

Data Use Certification (for Level 3 Data)

“Integrated Database Project - Disease Analysis DB Group” (Lead by K. Tokunaga, University of Tokyo) (“Disease Analysis DB Group”) and the investigators who are authorized to access “Data” (“Principal Investigator (PI)” and “Co-investigator(s)”, or “Approved Users” collectively) agree to the terms and conditions of this Data Use Certification (“DUC”) as of the date of approval by the Data Sharing Review Board of Disease Analysis DB Group (“DSRB”).

Disease Analysis DB Group is building the environment in which the human genome variation data are collected and made accessible to investigators and other personnel involved in related operations in the “Integrated Database Project”, a research and development project commissioned by the Ministry of Education, Culture, Sports, Science and Technology. Although availability of the individualized data including the clinical data is beneficial in the re-use of data, these data contain such elements that may lead to identification of an individual research participant. Disease Analysis DB Group believes that compliance of the rules specified in this DUC by the PI and all Co-investigator(s) will prevent information leakage and promote valuable research without violating the privacy of any individual.

Definitions

- “Data” means the controlled access data (Level 3 Data) provided by Disease Analysis DB Group on the basis of the Application Form for Data Access.
- “Application Form for Data Access” shall be submitted by the PI who belongs to a higher education institution or research institution (whether public or private) or an operational institution related to research and who is also a member of a research group with the certain track record in the research field related to that of the requested data.
- “PI” shall be the responsible person for the research program, and shall be responsible for supervising and guiding Co-investigators in the use of Data according to this DUC.
- “Co-investigator(s)” shall be the investigator(s) specified in the Application Form for Data Access. Access to Data shall be restricted to PI and Co-investigator(s). A separate application for change shall be necessary to add any Co-investigator(s).

Terms and Conditions of Access

1. Data Use for Research Purposes

Approved Users may use Data for the purposes of the research program specified in the Application Form for Data Access. Another application shall be necessary for use of Data for purposes other than the specified purposes or for change of purpose(s). Any data with the restricted objective of use shall be used within the specified objective.

This DUC shall be valid for the period of data use specified in Application Form for Data Access. However, PI is required to submit Data Use Report (described in Section 8) covering the description of accessed Data and the Data use history among others to the DSRB by the end of each fiscal year. If the Report is not submitted, Approved Users will not be allowed to continue using Data.

2. Responsibilities of Approved Users

Approved Users and other people involved in the research are familiar with the policies on data access.

Approved Users shall be deemed to have agreed to the terms and conditions of the Integrated Database Project Human Genome Variation Database Sharing Policy posted by Disease Analysis DB Group (http://gwas.lifesciencedb.jp/gwasdb/db_policy_en.html) and of this DUC, and DUC shall be signed by PI. In using Data, Approved Users shall also comply with any related law, regulation and policy and any related policy of their institution (e.g. rules concerning information security and the determination of the necessity of ethics review concerning research details).

Data will be updated as often as necessary, and unless otherwise specified, the provisions specified in this DUC shall also apply to any newer version of Data.

3. No Identification of Individual

Approved Users agree to refrain from using Data for identification of any individual participating in the research or for contacting any such individual.

4. No Redistribution of Data

Approved Users shall constantly place Data under their control and shall not distribute any individual Data in any format to any third party with the exception of Approved Users specified in Application Form for Data Access. Approved Users shall store Data on any computer with full implementation of security measures, and shall maintain the system for proper data management. The security measures specified in the attachment (http://gwas.lifesciencedb.jp/gwasdb/gwas_secr_en.html) shall apply to Data and all data derived therefrom.

Particularly any Data containing the individual level information shall not be distributed or transferred in whole or in part regardless of the identity of transferee, purpose or timing.

If the institution of Approved Users is to be changed during the period of data use that is specified in Application Form for Data Access and subsequently approved, Approved Users agree to submit a new Application Form for Data Access from a new institution for approval before resuming the use of Data. In this case, Approved Users shall destroy all versions of Data stored in the former institution and report the destruction in the final Data Use Report. However, it is not necessary to destroy Data if the fact that another PI and/or Co-investigator(s) belonging to the former institution shall assume the responsibilities of the research already approved has been notified to the DSRB in writing in advance and the notice is subsequently approved.

5. Security Measures Concerning Data and Reporting in Case of Leakage

Approved Users agree to handle Data in accordance with Security Guideline (http://gwas.lifesciencedb.jp/gwasdb/gwas_secr_en.html). Security measures shall include, but not limited to, the following:

- Approved Users have completed the computer security training required by their institution.
- Data are always physically protected. (e.g. surveillance camera, door/computer lock and security guard)
- Server is protected from direct use via the Internet (by placing the server inside the firewall or within a limited network not connected to the outside) and any unnecessary service is deleted.
- Use of portable media (including CD, flash drive or laptop computer) is not recommended. If such media are

unavoidably needed, they shall be protected by passwords and secured under lock and key whenever possible.

- Anti-virus and anti-spy ware software shall be updated.
- Use the security check and intrusion detection software to perform detection of intrusion into the data and periodic scan.
- Designate a powerful password for files, and never share the password with someone else.
- Destroy all copies of Data and all derived data including any individual-level information if:
 - the period of data use has expired (in case that Approved Users obtain permission by submitting Application Form for Data Custody to DSRB, they may keep the derived genotype list);
 - any research participant has withdrawn the informed consent, to the extent of Data connected to the research participant; or
 - the method of using Data has exceeded the objective specified in this DUC.

