

From: GISAID Secretariat
Date: Wednesday, October 1, 2025 at 12:35 CET
To: [...]
Subject: data packages made available for download

Dear [...],

During a recent review of data packages made available for download in EpiCoV we noticed that your package ‘[...]’ in the ‘Genomic epidemiology’ section is for the most part no longer being downloaded by users. To be precise, during the past seven months (Mar-Sep 2025) only 79 users have made a total of 88 downloads of your package ‘[...]’.

Because GISAID’s resources are limited, we have made the determination to no longer make the ‘[...]’ package available for download in EpiCoV.

Consequently, the data provision GISAID has generated for you on a weekly basis for the past five years to facilitate updates of the ‘[...]’ package in the ‘Genomic epidemiology’ section, will no longer be produced.

Of course, GISAID will gladly work with you to keep up-to-date your global subsampled phylogenetic tree of the ‘Genomic epidemiology of novel coronavirus (nCoV)’ GISAID agreed to support in January 2020 (see your email update 26-Jan-2020).

Additionally, we draw your attention to an outstanding matter. We came across an email you sent on 2. January 2023 to our legal counsel, [...] (see attached). You indicated at the time that you would follow up on his questions, once you are able following a medical leave. Our counsel, you will recall, had previously provided you with ‘detailed clarification on data use under the general DAA vs. web application data agreements’ you sought. We would appreciate if you provide us with your answers to our counsel’s questions, and we apologize in advance, if we have misplaced your reply.

Best wishes

GISAID Secretariat

From: GISAID Secretariat
Date: Saturday, October 4, 2025 at 09:59 CET
To: [...]
Subject: Re: data packages made available for download

Dear [...],

Thank you for your responding to our important email notice of 1-Oct-2025 regarding GISAID's decision that it will no longer make the '[...]' package available as it is no longer being downloaded by users in a meaningful manner.

In addition, we remind you that our email also indicated that the data provision GISAID has generated for you on a weekly basis to facilitate updates of the '[...]' package, will no longer be produced. This means the link 'epicov.org/epi3/...' that was provided to you for the past five years as an individual, i.e., a registered user, will cease to work.

Regarding your global subsampled phylogenetic tree, we propose the following mechanism by which GISAID will keep this feature up-to-date. After consulting with our staff and advisors on the feasibility of keeping your global tree up-to-date, there was a clear consensus that continuing to generate, zip and move big files back and forth is not sustainable and a waste of resources. It is recommended that you provide to GISAID the parameters for Augur and GISAID will run it for you. You would then be provided the Augur output JSON file with the relevant subsample for your phylogenetic tree.

With regard to the email from our legal counsel, we would indeed appreciate that you follow up on his questions with him directly. Accordingly, we have copied [...] on this response.

Finally, please note: We have removed your insertion into this email thread, as it not only detracts from our communication, but has no relevance to the foregoing.

Best wishes

GISAID Secretariat

From: [...]
Date: Thursday, October 2, 2025 at 16:22 CET
To: GISAID Secretariat
Subject: Re: data packages made available for download

Dear GISAID Secretariat and [...],

Thanks so much for getting in touch. I had completely forgotten about the outstanding email from [...] from January 2023. There was a lot that I dropped in that interim. My apologies for this.

Thank you hugely for providing the backbone for ongoing genomic surveillance of SARS-CoV-2 and for keeping provisioning the flat file at [...] for our continued updating of [...] ncov/gisaid/. It's hard to believe that it's almost been six years since we started this work together in January 2020 (and still longer for work on flu).

I'd love to keep this partnership going and keep [...] ncov/gisaid/ updating. I'd love to know if there's specific things you'd like us to be doing differently. I had noted in an email to [...] on July 2, 2024 (copied below) about a strategy to lighten the load for provisioning data (and our processing of data), but there's many ways to do things.

But all this said, perhaps it would be best if we could have a phone call? It would be great to talk.

Separately, I can still plan to follow up on [...]'s queries. Should I respond directly to him or to you?

Take care,
- [...]

>>> INSERT REMOVED <<<

From: [...]
Date: Monday, October 27, 2025 at 22:01 PST
To: GISAID Secretariat, [...]
Cc: GISAID Compliance, [...]
Subject: Re: data packages made available for download

Dear GISAID Secretariat,

[...]

In this case, I would like to proceed with your generous offer to have GISAID produce subsampled Auspice JSONs to host on [...].

Thank you for your continued engagement,
- [...]

