. 1b) are the same, however, in [3] layers are oxidized in plasma at 400 °C, when in the latter case at 450 °C.”

The expert No. 1 determined the following in the publication in Applied Surface Science 2004 of D. Milcius and his co-authors (report on expert evaluation of submitted by the letter No. 4S-918 of the Lithuanian Research Council on 06 June 2014): 1) “The photos of microscope of nuclear power and scanning electronic microscope provided in the figures 4d and 4e of the publication A3 [publication in Applied Surface Science 2004] coincide with the figures 2d and 2c of the publication K1 [publication in Solid State Ionics 2008]; however different treatment conditions of samples are

specified under the them: 600°C and 3h [val.] (A3) and 450°C and 30 min. (K1).” (the language is not corrected, our specification is provided within the angle brackets); 2) “A3 figure 1b shows the same results as in the publications K1 (Fig. 3b) and K2 [publication in Solid State Phenomena 2004] (Fig. 2b), but the data presented under the figures in A3 and K1 differ.” (the language is not corrected, our specification is provided within the angle brackets); 3) “The same has been noticed when the identical figures 3c and 1b of the publications A3 and K1 were compared – different procedural temperatures are indicated under them: 400°C and 450°C.” (the language is not corrected).

The expert No. 2 determined the following in the publication in Applied Surface Science 2004 of D. Milcius and his co-authors (report on expert evaluation of submitted by the letter No. 4S-918 of the Lithuanian Research Council on 06 June 2014): 1) “the major part coincides with the article in Surface Engineering, 19/5 (2003) 379-383 and Solid State Ionics, 179/1-6 (2008) 104-107” (the language is not corrected); 2) “Fig. [figure] 4d, 4e and 4f corresponds to Y/Zr layers oxidized in the air for 3 hours at 600°C. Meanwhile, the identical figures (Fig. 5b and Fig. 2b) in the article Surface Engineering, 19/5 (2003) 379-383 already correspond to layers oxidized in the air for 30 minutes at 600°C, while the identical figures Fig. 2 c and d in the article Solid State Ionics, 179/1-6 (2008) 104-107– correspond to layers oxidized in the plasma for 30 minutes at 450°C.” (the language is not corrected, our specification is provided within the angle brackets); 3) “Fig. 1b corresponds to the annealed Y/Zr layers on Si(111) trays, while the identical curves in the Fig. 2b in the article Solid State Phenomenon, 97-98 (2004) 185-190 already correspond to the layers on quartz trays” (the language is not corrected); 4) “The curves in Fig. 1b, 1 and 2 correspond to the layers oxidized in the air for 30 min. (600 and 900°C), while the identical curves (curves in Fig. 3b, 1 and 2) in the article in Solid State Ionics, 179/1-6 (2008) 104-107 already correspond to the layers oxidized in the plasma for 30 min. (450 and 600°C).” (the language is not corrected); 5) “Fig. 3c corresponds to the layers oxidized in the plasma at 400 °C, while the identical figure (Fig. 1b) in the article in Solid State Ionics, 179/1-6 (2008) 104-107 – already corresponds to the layers oxidized in the plasma at 450°C.” (the language is not corrected).

D. Milcius acknowledged that “in order to preserve the continuity of publication of research results, part of information is repeated, so these works are related and more comprehensive to the reader” (p. 2, the language is not corrected), and stated that “systemic errors are possible” (p. 2) (letter of D. Milcius of 05 December 2013 addressed to the chairman of the Lithuanian Research Council Dainius H. Pauza, submitted to the Office of Ombudsman on 31 October 2014).

During the meeting of 23 October 2014 in the Office of Ombudsman (minutes of the meeting in the Office of Ombudsman on 04 November 2014 No. TS-90 (revised)) Nr. TS-90) D. Milcius indicated that he “addressed all his co-authors asking to accompany him and answer to the questions raised by LMT [Lithuanian Research Council] <...>. The co-authors refused” (p. 3, our specification is provided within the angle brackets). During the meeting of 18 November 2014 in the Office of Ombudsman (minutes of the meeting in the Office of Ombudsman on 19 November 2014 No. TS-97) Rimantas Knizikevicius, the co-author of D. Milcius in the publications Applied Surface Science 2004 and Solid State Phenomena 2004 indicated that he had “described the model in relative units used to compare the received research results <...> explained, how he understood it and how it was working” (p. 2). According to R. Knizikevicius, “at that time he was a young doctor, Prof. L. Pranevicius “corrected it [model] and rewrote the model’s description at his own discretion or as he understood it”, so the main ideas of Dr. Rimantas Knizikevicius were left”, while the “name of constant” <...> has no influence” (p. 2, our specification is provided within the angle brackets)” “when [the article] was prepared, he did not communicate or wrote letters neither with L. L. Pranevicius nor with D. Milcius” (p. 3, our specification is provided within the angle brackets). Besides, R.

Knizikevicius confirmed during that meeting that “neither D. Milcius nor L. L. Pranevicius said or wrote anything [about correction of technical mistakes]. <...> the entire process was “under supervision of Prof. L. Pranevicius”, while he [R. Knizikevicius] was just a young doctor at that time, “who had to get used to the doctoral degree successfully” (p. 3, our specification is provided within the angle brackets).

