

# Databrary Access Agreement

*Version date: April 29, 2020*

The undersigned Institution--an academic, research, government, or health entity---grants permission for its Authorized Investigators, identified below and in Annex II, ("List of Authorized Investigators") to access Databrary.

Databrary is a web-based data library housed at New York University designed for sharing behavioral data, including video files and associated metadata. Authorized Investigators approved by their Institutions for access to Databrary may access data shared by others and/or contribute data for others to access. Databrary requires that an Authorized Investigator secure Institutional approval, usually from a research ethics board, before contributing personally identifiable human or non-human animal data to Databrary or conducting research on any data obtained from others through Databrary. Databrary, however, does not require Institutional approval for permitted non-research uses (e.g., pre-research, preliminary analysis, self-study, teaching) beyond this Databrary Access Agreement.

All Institutions and Authorized Investigators agree to use Databrary and data obtained through it exclusively for the purpose of non-commercial scientific research or education.

By signing this Databrary Access Agreement, the Institution verifies that (a) it maintains or uses an ethics board or Institutional Review Board with U.S.-equivalent standards that reviews and approves research involving human subjects, (b) it reviews and approves research involving non-human animal subjects, (c) its Authorized Investigators have training that addresses research ethics with human subjects and/or non-human animals, (d) its Authorized Investigators are eligible to conduct independent research at the Institution, (e) its use of Databrary will comply with this Databrary Access Agreement, and it accepts responsibility for its Authorized Investigators' and other employees' actions related to the use of Databrary, (f) it grants Authorized Investigators the authority to choose and manage affiliates, and (g) the person executing this Databrary Access Agreement on behalf of the Institution has the authority to do so.

The Institution and the Authorized Investigators agree that Databrary, New York University, The Pennsylvania State University, and the relevant funding agencies bear no responsibility for the use of Databrary or the information contained within it. Except in cases where the Institution is expressly prohibited by law from indemnifying third parties, the Institution indemnifies and renders harmless Databrary, New York University, and The Pennsylvania State University from all claims, losses, liability, and other damages that arise from violations of this Access Agreement by the Institution or the Institution's Authorized Investigators. In cases where the Institution is prohibited by law from indemnifying third parties, in accordance with and to the extent permitted and limited by a superseding national, state, or local provision, statute, or law, the Institution agrees that it will be responsible for the payment of claims, including for loss, personal injury, death, property damage, or otherwise, arising out of any act or omission of its employees or agents in connection with the performance of this agreement for which it is held liable under applicable law. It is understood and agreed that this document shall constitute a separate agreement between Databrary and the Institution, as amended from time to time by the Institution and Databrary, to include additional Authorized Investigators as listed in Annex II, to include new datasets available to Authorized Investigators, and to expand the uses allowed for shared datasets.

By signing this Databrary Access Agreement, effective as of the date entered below, the Institution and its Authorized Investigators (optionally listed under Annex II) hereby agree to its terms, including those found in the attached Annex I ("Statement of Rights and Responsibilities"), and in the attached Annex III ("Databrary Access Guide"). The Databrary Access Guide may be amended from time to time. Databrary will notify the Institution and its Authorized Investigators of any amendments to the Databrary Access Guide by email and will maintain a copy on the Databrary website.

## Acknowledgement by Authorized Investigator

As an Authorized Investigator, I acknowledge that I have read and understand the terms of this agreement.

Name of Authorized Investigator: \_\_\_\_\_

Title of Authorized Investigator: \_\_\_\_\_

Signature of Authorized Investigator: \_\_\_\_\_ Date: \_\_\_\_\_

## Approval by Institution

As the Authorized Organizational Representative (AOR), my signature below indicates that I have authority to bind my Institution under this agreement.

Name of Institution: \_\_\_\_\_

Name of AOR: \_\_\_\_\_

Title of AOR: \_\_\_\_\_

Signature of AOR: \_\_\_\_\_ Date: \_\_\_\_\_