From: GISAID Secretariat
Date: Thursday, October 16, 2025 at 15:31 EST
To: [...]
Cc: GISAID Compliance, [...]
Subject: Re: data packages made available for download

Dear [...]:

Thank you for your recent correspondence. We have reviewed your request and determined that providing data in a format other than that proposed to you [...], is not workable given the terms of use for data in GISAID.

Your response, however, indicates that you are using the data received from GISAID for other non-approved purposes, and have “re-published” this data in various forms. GISAID authorized and maintained a data feed only for a specific purpose, i.e., for the updates of the '[...]' package. But since it was no longer being downloaded in a meaningful manner, it is no longer being produced. Use of data provided by GISAID for other purposes is improper and violates the terms of GISAID’s database access agreement.

We therefore ask that you remove any instance where data from GISAID is used for other non-approved purposes or provided to others. As you know, GISAID data is provided to users directly, and re-transmission or re-publication is not allowed. This mechanism ensures that the data providers themselves retain full authority over the data they share via GISAID.

As you correctly point out, GISAID supports the maintenance of phylogenetic ‘trees for many other users’ (incl. submitting labs). GISAID relies on various software programs towards tree-building, including but not limited to augur/auspice which in itself is reliant on software code developed by others, e.g., MAFFT, FastTree, IQ-TREE and TreeTime. GISAID’s support ensures those trees remain up-to-date and compliant with the terms under which data is made available. Not only does GISAID enable users to generate and download an augur json file directly from EpiCoV, GISAID’s critical support of augur/auspice was also recognized by you in 2015.

GISAID reiterates its willingness to ensure that your global subsampled phylogenetic tree remains up-to-date. Once you provide GISAID with all necessary criteria for set selection, subsampling and target size for each tree. GISAID technical staff can gladly look into the modalities of enabling the 56 trees you are making reference to.

With respect to your [...] dashboard using the [...] model; We note that you never requested permission to use data shared via GISAID for such a web service, nor has GISAID authorized such use. If you would like, GISAID technical staff can devise a plan to make this dashboard directly available through the GISAID platform.

We also note that the various dashboards/webservices you identified in your email imply that GISAID approved the dashboard and the data for these purposes. This is incorrect; As noted above, GISAID never provided permission for these uses. The use of the GISAID logo and statements related to GISAID on these dashboards and webservices give off the appearance that these are authorized and supported by GISAID, which is incorrect. We ask that you correct this issue immediately

Finally, we remind you that GISAID provided permission for you as an individual to use data only to maintain your global subsampled phylogenetic tree (nCoV) and generate your '[...]' packages for download in GISAID. Since that time, you have not been granted permission to use data from GISAID in any other form or any other dashboard and webservices.

Thank you again for your attention to this matter

GISAID Secretariat

From: GISAID Secretariat
Date: Wednesday, November 5, 2025 at 10:33 EST
To: [...]
Subject: Re: Fact check & on-the-record comment re: forthcoming Nextstrain post

Dear [...],

Thank you for your email, and we appreciate your raising this matter to us in advance. We've set out our comments below.

Thank you for your consideration

GISAID Secretariat

From: [...]
Date: Monday, November 3, 2025 at 15:46 EST
To: GISAID Secretariat
Subject: Fact check & on-the-record comment re: forthcoming Nextstrain post

Dear GISAID Secretariat,

We feel we need to inform our users as to the situation with SARS-CoV-2 analysis updates. We plan to publish a short status update to nextstrain.org/blog about GISAID-dependent SARS-CoV-2 analyses on **Wednesday Nov 5**. For accuracy and fairness, please confirm/correct the brief facts below and share an on-the-record statement (150–250 words) if you wish to do so.

Facts we plan to reference

1. On Oct 1, 2025, GISAID informed us that updates to Nextstrain-specific flat-file feed would be discontinued effective immediately.

- It is important that you inform your users that GISAID only provides access to natural persons, not groups, institutions or entities. GISAID's agreement, and the terms of use of the GISAID platform, were with you ([...]), not a group, institution or entity. We thus believe the “*us*” is not accurate.
- In addition, this statement is incomplete. We request that you provide the specific context regarding the discontinuance that was explained to you: your '[...]' package is not being used in a manner and a frequency that justifies the effort required by GISAID to package and prepare the information. In particular, the specific reason provided to you is that over a seven-month period merely 79 users made a total of 88 downloads of your package.

