

Approved by the trustee responsible for research on June 17, 2019

Confidentiality Guidelines for Industry-Academia-Government Collaboration

These Guidelines set out specifications for the efficient operation of the Confidentiality Policy for Industry-Academia-Government Collaboration (the "Policy").

1. Scope of Persons and Information

Persons to whom these Guidelines apply and the scope of information governed by these Guidelines are as specified in Section 3 (Scope of Persons and Information) of the Policy.

2. Forms of Confidential Information

The forms of Confidential Information are as specified below.

- (1) Information recorded in documents indicated as "Confidential" or in electronic media containing data indicated as "Confidential," including experimental data for any technology for which a patent application is yet to be filed, information about phenomena pertaining to new discoveries, customer data, and enterprises' development plans
- (2) Information disclosed orally or in a visually identifiable form and designated as being Confidential Information in writing or by any other means at the time of disclosure
- (3) Any tangible item designated as being confidential and transferred, lent or presented to the University's faculty or staff

3. Categories of Confidential Information and Criteria for Designating Confidential Information

For the purpose of controlling Confidential Information, the categories of Confidential Information are defined as follows. Furthermore, the criteria for designating Confidential Information are specified by category as follows.

(1) External Confidential Information

Such information and tangible items defined in Section 1 (Scope of Persons and Information) of these Guidelines that do not fall under the category specified in item (2) below

(2) Sensitive External Confidential Information

Such information and tangible items defined in Section 1 (Scope of Persons and Information) of these Guidelines that are subject to advanced control as required by a project partner and accepted by the University on condition that the project partner has agreed to bear expenses necessary for such advanced control

4. Designation of Sensitive External Confidential Information

Sensitive External Confidential Information shall be designated in the following manner. The information and tangible items containing Confidential Information that have not been designated as Sensitive External Confidential Information shall be treated as External Confidential Information.

- (1) Designation of Sensitive External Confidential Information; Confirmation of the Category of Confidential Information

- (i) If a faculty or staff member receives a request for control in the form of Sensitive External Confidential Information from a project partner at the start of a Collaborative Project or thereafter, the faculty or staff member shall make a report to the relevant Confidential Information Administrator.
 - (ii) Upon receipt of a report specified in item (i) above, the Confidential Information Administrator shall inform the Confidential Information Supervisor of the request for control in the form of Sensitive External Confidential Information. Then, the Confidential Information Administrator and the Confidential Information Supervisor shall consult with the project partner and determine whether or not to control the information in question as Sensitive External Confidential Information.
 - (iii) When a faculty or staff member receives certain information or a certain tangible item under an obligation of confidentiality from a project partner, the faculty or staff member shall confirm its category of Confidential Information in accordance with the workflow specified in the Confidential Information Management Manual for Industry-Academia-Government Collaboration (the "Manual").
 - (iv) If the degree of confidentiality of certain Confidential Information is diminished, certain Confidential Information ceases to be confidential, or its category needs to be changed with the passage of time or for any other reason, the relevant faculty and staff member may change the category of the Confidential Information or cancel the designation as Confidential Information in accordance with the workflow specified in the Manual. However, reclassification of Sensitive External Confidential Information or cancellation of its designation shall be subject to prior consultation with the relevant project partner.
 - (v) If a project partner is not duly authorized to disclose certain Confidential Information or whether it is duly authorized or not is questionable, the relevant faculty or staff member shall decline to receive the information that would otherwise be disclosed and make a report to the relevant Confidential Information Administrator.
- (2) In addition to that which is specified in these Guidelines, the rules on designation and confirmation of the category of Confidential Information are specified in the Manual.

5. Controlling Confidential Information

- (1) The University's faculty and staff and Confidential Information Administrators shall be responsible for physically and technically controlling Confidential Information. In addition to that which is specified in these Guidelines, the rules for controlling Confidential Information are specified in the Manual.
- (2) The Confidential Information Supervisor shall audit the status of control of Sensitive External Confidential Information every year. With regard to External Confidential Information, the Confidential Information Supervisor may conduct audits as and when necessary.

6. Students and Collaborating Researchers

- (1) If a faculty or staff member asks a student to participate in a Collaborative Project as a research collaborator, the faculty or staff member shall explain the conditions for handling research outcomes and Confidential Information to the student in

accordance with the Manual to ensure that the student can decide whether or not to participate in the Collaborative Project by his/her own free will.

- (2) If a faculty or staff member asks a student who is under no contract with the University to participate in a Collaborative Project as a research collaborator, the faculty or staff member shall ask the student to sign a written ~~eath~~-declaration stating the conditions for handling research outcomes and Confidential Information at the time of conclusion of an agreement for the Collaborative Project between the University and the partners.
- (3) If a faculty or staff member asks a student who is bound by an employment contract or any other contract with the University to participate in a Collaborative Project as a research collaborator, the faculty or staff member shall remind the student that he/she is subject to the obligations of confidentiality specified in the contract with the University.
- (4) In cases where a student participates in a Collaborative Project as a research collaborator, the relevant faculty or staff member shall not allow the student to access any Sensitive External Confidential Information unless otherwise specifically agreed upon by the project partners. In the event of disclosing External Confidential Information to the student, such disclosure shall be limited to the minimum necessary to execute the Collaborative Project.

7. Reassignment of Faculty and Staff

- (1) If a faculty or staff member loses his/her status as a member of the University due to resignation or reassignment or for any other reason, the faculty or staff member shall return all Confidential Information obtained during his/her tenure to its owners or discard such Confidential Information in accordance with the Manual. However, the foregoing shall not apply if the permission of the owner of such Confidential Information is obtained.
- (2) Even after a faculty or staff member loses his/her status as a member of the University due to resignation or reassignment or for any other reason, the faculty or staff member shall in perpetuity refrain from disclosing any Confidential Information coming to his/her attention during his/her tenure without the permission of its owner or rights holder.

8. Penal Provisions

- (1) If a faculty or staff member is responsible for the leaking of any Confidential Information due to his/her gross negligence or willful misconduct, the University may impose disciplinary action pursuant to Articles 72 to 74 of the Work Regulations for Regular Staff of the National University Corporation Kanazawa University.
- (2) If a student is responsible for the leaking of any Confidential Information due to his/her gross negligence or willful misconduct, the University may impose disciplinary action pursuant to the Student Disciplinary Regulations of Kanazawa University.

9. Miscellaneous Provisions

These Guidelines shall be reviewed and revised as and when necessary to keep pace with changes in social needs or circumstances surrounding the University.