

VENDOR ITAR COMPLIANCE LETTER

As a vendor to Ontic Engineering (Ontic), you may be required to handle technical data as defined by the International Traffic in Arms Regulations (ITAR) in 22 CFR Sections 120-130. We want to ensure you are aware of the requirements associated with these regulations. Compliance with these regulations is required.

All technical data provided to you by Ontic is subject to export control laws of the United States Government. As such, you as a vendor shall not – directly or indirectly – sell, export, re-export, transfer, divert or otherwise dispose of any products, software, or data received from Ontic to any destination, entity, or person prohibited by the laws or regulations of the United States, without obtaining prior authorization from Ontic.

Furthermore, transfer or exposure of ITAR controlled data or hardware by any means to a non-U.S. person, whether in the United States or another country, is strictly prohibited. Attached you will find definitions for technical data and U.S. person, as defined in ITAR sections 120.10 and 120.15 respectively.

Upon completion of the activity asked of you by Ontic, all documentation sent by Ontic (files, drawings, specs, etc.) needs to be disposed of properly either by return to Ontic, physical destruction or permanent deletion of digital files.

ITAR technical data will be identified by markings on the data. If there are any questions, please contact Ontic Procurement for clarification.

Please acknowledge that you are in receipt of this notification of the above requirements by signing below. If you have any questions, please do not hesitate to contact Ontic Compliance Officer.

Company Name

Signature

Printed Name

Title

Date

Please sign, date and email to sharon.lennon-mehlschau@ontic.com or fax back to 818-678-6614

§ 120.10 -- Technical data.

Technical data means, for purposes of this subchapter:

- (1) Information, other than software as defined in § 120.10(d), which is required for the design development, production, manufacture, assembly, operation, repair, testing, maintenance or modification of defense articles. This includes information in the form of blueprints, drawings, photographs, plans, instructions and documentation.
- (2) Classified information relating to defense articles and defense services;
- (3) Information covered by an invention secrecy order;
- (4) Software as defined in § 121.8(f) of this subchapter directly related to defense articles;
- (5) This definition does not include information concerning general scientific, mathematical or engineering principles commonly taught in schools, colleges and universities or information in the public domain as defined in § 120.11. It also does not include basic marketing information on function or purpose or general system descriptions of defense articles.

§ 120.15 -- U.S. person.

U.S. person means a person (as defined in § 120.14 of this part) who is a protected individual as defined by 8 U.S.C. 1324b(a)(3). It also means any corporation, business association, partnership, society, trust or any other entity, organization or group that is incorporated to do business in the United States. It also includes any governmental (federal, state or local) entity. It does not include any foreign person as defined in § 120.16 of this part.