On 24 September 2014 the Office of Ombudsman made the electronic inquiry to the editor-in-chief of the scientific journal “Applied Surface Science”, where the publication in Applied Surface Science 2004 was published, H. Rudolph, and asked to indicate what self-quotation standards are applied for the scientific journal, to explain what conditions are applied when the same publication is delivered to several scientific journals at the same, and to present the information on declaration of authorship and /or intellectual property rights and related documents. Jan Willem Wijnen, the executive publisher of the publishing house “Elsevier” (hereinafter –representative of “Elsevier”) agreed to answer the questions of the Office of Ombudsman related to the scientific publications in the scientific journal “Applied Surface Science” (including the scientific journals “Thin Solid Films” and “Surface & Coatings Technology”) by e-mail of 06 October 2014. The representative of “Elsevier” indicated in the e-mails of 06 and 24 October 2014 that he cannot disclose the content of the agreements made between the publisher and authors; however he agreed to assess the scientific publications of D. Milcius and his co-authors published in the database of “Elsevier”, and to determine the violations of research ethics on the ground of the policy of publication ethics set by the publishing house “Elsevier”. The representative of “Elsevier” informed the Office of Ombudsman by letter on 20 January 2015 that when the editor-in-chief of the scientific journal “Applied Surface Science” compared the publication in Applied Surface Science 2004 with the publications in Surface Engineering 2003, Solid State Ionics 2008 and Solid State Phenomena 2004, he stated that the texts of publications in Applied Surface Science 2004 and Solid State Phenomena 2004 were coinciding. However, as the editor-in-chief did not receive the copy of the publication in Surface Engineering 2003, he could not compare the texts of the publications in Applied Surface Science 2004 and Surface Engineering 2003 (e-mail of the representative of “Elsevier” to the Office of Ombudsman of 05 November 2014 regarding delivery of the copy of publication in Surface Engineering 2003; letter of the Office of Ombudsman of 07 November 2014 to the editor-in-chief of the scientific journal “Surface Engineering” regarding delivery of the copy of publication in Surface Engineering 2003). The editor-in-chief of the scientific journal “Applied Surface Science” determined the following: 1) “publication 3 [publication in Applied Surface Science 2004] and publication 3c [publication in Solid State Phenomena 2004] are overlap and should have been published as one paper” (our specification is provided within the angle brackets)¹); 2) “These papers [publication in Applied Surface Science 2004 and publication in Solid State Phenomena 2004] do not refer to each other and therefore this is self-plagiarism.” (our specification is provided within the angle brackets)²); 3) “Figure 1 of publication 3 (publication in Applied Surface Science 2004) is the same as Figure 2 in publication 3c

¹ The representative of “Elsevier” provided the following definition of the redundant publication applied by the publishing house “Elsevier” in his letter of 20 January 2015: “A redundant publication is defined as a publication that contains too little new information to warrant a new publication. Often these papers mainly consist of introductory text and a description of previous work and few new data. These papers are usually an attempt by authors to publish one study in more than one paper by splitting the research results in sets. Although a redundant publication cannot be earmarked as serious misconduct, it is disapproved of and a clear reason to reject a submitted paper if discovered during the peer-review process.”

² The representative of “Elsevier” provided the following definition of the self-plagiarism applied by the publishing house “Elsevier” in his letter of 20 January 2015: “Self-plagiarism is defined as presenting own scientific text or research results without clearly stating that the text/data have been published before (by citing the original publication in the reference list). Self-plagiarism is clear academic misconduct.”

(publication in Solid State Phenomena 2004).”; 4) “Figure 6 of publication 3 (publication in Applied Surface Science 2004) is the same as Figure 3 in publication 3c (publication in Solid State Phenomena 2004).”.

On 24 September 2014 the Office of Ombudsman sent a letter to T. S. Sudarshan, editor of the scientific journal “Surface Engineering”, where the publication in Surface Engineering 2003 was published, and asked to present the self-quotation rules applied in the scientific journal, to explain what conditions are applied when the same publication is delivered to several scientific journals at the same, and to present the information on declaration of authorship and /or intellectual property rights and related documents. The editor of that scientific journal has not replied to the inquiry and has not addressed the Office of Ombudsman neither orally nor in written.

On 24 September 2014 the Office of Ombudsman sent an electronic inquiry to J. Maier, editor-in-chief of the scientific journal “Solid State Ionics”, where the publication in Solid State Ionics 2008 was published, and asked to present the self-quotation rules applied in the scientific journal, to explain what conditions are applied when the same publication is delivered to several scientific journals at the same, and to present the information on declaration of authorship and /or intellectual property rights and related documents. The editor-in-chief of that scientific journal has not replied to the inquiry and has not addressed the Office of Ombudsman neither orally nor in written.

On 24 September 2014 the Office of Ombudsman sent a letter to Thomas Wohlbier, publisher of the scientific journal “Solid State Phenomena”, where the publication in Solid State Phenomena 2004 was published, and asked to present the self-quotation rules applied in the scientific journal, to explain what conditions are applied when the same publication is delivered to several scientific journals at the same, and to present the information on declaration of authorship and /or intellectual property rights and related documents. On 26 September 2014 the publisher e-mailed the contract for transfer of intellectual property rights of 200.01.16 (the date is not corrected) signed by Liudas Pranevicius to the Office of Ombudsman, where it is stated that “This research work is delivered exclusively to the present journal and has not been published previously”. On 30 September 2014 the publisher informed the Office of Ombudsman by e-mail that the contact author correspondence had signed the contract for transfer of intellectual property rights.

Liudvikas Pranevicius was indicated as the contact author in the publication in Applied Surface Science 2004. The Office of Ombudsman thus asked him to present the investigation-related explanations, remarks and other information. Liudvikas Pranevicius has not replied to the request and has not addressed the Office of Ombudsman neither orally nor in written. The Office of Ombudsman made the written request to other co-authors of that publication – Liudas L. Pranevicius, Rimantas Knizikevicius, Vaiva Sirvinskaite, Claude Templier, to present the investigation-related explanations, remarks and other information. The Office of Ombudsman also addressed the authors of publications in Surface Engineering 2003, Solid State Ionics 2008 and Solid State Phenomena 2004 – Antanas Feliksas Orliukas, Birute Bobrovaite-Jurkone (the author’s name in the publication in Solid State Phenomena 2004 was “Bobrovaite”), Giedrius Laukaitis, Julius Dudonis and Truls Eivind Norby. A. F. Orliukas, B. Bobrovaite-Jurkone and R. Knizikevicius gave their explanations during the meeting in the Office of Ombudsman and by e-mail, G. Laukaitis and J. Dudonis answered in written (by e-mail), while Liudas L. Pranevicius, V. Sirvinskaite and T. E. Norby have not replied to the request and have not addressed the Office of Ombudsman neither orally nor in written. The Office of Ombudsman was not able to find any contact data of R. Hausgrud and J. Nomgaudyte.