Moreover, Approved Users shall cooperate with the information manager of their institution to perform appropriate data management so that the security and confidentiality of Data will be maintained and only the authorized investigators can access Data. The above shall apply to all copies of Data.

Approved Users shall notify any unauthorized data sharing, breach of data protection and leakage of Data due to negligence, which may impair confidentiality of Data, to the DSRB within twenty-four (24) hours. The notice shall include any known information about the accident, the explanation of the situation and the description of any appropriate action and/or process for recovery. Further, Approved Users shall submit a more detailed written report describing the date and nature of accident, any measures already taken or planned to be taken and the plan and/or process for prevention of similar accident alongside the schedule to the DSRB within three working days after the notification to the DSRB.

All notices and reports concerning data security accident shall be addressed to:

Prof. Ryuichi Ida (Kyoto Univ.), Chairperson of the DSRB

Prof. Ituro Inoue (Tokai Univ.), Deputy Chairperson of the DSRB

E-mail: gwas@lifesciencedb.jp FAX : 03-5802-2907

The DSRB or a third party designated by the DSRB may conduct an investigation. In this case, Approved Users shall cooperate in the investigation to the extent specified by laws, regulations and policies.

6. Intellectual Property Rights

Approved Users shall refrain from applying for and/or obtaining any intellectual property rights including a patent on any gene and/or protein with unknown function (including any SNP or haplotype with no previous demonstration of specific function or any protein without any therapeutic or diagnostic application despite its utility in research) given in Data themselves or predicted from Data.

7. Publication of Research Results and How to Express Acknowledgements to Disease Analysis DB Group for Data Set

Approved Users agree to include acknowledgments to the investigator(s) and/or research group(s) who have provided Data and the Integrated Database Project - Disease Analysis DB Group when publishing a research on a peer-reviewed journal, at an academic meeting or in any other way.

A sample of acknowledgements is as follows:

“(A part of) The data used for this research is (originally obtained by AAAA research project/group led by

Prof./Dr. BBBB and [please describe if appropriate]) available at the website of “DB Development for Medical Application from Disease Analysis (<https://gwas.lifesciencedb.jp/index.html>)” which is a part of the "Integrated Database Project" funded by the Ministry of Education, Culture, Sports, Science and Technology of Japan.”

8. Data Use Report

PI shall submit Data Use Report concerning the method of using Data and the publication of research results (including patent and publications) by the end of fiscal year. Co-investigator(s) agrees to submission of the above Data Use Report by the PI and to cooperate.

Data Use Report shall include the summary of use history for Data, publications (research article, book and others), and the application and acquisition status for industrial property rights based on research results and the description of breach when Data are used beyond the objective specified in this DUC. (Format is given in the attachment.)

Data Use Report shall be submitted by the end of each fiscal year (on March 31).

Data Use Report shall be submitted to:

Prof. Ryuichi Ida (Kyoto Univ.), Chairperson of the DSRB

Prof. Ituro Inoue (Tokai Univ.), Deputy Chairperson of the DSRB

E-mail: gwas@lifesciencedb.jp FAX : 03-5802-2907

Note) Any inappropriate data leakage due to negligence shall be reported to the DSRB in accordance with Section 6.

9. Publication of Data Use Status

Approved Users agree to the posting of the statistical information concerning the status of Data use on the website of Disease Analysis DB Group. Publications of the research results using Data may also be made public.

10. No Warranty and Disclaimer

Approved Users acknowledge that the data provider and Disease Analysis DB Group do not warrant correctness and reliability of Data for any result of the use of Data despite their best possible efforts. The data provider and Disease Analysis DB Group do not warrant validity or rationality of Data for any particular purpose.

Any individual or organization specified in this DUC shall not be responsible for any loss, complaint, damages or responsibility.

11. Termination and Breach

This DUC shall be valid from the date on which PI and Co-investigator(s) have initial access to Data (“Approved Date of Access”) and until expiration of the period of data use specified in Application Form for Data Access. Approved Users agree to destroy all copies of Data and all derived data including the individual-level information upon expiration of the period of data use.

However, a separate consideration shall be made if a new Application Form for Data Access has been submitted and the approval process is in progress. Also, it is not necessary to destroy copies of Data if there is a prior notice and approval of the DSRB and the document stating that other Approved Users of the same institution are using Data under a research project subject to the currently valid approval has been submitted.

In addition, Approved Users who obtain permission of DSRB by submitting Application Form for Data Custody may keep the derived genotype list.

If any of Approved Users has been found to breach this DUC, Disease Analysis DB Group may terminate this agreement, may immediately cancel the authorization to access all Data and may make PI's name public.

I agree to comply with the foregoing.

Principal Investigator (Signature)

Date of Signature

(MM/DD/YYYY)

I hereby approve that Principal Investigator will carry out the research as specified in the application while complying with the terms and conditions of this DUC.

Head of Principal Investigator's Institution (Signature)

Date of Signature

(Head of Research Section, Head of Department, Dean, etc.)

(Job Title)

(MM/DD/YYYY)