

## **Report of the Chair, ACS Board of Directors**

**William F. Carroll, Jr.**

**New Orleans, Spring 2013**

Board Chair William F. Carroll, Jr. focused much of his report on the long-running Leadscope case, as this was his first opportunity to report to the Council since the decision from the Ohio Supreme Court last September. He said that the Court in a 5-2 vote found that ACS did not defame the Leadscope defendants and vacated the lower court's award for damages on this issue. The Court also agreed with the Society's legal arguments that the trial court had improperly instructed the jury on that claim. Nevertheless, the Court by a 4-3 vote denied relief to ACS on that issue. On October 5, 2012, the parties reached a settlement of the case and ACS made a payment of \$22.6 million in exchange for mutual releases settling and resolving all current and future claims arising from the dispute. Dr. Carroll concluded his comments on this subject by stating that ACS made every effort to resolve this matter prior to filing suit. He urged Councilors who may have further questions to review questions and answers on ACS v. Leadscope at [www.acs.org/leadscopeqa](http://www.acs.org/leadscopeqa).

On other business, Dr. Carroll reported that the Board voted to approve an alliance with the Federacion de Latino Americano Asociaciones de Quimica (FLAQ) and to renew an alliance with the Chinese Chemical Society. The signing ceremony for alliances with the Chinese Chemical Society and the South African Chemical Institute (which was previously approved) took place on Sunday immediately prior to the open Board meeting. Dr. Carroll reminded Councilors of a directive to federal agencies with more than \$100M in R&D expenditures to develop plans to make the published results of federally funded research freely available to the public within one year of publication and of requiring researchers to better account for and manage the digital data resulting from federally funded scientific research. He said the Board reviewed the situation with the ACS Publications Division, which is developing plans to comply with and address whatever form final implementation of this directive takes.