On 07 November 2014 during the meeting in the Office of Ombudsman (minutes No. TS-93 of the meeting in the Office of Ombudsman of 10 November 2014) the co-author of the publication in Solid State Ionics 2008, A. F. Orliukas indicated that he “has measured temperature and frequency

of conduction and cannot say how the research object (thin layers) was further examined, because there is no equipment in his laboratory that could do this” (p. 2) and “no co-author has addressed him because of this [elimination of technical mistakes, inaccuracies]” (p. 2, our specification is provided within the angle brackets).

G. Laukaitis, the co-author of the publication in *Solid State Ionics* 2008, stated in his letter of 24 November 2014 that he helped “D. Milcius with the experimental formation of thin layers – synthesis”, participated “in the scientific discussions about the received results”, and did not participate in “further preparation of the publication and its submission for scientific publication.”. Besides, he confirmed that “nobody has addressed me [him] regarding elimination of technical mistakes, inaccuracies in this publication” (our specification is provided within the angle brackets).

J. Dudonis, the co-author of the publication in *Solid State Ionics* 2008, stated in his letter of 27 November 2014 that “according to the competence” he had tested “magnetron precipitation of zirconium and yttrium coatings” and that “L. Pranevicius was the coordinator of work”. Besides, he stated that L. Pranevicius was responsible for the delivery of the article and that he [J. Dudonis] had contributed by “consultations, advice, discussion of results related to precipitation of zirconium and yttrium coatings using the magnetron dusting” (our specification is provided within the angle brackets). J. Dudonis stated that he did not remember whether the co-authors had addressed him because of elimination of technical mistakes, inaccuracies.

B. Bobrovaite-Jurkone, the co-author of the publication in *Solid State Phenomena* 2004, stated in her e-mail of 12 December 2014 that “as the laboratory assistant of the LEI [Lithuanian Energy Institute] I had carried out the scientific research and experiment, while other authors were responsible for the article’s writing”. She confirmed that she had not been addressed “regarding elimination of technical mistakes, inaccuracies” (our specification is provided within the angle brackets).

C. Templier indicated in his e-mail of 20 November 2014 that “The first mentioned paper (2003 in *Surface Engineering*) is not in my list <...> but my investment on this paper was too low.”

With regard to the determined redundant publication and self-plagiarism of the authors of the publications in Applied Surface Science 2004 (authors: L. Pranevicius, D. Milcius, L. L. Pranevicius, C. Templier, V. Sirvinskaite, R. Knizikevicius) and Solid State Phenomena 2004 (authors: L. L. Pranevicius, D. Milcius, R. Knizikevicius, J. Nomgaudyte, B. Bobrovaite), it should be stated the violation of the principle of academic ethics consolidated in the paragraph 2 of the clause 1 of the article 3 of the Law on Higher Education and Research of the Republic of Lithuania.

With regard to the lack of data about the publications in Surface Engineering 2003 (authors: L. Pranevicius, D. Milcius, V. Sirvinskaite, T. Norby, R. Hausgrud, L. L. Pranevicius, C. Templier) and Solid State Ionics 2008 (authors: L. Pranevicius, D. Milcius, L. L. Pranevicius, A. Orliukas, J. Dudonis, G. Laukaitis), the Ombudsman had no possibility to assess the principles of ethics of research activity in these publications.

II. The head of expert group of the Lithuanian Research Council (K. R.) determined the following in the publication of D. Milcius and his co-authors in *Journal of Alloys and Compounds* 2004 (report on expert evaluation of 17 March 2013 submitted by the letter No. 4S-918 of the Lithuanian Research Council on 06 June 2014): “**Ref. [6] in the list of PI** (*Journal of Alloys and Compounds*, 2004, Vol. 373, p. 9-15) **contains** Figs. 7b, 7c, 7d, which are the same as in the other papers (*Solid State Phenomena*, 2004, 159, 97-98, cf. Figs. 6a, 6b, 6c; and *Mater. Sci. (Material Science)*, 2004, Vol. 10, No. 3, pp. 217 – 220, cf. Figs. 6a, 6b, 6c), however, the alloys and conditions in the last paper are different”.

The expert No. 1 of the Lithuanian Research Council determined the following in the publication in Journal of Alloys and Compounds 2004 of D. Milcius and his co-authors (report on expert evaluation of submitted by the letter No. 4S-918 of the Lithuanian Research Council on 06 June 2014): “The figures 7b,c,d (A6) [publication in Journal of Alloys and Compounds 2004], 6a,b,c (K3) (publication: D. Milcius, L. Pranevicius, J. Nomgaudyte, I. Barnackas. Behaviour of Hydrogen in Al, Mg and MgAl Plasma Saturated Films. Solid State Phenomena. 2004, vol. 97-98, p. 159-164] and 6a,b,c (K6) [publication in arterial Study 2004] are identical; while the publications A6 and K3 repeat each other by big part, although the lists of authors of both articles contain only two persons of four, which are the same” (the language is not corrected, our specification is provided within the angle brackets).

The expert No. 2 of the Lithuanian Research Council determined the following in the publication in Journal of Alloys and Compounds 2004 of D. Milcius and his co-authors (report on expert evaluation of submitted by the letter No. 4S-918 of the Lithuanian Research Council on 06 June 2014): 1) “Fig. 7b, 7c, 7d are the same as Fig. 6a, 6b, 6c in the article in Mater. Sci. (Medziagotyra), 10/3 (2004) 217 – 220, although the hydrogenation conditions of the layers were different” (the language is not corrected); 2) “Fig. 9a corresponds to the layer Al hydrogenated at 70°C, while the identical figure (Fig.2b) in the article in the Lithuanian Journal of Physics, 43/4 (2003) 297-302 already corresponds to the layer MgAl hydrogenated at 100°C” (the language is not corrected).

