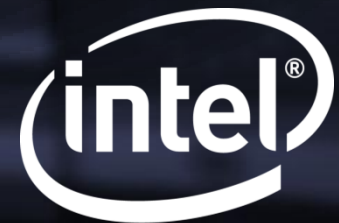


International Technology Transfer Restrictions



**Cyberjaya
January 8, 2014**

**Gareth Lian
Global Export Compliance
Intel Global Trade**

Key Definition: Technology

EAR

- Specific information necessary for “development”, “production”, or “use” of a product in the EAR. The information takes the form of technical data or technical assistance.
- Technical data = blueprints, plans, diagrams, models, formulae, tables, engineering designs and specifications, manuals and instructions written or recorded on other media or devices such as disk, tape, read-only memories
- Technical assistance = instruction, skills training, working knowledge, consulting services, discussions, meetings

Export Regulations Overview

US Control Lists

- EAR, ITAR, OFAC

Multilateral Controls Regimes (i.e. EU List)

- CWC, NSG, AG & Wassenaar

Country Specific Control List

- Japan, India, China

Catch All

- Embargo, Sanctions, Military End Use

Technology Transfers

Intellectual
Property

Our crown jewels
IP laws – copyrights,
trademarks, patents,
etc.

Administered by
Legal
Red & Orange
classifications

Enabling vs. Restricting

Need to Know vs. Unlimited Access

Contract Requirements vs. Regulatory Requirements

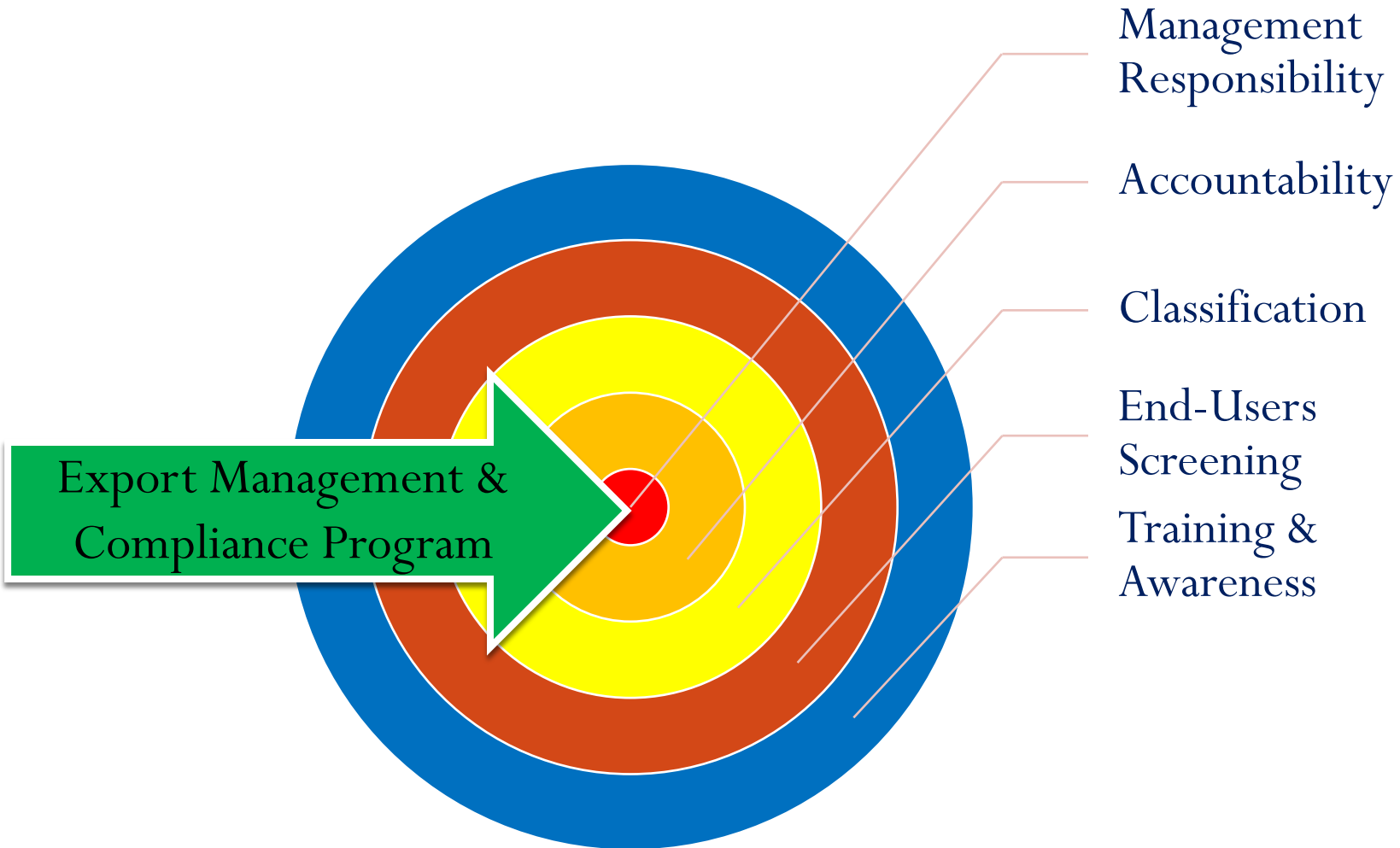
Export Regulations vs. Local Privacy Laws

