

Medizinische Fakultät

Institut für Medizinische Psychologie
und Verhaltensneurobiologie

EBERHARD KARLS
UNIVERSITÄT
TÜBINGEN



Inst. für Medizinische Psychologie · Silcherstr. 5 · 72076 Tübingen

To
Nonia Pariente, PhD
Editor-in-Chief, PLoS Biology

Leiter: Prof. Dr. Dr. h.c. mult. N. Birbaumer
Telefon: 0 70 71 - 29 74219
Telefax: 0 70 71 - 29 5956
E-Mail: niels.birbaumer@uni-tuebingen.de

14.04.2022

Re: retraction of the articles

"Chaudhary U, Xia, B, Silvoni, S, Cohen, L G, & Birbaumer, N (2017) "Brain-computer interface-based communication in the completely locked-in state", PLoS Bio/, 15(1), e1002593"

"Chaudhary U, Pathak S, and Birbaumer N (2019) Response to: "Questioning the evidence for BCI-based communication in the complete locked-in state." PLoS Bio/ 17(4): e3000063"

Dear Dr. Pariente,

Based on a verdict by the commissions on scientific misconduct of the University of Tübingen and the German Research Foundation (DFG) that scientific misconduct was involved in these two articles we informed PLoS Biology in 2019 that these commissions had requested a retraction. The editor-in chief at that time then retracted the articles. Since I was convinced that the accusations of the whistleblower were unjustified and that the commissions had not properly evaluated the facts and that most of the points raised belong into the realm of scientific discourse, I appealed the decision of the DFG in the regional court Bonn. Since the University of Tübingen is a member of the DFG (please see https://www.dfg.de/en/dfg_profile/statutory_bodies/general_assembly/membersmap/index.html), any court ruling in connection with the DFG would also hold for the University.

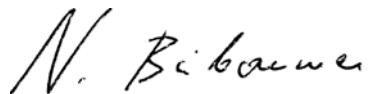
The regional court Bonn proposed a settlement, which was accepted by the DFG and me that includes a statement by the DFG that the articles need no longer be retracted. The verdict of the court is dated April 1, 2022 and should have been sent to you by the DFG. Point 4 in the ruling of the court asserts that I have no obligation to follow any directives for action of the commission and thus no longer have to withdraw the two above mentioned papers. I have enclosed a statement of my lawyers explaining the court settlement.

The court also did not establish any scientific misconduct on my part. I had all along emphasized that the articles had undergone an extensive and diligent review process for and by PLoS Biology and that any significant problems would have been detected by the reviewers.

Based on the court ruling I would therefore be grateful if the articles could be reinstated in PLoS Biology.

Please do not hesitate to contact me or my lawyers should you have any further questions.

Sincerely,

A handwritten signature in black ink that reads "N. Birbaumer". The signature is written in a cursive, flowing style.

Niels Birbaumer, PhD
Emeritus Professor of Medical Psychology
and Behavioral Neurobiology

Enclosures:

Original Settlement

English language letter by my lawyers on the details of the settlement of April 1, 2022