D. Milcius acknowledged that “in case of team work, the mistakes are possible when the photos are selected from common databases <...> however, I stress that it does not affect the interpretation of results and conclusions” (p. 3) (D. Milcius acknowledged that) (letter of D. Milcius of 05 December 2013 addressed to the chairman of the Lithuanian Research Council Dainius H. Pauza, submitted to the Office of Ombudsman on 31 October 2014).

On 24 September 2014 the Office of Ombudsman made the electronic inquiry to L. Schultz, the editor-in-chief of the scientific journal “Journal of Alloys and Compounds”, where the publication in Journal of Alloys and Compounds 2004 was published, and asked to indicate what self-quotation standards are applied for the scientific journal, to explain what conditions are applied when the same publication is delivered to several scientific journals at the same, and to present the information on declaration of authorship and /or intellectual property rights and related documents. The editor-in-chief of that scientific journal has not replied to the inquiry and has not addressed the Office of Ombudsman neither orally nor in written.

On 24 September 2014 the Office of Ombudsman sent a letter to Thomas Wohlbier, publisher of the scientific journal “Solid State Phenomena”, where the publication in Solid State Phenomena 2004 was published, and asked to present the self-quotation rules applied in the scientific journal, to explain what conditions are applied when the same publication is delivered to several scientific journals at the same, and to present the information on declaration of authorship and /or intellectual property rights and related documents. The information provided by T. Wohlbier, publisher of the scientific journal “Solid State Phenomena”, is given in the paragraph 1 of the page 8 of this Ombudsman’s decision.

On 24 September 2014 the Office of Ombudsman sent a letter to Evaldas Tornau, editor-in-chief of the scientific journal “Lithuanian Journal of Physics”, and asked to present the self-quotation rules applied in the scientific journal, to explain what conditions are applied when the same publication is delivered to several scientific journals at the same, and to present the information on declaration of authorship and /or intellectual property rights and related documents. Evaldas Tornau, editor-in-chief of the scientific journal “Lithuanian Journal of Physics”, replied by e-mail on 06

October 2014 and explained the practice of that scientific journal applied since 2003 “(quotation from the introductory page to authors): “Upon submission of the manuscript to the editorial board You [author] confirm that it has never been published and has not been submitted for publication in another journal. The copyrights to the article submitted for the “Lithuanian Journal of Physics” are automatically transferred to the publishers.” (the language is not corrected, our specification is provided within the angle brackets). The editor-in-chief of the scientific journal indicated in his e-mail of 06 October 2014 that “at that time the article was submitted on the floppy together with the printed copy signed by at least one of the authors. However, many years have passed and neither the floppy nor the printed text have survived (but the latter had to be present; otherwise the article would not have been accepted)” (the language is not corrected). Moreover, he indicated in the e-mail of 10 October 2014 that “the reviews have not survived” (the language is not corrected).

On 24 September 2014 the Office of Ombudsman sent a letter to Sigitas Tamulevicius, editor-in-chief of the scientific journal “Material Science”, and asked to present the self-quotation rules applied in the scientific journal, to explain what conditions are applied when the same publication is delivered to several scientific journals at the same, and to present the information on declaration of authorship and /or intellectual property rights and related documents. S. Tamulevicius, editor-in-chief of the scientific journal “Material Science”, stated in his letter of 17 October 2014: “we cannot provide any copies of the documents because such documents [Contract for transfer of copyrights] are stored for six years according to the procedure defined at University” (the language is not corrected, our specification is provided within the angle brackets).

Liudvikas Pranevicius was indicated as the contact author in the publication in Journal of Alloys and Compounds 2004. The Office of Ombudsman thus asked him to present the investigation-related explanations, remarks and other information. Liudvikas Pranevicius has not replied to the request and has not addressed the Office of Ombudsman neither orally nor in written. The Office of Ombudsman addressed the co-author of that publication Liudas L. Pranevicius, but he also has not replied to the request and has not addressed the Office of Ombudsman neither orally nor in written. The Office of Ombudsman was not able to find any contact data of G. Thomas, co-author of the publication in Journal of Alloys and Compounds 2004. The Office of Ombudsman also addressed the authors of publications in Solid State Phenomena 2004, Material Science 2004 and Lithuanian Journal of Physics 2003 – B. Bobrovaite-Jurkone, R. Knizikevicius, Martynas Lelis, asking them to present the investigation-related explanations, remarks and other information. M. Lelis has not replied to the request and has not addressed the Office of Ombudsman neither orally nor in written. The Office of Ombudsman was not able to find any contact data of J. Nomgaudyte.

The information provided by the authors of the publication in Solid State Phenomena 2004 is given in the paragraph 3 of the pages 5-6 and paragraph 2 of the page 9 of this Ombudsman’s decision.

With regard to the lack of data about the publications in Journal of Alloys and Compounds 2004 (authors: L. Pranevicius, D. Milcius, L. L. Pranevicius, G. Thomas), Solid State Phenomena 2004 (authors: L. L. Pranevicius, D. Milcius, R. Knizikevicius, J. Nomgaudyte, B. Bobrovaite), Material Science 2004 (authors: D. Milcius, L. Pranevicius, G. Thomas, M. Lelis) and Lithuanian Journal of Physics 2003 (authors: L. L. Pranevicius, D. Milcius, G. Thomas), the Ombudsman had no possibility to assess the principles of ethics of research activity in these publications.

III. The head of expert group of the Lithuanian Research Council (K. R.) determined the following in the publication of D. Milcius and his co-authors in Thin Solid Films 2005 (report on expert evaluation of 17 March 2013 submitted by the letter No. 4S-918 of the Lithuanian Research Council on 06 June 2014): 1) “Fig. 3b is the same as in Journal of Alloys and Compounds, 2005,

Volume 398, Issues 1-2, pp. 203-207 Fig. 1b, however, in one case it is Al layer at 450 K, and in the latter is MgAl alloy obtained in H₂+O₂ plasma.”; 2) “Fig.4 is the same in Journal of Alloys and Compounds, 2005, Volume 398, Issues 1-2, pp. 203-207 (Fig.4), though correspond to dehydration of different alloys.”; 3) “Fig. 5c is the same as (Fig. 4b) in Surface and Coatings Technology, 2009, Volume 203, Issue 8, pp. 998-1003, though in [7] [publication in Thin Solid Films 2005] it corresponds to the MgAl layer obtained at 330 K, and in the latter publication to MgNi layer obtained in H₂ atmosphere at 250 °C.” (our specification is provided within the angle brackets).