Globalization vs. Nationalism

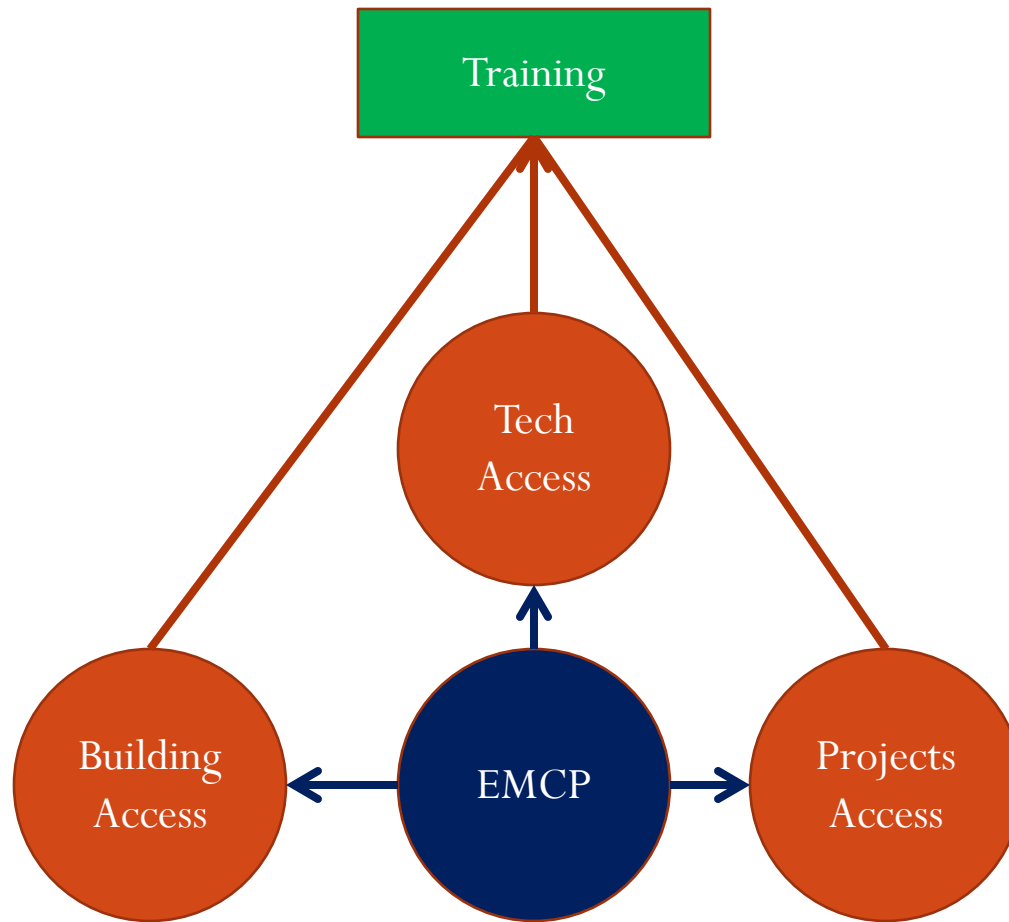
Only a subset of
IP
Regulated by
Government
Administered by
GEC

CT

Internal Compliance Program



How do we control tech transfers?



Technology Transfer Access

IT Controls

- Technology Control Plan (TCP)
- Technology Transfer Control Plan (TTCP)
- Firewalls
- Electronic Marking
- Appoint a Technology Control Officer

Access Controls

- Institute a clear Visitor Access Plan
- Denied Party Screening
- Badges
- Segregated Work Facilities & Locks
- Escorts

Some Things To Think About

Types Of Transfers

- Intra-Company Transactions
- Sharepoints & Shared Drives
- Servers Vs Personal

Internal Compliance Program

- All or Nothing Approach
- Balancing risk and cost (not just dollar value)
- Different processes for different circumstances

Key Take Away

Management Buy-In is Key

Whole company responsibility to ensure compliance

Specific Department/Personnel need to drive and enforce processes

Controls

Automation

Internal Audit

Record
retention