

# END-USE/END-USER CERTIFICATE

## Controlled Products

Cross Technologies products are subject to U.S. export control laws and regulations. At a minimum, they cannot be exported or reexported to certain prohibited destinations, to prohibited users, or for prohibited uses as discussed below. In addition, certain Cross Technologies products may be controlled on the Commerce Control List (CCL) of the U.S. Export Administrations Regulations (EAR), or the U.S. Munitions List (USML) of the International Traffic in Arms Regulations (ITAR) and may require a license from the U.S. Government for export or reexport even to friendly countries. In particular, articles specially designed or modified for defense applications will require a license for export to any destination.

## Controlled Technologies

Technical information that may be provided to you by Cross Technologies, such as drawings, diagrams, user manuals, etc., are also subject to U.S. export control laws and regulations as described above. Exports or reexports of such information must be made only in compliance with U.S. law, which may require an export license for certain information. An "export" includes giving a non-U.S. person, such as a foreign-national employee or visitor, access to such information, even in the United States.

## Prohibited Destinations

Cross Technologies products and technical information may not be exported to the following destinations or entities of: **Cuba, Iran, Libya, North Korea, Sudan or Syria**. This list is subject to change and you must comply with the list as it exists at the applicable time. The ITAR and EAR contain additional prohibited destinations. Updated prohibited destination lists can be found at:

- <http://www.treasury.gov/about/organizational-structure/offices/Pages/Office-of-Foreign-Assets-Control.aspx>
- [http://www.pmddtc.state.gov/embargoed\\_countries/index.html](http://www.pmddtc.state.gov/embargoed_countries/index.html)
- <http://www.bis.doc.gov/index.php/regulations/export-administration-regulations-ear> (see Part 746)

## Prohibited Users

Cross Products and technical information will not be resold, reexported, or transferred to any prohibited persons or entities included on the Specially Designated Nationals List, Denied Persons List, Unverified List, Entity List, AECA Debarred List, and Nonproliferation Sanctions List. The lists can be accessed at [http://export.gov/ect/eg\\_main\\_023148.asp](http://export.gov/ect/eg_main_023148.asp).

## Prohibited Uses

Cross Technologies products may not be used without the appropriate U.S. Government authorization for:

1. Designing, developing, fabricating nuclear weapons or nuclear explosive devices; or devising, carrying out, or evaluating nuclear tests or nuclear explosions;
2. Designing, assisting in the design of, constructing, fabricating, or operating facilities for the chemical processing of irradiated special nuclear material, for the production of heavy water, for the separation of isotopes of any source and special nuclear material, or specially designed for the fabrication of nuclear reactor fuel containing plutonium;
3. Designing, assisting in the design of, constructing, fabricating, furnishing or modifying equipment for the fabrication of chemical or biological weapons, chemical precursors, viruses, viroids, bacteria, fungi or protozoa;
4. Designing, assisting in the design of, constructing, fabricating or furnishing equipment for components specially designed, modified or adapted for use in such facilities;
5. Designing, developing or producing rockets or missiles;
6. Training personnel in any of the above activities.

## INSTRUCTIONS FOR COMPLETING END-USER, END-USE CERTIFICATION

1. Give the Model or Part Number and describe the product being purchased.
2. Purchaser Name should be the same as stated on the Purchase Order and on Letters of Credit.
3. INTERMEDIATE CONSIGNEE. Provide the complete name and address of anyone who will receive the goods and forward them on. If you have freight forwarders who handle your shipments, list here. P.O. Box numbers are not accepted. If there is no Foreign Intermediary, enter "None."
4. CONSIGNEE. Provide the complete name and address of anyone who will receive the shipment for storage, modification or incorporation into another end-item and for forwarding to the foreign end-user. In some cases the end user may be the purchaser, in other cases, the articles may go to multiple contractors, system integrators, shipyards or manufacturers before the final end product is delivered to the end user. If so, list their names, addresses and the **Role** they perform. This information is required on an export license application.
5. END USER. Clearly identify the **entity** that will take final possession of the commodity and be the recipient and user of the systems. For example, "The systems are being procured by the Norwegian Ministry of Defense for use by the Norwegian Royal Air Force." Provide the address of the End User, including street address (not P.O. Box) because the export license application requires this information and the State Department and Commerce Department will not accept general or imprecise addresses. Provide the complete names. Writing "Military" without describing which service branch is unacceptable to the licensing agency.
6. COUNTRY OF ULTIMATE DESTINATION. This is the country where the items will ultimately be located. If this is different from the country in item 5, please explain.
7. END USE. This short statement should describe the specific system in which the product will be used. State whether the ultimate end use will be a military or commercial application. Include the name of **platform** (item 7A) on which the product will be used. If applicable, provide the name of a **Program** (item 7B) that identifies the end use so that the U.S. Licensing Agency can understand where and how the products are going to be used.

**REQUIRED CERTIFICATION.** You must make the statement certifying that the items will not be used for the purpose of any Chemical, Biological, Nuclear Weapons, or Missile programs (ballistic or cruise) and that the items are not for re-export to anyone not stated on the end-use certification. **THESE CERTIFICATIONS MUST BE PROVIDED TO THE U.S. GOVERNMENT IN ENGLISH BY THE END USER, ON THE END USER'S LETTERHEAD.** In some cases we may decide that a license is not necessary, but this certification is still required for us to make that determination.

Insufficient or incomplete information on this certification will delay your procurement. If the licensing officer cannot verify an acceptable end use/end user, the license application will be returned without action.

Thank you in advance for helping us process your order.

Cross Technologies

## End-User/End Use Certification

**Purchase Order #:** \_\_\_\_\_

Please fill out this form completely and email or fax to Cross Technologies at [info@crosstechnologies.com](mailto:info@crosstechnologies.com) / (770) 886-7964 with a purchase order. The information supplied below will be kept confidential and used only for determining export requirements and submission with export license applications.

	<u>Model/ PN</u>	<u>Description</u>
<b>1. Product(s) being purchased</b>	_____	_____
	_____	_____
	_____	_____
	_____	_____
<b>2. Purchaser/Reseller</b>	Name on Order: _____	
	Street Address: _____	
	City, Country: _____	
<b>3. Intermediate Consignee</b>	Organization Name: _____	
	Street Address: _____	
	City, Country: _____	
	Role _____	
<b>4. Consignee</b>	Organization Name: _____	
	Street Address: _____	
	City, Country: _____	
	Role _____	
<b>5. Ultimate End-User</b>	Organization Name: _____	
	Street Address: _____	
	City, Country: _____	
	Phone or Fax No.: _____	

6. **Country of Ultimate Destination** \_\_\_\_\_

7. **End Use:**             Commercial             Military

7A. **Platform used on:**     Ship             Airborne             Satellite             Ground-Based  
                                  Other(s)    Please, specify: \_\_\_\_\_

7B. **Program Name:** \_\_\_\_\_

**Describe the type of system for this Program utilizing the exported component(s).**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I (We) will abide by all applicable U.S. export control laws and regulations for any products purchased from Cross Technologies, Inc. and will not transfer such technology to a third party (other than a Transocean affiliate) without obtaining any licenses or prior approvals required by the U.S. Government prior to such transfer which would result in an export or re-export of Cross Technologies, Inc. products.

We further certify that the product(s) will not be used for proliferation of nuclear, missile, chemical or biological warfare.

**Signature:** \_\_\_\_\_

**Printed Name:** \_\_\_\_\_

**Title:** \_\_\_\_\_