The expert No. 1 of the Lithuanian Research Council determined the following in the publication in Thin Solid Films 2005 of D. Milcius and his co-authors (report on expert evaluation of submitted by the letter No. 4S-918 of the Lithuanian Research Council on 06 June 2014): 1) “The 4th figures in the publications A7 [publication in Thin Solid Films 2005] and K4 [publication in Journal of Alloys and Compounds 2005] are identical, but the research object indicated in the technological part of the first publication is Mg/Al bilayer, while in the second – only aluminium layer.” (the language is not corrected, our specification is provided within the angle brackets); 2) “The same illustrations with different notes under them are present in the Fig. 5c of the article A7 (MgAl, 575 K, 15 min) and in the Fig. 4b of the article K5 [publication in Surface & Coatings Technology 2009] (MgNi, 523K, 3h).” (the language is not corrected, our specification is provided within the angle brackets); 3) “No coincidence of the Figs. 3b and 1b in the respective articles A7 and K7 indicated by the group of experts has been encountered: the first figure shows the measurement data of X-ray diffraction (XRD), while the second – measurement data of scanning electronic microscope.” (the language is not corrected).

The expert No. 2 of the Lithuanian Research Council determined the following in the publication in Thin Solid Films 2005 of D. Milcius and his co-authors (report on expert evaluation of submitted by the letter No. 4S-918 of the Lithuanian Research Council on 06 June 2014): 1) “Fig. 5 corresponds to the dehydration process from MgAl layers, while the identical figure in the article in Journal of Alloys and Compounds, 398/1-2 (2005) 203-207 (Fig. 4) already illustrates the dehydration process from Al layer.” (the language is not corrected); 2) “Fig. 5c corresponds to the MgAl layer hydrogenated at 330 K ant annealed at 575 K, while the identical figure in the article in Surface and Coatings Technology, 203/8 (2009) 998-1003 (Fig. 4b) already corresponds to MgNi layer hydrogenated during heating for 3 hours in H₂ atmosphere at 250°C.” (the language is not corrected).

D. Milcius indicated that “hydrogen emission in both cases of dehydration is controlled by the natural Al₂O₃ layer that is formed after extraction of coatings to the atmosphere in the cases of thin Al layer and system of Mg/Al thin layers, thus the Fig. 4 in both articles [publications in Journal of Alloys and Compounds 2005 and Surface & Coatings Technology 2009] is used to illustrate hydrogen emission” (p. 3, our specification is provided within the angle brackets) (letter of D. Milcius of 05 December 2013 addressed to the chairman of the Lithuanian Research Council Dainius H. Pauza, submitted to the Office of Ombudsman on 31 October 2014).

On 24 September 2014 the Office of Ombudsman made the written inquiry to J. E. Greene, editor-in-chief of the scientific journal “Thin Solid Films”, where the publication in Thin Solid Films 2005 was published, and the electronic inquiry to A. Matthews, editor-in-chief of the scientific journal “Surface & Coatings Technology”, where the publication in Surface & Coatings Technology 2009 was published, and asked to present the self-quotation rules applied in the scientific journal, to explain what conditions are applied when the same publication is delivered to several scientific journals at the same, and to present the information on declaration of authorship and /or intellectual property rights and related documents. The representative of “Elsevier” agreed to answer the questions of the Office of Ombudsman related to the scientific publications in the scientific journals “Thin Solid

Films” and “Surface & Coatings Technology” (including the scientific journal “Applied Surface Science”) by e-mail of 06 October 2014. The representative of “Elsevier” informed the Office of Ombudsman by letter on 20 January 2015 that when the editor-in-chief of the scientific journal “Thin Solid Films” compared the publications in Thin Solid Films 2005 with the publications in Journal of Alloys and Compounds 2005, Surface & Coatings Technology 2009, Material Science 2004 and L. Pranevicius, D. Milcius, V. Girdauskas. Plasma hydrogenation of MgAl thin films and H-2 effusion. Vacuum. 2005, Vol. 78, Iss. 2–4, p. 477–481 (hereinafter– publication in Vacuum 2005), he determined that: “from the point of view of his journal no misconduct took place. However, <...> Figure 1b of publication 2A (Journal of Alloys and Compounds. 2005) and Figure 3b of publication 2b (Vacuum 2005) are identical but presented as belonging to different samples. This is clearly fraud.”

On 24 September 2014 the Office of Ombudsman sent a letter to L. Schultz, editor-in-chief of the scientific journal “Journal of Alloys and Compounds”, where the publication in Journal of Alloys and Compounds 2005 was published, and asked to present the self-quotation rules applied in the scientific journal, to explain what conditions are applied when the same publication is delivered to several scientific journals at the same, and to present the information on declaration of authorship and /or intellectual property rights and related documents. The editor-in-chief of that scientific journal has not replied to the inquiry and has not addressed the Office of Ombudsman neither orally nor in written.

On 24 September 2014 the Office of Ombudsman sent a letter to Sigitas Tamulevicius, editor-in-chief of the scientific journal “Material Science”, where the publication in Material Science 2004 was published, and asked to present the self-quotation rules applied in the scientific journal, to explain what conditions are applied when the same publication is delivered to several scientific journals at the same, and to present the information on declaration of authorship and /or intellectual property rights and related documents. The information provided by him is given in the paragraph 2 of the page 11 of this Ombudsman’s decision

Liudas L. Pranevicius was indicated as the contact author in the publication in Thin Solid Films 2005 (author of the publications in Journal of Alloys and Compounds 2005 and Surface & Coatings Technology 2009). The Office of Ombudsman thus asked him to present the investigation-related explanations, remarks and other information. Liudas L. Pranevicius has not replied to the request and has not addressed the Office of Ombudsman neither orally nor in written.