2. GISAID proposed that we provide Augur parameters, GISAID would run Augur, and return subsampled Auspice JSONs for our trees.

- Again, this statement is incomplete and misleading. GISAID stated, and continues to state, that it is happy to continue to support your work to keep up-to-date your global subsampled phylogenetic tree of the ‘Genomic epidemiology of novel coronavirus (nCoV)’. In addition, your statement should note that this was the only tree GISAID had agreed to support in January 2020 (see your email update 26-Jan-2020).

Again, as the terms of use and agreements of GISAID run to individuals, you should not imply that GISAID has entered into any sort of agreement with any group, institution or entity group, institution or an entity (legal or otherwise). These requirements (agreements with individuals, not institutions) were requested by the individual submitters when GISAID was first created.

3. GISAID stated that packaging/transferring large flat files is not sustainable.

- Again, this statement is incomplete. As noted above, the reason for GISAID's discontinuance was clearly explained to you. GISAID regularly evaluates efficient usage of resources, and indicated to you that because the usage of your '[...]' package was so low (i.e., during the past seven months (Mar-Sep 2025) only 79 users have made a total of 88 downloads), GISAID could no longer support the work required for such low usage.

4. Since October, we have requested parity access to the same non-Nextstrain-specific flat files provided to other external platforms; if legitimately not possible, we're open to the GISAID-run option wherein JSONs are shared through Nextstrain Groups interface.

- It is important to remember that user "access" to data on the GISAID data sharing platform and having the privilege of receiving a custom data provision to enable a dashboard with data shared via GISAID, are two entirely different things. What you appear to be referring to are data provisions such as the one that had been provided to you to generate your '[...]' package. Therefore, the concept of parity that anyone is entitled to a data provision is unrealistic. Data provisions from GISAID, including those that enable dashboards, are currently under review. This is of particular importance as GISAID is aware, and addressing, the fact that there are several individuals that have misused a GISAID's data provision and their agreements. Among them are individuals that received GISAID support to operate their own "dashboard" to display aggregate data, but have abused the GISAID data sharing process in violation of the rights inherent to the owners of that data. See <https://gisaid.org/resources/statements-clarifications/data-related-complaints/>.

5. In 2021, we implemented requested changes (retain hCoV-19/ prefix, updates to tooltips, no metadata downloads).

- This statement is again incomplete, and neglects to state that the reason those changes were implemented were because of violations of the terms of use you agreed to when you signed up to use GISAID (e.g., by operating the now defunct influenza database (who.nextflu.org) that provided data from GISAID EpiFlu). Your release of metadata from GISAID EpiCoV on GitHub was also a violation of GISAID's terms of use, as well as enabling the download of FASTA sequence data from your global subsampled nCov tree, which ultimately lead to your call with [...], [...] and [...] on 15-June-2021. During this call, only compliance improvements to your global subsampled nCov tree that were immediately implementable were discussed.
- It is also important to tell your audience that you never consulted with, nor sought permission from GISAID, to make use of the data package provided to enable your [...] package for other trees, leave alone for webservices. GISAID asked you for an explanation of how you used GISAID data as early as 2022, but you have yet to provide any response.

6. GISAID has asked other groups (not Nextstrain) for a ~\$100k annual fee for continued data access. We'd like to rebut online [rumors like this one](#).

- You are aware that the statement in the X post is not true because GISAID never requested any money from Nextstrain. Thus, attempting to rebut “rumors” does nothing but further re-publish those same false statements. Moreover, the X post has been taken down once we informed the individual who made the post that the statements, allegations, and innuendos in the post were not correct.
- To be clear, it is utterly false for anyone to suggest that GISAID has asked for a \$100k annual fee for continued data access. GISAID has never demanded or otherwise sought any money from CovSpectrum for updated data, let alone \$100,000. Similarly, GISAID has never demanded or otherwise sought any money from Outbreak for updated data, let alone \$100,000. And, as noted above, GISAID has also never demanded or otherwise sought any money from you for updated data, let alone \$100,000.
- We thus ask that you not repeat or republish these incorrect and false “rumors,” as GISAID has now informed you that they are not true.

Optional clarification (brief answer welcome):

A) Is a standard programmatic flat-file feed available to external analysis sites, and what is the request process?

Please send factual corrections and optionally your statement by **9am PT Wednesday** morning. We'll incorporate factual corrections and include your statement verbatim (edited only for length if over 250 words). If received later, we'll append it with a timestamp.

Sincerely,

- [...]