The Office of Ombudsman addressed another co-author of the publication in Journal of Alloys and Compounds 2005 – C. Templier, asking him to present the investigation-related explanations, remarks and other information. He stated in the e-mail addressed to the Office of Ombudsman on 20 November 2014 that “during my stays in Kaunas in the frame of Erasmus exchanges, I worked together with Liudvikas Pranevicius on the experimental results provided by the LEI team”.

The Office of Ombudsman also addressed the co-authors of the publications in Surface & Coatings Technology 2009 – Liudvikas Pranevicius, A. Kanapickas, M. Lelis, asking them to present the investigation-related explanations, remarks and other information. Liudvikas Pranevicius and M. Lelis have not replied to the request and have not addressed the Office of Ombudsman neither orally nor in written. The Office of Ombudsman was not able to find any contact data of E. Wirth, co-author of the publication in Surface & Coatings Technology 2009.

A. Kanapickas explained the following in his letter for the Office of Ombudsman on 20 November 2014: “ I have analyzed and tried the applicable models. The selection and trial were carried out in cooperation (discussions, analysis) with Prof. Dr. Liudas Pranevicius regarding experimental issues and with Prof. Habil. Dr. Liudvikas Pranevicius regarding theoretical issues of the model” (the language is not corrected), “The text I have prepared was adjusted to the entire style

of the publication <...>. As far as I know, the final text was approved by Prof. L. Pranevicius.” (the language is not corrected). A. Kanapickas explained the concept “adjusted” in his e-mail for the Office of Ombudsman on 25 November 2014: “the corrections were done by Prof. Liudvikas Pranevicius, but I am not sure about contribution of other co-authors as I was not watching the preparation process of the publication” (the language is not corrected), and “I cannot claim that other co-authors have not contributed to the final variant of the text” (the language is not corrected).

With regard to the fraud determined in the publications in Journal of Alloys and Compounds 2005 (authors: D. Milcius, L. L. Pranevicius, C. Templier) and Vacuum 2005 (authors: L. Pranevicius, D. Milcius, V. Girdauskas), it should be stated the violation of the principle of academic ethics consolidated in the paragraph 2 of the clause 1 of the article 3 of the Law on Higher Education and Research of the Republic of Lithuania.

With regard to the lack of data about the publication in Material Science 2004 (authors: D. Milcius, L. Pranevicius, G. Thomas, M. Lelis), the Ombudsman had no possibility to assess the principles of ethics of research activity in this publication.

IV. The head of expert group of the Lithuanian Research Council (K. R.) determined the following in the publication of D. Milcius and his co-authors in Applied Surface Science 2009 (report on expert evaluation of 17 March 2013 submitted by the letter No. 4S-918 of the Lithuanian Research Council on 06 June 2014): “**refs. [15]** (Applied surface science, 2009, Vol. 255, Iss. 11, p. 5971-5974) **and [16]** (Journal of Alloys and Compounds, 2009, Vol. 475, Iss. 1-2, p. 917-922) **in the list of PI** are in part duplicated between themselves and to the material published in the Surface and Coatings Technology, 2009, Volume 203, Issue 8, pp. 998-1003”.

The expert No. 1 of the Lithuanian Research Council determined the following in the publication in Applied Surface Science 2009 of D. Milcius and his co-authors (report on expert evaluation of submitted by the letter No. 4S-918 of the Lithuanian Research Council on 06 June 2014): “The irresponsible duplication of the results in other articles stated by the group of experts was confirmed: Fig.4 in A15 [publication in Applied Surface Science 2009] is the same as Fig. 2 in A16 [publication in Journal of Alloys and Compounds 2009] and Fig. 1 in K5, while even four illustrations coincide in the articles A16 and K5 (Figs. 1, 2, 3, 4 and Figs. 5, 1, 2, 3, respectively).” (the language is not corrected, our specification is provided within the angle brackets).

The expert No. 2 of the Lithuanian Research Council determined the following in the publication in Applied Surface Science 2009 of D. Milcius and his co-authors (report on expert evaluation of submitted by the letter No. 4S-918 of the Lithuanian Research Council on 06 June 2014): “The results and figures in these articles [publications in Applied Surface Science 2009 and Journal of Alloys and Compounds 2009] duplicate with each other in large part. The same can be said about the article in the journal Surface and Coatings Technology, 203/8 (2009) 998-1003. All three articles to three different journals were delivered in the same year.” (the language is not corrected, our specification is provided within the angle brackets).

On 24 September 2014 the Office of Ombudsman made the electronic inquiry to H. Rudolph, editor-in-chief of the scientific journal “Applied Surface Science”, where the publication in Applied Surface Science 2009 was published, and A. Matthews, editor-in-chief of the scientific journal “editor-in-chief of the scientific journal “Applied Surface Science”, where the publication in Applied Surface Science 2009 was published”, where the publication in Applied Surface Science 2009 was published, and asked to indicate what self-quotation standards are applied for the scientific journal, to explain what conditions are applied when the same publication is delivered to several scientific journals at the same, and to present the information on declaration of authorship and /or intellectual

property rights and related documents. The representative of “Elsevier” agreed to answer the questions of the Office of Ombudsman related to the scientific publications in the scientific journals “Thin Solid Films” and “Surface & Coatings Technology” (including the scientific journal “Thin Solid Films”) by e-mail of 06 October 2014. The representative of “Elsevier” informed the Office of Ombudsman in his letter of 20 January 2015 that when the editor-in-chief of the scientific journal “Applied Surface Science” compared the publication in Applied Surface Science 2009 with the publications in Surface & Coatings Technology 2009 and Journal of Alloys and Compounds 2009, he determined the following: 1) “these three papers should have been published as one paper, and that this has been an attempt by the authors to publish one piece of research in three papers. The papers overlap and partly publish the same data while not clearly stating that some data has been published before. This can be seen as self-plagiarism.”; 2) “Figure 4 in publication 4 (Applied Surface Science. 2009) was earlier published as Figure 1 in publication 4a (Surface & Coatings Technology. 2009), but there is no clear reference to the fact that the data had been presented before”; 3) “Figure 2 of publication 4 (Applied Surface Science. 2009) and Figure 4 in publication 4b (Journal of Alloys and Compounds. 2009) are the same without the two papers referring to each other”.

The representative of “Elsevier” informed the Office of Ombudsman in his letter of 20 January 2015 that when the editor-in-chief of the scientific journal “Surface & Coatings Technology” compared the publication in Surface & Coatings Technology 2009 with the publications in Thin Solid Films 2005, Journal of Alloys and Compounds 2009 and Applied Surface Science 2009, he determined the following: “the four papers essentially cover the same work with extensive use of the same figures and sometimes the same narrative. Although the paper purports to study a different material system, similar text is used and even an identical micrograph. <...> there is extensive self-plagiarism in these papers and <...> the Surface & Coatings Technology paper should be retracted.”

On 24 September 2014 the Office of Ombudsman sent an electronic inquiry to L. Schultz, editor-in-chief of the scientific journal “Journal of Alloys and Compounds”, where the publication in Journal of Alloys and Compounds 2009 was published, and asked to present the self-quotation rules applied in the scientific journal, to explain what conditions are applied when the same publication is delivered to several scientific journals at the same, and to present the information on declaration of authorship and /or intellectual property rights and related documents. The editor-in-chief of that scientific journal has not replied to the inquiry and has not addressed the Office of Ombudsman neither orally nor in written.

Liudvikas Pranevicius was indicated as the contact author in the publication in Applied Surface Science 2009. The Office of Ombudsman thus asked him to present the investigation-related explanations, remarks and other information. Liudvikas Pranevicius has not replied to the request and has not addressed the Office of Ombudsman neither orally nor in written. The Office of Ombudsman also addressed other co-authors of that publication – Liudas L. Pranevicius, Alius Bacianskas and M. Lelis, asking them to present the investigation-related explanations, remarks and other information. Liudas L. Pranevicius and M. Lelis have not replied to the request and have not addressed the Office of Ombudsman neither orally nor in written. The e-mail sent by the Office of Ombudsman to A. Bacianskas was automatically returned. The Office of Ombudsman was not able to find any contact data of E. Wirth, the co-author of the publications in Applied Surface Science 2009, Journal of Alloys and Compounds 2009 and Surface & Coatings Technology 2009.

The Office of Ombudsman addressed F. Munnik, the co-author of the publication in Journal of Alloys and Compounds 2009, asking him to present the investigation-related explanations, remarks and other information. He confirmed that he was the co-author of the aforementioned publication by e-mail of 07 November 2014 to the Office of Ombudsman. F. Munnik stated the following in the

letter for the Office of Ombudsman on 20 November 2014: “ I had only contact with the first author (E. Wirth) who asked for input and send a draft to comment on”. F. Munnik also confirmed that he had not been notified about technical mistakes or inaccuracies and that he can speak only about the measurements performed in Dresden-Rossendorf.

The Office of Ombudsman addressed A. Kanapickas, the co-author of the publication in *Surface & Coatings Technology* 2009, asking him to present the investigation-related explanations, remarks and other information. The information provided by him is given in the paragraph 2 of the page 15 of this Ombudsman’s decision.

With regard to the determined redundant publication and self-plagiarism of the authors of the publications in Thin Solid Films 2005 (authors: L. L. Pranevicius, D. Milcius), Surface & Coatings Technology 2009 (authors: L. Pranevicius, E. Wirth, D. Milcius, M. Lelis, L. L. Pranevicius, A. Kanapickas), Journal of Alloys and Compounds 2009 (authors: E. Wirth, F. Munnik, L. L. Pranevicius, D. Milcius) and Applied Surface Science 2009 (authors: L. Pranevicius, E. Wirth, D. Milcius, M. Lelis, L. L. Pranevicius, A. Bacianskas), it should be stated the violation of the principle of academic ethics consolidated in the paragraph 2 of the clause 1 of the article 3 of the Law on Higher Education and Research of the Republic of Lithuania.

V. The expert No. 2 of the Lithuanian Research Council determined the following in the publication in *Applied Surface Science* 2012 of D. Milcius and his co-authors (report on expert evaluation of submitted by the letter No. 4S-918 of the Lithuanian Research Council on 06 June 2014): “Fig. 2 corresponds Ti layers after the treatment of 5 minutes with plasma of 200 W power, while the same figure in the article in journal *Advances in Materials Science and Engineering*, 2012, Article ID 592485, (doc:10.1155/2012.592485) (Fig. 5) already corresponds to Ti layers after the treatment with plasma of 300 W power.” (the language is not corrected).

D. Milcius stated the following: “The same diagram is presented in the figures 2 and 5 of the appropriate articles above. It corresponds Ti layers after the treatment of 5 minutes with plasma of 200 W power. The following is stated [in the publication in *Advances in Materials Science and Engineering* 2012]: “Figure 5 includes the distribution of O and H atoms (curve 1 and 2, resp.) in Ti film treated at 200 W for 5 min”, but the following text is given on the page 4 under the figure: “Figure 5: Distribution profiles of O and H atoms (curves 1 and 2, resp.) in Ti film treated at 300 W for 5 min”. Thus the diagram is described correctly in the article, while the description under the diagram contains the mistake of technical proof (300 W are written instead of 200 W). However it does not affect the interpretation of results and conclusions.” (the language is not corrected, our specification is provided within the angle brackets) (D letter of D. Milcius of 05 December 2013 addressed to the chairman of the Lithuanian Research Council Dainius H. Pauza, submitted to the Office of Ombudsman on 31 October 2014).

On 24 September 2014 the Office of Ombudsman made the electronic inquiry to H. Rudolph, editor-in-chief of the scientific journal “*Applied Surface Science*”, where the publication in *Applied Surface Science* 2012 was published, and asked to indicate what self-quotation standards are applied for the scientific journal, to explain what conditions are applied when the same publication is delivered to several scientific journals at the same, and to present the information on declaration of authorship and /or intellectual property rights and related documents. The representative of “Elsevier” agreed to answer the questions of the Office of Ombudsman related to the scientific publications in the scientific journal “*Applied Surface Science*” by e-mail of 06 October 2014. The representative of “Elsevier” informed the Office of Ombudsman by letter on 20 January 2015 that when the editor-in-chief of the scientific journal “*Applied Surface Science*” compared the publication in *Applied Surface*

Science 2012 with the publication in *Advances in Materials Science and Engineering* 2012, he stated the following: “publication 5a (*Advances in Materials Science and Engineering*, 2012) was submitted and published after publication 5, and therefore the editors of publication 5a should judge if scientific misconduct took place”.

On 24 September 2014 the Office of Ombudsman sent a letter to the editorial office of the scientific journal “*Advances in Materials Science and Engineering*”, where the publication in *Advances in Materials Science and Engineering* 2012 was published, and asked to present the self-quotation rules applied in the scientific journal, to explain what conditions are applied when the same publication is delivered to several scientific journals at the same, and to present the information on declaration of authorship and /or intellectual property rights and related documents. Doaa Shokry, publisher and editor of the publishing house “Hindawi” in charge of the scientific journal “*Advances in Materials Science and Engineering*” stated in his e-mail of 06 October 2014 that the publishing house “Hindawi” is the member of the Committee on Publication Ethics³, observes its code of ethics and attempts to use the guidelines of Good Practice.

On 09 October 2014 the Office of Ombudsman sent a letter to D. Shokry, editor of the scientific journal “*Advances in Materials Science and Engineering*”, and asked to compare the publications in *Advances in Materials Science and Engineering* 2012 and *Applied Surface Science* 2012, in response to which he sent an e-mail to the Office of Ombudsman on 15 December 2014 with the following information: “The papers have similarities in introduction but different aspects have been studied and different methods used. I see here only the unfortunate problem that the people split the papers into too small pieces. I would not say the papers are copies and can be called as plagiarism.”

Liudas L. Pranevicius (author of the publication in *Advances in Materials Science and Engineering* 2012) was indicated as the contact author in the publication in *Applied Surface Science* 2012. The Office of Ombudsman thus asked him to present the investigation-related explanations, remarks and other information. Liudas L. Pranevicius has not replied to the request and has not addressed the Office of Ombudsman neither orally nor in written. The Office of Ombudsman addressed other co-authors of that publication – Karolis Gedvilas and Simona Tuckute (authors of the publication in *Advances in Materials Science and Engineering* 2012), asking them to present the investigation-related explanations, remarks and other information. S. Tuckute has not replied to the request and has not addressed the Office of Ombudsman neither orally nor in written. Liudvikas Pranevicius was indicated as the contact author in the publication in *Advances in Materials Science and Engineering* 2012. The Office of Ombudsman thus asked him to present the investigation-related explanations, remarks and other information. Liudvikas Pranevicius has not replied to the request and has not addressed the Office of Ombudsman neither orally nor in written. The Office of Ombudsman addressed other co-authors of that publication – Marius Urbonavicius and Tomas Rajackas, asking them to present the investigation-related explanations, remarks and other information. M. Urbonavicius and T. Rajackas have not replied to the request and have not addressed the Office of Ombudsman neither orally nor in written.

K. Gedvilas stated the following in his e-mail to the Office of Ombudsman of 01 December 2014: “the complex profilogram formed by him (Fig. 5) and related values of surface roughness of the samples”, and “photo of optic microscope (Fig. 4)” are presented in the publication in, while the publication in *Advances in Materials Science and Engineering* 2012 contains his profilograms (Fig. 3) and related information”. Besides, K. Gedvilas confirmed the following: “the co-authors addressed

³ The members of the Committee on Publication Ethics are such major publishing houses as *Elsevier*, *Wiley-Blackwell*, *Springer*, *Taylor & Francis*, *Palgrave Macmillan* and *Wolters Kluwer*.

him regarding elimination of technical mistakes and inaccuracies”, but he “[checked] only the information presented by him” (our specification is provided within the angle brackets).

With regard to the determined splitting the scientific research into too small parts of the publication in Applied Surface Science 2012 and Advances in Materials Science and Engineering 2012, the violation of the principle of academic ethics consolidated in the paragraph 2 of the clause 1 of the article 3 of the Law on Higher Education and Research of the Republic of Lithuania should not be stated.

Upon having examined and evaluated the presented information, supporting documents and legal regulation, and following the paragraphs 1 and 8 of the clause 12 of the article 18 of the Law on Higher Education and Research, the Ombudsman,

decided:

1. To inform the Lithuanian Energy Institute, Kaunas University of Technology, Vytautas Magnus University, Vilnius University and the Republic of Education and Science of the Republic of Lithuania about the Ombudsman’s decision.

2. To make public the cases about the violation of academic ethics and procedures, i.e. to inform Darius Milcius, Antanas Feliksas Orliukas, Arvydas Kanapickas, Birute Bobrovaite-Jurkone, Claude Templier, Frans Munnik, Giedrius Laukaitis, Julius Dudonis, Karolis Gedvilas, Rimantas Knizikevicius, Lithuanian Research Council, Lithuanian Academy of Sciences, editors-in-chief of the scientific journals “Material Science”, “Lithuanian Journal of Physics”, publisher of the scientific journal “Solid State Phenomena”, publishing house “Elsevier”, publishing house “Hindawi”, Norwegian national committees of research activity, German Council of Ethics, and French national committee in consultation about ethics about the Ombudsman’s decision.

Ombudsman for Academic Ethics and Procedures

Vigilijus Sadauskas
